

**TRANSPARENCY AND ACCOUNTABILITY IN
IMPLEMENTATION OF MNREGS:
A STUDY OF HARYANA**

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ABSTRACT

After independence India, ushered into the era of planned development and one of the major thrust of the successive Five Year Plans has been to generate employment opportunities so that the problem of unemployment might be tackled. The government has made several efforts both in terms of starting new and innovative schemes as also providing funds to generate employment in the rural areas. However, despite that the problem of unemployment could not be tackled and rather it is becoming graver. This highlighted the need of more concerted efforts towards solving the problem of unemployment in India and the need to devise some right-based employment programme was realized. This culminated into the enactment of Mahatma Gandhi National Rural Employment Programme in 2005.

The significance of MNREGA lies in the fact that it creates a right-based framework for wage employment programmes and makes the government legally accountable for providing employment to those who ask for it. This Act was introduced with an aim of improving the purchasing power of the rural people, primarily semi or unskilled work to people living in rural India whether or not they are below the poverty line. It was initially called NREGA but was renamed on October 2, 2009 as Mahatma Gandhi National Rural Employment Guarantee Act.

The MNREGA can never meet its objectives without the active participation of people in its implementation. And in this context, transparency and social accountability has an indispensable role to play as a tool in the hands of the poor to fight leakages, claim entitlements and make the MNREGA meaningful for themselves. Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means information is freely available and directly assessable to those who will be affected by this decision. Social accountability is a process of engagement with government to check the conduct and performance of public officials and service providers. The Act developed a new relation between officials and citizens as service providers (panchayat functionaries) and client (beneficiaries) to ensure transparency and social accountability in implementation. The supposition of this thesis has an attempt to review the transparency and accountability in implementation of MGNREGS. The thesis demonstrates this relation through study of six blocks of three districts by

secondary and primary data generated from beneficiaries, panchayat functionaries, block and district programme officials of the Scheme.

Key Words: MGNREGA, transparency, social accountability.

Declaration

The present work as above has been carried out under our Supervision and the declaration as above by the scholar is correct to the best of our Knowledge.

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Chapter-1

Introduction

Idleness of humans is a matter of great concern in comparison to that of other factors of production. Idle material and building would be losing their value to the extent of prevailing rate of inflation in the economy while idle machine would involve depreciation and maintenance costs. But there are wider ramifications of a person remaining idle. An unemployed person continues to consume the existing stock of goods and services without making any contribution to the production of goods and services. The negative effects of a person remaining idle go still farther. As an individual has to satiate the basic needs under all circumstances, the individual is likely to indulge in illegal means on failing to satisfy them through legal means, which create law and order problems for the society.

Every country, irrespective of its state of economic development, faces the problem of unemployment to some degree or the other. But the nature of the problem of unemployment is different in developed and developing countries. Thus while unemployment is usually cyclical¹ and frictional² in the case of developed countries, the problem of unemployment in developing countries is usually associated with lack of manpower planning and inadequate growth rate. In India, problem of unemployment is also associated with overpopulation.

In most of the developing countries like India, manpower planning does not exist and there is no synchronisation between the demand for and supply of manpower in different sectors of the economy. Thus, there exist problem of skill mismatch; several people do not possess the skills in demand in the market place

¹ Associated with the downswing and depression phases of business cycle, cyclical unemployment is to be found in capitalist or market-oriented developed economies. Caused by the lack of coordination among the innumerable decision-makers in the fields of saving and investment, the trade cycle in its downward phase renders many unemployed. For details, refer Agrawal, A.N., *Indian Economy: Problems of Development and Planning (34th edn.)*, New Age International Publishers, New Delhi, 2008, p. 134.

² At a higher level of development, many changes take place in the industrial structure of the developed economies, with the old industries contracting and dying out, and new industries coming up. The products, resources and technologies undergo changes, making the structure of an economy a picture of permanent change. In such a situation workers move from industry to industry, leaving those which are decaying and joining those which are leading the way to further growth and which promise higher wages and rewards. In between the time of leaving and joining, the time for which labour gets no work is a period of unemployment, called frictional unemployment. For details, refer *Ibid*, p. 135.

while the skills that people possess are not in demand thereby creating the problem of unemployment. Developing countries like India also face the problem of slow rate of economic growth. The rate of economic growth during planning period remained considerably lower than the targeted rate and thus jobs could not be created in adequate numbers. The assumption was that growth would automatically solve the unemployment problem, which however, did not happen.³

In India the problem of unemployment is also associated with overpopulation. The growth of population far outnumbered the job opportunities created, which increased the backlog of unemployed. During the planning period, production has increased in all the sectors of economy in response to which the absolute level of employment has also grown. But due to the slow rate of economic growth coupled with high rate of population growth failed to resolve the problem of unemployment in India.

1.1 Employment Generation Programmes

Due to the British policy of plunder and loot, we inherited an extremely backward economy at the dawn of independence. Agriculture, which was the main profession of about 80 per cent of the population, was in a state of utter backwardness. We could not produce sufficient food grains even to feed our entire population. The state of industries was rather pathetic as the British intended that no worthwhile industrialization should take place in this country. Depredation of Indian economy during British period and the scenario thereof at the dawn of independence has been succinctly summarized in the draft document of First Five Year Plan:

Due to the effect of contemporary industrialization in the second half of the Nineteenth century was noticed in our country primarily by importing technically developed belongings from foreign countries which effected unpleasantly the outmoded pattern of the commercial life but it was failed to fulfill the urge of in the growth with combination of new initiatives. The evolution faced criticism not by enlargement of industry and divergence of the economic construction but by the deterioration of country's traditional arts and by increasing the burden of population. This regression controlled with the result of failure in production as per each involvement of every individual in agriculture... As a result the graph of under-

³ Mishra, S.K. and V.K. Puri, *Indian Economy: Its Development Experience (20th edn.)*, Himalaya Publishing House, New Delhi, 2004, p. 182

employment was increased regularly. With these circumstances there could be slight financial or societal growth. In these circumstances Whatever spares might have been accessible in the structure were focused on buying of imports, partially of better-quality accomplished products from foreign and partially of apparatus for the fresh conveyance structure intended mainly in the benefits of foreign commerce. The obligation of encouragement of current business and trade came to be concentrated with the business classes of urban areas and at the ending period of the nineteenth century the only industries with heavy budget which had stabled in the India were textiles. Slight interest was noticed towards the development of agriculture sector or the requirements of countryside areas.⁴

After independence the country entered in the period of scheduled development and the main objective of the succeeding Five Year Plans has been to produce work opportunities so that the problematic area of unemployment has to be solved. Numerous programmes tossed during the plan period to generate work chances are described in section below.

The Rural Manpower Programme (RMP)

This Scheme was coined in second half of 1960-61 in thirty two community expansion blocks. The programme started as an experiment for the consumption of countryside labour. After three years of implementation of the scheme, it was extended to thousand blocks. The target of the scheme was to generate employment opportunities for hundred days at least two and a half million people before ending the Third five year Plan specifically in regions famous for noticeable seasonal unemployment. Due to unavailability of resources, the programme was restricted the results and only twenty per cent of the outcomes were achieved with the disbursement of only one hundred and fifty crore rupees. The programme concluded after eight years of its implementation and in this time period it produced 137 million man-days of employment.⁵

The Crash Scheme for Rural Employment -1971(CSRE)

During the Fourth Five year Plan, the Crash Scheme for Rural Employment (CSRE) was tossed for a period of three years from April 1971 with an annual outlay

⁴ . <http://planningcommission.nic.in/plans/planrel/fiveyr/1st/1planch2.html> visited on 15 July 2014.

⁵ Report of the Working Group on Rural Poverty Alleviation Programmes for the Tenth Five Year Plan, 2002-2007, Planning Commission, Government of India, Dec. 2001, p. 13.

of Rs. 50 crore. The two-fold objectives of the Scheme were to offer employment to minimum 1000 persons in each of 350 districts of the country every year through labour intensive works and creation of durable assets. Although the Scheme achieved its immediate objective of providing employment opportunities and (Real employment generation was 315.9 million man-days against a requirement of 315 million man-days) the benefits both in terms of direct employment and assets creation were found to be too widely scattered. Most of the assets were non-durable in nature.⁶

Pilot Intensive Rural Employment Programme -1972 (PIREP)

The implementation of the Rural Manpower Programme and the Crash Scheme for Rural Employment, led to the realisation that more concerted efforts are needed at least in some selected areas to assess the impact of the scheme in providing full employment that in turn, would give useful lessons for future programmes. Thus along with CSRE, a Pilot Intensive Rural Employment Programme (PIREP) was started in November 1972 in 15 selected community development blocks for a three years period. The basic objectives of PIREP were providing additional employment opportunities for unskilled labour, to create of assets that have a multiplier effect on new job opportunities on a continuing basis. The project completed its full term of three years and generated 18.16 million man-days of employment. The project was reviewed by a committee, which expressed the view that the entire development strategies should be based on labour intensive technologies so that maximum labour absorption takes place through regular development process.⁷

Employment Guarantee Scheme of Maharashtra (1972-73)

Maharashtra government introduced the Employment Guarantee Scheme in 1972-73. The Scheme was first of its kind to give recognition to the 'right to work' enshrined in the Constitution. It embodied a commitment by the State to provide work to a person who come forward to offer labour.

The Scheme was intended to provide employment guarantee only in rural areas. The guarantee was restricted to provision of unskilled manual work and was limited to adults. The participants were to be given no choice of work and were

⁶ <http://lawmin.nic.in/ncrwc/finalreport/v2b1-6.htm> visited on 13 may 2014

⁷Ibid, p. 14

expected to accept work which may be offered to them.⁸ The Programme has ended with the major lessening in the occurrence of unemployment in countryside areas. In the time duration of ten years, average daily unemployment rates were decreased from 7.2 per cent to 3.17 per cent. It was also observed that the scheme helped in reducing rural poverty from 60.4 per cent to 36.7 per cent in these ten years. The Scheme generated positive atmosphere for improvement of wage rates in rural areas.⁹ This Scheme has promoted an enormous number of females too, with approximately sixty per cent of the beneficiaries on Employment Guarantee Programmes sites being women.¹⁰

Training Rural Youth for Self Employment (TRYSEM)

The Scheme was initiated in 1979, having an objective to solve the difficulty of rural youth related with unemployment. The Scheme targeted to arrange training for approx. two lakh countryside youth every year which become helpful for them in generating self-employment. The Scheme benefitted the beneficiaries related to rural family having an income less than Rs. 3500 annually. A minimum of the one-third of the beneficiaries were to be women. The TRYSEM was merged into Swaran Jayanti Gram Swarozgar Yojana in April 1999.¹¹

National Rural Employment Programme -1980 (NREP)

Food for Work Programme was updated and renamed as National Rural Employment Programme from October, 1980. This was implemented as centrally sponsored programme with 50 per cent central assistance. Additional employment for unemployed and under employed was envisaged under this programme. Besides this, the Scheme has an objective to construct community assets which support rural infrastructure.¹² For the Sixth Five Year Plan, overall one thousand six hundred and twenty crore rupees were sanctioned for this scheme. Out of that, nine hundred and

⁸ Datt Ruddar & K.P.M. Sundharam, Indian Economy, S. Chand & Company, New Delhi, 1999, p. 405

⁹ <http://www.planningcommission.nic.in/plans/planrel/fiveyr/8th/vol2/8v2ch2.htm> visited on 16 may 2014.

¹⁰ *Eighth Five Year Plan*, 1992-1997, Planning Commission, Government of India, Vol. II, New Delhi, p.32.

¹¹ Singh B. N.P, *op. cit.*, p.353.

¹² *Sixth Five Year Plan*, Mid-Term Appraisal, 1983, Planning Commission, Government of India, New Delhi, p.57.

eighty crores were allotted to central sector and the rest in the states sector.¹³ On April 1, 1989, it was merged into Jawahar Rozgar Yojana.

Rural landless Employment Guarantee Programme (RLEGP)

It was started on August 1, 1983. The emphasis of the scheme was on growing employment chances for the rural landless.¹⁴ The programme pointed at providing promise of work to at least one member of the household for about 100 days annually. Though the programme was fully financed by central government, but its execution was assigned to the state governments.¹⁵

Jawahar Rozgar Yojana (JRY)

It was the time of February 1989; the administration publicized a new wage employment scheme Jawahar Rozgar Yojana. The Scheme was concentrated with employment creation in one hundred and twenty 120 retrograde districts of the country. However, soon it was felt that there was no requirement of the separate NREP, RLEGP and Jawahar Rozgar Yojana. All the before mentioned programmes had the same objective and similar thrust. Therefore, the earlier discussed two programmes were culminated into Jawahar Rozgar Yojana w.e.f. April 1, 1989.

Swarana Jayanti Shahari Rozgar Yojana (SJSRY)

In December 1997, the Urban Self Employment Programme and the Urban Wage Employment Programme, which are the two special mechanisms of the Swarana Jayanti Shahari Rozgar Yojana, replaced for various programmes functioned previous for urban poverty alleviation.¹⁶ Funding of the Scheme afforded by Centre and State governments with the ratio of 75:25.¹⁷

Swaran Jayanti Gram Swarozgar Yojna (SGSY)

Swaran Jayanti Gram Swarozgar Yojana, launched in April 1999 after restructuring the Integrated Rural Development Programme and similar schemes. The

¹³ <http://www.planningcommission.nic.in/plans/planrel/fiveyr/7th/vol2/7v2ch5.html> visited on 16 may 2014.

¹⁴ <http://www.scribd.com/doc/32783892/Unemployment-Project> visited on 17 may 2014.

¹⁵ *Eighth Five Year Plan, 1992-1997*, Planning Commission, Government of India, Vol. II, New Delhi, p.30.

¹⁶ http://www.mahendras.org/downloads/SOCIAL_SCHEMES.pdf visited on 12 may 2014.

¹⁷ Mishra. S.K, & V.K. Puri, *op.cit.*, p.175

SGSY was introduced for helping the poor in rural areas belonged to above poverty-line organizing them into Self Help Groups through a mix of Bank credit and subsidy provide by the government.

Sampoorna Grameen Rozgar Yojana (SGRY)

This Yojana was started on September 25, 2001 aims to offer spare wage employment in all the rural areas, has a cash and food grains factor for the improvement in nutritional levels and the Centre bears 75 per cent and 100 per cent of the two costs respectively with the balance borne by the states and UT's. The scheme is applicable for those who are in desire of unskilled manual work nearby the village.

National Food for Work Programme (NFFWP)

The Programme was tossed on November 14, 2004 and the programme was expanded in 150 most backward districts to intensify the generation of additional wage employment. The scheme was sponsored completely by the centre government and food grains provided to the states were free of cost. The responsibility of the States lie with the transportation charges and taxes charged on food grains. The highlighting of the programme is on water conservation, drought proofing, land development, flood control and rural connectivity in terms of all-weather roads¹⁸. For 2004-05, Rs. 2020 crores were allocated and 20 lakh tons of food grains generated 7.85 crore person days of employment under the scheme.

1.2 Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA): An Introduction

The government since independence has made several efforts both in terms of starting new and innovative schemes as also providing funds to generate employment in the rural areas during successive Five Year Plans. Each of the Schemes, as discussed above has contributed towards generating additional opportunities. However, despite that the problem of unemployment could not tackled and rather it is becoming graver. As per Planning Commission estimates, in 2004-05 on Current Daily Status basis¹⁹ the rate of unemployment in India has been 8.28 per cent for both

¹⁸ <http://www.iosrjournals.org/iosr-jbm/papers/Vol11-issue4/C01141823.pdf> visited on 16 may 2014.

¹⁹ In India, a person is classified as belonging to labour force, workforce and unemployment on the basis of following four-fold categorization: (i) Usual Principal Status, (ii) Usual Principal and

urban and rural areas. Also there have been 347.38 lakh unemployed in India in 2004-05 and of them 250.97 lakh have been in rural areas.²⁰ Besides, there also exists the problem of disguised unemployment in the vast agricultural sector.

This highlighted the need of more concerted efforts towards solving the problem of unemployment in India and the need to devise some right-based employment programme was realised. This climaxed into the enactment of Mahatma Gandhi National Rural Employment Programme in 2005.

The Act passed by the legislature in 2005, handover the responsibility to the State for solving the problems of unemployment and poverty with taking help of both financial and legal sources. The enactment of the act is first instance when any nation had passed a regulation which provide guarantee for livelihood security for rural people. The basis of such law was based on the prerequisite to offer a social safety to rural households by generating durable assets with the help of natural sources. India has an economy where agriculture is the only source of income for approximately 60 per cent of the population, a major part of the rural population is helpless to face all the notions of monsoon as an awesome part of the uncultivated harvested area in rainy season. These households run the risk of sinking from transient to chronic poverty, in case of any exigency, especially during slack agricultural seasons or years²¹. Income transfers to poor families during their critical times become necessary.

The Employment Guarantee Bill 2004, which was a part of Common Minimum Programme was introduced in Parliament by United Progressive Alliance (UPA) government in December 2004. After having an intense debate on its desirability and feasibility, it was passed on 23 August 2005 and was launched on February 2, 2006 in two hundred most backward districts and was to be extended to all over the country within five year in the phased manner.

The centre government funded many programmes by utilizing the labor by creating durable assets and providing social safety for the rural households. The

Subsidiary Status, (iii) Current Weekly Status, and (iv) Current Daily Status. In the case of Current Daily Status (CDS), rates for intensity of work are computed on the basis of the information on employment and unemployment recorded for the 14 half days of the reference week. The employment status during the seven days is recorded in terms of half or full intensities. An hour or more but less than four hours is taken as half intensity and four hours or more is taken as full intensity.

The decision rule by which is quite crucial.

²⁰ Approach Paper Eleventh Five Year Plan 2007-12, Vol. I, Planning Commission, Government of India, New Delhi, 2008

²¹ <http://www.mediaforrights.org/custom/docs/reports/en/NREGA%20REPORT.pdf> visited on 13 june 2014.

importance of the Act lies with the reality that it develops a right-based outline for employment generation programmes and makes the authorities officially answerable for the creation of employment to those who need it at the statutory minimum wages of Rs. 60 daily.

The aim of the Act stayed with the improvement of the acquiring capacity of the unskilled or semi-skilled rural people whether they belonged to below the poverty line²² or not. About 33 per cent of the stipulated work is reserved for women beneficiaries. It Scheme was primarily called NREGA but on October 2, 2009 it was retitled as Mahatma Gandhi National Rural Employment Guarantee Act.

1.3 NREGA in Haryana

The act was come into force on February 2, 2006 and implemented in a phased manner. In first phase, it was introduced in 200 most backward districts of the country. Only two districts of Haryana i.e. Sirsa and Mahendergarh were included in first phase. It was implemented in an additional 130 districts of India in second phase during the year 2007-08. Ambala and Mewat districts of Haryana were included in 130 districts of second phase. As per the initial target, MNREGA was to be expanded all over the country in five years. The scheme was extended to the remaining 285 rural districts of India from April 1, 2008 in third phase, according to the demand of work and to provide safety net to the whole country. The rest seventeen districts of Haryana were included in third phase implementation.

1.4 Main Provisions of the Act

It is the responsibility of the Act State government that it has to provide the work within fifteen days to every beneficiary who applied for unskilled manual work with the condition that the work site must be situated in the radius of 5kms of the village. If the panchayat functionaries show its failure in providing work within the fixed period the state government has to provide an unemployment allowance. Beneficiaries are facilitated to a statutory minimum wage for their work, after seven days of the completion of work. The wage rate is same for men and women. This act is concentrated with the focus on unskilled manual work having the principle of self-selection. The measures of transparency and accountability are emphasised at all levels

²² <http://www.indianjournals.com/ijor.aspx?target=ijor:ijrss&volume=2&issue=4&article=003> visited on 13 june 2014.

e.g. the Wages are transferred directly by bank or post office, there is a provision of social audit in every six months and all scheme related documents are available in gram panchayat office for public inquiry. The Act has to work with the combination of one another law which is the Right to Information Act, 2005. The role of contractors is prohibition because their involvement was mostly responsible for creating corruption in different prior implemented schemes. Since the work is directly provided to the job seekers by district authorities or panchayat functionaries which is easy to make them accountable towards their responsibility.

The responsibility lies with the district officers to create register number for any household who is willing to do work and issue them Job card and the job card is to be kept on by the household. Campaigns have been organized and social mobilization efforts have been made to give information to the people of their rights and authorities under the Act. To generate awareness about the scheme among the officials and panchayat functionaries many exercise programmes have been organized by the government all over the country. As per directions of the Act, wages should be paid through local banks and post offices, wherever possible. All the activities of the scheme have been computerized. Regular social audit is one of the distinguish feature of the Act which includes the social audit of the daily attendance registers with the social audit of approved works which confirm the lack of irregularities in measurement of work done, materials exactly calculated and payments made on real estimates.

The MGNREGA not only details out of the functions of officials at different levels but also develops the watching and assessment criteria, the method for ensuring clarity and accountability. For example, it is compulsory for the panchayats and the administration to provide copies of attendance registers “for going-over by anyone who express his interest after payment of prescribed fee under the scheme.” All the receipts, vouchers, M.B, Proofs of approved orders and other associated books of account of the scheme must be obtainable for unrestricted perusal and anyone who is interested get a copy or important extracts of documents²³.

1.5 Challenges before the MGNREGS

Before the effective implementation of MNREGS, there were two major challenges. First challenge in implementation of the Scheme was to arrange the

²³http://www.researchgate.net/publication/46476591_Transparency_and_Accountability_in_Employment_Programmes_The_case_of_NREGA_in_Andhra_Pradesh visited on July 19, 2014.

financial requirements to fulfill the conditions mentioned in the law. The other aspect of problem lies with the problem of middlemen. The issue concerned with implementation mechanism of this program because the local involvement in its execution helpful in offering opportunities for mediators to chifon out the money depriving the deserved ones²⁴. Critics express that it would be problematic to confirm the implementation of this guarantee in a huge country without negotiating the rules of transparency and accountability²⁵. Still the problem is alarming after completion of nine years of execution of the Scheme in throughout the country.

Now that the Act has been enacted and a administrative choice has been made, the obligation of financial requirements related with state government. But one more challenge which is essential to be extremely noticed by all quarters. Corruption is a serious difficulty which is responsible in damaging all the principles of this noteworthy and tough won pleasure for country's rural poopulation. The reason of discussion not only concerned to give response to the the critics, but also concerned with providing the welfares of this legislation spread those it was supposed to. It is impossible that the Act achieve its objectives without the dynamic contribution of people in its execution²⁶. And in this reference, transparency and social accountability has an essential role to play as a tool in the hands of the beneficiaries to reduce loopholes, claim entitlements and try to take benefit of the Scheme as a meaningful measure.

1.6 Meaning of Transparency

Transparency is operating in such a way that it is easy for others to see what actions are performed. The important aspect for moving towards the good governance is the instrument of transparency. Secrecy and lack of openness is responsible for corruption. In present era, there is a need and demand for introducing greater transparency in government departments and public bodies and to ensure an easy access to information and performance of the government²⁷. Transparency means that all the decisions and their enforcement are done according to the instructions and

²⁴ <http://www.caluniv.ac.in/global-mdia-journal/WINTER%202010%20ARTICLES/Article%207.pdf> visited on july 10, 2014.

²⁵ <http://www.caluniv.ac.in/global-mdia-journal/WINTER%202010%20ARTICLES/Article%207.pdf> visited on july 15,2014.

²⁶ . <http://www.caluniv.ac.in/global-mdia-journal/WINTER%202010%20ARTICLES/Article%207.pdf> visited on july 15,2014.

²⁷. Beghal C.L; Yogender Kumar "Action plan for an Effective and Responsible Government" in "Good Governance concept and approaches" Kanishka Publisher, New Delhi, 2006.

regulations²⁸. It ensures the availability of information freely and directly assessable to the persons who will be affected by the information. It also means to provide enough information in easy understandable forms and media²⁹. There is no doubt that transparency and openness are major principles of good governance and it is increasingly realized that more the effort of secrecy, the greater the chance of abuse of authority by public functionaries. So, to ensure transparency there are some drivers which are helpful to shape the development of transparency. Firstly, the government's necessity to inform the public of laws and the public's right to be informed. Additional is the demand for evidence to hold governments accountable. The next one is, the assessment of public participation in decision making, depends on information being available and the last is confirming that the public is informed about how to assess government services³⁰.

According to the rules, each official has to realize to perform his duty by taking into consideration of their responsibility to act visibly, positively and reasonably to encourage participation and accountability. Simply making information available is not sufficient to achieve transparency. Huge amounts of information in the public perusal develop opacity rather than transparency.

1.7 Meaning of Accountability

Accountability is being defined as the state of being accountable, liable or answerable. To be accountable means to be obliged to report, explain or justify something. The concept of accountability is younger than organized government. It has different meaning in all era or periods. In some contexts the definition of accountability depends upon the nature of the state itself. In the modern state of accountability are having two major meanings. It involves the idea that those who use the power whether as governments, as elected representatives or as appointed officials, are in a sense stewards and must be able to show that they have applied their authorities and discharged their responsibilities properly.³¹

²⁸<http://www.halfmantr.com/learn/ethics/224-information-sharing-and-transparency-in-government.html> visited on July 15, 2014

²⁹Unescap, "What is Good Governanc?" http://www.unescap.org/pdd/prs/project_activites/ongoing/gg/governance.asp. Visited On July 15, 2014.

³⁰. Darbshire Helen, "Proactive Tranparency: The Future of the Right to Information?"

³¹. <http://iosrjournals.org/iosr-jhss/papers/Vol2-issue1/B0210812.pdf> visited on 15 August 2014.

Accountability is one of the corner stone of good governance. The persons who elect the government expect many things from it. Accountability is one of them. It exists when there is a connection where an individual or body and the presentation of tasks by that individual or body are subject to another's oversight, request or direction that they provide defense for their actions. Accountability is the acknowledgement and assumption of responsibility for actions, products, decisions and policies including the administration and governance³².

Accountability is responsibility to some outside or higher level of authority by a person or a group of persons in an organization. Accountability is reinforced by punitive action. It also means one can face disapproval or blame. In other words, accountability may be defined as to be answerable to one's senior when one presents a report of the decisions and the quantity and quality of action in the course of carrying out responsibility. In simplest manner it means answerability for the discharge of duties and conduct. It requires satisfactory reasons for one's conduct and an acknowledgement of responsibility for one's actions.

According to Jabbara and Diavedi, "Accountability is not only the foundation of any governing process but it also a check on power and authority exercised by both politicians and administrators".³³ Accountability refers both a mechanism and a process, by which a political leadership of a country discharges its routine duties through ministers and public officials who are required to account for their actions/inactions. In some senses accountability is taking synonymous with responsibility but there is great difference in accountability and responsibility. Responsibility is the collective liability of the people of a state for acts. Responsibility has some internal and personal sense of moral obligation. Simon et al defines responsibility as responsiveness of administrative decisions and accountability as the enforcement of this. Accountability is reinforced by punitive action while responsibility is enforced by morality but accountability and responsibility are akin and have a same sense of accountable and answerable for their actions.

In the shorter and smaller sense we can say that accountability is a socio-political process which needs dedication, loyalty and high professional and moral

³². <http://on.wikipedia.org/wiki/accountability> visited on 18 june 2014.

³³. Younis Talib A and Mostafa Iqbal M.D, "Accountability in Public Management and Administration in Banglades" Ashage Pube. Ltd., Vermont U.S.A 2000. P.8.

standards. It is concerned with the concept of loyalty, responsibility, answerability, power and openness. It also involves interrelated internal control and performance evaluation attributes. It is a degree to which governments have to explain or justify what they have done or failed to do. The notion of accountability comprises two different stages first one is answerability and another is enforcement. Answerability deals with the responsibility of the government officials to deliver information related with government decisions. It is the part of accountability of implementing agency to highlight the antisocial party.³⁴

Accountability is the arrangements which are made for securing conformity between the values of a delegating body and the person or the persons to whom powers and responsibilities are delegated.³⁵

According to Ghartey, “Accountability is a neutral device and can be better understood in terms of its primary purpose. It determines best position of an individual or organization in explaining how and why a specific outcome has occurred”. Accountability includes a number of interrelated internal controls and evaluation attributes which help to determine the goals and objectives of an organization. It is clear after all these that effective accountability refers some basic elements i.e. public interest, the formulation and implementation of public policy, the role of administrators, political leadership and the exercise of power and authority.

1.8 Review of Literature

The review of related literature is a preparation for the investigator with adequate information related with the research topic in general and especially with the problem. It provides update knowledge for the investigator in the particular area. Walter R..Brog expressed that the foundation of any work is depend on the review of literature of that field. Any failure in the formation of this base of knowledge with the help of the review of literature, our work is expected to be narrow and native. It is necessary to know the earlier facts of the subject which is helpful in maintaining a rapport between the prior and new knowledge. It is significant for comparative evaluation and interpretation of result capitalizing on the successes and errors of

³⁴. [http://sitesources.worldbank.org/publicsector and Governance/resource/ Accountability](http://sitesources.worldbank.org/publicsector%20and%20Governance/resource/Accountability)

³⁵. Maheshwari ShriRam (2002), “Dictionaly of Public Administration”, Orient Longma Pvt. Ltd., New Delhi.

others in certainly a more intelligent approach to a problem. No researcher can think of understanding a study without knowing the contribution of previous works.

In the present section, therefore, review of the studies conducted prior to the present one has been taken.

Jacob and Varghese (2006) attempted to find out if there was any correlation between efficient implementation of MNREGA and social indicators like literacy; efficient local governance through their article, “Reasonable Beginning in Palakkad, Kerla”. The survey was conducted in October 2006 in Palakkad district where the literacy rate was 85 per cent. The people were highly aware about the programme and the local government plays crucial role in informing the masses about the programme and its provisions. The important features observed from the survey that more than 60 per cent were the women applicant in all panchayats and constitute 90 per cent of the total workforce employed under MNREGS. The wages were also paid through bank account. Thus, the existing socio-economic conditions in the districts have a great influence on the successful implementation of the scheme in Kerala³⁶.

Mathur (2007) explains irregularities in implementation of MNREGS in his article, “Employment Guarantee: Progress so far.” He stated that when social audit started in Andhra Pradesh, in certain villages, some people stated that they had not received payment for the work done. When contrasts were made, the payments as per the pass-book with the payments as per the job card, it was observed that the job card did not contain the internal pages that record of work done by each person; The job card itself was incomplete. Earlier several officials, Technical Assistants and mates self-confessed irregularities and about Rs. 50,000/- were returned.³⁷

Vaniak and Sidhartha (2007) have evaluated the mode of payment in Orissa in their article, “Bank payment: Ends of corruption in NREGA”. The payment of wage through bank account for work carried out under MNREGS was suggested as a way to avoid embezzlement of funds. The survey was carried out in Oct. 2007, covered four randomly selected gram panchayats of three blocks in Mayurbhanj district in Orissa. The investigators found the evidence of contractors raj was evolved in some areas. It was worse that the job cards did not have the column for wage paid

³⁶ Jacob, Arun and Richard Varghese, “Reasonable Beginning in Palakkad, Kerla”, *Economic & Politically Weekly*, December 2, 2006, Vol. XLI, No. 53, pp. 4343-4345.

³⁷ Mathur, L., “Employment Guarantee: Progress so far”, *Economic and political weekly*, Vol. 42 (52), 2007, PP. 17-20.

and muster rolls were also not maintained at the worksite. Many laborers were happy by the wage payment through bank account because it ensured them that they were receiving the right amount. There were some problems regarding the mode of bank payment. In Anla village, the laborers claimed that the bank was distant away from their living place and it was very inconvenient for them to use it. The labourers were not familiar with the bank procedure. Furthermore the money reached to account of labourers after 3-4 months of completion of work.

The villagers have to borrow money from the financier to sustain their life. Andhra Pradesh directed the system of wage payment through bank in Orissa where it was working efficiently. For the better implementation some qualitative improvements were needed such as advanced payment of the labourers and trained them about the bank procedure.³⁸

Dreze Jean and Khera Retika (2008) revealed some alarming facts in their article “From Account to Accountability” regarding the bank payment by social audit conducted on 12-16 Oct., 2008 in five gram panchayats of Kron block in Deoghar districts in Jharkhand. The funds were siphoned off through the bank account of MNREGS workers in collusion with the bank staff. The contractors took the charge of work sanctioned under the scheme and they opened bank accounts in the name of labourers without their knowledge with the help from staff of the bank. Whenever the money was transferred into bank account, the contractors, bank staff and panchayat sevak pocketed the money after payment to the labourers who had completed work. Bank payment had also led to an alarming neglect of other transparency safeguards such as muster rolls were no longer conducted at the work site. Thus to end the corruption transition of bank account requires great attention of government and strict enforcement of all rules.³⁹

Narayana (2008) directed a survey on the sideline of social audit concerning women participation and crèche facilities in Viluppuram district in July 2007 under MNREGS. The survey covered 15 worksites of 11 villages in two blocks of Viluppuram district (Tirukovilor and Tiruvannainellur). Total 104 women workers

³⁸ . Siddhartha and vanik,” Bank Payment: Ends of Corruption in NREGA”.

³⁹ . Dreze Jean and Khera Reetika,”From Account to Accountability”, The Hindu, Dec.6, 2008.

having at least one child below the age of six years were interviewed. The survey found that 41 per cent women was getting income from MNREGS and most of them belonged to SC and ST in the district. In Vengur village, the scheme resolved the problem of water scarcity, which was available from the pond constructed under the scheme. Thiathanur village residents were dependent on the kindness of the Zamindar but MNREGA gave them a sense of independent and security by providing them work. For some respondents the scheme was a lifeline. MNREGS was the only option where there was no agricultural works. The problem faced by women was of childcare. There was no arrangement of crèche at the worksites and the applicants were not aware of the provision of this facility under scheme.⁴⁰

Sudha Venu Menon (2008) in explained the role of RTI act on NREGA with its reactions on Rajasthan” tries to explain the role of RTI in MNREGA. In the first section of the article enlightens the role of RTI in the development of transparency and answerability in implementation of MNREGA, role of civil society in increasing mass involvement and in the processes to be followed in using RTI. Second section deals with the discussion about the revolutionary role of Aruna Roy and MKSS in Rajasthan for making RTI and NREGA a reality. The experiment of the Act was fruitful in Rajasthan in comparison to other states because of the awareness generation programmes, energetic participation of PRIs, regular checking of muster Roll and regular social audit etc. The paper highlights the achievements of MNREGA in Rajasthan like reducing migration to urban areas, Natural Resource Management include water conservation, drought proofing, micro irrigation works, rural connectivity, provision of irrigation facilities to land kept by SC/ST, renewal of water bodies. Closing section recommends the requirement for linking RTI with NREGA and active participation of civil society organizations to check corruption and mis-management.⁴¹

Anupam Hazra (2009) in the article “Transforming Rural India” examines MNREGS as the right based social protection initiatives in the world. He considers it as a unique act by pointing out its main provisions. He describes some potentialities and possibilities of the act. It strengthens the democratic decentralization processes at

⁴⁰ Narayana, Sudha, “ Employment Guarantee: Women’s Work and Child Care”, *Economic & Political Weekly*, 2008, Vol. XLIII, No. 9, p. 10.

⁴¹ Sudha Venu Menon, “Right to Information Act and NREGA: Reactions on Rajasthan” MPRA Paper No. 7351, posted 27, February 2008, pp.1-13.

the grass root level by involving gram sabha in planning and decision- making process which enhances transparency and accountability. It will prevent migration for cearting employment opportunities. Migration of rural population is one of the important causes for the spread of Aids but the scheme has potential to address other main sociological issues such as the spread of Aids. As act ensures 33% participation of women it will helpful to improve the health status and improve their productivity at work. Improved economic condition will encourage parents to send their children to school and helpful in improvement of rural educational status. He expected that the act will enhance livelihood security by developing economic and social infrastructure in rural areas.⁴²

Aiyar Yamini and Samji Salimah (2009) documents the Andhra Pradesh experience and analyses the strength of social audit process in their article, “Transparency and Accountability in NREGA: A Case Study of Andhra Pradesh”. It was an empirical study pointed at calculating the effectiveness of social audits as an accountability mechanism. The study reveals the focusing the on the usefulness of the social audit on labourers across three parameters: level of awareness of NREGS, the implementation process and grievance redressal. The researcher surveyed 840 laborers across three districts (Cuddaph, Khamam, Medak) of Andhra Pradesh inquiring the same set of questions to the same laborers three times over a seven month period: In first round, before the social audit to create a baseline, second round , one month after the social audit to regulate direct effect of exposer to a social audit and third round, six month later to assess the effects change over time. In addition a set of surveys were directed to 180 laborers one week after the social audit to gauge labor perception on the social audit process. The researcher observed significant jump in awareness level about NREGA which was only 39 per cent in the first round and rose to 98 per cent in the third round. The study elaborate that the job card entries increased from 39 per cent to 99 per cent and knowledge of laborers about wage payment slips was also increased from 62 per cent to 96 per cent. Improvements were also noticed in providing worksite facilities. A large number of laborers were now aware that the payment had to be completed within 15 days of work completion. 82 per cent respondents of the study replied in affirmative in response of the social audit

⁴². Anupam Hazra, “Transforming Rural India”,Kuruksheetra, November 2009, P-7-10.

is an effective mechanism to resolve grievances. The study also found that 43 per cent respondents accepted people's perceptions of their ability to influence officials changed consequent to the social audit. Thus the study reveals interesting insights into the effectiveness of regular, sustained social audits in integrating accountability mechanisms into the state apparatus.

Indian Institute of Technology, Madras, Chennai (2009), conducted a study for the evaluation of National Rural Employment Guarantee Act: In Districts: Cuddlore, Dindugal, Kanchipuram, Nagai, Thriuvallarof the State: Tamilnadu. The study expresses the effect of MNREGA in Tamilnadu. Five districts were selected initially and four GPs were selected as a sample.

The study shows many affirmative aspects of the programme which are mainly:-

- Villagers consider the act is promising an advantage for improving rural livelihood.
- Provision of job within the 5 kms radius of the village is very much encouraging to villages.
- The Act employment mostly to the SC and backward caste people.
- NREGS awareness among people improves by the involvement of SHG members which is very important for NREGS planning.
- Registrations can be done throughout the year.
- Most of the beneficiaries perceived that wages were received within a week.⁴³

Institute of Applied Manpower Research, Delhi (2009) conducted a study by using survey method which highlights all India report on evaluation of NREGA. The survey is based on evaluation of the scheme by taking twenty districts from all the regions of the country and 300 beneficiaries were selected from each district. This study exposes that in many districts, photograph were not affixed on job cards and some of the beneficiaries paid money for getting it. Job card were not spacious for all the entries. Many household did not get the work within the stipulated period of 15 days after demand for work neither they were paid any unemployment allowance for that. On the value of maximum number of days of works, only small portions of

⁴³. Indian Institute of Technology, "Evaluation of National Rural Employment Guarantee Act: In Districts: Cuddlore, Dindugal, Kanchipuram, Nagai, Thriuvallar, State : Tamilnadu", Madras, Chennai ,2009.

households provided more than 35 days of work, remaining still lagging behind. The reason behind non-utilization of maximum permissible 100 days of work in that area is late starting of the scheme. At most of the work sites, only shed, drinking water facility was provided. The strength of beneficiaries at the low earning stage are reduced to about fifty per cent due to income generation through this scheme. The counting of families who are spending more on eatables and non-food items has increased.

Pradeep Thakur (2009) examined and pointed out the CAG report. He finds out the drawbacks in the implementation of MNREGA in 26 states and 558 village panchayats. According to the CAG report he examined that even 70 per cent of the villages had no proper record of beneficiaries. In many cases jobs were allocated on verbal basis and the unique identity numbers were not allotted to many beneficiaries. No door-to-door survey was conducted to identify the persons. The congress manifesto claims to generate employment to 'many lakh' beneficiaries under MNREGA but the other side of the coin is different from the other one.⁴⁴

Raghuvansh Prasad (2009) said it had to be recognized by the world that the Scheme can be made a success. Seven months after the MNREGA, it is recognized that half-hearted execution is not helpful in changing the face of countryside India. Though already there have been several benefits for the most marginalized, he admitted that the programme suffered from the same malaise as the National Food for work programme. He highlighted that the gap in implementation stifling MNREGS success is because of overburdened administrative machinery at panchayat level. Most states have not set up separate machinery to oversee implementation. He informed the council that he will be writing to the planning commission to increase administrative expense from 2 percent to 6 percent for the programme.⁴⁵

Sharma (2009) considers MNREGS as an important strategy in the present economic crisis. He shows light on potential and challenges of MNREGS. He examines that MNREGS has potential to transform rural economic. It treats employment as a right. He pointed out some challenges before MNREGS. According to MNREGS website as in March 2009, 99 million households were under the Scheme but only 14 million households working under the Scheme while the

⁴⁴. Thakur Pradeep, "Gaps in NREGA functioning- India", *The Times of India*, 26 March, 2009.

⁴⁵ Prasad Raghuvansh, "NREGA-A Need to Look Beyond the Success", *Kurukshetra*, October, 2009, Vol. LVII, No. 12, pp. 60-61.

households who were have completed 100 days employment is about 4 million. He mentioned that MNREGS has achieved moderate success in two largest states of India-Uttar Pradesh and Bihar. He said that allocation to MNREGS in budget 2009-2010, is the largest allocation to the poverty reduction programme since independence.

Siwach Raj Kumar & Kumar Sunil (2009) explains the impact of Social audit in their article, “Implementing NREGS in Haryana: A study of Social Audit”. They selected five villages of Sirsa district of Haryana for examining the impact of social Audit. Primary data is collected through discussion, informal interviews and observation while secondary data is obtained from block development and panchayat office, Sirsa, The major conclusion of the study were that no regular meeting of social audit took place in the selected villages. The amount released was mainly spent on community works by the selected villages. It is understood that the success of social audit depends upon level of awareness and number of participants in the meeting. But it was witnessed that all the participants have no sincere interest in these meetings. Even the official have shown uninspiring attitude towards the social audit. It was perceived that the officials perform their responsibility in a casual manner in the absence of any technical skills attached with poor motivational spirit. The members of Gram panchayat were hesitant to carry out social audit. Thus, the experience shown wide gap between aims of the act and cultural milieu of the villages in Haryana.⁴⁶

Tomar M.S. and Yadav B.S. (2009) pointed out various movements in the working of MGNREA in their article “Need to Sharpen NREGA”. They specified criticism of the Scheme with the help of various reports and surveys directed by different organizations, researchers and institutions. The CAG report, 2007 highlighted the fact that the guidelines of the act have not been followed effectively. Many loopholes are found in working of the Act include lack of manpower, inadequate professional staff, absence of social audit, poor maintenance of records and lack of transparency. K.S.Gopal, the Director of Centre for Environment, alarms has pointed out that all the assets being built are waste and unproductive. Sidharha and Anish Vanaik detected tempering of muster rolls and marking absent as present, overwriting in the number of working days by using whitener. Moreover, the

⁴⁶ . Siwach Raj Kumar & Kumar Sunil, “ Implementing NREGS in Haryana: A Study of Social Audit” Kurukshetra, Vol. April 2009, P-41-44

names of passed on persons were also noticed on the muster rolls. Under the provisions of the Act, payment of unemployment allowance is the responsibility of the state government. The provision is considered as an encouragement to the states to provide employment since the central government accepts 90% of the costs of the employment. However, mostly states were not fulfilling the responsibility of payment of unemployment allowance.⁴⁷

V.Sankari & C.Siva Marugan exposed a positive impact of MNREGP on social & economic security of rural labourers and their families in their article, “Impact in Udanqudi panchayat Union, Tamil Naidu - A case study”. The study based on sixteen villages and primary data were collected from eighty beneficiaries and they were selected through random sampling method to assess the impact of MNREGP as a feature of inclusive growth. The study pointed out that NREGP increase living and economic conditions and maximum number of beneficiaries have savings in the post office. They also pointed out that the act help in reduction of wage difference in various works by generating equal wages to male and female workers.

Chowdhary Jhiliam Roy (2010) elaborates the scope of RTI in the implementation of MNREGS for the development of more accountable and transparent governance in his article. He expresses that the act is helpful in providing empowerment to the people by performing active participation in the implementation of employment guarantee programmes. The Act is performing as an act of the people, by the people and for the people by the provisions of social audit and participation of beneficiaries at implementation level. Roy points out two alarming obstacles in the path of effective implementation of the programme. The first is to develop our nation for the financial assistance which is required for the implementation of the act. Another is to save that money from the selfish ideas middlemen in the form of corruption. Mr. Roy enlightens the role of RTI and transparency provision in exercising check over delivery mechanisms. Proactive disclosure of information is the first stage of the RTI. MGNERGA gives special emphasis on this clause.

Availability of the records related with the scheme for assessment and right to receive attested photocopies of any documents on request is also essential RTI entitlement. Though social audit is a podium for active participation and monitoring during implementation of the scheme but the responsibility of monitoring is closely

⁴⁷. Tomar M.S & Yadav O.S., “Need to Sharpen NREGA” Kurukshetra Vol., Dec., 2009, P.11-13.

related civil society and the agencies who are working as implementing agencies, so the fruits reached to its real deserver.⁴⁸

Awasthy Ramesh (2011) depicts that the implementation of the Act is suffering from red-tapism and bribery. In his case study, “Samarthan’s Campaign to Improve access to the National Rural Employment Guarantee Scheme in India” Samarthan is a civil society organization (CSO) in our country that has been working for watching the implementation of the scheme in M.P and chhattisgarh. Samarthan assisted social audits of MGNREGA execution and it was noticed that the people were not properly doing their duties. In the case study, somarthan divided seven sections. In first section, it explains issues highlighted by the samarthan compaign. It observed that the beneficiaries were not file any request for work even though they have right to demand work. In practice, the payments of wages or unemployment allowance are sometimes delayed by over a month. The beneficiaries found it difficult to receive their wages even after credit of wages in their bank accounts.

The Act had numerous provisions which provide way to reduce treachery and to confirm transparency. After that, implementing agencies discover many ways to cheat the beneficiaries and mold the provisions of the act. In second section, Samarthan policy for pursuing these goals comprised with three elements. Firstly, it expanding awareness and mobilize the people to follow the provision for social audit. Difficult analysis, depth of information and knowledge played an important role in bringing the change in budget processes and allocations. Multi-media sources were played very impressive role in highlighting many complex issues and made stress on implementing agencies to solve the issues immediately.

In third section, Samarthan hold meetings with people who willing to work, training periods for young generation were planned and leaflets were circulated in the villages for increasiing awareness. After that Samarthan started putting pressure on the gram panchayat to respond the demands for the work. Samarthan draw an outline for tracing the movement of funds and pin point the points of interruption which were given by the government officials at the block level. This campaign of Samarthan added for change on a wide range of issues such as it creates awareness among the beneficiaries. Many request for work were applied during the time of campaigning by

⁴⁸. Choudhary Jhilam Roy, “RTI and NREGA – An attempt towards more accountable and transparent governance, global media journal, India edition, Dec.2010, P- 1 to 10.

Samarthan and as a result number of work days has increased. The related claims were filed and payment of arrears was made first time. So, it helped government in to highlight the loopholes in the procedure to managing and budgeting of MGNREGA.⁴⁹

Bisnoi Indira, Verma Sarita and Rai Swati (2012) illustrates the objective of analyzing the performance of MGNREGS in the article “MGNREGA: An Initiative towards poverty alleviation through employment generation.” The study was conducted in Khota Mahawa district of Uttar Pradesh. The main objective of the study was to analyze the socio-demographic information of the respondents with their awareness and assess ability of MGNREGA. They also tried to analyze the process of payment and satisfaction level of respondents with their bank accessibility and problems faced by them in wage collection.

The data was composed by taking the help of prior-tested structured interview schedule and tabulation was analyzed by using frequency, percentage and mean. The study reveals that the beneficiaries got information about MGNREGA from gram panchayat only. The respondents received wage payments on time and about 75 per cent of the respondents were satisfied with the scheme. More than three-fourth of the respondents was collecting their wages from gram rozgar sewak and approx. half of the beneficiaries faced the problem of delay in payment of wages. It can be concluded from the study that there is need to remove hirandances faced by the beneficiaries for the better implementation of the scheme.⁵⁰

Das, Sudhansu Kumar (2012) express his view for ensuring transparency through social audit in his article, “Social audit in NREGA: Ensuring Social Justice and Transparency”. He offered his work at a micro level study covering three GPs of Dasarathpur Block of Jajpur district of Odisha. In his study, he expressed that the common villagers were not aware about the NREGA and in most cases even Gram Pradhans were also not aware about legal right of work for the people under this act. Most of the workers did not possess job cards. Only the known families of panchayat functionaries were issued job cards. Wages were siphoned off by taking the help of

⁴⁹.Awasti Ramesh,” Samarthans’ Campaign to Improve Access to the National Rural Employment Guarantee Scheme in India”, From Analysis to Impact,2011, P.1-13.

⁵⁰Bisnoi Indira, Verma Sarita,Rai Swati,” MGNREGA: An Initiative towards poverty alleviation through employment generation” Indian Research Journal of Extention Education Special Issue, Vol.I, Jan. 2012, P-169-173.

bogus beneficiaries thumb impressions. Transparency was not observed in implementation of this scheme e.g boards related with the work details or sanctioned amounts were not displayed at the worksites. Muster roles were not present at work sites. The information related with job cards and selected projects were not available publically. Social audits were not done by the gram panchayats, The need is therefore to make people more aware and informative.⁵¹

Singh Harsimran (2012) examined the issues and drawback in implementation of MGNREGS in his article, “Mahatma Gandhi National Rural Employment Guarantee Act: Issues and Challenges”. He elaborates that days of providing guaranteed employment has come back with the introduction of Maharashtra Employment Guarantee Act 1977. In this chain MGNREGA also has been established as a favorable work programme to tackle the issue of a right based method of development and provide income safety to the rural families through guaranteed employment scheme. After going through the major objectives he expressed that MGNREGA is not just a welfare initiative. He considered it as a development effort which can change the position of Indian economy. Singh discussed three distinctive targets of the Act: protective, preventive and promotive; it provide protection to the beneficiaries by giving them employment on their demand, prevents from the risk which develop due to their investment in the field of agriculture and brings cheerfulness in rural economy through increased consumption demand. Rural women also get benefit from the scheme in certain manner e.g. schedule II(6) one-third of the work provide to women workers, as per Schedule II(34) same wage rate should be applied for male and female and Schedule II(28) crèches facility should be provided for the kids of female beneficiaries.

Though the scheme is playing very significant role in empowering socio-economically backward people but it is not free from limitations. Singh elaborates some loopholes in its implementation. There exist several cases of fake muster roll entries, over- writing in muster-rolls, false names and irregularities in job cards. It is also observed that deceased people have been also named in the muster rolls as beneficiaries. Delay in payment and incorrect payments are common problems under the scheme. Several complications in design of job cards that codes used for the

⁵¹ . Das, Sudhansu Kumar, “Social audit in NREGA: Ensuring Social Justice and Transparency”, Asian Journal of Multi-dimensional Research, Vol.1, issue-5, Oct, 2012, P.76-89.

names of beneficiaries and worksites which create hazard during the verification of wage payment of the workers and their duration of working days. Wastage of resource due to incomplete MGNREGS works in projected time also observed. It is no doubt that the scheme has raised daily wages rate to reduce migration in rural India but on the other hand it has donated to rising farm input costs which are responsible to create difficulties to get labour and comes to an end with increasing wage rate. Besides these loopholes some general susceptibility exists like shortage of staff, lack of grievance redressal and defective attention procedure. Thus, the researcher suggests the need of constant civil society engagement with the process of implementation to reduce the loopholes in implementation.⁵²

Mohanty Soumya (2012) depicts the implementation process of the Act and its impression on tribal livelihoods in the case study of Sundergarh District of Orissa. By using random sampling method and open and close ended questionnaires, she gathered information from all the stake holders and found that the awareness level was not encouraging. Inducement was received from panchayat functionaries and implementing authorities for providing additional job cards to a single house hold. There was absence of wage column which required for entering the payment of wages. The MGNREGA guiding principle permit same wages for similar work but the facts were totally different. As per the responses of the other beneficiaries widow and aged females were getting fewer wages as compare to male beneficiaries. It was witnessed only drinking water was available at the worksites. The operational guidelines explained there is a provision of social Audit forums to be organised by gram Sabha on MGNREGA works on the basis of six months but in this village social audit was never held. The GP failed to provide 100 days of employment to job seekers.⁵³

Chatterjee Shankar (2013) reveals in his article, “A Unique case of MGNREGS worker from Rajasthan” that MGNREGS has generated an optimistic view for MGNREGA workers and the beneficiaries of 90 years required work and

⁵² **Singh Harsimran (2012)**, “Mahatma Gandhi National Rural Employment Guarantee Act: Issues and Challenges”, International Journal of Research in Commerce, Economics & Management, Vol.2, Issue. 1(January), 2012,136-140.

⁵³ Mohanty Soumya ,“Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and Tribal livelihoods: A case study in Sundergarh District of Orissa”, (2012)

many other villagers were above 60 years. A different case of MGNREGS beneficiary with the combination of other beneficiaries hailed from Sri Ganganagar district of Rajasthan is explained in this section. Six beneficiaries were independently contacted to express their views towards their thinking about MGNREGS work. During interaction with Sri Singh around age of 90 years, he was very much satisfied to work during the whole the year as a beneficiary of the scheme as it was better working in private land. He explained the main advantage to work under the scheme was that without any stress and corruption within fifteen days their wage deposited in OBC bank. The other beneficiaries who were personally interviewed also expressed that MGNREGS was the main source of income for them. So, it was clear from the article that it is a suggestion to the government of India that the scheme must be extended up to minimum 240 days in the districts like Sri Ganganagar where the source of survival only depend on employment generation programmes.⁵⁴

Nayak Samita (2013) elaborates the effect of the Act on the position of tribal women of Rajgangpur block in the article and it was an attempt to examine that how far the programme has addressed in reducing the poverty and immigration in the sample area. The survey method was applied by taking help of both experimental and analytical research. Both primary and secondary sources were used for data collection. To make an objective evaluation in the field focused group discussion and participatory observation method was adopted. The conclusions of the study revealed that the tribal women showed slight participation in the programme as compared to men. On the other hand where female beneficiaries show their interest in participation than their male partners demoralized them. The tribal women participation during preparation of the work proposals, absence of awareness, possession of male members on job cards and bank accounts, difference of wage rates between male and female, torture on work sites etc. are the main reasons behind lack of interest towards scheme and it develop a question mark for the efficiency of the scheme in changing the standard of tribal women in Rajgangpur block. The attack of implementing agencies is not comes to an end at several stages of implementation which is producing a challenge in front of the illiterate tribal women.

⁵⁴ Chatterjee shanker, "A Unique case of MGNREGS worker from Rajasthan", Kurukshetra, Vol. 61, No. 7, May 2013, P.45-46.

Singh Shiv Dayal (2013) examines women participation in MNREGS in Rajasthan through his article, “Rising women participation in MGNREGS: A case study of Rajasthan”. Secondary data has been used to examine at what extent this programme has succeeded to generate employment opportunities for women in Rajasthan and to analyze the performance of MGNREGS in the present study. Mr. Singh concluded from study that MGNREGS has succeeded in providing employment for women in Rajasthan. The data presented shows that share of women in cumulative person days generated are rising. The paid employment opportunity has helped women to earn independently which has increased their consumption choices and reduced economic dependence. Women involvement in household income has increased their participation in decision making. It has been observed by the researcher their interaction capability and acquaintance with the functioning of bank and post offices is developed. In this study, many challenges were also identified. Such as there is requirement of changing the working circumstances, amendment in provisions as per requirements of the beneficiaries. Wage rates should be raised and timely payment of wages through individual accounts will increase women participation.⁵⁵

Sinha Kumar Rajesh (2013) in his article, “Promoting Accountability on the ground Social Audit under MGNREGA” explains social audit as a procedure of sharing the particulars of resources (both financial and non-financial) used by public agencies for progress initiative with the people, often through a public podium such as the Gram Sabha in rural India. The Process of social audit involves three components: (a) availability of information (b) organizing the benefits of beneficiaries and (c) Scrutiny of the information by beneficiaries. To promote social audit in right spirit he supports non-threatening environment and capacity building in record keeping from the supply sides. In this concern the state government shall identify an independent organization, which is named as social audit unit to simplify the procedure of social audit at gram panchayat level. For awareness generation every state government need to undertake an intensive IEC exercise to publicize the key provisions of the schemes, Audit Scheme Rules, 2011 with the correct process of social audit. Each state must

⁵⁵. Singh Shiv Dayal , “Rising Women Participation in MGNREGS: A case study of Rajasthan”, IIS Uni. J.S.Sc., Vol. 2(1),Sept.2013,P.16-26

form either a separate society or directorate to simplify the conduct of social audit. Smaller states/UTs may also identify an outside agency to conduct social audit.

He also suggests that the village Resource persons (VRPs) positioned for social Audit shall verify the muster rolls, work-site and assess the quantity with reference to records, cash book with other financial records, bills, vouchers and other related records. He stresses to act on the findings of the social audit in a time-bound manner including financial recovery, disciplinary actions and criminal proceedings authorities. So that the people are growing demand for transparency and accountability in government programmes can be fulfilled.⁵⁶

Sumarbin Umdor (2014) examined and discusses in his article, "Social Audits of MGNREGA in Meghalaya, India", the implementation of social audit of MGNREGA in Meghalaya and analyses the findings of social audits undertaken in 55 villages of Meghalaya. The state government has framed the Meghalaya rural employment guarantee scheme in July of 2006 due to the absence of the three-tier panchayati Raj Institution in rural areas. As a result, a four-tier institutional arrangement has been formed to implement the scheme in the state. The researcher reviewed the entries made in social audit reports and reported that twenty-eight social audit reports of village employment councils are either left blank or simply enter a 'No', 'Nil', 'Does not know' in response to various questions.

Fourteen social audit reports are showing only the date when social audit was held and the presence of village employment council functionaries, villagers and everyone is satisfied with the outcome. The social audit reports of 13 VECs contain only some information which reveals the irregularities and malpractices in the implementation of the scheme. Prominent among these are the non-functioning of local vigilance and monitoring committee, irregular entries in job cards, delay in payment of wages and non-availability of display of work-related information in the work site.⁵⁷

⁵⁶. Sinha Kumar Rajesh, "Promoting Accountability on the ground Social Audit under MGNREGA", *Kurukshetra*, Vol.61, No.3, Jan. 2013.

⁵⁷. Sumarbin Umdor, "Social Audits of MGNREGA in Meghalaya, India *International Research Journal of Social Sciences*, Vol. 3 (4), ril 2014, P. 12-16.

Singh Mohinder and Kumar Suresh (2014) enlightened problems of MGNREGA at implementation level in their article, “Implementation of Mahatma Gandhi National Rural Employment Guarantee Scheme in India: Problems and Prospects.” MGNREGA is a world-shattering step for ensuring the guarantee of unskilled employment to the rural people and progresses the infrastructure at the grass root level. As we all know that the scheme has been implemented in 595 districts out of 614 districts of India. It was first launched on 16 Feb. 2006 at P.Bandlapalli (a small village of Narpala Mandal) in Anantpur district of Andhra Pradesh. The present study focused on various problems on the basis of interviews with the villagers and the officials of the Rajound block of district Kaithal (Haryana). Many problems have been observed by the researcher in the proper implementation of the scheme. The confidence of the workers is influenced due to delay in resolution made by the gram panchayats.

The Scheme also critiqued because of its emphasis on unskilled manual work rather than skill or technical wage employment. Massive delay is found in payment of workers. Over-burdened JE of panchayat department are not in position to prepare MB on time which causes delay in payment of wages to the beneficiaries. Low wage rate are also responsible for reducing interest of the beneficiaries towards the scheme. Another major deficiency of the scheme was that the work is started without any citizen charter. The data of starting and finishing date of work as well as how much expenditure is expected in the project are not clear to the beneficiaries and no data displayed on the information board which creates mismanagements in the scheme. To ensure transparency and social accountability for effective implementation of the scheme, social audit process is adopted in the meeting of gram sabha at the village level. However the social audit is simply a formality. Due to lack of strong mechanism, the scheme has been affected by several malpractices and it is requirement of the time to ratify these challenges.⁵⁸

1.9 Statement of the problem

The review of related literature accepted the above discloses that through some scholars have done studies on MGNREGS but mostly studies are limited to

⁵⁸Singh Mahinder & Kumar Suresh,” Implementation of Mahatma Gandhi National Rural Employment Guarantee Scheme in India: Problems and Prospects”, Dynamics of Public Administration, Vol.13, Issue. I, January-June, 2014, P.81-88.

economic aspect only. It is not comprehensive. Very few researchers have laid emphasis on implementation and social aspects of the scheme. In the present research will discuss both transparency and accountability in MNREGS (especially social accountability). The problem under study may be stated as:

Transparency and Accountability in Implementation of MNREGS: A Study of Haryana.

1.10 Objectives

Following are the prominent objectives of the study

1. To know whether the Scheme is being implemented as per the provisions of the Act.
2. To know whether the provisions of MNREGS in pro-active disclosure are being followed.
3. To investigate the measures of transparency in process of implementation of the MNREGS.
4. To know whether the works under the Scheme are done according to the shelf of projects.
5. Understanding the level of social accountability through the implementation of social audit in MGNREGS.
6. To know whether the monitoring of the complaint and redress machinery are properly followed in Haryana.

1.11 Hypothesis

It is proposed to test the following hypothesis:

1. The beneficiaries and the panchayat functionaries are not aware about the provisions of the Scheme.
2. The provisions of pro-active disclosure are not followed in the implementation of MGNREGS.
3. There is lack of adequate transparency in implementation of the scheme.
4. Shelf of projects for implementation of the Scheme is not prepared in the villages under study.
5. There is sufficient social accountability in MNREGS.
6. There is lack of proper monitoring of the complaint and redress machinery.

1.12 Study Area

The study is carried out in Haryana. However, the study confined to Mohindergarh, Ambala and Bhiwani districts of Haryana where the scheme implemented in first, second and third phase. Using multistage sampling the study area is selected. The districts have eight⁵⁹, six⁶⁰ and ten blocks⁶¹ respectively. In the first instance, out of Twenty four blocks six blocks, where maximum numbers of gram panchayats lie were selected (i.e. – two from each district). Twelve villages are selected from these six blocks (two from each block), Where maximum work was done under the scheme, were selected on the second stage. On third stage, 180 beneficiaries are selected from the villages through purposive sampling where maximum number of households provided employment (every fourth beneficiary from the muster roll). It has been an empirical study; primary data was generated with the help of interview schedules, interviewing the concerned district officials as also by way of observation method.

1.13 Research Methodology

The present study is a case study conducted in Mahindergarh, Ambala and Bhiwani districts of Haryana. It has been an empirical study. For the selection of beneficiary respondents multi-stage sampling is followed. In the first stage six blocks thereafter two villages from each block (twelve villages in all) selected respectively.

180 beneficiaries are selected from the villages where maximum number of households provided employment (every fourth beneficiary from the muster roll). Since gram panchayat have a pivotal role in the formulation, implementation and supervision of the scheme, the investigator also obtain data and information from the panchayat functionaries of the twelve⁶² selected villages, six BDPO's of selected blocks and the district programme officers of three districts.

⁵⁹ Mahindergarh district of Haryana comprises of eight blocks: (1) Ateli Nangal (ii) Kanina (iii) Mahindergarh (iv) Nangal Chaudhary (v) Narnaul (vi) Nizampur (vii) Satnali (viii) Sihma. Of these eight blocks, following two have been selected: (i) Mahindergarh (ii) Narnaul

⁶⁰ Ambala district of Haryana comprises six blocks: (i) Ambala-I (ii) Ambala-II (iii) Barara (iv) Naraingarh (v) Saha (vi) Shahzadpur Of these six blocks, following two have been selected: (i) Ambala-I (ii) Ambala-II

⁶¹ Bhiwani district of Haryana comprises following ten blocks: (i) Behal,, (ii) Bhiwani, (iii) Dadri I, (iv) Dadri II, (v) Siwani, (vi) Tosham, (vii) Kairu, (viii) Loharu, (ix) Bawani Khera and (x) Badhra. Of these ten blocks, following two have been selected: (i) Dadri-I, (ii) Dadri-II

⁶². Twelve villages that have been randomly selected include: (i) Pali (ii) Khudana, (iii) Nasibpur, (iv) Lahrodha, (v) Nadiyali, (vi) Nanhera, (vii) Kaunla, (viii) Manglai, (ix) Rawaldhi, (x) Baund Kalan (xi) Mankawas, (xii) Sahuwas

Data is collected both from primary and secondary sources. Primary data is collected from beneficiaries, panchayat functionaries, BDPO's and DPO's of selected districts. The primary data obtained with the help of interview schedules. One of the interview schedule administered to the beneficiaries of MGNREGS in selected villages, second administered to the panchayat functionaries of the selected villages and interview method is adopted to obtain data from the BDPO's and DPO's of concerned districts. The interview schedules are annexed in Annexure-I, Annexure-2. The data so obtained has been systematized, tabulated and analyzed with the help of percentage method.

Chapter-2

NATIONAL RURAL EMPLOYMENT GUARANTEE ACT: 2005

Most of the deprived in countryside of India earn their livings with the help of unskilled, casual, manual labor. They are generally on edge of survival and have defenseless to save their life from the effect of dipping from temporary to long-lasting poverty. Insufficient labour demand or irregular calamities that may be general in nature such as natural tragedy or individual problem like ill-health all play the role of a main reason which cause hostile effect on their employment generation. In the field of unemployment and poverty, employment generation schemes playing effective role in both developed and developing countries. Such programmes normally provide temporary unskillful manual work which may be related with irrigation infrastructure, soil conservation, cultivation and road building. The foundation for workfare programmes depends on certain elementary considerations. The schemes provide an opportunity of revenue transmissions during serious times and throughout the lean agriculture conditions it allows ingesting smooth. The countries having high ratio of unemployed only workfare programmes have a capacity to save poverty from deteriorating by transmission benefits, mainly during lean season of employment. The development of long-lasting resources has a capacity to generate second-level of employment that these programmes may create have the potential to generate second-round employment welfares.

2.1 Workfare Programmes in India

The requirement to develop framework which improve the present income bases in the countryside was realized early during planned development of the country. The center government executed many wage employment schemes which offer work with the prescribed wage rate. For solving the problems of the poorest the state and center governments had started many employment generation schemes in the presence of Rural Manpower which was implemented in 1960-61, Pilot Intensive Rural Employment Programme started in the year 1972, Crash Scheme for Rural Employment executed in 1971-72 and Marginal Farmers & Agricultural Labour Scheme etc. The efforts were resulted into an advanced wage-employment scheme with the name of Food for Work Programme in 1977. After three years of its

implementation the scheme was restructured into the National Rural Employment Programme and Rural Landless Employment Guarantee Programme. The scheme was fused with Sampoorna Grameen Rozgar Yojana from 2001-02 and National Food for Work Programme in 2005. Centre government provides support for implementing all the work fare programs. These programs are self-targeting in nature and having the objective to propose livelihood safety, mainly for the beneficiaries who are reliant on unplanned physical work. The State Maharashtra framed Maharashtra Employment Guarantee Act in 1977 and the Scheme tried to provide wage employment for the person who demands work.

2.2 MNREGA – A Constitutional Framework

On the Practice of previous wage employment programmes, the National Rural Employment Guarantee Act (NREGA) was endorsed to strengthen the assurance towards employment safety in countryside. The notification of the Act was published on seventh day of September, 2005. The importance of the Act stays with the reality it produces a right based outline for income generating schemes and makes the Administration lawfully responsible for providing work for those who request for work. In this way, the regulation goes elsewhere providing guarantee of the right to employment which develop a social safety net.

2.3 MNREGA Goals

Following are the prominent goals of Mahatma Gandhi National Rural Employment programme:-

- (a) To provide the long-lasting societal security net for the helpless by providing an employment source in the absence of other employment opportunities.
- (b) The programme is a development apparatus for supportable development of an agriculture based economy. The Act performs an important role in supporting and maintaining the natural resources which are helpful in generating never-ending natural resources. This is the cause to provide work related with the fields of drought, deforestation and soil erosion. The layout of poverty can be change by efficiently implementation of the act.

- (c) The Act empowers the rural poor with the help of the procedures of a rights-based Law.
- (d) The Act is a step of performing business, as a model of governance restructuring secured with the help of transparency and widespread equality with employment generating programme which provide guarantees employment legally to countryside people of India.

2.4 MNREGA Objective

The basic objective of Mahatma Gandhi National Rural Employment Guarantee Act (2005) is to boost the livelihood safety for the countryside people by promising to provide work for hundred days under the scheme in a financial year to the persons who apply for that, it mean to say that importance has been laid to ensure that economic growth is comprehensive and reaches the weaker section of our society. The Act can be seen in reality by moving towards its objective of food and social safety and long term sustainable development through ecological generation. The selection of works suggested in the guidelines address causes of prolonged poverty like drought, deforestation, soil erosion, so that the process of employment creation is on a supportable basis.¹

2.5 MNREGA Coverage

In section 1(3) of the Act it has been stipulated that the Act "...shall come into force on such date as the Central government may, by notification in the Official Gazette, appoint and different dates or for different dates may be appointed for different states or for different areas in a State and any reference in any such provision to the commencement of this Act shall be constructed as a reference to the coming into force of that provision in such State or, as the case may be, in such area: Provided that this Act shall be applicable to the whole of the territory to which it extends within a period of five years from the date of enactment of this Act."² The Act came into force on February 2, 2006 from Anantpur in Andhra Pradesh and initially covered 200 of the most backward districts of the country. 130 additional districts were added in

¹*Report to the first Year, 2005-2006, Ministry of Rural Development, Government of India, New Delhi, p.1*

² Section 1(3), *Mahatma Gandhi National Rural Employment Guarantee Act 2005*, Ministry of Rural Development, Government of India, pp. 1-2.

2007-2008 during the second phase of implementation. Later on the implementation of the act was spread all over the country i.e. 625 rural districts from April 1, 2008 in the third phase.

2.6 Prominent Features of the Act

Prominent features of the MGNREGA are summarized below:

- (a) Fully-grown members of a countryside household who want to do unskilled physical work are free to apply for work under the programme.
- (b) The above mentioned household will have to file a written application or orally to their local Gram Panchayat for registration.
- (c) After completion of all aspects confirmation the Gram Panchayat of concerned village will provide a Job Card to the applicant as a whole. The Job Card will consist of snapshot of all adult members of the family who want to do work as per the rules of the Act. No fee is liable for the Job Card having snap.
- (d) A Job Card holding household may apply in the form of written presentation for work to the Panchayat functionaries; by clearly mention the time and period in which the beneficiary wants to do work. The slightest period for which work is sought have to be fourteen days.
- (e) The Panchayat functionaries will give a receiving for the printed submission for providing employment, the receiving give the assurance of providing work within the time period of fifteen working days.
- (f) If the work is not issued during the prescribed time period, daily unemployment allowance, in cash has to be issued to the applicant. Responsibility of disbursement of unemployment allowance is of the State government.
- (h) Minimum, one-third of persons to whom work is allotted work have to be female beneficiaries.

- (i) The Minimum Wages Act 1948 is decided for the payment of wages as recommended for agricultural labourers in the State, unless the Centre informs a wage rate which will not be less than Rs. 60/- per day.
- (j) Distribution of remunerations has to be done within seven days and it must not extend a period of fifteen days.
- (k) Panchayat Raj Institutions have a prime importance in arrangement and execution.
- (l) Every district has to plan a shelf of proposals. The works included in the proposals must be taken from the list of approved works.

The shelf of plans has to be arranged on the foundation of precedence allocated by Gram Sabha. Minimum half of works must to be assigned to Gram Panchayats for execution. A 60:40 percent distribution of wage and material ratio has to be maintained. Contractors and involvement of manual participation transferring equipment is prohibited.

- (m) The distance of worksite from village must be in the 5 km radius of the community other wise 10 percent extra labour is payable.
- (n) Work site Basic facilities must be available at the worksites such as crèche, drinking water, shadeetc.
- (o) The Gram Sabha has to organize Social Audit at least two times in a year.
- (p) There is a requirement to develop Complaint redressal mechanisms for confirming a approachable execution procedure.
- (q) All financial and other records relating to the Scheme are to be made available to any person desirous of obtaining a copy of such records, on demand and after paying a specified fee.³

³*Report to the People*, op. cit., p.3

2.7 Institutions Role

One of the significant features of the Act is that the administrations at all stages have been involved and allotted roles in its execution. Even at the initial stage, all the three tiers of rural local management viz. Gram Panchayat, Panchayat Samiti and Zila Parishad have been assigned separate roles. Roles assigned to different stages of governments are discussed in short in this sub-section:

Role of Gram Panchayat

1. Formulate proposals at village level
2. Identify, design and execute 50 percent works
3. Establish local institutions for smooth execution
4. Evaluate and monitor execution of the scheme

Functioning of Panchayat Samati

1. Coordinate the proposals with block procedures
2. Classify probable works based on village proposals
3. Design and execute works (not mandatory)
4. Monitoring

Functioning of Zila Parishad

1. Formulate district yearly proposals
2. Formulate five-year perspective plan by taking help of village proposals
3. It also play important role in execution of works
4. Coordinate activities at District level

Role of State Government

1. Slight change in guidelines if required
2. Established Employment Guarantee Council

3. Simplifying resource flow

Role of Central Government

1. Confirm fund movement
2. Established up employment guarantee council for counseling
3. Sovereign monitoring and assessment

The Gram Sabha is the statutorily authorized established mechanism for communal involvement. Execution of the Scheme initiated from the Gram Sabha. The same also precedes the responsibility of popularizing the scheme for registration of the beneficiaries with the processes to demand works.

The Act authorises the Gram Sabha to recommend works to be taken up under the scheme, to monitor and supervise these works and conduct social audits of the execution. The responsibility of Gram Panchayat lies with the preparation of works, record-keeping of households, distributing job cards, execution and monitoring of the programme at village level. The Act recommends appointing a Gram Rojgar Sevak in every gram panchayat for this purpose. The Panchayat at middle level have an obligation to notice the scheduling, monitoring and observation at the block level. This level of Panchayat is also responsible to execute 50 per cent works under the Gram Panchayat. District Panchayat is accountable for deciding the district plans for the Act which is an inclusive plan of action for the district.

2.8 Non-Gram Panchayat Pool

The administration at state level articulates regulations with the help of guiding principle of the act to simplify the complete implementation. It establishes the State Employment Guarantee Council which works with the responsibility to give guidance for the state government related with implementation of the programme and to assess and monitor it. The Council takes the preferred works on priority at state level.

2.9 Funding

The Central Government affords the funding as discussed below:

- Total wages related with unskilled physical workers.
- The Centre government bear 3/4 part of the expenditures of material, wages of trained and half-trained beneficiaries.
- All the organizational expenditures as per mentioned by the Central Government, which will comprise with the remuneration and the allowances of the Programme Officer, supportive staff and work site facilities.
- Expenditures of the National Employment Guarantee Council.

The State Government affords the expenses of items which are discussed below:

- The State government bears one-fourth charges of material, wages of skillful and semi-skilled workers.
- Unemployment allowance if the State Government accepts its failure to offer wage employment as per prescribed time period.
- Administrative expenditures of the State Employment Guarantee Council.
Districts have committed accounts for MNREGA funds. They have submitted their applications on the basis of clearly described outlines which are helpful in distribution of funds competently on every stage and acceptable reserves may be obtainable to reply in response of any demand.

2.10 MNREGA - Paradigm Shift

MNREGA establishes an ideal modification from the earlier employment generating schemes. The Act promises a legal assurance of wage employment, i.e. it provides legal platform to the beneficiaries before filing application for work. Employment is reliant on the will power of the worker to apply for registration and attain a Job Card after that to file a written application by clearly mention the time period for which the worker wants to do work. The lawful assurance has to be pleased within the mentioned time period and this instruction is supported with the provision of unemployment allowance in case of failure in providing work.

The Act is planned to propose an motivation structure to the states for offering employment as ninety percent of the payment of wages for employment provided is endured by the Centre government and if the center government unable to provide

work on demand is a connected hindrance for the states then they suffer the double for the safety of unemployment and the payment of unemployment allowance. Former wage employment programmes were distribution based. But MNREGA is not supply based but demand based. Allocation of Supply is depend on the request of work under scheme and this offers serious motivational powers to the states to influence the Act with the completion of demand of work of the needy. It is the responsibility of the community transfer system to visualize an Annual Report on the results of the Act to be obtainable by the Central govt. to Parliament and the govt. at state level to the legislature.⁴

2.11 New Creativities of MGNREGA Functioning Guidelines, IV edition in 2013

The Functioning Strategies of the Act has been reviewed and supplied in the fourth edition. The main guidelines for functioning of the Act are discussed below:

- Reinforce temporal resources for execution of the Act: The Cluster Facilitation Teams, managing team at state level and national level, State Employment Guarantee Mission should be established for providing sustenance in arrangement of works, accomplishment and remark of the scheme. Devoted Programme Officers must be assigned at Block level with high attention of reserve category beneficiaries and are wish to have additional requirement for the works as per the scheme. The Programme Officers should not be allocating responsibilities directly.
- Correctly capture demand for work: An Interactive Voice Response System (IVRS) and verbal intrative system should be developed for facilitation of uneducated benefeciaries. Applications related with demand of work must be registered telephonically for better locking up the demand.
- Shape capability of the authorities related with implementation of the Act: System of Organizations for development of the capability of Panchayat functionaries and other officials related with execution of the Act may be identified.
- For the evaluation of duration and timing of requirement of work standard assessment may be conduct.

⁴ *Report to the People*, Ibid. pp.4-5.

- Ward Sabha, the Gram Sabha and Gram Panchayat fulfill their responsibility in finalizing priority and sanction of all works.
- List of permissible works is extended.
- A ratio of 60:40 concerned with wage and material costs must be kept at gram panchayat level in execution of all works by gram panchayat and it must be followed for all other works executed by all other agencies either it related at the Block/ Intermediate Panchayat level.
- Disbursement of wages of the workers on piece rate basis: To develop surety that the beneficiaries receive payment for their labor, payment of their wages shall be calculated on the basis of work out-turn.

2.12 The National Rural Employment Guarantee Act: Programme Implementation

Effective enactment of any scheme needs positive devices. Mahatma Gandhi National Rural Employment Guarantee Act also progressed specific mechanism which is discussed below:

A. Statutory Institutional Mechanisms

(i) Central Council: According to Section 10, part 1 of the esteemed Act the Central Employment Guarantee Council (CEGC) was constituted. Central Employment Guarantee Council Rules 2006 were notified on dated 25 May 2006 and established as per notification on dated September 22, 2006. The Council guidelines the government on different issues related with better execution of the Act. The Council also evaluates the monitoring and grievance redressal mechanism time to time and recommends betterments. Union Minister for Rural Development is the chairman of the Council.

(ii) National Fund: According to Section 20, part 1 of the Act, a National Employment Guarantee Fund (NEGF) has to be constituted. This fund which is established for the Act is non-lapsable fund in nature and it has to be utilized as per rules of the Act. The rules for this section were notified on dated January 2, 2007.⁵

⁵. Report of the Third Year, 2007-2008, *Mahatma Gandhi National Rural Employment Guarantee Act 2005* Ministry of Rural Development, Government of India, New Delhi, p. 6.

(iii) State Councils: As per Section 12, part 1 of the Act, every state Government has to establish a State Employment Guarantee Council (SEGC).

The responsibilities and roles of the State council shall comprise the following aspects-

(1) The Council gives advice to the State government related with different aspects of the Scheme and execution of the programme at state level;

(2) Defining the desired works;

(3) Recommending improvements for revising the monitoring and redressal mechanisms after a specific time period;

(4) The Council encouraging the broadest probable determination of information related with the Act and the Schemes;

(5) The State Council monitor the execution of the Act at State level and coordinating such implementation with the Central Council;

(6) The council frames the progress report yearly which is presented in the State Legislature by the concerned government;

(7) The council performs the other responsibilities assigned by centre or state government.⁶

B. Communication and Awareness Generation

During execution of any programme, communication plays a critical role in receiving effective and well-organized results. The Information Educational and Communication (IEC) tactics consist of newspapers, television and radio, pamphlets and brochures which help in developing awareness. The State government conducts the meeting of Gram Sabha to impart important features related with the scheme.

The *Rozgar Jagrookta Puruskar* had been announced to recognize distinguish supports by Civil Society Organisations at all the levels to produce attentiveness about rules and prerogatives which guaranteeing obedience with executing process.⁷

⁶ Section 12(3), op. cit. p.6.

C. Operational Systems

(i) Arrangement of Supplementary Enthusiastic Personnel for the Act

Due to the examples of prior employment generation schemes the central government has announced different methods to sustainance the administration and execution of the scheme. According to the Act, the government at center level offers support for organizational expenditures up to a borderline as decided by the Centre. The Ministry of Rural Development has sanction permission to use four per cent budget of the total budget to be made as managerial cost supporting resource help for positioning complementary staffs for execution such as: the Gram Rozgar Sahayak at the gram panchayat level and Programme Officer, engineers, IT and accounts personnel at the block Level.

(ii) Establishment Capacity Building at the State Level

The arrangement of training of employees at different levels is also crucial aspect for firming up administrative systems. The necessities of training are significant at all stages which consist of Programme functionaries, PRIs and the native observance committees. The National and State institutions related with rural development facing many difficulties in organizing training programmes having consistent in content and to attain necessities of training at war level deprived of compromise with quality. Available feedback is also taken into consideration with the procedures for the existing rotations of training.

(iii) Management Information System

Management Information System with the website www.nrega.nic.in was generated to make statistics transparent and display it in a way that it is equally reachable to everyone who wants to know it. States accepted responsibility of creation of data base at the block and district level. It is a basic level database and having inner checks for confirming reliability and

⁷ Report of the Third Year, op. cit., p. 6.

conformity to normative ways. All decisive aspects get supervised in community platform:

- a) Prerogative data and documents related to the worker's such as registration, Job Cards, muster Rolls.
- b) Financial indicators such as funds available and used, the rough aggregate of fund consumption to examine the amount used as wages, resources and management of funds. All technically sound statistics display on Management Information System which is beneficial to increase transparency and the same information is helpful in cross checking of accounts. The information related to data is helpful in preparation of reports related to the scheme. The aim is to ensure connectivity at the Block level on priority and wherever possible, at the Gram Panchayat level.⁸
- c) Employment demanded and provided,
- d) Data related to work selection with its implementation together with the shelf of permitted and authorized works, work estimates and measurement.

(iv) Programme Review

The position of implementation of MNREGA has been frequently reviewed at the level of Minister and Secretary, Union Ministry of Rural Development through the Regional Performance Review Committee.

2.14 Pillars of Transparency and Accountability

There are the pillars around which transparency and accountability devices have been constructed:

I. Pro-active Disclosure: Access to regular, trustworthy and appropriate information is an important pre-requisite for accountability.

- All information related with the Act is in the public domain.

⁸Report of the Third Year, op.cit., p.7

- The pro-active disclosure comprises (a) presentation of all the information in short form with the help of display boards (b) by taking help of loud reading (c) with the help website. All records will be accessible for authentications as per the rules of RTI Act.
- The copies of the records will be available at no more cost as comparison with the cost of making copies and order the providing of copies applied for as soon as possible but ordinarily in normal case within 15 days.

The process of pro-active disclosure will usually comprise the subsequent ways:

- The necessary information related with the scheme verbally presented according to the norms of the act
- The formation of painted panels at recommended sites and in the decided frame.
- The printing of information by taking help of newspaper advertisements, with the help of press notes, the publishing of brochures ordinarily or by taking help of norms as per right to information act.
- By taking help of broadcasting with the help of audio-visual media such as T.V.
- By displaying information on notification panels at all the three stages.
- The main information should be made accessible on the website. The use of internet shall be cost less and easily admittance to the www.nrega.nic.in whereas all the much of the statistics as recommended in the Regulations of the act, together with the summaries and complex information, will be updated every day. All the State Govt. and the Central Govt. shall work in the way of keeping an online position of information, related to expenditures and disbursements.
- Restructured figures of registration, details for the request of work, figures of job cards provided, details of the persons who applied for work and the no. of days for which work provided, particulars of capitals received and utilized, information of expenses done with the help of bank or post office accounts, details of works approved and their direction of importance at the Gram Panchayat level and

information about total disbursement on that work, period of work, person-days generated, information provided by native observance committees and merging of attendance registers and bills of every work completed, should be made available for public in the recommended format of all offices involved in implementing MNREGA.

II. Grievance Redressal

- **Complaint:** According to Section 23 part 6 of Mahatma Gandhi National Rural Employment Guarantee Act that any problem referred straight or in direct way submit to the Programme Officer in writing with all identification proofs and signature suggesting as a violation during implementation of the Act, including any objection transferred to him/her through writing, with the help of Grievance Record, Helpline, Social Audit or another sources, will be supposed a “complaint.” Any violation highlighted against the rules of Transparency and Accountability also considered as a complaint under Section 23(6) of the Act.
- **Maintaining Complaint record:** The entry of all grievances shall be done instantly in the Complaints register and receiving issued for evidence to the applicant.
- **Disposal of Complaint:** Any complaint which relate with authority of other Programme Officer such as any complaints related with violation during implementation of the Act by Panchayat functionaries, shall be disposed of by the PO within the prescribed time period of 30 days, under Section 23(6) of the Act. In the circumstance of any complaint related to any other officer, after completing the initial enquiry, it is the responsibility of the Programme Officer to farward the problem to concerned person within a week by informing the complainant.
- **Failure to dispose:** In case of delay in disposal of any complaint during the mentioned time period it will be measured as disobeying of the Act by the Programme Officer and the provisions of punishment are applicable on such authority under Section 25 of the Act. Complaints against such failure will be filled to the Appellate Authority for its solution.

- Action on corruption: If any complaint related with corruption, defalcation or forgery, it is the responsibility of the Programme Officer after completion of initial investigation as per prescribed time of a week, the PO finds primary indication of such irregularities, he or she shall initiate the procedure for retrievals and the filing of a First Information Report (FIR) against the person who is responsible for that.
- Appeals: District Project Coordinator, the Divisional Commissioner-MNREGA or the State Commissioner-MNREGA is the Appellate authorities for the solution of any appeal.
- Disposal of appeals: The responsibility of disposal of complaints under appeals lies with the Appellate Authority and “references” prepared by the Programme Officers after investigation. The Appellate Authority shall issue a charge sheet and give a chance for a hearing to the person concerned on the basis of appeals. All appeals and references shall be disposed of within the period of one month.
- Due process: The Appellate Authority shall follow due process during the disposal off an appeal and the authority give chance to express the views to both the complainant and the person against whom the complaint is filed.
- Fines: In case the Appellate Authority declare any one responsible for violation as per section 25 of the Act , during the disposal of any ‘reference’ or appeal, he/she will force a fine of Rs. 1,000 or more than that. In case of government officials, the fine shall be deducted from his salary.
- Supplementary complaint resolution mechanisms: Within the regular series of facility of the MGNREGA, Programme Officer is the competent authority for solving any complaint concerned with the Gram Panchayat, to the District Programme Coordinator is at Block level and the Commissioner MGNREGA at district level. On the other hand, the administrative machinery will have a responsibility to take action on the complaint faced by them and dispose of all the complaints in the time duration of fortnight. The District Programme Coordinator will establish a “Dedicated Transparency Cell.” The role of the transparency cell will provide help-lines for guidance to the complainants. It also provides legal help and arranges easy way of understanding web-based complaint systems; organize Rozgar Melas to confirm that there are rapid and

effective internal grievance redressal mechanisms. The “Dedicated Transparency Cell” will have an Officer and an Assistant. These officers will not be the member of implementation team of MGNREGA. The expenditures of the “Dedicated Transparency Cell” arranged from the governmental expenses.

III Social Audit:

In India, social audit was imitated by Mazdoor Kisan Shakti Sangathan(MKSS)⁹ in its present form to check widespread corruption in draught relief works in Rajasthan in the mid-1990s. The basic purpose of the social audits is to confirm communal answerability in the enactment of the project, laws and policies. In a simple form, social audit is a public assembly where all the details of the plans are scrutinized. However, Social Audit can also be understood in a wider sense, as a constant process of public vigilance. According to Section 17 of the Act, there is a provision of regular ‘Social Audits’ which is helpful in the development of transparency and accountability in implementation of the Scheme. The Sub-section (2e) of Section 31 of the Act 2005 orders that the Central Government can change the rules of the Act as per requirement of better implementation of the scheme.

SOCIAL AUDIT PROCESS

At the starting of the year the Social Audit Unit shall maintain an annual calendar to organize atleast one social audit half yearly in each Gram Panchayat and the same information shall be sent to all the District Programme Coordinators for making essential arrangements. The social audit will be accepted in a surprised manner in whole country.

MNREGA Functioning Procedures 2013 for Social Audit:

- The information impart by Gram Sabha to all the beneficiaries and the villagers about directing social audit by the resource persons and the Programme Officer to achieve maximum involvement of the villagers.
- Before at least fortnight period of the day of Social Audit in Gram Sabha meeting, the Social Audit Unit shall be provided all the significant material

⁹ . MKSS was set up in 1990 to strengthen participatory processes and works with workers and peasants in the villages of central Rajasthan. MKSS has conducted several jansunwais (a public hearings) a form of social audit.

such as register having records of job cards registers , registers related and histories of all executing organizations by the Programme Officer (PO) with i.e. Job Card register, employment register, work register, resolution passed by gram sabha, copies of the permissions, work estimates, work origination order, attendance register issue and acknowledgment register, proofs of wage payment, materials – bills and receipts of every work, M.B of every work, particulars of action taken report of earlier social audits, grievances details, all the brochures to complete the social audit effectively.

- For smooth functioning of social audit by Gram Sabha, there is a provision of positioning a resource persons by Social Audit Unit, along with that the main shareholders shall authenticate the following:
 - The verification of attendances in attendance registers and total wages paid in that particular time with the help of contacting the workers whose attendance is mentioned in that attendance register.
 - Physical appearance of the work done, its superiority and consumer pleasure in efficacy of assets which may be related with land of a particular worker.
 - The resource persons also authenticate the financial records included in cash book, bank statements to highlight the accuracy and consistency of financial report.
 - The work site and evaluating the quantity with reference to records.
 - The notices, receipts or other concerned records used for obtaining the materials to testify such achieving was as per the approximation, Any other expense made by the implementing agency from the funds of the scheme.
 - The rules have been properly used during painting the walls by showing all the details of wages paid to the workers and the particulars contained therein are an accurate image of the records as they displayed on the web site i.e. www.nrega.nic.in and at the block and panchayat office.
- To organize a social audit process, a Gram Sabha meeting shall be organised to debate the results of the authorization exercise and also to review the passivity on transparency and accountability, satisfaction of the honesties and rights of the workers under the scheme and exact consumption of funds. The

Gram Sabha shall be assembled in an impartial role. The gram sabha meeting shall be managed by an aged villager who is not a member of implementing agency. Results and determinations will be put to voting. However, uncooperative opinion must be documented in the minutes. At the beginning of the social audit gathering, action Taken Reports of the prior Social Audit discussed at the beginning of the meeting. The questions arise from the participants of social audit and all the functionaries satisfied them by giving proper answers. For the smooth process and having check on social audit meeting, it shall be supervised by the Programme Coordinator working at district level.

- All selected fellows of Panchayats related with implementation of the schemes which include the staff of the Civil Society Organisations, the Self Help Groups and distributing agencies also represent their participation in the meeting of social audit.
- On the podium of the Gram Sabha the villagers shall find an opportunity to find answers of all queries from the implementing authorities. It will also provide a podium to any person who has any involvement to make and present related information.

MGNREGA Operational Guidelines 2013 for recording of social audit meetings:

- In the meeting of Social Audit written records should be maintained and evidence should be assembled for all disputes raised.
- The whole process of the Social Audit meeting shall be visually recorded compressed with the help of latest technology and uploaded all the video's on official site of nrega without editing. The video recording will be uploaded in the presence of the District Programme Coordinator.
- Native language should be used by the Unit of social audit in preparation of the reports of meeting. The president of the social audit unit must counter-sign the reports of that specific social audit Gram Sabha. A photocopy of the social audit report must be exhibited on the display board of that Gram Panchayat for a minimum period of a week.

- The records regarding of social audit will comprise two lists. One of it concerned with the complaints require redressal and another one list of social audit results that require criminal investigation. Side by side the the cases related with crime should go to the obligatory consultant to lodge FIR. All complaints must be register under the designated authority at the District level and for dispose of and necessary action at Block level.
- The information about the Action Taken Report related with the disputes raised up in the meeting of Gram Sabha shall be imparted to the Social Audit Unit and the individual whose criticism has been mentioned in the report.
- To organize a conversation on important issues concerned with implementation of the Act the State shall provide a podium at Intermediate Panchayat level for Panchayat functionaries and members of Gram Panchayat. The equivalent platform shall be provided at the District level for members of Block Samiti. The State Government shall lay down the time period of these meeting to assure that such meetings are organised at systematic gap. The Officers nominated by District Programe Coordinator shall moderate such assemblies at both the levels. Report of the meeting shall be submitted by labeled official to State Employment Guarantee Council¹⁰.

Minutest List of Documents for Pro-active Disclosure

The assurance towards the direction of transparency and the RTI can be review by Pro-active disclosure of related papers of the Act which is a significant feature of the Act. A preliminary list of related documents is given below. The list is not comprehensive but it should be measured as a significant minimum.

(1) Pro-active Disclosure at the Gram Panchayat Level

- Details of the Employment Register
- Summary of the Registration Applications and register concerned with issuing job cards.
- Summaries of the Muster rolls due for payment and unemployment allowance
- Details related with the works of all executing Agencies including work orders

¹⁰ <http://arwal.bih.nic.in/NREGA.html> visited on 20 April 2014.

- Display Weekly information in Summarize manner and district-wise rate agenda
- Names of the Observance and Checking Team members
- Summary of M.B with particulars of work distribution
- Present agenda of work applications
- Summary of specific dimensions

(2) Pro-active Disclosure at other stages of execution

1. Intellectual details of the Labour Budget prepared at District level
2. Practical and managerial calculations related with the Shelf of Project
3. View Strategies through online source having yearly plan
4. Declaration of deposit concerned with employment Surety
5. Abstract having information about yearly work Strategy and financial requirement
6. Abstract of Financial Audit and Action Taken Reports
7. Information regarding Social Audit Reports
8. Operation Documentation proof of utility of the project and its completion
9. Monthly assessment of accounts
10. Particulars of Technical Calculations
11. Short information related with Grievance Redressal Record
12. Complete information about Bills and Material
13. List of Enquiries directed
14. Proposals and all brochures related to procuring
15. Summarization of the Calculation and assessment reports

Detailed Violations of the Act as per Section 25

The loopholes discussed below shall routinely be preserved as violations of the Act under Section 25:

- Denial to receive a request for registration.
- Rejection of the request to issue a job card to a suitable beneficiary.
- Negation to issue receiving for a work application.
- Snub to give work in the prescribed time as per the act.
- Denial towards the disbursement of the wages according to prescribed time period.
- Deny for paying the unemployment allowance according to necessities of the Act.
- Refusal to mark necessary entries in job cards during payment of wages.
- Denial to follow the Transparency and Answerability Rules.
- Rejection to follow the Schedule II which is concerned with providing compulsory worksite facilities.

- Denial to conduct regular social audit.
- Denial to follow the priority list of projects related to the Gram Sabha.
- Denial to file any complaint.

It is concern of the State Government to fix accountability for proper implementation of all the duties. Any grievance made by any beneficiary who produces these violations shall be stated by the Programme Officer or any other investigative expert to the Appellate Authority, as per the Grievance Redressal Rules¹¹.

¹¹ http://nrega.nic.in/circular/draft_transparency_rules.pdf visited on 11 July 2014.

Chapter-3

Aggregate Data Analysis

The MGNREGA is a regulation where any adult who is eager to do unskillful physical labor with the acceptance of minimum wage is permitted to being employed on public works within fifteen days of applying. If work is not prearranged within the postulated time period, he/she is authorized to an unemployment allowance¹. It is a “People’s Act” in several sense. The Act was equipped with the help of wide range of consultation with people’s organizations. Secondly, the Act addresses itself chiefly to working people and their fundamental right to life with dignity. Third, the Act empowers ordinary people to play an active role in the implementation of employment guarantee schemes through Gram Sabhas, social audits, participatory planning and other means. More than any other law, NREGA is an Act of the people, by the people and for the people².

Mahatma Gandhi National Rural employment Guarantee Scheme has been tossed with the specific target which is supportive to eradicate countryside poverty with the arrangement of assured employment to the rural unemployed generation. Primarily the scheme launched on February 6, 2006 in two hundred most retrograde districts of the country, the programme was subsequently extended to all the rural districts in India in next two phases in April 2007 and April 2008, it gives assurance of hundred days work to those who are ready to do unskillful physical work.

In the present chapter aggregate data regarding the Scheme has been analysed in terms of number of households issued job cards, number of households demanded employment, number of households provided employment and the number of person days generated, work Status, social audit and transparency report. The chapter has been divided into three sections; in Section-3.1 aggregate data at India level has been analysed, in Section-3.2 aggregate data for the state of Haryana has been analysed and in Section-3.3 this exercise has been done for Mahindergarh, Ambala and Bhiwani districts of Haryana.

Socio-economic and political background of sample districts

Mahindergarh District

¹ Nikhil Dey Jean Dreze and Ritika Khera, NREGA: A Primer, National Book Trust,2006.

² NREGA: Operational Guidelines, Government of India.

Mahendragarh is one of the northern most districts out of twenty one districts of the state Haryana. Total area of Mahendergarh district of Haryana is One thousand eight hundred and fifty nine km². According to the census of 2011, the population of concerned district is 812,022. All the administrative works of Mahendergarh district fulfill in the city Narnaul. Mahendergarh district is included in the category of districts where the name of the main district and administrative town are different.

As per census 2011, the district is situated on third number in the minimum populated districts of the State. The district lies between north latitude 27.47' to 28.26' and east longitude 75.56' to 76. 51'. The neighboring districts in North direction of the district are Bhiwani and Rewari districts, in the east direction Rewari district of Haryana and Alwar district of Rajasthan are neighboring, in the south by Alwar, Jaipur and Sikar districts of Rajasthan and in the west Sikar and Jhunjhunu districts of Rajasthan are situated.

Economic Conditions: The district included in the list of most retrograde districts of the country in 2006 by the Ministry of Rural Development. Presently the district is getting funds from the Backward Regions Grant Fund Programme.

Divisions: The district has four tehsils named as: Narnaul, Ateli, Kanina and Mahendragarh and Nangal Chowdhary is a single sub-tehsil of this district. The district have four vidhan sabha constituencies including: Ateli, Mahendragarh, Narnaul and Nangal Chaudhry. At lok sabha level the complete area is a part of Bhiwani-Mahendergarh lok sabha constituency

Demographics: As per the census of 2011, the population of the district Mahendragarh is equal to the population of Fizi. The population of the district is 921,680. Out of Six hundred forty districts of India, Mahendergarh district is on the position of Four hundred sixty two in population. The density of population in the district is 485 inhabitants per square kilometre. The population growth rate was 13.43 percent. The sex-ratio in the district is 894 females for every 1000 males. The literacy rate of Mahendergarh district is 78.9 per cent.

Ambala District

Ambala district is one of the 21 districts of Haryana. In this district Ambala town is serving as the secretarial headquarters of the concerned district. Yamuna

Nagar is situated in its east, district Sirmur of Himanchal Pradesh and Panchkula of Haryana are surrounded it from the north, district Mohali of Punjab and district Patiala from the west and the district Kurukshetra from the south.

Divisions: The administrative set-up of Ambala district is divided into two sub-divisions and after into three tehsils. Ambala sub-division includes two tehsils: Ambala and Barara. Naraingarh sub-division comprises only one tehsil: Naraingarh. All the four vidhan sabha constituencies: Naraingarh, Ambala Cantt., Ambala City and Mulana are comprises with Ambala Lok Sabha constituency.

Demographics: According to the 2011 census, population of Ambala district is approximately equal to the population of Cyprus. The population of Anbala district is eleven lac twenty eight thousand three hundred and fifty. The population density of the concerned district is 720 inhabitants per square kilometre. Its population growth rate during the decade 2001-2011 was 11.23 per cent. The sex ratio of the district is 885 females for every 1000 males. The literacy rate of the district is 81.75 per cent.

Education: There are many primary, secondary and higher secondary schools situated in Ambala city, which playing the significant role in imparting education to the students of the city and the connecting villages. The city has two polytechnic colleges which provide technical education to the ambitious students. The district located in the Indo-Gangetic region, the land is usually productive and advantageous to agriculture. However, primary sector contributes much lesser to the economy of the district than it does to the economy of Haryana. Small scale industries form the bulk of the industrial landscape in the district.

It is included in the largest manufacturers of scientific and surgical apparatuses in the country. The district is a significant textile trading centre, besides Delhi and Ludhiana and has a famous cloth market, which is renowned in the region specifically for those looking for bridal wear. It also produces rugs, known locally as Durries and houses many suppliers to Indian defence forces.

Bhiwani District

Bhiwani District is one of the twenty one districts of Haryana. Bhiwani was established on 22 December 1972. The district occupies an area of five thousand one

hundred forty square kilometres. The district is located between 28.19 deg. and 29.05 deg. north latitudes and 75.26 deg. and 76.28 deg. east longitudes. Bhiwani district has four hundred and forty two villages and population of the district is 1,425,022. The administrative headquarters of the district is Bhiwani, which is around 124 kilometres from Delhi. Other main towns in the district are Siwani, Charkhi Dadri, Loharu, Tosham and Bawani Khera. As of census 2011, it is the third most populous district of Haryana, after Faridabad and Hisar.

Divisions: Bhiwani district consist of six sub-divisions and for smooth administration of the district the sub-divisions are additional divided into seven tehsils: Bhiwani, Dadri, Loharu, Siwani, Bawani Khera, Badhra and Tosham. There are seven vidhan-sabha constituencies in this district: Bhiwani, Dadri-I, Dadri-II, Loharu, Badhra, Bawani Khera and Tosham. Bawani Khera is part of Hisar Lok Sabha constituency and rest is part of Bhiwani- Mahendragarh Lok Sabha constituency.

Demographics: As per census 2011, the district has a population of 1,629,109, which is approximately equal to the population of Guinea-Bissau. The ranking of the district in the country is 306th (out of 640 districts of the country). Bhiwani has a population density of 341 residents per square kilometre (880 /sq mi). The growth rate of the district during the decade was 14.32 percent. It has a sex-ratio of eight hundred and eighty four females for every thousand males and literacy rate of 76.7percent.

Education: In education sector, the city boasts of six institutes, one of them is famous as the country's topmost textile research institute, the Technological Institute of Textile & Sciences, established by the admired Birla Group. On the other hand, there are four degree colleges including Adarsh Mahila Mahavidyalaya which is one of the best girls college under Maharshi Dayanand University, Rohtak, three colleges of education. The Board of School Education, Haryana (Shiksha Board) is also placed in the city.

A new university is established in the city under the name Choudhary Bansilal University in the memory of late Choudhary Bansilal. There are four engineering colleges in Bhiwani district.

Geography: Bhiwani is located at 28.78°N 76.13°E. It has an average elevation of 225 meters (738 feet). District Bhiwani is situated between 28.19 deg. and 29.05 deg. north latitude and 75.26 deg. and 76.28 deg. east longitude. The Bhiwani District is surrounded by Hissar District on its north, some area of Jhunjunu and Churu districts of Rajasthan on its west, Mahendergarh and Jhunjunu districts on its south and District Rohtak to the east. It is 124 kilometers from Delhi and 285 kilometers from Chandigarh.

At India Level

As explained above, the Scheme was first launched in 200 districts on February 6, 2006 and extended to the whole of rural India during the next two years. In the present section, data for the whole of India has been analysed in terms of number of households demanded employment, number of households provided employment, the number of person days generated, about social audit, work status and grievance redressal.

3.1.1(a) Employment Demanded and Provided

According to the provision of the Act, the work is provided to all the households within 15 days if they demand work from the Gram Panchayat. Here a comparative figure of employment demanded and employment provided is presented on national level and explained thereafter.

As Table 3.1.1(a) exhibits that in India 41910823 households were demanded employment during the year 2012-2013 and 41516178 (99.05%) households were provided employment under MGNREGS. Out of the total households who were provided employment only 3.28% were completed 100 days' employment during the financial year. The largest number (6533272) of households demanded employment under the Scheme in Tamil Nadu during the year 2012-13 followed by Andhra Pradesh (5278298) and West Bengal (4757678) and it is the efficiency of the Tamil Nadu State government that they had provided employment to 6484252 (99.24 per cent) households. In Tamil Nadu 364925 (5.63 per cent) households were completed 100 days' work.

Table 3.1.1(a)**Employment Demanded and Provided in India (During 2012-13)**

No.	State	Demanded Employment (2012-13)	Provided Employment (2012-13)	100 Days Employment (2012- 13)
1	Andhra Pradesh	5278928	5278928	381826
2	Arunachal Pradesh	94674	45165	913
3	Assam	903548	897999	1201
4	Bihar	1529882	1492974	59812
5	Gujarat	591576	584529	23158
6	Haryana	213556	212155	5976
7	Himachal Pradesh	451521	394514	8913
8	J & K	261091	253232	7512
9	Karnataka	756839	754871	12743
10	Kerala	1600827	1597862	12233
11	Madhya Pradesh	2486550	2468737	50436
12	Maharashtra	1270673	1257721	131209
13	Manipur	351296	338330	58
14	Meghalaya	253097	251496	9954
15	Mizoram	171471	171435	0
16	Nagaland	236947	231682	0
17	Orissa	1339934	1333681	16482
18	Punjab	172489	171328	961
19	Rajasthan	4070247	4027195	114763
20	Sikkim	32944	30633	1149
21	Tamil Naidu	6533272	6484252	364925
22	Tripura	583818	583481	17897
23	Uttar Pradesh	4428765	4409642	15087
24	West Bengal	4757678	4721768	54837
25	Chhattisgarh	2203334	2197867	44933
26	Jharkhand	1084689	1076813	16775
27	Uttaranchal	251167	247888	2645
Total		41910823	41516178	1365398

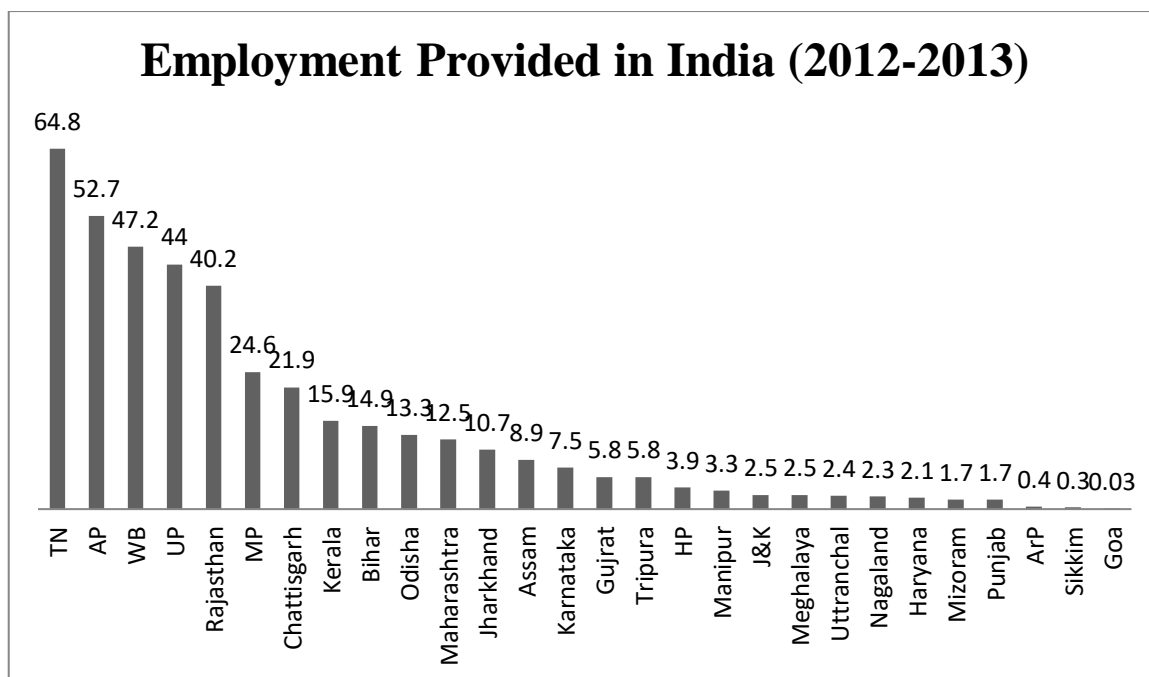


Figure: 3.1.1 (a) Employment Provided in India (2012-2013)

The lowest number (32944) of households demanded employment in Sikkim during the financial year 2012-13 and the employment provided to 30633 (92.98 per cent) households who had demanded employment under the scheme and only 1149 households (3.75 per cent) were completed 100 days' employment. In Haryana, 213556 households demanded employment and 212155 households (99.34 per cent) were provided work during the year 2012-13 and only 5976 households (2.82%) were completed 100 days' employment. Thus, the data revealed that Tamil Naidu government was more accountable in providing employment but not in providing hundred day's employment than other states of India.

In this sub-section state-wise data of number of households who have demanded and provided employment and number of households who availed 100 days of employment during the year 2013-2014 is presented in Table 3.1.1(b) and explained thereafter.

As Table 3.1.1(b) exhibits that in India 43701122 households were demanded employment during the year 2013-2014 and 38074778 (87.12 per cent) households were provided employment under MGNREGS. Out of the total households who were provided employment only 3.38 per cent were completed 100 days' employment during the financial year. The largest number (5956529) of households demanded employment under the Scheme in Tamil Naidu during the year 2013-14 followed by West Bengal (5410360) and Uttar Pradesh (5151416) and it is the efficiency of the Tamil Naidu State government that they had provided employment to 5919370 (99.37 per cent) households.

In Tamil Nadu 411150 (7.98 per cent) households were completed 100 days' work. The lowest number (50465) of households demanded employment in Sikkim during the financial year 2013-14 and the employment provided to 50166 (85.8 per cent) households who had demanded employment under the scheme and only 1056 households (2.1 per cent) were completed 100 days' employment.

In Haryana, 303772 households demanded employment and 245423 households (80.79 per cent) were provided work during the year 2013-14 and only 5855 households (2.38 per cent) were completed 100 days' employment. Thus, the data revealed that Tamil Nadu government was more accountable in providing employment but not in providing hundred day's employment than other states of India.

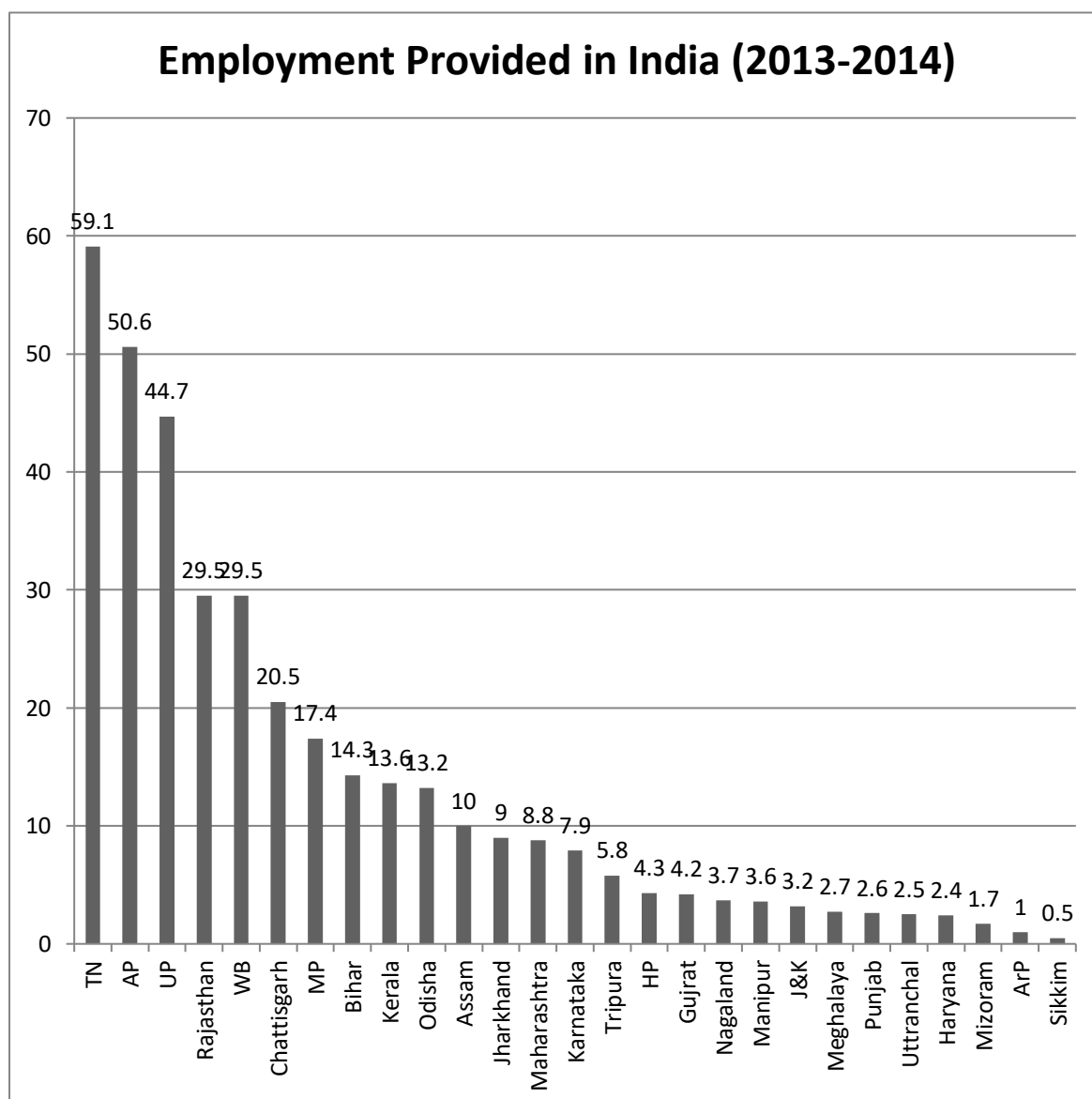


Figure: 3.1.1 (b) Employment Provided in India (2013-2014)

Table 3.1.1(b)**Employment Demanded and Provided in India (During 2013-14)**

No.	State	Comulative no. of Households Demanded Employment	Comulative no. of Households Provided Employment	Comulative no. of Households who completed 100 days employment
1	Andhra Pradesh	5067891	5067891	198906
2	Arunachal Pradesh	139155	106286	8
3	Assam	1097100	1005137	2814
4	Bihar	1839340	1432756	50036
5	Gujarat	525013	428334	12301
6	Haryana	303772	245423	5855
7	Himachal Pradesh	503656	435013	15469
8	J & K	497083	322254	9248
9	Karnataka	1279992	799282	42086
10	Kerala	1596790	1366447	36974
11	Madhya Pradesh	2305470	1748436	33154
12	Maharashtra	1039311	884149	70455
13	Manipur	378221	363501	0
14	Meghalaya	321908	272125	6173
15	Mizoram	172228	170982	0
16	Nagaland	384664	379172	365
17	Orissa	1573861	1323502	40353
18	Punjab	329345	261029	2838
19	Rajasthan	3475719	2950179	137627
20	Sikkim	58465	50166	1056
21	Tamil Naidu	5956529	5919370	411150
22	Tripura	595427	585556	10786
23	Uttar Pradesh	5151416	4474138	76770
24	West Bengal	5410360	4267334	30126
25	Chhattisgarh	2439610	2058561	80274
26	Jharkhand	993600	907552	34031
27	Uttaranchal	265196	250203	5701
Total		43701122	38074778	1289954

Source: NREGA Report to the People, Ministry of Rural Development, Government of India, New Delhi, 2013-14, pp. 35-36.

Manipur and Mizoram were the states where number of households who had completed 100 days employment was nil and Arunachal Pradesh was the state where

only 8 households were completed 100 days employment during the year 2013-2014. The figure 3.1.1(b) also clearly presenting the data of employment provided that the performance of Tamil Nadu, Andhra Pradesh, Uttar Pradesh, Rajasthan and West Bengal is much better in comparison to the performance of Sikkim, Arunachal Pradesh, Mizoram, Haryana and Uttaranchal during the year 2013-2014.

3.1.2 Social Audit in India

Social audit is a constant procedure, which provides a chance to the beneficiaries to play an active role in the monitoring and implementation of the Act. It offers any legal resident the authenticity, not only in the form of pursues information, but also maintain list of complaints, solutions and demand responses in the communal domain. It means for combined assessment and usage of the verbal method and it orders clarification of brochures and procedures.³

It has been provided in Article 17(1) of the Act that gram sabha would monitor all works which is implemented in the gram panchayat. Article 17(2) of the MGNREGA that the gram sabha of every village shall organise systematic social audits for all the works done according to the provisions of the scheme in that gram panchayat.

According to Article 17(3) of the Act that it is necessary for the gram sabha to make accessible all the required records including the attendance registers of the beneficiaries, bills vouchers, M.B, copies of approved orders and other related records of account and documents of the gram sabha for conducting the social audit. In table 3.1.2, Report related with Social Audit at National level during the year 2012-2013 is categorised and explained hereafter.

As is clear from the table 3.1.2(a), it is associated with social audit report at national level during the year 2012-2013, that out of 635 districts of the country five hundred and forty nine (86.45 per cent) districts were followed the process of social audit. Out of 247678 gram panchayats only 175448 (70.83 per cent) gram panchayats were followed the process of social audit.

³ Please see MKSS, Transparency and Accountability; Using Peoples Right to Information for proper implementation of NREGA. www.righttofoodindia.org

Table 3.1.2(a)

Social Audit Report in India (During 2012-13)

No.	State name	Total District	No. of District Started Social Audit	Total GP	No. of Panchayat covered	No. of Social Audit	Issue raised and action taken
1	Andhra Pradesh	22	0	21863	0	0	0
2	Arunachal Pradesh	16	6	1830	161	209	100
3	Assam	27	27	2644	2594	5661	3573
4	Bihar	38	38	8529	7873	11705	5101
5	Chhattisgarh	27	27	9915	9619	11879	6010
6	Goa	2	1	190	21	21	17
7	Gujarat	26	26	14315	13753	26676	16322
8	Haryana	21	21	6167	4200	6988	3685
9	Himachal Pradesh	12	10	3243	2218	2662	1713
10	J&K	22	15	4143	1393	1968	921
11	Jharkhand	24	23	4435	3962	6277	2471
12	Karnataka	30	29	5632	5309	8915	4345
13	Kerala	14	14	978	963	17816	11616
14	Madhya Pradesh	51	50	23013	21737	41838	14659
15	Maharashtra	33	28	28569	14860	19641	6743
16	Manipur	9	9	3082	1922	2113	1092
17	Meghalaya	7	7	1823	1618	2563	1538
18	Mizoram	8	4	827	170	195	106
19	Nagaland	11	3	1164	126	158	76
20	Orissa	30	30	6232	6230	11836	8858
21	Punjab	22	22	13110	12617	23382	8678
22	Rajasthan	33	29	9177	6206	6347	770
23	Sikkim	4	2	180	7	6	6
24	Tamil Naidu	31	15	12524	3445	7034	641
25	Tripura	8	7	1135	576	482	177
26	Uttar Pradesh	75	74	52032	44707	73941	27920
27	Uttaranchal	13	13	7577	6018	7720	3682
28	West Bengal	19	19	3349	3142	29408	21860
	Total	635	549	247678	175448	327462	152680

Source: http://164.100.129.6/netnrega/state_html/social_auditNT.aspx?flag=eng&fin_year=2012-2013 visited on 12 July 2014.

Out of Twenty one thousand eight hundred and sixty three gram panchayats of the state Andhra Pradesh and One thousand one hundred and sixty four gram panchayats of the state Nagaland, all the gram panchayat were not followed the provision of conducting social audit. The extreme number (27920) of issues was raised in Uttar Pradesh and action taken on them. Thus it is clear from table 3.1.2(a) that approx. three-fourth of the gram panchayats were perform its role efficiently in evolving social accountability during execution of the scheme.

In Haryana, there were 6167 gram panchayats in 21 districts. Out of total gram panchayats, 4200 gram panchayats were enclosed with the process social audit during the year 2012-2013 and the number of social audits piloted was 6988. In Haryana, 3685 disputes were elevated in 6988 social audits.

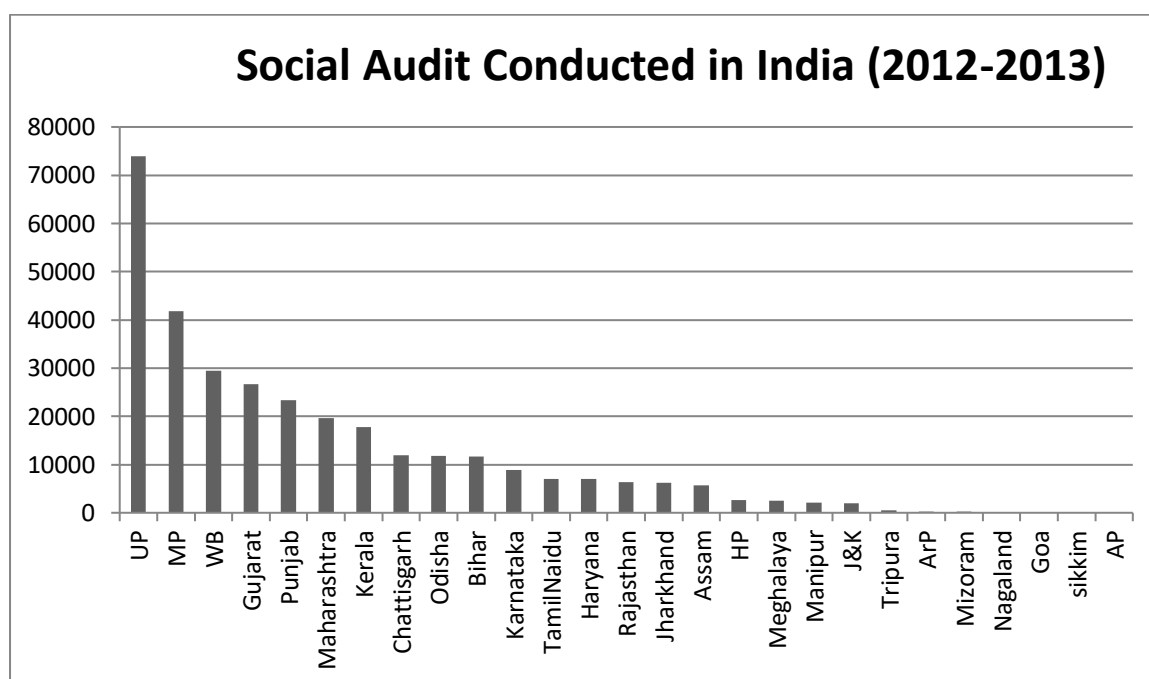


Figure: 3.1.2 (a) Social Audit Conducted in India (2012-2013)

In this sub-section state- wise data of Social audit during the year 2013-2014 is presented in Table 3.1.2(b) and explained thereafter. As is clear from the table 3.1.2(b), which is related with social audit report of India during the year 2013-2014, that out of 635 districts of India 506 (79.68 per cent) were started social audit. The total number of gram panchayats was 247678 and 118624 (47.89 per cent) gram panchayats were started social audit. In 118624 gram panchayats which were started

social audit 187038 social audits were conducted and 117414 issues were raised and action taken. The maximum number of districts lies in Uttar Pradesh (75 districts) and 67 (89.33 per cent) districts were started social audit.

In Uttar Pradesh the total number of gram panchayats were 52032 and 12798(24.59%) were covered under social audit and 11108 issues were raised and action taken. In fifteen states⁴ of India all the districts were started social audit during 2013-2014. In Haryana, all the districts started social audit. Total number of gram panchayats in Haryana are 6167 and 4122 (66.83 per cent) gram panchayats were covered under social audit 5156 social audits were conducted. 3065 issues were raised and action taken.

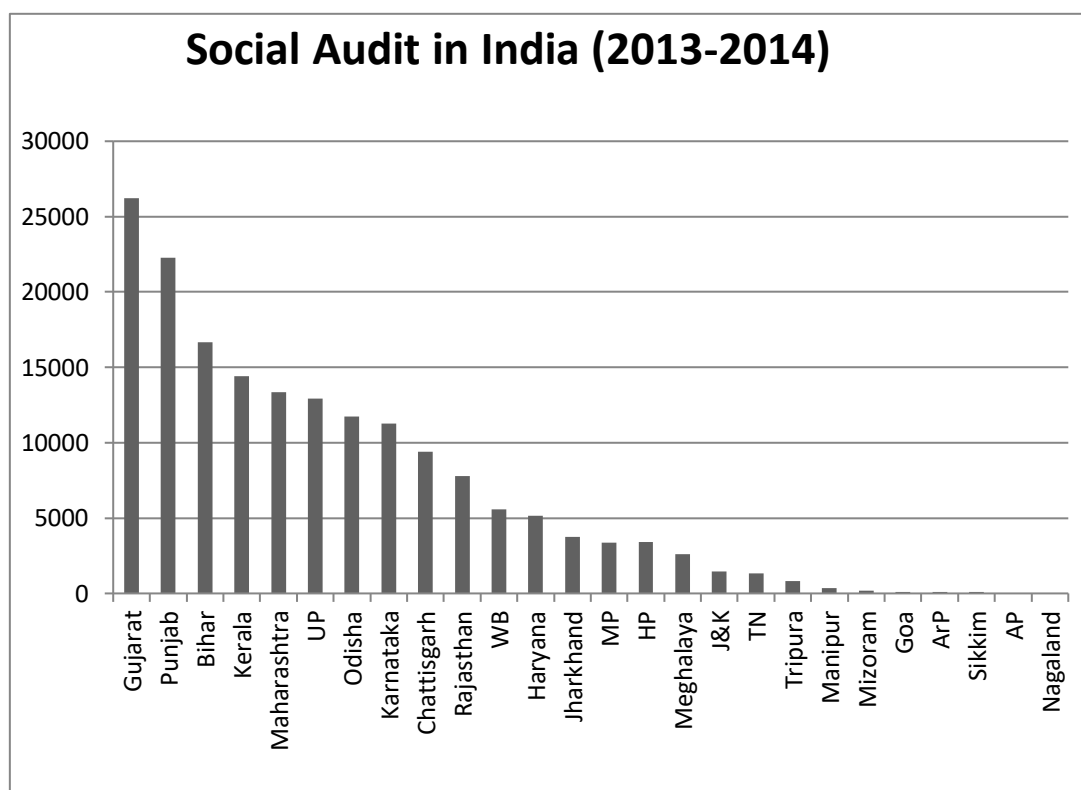


Figure: 3.1.2 (b) Social Audit Conducted in India (2013-2014)

Out of 21863 gram panchayats of Andhra Pradesh and 1164 gram panchayats of Nagaland not even a single gram panchayat were started social audit. The maximum number (18278) of issues was raised in Gujarat and action taken on them.

⁴ Assam, Bihar, Chattisgarh, Goa, Gujarat, Haryana, Karnataka, Kerala, Meghalaya, Orissa, Punjab, Rajasthan, Sikkim, West Bengal, Tripura.

Table 3.1.2(b)**Social Audit Report (During 2013-14)**

No.	State name	Total District	No. of District Started Social Audit	Total GP	No. of Panchayat covered	No. of Social Audit	Issue raised and action taken
1	Andhra Pradesh	22	0	21863	0	0	0
2	Arunachal Pradesh	16	5	1830	85	104	49
3	Assam	27	27	2644	2561	5500	3772
4	Bihar	38	38	8529	8386	16656	8330
5	Chhattisgarh	27	27	9915	9367	9381	7412
6	Goa	2	2	190	115	115	95
7	Gujarat	26	26	14315	13921	26225	18278
8	Haryana	21	21	6167	4122	5156	3065
9	Himachal Pradesh	12	11	3243	2523	3395	2341
10	J&K	22	17	4143	1353	1457	555
11	Jharkhand	24	22	4435	3009	3741	1068
12	Karnataka	30	30	5632	5628	11266	7399
13	Kerala	14	14	978	862	14423	11314
14	Madhya Pradesh	51	27	23013	3167	3355	1570
15	Maharashtra	33	27	28569	12384	13351	3629
16	Manipur	9	4	3082	281	351	259
17	Meghalaya	7	7	1823	1602	2619	1420
18	Mizoram	8	3	827	143	194	113
19	Nagaland	11	0	1164	0	0	0
20	Orissa	30	30	6232	6196	11742	8283
21	Punjab	22	22	13110	12751	22280	15914
22	Rajasthan	33	33	9177	7639	7781	6238
23	Sikkim	4	4	180	90	90	89
24	Tamil Naidu	31	3	12524	479	1337	0
25	Tripura	8	8	1135	578	811	511
26	Uttar Pradesh	75	67	52032	12798	12922	11108
27	Uttaranchal	13	12	7577	5625	7210	1864
28	West Bengal	19	19	3349	2959	5576	2738
	Total	635	506	247678	118624	187038	117414

Source: NREGA Report to the People, Ministry of Rural Development, Government of India, New Delhi, 2013-2014, pp. 93-94.

In Haryana, the total number of gram panchayats are Six thousand one hundred and sixty seven and 4122 (66.83 per cent) gram panchayats presented their active role for implementing the process of social audit and five thousand one hundred and fifty six

social audits were directed and 3065 issues were raised and action taken. Thus it is clear from the above table that about half of the gram panchayats were play their role properly in developing social accountability in implementation of the scheme. As is clear from the graph that the performance of Gujarat, Punjab, Bihar and Kerala states was much better in comparison of Nagaland, Andhra Pradesh, Arunachal Pradesh, Sikkim and Goa.

3.1.3 Work Status of India

MGNREGA is a significant starting in the direction of the recognition of the right to work. It is also predictable to increase people's means of support on a continuous basis, by increasing financial and social arrangement in countryside. Building of roads, digging of ponds, development of drainage system and increase in agricultural estate are some of the popular areas where the Act accompanied in village development. In this section work status of India is presented and explained here after.

As is clear from the table 3.1.3(a), Overall works taken up according to the scheme in the the financial year 2012-2013 were Seventy lac forty six thousand nine hundred and seventy eight and only ten lac twenty thousand nine hundred and twenty works were completed (14.48 per cent). Extreme number of works taken up in Andhra Pradesh with twenty five lac twelve thousand seven hundred and forty two (2512742) but only 0.11 per cent works were touch the completion step. Arunachal Pradesh was the state where bottommost, only One thousand and thirty seven works were occupied followed by Sikkim (3869) and the rate of completion of the works in these states was 0.00 per cent and 25.67 per cent respectively.

In Haryana, the works started under the scheme were Thirteen thousand seven hundred and eighty eight (13788) and only Two thousand six hundred and one (18.86 per cent) works were touched the line of completion. In Tamil Naidu One lac fifteen thousand seven hundred and ninty four works were started and 55.96 per cent works were finished which was the utmost stage of work completion. Out of total works started (2003238) extreme number of works related with the area of resources generated for water conservation and water harvesting with 28.42 per cent and 24.25 per cent finalised works were belonged to rural connectivity which was extreme.

Table 3.1.3(a)**Work Status of India (During 2012-13)**

No.	State	Total works taken Up	Total Works Completed	% Age of Works Completed
1	Andhra Pradesh	2512742	2741	0.11
2	Arunachal Pradesh	1037	0	0.00
3	Assam	67595	12788	18.92
4	Bihar	310383	32051	10.33
5	Gujarat	99359	30112	30.31
6	Haryana	13788	2601	18.86
7	Himachal Pradesh	68307	19751	28.92
8	J & K	86618	5793	6.69
9	Karnataka	242209	33615	13.88
10	Kerala	155382	48977	31.52
11	Madhya Pradesh	720919	194284	26.95
12	Maharashtra	345837	11109	3.21
13	Manipur	10729	303	2.82
14	Meghalaya	17858	660	3.70
15	Mizoram	12116	1251	10.33
16	Nagaland	24781	170	0.69
17	Orissa	190640	38962	20.44
18	Punjab	14159	4676	33.02
19	Rajasthan	367544	88958	24.20
20	Sikkim	3869	993	25.67
21	Tamil Naidu	115794	64799	55.96
22	Tripura	71066	14485	20.38
23	Uttar Pradesh	783254	158949	20.29
24	West Bengal	360582	112050	31.07
25	Chhattisgarh	172065	76146	44.25
26	Jharkhand	215148	60299	28.03
27	Uttaranchal	63197	4397	6.96
Total		7046978	1020920	14.48

Source: *ibid.* pp. 37-39.

Minimum number of works were taken up for coastal areas (8) and number of completed works belonged to the category of assets created for coastal areas was zero during the financial year 2012-2013. As is clear from figure 3.1.3(a), which shows work completion rate of India during the year 2012-2013, that the performance of Tamil Nadu, Chattisgarh, Punjab and Kerala is much better than the performance of Arunachal Pradesh, Andhra Pradesh, Nagaland, Manipur, Maharashtra and Meghalaya. The work completion rate of Haryana is much higher (18.86) than the north eastern states of the country.

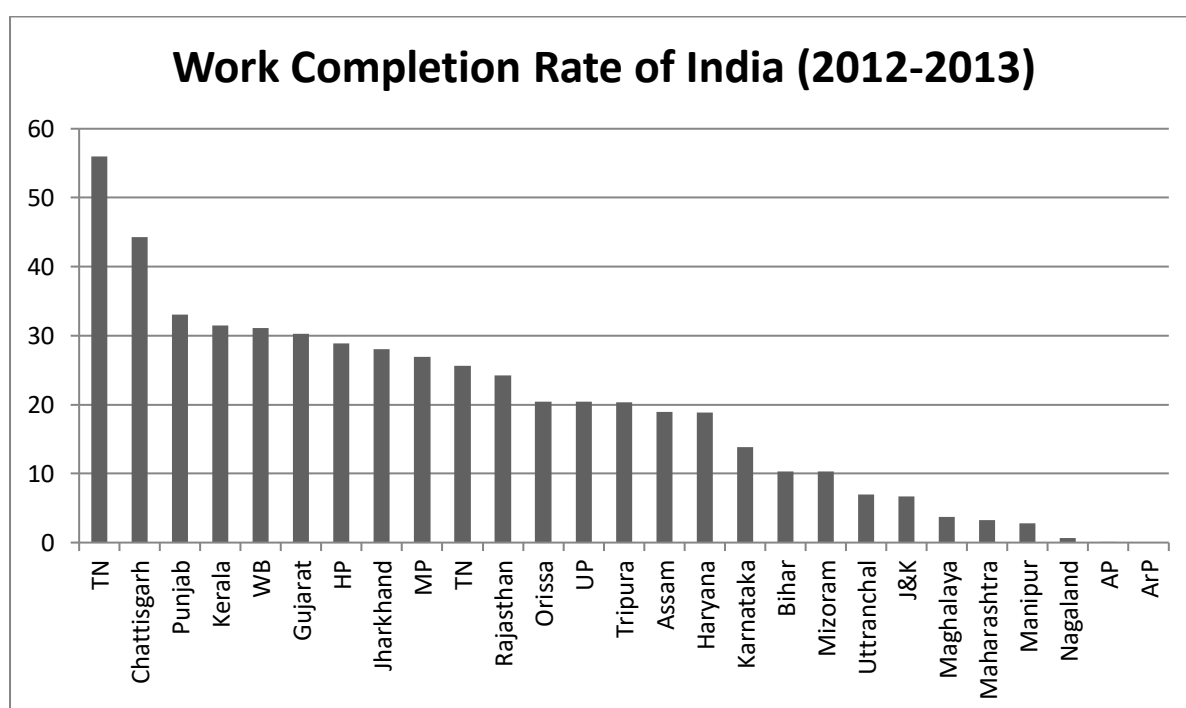


Figure: 3.1.3 (a) Work completion Rate of India (2012-2013)

As is clear from the table 3.1.3(b), total works taken up under MGNREGS during the financial year 2013-2014 were 11160644 and the number of completed works was 1117319 (10.01 per cent). Maximum number of works taken up in Andhra Pradesh (5557330) but the percentage of completion of work in this state was very low (0.63 per cent).

Sikkim was the state where lowest number of works was taken up (4277) followed by Arunachal Pradesh (4363) and completed these works with the rate of 11.36 per cent and 1.58 per cent respectively.

Table 3.1.3(b)

Work Status of India (During 2013-14)

No.	State	Total works taken Up	Total Works Completed	% Age of Works Completed
1	Andhra Pradesh	5557330	35188	0.63
2	Arunachal Pradesh	4363	69	1.58
3	Assam	76157	13695	17.98
4	Bihar	355043	38287	10.78
5	Gujarat	81001	12385	15.29
6	Haryana	20960	3249	15.50
7	Himachal Pradesh	86821	29224	33.66
8	J & K	141980	19033	13.41
9	Karnataka	650628	39374	6.05
10	Kerala	188603	32483	17.22
11	Madhya Pradesh	692244	133099	19.23
12	Maharashtra	395386	38204	9.66
13	Manipur	13570	511	3.77
14	Meghalaya	17645	442	2.05
15	Mizoram	9685	1167	12.05
16	Nagaland	10891	898	8.25
17	Orissa	215881	50594	23.44
18	Punjab	18668	2622	14.05
19	Rajasthan	332534	62649	18.84
20	Sikkim	4277	486	11.36
21	Tamil Naidu	149832	40517	27.04
22	Tripura	81086	9298	11.47
23	Uttar Pradesh	1269576	329493	25.95
24`	West Bengal	394760	120605	30.55
25	Chhattisgarh	176891	53371	30.17
26	Jharkhand	164855	44616	27.06
27	Uttaranchal	49976	5759	11.52
Total		11160644	1117319	10.01

Source: *ibid*, pp. 39-41

In Haryana, 20960 works were taken up and only 3249 (15.5 per cent) works were completed. Himachal Pradesh was the state where out of 86821 works 33.66% works were completed which was the highest percentage of work completion.

Out of total works taken up (11160644) maximum number of works belonged to the area of assets created for rural sanitation with 25.29 per cent and 30.27 per cent completed works were belonged to rural sanitation which was maximum in number. 18.01 per cent of taken up works were concerned with the area of water conservation and water harvesting and 10.6 per cent completed works were belonged to the same category of water conservation and water harvesting. Minimum number of works were taken up for coastal areas (40) and only 34 completed works were belonged to the category of assets created for coastal areas.

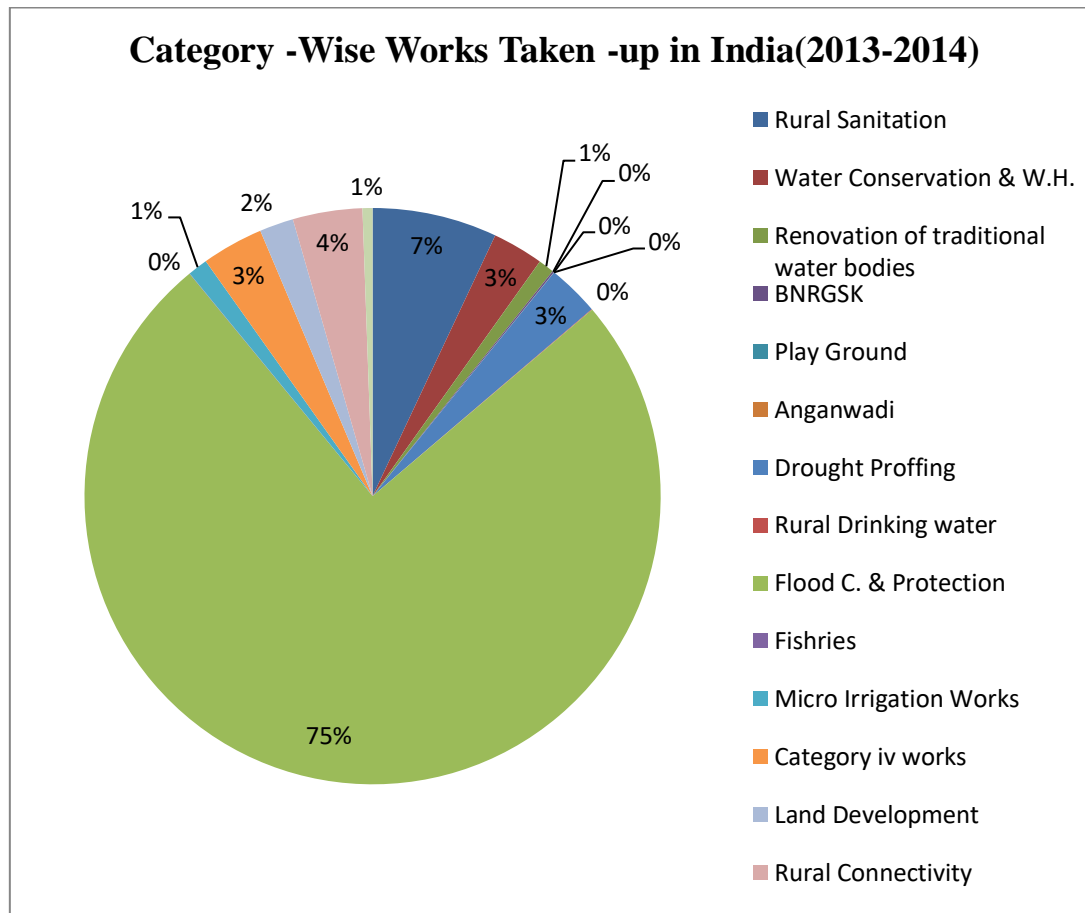


Figure 3.1.3(b) Category -Wise Works Taken -up in India(2013-2014)

3.1.4 Status of MGNREGS Complaints

According to Section 23(6) of MGNREGA, “If any dispute or complaint arises concerning the implementation of a scheme by the gram panchayat, the matter shall be referred to the programme officer. All the complaints immediately entered in record register by the Programme officer and sought out the arguments within the time period of a week after receiving the complaint and if the problem related to any other authority it must be forwarded to concerned authority with giving information to the complainant. The data related with complaints lodge under MGNREGS during the year 2013-2014 is presented in table 3.1.4 and explained thereafter.⁵

As is clear from table 3.1.4 that total number of complaints lodge were 16500. Out of the total complaints only 5720(34.66 per cent) complaints were disposed of and 9059 (54.90 per cent) complaints were pending during the year 2013-14. 1695(10.26 per cent) complaints were forwarded, intermediate reply was sent in case of 11 complaints and 18 complaints were partially disposed of during the year 2013-2014.

Maximum number of complaints was lodged in Uttar Pradesh with 4686(28.4 per cent) complaints followed by Karnataka (2657 complaints). Out of total complaints lodged Uttar Pradesh disposed only 58 complaints. Rest of the 4434(94.63 per cent) complaints of Uttar Pradesh were pending which represented loop holes in proper implementation of the scheme.

Minimum number of complaints was lodged in Nagaland with only four complaints followed by Meghalaya with five complaints. But all the four complaints of Nagaland were pending and Meghalaya had disposed four complaints.

In Haryana, 424(2.56 per cent) complaints were lodged and 293(69.10 per cent) complaints were disposed. Rest 117 complaints were forwarded and 14 complaints were pending. Maximum number of complaints disposed by Karnataka with 2385(41.69 per cent) complaints and Arunachal Pradesh, Goa, Nagaland and Jammu & Kashmir were the states where the number of complaints disposed were nil.

⁵ Section 23(5),(6), MGNREGA 2005, P.10.

Table 3.1.4
Status of MGNREGS Complaints in India (During 2013-14)

No.	State	Total Complaints Lodge	Pending Complaints	Complaints Disposed
1	Arunachal Pradesh	16	16	0
2	Assam	344	25	318
3	Bihar	1483	1379	9
4	Gujarat	182	23	156
5	Goa	6	5	0
6	Haryana	424	14	293
7	Himachal Pradesh	420	5	381
8	J & K	57	54	0
9	Karnataka	2657	131	2385
10	Kerala	76	28	42
11	Madhya Pradesh	1467	1333	24
12	Maharashtra	1064	545	313
13	Manipur	101	95	4
14	Meghalaya	5	1	4
15	Nagaland	4	4	0
16	Orissa	1040	495	466
17	Punjab	360	152	169
18	Rajasthan	631	37	590
19	Sikkim	5	1	3
20	Tamil Naidu	137	36	97
21	Tripura	134	26	101
22`	Uttar Pradesh	4686	4434	58
23	West Bengal	204	38	8
24	Chhattisgarh	208	11	111
25	Jharkhand	654	51	178
26	Uttaranchal	135	120	10
Total		16500	9059	5720

Source: http://164.100.129.6/netnrega/citizen_html/citipoattend_rep.aspx?source=national visited on 12Aug.2014.

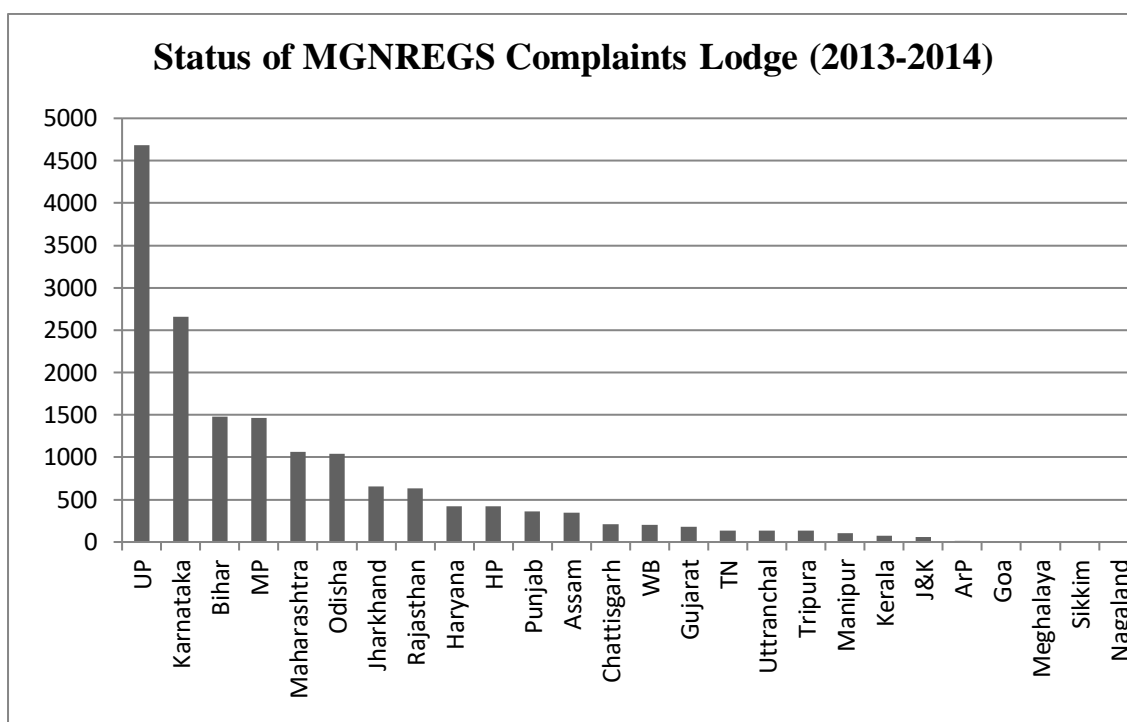


Figure: 3.1.4 Status of MGNREGS Complaints Lodge (2013-2014)

3.2 At Haryana Level

3.2.1 Employment Demanded and Provided

According to the provision of the Act, the work is provided to the households within 15 days if they demand work from the Gram Panchayat. Here a comparative figure of employment demanded and employment provided is presented on State level and explained thereafter

As is obvious from table 3.2.1(a), the two most backward district of Haryana where MGNREGS was implemented in first phase, a total number of households, who were demanded employment was 62455 during the financial year 2012 -2013. At the same time, the number of households who were provided work was 60410 (96.72 per cent). Rest of the 2045 households belongs to Mahendergarh and Sirsa districts were not provided work during the financial year 2012- 2013.

8282 and 8878 households belong to Ambala and Mewat districts were demanded employment and 8164 (98.57%) and 8832 (99.48%) households were

provided employment in Ambala and Mewat districts during the financial year 2012 - 2013.

Table-3.2.1(a)

**Employment Demanded and Provided in Haryana
(During 2012-2013)**

Phases	No	District	Cumulative Number of Households	
			Demanded Employment	Provided Employment
First	1	Mahendergarh	17273	17218
	2	Sirsa	45182	43192
	Total		62455	60410
Second	1	Ambala	8282	8164
	2	Mewat	8878	8832
	Total		17160	16996
Third	1	Bhiwani	24352	24162
	2	Faridabad	1586	1457
	3	Fatehabad	30542	29985
	4	Gurgaon	1646	1646
	5	Hisar	56562	54138
	6	Jhajjar	8948	8909
	7	Jind	14289	11987
	8	Kaithal	8989	8980
	9	Karnal	19542	19476
	10	Kurukshetra	9595	9384
	11	Palwal	6420	6354
	12	Panchkula	5924	5829
	13	Panipat	6403	6359
	14	Rewari	4883	4879
	15	Rohtak	5861	5854
	16	Sonipat	3798	3698
	17	Yamuna Nagar	10380	10346
Total		219720	213443	
Grand Total			299335	290819

Source: http://164.100.122.66/writereaddata/state_out/Empstatusall12_local_0809.html
visited on July 12, 2014.

Total number of households who were demanded employment in 2012 -2013 is 299335. Out of those who were demanded work, 290819 (97.15 per cent) households were provided work during the financial year 2013- 2014.

It also clear from the table 3.2.1(a), that in 17 districts of the state where the Scheme was implemented in III phase, a total of 274072 households demanded employment under the Scheme. Out of those households who demanded work 248559 (90.69%) were provided employment. In these 17 districts, minimum number of households demanded employment in Gurgaon district (3273) followed by Faridabad (4590) and Rewari (4795) districts. The maximum number of households demanded employment belongs to Hisar district. It is also clear from the table that 89.34% households were provided employment in Hisar district. In Bhiwani district, 24352 households were demanded employment during the year 2012-2013 and 24162 households of Bhiwani district were provided employment under the scheme. It was the capability of the district that 99.21 per cent households were provided employment.

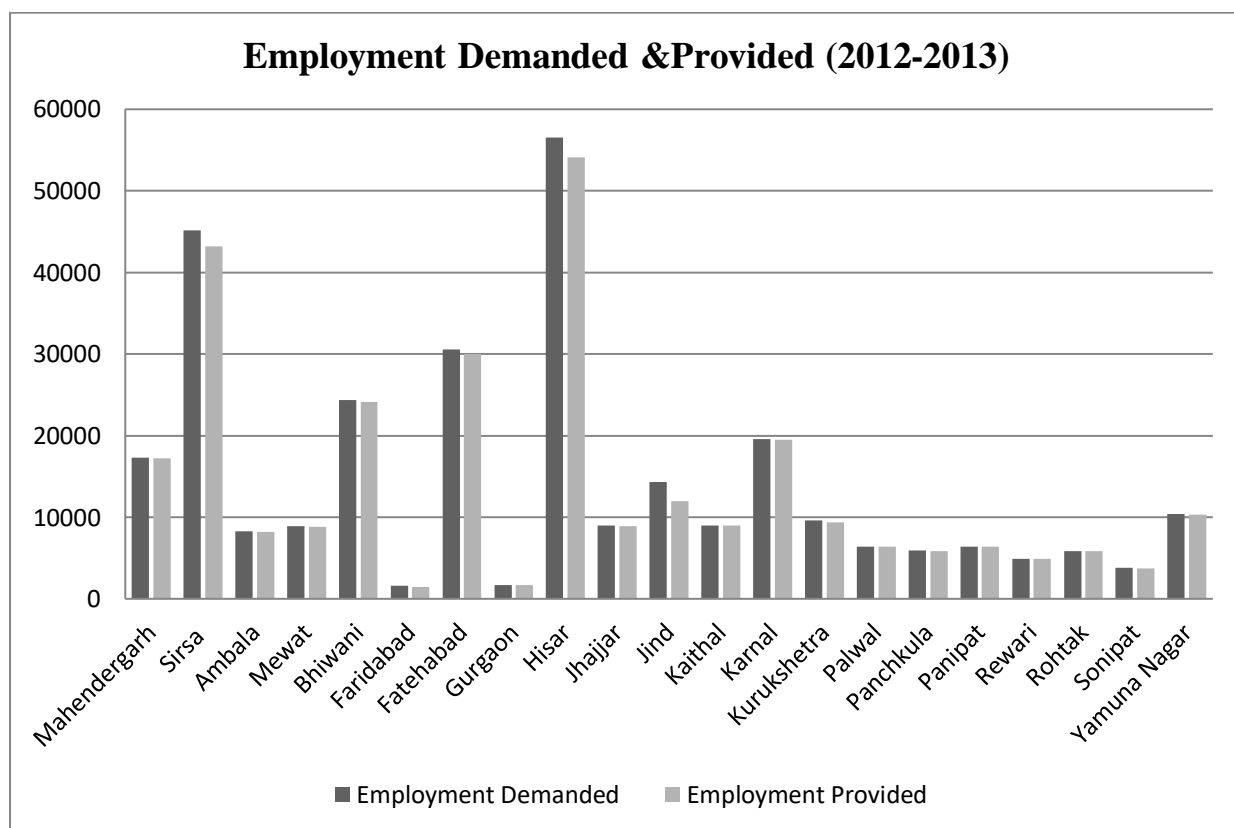


Figure: 3.2.1(a) Employment Demanded & Provided in Haryana (2012-2013)

As is obvious from table 3.2.1(b), the two most backward district of Haryana where MGNREGS was implemented in first phase, a total number of households, who were demanded employment was 62127 during the financial year 2013 -2014. At the same time, the number of households who were provided work was 51254 (82.49 per cent). Rest of the 10873 households belongs to Mahendergarh and Sirsa districts were not provided work during the financial year 2013- 2014. 13565 and 13153 households belongs to Ambala and Mewat districts were demanded employment and 12805 (94.39%) and 12302 (93.52%) households were provided employment in Ambala and Mewat districts during the financial year 2013 -2014. Total number of households who were demanded employment in 2013 -2014 is 362917. Out of those who were demanded work, 324920 (89.53 per cent) households were provided work during the financial year 2013- 2014.

It also clear from the table 3.2.1(b), that in 17 districts of the state where the Scheme was implemented in III phase, a total of 274072 households demanded employment under the Scheme. Out of those households who demanded work 248559 (90.69%) were provided employment. In these 17 districts, minimum number of households demanded employment in Gurgaon district (3273) followed by Faridabad (4590) and Rewari (4795) districts.

The maximum number of households demanded employment belongs to Hisar district. It is also clear from the table that 89.34% households were provided employment in Hisar district. Maximum number of households completed hundreded days' work in Hisar district with 3742 households followed by Mewat (1187 households).

Minimum number of households completed hundreded day's employment in a financial year in Rewari district (133 households). In Ambala district, 349 households and 422 households of Mahendergarh district completed hundreded day's employment. But in Bhiwani district 771 households completed hundreded days employment in the same year. Overall 14103 households of Haryana were completed hundreded days employment in a financial year.

Table-3.2.1(b)

**Employment Demanded and Provided in Haryana
(During 2013- 2014)**

Phases	No	District	Cumulative Number of Households		Completed 100 days Employment
			Demanded Employment	Provided Employment	
First	1	Mahendergarh	16536	14426	422
	2	Sirsa	45591	36828	640
	Total		62127	51254	1062
Second	1	Ambala	13565	12805	349
	2	Mewat	13153	12302	1187
	Total		26718	25107	1536
Third	1	Bhiwani	29250	25964	771
	2	Faridabad	4590	4590	2
	3	Fatehabad	35285	31581	841
	4	Gurgaon	3273	3216	151
	5	Hisar	59538	53194	3724
	6	Jhajjar	19589	18253	570
	7	Jind	16344	13538	645
	8	Kaithal	10681	9033	245
	9	Karnal	21391	20489	829
	10	Kurukshetra	18026	16399	634
	11	Palwal	9962	8901	628
	12	Panchkula	8366	8221	232
	13	Panipat	7718	7341	593
	14	Rewari	4795	4242	133
	15	Rohtak	6280	6064	336
	16	Sonipat	6372	5762	424
	17	Yamuna Nagar	12612	11771	747
Total		274072	248559	11505	
Grand Total			362917	324920	14103

Source: http://164.100.122.66/writereaddata/state_out/Empstatusall12_local_0809.html
visited on July 12, 2014.

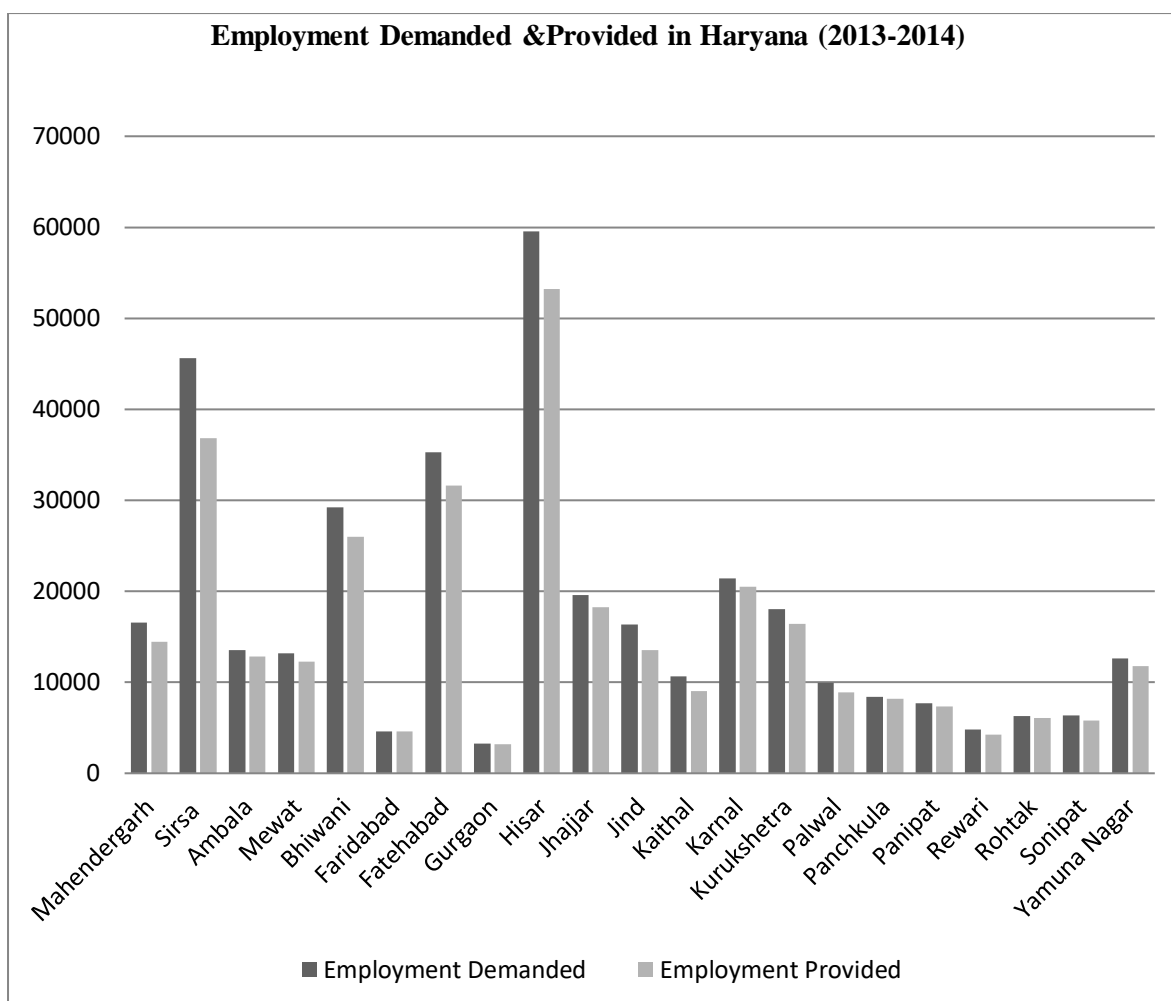


Figure: 3.2.1(b) Employment Demanded & Provided in Haryana (2013-2014)

3.2.2 Social Audit in Haryana

As is perceptible from table-3.2.2, during the year 2013-2014, in Haryana the total number of gram panchayats was 6167. Out of 6167 GPs 4122 gram panchayats were covered under social audit. In 4122 GPs, 5156 social audits were conducted and 3065 issues were raised and action taken. In Haryana, Bhiwani district has highest number of gram panchayats with 466 GPs. In Bhiwani district, 464 (99.57 per cent) GPs were covered under social audit and 490 social audits were conducted and 484 issues were raised and action taken.

Faridabad district has lowest number of gram panchayats. Out of 111GPs of Faridabad district only 29 (26.12 per cent) GPs were covered under social audit and the same number of social audits were conducted and 19 issues were raised and action taken. Sirsa was the district where all the gram panchayats covered under social audit.

Table-3.2.2

Social Audit Report of Haryana (During 2013-2014)

N o.	District	Total GP	No. of Panchayat covered	No. of Social Audit	Issue raised and action taken
1	Ambala	427	205	238	44
2	Bhiwani	466	464	490	484
3	Faridabad	111	29	29	19
4	Fatehabad	247	244	245	139
5	Gurgaon	211	54	54	0
6	Hisar	312	306	306	1
7	Jhajjar	247	116	116	116
8	Jind	303	200	200	192
9	Kaithal	268	76	85	67
10	Karnal	386	76	76	0
11	Kurukshetra	382	373	580	272
12	Mahendergarh	344	340	340	0
13	Mewat	319	290	248	168
14	Palwal	255	69	69	0
15	Panchkula	122	113	195	185
16	Panipat	172	161	314	309
17	Rewari	359	104	142	133
18	Rohtak	141	109	109	0
19	Sirsa	334	334	668	670
20	Sonipat	324	318	411	125
21	Yamuna Nagar	437	141	141	141
Total		6167	4122	5156	3065

Source: [http://164.100.112.66/netnrega/state_html/social_auditNT.aspx?v_code=12&v_name=HARYANA&fin_year=2014.2015&page=S&Digest=MPT47Cydweg+upOh... 1/1](http://164.100.112.66/netnrega/state_html/social_auditNT.aspx?v_code=12&v_name=HARYANA&fin_year=2014.2015&page=S&Digest=MPT47Cydweg+upOh...)

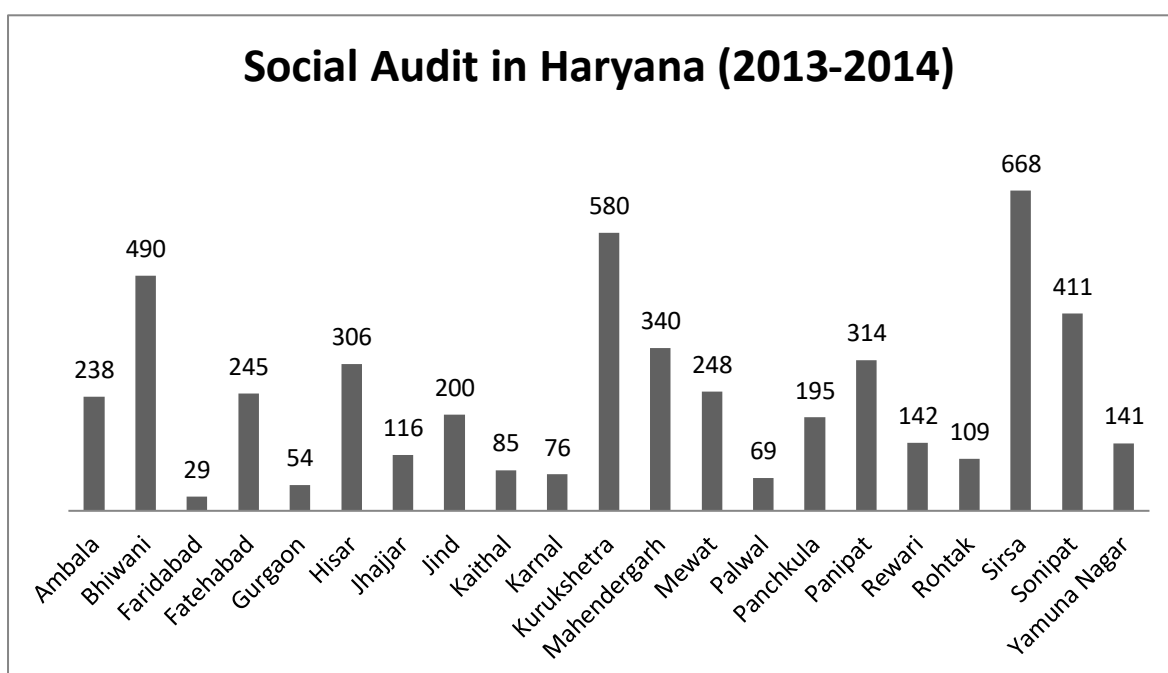


Figure: 3.2.2(a) Social audit Conducted in Haryana (2013-2014)

The maximum number of issues was raised in Sirsa district with 670 issues and action taken. Gurgaon, palwal, Rohtak and Karnal were the districts where number of issues raised were nil. In Mahendergarh district, out of three hundred and forty four GPs, the social audit organized by three hundred and forty gram panchayats and all these gram panchayats conducted social audits once in a year. Ambala district have four hundred and twenty seven gram panchayats and two hundred and five gram panchayats directed two hundred thirty eight social audits and only forty four complaints were raised.

3.2.3 Work Status of Haryana

As is clear from table 3.2.3, during the financial year 2013-2014, In Mahendergarh and Sirsa districts which are the most regressive districts of the state, 1855 works were completed and 3332 works were ongoing/suspended but 1939 works were approved but not in progress. In Ambala and Mahendergarh districts where the scheme was implemented in second phase, 867 works completed and 1004 works were on-going/ suspended but 292 works were permitted but work was not started. The number of projects finished was 12978 and on-going/suspended works were 15069.

The maximum number of works completed in Hissar district 2906 (22.39 per cent) and the minimum works completed in Faridabad district which were 22(0.16 per

cent) because mostly urban area belonged to Faridabad district. The highest number of on-going/ suspended works belonged to Sirsa district 2349(15.58 per cent). 8969 works were permitted in 2013-2014 but even after permission the plans not in progress. Extreme number of this category of works belonged to Karnal district 2827 in number (31.51 per cent). Out of 12978 completed works, 4667 (35.96 per cent) works were concerned with rural connectivity and 2031 (15.64 per cent) works belonged to micro irrigation. The completed works which belonged to land development and rural sanitation were 1813 (13.96 per cent) and 1648 (12.69 per cent) respectively. In Mahendergarh district 457 works were completed and 983 works were ongoing/ suspended but 1776 works were approved but not in progress. In Ambala district, 327 works were completed and 767 were ongoing/ suspended but 1053 works were approved but not in progress. In Bhiwani district, 869 works completed and 1180 works were ongoing/suspended but 209 works were approved but not in progress.

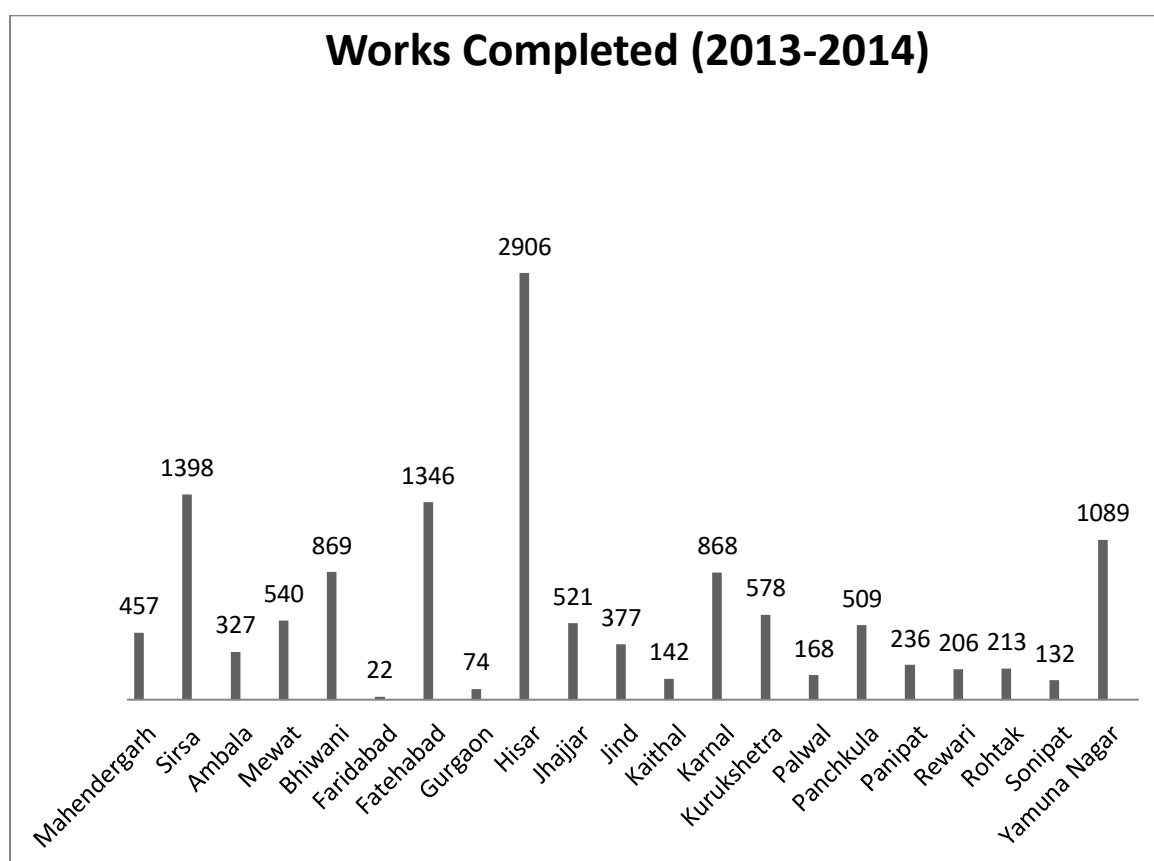


Figure: 3.2.3 Works Completed in Haryana (2013-2014)

Table 3.2.3
Work Status of Haryana
(During 2013-2014)

Phase s	No	District	Works Complete	Ongoing/Suspended	Approved not in progress
First	1	Mahendergarh	457	983	1776
	2	Sirsa	1398	2349	163
	Total		1855	3332	1939
Second	1	Ambala	327	767	209
	2	Mewat	540	237	83
	Total		867	1004	292
Third	1	Bhiwani	869	1180	1053
	2	Faridabad	22	72	3
	3	Fatehabad	1346	1518	744
	4	Gurgaon	74	135	64
	5	Hisar	2906	1414	1098
	6	Jhajjar	521	411	13
	7	Jind	377	540	73
	8	Kaithal	142	763	49
	9	Karnal	868	887	2827
	10	Kurukshetra	578	467	16
	11	Palwal	168	374	403
	12	Panchkula	509	450	69
	13	Panipat	236	467	16
	14	Rewari	206	123	7
	15	Rohtak	213	234	163
	16	Sonipat	132	239	72
	17	Yamuna Nagar	1089	1459	135
Total		10256	10733	6738	
Grand Total			12978	15069	8969

Source: http://164.100.112.66/netnrega/writereaddata/citizen_out/wrkstatlink_12_05_local_1314ALL.html 1/

3.2.4 Muster Roll Verification & Inspection of Work in Haryana

As is parades from table 3.2.4(a), total muster rolls maintained in Mahendergarh and Sirsa districts were twenty five thousand five hundred and fifty eight but on the other hand, twenty two thousand five hundred and seven muster rolls were verified. Total works taken up in the above two districts were 3446 and 2099 works were inspected at block level. In Ambala and Mewat districts, seven thousand two hundred and three muster rolls were prepared and all were verified.

Remaining seventeen districts, where the system was affected in third phase, one lac eight thousand four hundred and forty nine muster rolls were maintained and one lac eleven thousand five hundred and forty nine muster rolls were verified. Supreme number muster rolls were maintained in Hissar district with forty seven thousand six hundred and eighty two and entirely the muster rolls were verified. Slightest no. of muster rolls was used in Gurgaon district with seven hundred and sixty four muster rolls and totally of them was verified.

Total works taken up in Ambala and Mewat districts were 1277 and 73(5.71 per cent) of them were verified at district level and 703(55.05 per cent) were confirmed at block level also. In Hissar district supreme works with four thousand two hundred and ninety one were taken in hand and but all the works were not examined at block level and nor at the district level. The statistics of Sonapat district related with assessment of work was not available. Bhiwani district had required eight thousand nine hundred and twenty nine muster rolls in the year 2012-2013 and each was passed through the process of verification. Bhiwani district had taken one thousand three hundred and seventy four works and only one hundred and thirty seven (9.97 per cent) works had tested at district level and one thousand three hundred and seventy four works, it means all the works taken were confirmed at block level in the same district. Total works taken up in rest of sixteen districts were 14152 and nine hundred eighty four (6.95 per cent)) works got inspection at district and nine thousand and ninety four (64.25 per cent) works had proved at block level. In the year 2012-2013, total muster rolls maintained in the state Haryana were one lac forty one thousand two hundred and ten and each was followed the procedure of verefication. Works taken up in the state were eighteen thousand eight hundred and seventy five and one thousand one hundred and nine (5.87 per cent) were passed through

inspection at district level and 11896(63.02 per cent) works were examined at block level.

Table 3.2.4(a)

Transparency Report of Haryana (During 2012-2013)

Phase s	No	District	Muster Roll Used	Muster Roll Verified	Total Works Taken up	Works Examined at District Level	Works Examined at Block Level
First	1	Mahendergarh	2357	2357	1181	52	1181
	2	Sirsa	23201	23150	2265	0	918
		Total	25558	25507	3446	52	2099
Second	1	Ambala	2956	2956	574	0	0
	2	Mewat	4247	4247	703	73	703
		Total	7203	7203	1277	73	703
Third	1	Bhiwani	8929	8929	1374	137	1374
	2	Faridabad	405	405	52	4	52
	3	Fatehabad	15873	15873	1774	177	1774
	4	Gurgaon	764	764	137	24	137
	5	Hisar	47662	47662	4291	0	0
	6	Jhajjar	0	3424	449	45	449
	7	Jind	2074	2063	756	79	756
	8	Kaithal	2398	2398	500	92	500
	9	Karnal	7764	7764	649	65	649
	10	Kurukshetra	3296	3296	473	0	0
	11	Palwal	3318	3005	483	66	483
	12	Panchkula	4029	4029	698	46	658
	13	Panipat	1178	1178	672	70	632
	14	Rewari	1490	1490	352	30	138
	15	Rohtak	3059	3059	357	35	357
	16	Sonapat	1161	1161	0	0	0
	17	Yamuna Nagar	5029	5029	1135	114	1135
		Total	108449	111549	14152	984	9094
		Grand Total	141210	141259	18875	1109	11896

Source:

http://nrega.nic.in/Netnrega/mpr_ht/empgcnmpr_tra_rep.aspx?lflag=local&state_code=12&fin_year=20

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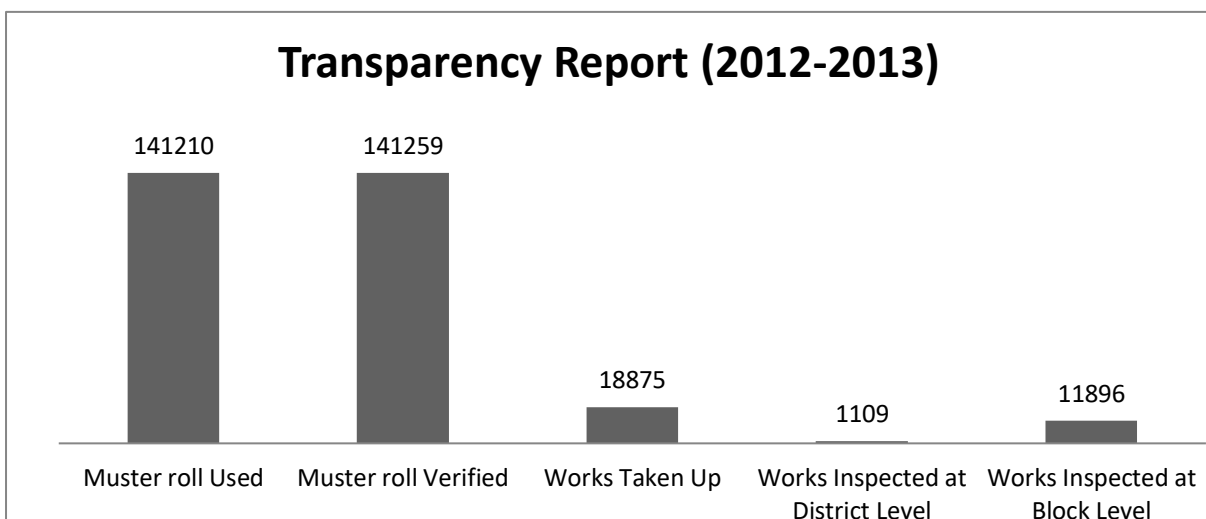


Figure: 3.2.4(a) Transparency report concerned muster roll and work inspection (2012-2013)

As is clear from the above figure, during the year 2012-2013, in Haryana, 141210 muster rolls were used under the scheme and to measure transparency 141259 muster rolls were verified. In the concerned year, 18875 works were taken up in Haryana and one thousand one hundred and nine (5.87 per cent) works were inspected at district level and 11896 (63.02 per cent) works were inspected at block level.

As is exhibits from table 3.2.4(b), total number of muster rolls used in Mahindergarh and Sirsa district, where the scheme was started in first phase, twenty three thousand and fifty six but only seventeen thousand nine hundred and sixty seven muster rolls were verified. Overall works started in the above mentioned two districts were 5323 and 1549 works were inspected at block level. In Mewat district, it is the district which included in the districts of second phase in execution of the scheme; two thousand and eighty four muster rolls were used and verified.

Total works taken up in Mewat district were 761 and 85 of them were verified at district level and 761 were verified at block level also. Remaining seventeen districts, where the scheme was implemented in III phase, 127378 muster rolls were used and 168596 muster rolls were verified. Determined muster rolls were used in Hissar district with 51161 and the same were verified. Least number of muster rolls was used in Kurukshetra district with 250 muster rolls and all of them were verified.

Table 3.2.4(b)

Transparency Report of Haryana (During 2013-2014)

Phases	No	District	Total Muster Roll Used	Muster Roll Verified	Total Works Taken up	No. of Works Inspected at District Level	No. of Works Inspected at Block Level	
First	1	Mahendergarh	1618	1183	1549	30	1549	
	2	Sirsa	21438	16784	3674	0	0	
		Total	23056	17967	5223	30	1549	
Second	1	Mewat	2084	2084	761	85	761	
		Total	2084	2084	761	85	761	
Third	1	Bhiwani	9857	9857	1866	187	1866	
	2	Faridabad	569	571	80	14	80	
	3	Fatehabad	16118	11881	3020	302	3020	
	4	Gurgaon	762	762	205	25	205	
	5	Hisar	15161	15161	4284	0	366	
	6	Jhajjar	7021	7021	300	30	300	
	7	Jind	3291	3291	505	54	505	
	8	Kaithal	5096	50296	598	72	598	
	9	Karnal	8683	8683	721	72	721	
	10	Kurukshetra	250	250	259	0	0	
	11	Palwal	5832	5085	315	29	315	
	12	Panchkula	3904	3904	858	86	858	
	13	Panipat	1795	1795	646	65	646	
	14	Rewari	533	533	131	52	131	
	15	Rohtak	3203	3203	413	41	413	
	16	Sonipat	1664	1664	0	0	0	
	17	Yamuna Nagar	7639	7939	748	75	748	
			Total	127378	168596	15449	1154	11272
	Grand Total			152518	188647	21433	1269	13582

In Mahendergarh and Sirsa district, 5223 works were taken up and 30 were inspected at district level and 1549 were inspected at block level. Maximum works were taken up in Hissar district with 4284 works and 366 works were inspected at block level and works inspected at district level was nil. The data of Sonipat district concerned with inspection of work was not available. As is clear from figure 3.2.4, during the year 2013-2014, in Haryana 152518 muster rolls were used under the scheme and to measure transparency 188647 muster rolls were verified. In the concerned year, 21433 works were taken up in Haryana and 1269(5.92 per cent) works were inspected at district level and 13582(63.36 per cent) works were inspected at block level.

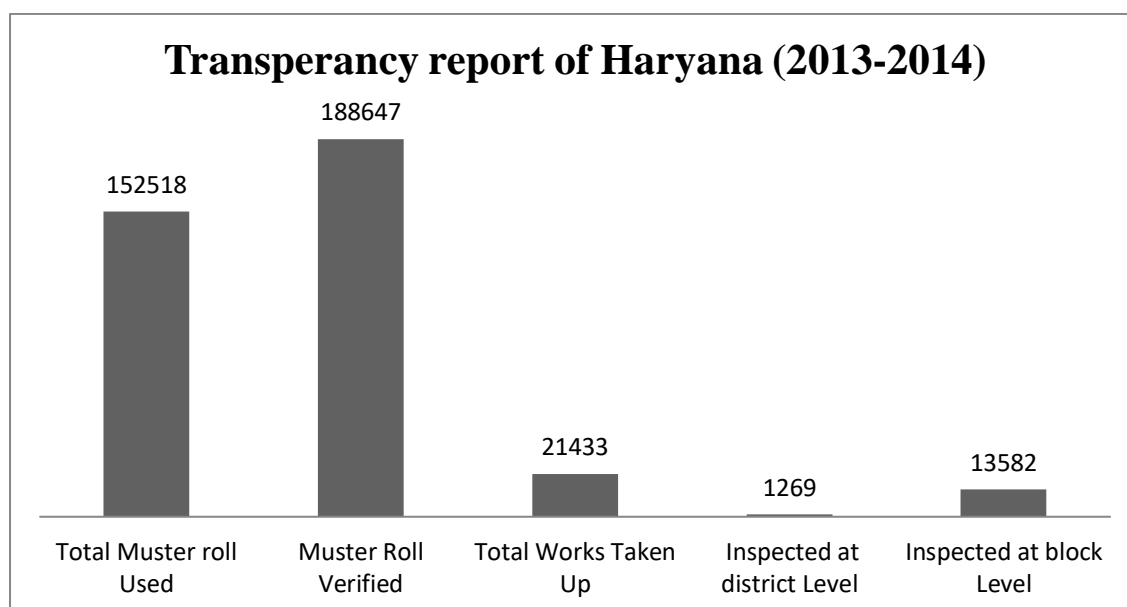


Figure: 3.2.4(b) Transparency report concerned muster roll and work inspection (2013-2014)

3.2.5 Grievance redressal in Haryana

Table 3.2.5(a) clearly represents that Mahendergarh district has three hundred and forty four gram panchayats and gram sabha meeting was organised in all the villages but VMC meetings were held in 70 villages where 5 complaints were received and disposed all. On the other side in Sirsa district, three hundred and thirty four gram sabhas were conducted and but VMC meetings was not organised in all the gram panchayats. Over all 678 gram sabhas were held in the districts where the scheme was implemented in first phase but awareness about requirement of VMC meetings was not satisfactory even after eight years of implementation.

Table 3.2.5(a)
Transparency Report of Haryana (During 2012-2013)

Phase s	N o.	District	Total Gram Panchayat	No. of Gram Sabhas held	No. of VMC meetings held	No. of Complain ts Received	No of Complaints Disposed
First	1	Mahendergar h	344	688	70	5	5
	2	Sirsa	334	334	0	0	0
		Total	678				
Secon d				678	70	5	5
	1	Ambala	405	405	405	50	49
	2	Mewat	308	232	0	0	0
		Total	713	637	405	50	49
Third	1	Bhiwani	461	461	461	97	94
	2	Faridabad	111	222	36	3	0
	3	Fatehabad	247	247	0	0	0
	4	Gurgaon	210	95	2	0	0
	5	Hisar	308	614	0	2	2
	6	Jhajjar	249	249	249	0	0
	7	Jind	299	299	299	0	0
	8	Kaithal	265	265	0	0	0
	9	Karnal	372	372	2	0	0
	10	Kurukshetra	382	382	0	0	0
	11	Palwal	239	0	4	0	0
	12	Panchkula	122	122	1	0	0
	13	Panipat	167	167	0	0	0
	14	Rewari	351	351	1	0	0
	15	Rohtak	139	139	0	1	1
	16	Sonipat	0	0	0	0	0
	17	Yamuna Nagar	351	351	2	0	0
		Total	4273	4336	1057	103	97
Grand Total			5664	5995	1532	158	151

Ambala and Mewat were the districts where the scheme was implemented in second phase, had 713 gram panchayats and 637 gram sabhas were held and 405 VMC meetings were held and 50 complaints were received and 49 disposed. In Mewat district VMC meetings were not held during the year 2013-2014.

Out of seventeen districts where MGNREGA was implemented in third phase, the data of Sonipat district was not available. In the districts of third phase, maximum number of gram panchayats were lie in Bhiwani district with 461 gram panchayats and 461 VMC meetings were held where 97 complaints were raised and 94 complaints were disposed. Minimum number of gram panchayats were lie in Faridabad with 111 gram panchayats and 222 gram sabha's and 36 VMC meetings were held and 3 complaints received and complaints disposed were nil.

Overall 5664 gram panchayats were lying in Haryana except Sonopat district. In rest twenty districts 5995 gram sabhas were held during the year 2012-2013 and 1532 VMC meetings were held where 158 complaints were received and 151 were disposed. Maximum number of complaints was received in Bhiwani district with ninety seven complaints and ninety four complaints were disposed.

As is obvious from table 3.2.5 (b) that in Sirsa district, which is included in one of the most backward districts of Haryana, all gram panchayats following the procedure of organizing gram sabha meeting but VMC meeting was held not even a single village. On the other side in Mahindergarh district, the number of gram sabhas meetings held was two hundred and eighty four and only one gram panchayat conducted VMC meeting. Only one complaint was received in mahinder district which was disposed.

Ambala and Mewat were the districts where the scheme was implemented in second phase. The data of Ambala district was not available. In Mewat district there were 308 gram panchayats and 290 meetings of gram sabhas were detained and 761 VMC meetings were apprehended and no grievances were observed.

Out of seventeen districts where MGNREGA was implemented in third phase, the statistics concerned with Sonipat, Fatehabad and Kurukshetra districts were not available.

Table 3.2.5(b)**Transparency Report of Haryana
(During 2013-2014)**

Phase s	N o.	District	Total GP's	Gram Sabhas held	VMC metings held	Complaint s Received	Complaints Disposed
First	1	Mahendergarh	344	284	1	1	1
	2	Sirsa	334	334	0	0	0
		Total	678	618	1	1	1
Second	1	Mewat	308	290	761	0	0
		Total	308	290	761	0	0
Third	1	Bhiwani	461	461	461	16	16
	2	Faridabad	111	111	29	22	21
	3	Fatehabad	247	247	0	0	0
	4	Gurgaon	210	54	3	7	7
	5	Hisar	308	614	0	0	0
	6	Jhajjar	249	249	0	0	0
	7	Jind	300	300	158	7	6
	8	Kaithal	267	267	0	0	0
	9	Karnal	372	372	1	0	0
	10	Kurukshetra	0	0	0	0	0
	11	Palwal	239	0	3	0	0
	12	Panchkula	122	122	122	0	0
	13	Panipat	167	167	167	0	0
	14	Rewari	359	359	2	0	0
	15	Rohtak	139	109	109	0	0
	16	Sonipat	0	0	0	0	0
	17	Yamuna Nagar	441	0	0	4	4
		Total	3992	3432	1055	56	54
Grand Total			4978	4340	1817	57	55

Source:http://nrega.nic.in/Netnrega/mpr_ht/empgenmpr_tra_rep.aspx?lflag=local&state_code=12&fin_year=2013-2014&R=S&fin=2013-2014&Digest=OV23TmKZxAzu... visited on 16 August 2014.

In the districts of third phase, maximum number of gram panchayats were lie in Bhiwani district with 461 gram panchayats and 461 VMC meetings were held where 16 complaints were raised and disposed.

Minimum number of gram panchayats were lie in Panchkula with 122 gram panchayats and the same number of gram sabha's and VMC meetings were held were and complaint received were nil.

Overall 4978 gram panchayats were lie in Haryana except Sonopat, Kurukshetra and Ambala districts. In rest eighteen districts 4340 gram sabhas were held during the year 2013-2014 and 1817 VMC meetings were held where 57 complaints were received and 55 were disposed. Maximum number of complaints was received in Gurgoan and Jind districts with seven complaints from each and all the complaints of Gurgoan and six complaints of Jind district were disposed.

3.3 At District Level

3.3.1 Employment Demanded and Provided

According to the provision of the Act, the work is provided to the households within 15 days if they demand work from the Gram Panchayat. Here a comparative figure of district level employment demanded, employment provided and number of households who completed hundred days work upto march 2014 are presented and explained thereafter.

As is obvious from Table 3.3.1 below, In Mahindergarh district, the total number of households demanded employment was 16536 up to March 31, 2014. The number of households who were provided employment in the same year was 14426 (87.23 per cent). The maximum number of households demanded employment in Kanina block with 3471 households and the minimum number of households demanded employment in Sihma block of Mahindergarh district with 1044 households followed by Satnali block with 1411 households and Nizampur block with 1942 households upto March 31, 2014.

The maximum numbers of households of Kanina block with 145 households (4.93 per cent) who had completed 100 days employment upto March 31, 2014. Overall 422 households (2.92 per cent) of Mahindergarh district completed hundred days' employment during the financial year 2013-14. Minimum number of households who had completed hundred days employment during the financial year 2013-14 belonged from Narnaul block with only 7 households (0.42 per cent).

Table 3.3.1.

**Employment Demanded and Provided in Mahindergarh district
(During 2013-14)**

No.	Blocks	Number of Households		
		Demanded Employment up to March 31, 2014	Provided Employment up to March 31, 2014	Completed 100 days upto March 31, 2014
1	Ateli Nangal	2119	1792	46
2	Kanina	3471	2939	145
3	Mahindergarh	2217	2027	54
4	Nangal Chaudhary	2303	2145	51
5	Narnaul	2029	1640	7
6	Nizampur	1942	1718	52
7	Satnali	1411	1356	55
8	Sihma	1044	809	12
Total		16536	14426	422

Source: http://nrega.nic.in/netnrega/writereaddata/state_out/Empstatusall1213_local_0910.html visited on july.05,2014.

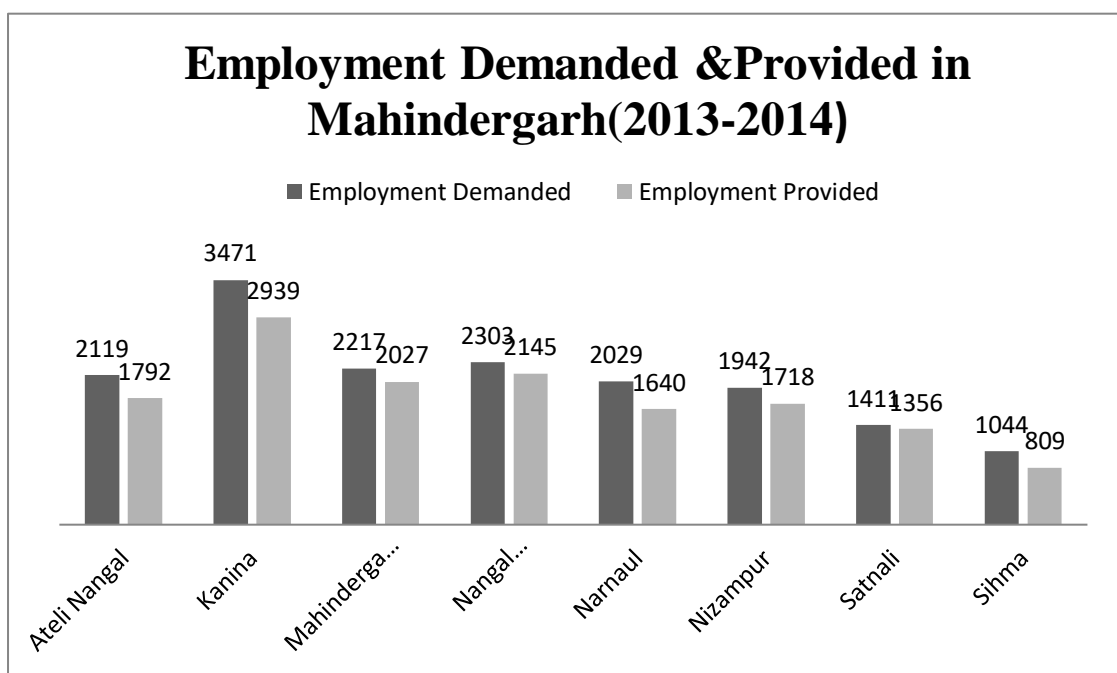


Figure: 3.3.1(a) Employment Demanded & Provided in Mahindergarh(2013-2014)

Table-3.3.1(b)
Employment Demanded and Provided in Ambala district

Nos.	Blocks	Number of Households		
		Demanded Employment up to March 31, 2014	Provided Employment up to March 31, 2014	Completed 100 days upto March 31, 2014
1	Ambala-I	1885	1849	37
2	Ambala-II	1496	1476	52
3	Barara	3300	3209	10
4	Naraingarh	2391	2226	41
5	Saha	2175	1898	7
6	Sahazadpur	2318	2147	202
Total		13565	12805	349

Source:

http://nrega.nic.in/netnrega/writereaddata/state_out/Empstatusall1213_52local_0910.html
visited on July 05, 2014.

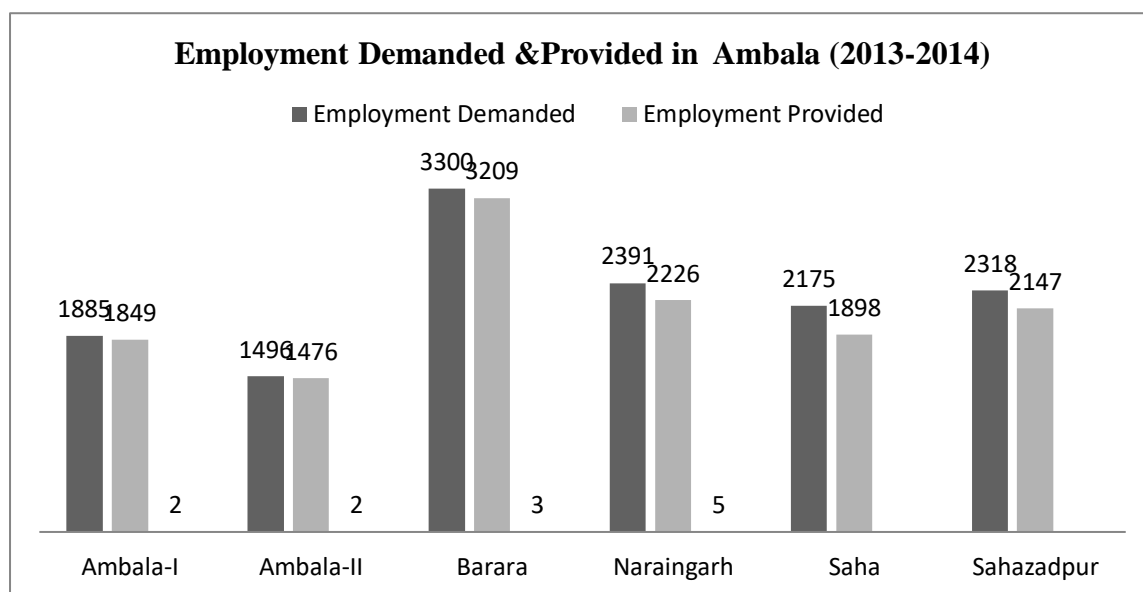


Figure: 3.3.1(b) Employment Demanded & Provided in Ambala (2013-2014)

As is obvious from Table 3.3.1(b) above, In Ambala district, the total number of households demanded employment was 13565 up to March 31, 2014 and twelve thousand eight hundred and five households were provided employment in the same year. The supreme number of households demanded employment in Barara block with

three thousand and three hundred households and the slightest number of households demanded employment in Ambala-II block (1496 households) of Ambala district followed by block Ambala I (1885 households) and Saha block (2175 households) up to March 31, 2014.

The determined number of households provided work in Barara block with 3209 households (97.24 per cent) and least number of households provided work in Ambala-II block with 1476 households (98.66 per cent). The maximum number of households of who had completed 100 days employment up to March 31, 2014 was from Sahazadpur. Overall 349 households (2.57 per cent) of Ambala district completed hundred days' employment during the financial year 2013-14.

Table-3.3.1(c)

Employment demanded and provided in Bhiwani district

Nos.	Blocks	Number of Households		
		Demanded Employment up to March 31, 2014	Provided Employment up to March 31, 2014	Completed 100 days upto March 31, 2014
1	Badhra	1409	1193	5
2	Bawani Khera	2833	2507	155
3	Behal	2420	2299	44
4	Bhiwani	6810	5668	150
5	Dadri-I	1588	1565	25
6	Dadri-II	1701	1571	
7	Kairu	1634	1205	37
8	Loharu	1674	1643	33
9	Siwani	5319	4821	266
10	Tosham	3862	3492	16
Total		29205	25964	771

Source: http://nrega.nic.in/netnrega/writereaddata/state_out/Empstatusall1213_local_0910.html visited on July 05, 2014.

As is obvious from Table 3.3.1(c) above, In Bhiwani district, the total number of households demanded employment was 29205 up to March 31, 2014. The number of households who were provided employment in the same year was 25964. The maximum number of households demanded employment in Bhiwani block with 5668 households (83.23 per cent) and the minimum number of households demanded employment in Badhra block of Bhiwani district with 1193 households (84.66 per cent) followed by Kairu block and Dadri-I block upto March 31, 2014.

The maximum number of households of Siwami block with 266 households (5.51 per cent) who had completed 100 days employment upto March 31, 2014. Overall 771 households of Bhiwani district completed hundred days' employment during the financial year 2013-14. Minimum number of households who completed hundred days employment under the scheme belonged to Badhra block with 5 households (0.41 per cent).

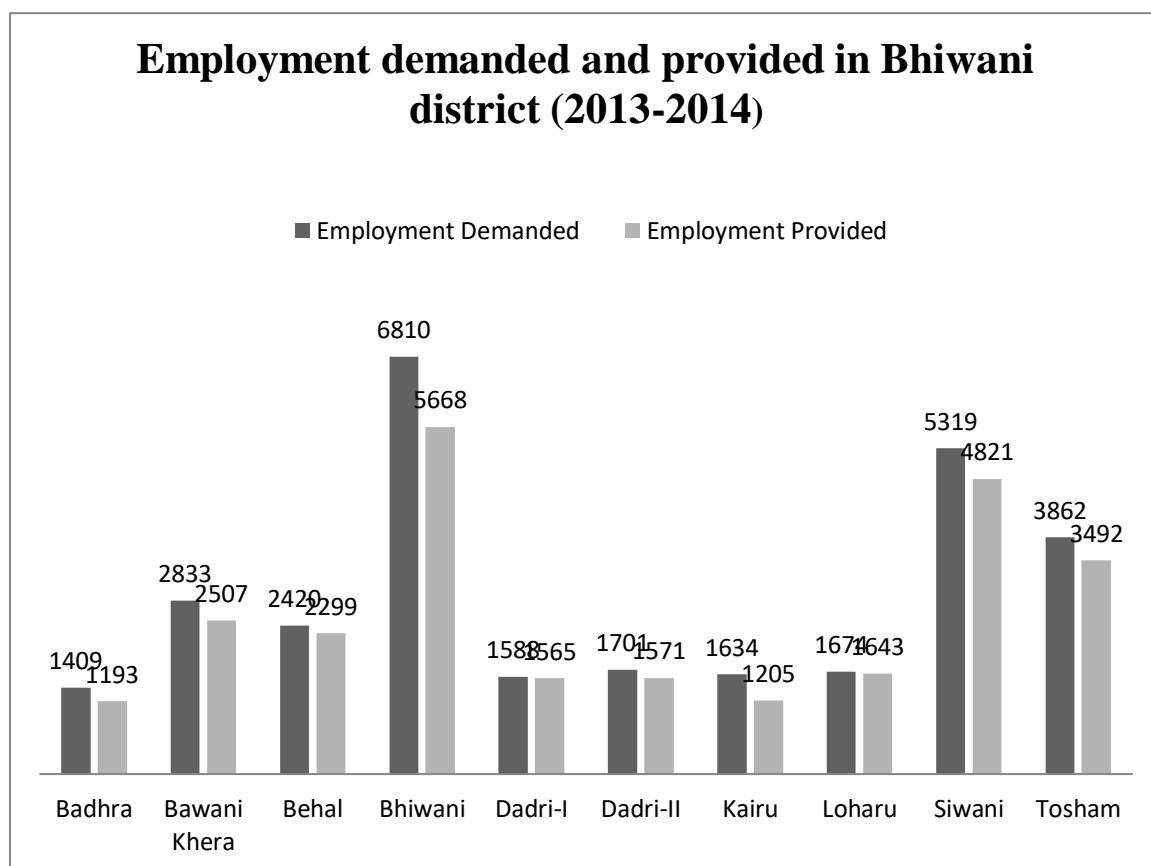


Figure: 3.3.1 © Employment Demanded & Provided in Bhiwani (2013-2014)

3.3.2 Social Audit

MGNREGA was implemented in Haryana in three phases. Mahendergarh and Sirsa were the districts where the scheme implemented in first phase. Table 3.3.2(a), exhibits social audit report of MGNREGA in Mahendergarh district during the year 2013-2014. The district has 344 gram panchayats and 310 (90.11 per cent) gram panchayats are covered under social audit and only three issues were raised and action taken. Out of eight blocks of Mahendergarh district, maximum number of gram panchayats is existed in Mahendergarh block with 61 gram panchayats and all the gram panchayats of this block covered under social audit. Satnali block has minimum number of gram panchayats with 25 gram panchayats and all the gram panchayats of Satnali block covered under social audit and only one issue was raised and action taken.

Table-3.3.2(a)

Social audit report of Mahendergarh district

Nos.	Blocks	Total GP	No. of Panchayat covered	No. of Social Audit	Issue raised and action taken
1	Ateli Nangal	44	43	43	1
2	Kanina	54	53	53	0
3	Mahendergarh	61	61	61	1
4	Nangal Chaudhary	45	42	42	0
5	Narnaul	58	58	59	0
6	Nizampur	28	28	28	0
7	Satnali	25	25	25	1
8	Sihma	29	0	0	0
Total		344	310	311	3

Source:http://164.100.112.66/netnrega/state_html/social_auditNT.aspx?v_code=1212&v_name=MAHENDRAGARH&fin_year=2014-2015&page=D&Digest=BTp+9A38

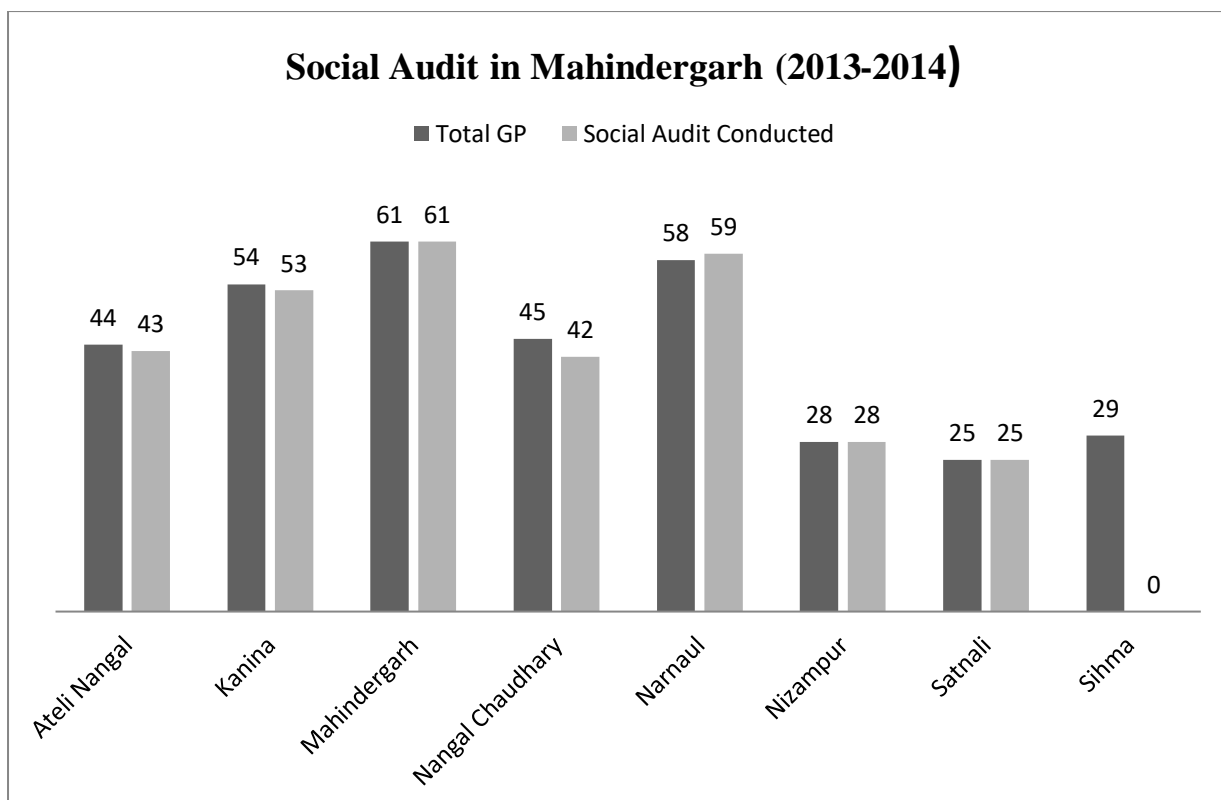


Figure: 3.3.2(a) Social Audit Conducted in Mahendergarh District (2013-2014)

Sihma block of Mahendergarh district consist 29 gram panchayat and number of gram panchayats covered under social audit was nil. MGNREGA was implemented in Haryana in three phases. Ambala was the district where the scheme implemented in second phase.

Table 3.3.2(b) exhibits social audit report of MGNREGA in Ambala district during the year 2013-2014. The district has 427 gram panchayats and 205 (48 per cent) gram panchayats were covered under social audit and 238 social audit were conducted and only 44 issues were raised and action taken.

Out of six blocks of Ambala district, maximum numbers of gram panchayats are existed in Ambala-I block with 99 gram panchayats and 47 (47.47 per cent) gram panchayats of this block covered under social audit. Ambala-II block has minimum number of gram panchayats with 49 gram panchayats GPs and 13 (26.53 per cent) gram panchayats of Ambala-II block covered under social audit and issue raised was nil. Maximum number of issues raised in Naraingarh block with 26 issues and action taken.

Table-3.3.2(b)

Social audit report of Ambala district (2013-2014)

Nos.	Blocks	Total GP	No. of Panchayat covered	No. of Social Audit	Issue raised and action taken
1	Ambala-I	99	47	47	0
2	Ambala-II	49	13	13	0
3	Barara	69	45	47	5
4	Naraingarh	84	29	42	26
5	Saha	61	34	34	2
6	Sahazadpur	65	37	55	11
Total		427	205	238	44

Source: http://164.100.112.66/netnrega/state_html/social_auditNT.aspx?v_code=1201&v_name=AMBALA&fin_year=2013-2014&page=D&Digest=qY2q30Bg5ILGC9w7o... 1

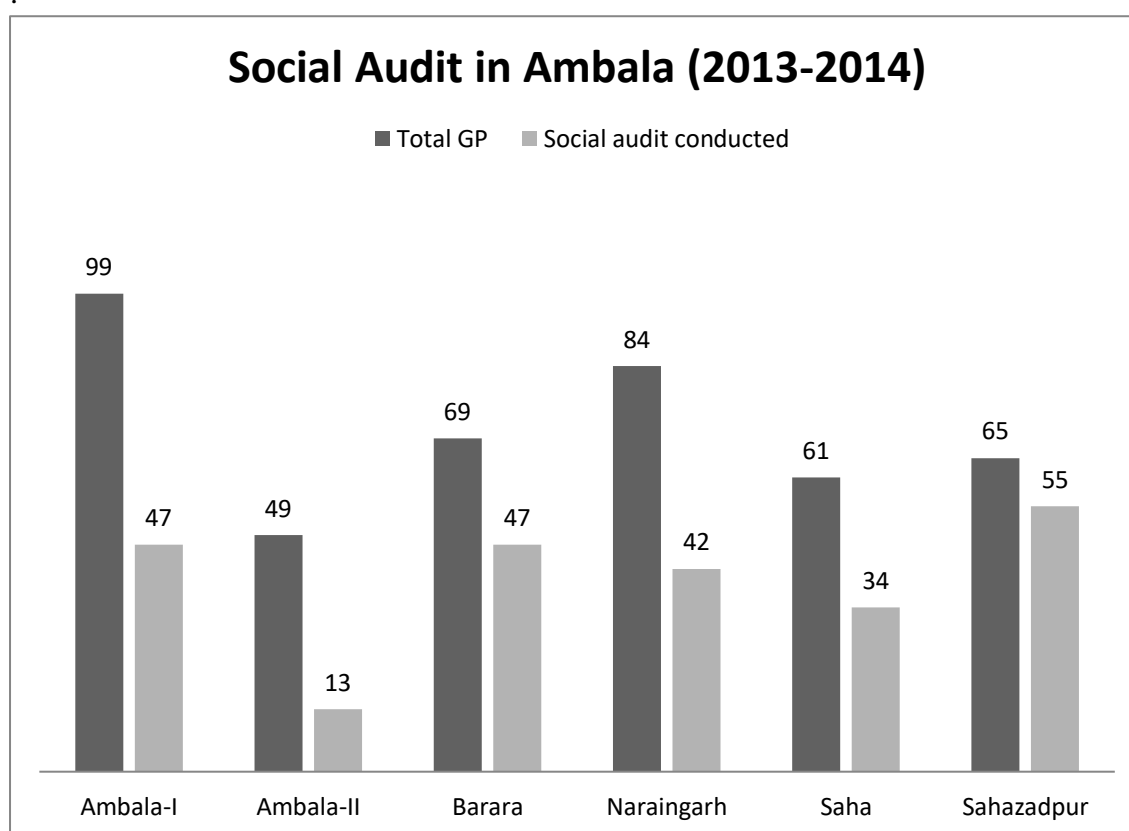


Figure: 3.3.2(b) Social Audit Conducted in Ambala District (2013-2014)

Table-3.3.2(c)**Social audit report of Bhiwani district (during 2013-2014)**

Nos.	Blocks	Total GP	No. of Panchayat covered	No. of Social Audit	Issue raised and action taken
1	Badhra	66	0	0	0
2	Bawani Khera	32	32	32	0
3	Behal	28	0	0	0
4	Bhiwani	77	0	0	0
5	Dadri-I	48	0	0	0
6	Dadri-II	53	0	0	0
7	Kairu	34	0	0	0
8	Loharu	38	0	0	0
9	Siwani	40	40	40	0
10	Tosham	50	0	0	0
Total		466	72	72	0

Source:http://164.100.112.66/netnrega/state_html/social_auditNT.aspx?v_code=1213&v_name=BHIWANI&fin_year=2014-2015&page=D&Digest=MNCzzAy+wgVkGXn...

MGNREGA was implemented in Haryana in three phases. Bhiwani was the district where the scheme implemented in third phase. Table 3.3.2(c) exhibits social audit report of MGNREGA in Bhiwani district during the year 2013-2014. The district has 466 gram panchayats and only 72 (15.45 per cent) gram panchayats were covered under social audit and 72 social audit were conducted and issue raised and action taken were nil. Out of ten blocks of Bhiwani district, maximum numbers of gram panchayats were existed in Bhiwani block with 77 gram panchayats and the social audit was not conducted in this block. Biwani Khera block had 32 gram panchayats and Siwani block had 40 gram panchayats and all the gram panchayats of these two blocks were covered under social audit and nil issue was raised. Rest of the eight blocks of Bhiwani district were not covered under social audit during the year 2013-2014.

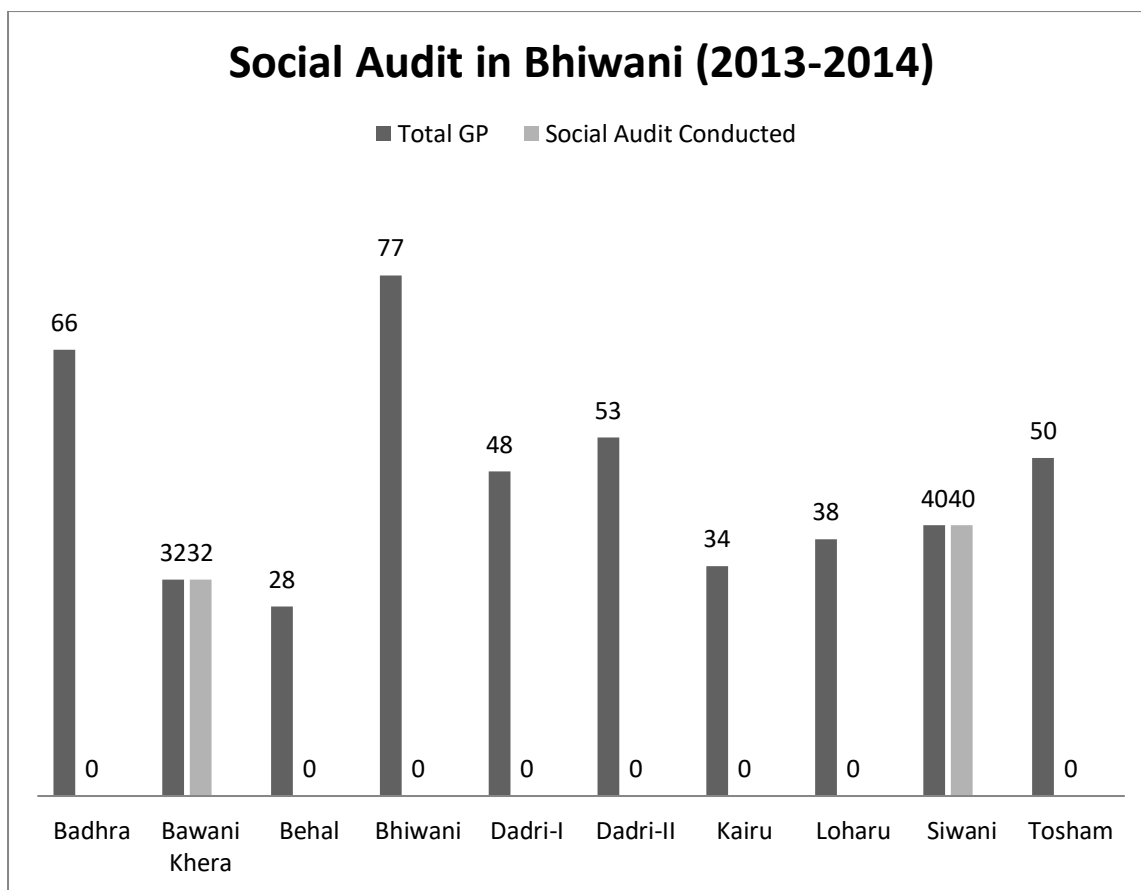


Figure: 3.3.2(c) Social Audit Conducted in Bhiwani District (2013-2014)

3.3.3 Work Status

As is obvious from table 3.3.3(a), during the financial year 2013-2014, in Mahendergarh district 457 works were completed and 983 works were on-going/suspended. On completed works amount of expenditure was 850.1911(in lakhs) and amount of expenditure of on-going works was 439.8609. In this district 1776 works were approved but still not in progress.

Maximum number of works completed in Kanina block with 212 works but the number of works completed in Narnaul and Kanina block were nil. Maximum number of on-going/ suspended works belonged to Mahendergarh block with 175 works. Out of these 457 completed works maximum works concerned to rural connectivity (288 in number) and 59 works which were completed belonged to water conservation and water harvesting and the same number belonged to land development.

Table-3.3.3(a)

**Work Status of Mahindergarh district
During the Financial Year 2013-2014**

Nos.	Blocks	Works Complete	Ongoing/Suspended	Approved not in progress
1	Ateli Nangal	76	154	105
2	Kanina	212	97	415
3	Mahindergarh	65	175	386
4	Nangal Chaudhary	76	118	99
5	Narnaul	0	160	362
6	Nizampur	0	92	120
7	Satnali	2	128	158
8	Sihma	26	59	131
Total		457	983	1776

Source: http://164.100.112.66/netnrega/state_html/social_auditNT.aspx?v_code=1213&v_name=MAHINDERGARH&fin_year=2014-2015&page=D&Digest=MNCzzAy+wgVkgXn...

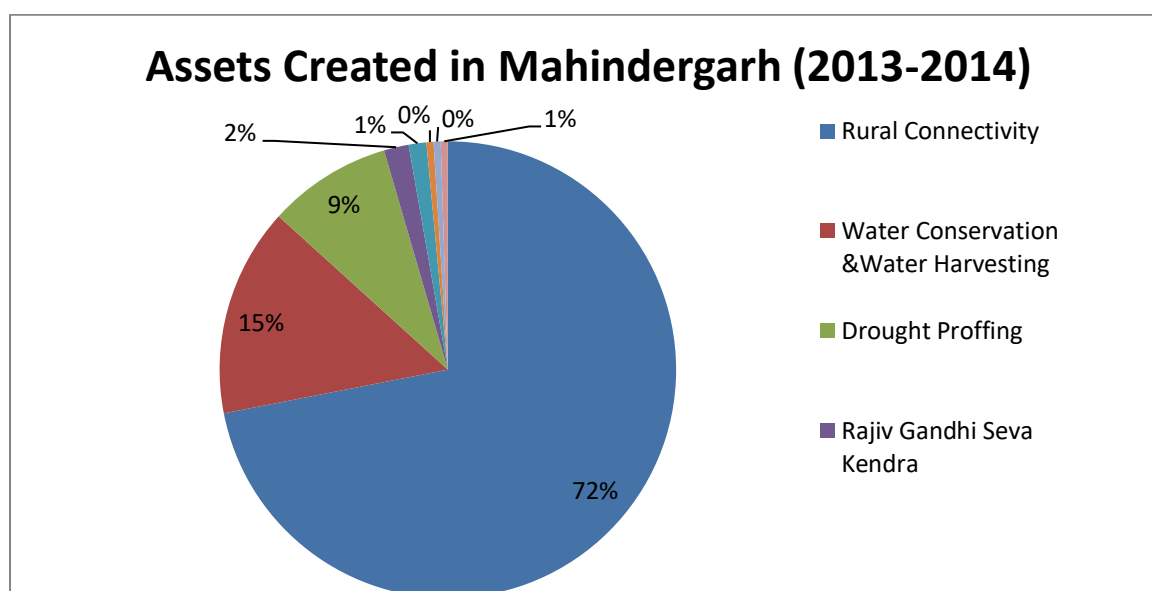


Figure: 3.3.3(a) Assets created in Mahindergarh district(2013-2014)

Table-3.3.3(b)**Work Status of Ambala district****During the Financial Year 2013-2014**

Nos.	Blocks	Works Complete	Ongoing/Suspended	Approved not in progress
1	Ambala-I	112	73	43
2	Ambala-II	39	48	17
3	Barara	22	185	33
4	Naraingarh	46	148	52
5	Saha	17	160	42
6	Sahazadpur	91	153	22
Total		327	767	209

Source: http://nrega.nic.in/netnrega/writereaddata/state_out/Empstatusall1213_52local_0910.html visited on July 08, 2014.

Table 3.3.3(b) exhibits that in Ambala district 327 works were completed during the financial year 2013-2014. In this district the number of on-going /suspended works were 767 and 209 works were approved but not in progress. Maximum number of works was completed in Ambala-I block (112 in number) and minimum number of works was completed in Saha block (17 in number).

The highest number of on-going works belonged to Barara block (185 in number) and the lowest number belonged to Ambala-II block (48 in number). Out of 327 completed works 111 works (33.94%) belonged to rural connectivity and 78 works (23.85%) belonged to land development. Only 51 works (15.59%) which were completed belonged to flood control and 50 works (15.29%) belonged to rural sanitation. The amount of expenditure of completed works was 374.0414 (in lakhs) and expenditure of on-going / suspended works was 515.8507 (in lakhs). Thus the 209 number of works which were approved but not in progress represented the lack of accountability of panchayat functionaries.

Assets Created in Ambala District (2013-2014)

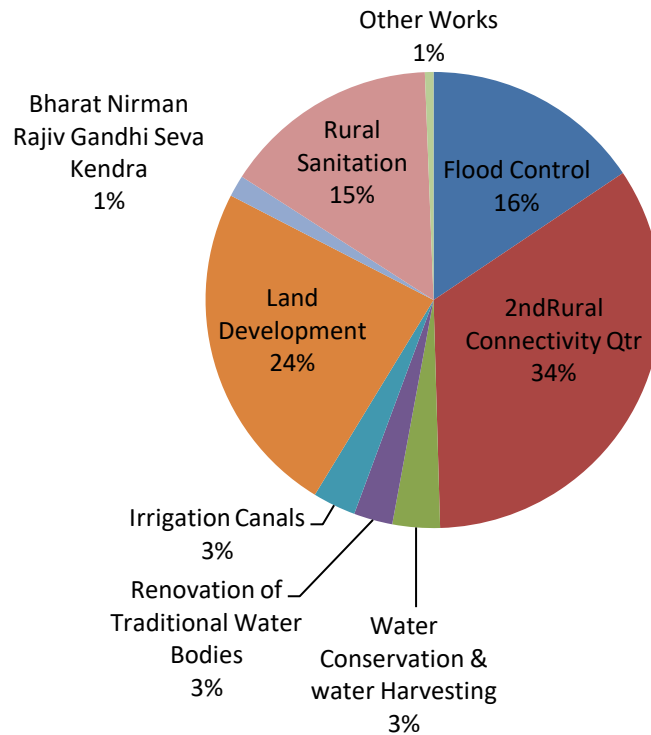


Figure: 3.3.3(b) Assets Created in Ambala District (2013-2014)

As is clear from the table 3.3.3(c), in Bhiwani district of Haryana 869 works were completed during the financial year 2013-2014 and the expenditure on completed works was 1489.5373(in lakhs).the ongoing/suspended works of Bhiwani district were 1180 and the amount of expenditure was 1272.2351(in lakhs). Maximum number of works was completed in Siwani block which were 175 in number and the minimum number of works were completed in Loharu block with 19 works.

Out of 869 completed works 348 works (40.04%) were belonged to rural connectivity and 212(24.39%) works concerned with rural sanitation. The completed works concerned with Rajiv Gandhi Seva Kendra, land development and micro irrigation were 83(9.55%), 80(9.20%) and 52(5.98%) respectively.

Table-3.3.3(c)

**Work Status of Bhiwani district
During the Financial Year 2013-2014**

No	Block	Works Complete	Ongoing/Suspended	Approved not in progress
1	Badhra	60	76	113
2	Bawani Khera	141	115	106
3	Behal	49	92	53
4	Bhiwani	117	301	212
5	Dadri-I	34	93	82
6	Dadri-II	58	87	130
7	Kairu	73	118	124
8	Loharu	19	111	88
9	Siwani	175	147	103
10	Tosham	143	40	42
Total		869	1180	1053

Source: http://nrega.nic.in/netnrega/writereaddata/state_out/Empstatusall1213_52local_0910.html visited on July 08, 2014.

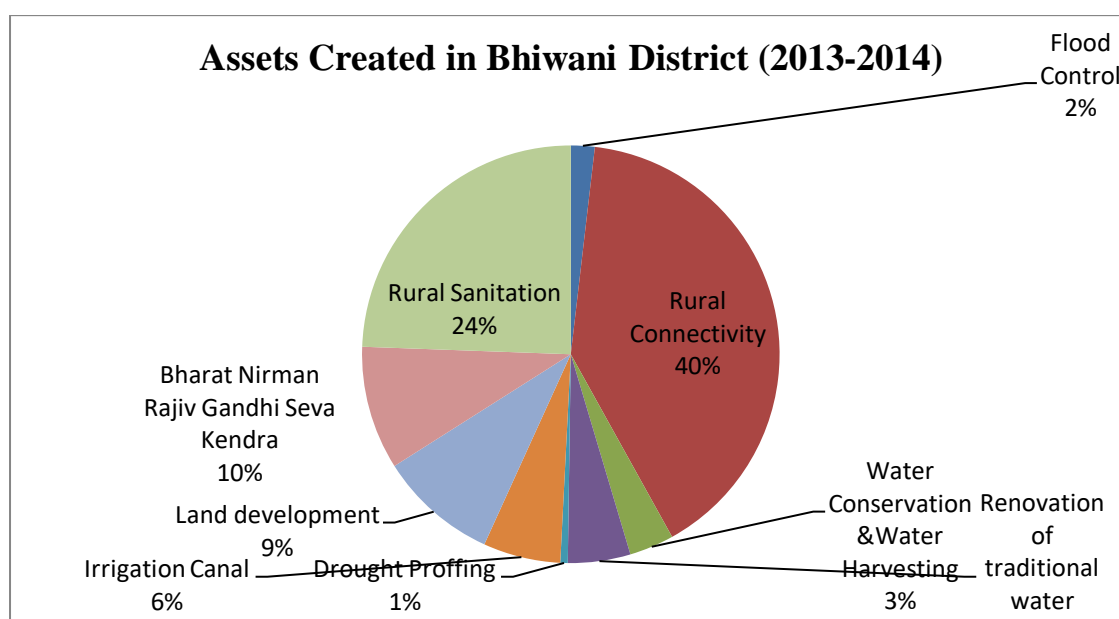


Figure: 3.3.3 © Assets Created in Bhiwani District (2013-2014)

Chapter 4

Enacted in 2005, the National Rural Employment Guarantee Act, 2005 (as it was known then) was implemented in three phases. In the first phase, the Scheme was launched on February 6, 2006 in 200 most backward districts of India. Subsequently, in the second phase it was expanded and implemented in another 130 districts on April 1, 2007 and in the third phase the Scheme was extended to the remaining rural districts in the country w.e.f., April 1, 2008. Mahatma Gandhi National Rural Employment Guarantee Scheme is a holistic measure aimed at fulfilling one of the most important human rights viz. 'right to employment' by providing at least 100 days guaranteed employment to those who are willing and offer to do unskilled work. The main objective of MREGA is the creation of durable assets and strengthening the livelihood resource base of the rural poor for fighting poverty. Seeing its features and provisions, one can say that this Scheme is one of the greatest experiments undertaken in India to provide employment in rural areas and thereby to eradicate rural poverty.

Now, after *at least six years*' of its implementation, it is opportune time to evaluate the performance of the Scheme and the present work is an endeavour in that direction. The study has been conducted in Mahendergarh, Ambala and Bhiwani districts of Haryana where the Scheme was implemented in the first, second and third phase. It has been an empirical study; primary data was generated with the help of interview schedules, interviewing the concerned district officials as also by way of observation method.

A set of 180 beneficiaries of Mahendergarh, Ambala and Bhiwani districts of Haryana were selected through multistage sampling where the scheme was implemented in first, second and third phase.. In the first instance, six blocks¹ were selected where maximum numbers of gram panchayats were lie. Thereafter two villages from each block – twelve villages² in all, Where maximum work was done under the scheme, were selected on the third stage. 180 beneficiaries were selected from the villages where maximum number of households provided employment (every fourth beneficiary from the muster roll). Data from this set of respondents was

¹.(i) Mahendergarh (ii) Narnaul (iii) Ambala-I (iv) Ambala-II (v) Dadri-I, (vi) Dadri -II

². Twelve villages that have been randomly selected include: (i)Pali (ii)Khudana , (iii)Nasibpur , (iv) Lahrodha , (v)Nadiyali , (vi)Nanhera , (vii)Kaunla , (viii)Manglai, (ix)Rawaldhi , (x)Baund Kalan (xi)Mankawas, (xii)Sahuwas .

obtained with the help of an interview schedule. Data and information obtained from this set of respondents is presented and analysed in Section-4.1 of this chapter.

Since Gram Panchayats have a pivotal role in the formulation, implementation and supervision of projects under the Scheme, the investigator also obtained data and information from the panchayat functionaries of the twelve selected villages as listed above. An interview schedule was administered to this set of respondents and the data so obtained has been tabulated and analysed in Section-4.2 of this chapter.

With a view to obtain the official version, it was deemed desirable to obtain the official version, it was deemed desirable to obtain the views of the two officers in the district administration who are responsible for the effective implementation of the Scheme viz. District Programme Officer (DDPO) at the district level and Block Development and Panchayat Officers (BDPOs) at the block level. Keeping in view the role assigned under the Scheme to this set of respondents and also because of their small number (only nine respondents), it was decided to obtain information from this set of respondents through interview method. Information so obtained has been tabulated and analysed in Section-4.3 of this chapter.

4.1 Beneficiaries under MNREGA

Interview Schedule-I (kindly refer Annexure-1 of this Report) was administered to the beneficiaries under the Scheme. Their responses to the interview schedule are tabulated and analysed in the present section.

4.1.1 Awareness about the Scheme

Success of any scheme depends on the level of awareness of the people about its provisions and Mahatma Gandhi National Rural Employment Guarantee Scheme is no exception to it. The investigator, therefore, tried to adjudge the level of awareness of the people about its main provisions. It was observed that all the respondents were acquainted with the Scheme though they were not clear about the nomenclature of the Scheme, some of them called it '*Sarkari Kam*' while others called it '100 days work' Scheme. To know their level of awareness about the Scheme, the respondent beneficiaries were requested to relate some of the features of the Scheme. For rating the level of awareness of the respondents, following three-fold criteria have been devised:

Criteria	Level of Awareness
Those who could relate only up to two provisions of the Scheme	Low
Those who could relate only up to four provisions of the Scheme	Moderate
Those who could relate more than four provisions of the Scheme	High

Responses of the beneficiaries regarding their level of awareness are tabulated below and analysed thereafter.

Table-4.1.1

Response Distribution Regarding Awareness about the Scheme

N=180

Blocks	Respondents Who Could Relate:				
	One Feature only	Up to Two Features only	Up to Three Features only	Up to Four Features only	Above Four Features
Mahindergarh	12 (40)	13 (43.34)	2 (6.67)	1 (3.33)	2 (6.66)
Narnaul	16 (53.34)	11 (36.67)	1 (3.33)	1 (3.33)	1 (3.33)
Ambala-I	18 (60)	9 (30)	3 (10)	-	-
Ambala-II	11 (36.67)	14 (46.67)	4 (13.33)	-	1 (3.33)
Dadri-I	20 (66.67)	4 (13.34)	2 (6.66)	2 (6.66)	2 (6.66)
Dadri-II	19 (63.33)	7 (23.34)	1 (3.33)	3 (10)	-
Total	96 (53.33)	58 (32.22)	13 (7.22)	7 (3.89)	6 (3.34)
Level of Awareness	154 (85.55) Low		20 (11.11) Moderate		6 (3.34) High

Note: Figures in parentheses represent percentages

It is evident from Table 4.1.1 that 53.33 per cent of the respondents could relate only one feature of the Scheme. Highest numbers of respondents who could relate only one feature of the Scheme were from Dadri-I block (66.67 per cent). There were 32.22 percent respondents who could relate only up to two features of the Scheme and the highest number of such respondents (46.64 per cent) hailed from Ambala-II block.

The table also shows that 7.22 percent respondents could relate only up to three features of the Scheme and the highest number of respondents (13.34 per cent) in this category belonged to Ambala-II block. The number of respondents who could relate up to four features was 3.88 per cent. To this category the highest numbers of

respondents hailed from Dadri-II block and their number was 10 per cent. There were only 3.33 per cent respondents who were able to relate more than four features of the Scheme. The highest number of respondents (6.66 per cent) in this category belonged to Dadri-I and Mahindergarh block and 3.33 per cent respondents hailed from Narnaul and Ambala-II blocks.

It is also discernible from the Table-4.1.1 that on the basis of above stated three-fold criteria of level of awareness; about $\frac{3}{4}$ of the respondents (85.55 per cent) replied about minimum ratio of consciousness about the provisions of the act. 11.11 per cent beneficiaries have reasonable awareness towards the provisions of the Scheme. Further, only 3.34 per cent beneficiaries have maximum level of awareness towards the Scheme.

4.1.2 Issue of Job Cards

As provided in Schedule II of the Act, all the mature members of the rural families may apply for employment in the case if they want to do unskilled work under the scheme. The willing households will have to confirm their registration first to the local Gram Panchayat either in verbal form or in written. It is the duty of the Gram Panchayat that after proper verification, a job card will provide to the household as a whole. That job card will cover the photograph of each mature member of the families who wish to do work under the act. Regularly updated job card with snap is free of cost. The job card is permanently keeping by the beneficiaries personally which confirm transparency and accountability. If the panchayat functionaries demand the job card for updation of record, it must be give back on the same day after the completion of the entries. It is a punishable offence under Section 25 of the Act that if any of the panchayat functionaries put the job card in their custody in the absence of any genuine reason.

The researcher enquired from the beneficiaries whether they were issued job cards. They were also enquired about the time taken for issuing the job cards as also whether the job cards were regularly updated. The answers of the beneficiaries are highlighted in Table-4.1.2 and analysed below.

As per the responses from the table 4.1.2, 74.44 per cent of the respondents answered in affirmative when enquired whether job cards were issued to them. The highest number of such respondents (90%) belonged to Ambala-II block. The remaining 25.56 per cent of the respondents claimed that job cards were not issued to

them even after completion of the work. Highest number of such respondents (36.67) belonged to Narnaul block and the lowest (10%) belonged to Ambala-II block. Those 74.44 per cent respondents (134 in number) who claimed that job cards were issued to them were further enquired about updating of their job cards. But most of the beneficiaries were illiterate. They could not relate whether their job cards were regularly updated or not.

Table-4.1.2

Response Distribution Regarding Issue of Job Cards						
N=180						
Blocks	Was Job Card Issued			If yes, Regularly Updated		
	Yes	No	Total	Yes	No	Total
n=134						
Mahinder-garh	22 (73.33)	8 (26.67)	30	12 (54.44)	10 (45.46)	22
Narnaul	19 (63.33)	11 (36.67)	30	12 (63.15)	7 (36.85)	19
Ambala-I	25 (83.33)	5 (16.67)	30	16 (64)	9 (36)	25
Ambala-II	27 (90)	3 (10)	30	17 (62.96)	10 (37.04)	27
Dadri-I	20 (66.67)	10 (33.33)	30	7 (35)	13 (65)	20
Dadri-II	21 (70)	9 (30)	30	10 (47.61)	11 (52.39)	21
Total	134 (74.44)	46 (25.56)	180	74 (55.22)	60 (44.78)	134

Note: Figures in parentheses represent percentages

Thus, to ensure whether the job cards were updated or not, the beneficiaries were requested to show their job cards. It was observed that details regarding date of issue, dates of assigning work, attendance etc. was not filled in 44.48 per cent job cards. The highest number of such respondents belonged to Dadri-I block (65 per cent) and the minimum number of such beneficiaries hailed to Ambala-I block with 36 per cent responses. The maximum number of updated job cards was found in Ambala-I block (64 per cent) which showed accountability of panchayat functionaries and transparency in implementation of the Scheme.

4.1.3 Allocation of Work

As per the provision of Section-V of the Mahatma Gandhi National Rural Employment Guarantee Act that if a job card holder submits a written application for

work under the scheme to the Gram Panchayat, in response the gram panchayat will give a dated receipt as a receiving, which will provide employment surety within 15 working days. If the gram panchayat is unable to provide work within 15 days, it is the responsibility of the state government that unemployment allowance has to be paid regularly and it must be in cash.

The researcher takes responses of the beneficiaries under the Scheme whether they were received work within the specified period of 15 days when they submitted their application to work under the scheme. The beneficiaries who gave response of this query in negative were additional requested to give information about unemployment allowance whether it was given to them for the period beyond 15 days. The responses to the two questions are presented in Table-4.1.3 and analysed below.

Table-4.1.3

Frequency Distribution Regarding Allocation of Work						
						N=180
Blocks	Whether Work was Provided Within 15 days			If not, Whether Unemployment Allowance was Paid		
	Yes	No	Total	Yes	No	Total
						n=58
Mahinder garh	14 (46.66)	16 (53.33)	30	0 (0.00)	16 (100)	16
Narnaul	18 (60)	12 (40)	30	0 (0.00)	12 (100)	12
Ambala-I	22 (73.33)	8 (26.67)	30	0 (0.00)	8 (100)	8
Ambala-II	24 (80)	6 (20)	30	0 (0.00)	6 (100)	6
Bawani Khera	21 (70)	9 (30)	30	0 (0.00)	9 (100)	9
Siwani	23 (76.67)	7 (30)	30	0 (0.00)	7 (100)	7
Total	122 (67.78)	58 (32.22)	180	0 (0.00)	58 (100.00)	58 (100.00)

Note: Figures in parentheses represent percentages

As is exhibited from Table 4.1.3, 67.78 per cent respondents stated that the work was provided to them within the postulated period of 15 days when they submitted their application for looking for work. The remaining 32.22 per cent respondents claimed that the work was not provided to them within the stipulated duration of 15 days. It is important to note that as many as 53.33 per cent of the respondents in Mahindergarh block also claimed about unavailability of work during

the agreed period of 15 days which was maximum in number. Maximum number of the beneficiaries belonged to Ambala-II block those who provided employment within 15 days. So, panchayat functionaries of Ambala-II block were more accountable in providing work.

All the 32.22 per cent respondents, who claimed that they were not assigned work within the stipulated period of 15 days, answered in negative when enquired as to whether they were provided unemployment allowance. There also exist a provision in the Act that work should be provided within 5 km radius of the village else extra wages @ 10 per cent are payable. Therefore, the researcher enquired the beneficiaries about the location of the worksite to which all of them stated that work was provided to them within 5 km radius of their village and therefore, the question of payment of extra wages did not arise.

4.1.4 Hundred Days Employment

According to chapter III, Section 4 of the Act, for the purposes of giving effect to the provisions 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.

**Table-4.1.4
Distribution of Responses Regarding Hundred Days Employment**

Blocks	Whether Provided Hundred days Employment		N=180
	Yes	No	Total
Mahindergarh	14 (46.67)	16 (53.33)	30
Narnaul	9 (30)	21 (70)	30
Ambala-I	19 (63.33)	11 (36.67)	30
Ambala-II	21 (70)	9 (30)	30
Dadri-I	18 (60)	12 (40)	30
Dadri-II	08 (26.67)	22 (72.33)	30
Total	89 (49.44)	91 (51.56)	180

Note: Figures in parentheses represent percentages

The investigator enquired the beneficiaries under the Scheme whether they were provided 100 days' work in a financial year. The responses of the respondents are presented in Table-4.1.4 and analysed below.

It is obvious from the table that 51.56 per cent of the beneficiaries claimed that they were not provided 100 days work under the Scheme. Highest number of such respondents has been in Dadri-II block as 72.33 per cent of the beneficiary respondents of this block stated that the work was not provided to them for 100 days in a financial year. Only 49.44 per cent of the beneficiary respondents accepted that they were provided 100 days employment in a financial year. Maximum number of such respondents belonged to Ambala-II block as 70 per cent of the respondents of this block expressed that they were provided hundred days work in a financial year.

4.1.5 Periodicity of Payment of Wages

According to Chapter II, Section I, of the National Rural Employment Guarantee Act, wages have to be disbursed on weekly basis and not beyond a fortnight through bank account/ post office. The researcher, therefore, enquired the beneficiaries of the Scheme about periodicity of payment of wages.

Table 4.1.5

Distribution of Responses Regarding Payment of Wages

Blocks	Whether wages paid through Bank/Post Office			If Yes, Regularly Paid		
	Yes	No	Total	Yes	No	Total
				N=180 n=180		
Mahinder garh	30	0 (0.00)	30	5 (16.67)	25 (83.33)	30
Narnaul	30	0 (0.00)	30	3 (10)	27 (90)	30
Ambala-I	30	0 (0.00)	30	12 (40)	18 (60)	30
Ambala-II	30	0 (0.00)	30	9 (30)	21 (70)	30
Dadri-I	30	0 (0.00)	30	7 (23.33)	23 (76.67)	30
Dadri-II	30	0 (0.00)	30	5 (16.67)	25 (83.33)	30
Total	180 (100)	0 (0.00)	180	41 (22.78)	139 (77.22)	180 (100.00)

Note: Figures in parentheses represent percentages

The responses of the beneficiaries are presented in above Table-4.1.5 and analysed. None of the beneficiaries stated that they received payment of their wages for doing work under the Scheme on weekly basis. Only 22.78 per cent beneficiaries stated that payment of wages was made to them on fortnightly basis (Table-4.1.5). Vast majority of beneficiaries (77.22 per cent) stated that wages were not paid to them regularly. Sometimes wage payment takes two –three months which is responsible for decreasing the interest of beneficiaries towards the scheme. The maximum number of beneficiaries belonged to Ambala-I block (40 per cent) who responded that they received wages regularly. Narnaul block of Mahindergarh district was on lowest position in the field of providing wages regularly to the beneficiaries.

4.1.6 Worksite Facilities

The Act³ prescribes that the facilities of safe drinking water, shade for children and periods of rest, first aid box with adequate material for emergency treatment for minor injuries and other health hazards connected with the work being performed shall be provided at the work sites. In case the numbers of children below the age of six accompanying the women working at any site are five or more, provisions shall be made to depute one of such women worker to look after such children.

The researcher enquired the beneficiaries whether the above listed worksite facilities were being provided to them. Those beneficiaries who responded to this question in affirmative were also enquired as to which of the above listed four facilities existed at the worksite where they have been working. The responses of the beneficiaries in regard to the above two questions are presented in Table-4.1.6 below and analysed thereafter.

62.22 per cent of the respondents agreed that the worksite facilities are being provided to them. Highest number of such respondents has been in Ambala-I block as 83.33 per cent of the beneficiary respondents of this block agreed that the worksite facilities are being provided to them and the lowest number of such beneficiaries belonged to Narnaul block (46.67 per cent). These 62.22 per cent respondents were further enquired as to which of the facilities are being provided to them. In response to this question, 73.21 per cent of those respondents who agreed that worksite

³ Schedule II, Sections 27 & 28 of the MNREG Act, 2005

facilities are being provided to them stated that facility of drinking water has been provided to them.

Table 4.1.6

Distribution of Responses Regarding Worksite Facilities

Blocks	Whether Worksite Facilities Provided		If yes, Number of Facilities				N=180
	Yes	No	Total	Drinking Water	Medical Aid	Shade & Crèche	n=112
	Mahindergarh	16 (53.33)	14 (46.67)	30	12 (75)	4 (25)	0 (0.00)
Narnaul	14 (46.67)	16 (53.33)	30	8 (57.14)	6 (42.86)	0 (0.00)	14
Ambala-I	25 (83.33)	5 (16.67)	30	18 (72)	7 (28)	0 (0.00)	25
Ambala-II	21 (70)	9 (30)	30	14 (66.67)	7 (33.33)	0 (0.00)	21
Dadri-I	19 (63.33)	11 (36.67)	30	16 (84.21)	3 (15.79)	0 (0.00)	19
Dadri-II	17 (56.67)	13 (43.33)	30	14 (82.36)	3 (16.64)	0 (0.00)	17
Total	112 (62.22)	68 (37.78)	180 (100)	82 (73.21)	30 (26.78)	0 (0.00)	112

Only 26.78 per cent of beneficiaries who responded that worksite facilities are being provided to them specified that the facility of medical aid was available for them. It is interesting to note that none of the respondents has been provided the facility of shade at worksite and crèche at the worksite.

4.1.7 Citizen Information Board

As per section of the Act that the implementing agencies have to display a citizen information board on the worksite and the board contain complete information about sanctioned amount, magnitudes of the work and other necessary details of the work. In the given section replies regarding occurrence of citizen information board at the workplaces are presented and analysed thereafter.

As is exhibited from table 4.1., 32.22 per cent respondents stated in positive manner about the presence of citizen information board at the work sites. The uppermost respondents in this regard belonged to Ambala-II block (63.33 per cent) and the lowest number of respondents belonged to Narnaul block (13.33 per cent). On

the other side, 58.09 per cent respondents responded that the citizen information board was not displayed on any worksite where they worked.

Table-4.1.7

Distribution of Responses Regarding Citizen Information Board

Block	Whether the citizen information board available on worksites		Total	If yes, whether all the information regarding work displayed n=58		
	Yes	No		Yes	No	Total
Mahindergarh	5 (16.67)	25 (83.33)	30	5 (100)	0 (00.00)	5
Narnaul	4 (13.33)	26 (86.67)	30	3 (75.00)	1 (25.00)	4
Ambala-I	13 (43.33)	17 (56.67)	30	10 (76.92)	3 (23.08)	13
Ambala-II	19 (63.33)	11 (36.67)	30	14 (73.69)	5 (26.31)	19
Dadri-I	8 (26.67)	22 (73.33)	30	5 (62.5)	3 (37.5)	8
Dadri-II	9 (30.00)	21 (70.00)	30	6 (66.67)	3 (33.33)	9
Total	58 (32.22)	122 (58.09)	180	43 (74.13)	15 (25.87)	58

The maximum number of respondents who denied about presence of citizen information board belonged to Narnaul block of Mahendergarh district. The least number of respondents related to Ambala-II block (36.67per cent) who responded in negative for the display of complete information hording at the work place. When the beneficiaries who responded in affirmative regarding the availability of citizen information board at the worksites were further inquired about all the information displayed on it than 74.13 per cent of the beneficiaries' responded positive.

Maximum number of such beneficiaries belonged to Mahendergarh block and minimum number of such beneficiaries belonged to Dadri-I block. Lack of complete information on citizen information board showed loopholes in transparency in implementation of the scheme.

4.1.8 Social Audit

'Social audit' is an advanced aspect of the Mahatma Gandhi National Rural Employment Guarantee Act. Social audit is platform by which the potential

beneficiaries and other shareholders receive an opportunity for their involvement at every stage: from the initial stage which include planning to the implementation, middle stage i.e. monitoring and final stage of evaluation. This process helps in certifying that the activity is planned and implemented in a style that is most suited to the fundamental conditions, properly reflects the priorities and likings of those affected by it and most efficiently serves public interest.⁴

It is an impressive manner for ensuring transparency and liability under the act. The procedure of Social Audit have a combination of people’s involvement and monitoring with the necessities of the audit discipline, where the Gram Sabha requires inputs and facilitation for skill development and making informed decisions, for carrying out social audits successfully and effectively. Social Audit is a continuous process of public vigilance; the mandatory assembly of the Gram Sabha held every six months for this purpose may be called the ‘Social Audit Forum’.

Table-4.1.8
Distribution of Responses Regarding Social Audit

N=180			
Block	Whether the Social Audit conducted at least in six months at the gram sabha meetings		
	Yes	No	Total
Mahindergarh	18 (60.00)	12 (40.00)	30
Narnaul	16 (53.33)	14 (46.67)	30
Ambala-I	24 (80.00)	6 (20.00)	30
Ambala-II	21 (70.00)	9 (30.00)	30
Dadri-I	14 (46.67)	16 (53.33)	30
Dadri-II	6 (20.00)	24 (80.00)	30
Total	99 (55)	81 (45)	180

In present section, responses of beneficiaries regarding social audit are presented and explained. As is demonstrated from the table 4.1.8, the investigator questioned from the beneficiaries about the social audit directed by the gram sabha at least in six months and 55 per cent beneficiaries replied in affirmative and highest

⁴ The National Rural Employment Guarantee Act, 2005 (NREGA): Operational Guidelines (3rd Edition), Ministry of Rural Development, Department of Rural Development, Government of India, New Delhi, 2008, p.61

number of such beneficiaries belonged to Ambala- I block (80 per cent) of Ambala district and the minimum number of such respondents belonged to Dadri-II block. 45 per cent of the respondents replied that social audit of MGNREGS works was not directed by their gram sabha. Uppermost number of such beneficiaries belonged Dadri –II block (80per cent) of Bhiwani district.

So, the responses represented that about half of the beneficiaries were unable to perform their in role social accountability.

4.1.9 Availability of muster roll at worksites

As per Section 4(3), Schedule- I (17) of MGNREGA, it is the responsibility of the implementing authority that a print of muster rolls related with every project of the Scheme must be obtainable at the work sites, in the offices of the gram panchayat and the Programme officer for community scrutiny. The present section is giving details of responses regarding obtainability of muster roll at worksites and explained thereafter.

Table-4.1.9

Distribution of Responses Regarding Availablity of muster roll at worksites

N=180

Block	Whether the muster roll available on the worksites		
	Yes	No	Total
Mahindergarh	13 (43.33)	17 (56.67)	30
Narnaul	16 (53.33)	14 (46.67)	30
Ambala-I	21 (70.00)	9 (30.00)	30
Ambala-II	23 (76.67)	7 (23.33)	30
Dadri-I	19 (63.33)	11 (36.67)	30
Dadri-II	20 (66.67)	10 (33.33)	30
Total	112 (62.22)	68 (37.78)	180

Note: Figures in parentheses represent percentages

As is presented from the table 4.1.9, 62.22 per cent of the respondents stated that the muster rolls were available on the worksites during the work. Minimum number of such respondents belonged to Mahindergarh block (43.33per cent) and

76.67 per cent beneficiaries of Ambala-II block responded that muster roll was available on the worksites of MGNREGS which was maximum in number. Overall 37.78 per cent respondents replied that the muster roll was not available at the worksites. When the beneficiaries who responded in affirmative about the presence of muster rolls at the worksites further inquired about the completion of muster roll at the worksites by the mate then they clearly denied about any information in that concern and responded that it was not allow to them to go through the entries of muster rolls.

4.1.10 Final Measurement of the Work

According to the provision of the act, the ultimate measurement of the work done by the junior engineer is accessible for public inquiry regularly at the work places. For evaluating transparency the replies of the beneficiaries regarding their attendance at the worksite during ultimate measurement and obtainability of records of final measurement whole time at the worksites were acquired and clarified subsequently.

Table-4.1.10

Distribution of Responses Regarding Final Measurement of the Work
N=180

Block	Whether you present at the time of final measurement of your work		
	Yes	No	Total
Mahindergarh	7 (23.33)	23 (76.67)	30
Narnaul	4 (13.33)	26 (86.67)	30
Ambala-I	13 (43.33)	17 (56.67)	30
Ambala-II	9 (30.00)	21 (70.00)	30
Dadri-I	5 (16.67)	25 (83.33)	30
Dadri-II	8 (26.67)	22 (73.33)	30
Total	46 (25.56)	134 (74.44)	180

As is expressed from the table, that 74.44 per cent respondents answered that they were not present on the worksites when final measurement of their work was

done by JE and 25.56 per cent beneficiaries responded in affirmative. Maximum number of beneficiaries who denied about their presence was hailed from Narnaul block (86.67 per cent) of Mahindergarh district and minimum respondents hailed to Ambala-I block (56.67 per cent). When such respondents who denied about their presence at the final measurement further inquired about their satisfaction towards measurement approx. 55 per cent of them were not satisfied but they never complaint against it. All the respondents denied about availability of records of final measurement for public scrutiny all the times.

4.1.11 Development Plans

As per Section 16(3)(4) of the Act, each Gram Panchayat is requisite to formulate a development plan⁵ and keep a shelf of works and forward the advance plan to the Programme Officer for analysis and to take preliminary approval to the beginning of the year for which the proposal was forwarded. The researcher collected the responses of the beneficiaries about their Panchayat functionaries whether they ready development plan for the corresponding village before the starting of the financial year and applied the plan after required approvals. About 70 per cent of the beneficiaries claimed their ignorance in that concern and 30 per cent of the beneficiaries claimed that the panchayat functionaries of their village prepared development plans in gram sabha meetings and maintain the shelf of projects on priority basis.

4.1.12 Motivation by Panchayat functionaries

As is exhibited from table 4.1.12, 77.78 per cent beneficiaries responded that they were motivated by the panchayat functionaries for work under the scheme. The highest number of the respondents belonged to Ambala –I block (90 per cent) who received motivation from the panchayat functionaries and the smallest number of such beneficiaries belonged to Ambala-II block (70 per cent). On the other hand 22.22 per cent beneficiaries responded that they were not motivated by the Panchayat functionaries. When such respondents further inquired about their source of motivation then they responded that they got information about work from their fellow workers.

⁵ Development Plan is an Annual Work Plan that should comprise a shelf of projects for each village with administrative and technical approvals so that works can be started as soon as there is a demand for work.

Table-4.1.12**Distribution of Responses Regarding Motivation by Panchayat functionaries**
N=180

Block	Whether you were motivated by panchayat functionaries for work under the Scheme		
	Yes	No	Total
Mahindergarh	25 (83.33)	5 (16.67)	30
Narnaul	22 (73.33)	8 (26.67)	30
Ambala-I	27 (90.00)	3 (10.00)	30
Ambala-II	21 (70.00)	9 (30.00)	30
Dadri-I	22 (73.33)	8 (26.67)	30
Dadri-II	23 (76.67)	7 (23.33)	30
Total	140 (77.78)	40 (22.22)	180

4.2 Panchayat Functionaries

Gram Panchayats have been assigned a significant role in the implementation of the Scheme. Gram Panchayats are the chief implementing agencies of the Scheme. Besides, they also play an important role in the project formulation as also in the supervision of the projects under the Scheme. Gram panchayats have been given the responsibility to identify the projects in the area of gram panchayat under the Scheme as per the approvals of the Gram Sabha and for implementing and administering such works⁶. Gram panchayats are also obligatory to keep several records under the Scheme.⁷

Considering this fact, an Interview Schedule was prepared (kindly refer Annexure-2 to this Report) and administered to the Sarpanches or Panchayat Secretaries, who divulged information in the capacity of panchayat functionaries. The responses of this category of respondents were recorded, systematized, tabulated and analysed in this section.

⁶ Section-16, Chapter IV of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005

⁷ The details of the role which Gram Panchayats which have been assigned and to play have been discussed in section 2.4 in Chapter-2 of this Report.

4.2.1 Awareness about the Scheme

Awareness about the features of the Scheme or programme is fundamental to its successful implementation and Mahatma Gandhi National Rural Employment Guarantee Scheme is no exception to it. Panchayat functionaries should be aware about the main provisions of the Scheme as gram panchayats are the chief implementing agencies of the Scheme. Keeping this fact in view, the investigator requested the panchayat functionaries of the selected villages to relate some important provisions of the Scheme.

On the basis of the responses, the level of awareness of the respondents has been rated as low, moderate and high on the basis of the following three-fold criteria:

Criteria	Level of Awareness
Those who could relate only up to two provisions of the Scheme	Low
Those who could relate only up to four provisions of the Scheme	Moderate
Those who could relate more than four provisions of the Scheme	High

Responses of the panchayat functionaries regarding their level of awareness are tabulated and analysed below.

As is obvious from the table 4.2.1, there was no respondent who could relate 'only one feature' and 'only up to two features' of the Scheme. 33.33 per cent of the respondents could relate 'only up to three features' of the Scheme. These respondents belonged to Mahindergarh, Narnaul, Dadri-I and Dadri-II blocks were in equal proportion. 41.67 per cent of the respondents were in a position to relate 'only up to four features' of the Scheme and they belonged in equal number to the five blocks viz. Mahindergarh, Narnaul, Ambala-II, Dadri-I and Dadri-II blocks.

There were 25 per cent respondents, two-third of whom hailed from the Ambala-I and one-third from Ambala-II block, who related more than four features of the Scheme.

Table-4.2.1
Distribution of Responses Regarding Awareness

N=12

Blocks	Respondents Who Could Relate				
	One Feature only	Up to Two Features only	Up to Three Features only	Up to Four Features only	More than Four Features
Mahendergarh	0 (0.00)	0 (0.00)	1 (50.00)	1 (50.00)	0 (0.00)
Narnaul	0 (0.00)	0 (0.00)	1 (50.00)	1 (50.00)	0 (0.00)
Ambala-I	0 (0.00)	0 (0.00)	0 (0.00)	0 (0.00)	2 (100.00)
Ambala-II	0 (0.00)	0 (0.00)	0 (0.00)	1 (50.00)	1 (50.00)
Dadri-I	0 (0.00)	0 (0.00)	1 (50.00)	1 (50.00)	0 (0.00)
Dadri-II	0 (0.00)	0 (0.00)	1 (50.00)	1 (50.00)	0 (0.00)
Total	0 (0.00)	0 (0.00)	4 (33.33)	5 (41.67)	3 (25)
Level of Awareness	0 (0.00) Low		9 (75) Moderate		3 (25) High

Note: Figures in parentheses represent percentages

Analysing the above data on the basis of three-fold criteria as laid down above, it may be concluded that more 75 per cent of the respondents had moderate level of awareness and only 25 per cent of the Panchayat functionaries were found to have high level of awareness about the provisions of the Scheme.

4.2.2 Issue of Job Cards

According to Schedule II, Section V of the Act, the Gram Panchayat after due verification, issue a job card to the households as a whole. The investigator enquired the Panchayat functionaries whether all the households, who applied for the job cards, were issued the same. To this, all the Panchayat functionaries of the selected villages responded in affirmative. But as observed before, one-fourths of the beneficiary

respondents reported that they were not issued job cards. When this fact was placed before the Panchayat functionaries, they later claimed that job cards could not be issued to those beneficiaries who do not cooperate. Thus, some of the beneficiaries do not furnish required documents such as copy of their ration card; the beneficiaries also do not turn up for photographs on the appointed day and time nor do they provide photographs of the adult members of the households. It was claimed that job cards could not be issued only in the case of such beneficiaries.

4.2.3 Allocation of Work

According to Section V of the Act, the Gram Panchayat has to provide work to those job card holders who seek employment under the Scheme within 15 days if a job card holder submits a written application for employment to the Gram Panchayat. If the employment is not provided within 15 days, daily unemployment allowance in cash has to be paid. Liability of payment of unemployment allowance is of the States.

The investigator enquired the beneficiaries under the Scheme whether they were provided work within the stipulated period of 15 days after they submitted their request for providing work. Those 32.22 per cent (section 4.1.3) beneficiaries who responded to this question in negative were further enquired whether unemployment allowance was given to them for the period exceeding 15 days and they denied about payment of any unemployment allowance to them but all the Panchayat functionaries claimed that they have been providing work to all those who applied for employment under the Scheme within the stipulated period of 15 days . Since all the employment seekers were provided work within the stipulated time frame, the question of payment of unemployment allowance did not arise, they contended. The functionaries mentioned that there are not many people who are ready to work continuously for 14 days as stipulated in the Scheme and that they have even to motivate them to come forward to accept the work offer. The functionaries also held that majority of the employment seekers are willing to work for a short duration of two-three days and whenever they get work in the open market, they discontinue working on the Scheme.

4.2.4 Hundred Days Employment

As indicated earlier in Section-4.1.4 before, the most important provision of the Act is that it guarantees 100 days employment to those who offer to do unskilled work.⁸ Therefore, the investigator enquired from the Panchayat functionaries as to

⁸ Section 4(1), Chapter-III, MNREG Act, 2005

whether they provided 100 days' work in a financial year to all those employment seekers who are ready to do unskilled work. The responses of the functionaries to this provision of the Scheme are recorded in Table-4.2.4 below.

Table-4.2.4
Distribution of Responses Regarding Providing 100 Days Work

Blocks	Whether provided 100 Days Work			If not, Reasons thereof	
	Yes	No	Total	Work not Available	Unwillingness of regular 14 days' Work
	n=8				
Mahindergarh	0 (0.00)	2 (100.00)	2	1 (50.00)	1 (50.00)
Narnaul	1 (50.00)	1 (50.00)	2	1 (100.00)	0 (0.00)
Ambala-I	1 (50.00)	1 (50.00)	2	1 (100.00)	0 (0.00)
Ambala-II	0 (0.00)	2 (100.00)	2	0 (0.00)	2 (100.00)
Dadri-I	1 (50.00)	1 (50.00)	2	0 (0.00)	1 (100.00)
Dadri-II	1 (50.00)	1 (50.00)	2	1 (100.00)	0 (0.00)
Total	4 (33.33)	8 (66.67)	12	4 (50.00)	4 (50.00)

As many as 66.67 per cent of the Panchayat functionaries admitted that they could not arrange 100 days of work to the unemployed. Maximum number of panchayat functionaries belonged to Mahindergarh and Ambala-I block who were unable to provide hundred days work to the beneficiaries under the scheme. These 66.67 percent respondents were requested to enlist the reasons thereof. 50 per cent of those respondents who admitted that they could not provide work to the unemployed stated that they find it difficult to create work. The remaining 50 per cent of such respondents claimed that unemployed people are not ready to do regular work for 14 days continuously, as has been required under the Scheme.

4.2.5 Payment of Wages

Chapter Second, Section first of the MGNREGA provides that wages has to be paid within a week and it must not exceed the time period of fifteen days. If the time period of the wage payment exceed from the stated period under the Scheme, the

manual workers shall be a right to receive payment of reimbursement as per the provisions of the Payment of Wages Act, 1936.⁹

The investigator enquired the Panchayat functionaries as to whether wages in their respective villages were being paid within the stipulated period of 15 days. Those functionaries who answered to this question in negative were requested to state the reasons thereof. The answers of the panchayat functionaries are accessible in Table-4.2.5 and analysed below.

Table-4.2.5
Dispersal of Replies Concerning Payment of Wages

Blocks	Whether Wages Paid On fortnightly basis		Total	If no, What was the reason n=8	
	Yes	No		Lengthy procedure	Delay in measurement
				N=12	
Mahindergarh	0 (0.00)	2 (100)	2	1 (50)	1 (50)
Narnaul	0 (0.00)	2 (100)	2	2 (100)	0 (0.00)
Ambala-I	1 (50)	1 (50)	2	0 (0.00)	1 (50)
Ambala-II	2 (100)	0 (0.00)	2	0 (0.00)	0 (0.00)
Dadri-I	1 (50)	1 (50)	2	0 (0.00)	1 (50)
Dadri-II	0 (0.00)	2 (100)	2	0 (0.00)	2 (100)
Total	4 (33.33)	8 (66.67)	12	3 (37.5)	5 (62.5)

It is clear from the above table that 66.67 per cent of the Panchayat functionaries self-proclaimed that wages to the beneficiaries could not be paid within the stipulated period of 15 days. All the panchayat functionaries of Mahindergarh, narnaul and Dadri-II block accepted the delay in payment of wages more than the stipulated time period. On the other side, all the panchayat functionaries of Ambala-II block responded about timely payment of wages. These 66.67 per cent (8 in number) respondents were requested to enlist the reasons behind late payment of wages to the beneficiaries. About one-third of such functionaries who admitted that wages could not be paid within the stipulated period of 15 days stated that timely payment of wages could not be done due to the lengthy procedure and paucity of staff.

⁹ Chapter II, Section I of the Mahatma Gandhi National Rural Employment Guarantee Act.

Remaining two-third of those functionaries who admitted that wages are paid beyond a period of 15 days stated and the main reason behind late payment of wages is the delay in measurement of work, which has to be done by the technical staff and is thus beyond their control. Unless they receive a report from that department, the bills cannot be prepared and this causes the delay in payment of wages to the labourers.

4.2.6 Worksite Facilities

As stated in Section-4.1.6 above, Schedule II of the Act provides that certain facilities¹⁰ are to be provided at the worksite. Also, it has been observed in Section-4.1.6 above that 37.78 per cent beneficiaries claimed that no worksite facilities have been provided to them. And vast majority of the remaining 73.21 per cent beneficiaries stated that only water was made available at the name of worksite facilities.

Since the Gram Panchayat is a prominent role in arranging the worksite facilities, the investigator enquired the Panchayat functionaries about the facilities provided at the worksites. Initially, most of the functionaries claimed that they have been providing all the facilities at the worksites. However, when the version of the beneficiaries about non-availability of worksite facilities was related to them (the functionaries), they started giving lame excuses such as:

1. The workers do not need shades as they go back to their homes during the periods of rest.
2. Medical facilities existed in the Primary Health Centre in the village.
3. Crèche facility was not provided since there were only a few small children.
4. Water bottles were provided time-to-time at the worksites.

4.2.7 Citizen Information Board A citizen information board shall be displayed at the worksite giving details of sanctioned amount, work dimensions and other requisite details.¹¹In this section responses regarding presence of citizen information board at the worksites are presented and explained thereafter.

¹⁰ The facilities include of safe drinking water, shade for children and periods of rest, first aid box with adequate material for emergency treatment for minor injuries and other health hazards connected with the work being performed are to be provided at the worksites. In case the numbers of children below the age of six accompanying the women working at any site are five or more, provisions shall be made to depute one of such women worker to look after such children.

¹¹. Report to the People, 2006-2009, Mahatma Gandhi National Rural Employment Guarantee Act 2005, Ministry of Rural Development, Government of India, New Delhi, p.9.

Table-4.2.7
Distribution of Responses Regarding Citizen Information Board
N=12

Blocks	Whether citizen Information Board display on worksites		
	Yes	No	Total
Mahindergarh	1 (50.00)	1 (50.00)	2
Narnaul	0 (0.00)	2 (100.00)	2
Ambala-I	1 (50.00)	1 (50.00)	2
Ambala-II	2 (100.00)	0 (00.00)	2
Dadri-I	0 (00.00)	2 (100.00)	2
Dadri-II	1 (50.00)	1 (50.00)	2
Total	5 (41.67)	7 (58.33)	12

As is clear from the table 4.2.7, when the researcher inquired the panchayat functionaries about the display of citizen information board at the work sites then 41.67 per cent of them responded affirmative. The maximum number of such respondents belonged to Ambala-II block and all the respondents from Narnaul and Dadri-I block denied about display of the citizen information board at the work sites. When the panchayat functionaries who responded in affirmative further inquired about display of complete information on the citizen information board then they responded that they mention all the information on chart paper and hang it on nearby tree.

4.2.8 Social Audit

‘Social audit’ is an innovative feature of the National Rural Employment Guarantee Act. It is an on-going process through which the potential beneficiaries and other stakeholders of an activity or project are involved at every stage: from the planning to the implementation, monitoring and evaluation. This process helps in ensuring that the activity or project is designed and implemented in a manner that is most suited to the prevailing (local) conditions, appropriately reflects the priorities and preferences

of those affected by it and most effectively serves public interest.¹² Social Audit process is to be conducted in every Gram Panchayat (GP) at least once in six months, involving a mandatory review of all aspects.

Social Audit is an effective means for ensuring transparency, participation, consultation and accountability under MGNREGA. The process of Social Audit combines people's participation and monitoring with the requirements of the audit discipline. The process of Social Audit process is not concerned to highlight the fault, but it is a process to draw the facts. It is the duty of the Auditor to 'investigate' by cross-checking the reality and particulars in the records from the beneficiaries and cross verification of the work place. The investigator enquired the Panchayat functionaries whether some social audit of the works undertaken under the Scheme was ever conducted in their respective villages and if yes, whether any irregularity was highlighted during the process of social audit. The responses of the functionaries about social audit exposed in table 4.2.8 explained later.

Table-4.2.8
Distribution of Responses Regarding Social Audit

Blocks	Whether Social Audit Conducted Regularly		Total	If Yes, was the Previous Agenda Publized	
	Yes	No		Yes	No
				n=4	
Mahindergarh	1 (50.00)	1 (50.00)	2	0 (0.00)	1 (100.00)
Narnaul	0 (0.00)	2 (100.00)	2	0 (0.00)	0 (0.00)
Ambala-I	1 (50.00)	1 (50.00)	2	1 (100.00)	0 (0.00)
Ambala-II	1 (50.00)	1 (50.00)	2	1 (100.00)	0 (0.00)
Dadri-I	1 (50.00)	1 (50.00)	2	0 (0.00)	1 (100.00)
Dadri-II	0 (0.00)	2 (100.00)	2	0 (0.00)	0 (0.00)
Total	4 (33.33)	8 (66.67)	12	2 (50.00)	2 (50.00)

As is exhibited from the table 4.2.8, one-third (33.33 per cent) of the panchayat functionaries responded that social audit was not regularly conducted in

¹² The National Rural Employment Guarantee Act, 2005 (NREGA): Operational Guidelines (3rd Edition), Ministry of Rural Development, Department of Rural Development, Government of India, New Delhi, 2008, p.61

their respective gram panchayat. Maximum number of such respondents belonged to Narnaul block of Mahindergarh district and Dadri-II block of Bhiwani district . Those two-third panchayat functionaries who responded that they regularly conducted social audit in their panchayat were further inquired about publicizing of previous agenda than half of the functionaries responded in affirmative.

The panchayat functionaries further inquired about records of social audit meeting which were maintained by them. They were unable to show the records and gave lame excuses. So, it was clear that two-third of the functionaries were not interested in developing social accountability through social audit.

4.2.9 Availibility of Muster rolls

According to Section 4(3), Schedule- I (17), a copy of muster rolls of each project under the Scheme shall be made available at the work sites, in the offices of the gram panchayat and the Programme officer for public scrutiny. In the present section responses regarding availibility of muster roll at worksites are displayed and explained thereafter.

**Table 4.2.9
Distribution of Responses Regarding Availibility & Completion of Muster rolls**

Blocks	N=12				
	Whether muster roll complete on worksites			If Yes, available for public scrutiny	
	Yes	No	Total	Yes	No
Mahindergarh	1 (50.00)	1 (50.00)	2	0 (00.00)	1 (100.00)
Narnaul	0 (0.00)	2 (100.00)	2	0 (00.00)	0 (00.00)
Ambala-i	1 (50.00)	1 (50.00)	2	1 (100.00)	0 (00.00)
Ambala-ii	1 (50.00)	1 (50.00)	2	0 (0.00)	0 (00.00)
Dadri-I	1 (50.00)	1 (50.00)	2	1 (100.00)	1 (100.00)
Dadri-II	0 (00.00)	2 (100)	2	0 (00.00)	0 (00.00)
Total	4 (33.33)	8 (66.67)	12	2 (50.00)	2 (50.00)

Table 4.2.9 exhibits the responses regarding the completion of the muster roll at the worksites and 66.67 per cent of the panchayat functionaries responded in

negative. Maximum number of respondents who denied about completion of muster roll at the work site hailed from Narnaul and Dadri-II block.

When the panchayat functionaries who accepted the presence of muster roll at the work site further enquired about the availability of muster roll for public scrutiny and found that half of the panchayat functionaries responded in affirmative. So, the transparency measure for showing muster roll to the beneficiaries was followed by only half of the panchayat functionaries.

4.2.10 Measurement of Work

As per provision of the act, the final measurement of the work done by the junior engineer is available for public scrutiny all the times at the worksites. For measuring transparency the responses of the panchayat functionaries regarding the presence of beneficiaries at the worksite during final measurement and availability of records of final measurement all the times at the worksites were obtained and explained subsequently.

Table-4.2.10

**Distribution of Responses Regarding Measurement of Work
N=12**

Blocks	Whether the Final Measurement of Work done in presence of Worker		
	Yes	No	Total
Mahindergarh	1 (50.00)	1 (50.00)	2
Narnaul	0 (0.00)	2 (100.00)	2
Ambala-i	1 (50.00)	1 (50.00)	2
Ambala-ii	1 (50.00)	1 (50.00)	2
Dadri-I	1 (50.00)	1 (50.00)	2
Dadri-II	0 (0.00)	2 (100.00)	2
Total	4 (40.00)	8 (60.00)	12

As is clear from the table 4.2.10, when the panchayat functionaries inquired about the presence of beneficiaries at the time of the final measurement of the work then 60 per cent beneficiaries responded in negative. Maximum number of such beneficiaries belonged to Narnaul and Dadri-II block. Only 40 per cent of the panchayat

functionaries had belief in the presence of the beneficiaries to promote transparency in implementation of the scheme.

4.2.11 Development Plan and Shelf of Works

1. According to Section 16(3)(4) of the Act, every Gram Panchayat is required to prepare a development plan¹³ and maintain a shelf of works and forward it to the Programme Officer for scrutiny and preliminary approval prior to the commencement of the year in which it is proposed. The investigator enquired the Panchayat functionaries whether they prepared development plan for the respective village before the beginning of the financial year and implemented the plan after necessary approvals.
2. All the Panchayat functionaries claimed that they draw up development plan in advance to be implemented during the year. They also claimed that in case of some situation warranting deviation from the plan, meeting of the Gram Sabha is convened where the necessity of deviation from the development plan is explained and the work is implemented in case it is consented to by the Gram Sabha and approved by the Programme Officer.

4.2.12 Records on Website

As per provision of the act, all facts and proceedings related to the Scheme will be available on MNREGA website which help in developing transparency at all stages. It has important benefit that the presence of data on website gives a platform for cross checking of records. In table 4.2.12, responses regarding updated records on website of MGNREGA exhibited and explained later.

As is clear from the table 4.2 12, all the panchayat functionaries responded that all the records of their gram panchayat related to MGNREGS provided to the block officers and data were updated regularly by block officials. The data was updated on weekly basis if the online system works properly. So, the transparency measure in concern of online data availability was completely followed by all the panchayat functionaries. The researcher also inquired about the records on MGNREGS website and found the responses of the panchayat functionaries were correct.

¹³ Development Plan is an Annual Work Plan that should comprise a shelf of projects for each village with administrative and technical approvals so that works can be started as soon as there is a demand for work.

Table-4.2.12

Distribution of Responses Regarding Records on Website of MGNREGS
N=12

Blocks	Whether You Update Records on Website		
	Yes	No	Total
Mahendergarh	2 (100.00)	0 (00.00)	2
Narnaul	2 (100.00)	0 (00.00)	2
Ambala-I	2 (100.00)	0 (00.00)	2
Ambala-II	2 (100.00)	0 (00.00)	2
Dadri-I	2 (100.00)	0 (00.00)	2
Dadri-II	2 (100.00)	0 (00.00)	2
Total	12 (100.00)	0 (00.00)	12

4.2.13 Grievance Redressal

An Ordinary Operating Technique has been designed resolve the issues during the implementation of the scheme. The new mechanism has developed to solve the complaints including financial and practical irregularities. To support the grievance redressal mechanism it is essential for the States to appoint an Ombudsman at the District-level.

The Ombudsmen are independent of the jurisdiction of the Central or State Government. The Ombudsman has the powers to receive complaints from MGNREGA workers and facilitate their disposal in accordance with law; issue directions for conducting spot investigation; lodge FIRs against the concerning parties; initiate proceedings; report his findings to the Chief Secretary of the State and the Secretary, State Nodal Department for appropriate action against concerning persons. Enforcement of the Right to employment requires setting up an effective grievance redressal system. The Act lies vests the responsibility for grievance redressal with the Programme Officer.

Table-4.2.13**Distribution of Responses Regarding Grievance Redressal****N=12**

Blocks	Whether any complaint filed against you		
	Yes	No	Total
Mahindergarh	1 (50.00)	1 (50.00)	2
Narnaul	2 (100.00)	0 (0.00)	2
Ambala-I	1 (50.00)	1 (50.00)	2
Ambala-II	0 (00.00)	2 (100.00)	2
Dadri-I	1 (50.00)	1 (50.00)	2
Dadri-II	2 (100.00)	0 (00.00)	2
Total	7 (58.33)	5 (41.67)	12

Note: Figures in parentheses represent percentages

The researcher obtained responses regarding this section from panchayat functionaries also. The responses regarding complaint filed against any panchayat functionary represented in table-4.2.13 and explained thereafter.

As is clear from table 4.2.13, 58.33 per cent panchayat functionaries responded in affirmative when they inquired about any complaint filed against them. Highest number of such panchayat functionaries belonged to Narnaul and Dadri-II block. Lowest number of such panchayat functionaries belonged to Ambala –II block. Further information about this section explained in section- 4.3.

4.3 Responses of District/ Block Officials

The Gram Panchayat is the single most important agency for executing works under the Scheme. The Act mandates earmarking a minimum of 50 per cent of the works in terms of costs to be executed by the Gram Panchayat. In addition to the Gram Panchayat, the Act envisages key role for the block and district level functionaries also. There has to be a Programme Officer at the block level and a District Programme Coordinator to ensure effective planning, implementation and supervision of the works under the Scheme. Several records that are either maintained

simultaneously at the Gram Panchayat level and by the block/ district levels or by the latter exclusively.

The investigator, therefore, decided to obtain the views of the Programme Officers of the six selected blocks and the District Programme Coordinators of Mahendergarh, Ambala, Bhiwani districts. Keeping in view the position and small number of this category of respondents, the investigator decided to interview them to obtain information and views about the implementation of the Scheme in the block/ district. The information and views so obtained are presented in the present section.

1. All the district and block officials stated that most of the provisions of the scheme are being followed except some provisions such as worksite facilities, disbursement of wages on weekly basis or not beyond fortnightly.
2. All the district and block officials claimed that the development plans and shelf of projects are prepared on annual basis and all the works under the Scheme are carried out as per the shelf. Like the Panchayat functionaries, they also claimed that in case of any deviation from the development plan, approval of the Gram Sabha and of the Programme Officer is obtained before executing the work.
3. All the district/ block officials stated that they conduct random supervision of the worksites usually once in a month.
4. All the district/ block officials of Mahendergarh and Bhiwani districts responded that they provided all the requirements for citizen information board at the worksites giving details of the sanctioned amount, work dimensions and other requisite details of work but they observed the presence of citizen information board at the worksites was negligible. On the other hand, the district/ block officials of Ambala district responded affirmative about presence of citizen information board at the worksites.
5. The Programme Officers of all the three districts stated that the records were regularly updated on the website as per the provisions of the act.
6. The district/ block officials of Ambala district stated that the social audits are conducted during Gram Sabha meetings. On the other hand district/ block officials of Mahendergarh and Bhiwani districts accepted that the records of social audit were regularly updated but there were slight loopholes in reality and all the officials denied about any complaint regarding social audit.
7. The block programme coordinator of Narnaul block of Mahendergarh district stated that they maintained complaint register previously but still it is online. All

the respondents admitted about receiving of complaints. They explained the main trends of such complaints regarding: questioning the measurement of works, fake beneficiaries, delay in payment of wages etc. which were sorted out satisfactorily.

8. The respondents admitted that despite their best efforts, in some of the cases payment of wages is not made within the stipulated period of 15 days. The reason behind delay in payment is stated to be technical problems such as delay in measurement and the overburden on the staff and lack of budget.
9. The district and block programme officers of all the three districts stated that they received about five to ten RTI in a financial year in context of MGNREGA. The applications were duly responded within a week if concerned with them otherwise forward it to the concerned. The trends of RTI's regarding MGNREGA were demand of information about payment of wages, periodicity thereof and about the payment of unemployment allowance, list of workers, amount sanctioned etc.
10. The district and block programme officers of all the three districts stated that the transparency and accountability measures are being followed after the use of online process on some extent but not fully.

Chapter-5

Conclusion & Suggestions

Poverty and unemployment in rural areas have been two major challenges India has been facing since independence. Several wage employment programmes were launched by the government from time to time with the specific object of eradicating poverty by providing employment to the people. Though each of these could boast of several successes to its credit and the administration might be worthy of some accolade, the fact is that the two problems have been persisting and even growing. The need of some more specific and concerted efforts was long felt and this culminated into the enactment of National Rural Employment Guarantee Act, 2005, which was later rechristened as Mahatma Gandhi National Rural Employment Guarantee Act.

The programme is different from the earlier ones as it is a right-based wage employment programme and makes the government lawfully responsible to provide at least 100 days employment in a financial year to every household whose adult members are willing to do unskilled manual work. It was the starting instance when a nation has enacted any law of this type which ensures livelihood security to rural households. The object and rationale of the law was the requirement to available a social safety net to the people who are residing in rural areas and facilitate them by creating assets that renew the resources which are the main desire of their livelihood.

The Scheme was launched in a phased manner. In the first instance, it was implemented in 200 most backward districts in India on February 6, 2006. In the second phase, it was launched in another 130 districts on April 1, 2007 and was extended to the remaining rural districts on April 1, 2008 in the third phase.

In Haryana, the scheme was implemented initially in two most backward districts of Haryana which were Mahendergarh and Sirsa, after that it was implemented in Ambala and Mewat districts and it was tossed in rest 17 districts¹ at the third stage. At least six years have passed since the scheme was implemented. The investigator, therefore, considered it appropriate to conduct a study of the performance of the Scheme. Mahendergarh, Ambala and Bhiwani districts of Haryana

¹ Seventeen districts of the state of Haryana where the Scheme was implemented in the third phase are: Bhiwani, Faridabad, Fatehabad, Gurgaon, Hisar, Jhajjar, Jind, Kaithal, Karnal, Kurukshetra, Palwal, Panchkula, Panipat, Rewari, Rohtak, Sonipat and Yamuna Nagar

state were chosen as a case where the Scheme was implemented in the first, second and third phase respectively.

Aggregate data obtained from the secondary sources was analysed in Chapter-3 and the sample statistics generated through primary sources was analysed in Chapter-4. On the basis of this analysis, following conclusions may be drawn:

5.1 Regional Variations in Implementations of the Scheme

On the basis of analysis of secondary data regarding implementation of the Scheme in Chapter-3, the following observations may be drawn:

1. Some of the states like Tamil Nadu, West Bengal and Uttar Pradesh etc. performed better while most of the north-eastern states lagged behind in the field of employment demanded and employment provided of the Scheme.
2. Uttar Pradesh was the state which performs better in Social Audit and Andhra Pradesh and Nagaland's performance was negligible in conducting social audit.
3. As per work status report of MGNREGS, Andhra Pradesh had performed better in works taken up but the performance of work completion was very low(0.63 per cent). Arunachal Pradesh had taken up lowest number of works and West Bengal had performed best in work completion.
4. Some of the districts in Haryana such as Hisar, Sirsa, Fatehabad performed better while some others like Gurgaon, Rewari, Faridabad etc. lagged behind in the employment demanded and provided. Sirsa and Panipat districts performed better in social audit and Kaithal, Karnal and Palwal district lagged behind in conducting social audit. Hisar and Sirsa districts performed better in completion of work and Faridabad and Gurgaon districts performance was not good in completion of work..
5. Some of the blocks in Mahendergarh district in Haryana such as Kanina and Nangal Chaudhary performed better in employment demanded and provided under the Scheme while some others like Sihma and Satnali etc. lagged behind in the implementation of the Scheme and in Ambala district Barara and Nariangarh blocks presented better performance and in Bhiwani district, Bhiwani and Tosham blocks were on top position in employment demanded and provided. .

6. Some of the blocks in Mahendergarh district in Haryana such as Narnaul, Mahendergarh and Nizampur performed better in conducting social audit and performance of Sihma block was on lowest position among all blocks of Mahendergarh district. Performance of Sahazadpur block of Ambala district was Satisfactory then rest of the five blocks. Only Bawani Khera and Siwani blocks of Bhiwani districts started conducting social audit under the scheme.
7. Kanina block of Mahendergarh district, Ambala-I block of Ambala district and Siwani block of bhiwani district performed better in work completion under the Scheme.

From the above it may be concluded that there exist regional variations in the implementation of the Scheme at all the three levels viz. at India level, in Haryana and in Mahendergarh, Ambala and Bhiwani districts of Haryana.

5.2 Level of Awareness

On the basis of analysis of data pertaining to the level of awareness of beneficiaries and panchayat functionaries about provisions of the Scheme in Chapter-4, following observations may be drawn:

1. About 85 per cent of the beneficiaries have low level of awareness and 11.11 per cent possesses moderate level of awareness. Only 3.34 per cent respondents have high level of awareness about the provisions of the Scheme (Section-4.1.1).
2. Two-third of the panchayat functionaries (75 per cent) had moderate level of awareness. Only 25 per cent of them possessed high level of awareness about the scheme (Section-4.2.1).

From the above it may be concluded that about more than three-fourth of the beneficiaries and two-third of the panchayat functionaries possess moderate level of information about the provisions of the Scheme.

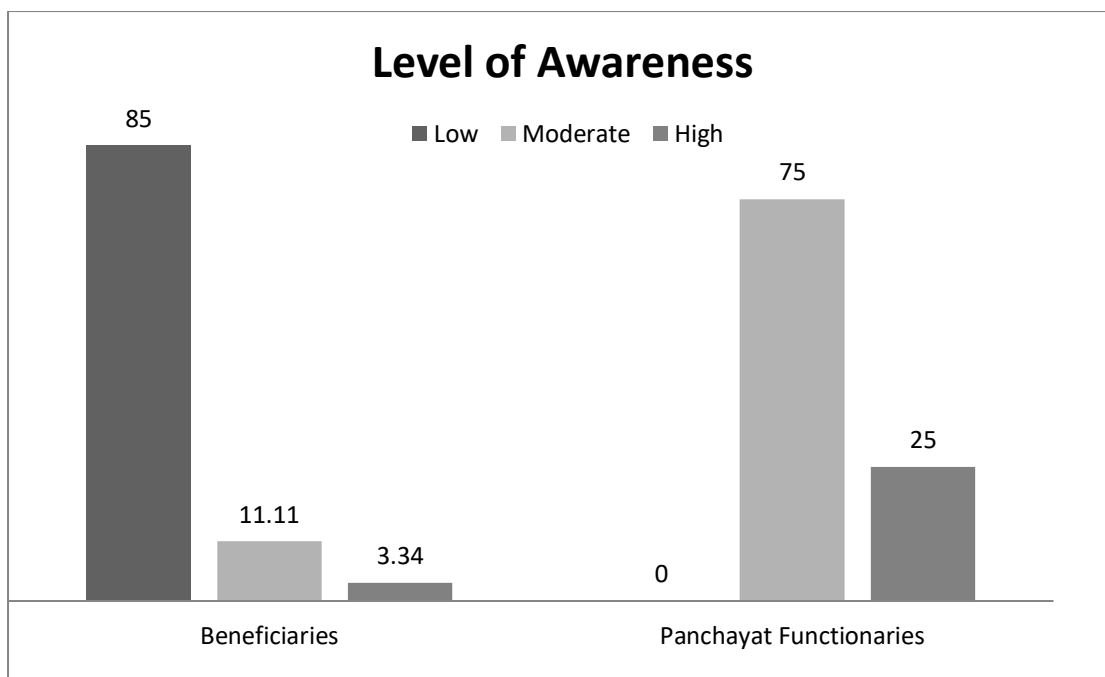


Figure: 5.1 Comparative Level of Awareness

5.3 Provisions of the Act and Implementation of the Scheme

On the basis of analysis of responses of the beneficiaries under the Scheme, panchayat functionaries and the district/ block officials in various sub-sections in Chapter-4 regarding implementation of the Scheme as per provisions of the MNREG Act, following observations may be drawn:

1. One-fourths of the beneficiary respondents reported that they were not issued job card. Ambala-II block was on the top position in issuing job cards to the households (section-4.1.2) whereas the panchayat functionaries of Dadri-II were on lowest position in issuing job cards to the households. . (Section-4.2.2).
2. The panchayat functionaries claimed that job cards could not be issued to those beneficiaries who do not cooperate. Thus, some of the beneficiaries do not furnish required documents such as copy of their ration card; the beneficiaries also do not turn up for photographs on the appointed day and time nor do they provide photographs of the adult members of the households. It was claimed that job cards could not be issued only in the case of such beneficiaries (Section-4.2.2).
3. About one-third of the respondents (32.22 per cent) were not provided work within the stipulated period of 15 days. Maximum number of such

respondents belonged to Mahindergarh block. All these respondents claimed that they were not paid any unemployment allowance. Also, all the beneficiaries admitted that they were provided work within 5 km radius of their village. Maximum number of beneficiaries of Ambala-I were provided work within fifteen days. Thus, the panchayat functionaries of Ambala-I block were more accountable in providing work to the beneficiaries. (Section-4.1.3). All the panchayat functionaries claimed that all the beneficiaries were provided work within the stipulated period of 15 days. So, there was no question of payment of unemployment allowance (Section-4.2.3).

4. About half of the beneficiaries and one-third (33.33 per cent) of the Sarpanches of the particular villages accepted the fact that they could not provide 100 days employment to the desired people and half of the functionaries (50 per cent) stated that they find it difficult to create work (Section-4.2.4).
5. Majority of the beneficiaries (77.22 per cent) did not receive payment of their wages within the stipulated period of a fortnight. None of the beneficiaries received payment of their wages on weekly basis while only 22.78 per cent of them were paid wages on fortnightly basis which belong to Ambala-I block. (Section-4.1.5).

66.67 per cent sarpanches self-confessed that payment of the work to the labourers was not done in the stipulated period of a fortnight. One - third of such functionaries attributed the delay to lengthy procedure and shortage of staff while the remaining two-thirds attributed it to technical problems (Section-4.2.5).

6. About one-third of the beneficiaries (37.78 per cent) responded that worksite facilities were not provided to them and majority of the remaining beneficiaries (73.21 per cent) told that at the name of worksite facilities only water was made available. Maximum worksite facilities were provided in Ambala-I block and Narnaul block was on lowest position in providing worksite facilities (Section-4.1.6). Panchayat functionaries gave lame excuses for not being able to provide worksite facilities, which were not convincing (Section-4.2.6).

From the above observations it may be concluded that while implementing the Scheme, there is violation of *at least* some of the provisions which is representing lack of transparency at implementation level. Therefore, the first hypothesis concerned with the awareness of the beneficiaries and the panchayat functionaries about the provisions of the Scheme has not been rejected.

5.4 Citizen Information Board

About one-third (32.22 per cent) of the beneficiaries responded that the citizen information board displayed on the work sites but three-fourth (74.13 per cent) of them were not accepted the display of complete information about work on it (Section-4.1.7). About 41 per cent of the panchayat functionaries responded affirmative in the presence of citizen information board at the work sites with complete information regarding the concerned work and all the panchayat functionaries of Ambala-II block claimed for presence of citizen information board. Rest of the panchayat functionaries gave lame excuses of financial assistance in that concern which representing their lack of accountability in implementation of the scheme. All the DDPO's and BDPO's of Mahindergarh and Bhiwani districts gave positive response that they made available all the necessities for citizen information board on the spot where work is going on having the details of the approved amount, work dimensions and related details of work but there was negligible appearance as per their observation about citizen information board at the worksites. On the other side, the district/ block officials of Ambala district replied affirmatively about existence of citizen information board at the work places.

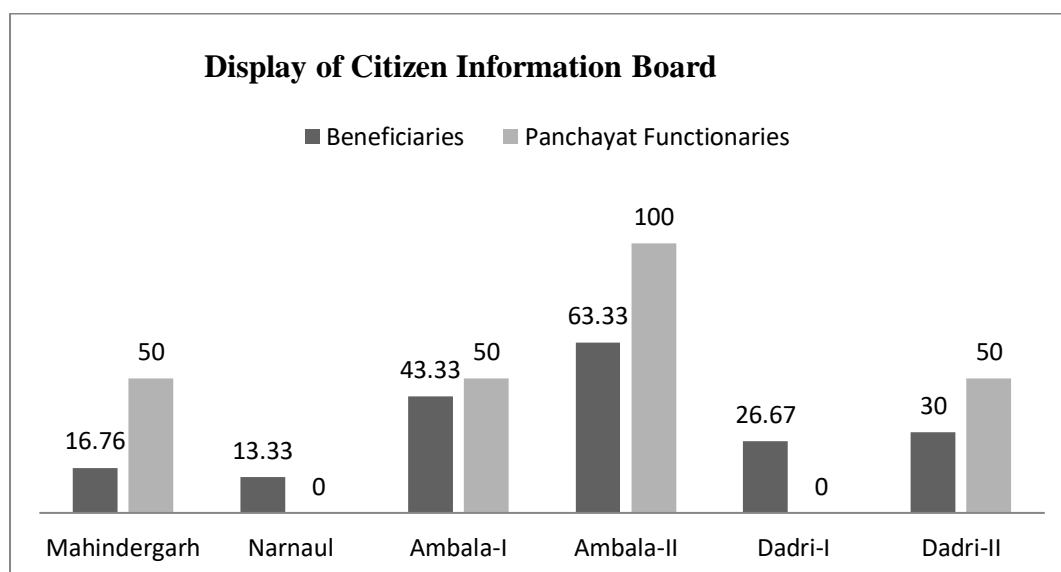


Figure: 5.2 Display of Citizen Information Board

5.5 Availability of muster roll

About two-third (62.22 per cent) of the beneficiaries claimed that the muster rolls were not available at the work sites (Section-4.1.9). Ambala-II block was on topmost and Mahindergerh block was on lowest position in availability of muster rolls on websites. On the other hand, 66.67 per cent of the panchayat functionaries accepted it that completion of muster roll on worksites is not possible and responded that due to online process we get only two copies of muster roll. We noted the attendances on zerox copies of muster roll because there was no scope for mistake in maintaining the muster roll. Narnaul and Dadri-II block legged behind in this process. About half of the panchayat functionaries accepted that availability of muster roll was not possible for public scrutiny because of safety point of view. So, one of the transparency measure was not being followed by the panchayat functionaries.

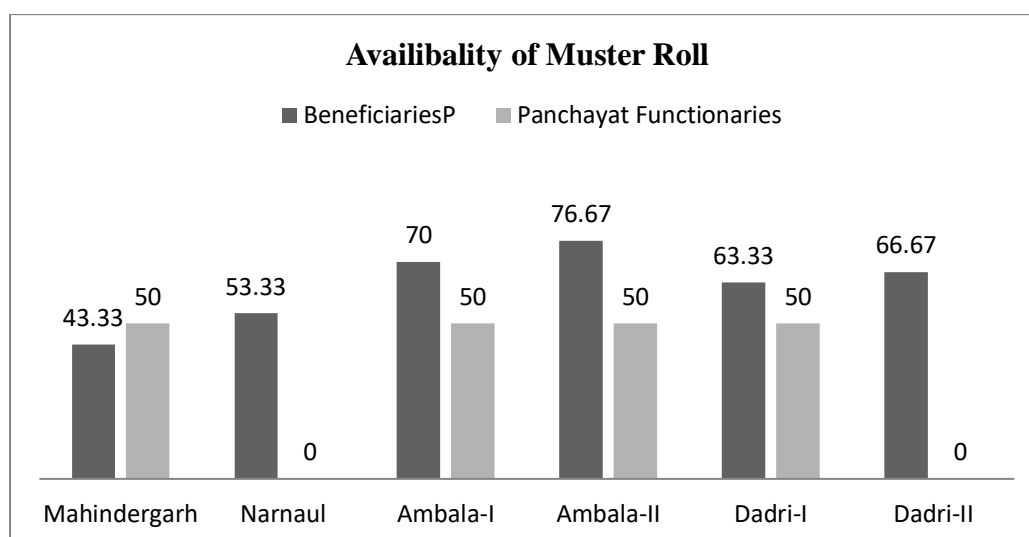


Figure: 5.3 Availibility of Muster Roll

5.6 Final measurement of the work

About three-fourth (74.44 per cent) of the beneficiaries denied their presence at the time of final measurement of work. Maximum number of such beneficiaries belonged to Narnaul block. About one-third of the panchayat functionaries also accepted it (Section-4.1.10). Maximum number of such beneficiaries belonged to Narnaul and Dadri-II block. The panchayat functionaries further explained that after prior information the beneficiaries did not show their interest in measurement of

completed work due to their personal reasons. Thus, we can say that the final measurement of the work was also not done on the basis of transparency measures.

5.7 Development Plans and Shelf of Projects

The panchayat functionaries claimed that development plans are prepared before the beginning of the financial year and prior approval of the gram sabha and the programme officer obtained in case of any deviations therein (Section-4.2.11). However, as explained in Section-4.2.3, 66.67 per cent panchayat functionaries responded in negative about providing 100 days employment to those who demanded it and half of such functionaries expressed their inability to create work for the employment seekers. In case development plans were prepared in advance, the gram panchayats would not have faced any difficulty in assigning work to the employment seekers.

Thus from the two contradictory responses, it seems that development plans were not prepared in advance in the villages under study. Therefore, the forth hypothesis of the study that the villages did not prepare the Shelf of projects for implementation of the Scheme could not be disproved.

5.8 Motivation by Panchayat Functionaries

About two-third (77.78 per cent) of the beneficiaries responded in affirmative that they were motivated by the panchayat functionaries to work under the scheme. Maximum number of such beneficiaries belonged to Ambala-I block. So, the panchayat functionaries of Ambala-I block were more accountable in motivating their beneficiaries.

5.9 Records on websites of MGNREGS

All the panchayat functionaries of sample blocks responded that they provide all the MGNREGS records of their gram panchayat to the block officials (Section-4.2.12). The block office updates the data regularly. So, the transparency measure in concern of online data availability was completely followed by all the panchayat functionaries. All the block and district officials also gave favorable response in updating records on websites. Thus the second hypothesis which is related

about to follow the provisions of the pro-active disclosure in implementation of the MGNREGS has been rejected.

Section B Social Audit

5.10 Social Audit

Even though the district/ block officials claimed otherwise, it seemed that social audit of the works undertaken under the Scheme was not ever regularly conducted in the villages under study. 45 per cent of the beneficiaries admitted that social audit did not conduct regularly in their gram panchayat (Section-4.1.8). Ambala-I block was on top position in conducting social audit. Two-third (66.67 per cent) of the panchayat functionaries even admitted that they did not conducted social audit regularly after at least six months (Section-4.2.8). Dadri-II block was on the lowest position in conducting social audit. Rest of the panchayat functionaries who regularly conducted social audit in their gram panchayat were further inquired about the agenda publicized, all the required records properly maintained than half of them were unable to show the properly maintained records (Section-4.2.8).

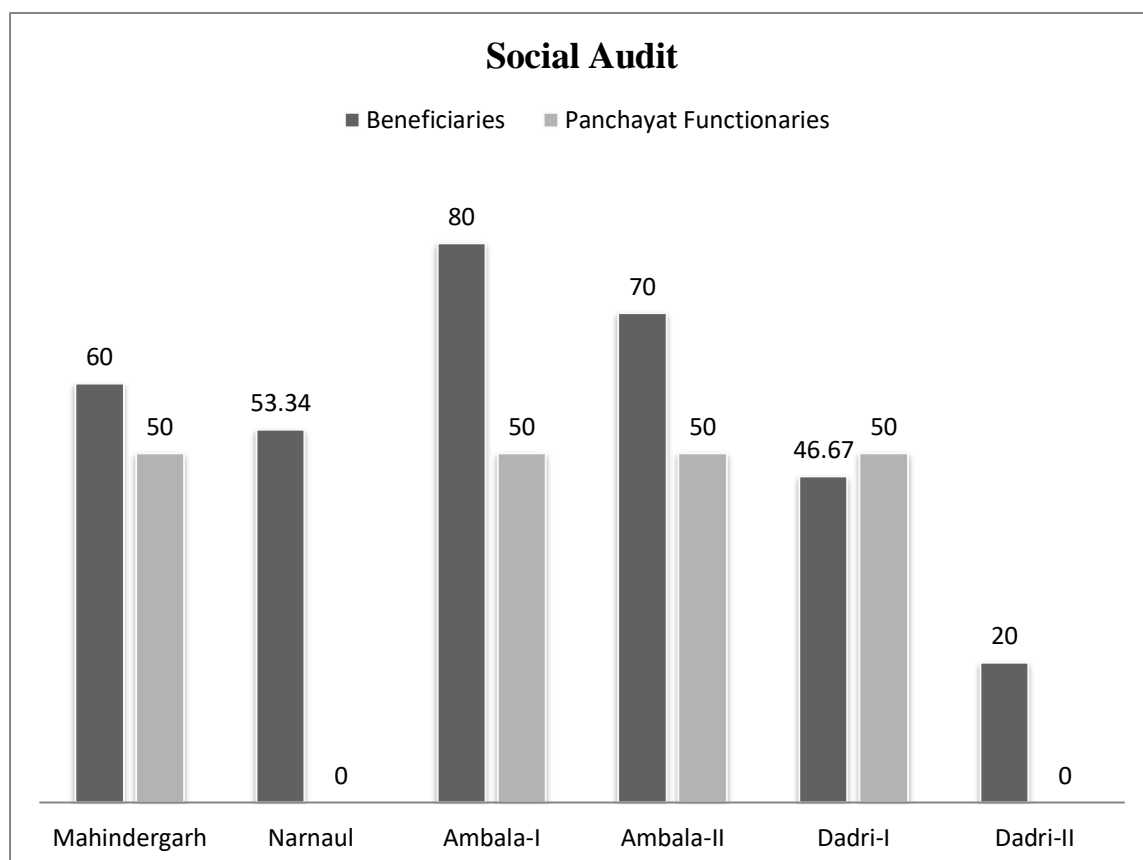


Figure: 5.4 Responses regarding Social Audit

Thus, the null hypothesis of the study “There is sufficient social accountability in MNREGS” could not be approved.

Section C Grievance Redressal

5.11 Grievance redressal

About 60 per cent panchayat functionaries gave answer in favorable manner when they asked about any complaint filed against them. They responded the trend of these complaints mainly about measurement of work and delay in payment of wages. The block and district officers responded in affirmative about maintaining the record of complaints, RTI and sought out according to prescribed time of the act. Maximum number of complaints filed in Narnaul and Dadri-II block which represented lack of transparency in implementation of the scheme. Thus, the sixth hypothesis which was related with proper monitoring of the complaint and redress machinery has been rejected.

SUGGESTIONS FOR THE PROPER IMPLEMENTATION OF MGNREGA:

Suggestions play an important role for guidance of future researchers. After going through the publicized findings of the study, following suggestions are made and some of the specific steps are required to address the vulnerabilities discussed earlier. Some of these vulnerabilities are relatively easy to remove. Following are some preliminary recommendations to start this process:-

- All the Panches. Sarpanches, Gram Sachivs, other officials, employees and beneficiaries should be given complete information about this act. So, the scheme could be implemented properly. Quality awareness campaigns with a focus on details of the provisions and entitlement of the scheme should be launched.
- Appointing full-time professionals for implementing MGNREGA at all levels which is extremely necessary to implement the scheme without any overburden of the other functions.
- Proper monitoring of the number of employment days generated should be made essential to ensure that the scheme does not fall behind the national average and the number of days should be increased so that economic standard of the beneficiaries could be raised.
- In order to ensure transparency in the implementation of MGNREGA works the Right to Information (RTI) can be used as effective weapon/check to curb malpractices/ corrupt tendencies. Almost inaccessible information regarding the cash memos, muster rolls of wage earners, vouchers is easily approachable. With the use of RTI people can have the power to seek explanation from officials if they detect any irregularity.
- All the records of the scheme should be computerized and all the information should be available on it's website with recent updates.
- It is strongly recommended to ensure the timely completion of the scheme, the mode of payment is universalized to wage payment through the bank and post office accounts.
- Specific efforts should be done to lessen the time gap between work done and payment received by rural laborers in MGNREGA.

- Apart from strengthening the existing provision of transparency, accountability and vigilance, an accountability provision for the PRI representatives also needs to be included in the guidelines. Moreover, the punitive provision needs to be made more comprehensive to ensure its effective functioning.
- Joint Workshops of Bureaucracy and PRIs should be organized to sensitize the bureaucrats and PRI functionaries towards their joint responsibilities and to inculcate mutual understanding, trust and a co-operative attitude wherever it is lacking.
- Management Information System (MIS) should be employed for effective monitoring of the scheme to check leakages and misappropriation of funds.
- To revise the schedule of wage rates periodically so that changes in statutory minimum rate of wages are made consistent with their revision.

SUMMARY

Poverty and unemployment in rural areas have been two major challenges India has been facing since independence. Several wage employment programmes were launched by the government from time to time with the specific object of eradicating poverty by providing employment to the people. Though each of these could boast of several successes to its credit and the administration might be worthy of some accolade, the fact is that the two problems have been persisting and even growing. The need of some more specific and concerted efforts was long felt and this culminated into the enactment of National Rural Employment Guarantee Act, 2005, which was later rechristened as Mahatma Gandhi National Rural Employment Guarantee Act.

This programme is different from the earlier ones as it is a right-based wage employment programme and makes the government legally accountable to provide employment for at least 100 days in a financial year to every household whose adult members volunteer to do unskilled manual work. It was for the first time that a country has enacted “a law of this nature and scale, guaranteeing livelihood security to rural households.”¹ The object and rationale of the law was “the need to provide a social safety net to rural households as well as to create assets that rejuvenate the natural resource base of their livelihood.”

The Scheme was launched in a phased manner. In the first instance, it was implemented in 200 most backward districts in India on February 6, 2006. In the second phase, it was launched in another 130 districts on April 1, 2007 and was extended to the remaining rural districts on April 1, 2008 in the third phase. In Haryana, it was implemented in Mahendergarh and Sirsa districts in the first phase, in Ambala and Mewat districts in the second phase and was launched in the remaining 17 districts² in the third phase. At least six years have passed since the scheme was implemented. The investigator, therefore, considered it appropriate to conduct a study on the performance of the Scheme and transparency and social accountability has an indispensable role to highlight the leakages in implementation of MNREGS.

¹ *National Rural Employment Guarantee Act (NREGA): Two Years 2006-08*, Report of the Ministry of Union Ministry of Rural Development, Government of India, New Delhi, p. 1

² Seventeen districts of the state of Haryana where the Scheme was implemented in the third phase are: Bhiwani, Faridabad, Fatehabad, Gurgaon, Hisar, Jhajjar, Jind, Kaithal, Karnal, Kurukshetra, Palwal, Panchkula, Panipat, Rewari, Rohtak, Sonapat and Yamuna Nagar

Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means information is freely available and directly assessable to those who will be affected by this decision. It also means that enough information is provided and in easy understandable forms and media³. Social accountability is important as it holds the service providing agencies accountable to citizens by providing accessible, affordable and quality service and on the other hand empowers citizens to demand their rights. Thus it is contributive to improved governance, increased development effectiveness through better service delivery.

Review:

Dreze Jean and Khera Retika (2008) revealed some alarming facts in their article “From Account to Accountability” regarding the bank payment by social audit conducted on 12-16 Oct., 2008 in five gram panchayats of Kron block in Deoghar districts in Jharkhand. The funds were siphoned off through the bank account of MNREGS workers in collusion with the bank staff. The contractors took the charge of work sanctioned under the scheme and they opened bank accounts in the name of labourers without their knowledge with the help from staff of the bank. Whenever the money was transfer in to bank account, the contractors, bank staff and panchayat sevek poket the money after payment to the labourers who had completed work. Bank payment had also led to an alarming neglect of other transparency safeguard such as muster rolls were no longer conducted at the work site. Thus to ends of the corruption transition of bank account require great attention of government and strict enforcement of all rules.⁴

Sudha Venu Menon (2008)⁵ in his article, “Right To Information Act and NREGA: Reactions on Rajasthan” attempts to explain the role of RTI in NREGA. Section one of the article explains RTI, its significance in giving transparency and accountability in NREGA, the procedures to be followed in using RTI, need for mass participation and role of civil society. Section two discusses the pioneering role of Aruna Roy and MKSS in Rajasthan for making RTI and NREGA a reality. Compare

³. Unescap, “What is Good Governanc?” http://www.unescap.org/pdd/prs/project_activites/ongoing/gg/governance.asp.

⁴. Dreze Jean and Khera Rectika, “From Account to Accountability”, The Hindu, Dec.6, 2008.

⁵ Sudha Venu Menon, “Right to Information Act and NREGA: Reactions on Rajasthan” MPRA Paper No. 7351, posted 27, February 2008, pp.1-13.

to other states, NREGA experiment was successful in Rajasthan mainly because of the mass awareness campaigns, muster roll verification, periodic social audit, active role of PRIs etc. The paper also highlight the achievements of NREGA in Rajasthan like checking migration to urban areas, Natural Resource Management include water conservation and harvesting structure, drought proofing, micro irrigation works, provision of irrigation facilities to land owned by SC/ST, rural connectivity, renovation of water bodies, and pasture land development. Concluding section recommends the need for linking RTI with NREGA and active participation of civil society organizations to check corruption and mis-management.

Aiyar Yamini and Samji Salimah (2009)⁶ documents the Andhra Pradesh experience and analyses the strength of social audit process in their article, “Transparency and Accountability in NREGA: A Case Study of Andhra Pradesh”. It was an empirical study aimed at measuring the effectiveness of social audits as an accountability mechanism. The study reveals the focusing the on the effectiveness of the social audit on labourers across three parameters: level of awareness of NREGS, the implementation process and grievance redressal. The researcher surveyed 840 laborers across three districts (Cuddaph, Khamam, Medak) of Andhra Pradesh asking the same set of questions to the same laborers thrice over a seven month period: Round 1, before the social audit to establish a baseline, round 2, one month after the social audit to determine immediate effect of exposure to a social audit and round 3, six month later to assess how the effects change over time. In addition a set of surveys were administered to 180 laborers one week after the social audit to gauge labor perception on the social audit process. The researcher observed significant jump in awareness level about NREGA which was only 39 per cent in the first round and raised to 98 per cent in the third round. The study elaborate that the job card entries increased from 39 per cent to 99 per cent and knowledge of laborers about wage payment slips was also increased from 62 per cent to 96 per cent. Improvements were also noticed in providing worksite facilities. A large number of laborers were now aware that the payment had to be made within 15 days of work completion. 82 per cent respondents of the study replied in affirmative in response of the social audit is an effective mechanism to resolve grievances. The study also found that 43 per cent respondents accepted people’s perceptions of their ability to influence officials

⁶ Aiyar Yamini and Samji Salimah, “Transparency and Accountability in NREGA: A Case Study of Andhra Pradesh”, Accountability Initiative, Working Paper No1, February 2009, p.1-27.

changed consequent to the social audit. Thus the study reveals interesting insights into the effectiveness of regular, sustained social audits in integrating accountability mechanisms into the state apparatus.

Objectives

Following are the prominent objectives of the study

1. To know whether the Scheme is being implemented as per the provisions of the Act.
2. To know whether the provisions of MNREGS in pro-active disclosure are being followed.
3. To investigate the measures of transparency in process of implementation of the MNREGS.
4. To know whether the works under the Scheme are done according to the shelf of projects.
5. Understanding the level of social accountability through the implementation of social audit in MGNREGS.
6. To know whether the monitoring of the complaint and redress machinery are properly followed in Haryana.

Hypothesis:

It is proposed to test the following hypothesis:

1. The beneficiaries and the panchayat functionaries are not aware about the provisions of the Scheme.
2. The provisions of pro-active disclosure are not followed in the implementation of MGNREGS.
3. There is lack of adequate transparency in implementation of the scheme.
4. Shelf of projects for implementation of the Scheme is not prepared in the villages under study.
5. There is sufficient social accountability in MNREGS.
6. There is lack of proper monitoring of the complaint and redress machinery.

Study Area

The study is carried out in Haryana. However, the study is confined to Mohindergarh, Ambala and Bhiwani districts of Haryana where the scheme is implemented in first, second and third phase. Using multistage sampling the study

area is selected. The districts have eight⁷, six⁸ and ten blocks⁹ respectively. In the first instance, out of Twenty four blocks six blocks, where maximum numbers of gram panchayats lie were selected (i.e. – two from each district). Twelve villages are selected from these six blocks (two from each block), Where maximum work was done under the scheme, were selected on the second stage. On third stage, 180 beneficiaries are selected from the villages where maximum number of households provided employment (every fourth beneficiary from the muster roll). It has been an empirical study; primary data was generated with the help of interview schedules, interviewing the concerned district officials as also by way of observation method.

Research Methodology

The present study is a study conducted in Mahendergarh, Ambala and Bhiwani districts of Haryana. It has been an empirical study. For the selection of beneficiary respondents multi-stage sampling is followed. In the first stage six blocks thereafter two villages from each block (twelve villages in all) selected respectively. 180 beneficiaries are selected from the villages through purposive sampling where maximum number of households provided employment (every fourth beneficiary from the muster roll). Since gram panchayat have a pivotal role in the formulation, implementation and supervision of the scheme, the investigator also obtain data and information from the panchayat functionaries of the twelve¹⁰ selected villages, six BDPO's of selected blocks and the district programme officers of three districts.

Data is collected both from primary and secondary sources. Primary data is collected from beneficiaries, panchayat functionaries, BDPO's and DPO's of selected districts. The primary data obtained with the help of interview schedules. One of the interview schedule administered to the beneficiaries of MGNREGS of the selected villages, second administered to the panchayat functionaries of the selected villages

⁷ Mahendergarh district of Haryana comprises of eight blocks: (1) Ateli Nangal (ii) Kanina (iii) Mahendergarh (iv) Nangal Chaudhary (v) Narnaul (vi) Nizampur (vii) Satnali (viii) Sihma. Of these eight blocks, following two have been selected: (i) Mahendergarh (ii) Narnaul

⁸ Ambala district of Haryana comprises six blocks: (i) Ambala-I (ii) Ambala-II (iii) Barara (iv) Naraingarh (v) Saha (vi) Shahzadpur. Of these six blocks, following two have been selected: (i) Ambala-I (ii) Ambala-II

⁹ Bhiwani district of Haryana comprises following ten blocks: (i) Behal, (ii) Bhiwani, (iii) Dadri I, (iv) Dadri II, (v) Siwani, (vi) Tosham, (vii) Kairu, (viii) Loharu, (ix) Bawani Khera and (x) Badhra. Of these ten blocks, following two have been selected: (i) Dadri-I, (ii) Dadri-II

¹⁰. Twelve villages that have been randomly selected include: (i) Pali (ii) Khudana, (iii) Nasibpur, (iv) Lahrodha, (v) Nadiyali, (vi) Nanhera, (vii) Kaunla, (viii) Manglai, (ix) Rawaldhi, (x) Baund Kalan (xi) Mankawas, (xii) Sahuwas

and interview method is adopted to obtain data from the BDPO's and DPO's of concerned districts. The data so obtained has been systematized, tabulated and analyzed with the help of percentage method.

Conclusion & Suggestion:

The sample statistics generated through primary sources was analysed. On the basis of this analysis, following conclusions may be drawn:

1. Regional Variations in Implementations of the Scheme

On the basis of analysis of secondary data regarding implementation of the Scheme in Chapter-3, the following observations may be drawn:

1. Some of the states like Tamil Naidu, West Bengal and Uttar Pradesh etc. performed better while most of the north-eastern states legged behind in the field of employment demanded and employment provided of the Scheme.
2. Uttar Pradesh was the state which performs better in Social Audit and Andhra Pradesh and Nagaland's performance was negligible in conducting social audit.
3. As per work status report of MGNREGS, Andhra Pradesh had performed better in works taken up but the performance of work completion was very low(0.63 per cent). Arunachal Pradesh had taken up lowest number of works and West Bengal had performed best in work completion.
4. Some of the districts in Haryana such as Hisar, Sirsa, Fatehabad performed better while some others like Gurgaon, Rewari, Faridabad etc. legged behind in the employment demanded and provided. Sirsa and Panipat districts performed better in social audit and Kaithal, Karnal and Palwal district legged behind in conducting social audit. Hisar and Sirsa districts performed better in completion of work and Faridabad and Gurgoon districts performance was not good in completion of work..
5. Some of the blocks in Mahindergarh district in Haryana such as Kanina and Nangal Chaudhary performed better in employment demanded and provided under the Scheme while some others like Sihma and Satnali etc. legged behind in the implementation of the Scheme and in Ambala district Barara and Nariangarh blocks presented better performance and in

Bhiwani district, Bhiwani and Tosham blocks were on top position in employment demanded and provided. .

6. Some of the blocks in Mahendergarh district in Haryana such as Narnaul, Mahendergarh and Nizampur performed better in conducting social audit and performance of Sihma block was on lowest position among all blocks of Mahendergarh district. Performance of Sahazadpur block of Ambala district was Satisfactory then rest of the five blocks. Only Bawani Khera and Siwani blocks of Bhiwani districts started conducting social audit under the scheme.
7. Kanina block of Mahendergarh district, Ambala-I block of Ambala district and Siwani block of bhiwani district performed better in work completion under the Scheme.

From the above it may be concluded that there exist regional variations in the implementation of the Scheme at all the three levels viz. at India level, in Haryana and in Mahendergarh, Ambala and Bhiwani districts of Haryana.

2. Level of Awareness

On the basis of analysis of data pertaining to the level of awareness of beneficiaries and panchayat functionaries about provisions of the Scheme in Chapter-4, following observations may be drawn:

1. About 85 per cent of the beneficiaries have low level of awareness and 11.11 per cent possesses moderate level of awareness. Only 3.34 per cent respondents have high level of awareness about the provisions of the Scheme (Section-4.1.1).
 2. Two-third of the panchayat functionaries (75 per cent) had moderate level of awareness. Only 25 per cent of them possessed high level of awareness about
- From the above it may be concluded that about more than three-fourth of the beneficiaries and two-third of the panchayat functionaries possess moderate level of information about the provisions of the Scheme.

3. Provisions of the Act and Implementation of the Scheme

On the basis of analysis of responses of the beneficiaries under the Scheme, panchayat functionaries and the district/ block officials in various sub-sections in Chapter-4 regarding implementation of the Scheme as per provisions of the MNREG Act, following observations may be drawn:

1. One-fourths of the beneficiary respondents reported that they were not issued job card. 0041mbala-II block was on the top position in issuing job cards to the households (section-4.1.2) whereas the panchayat functionaries of Dadri-II were on lowest position in issuing job cards to the households. . (Section-4.2.2).
2. The panchayat functionaries claimed that job cards could not be issued to those beneficiaries who do not cooperate. Thus, some of the beneficiaries do not furnish required documents such as copy of their ration card; the beneficiaries also do not turn up for photographs on the appointed day and time nor do they provide photographs of the adult members of the households. It was claimed that job cards could not be issued only in the case of such beneficiaries (Section-4.2.2).
3. About one-third of the respondents (32.22 per cent) were not provided work within the stipulated period of 15 days. Maximum number of such respondents belonged to Mahindergarh block. All these respondents claimed that they were not paid any unemployment allowance. Also, all the beneficiaries admitted that they were provided work within 5 km radius of their village. Maximum number of beneficiaries of Ambala-I were provided work with in fifteen days. Thus, the panchayat functionaries of Ambala-I block were more accountable in providing work to the beneficiaries. (Section-4.1.3). All the panchayat functionaries claimed that all the beneficiaries were provided work within the stipulated period of 15 days. So, there was no question of payment of unemployment allowance (Section-4.2.3).
4. About half of the beneficiaries and one-third (33.33 per cent) of the panchayat functionaries from selected villages admitted that they could not provide 100 days of work to the unemployed and half of the functionaries (50 per cent) stated that they find it difficult to create work (Section-4.2.4).
5. Majority of the beneficiaries (77.22 per cent) did not receive payment of their wages within the stipulated period of a fortnight. None of the beneficiaries received payment of their wages on weekly basis while only 22.78 per cent of them were paid wages on fortnightly basis which belong to Ambala-I block. (Section-4.1.5).

66.67 per cent of the panchayat functionaries admitted that wages to the labourers could not be paid within the stipulated period of a fortnight. One -third of such functionaries attributed the delay to lengthy procedure and shortage of staff while the remaining two-thirds attributed it to technical problems (Section-4.2.5).

6. About one-third of the beneficiaries (37.78 per cent) stated that no worksite facility was provided to them and vast majority of the remaining beneficiaries (73.21 per cent) stated that only water was made available in the name of worksite facilities. Maximum worksite facilities were provided in Ambala-I block and Narnaul block was on lowest position in providing worksite facilities (Section-4.1.6). Panchayat functionaries gave lame excuses for not being able to provide worksite facilities, which were not convincing (Section-4.2.6).

From the above observations it may be concluded that while implementing the Scheme, there is violation of *at least* some of the provisions which is representing lack of transparency at implementation level.

4. Citizen Information Board

About one-third (32.22 per cent) of the beneficiaries responded that the citizen information board displayed on the work sites but three-fourth (74.13 per cent) of them were not accepted the display of complete information about work on it (Section-4.1.7). About 41 per cent of the panchayat functionaries responded affirmative in the presence of citizen information board at the work sites with complete information regarding the concerned work and all the panchayat functionaries of Ambala-II block claimed for presence of citizen information board. Rest of the panchayat functionaries gave lame excuses of financial assistance in that concern which representing their lack of accountability in implementation of the scheme. All the district/ block officials of Mahindergarh and Bhiwani districts responded that they provided all the requirements for citizen information board at the worksites giving details of the sanctioned amount, work dimensions and other requisite details of work but they observed the presence of citizen information board at the worksites was negligible. On the other hand, the district/ block officials of Ambala district responded affirmative about presence of citizen information board at the worksites.

5. Availability of muster roll

About two-third (62.22 per cent) of the beneficiaries claimed that the muster rolls were not available at the work sites (Section-4.1.9). Ambala-II block was on topmost and Mahindergerh block was on lowest position in availability of muster rolls on websites. On the other hand, 66.67 per cent of the panchayat functionaries accepted it that completion of muster roll on worksites is not possible and responded that due to online process we get only two copies of muster roll. We noted the attendances on zerox copies of muster roll because there was no scope for mistake in maintaining the muster roll. Narnaul and Dadri-II block lagged behind in this process. About half of the panchayat functionaries accepted that availability of muster roll was not possible for public scrutiny because of safety point of view.

6. Final measurement of the work

About three-fourth (74.44 per cent) of the beneficiaries denied their presence at the time of final measurement of work. Maximum number of such beneficiaries belonged to Narnaul block. About one-third of the panchayat functionaries also accepted it (Section-4.1.10). Maximum number of such beneficiaries belonged to Narnaul and Dadri-II block. The panchayat functionaries further explained that after prior information the beneficiaries did not show their interest in measurement of completed work due to their personal reasons. Thus, we can say that the final measurement of the work was also not done on the basis of transparency measures.

7. Development Plans and Shelf of Projects

The panchayat functionaries claimed that development plans are prepared before the beginning of the financial year and prior approval of the gram sabha and the programme officer obtained in case of any deviations therein (Section-4.2.11). However, as explained in Section-4.2.3, 66.67 per cent panchayat functionaries admitted that they could not provide 100 days employment to those who demanded it and half of such functionaries expressed their inability to create work for the employment seekers. In case development plans were prepared in advance, the gram panchayats would not have faced any difficulty in assigning work to the employment seekers.

Thus from the two contradictory responses, it seems that development plans were not prepared in advance in the villages under study.

8. Motivation by Panchayat Functionaries

About two-third (77.78 per cent) of the beneficiaries responded in affirmative that they were motivated by the panchayat functionaries to work under the scheme. Maximum number of such beneficiaries belonged to Ambala-I block. So, the panchayat functionaries of Ambala-I block were more accountable in motivating their beneficiaries.

9. Records on websites of MGNREGS

All the panchayat functionaries of sample blocks responded that they provide all the MGNREGS records of their gram panchayat to the block officials (Section-4.2.12). The block office updates the data regularly. So, the transparency measure in concern of online data availability was completely followed by all the panchayat functionaries. All the block and district officials also gave favorable response in updating records on websites.

Section B Social Audit

10. Social Audit

Even though the district/ block officials claimed otherwise, it seemed that social audit of the works undertaken under the Scheme was not ever regularly conducted in the villages under study. 45 per cent of the beneficiaries admitted that social audit did not conduct regularly in their gram panchayat (Section-4.1.8). Ambala-I block was on top position in conducting social audit. Two-third (66.67 per cent) of the panchayat functionaries even admitted that they did not conducted social audit regularly after at least six months (Section-4.2.8). Dadri-II block was on the lowest position in conducting social audit. Rest of the panchayat functionaries who regularly conducted social audit in their gram panchayat were further inquired about the agenda publicized, all the required records properly maintained than half of them were unable to show the properly maintained records (Section-4.2.8).

Section C Grievance Redressal

11. Grievance redressal

About 60 per cent panchayat functionaries responded in affirmative about any complaint filed against them. They responded the trend of these complaints mainly about measurement of work and delay in payment of wages. The block and district officers responded in affirmative about maintaining the record of complaints, RTI and sought out according to prescribed time of the act. Maximum number of complaints

filed in Narnaul and Dadri-II block which represented lack of transparency in implementation of the scheme.

SUGGESTIONS FOR THE PROPER IMPLEMENTATION OF MGNREGA:

Keeping in view the revealed findings and conclusions drawn, following suggestions are made and some of the specific steps are required to address the vulnerabilities discussed earlier. Some of these vulnerabilities are relatively easy to remove. Following are some preliminary recommendations to start this process:-

- All the Panches, Sarpanches, Gram Sachivs, other officials, employees and beneficiaries should be given complete information about this act. So, the scheme could be implemented properly. Quality awareness campaigns with a focus on details of the provisions and entitlement of the scheme should be launched.
- Appointing full-time professionals for implementing MGNREGA at all levels which is vitally necessary to implement the scheme without any overburden of the other functions.
- Proper monitoring of the number of employment days generated should be made essential to ensure that the scheme does not fall behind the national average and the number of days should be increased so that economic standard of the beneficiaries could be raised.
- In order to ensure transparency in the implementation of MGNREGA works the Right to Information (RTI) can be used as effective weapon/check to curb malpractices/ corrupt tendencies. Almost inaccessible information regarding the cash memos, muster rolls of wage earners, vouchers is easily approachable. With the use of RTI people can have the power to seek explanation from officials if they detect any irregularity.
- All the records of the scheme should be computerized and all the information should be available on its' website with recent updates.
- It is strongly recommended to ensure the timely completion of the scheme, the mode of payment is universalized to wage payment through the bank and post office accounts.
- Specific efforts should be made to reduce the time gap between work done and payment received by rural labourers in MGNREGA.

- Apart from strengthening the existing provision of transparency, accountability and vigilance, an accountability provision for the PRI representatives also needs to be included in the guidelines. Moreover, the punitive provision needs to be made more comprehensive to ensure its effective functioning.
- Management Information System (MIS) should be employed for effective monitoring of the scheme to check leakages and misappropriation of funds.
- To revise the schedule of wage rates periodically so that changes in statutory minimum rate of wages are made consistent with their revision.

Chapter Outline

The study has been conducted and organized in five chapters. The details of the chapters are given below:

Chapter 1 Introduction

This chapter gives an insight on concepts of transparency and social accountability. It highlights different employment generation programmes of India. It explains phases of MGNREGA implementation. The chapter introduces major challenges in implementation of MGNREGS. It also provides a summary of literature referred by the researcher related to the field of study. Along with this, the objectives of the study, hypothesis of the study and the research methodology adopted by the researcher has been mentioned.

Chapter 2 Mahatama Gandhi National Rural Employment Guarantee Act

This Chapter gives a theoretical background of the act. It gives a brief insight about the objectives, goals, coverage, paradigm shift, features of the act and institutional role in its implementation. It also provides a brief description on New Initiatives: Mahatma Gandhi NREGA Operational Guidelines, Fourth edition 2013. The chapter discusses the pillars of transparency and accountability.

Chapter 3 Aggregate Data Analysis

The chapter gives a theoretical detail of Socio-economic and political background of sample districts. The chapter discussed aggregate data analysis of

India, Haryana and sample districts in concern of employment demanded and employment provided, social audit, work status and grievance redressal.

Chapter 4 Data Analysis

This chapter is based on primary data analysis and interpretation of responses of beneficiaries, Panchayat Functionaries of the selected six blocks of three districts. The researcher has made an attempt to collect data from the beneficiaries through an interview schedule. Responses of the information beneficiaries on awareness, provisions of the act, citizen information board, availability of muster roll, final measurement of work, shelf of projects, motivation by the panchayat functionaries, records on website and social audit is analyzed in first section of the chapter. Second section deals with responses of Panchayat Functionaries for ensuring transparency and accountability at the implementation level of the act. In third section of the chapter, the responses of the BDPO's and DPO's have discussed.

Chapter 5 Conclusion and Suggestions

In this chapter conclusion and findings are made by way of summing up the observations made in chapter 3 and chapter 4 based on the analysis of the information collected from secondary data and primary data drawn on the basis of interview Schedule from the beneficiaries of MGNREGS and through interview from the panchayat functionaries and BDPO's & DPO's of the selected districts. The suggestions are given by the researcher after analysis of secondary data and responses of selected respondents.

(Signature of the Supervisor)

(Signature of the Candidate)

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Schedule-I

(Administered to Beneficiaries under MNREG Scheme)

Name	Village:
Block	District
1	Have you any knowledge about MNREGS features? If yes, kindly indicate some basic features of the scheme.	Yes/ No	
			1.
			2.
			3.
			4.
			5.
2	Did you ever seek work under MNREGS? If yes, in which year?	Yes/ No	
3	In how many works done by village panchayat under MNREGS had you participated?		
4	If you applied for work in writing, was a dated receipt thereof provided to you?	Yes/ No	
5	Was Job Card issued to you?	Yes/ No	
6	Were you provided work under the scheme?	Yes/ No	
7	If yes, how long after you filed written application for work?	
8	Whether wages were paid on weekly basis?	Yes/ No	
9	Whether you were provided work for 100 days under the scheme during one year?	Yes/ No	
	If not, what was the periodicity of payment of wages?	
10	Whether worksite existed within 5 km radius of your village?	Yes/ No	
11	If not, whether you were paid any extra wages?	Yes/No	

- | | | |
|----|--|-------------------------------|
| 12 | Whether there some worksite facilities existed? | Yes/ No |
| 13 | If yes, which facilities were provided? | 1.
2.
3. |
| 14 | Was there any citizen information board at the work site giving details of the sanctioned amount, work dimensions and other requisite details? | Yes/No |
| 15 | Was the social audit at the gram sabha meetings held at least once in every six months? | Yes/ No |
| 16 | Was the date, time, agenda of the social audit widely publicized so as to ensure maximum participation? | Yes/ No |
| 17 | Was there any issue raised in social audit meetings? If yes, what was the number? | Yes/ No |
| 18 | Was the 'action taken report' relating to the previous Social audit read out in the beginning? | Yes/ No |
| 19 | Was the muster roll complete at the worksites? | Yes/ No |
| 20 | Was the muster roll available for public scrutiny all times at the work sites? | Yes/ No |
| 21 | Was the final measurement of the work done by the JE in the presence of the workers? | Yes/ No |
| 22 | Was the shelf of projects prepared in gram sabha? | Yes/ No |
| 23 | Have you motivated by the gram panchayat to get benefit under the scheme? | Yes/ No |
| 24 | Was there any complaint filed by you under this scheme? If yes, what was the concern? | Yes/No
..... |

Schedule-II
(Administered to Panchayat Functionaries)

Name District/Block
Gender/ Age Village:

No	Item/ Question	Responses
1	When was MNREGS implemented in your village? From when you are associated with MNREGS?
2	Kindly indicate some basic features of the scheme.	1. 2. 3. 4. 5.
3	How many households demanded work under MNREGS in your village during the last two years?
4	Have you issued job cards to all the households who applied for work?	Yes/ No
5	Have all the job cards updated?	Yes/ No
6	During the last two years, could your Gram Panchayat provide work to all the Job Card holders?	Yes/ No
7	If not, is there any specific reason behind this? Kindly elaborate	Yes/ No
8	How many Job Card holders were provided work within the stipulated period of 15 days after receipt of request seeking work during the last three years? Yes/ No

- | | | |
|----|---|------------------|
| 9 | Whether all the Job Card holders were provided work within 5 km radius of the village? | Yes/ No |
| 10 | Were all the job card holders provided work for stipulated period of at least 100 days in a year? If no, what was the reason? | Yes/ No
..... |
| 11 | Were you provided wages through bank /post office? | Yes/ No
..... |
| 12 | What had been the periodicity of payment of wages to the workers in your gram panchayat? | |
| 10 | Whether you had provided the work site facilities at the work sites? If yes, kindly elaborate. | Yes/ No
..... |
| 11 | Have you displayed the citizen information board at the worksites giving details of the sanctioned amount, work dimensions and other requisite details? | Yes/ No |
| 12 | Was the social audit at the gram sabha meetings held at least once in every six months? | Yes/ No |
| 13 | Was the date, time, agenda of the social audit widely publicized so as to ensure maximum participation? | Yes/ No |
| 14 | Was there any issue raised in social audit meetings? If yes, what was the number? | Yes/ No |
| 15 | Was the 'action taken report' relating to the previous Social audit read out in the beggning? | Yes/ No |
| 16 | Whether the muster rolls complete on the worksites? | Yes/ No |
| 17 | Were the muster rolls available for public scrutiny at all times at the worksite? | Yes/ No |
| 18 | Was the final measurement of the work done by the JE in the presence of workers? | Yes/ No |
| 19 | Was the shelf of projects prepared in gram sabha? | Yes/ No |

- | | | |
|----|--|---------|
| 20 | Had you motivate the villagers to get benefit under the scheme? | Yes/ No |
| 21 | Had you upload records on websites regularly as per the provisions of the act? | Yes/ No |
| 22 | Was there any complaint filed against you under this scheme? | Yes/ No |
| 23 | Do you face any difficulties in implementing the scheme? | Yes/ No |

Indicative Questions for Interviewing BDPOs/ DDPO

1. Have you visited any work site under MNREGS during last six months?
2. Do you believe that all the provisions of the scheme are being followed in your block/ district?
3. During the last one year was shelf of projects prepared in your district on an annual basis?
4. Did you regularly supervise the work sites?
Weekly.....; Fortnightly.....; Monthly.....;
If not, what have been the reasons thereof?
6. If yes, do you believe all the works under MNREGA in your district/ block were carried out as per the shelf?
7. Was there a citizen information board at the work site giving details of the sanctioned amount, work dimensions and other requisite details?
8. Did the records regularly updated on websites as per the provisions of the act?
9. Was the social audit at the gram sabha meetings held at least once in every six months?
Did you receive any complaints regarding social audit against any Gram Panchayat?
11. If yes, have you filed the complaint in complaint register?
12. What was the concern of the complaint? How many days you had taken for the disposal of complaints?
14. What was the periodicity of payment of wages in your district/ block?
15. Did your office receive any RTI in context of MNREGA? If yes, what are the numbers and their trends?

Implementation of MNREGS: A Case Study of Bhiwani District

Ruchika[≠]

Abstract

Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) is considered as a “Silver Bullet” for eradicating rural poverty and unemployment, by way of generating demand for productive labour force in villages. The Act aims at enhancing livelihood security of households in rural areas of the country by providing at least one hundred days of guaranteed wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work. Thus, the present study attempts to critically examine the implementation process of this programme. Lack of awareness among the beneficiaries and panchayat functionaries about the provisions of the scheme has observed. Social audit is discouraged by the panchayat functionaries. Delay in payment of wages is also found in the research area. So, the paper has an attempt to review the performance of MNREGA as the main objective of this paper.

Keywords: MGNREGA, Rural Employment, Households, Social audit, Awareness.

Introduction

After independence India, therefore, ushered into the era of planned development and one of the major thrust of the successive Five Year Plans has been to generate employment opportunities so that the problem of unemployment might be tackled. Various programmes launched during the plan period to create employment opportunities such as: The Rural Manpower Programme (RMP), The Crash Scheme for Rural Employment (CSRE), Pilot Intensive Rural Employment Programme (PIREP), Employment Guarantee Scheme of Maharashtra, Training Rural Youth for Self Employment (TRYSEM), National Rural Employment Programme (NREP), Rural landless Employment Guarantee Programme (RLEGP), Jawahar Rozgar Yojana (JRY), Swarana Jayanti Shahari Rozgar Yojana (SJSRY), Swaran Jayanti Gram

Swarozgar Yojna (SGSY), Sampoorna Grameen Rozgar Yojana (SGRY), National Food for Work Programme (NFFWP) etc.

The Employment Guarantee Bill 2004, which was a part of Common Minimum Programme was introduced in Parliament by United Progressive Alliance (UPA) government in December 2004. After having an intense debate on its desirability and feasibility, it was passed on 23 August 2005 and was launched on February 2, 2006 in two hundred most backward districts and was to be extended to all over the country within five year in the phased manner.¹

Centrally sponsored wage employment programmes, self-targeting in nature, were implemented to provide livelihood security by engaging labor on public works. The significance of MNREGA lies in the fact that it creates a right-based framework for wage employment programmes and makes the government legally accountable for providing employment to those who ask for it at the statutory minimum wages of Rs. 60 per day. This Act was introduced with an aim of improving the purchasing power of the rural people, primarily semi or unskilled work to people living in rural India whether or not they are below the poverty line. About one-third of the stipulated work force is women. It was initially called NREGA but was renamed on October 2, 2009 as Mahatma Gandhi National Rural Employment Guarantee Act.

Mahatma Gandhi National Rural Employment Guarantee Scheme is a holistic measure aimed at fulfilling one of the most important human rights viz. 'right to employment' by providing at least 100 days guaranteed employment to those who are willing and offer to do unskilled work. Now that the Act has been in existence for the last more than four years, it is high time to examine the performance of the Scheme and the present work is an endeavour in that direction. In the present paper an attempt has been made to analyse the implementation of MNREGS in Bhiwani district of Haryana state where the Scheme was implemented in the third phase i.e., on April 1, 2008. The study has been conducted during the year 2009-10. It has been an empirical

¹ *Report of the Second Year 2006-07, National Rural Employment Guarantee Act 2005, Ministry of Rural Development, Government of India, New Delhi, p. 1.*

study; primary data was generated with the help of interview schedules, interviewing the concerned district officials as also by way of observation method.

Objectives

Following are the prominent objectives of the study:

- To know the level of awareness of beneficiaries and the panchayat functionaries about MNREGA.
- To know whether the Scheme is being implemented as per the provisions of the Act.
- To know whether there exist any gender discrimination/ harassment in the works under the Scheme.
- To know whether social audit under the Scheme is conducted and encouraged.
- To know whether the works under the Scheme are done according to the shelf of projects.

Research Tools and Methodology

Present study is a case study conducted in the Bhiwani district of Haryana state. Both the primary and secondary data have been used in the study. It has been an empirical study; primary data is generated with the help of interview schedules, interview, as also by way of observation method. The primary data is obtained from the beneficiaries under the Scheme and the panchayat functionaries with the help of two interview schedules. For generating data from district/ block officials interview method was adopted.

A set of 120 beneficiaries (under the Scheme), from Bhiwani district of Haryana, is selected through multistage sampling. In the first instance, five blocks² are randomly selected by lottery method. Thereafter two villages from each block – ten villages³ in all - are randomly selected through lottery method. At the third stage, 120 beneficiaries are selected through purposive sampling. Data from this set of respondents is obtained with the help of an interview schedule.

² Bhiwani district of Haryana comprises following ten blocks: (i) Behal,, (ii) Bhiwani, (iii) Dadri I, (iv) Dadri II, (v) Siwani, (vi) Tosham, (vii)Kairu,(viii) Loharu, (ix)Bawani Khera and (x) Badhra. Of these ten blocks, following five have been selected: (i) Dadri-I, (ii) Dadri-II, (iii) Behal, (iv) Siwani, and (v) Bhiwani.

³ Ten villages that have been randomly selected include: (i) Balkara, (ii) Dohki, (iii) Ranila, (iv) Rawaldhi, (v) Patwan, (vi) Sudhiwas, (vii) Singhlawali, (viii)Budhshali, (ix) Tallu, (x) Dhani Mahu.

Since gram panchayats have a pivotal role in the formulation, implementation and supervision of the Scheme, the investigator also obtain data and information from the panchayat functionaries of the ten selected villages as listed below. An interview schedule is administered to this set of respondents to obtain data. With a view to obtain the official version, it is deemed desirable to obtain the responses of the district coordinator and programme officers in Bhiwani district. Keeping in view the role assigned under the Scheme to this set of respondents and also because of their small number (only six respondents), it is decided to obtain the views of this set of respondents through interview method. Secondary data is obtained from the official reports published by the Union Ministry of Rural Development, official reports of the Planning Commission, official website for MNREG Scheme, books and research articles on the MNREG Scheme, journals, newspapers etc.

The data so obtained has been systematised, tabulated both in crude form and in percentages to facilitate comparisons in analysis of data.

Major Findings of the Study

Level of Awareness

On the basis of analysis of data pertaining to the level of awareness of beneficiaries and panchayat functionaries about provisions of the Scheme, following observations may be drawn:

1. About half of the beneficiaries (48.33 per cent) had low level of awareness and a little less number of them (44.17 per cent) possesses moderate level of awareness. Only 7.50 per cent respondents have high level of awareness about the provisions of the Scheme.
2. More than two-thirds of the panchayat functionaries (70 per cent) has moderate level of awareness. Only 20 per cent of them possessed high level of awareness about provisions of the Scheme whereas 10 per cent of them had low level of awareness about provisions of the Scheme.

From the above it may be concluded that about half of the beneficiaries and more than three-fourths of the panchayat functionaries possess moderate level of information about the provisions of the Scheme.

Provisions of the Act and Implementation of the Scheme

On the basis of analysis of responses of the beneficiaries under the Scheme, panchayat functionaries and the district/ block officials regarding implementation of

the Scheme as per provisions of the MNREG Act, following observations may be drawn:

- One-fourths of the beneficiary respondents reported that they had not issued job cards. Further, job cards were not issued within the prescribed time limit of 15 days to majority (51.11 per cent) of those beneficiary respondents who stated that job cards were issued to them.
- The panchayat functionaries claimed that job cards could not be issued to those beneficiaries who do not cooperate. Thus, some of the beneficiaries do not furnish required documents such as copy of their ration card; the beneficiaries also do not turn up for photographs on the appointed day and time nor do they provide photographs of the adult members of the households. It was claimed that job cards could not be issued only in the case of such beneficiaries.
- Some of the respondents (13.13 per cent) were not provided work within the stipulated period of 15 days. All these respondents claimed that they were not paid any unemployment allowance. Also, all the beneficiaries admitted that they were provided work within 5 km radius of their village.

All the panchayat functionaries claimed that all the beneficiaries were provided work within the stipulated period of 15 days and, therefore, there was no question of payment of unemployment allowance.

- Majority of the beneficiaries (60.83 per cent) did not receive payment of their wages within the stipulated period of a fortnight. None of the beneficiaries received payment of their wages on weekly basis while only 39.17 percent of them were paid wages on fortnightly basis.
- 60 per cent of the panchayat functionaries admitted that wages to the labourers could not be paid within the stipulated period of a fortnight. Two-thirds of such functionaries attributed the delay to lengthy procedure and shortage of staff while the remaining one-thirds attributed it to technical problems.
- More than two-thirds (70 per cent) of the panchayat functionaries from select villages admitted that they could not provide 100 days of work to

the unemployed and majority of such functionaries (57.14 per cent) stated that they find it difficult to create work.

- About one-fourth of the beneficiaries (23.33 per cent) stated that no worksite facility was provided to them and vast majority of the remaining beneficiaries (76.67 per cent) stated that only water was made available in the name of worksite facilities. Panchayat functionaries gave lame excuses for not being able to provide worksite facilities, which were not convincing.
- More than forty per cent of the beneficiaries claimed that they paid money for getting some services under the Scheme such as taking photographs for the job cards and for opening bank accounts. On the other hand, the panchayat functionaries claimed that money was taken for arranging photographers for those beneficiaries who neither provided their photographs nor reported on the day when some photographer was engaged for taking their photos collectively (Section-4.2.6). The explanation of the panchayat functionaries thereto appeared convincing.
- Some of the beneficiaries under the Scheme (11.67 per cent – all of whom hailed from Dadri-II block) observed use of machinery at worksites. But the panchayat functionaries of Dadri-II block explained that tractor-trailers were used for carrying sand from far off places which was not possible for the workers manually. They further explained that this did not form part of the work under the Scheme and payment for this part of the work was done from separate head out of the concerned panchayat accounts. The same explanation was given by the programme officer of the concerned block.

From the above observations it may be concluded that while implementing the Scheme, there is violation of *at least* some of the provisions.

Women under the Scheme

On the basis of analysis of responses of the beneficiaries, panchayat functionaries and the district/ block officials regarding providing representation to the women in the works under the Scheme and gender bias/ harassment of women labourers, it was observed:

- The beneficiaries stated and the panchayat functionaries and the district/ block officials claimed that the women were given proper representation (more than the stipulated one-thirds) in the works under the Scheme.
- It was also claimed that no case of sexual harassment against women labourers under the Scheme came to the notice/ emerged. From the responses of the beneficiaries, panchayat functionaries and district/ block officials, it may be concluded that women were given due representation in the works under the Scheme and that cases of gender discrimination/ harassment have not cropped up.

Social Audit

Even though the district/ block officials claimed otherwise, it seemed that social audit of the works undertaken under the Scheme was not ever conducted in the villages under study. Majority of the panchayat functionaries even admitted that they not only avoided but also discouraged social audit being conducted.

Shelf of Projects

The panchayat functionaries claimed that development plans are prepared before the beginning of the financial year and prior approval of the gram sabha and of the programme officer obtained in case of any deviations therein. However, 70 per cent panchayat functionaries admitted that they could not provide 100 days employment to those who demanded it and 54.17 of such functionaries expressed their inability to create work for the employment seekers. In case development plans were prepared in advance, the gram panchayats would not have faced any difficulty in assigning work to the employment seekers. Thus from the two contradictory responses, it seems that development plans were not prepared in advance in the villages under study.

Responses of District/ Block Officials

The Gram Panchayat is the single most important agency for executing works under the Scheme. The Act mandates earmarking a minimum of 50 per cent of the works in terms of costs to be executed by the Gram Panchayat. In addition to the Gram Panchayat, the Act envisages key role for the block and district level functionaries also. There has to be a Programme Officer at the block level and a District Programme Coordinator to ensure effective planning, implementation and supervision of the works under the Scheme. Several records that are either maintained

simultaneously at the Gram Panchayat level and by the block/ district levels or by the latter exclusively.

The investigator, therefore, decided to obtain the views of the Programme Officers of the five selected blocks and the District Programme Coordinator of Bhiwani district. Keeping in view the position and small number of this category of respondents, the investigator decided to interview them to obtain information and views about the implementation of the Scheme in the block/ district. The information and views so obtained are presented in the present section.

1. All the district and block officials claimed that the development plans and shelf of projects are prepared and all the works under the Scheme are carried out as per the shelf. Like the Panchayat functionaries, they also claimed that in case of any deviation from the development plan, approval of the Gram Sabha and of the Programme Officer is obtained before executing the work.
2. All the respondents denied the receipt of any complaint regarding use of machinery or involvement of contractors in works under the Scheme. The investigator drew the attention of the Programme Officer of Dadri-II block towards the allegation of the beneficiaries of that block regarding the use of machinery in works under the Scheme. The Programme Officer explained that tractor-trailer was used to bring sand from far off places which the beneficiaries could not have done manually and that the part of work performed by machinery did not form part of the work under the Scheme as the payment thereof was done from the accounts of concerned Panchayat.
3. The Programme Officer of Siwani and Behal blocks stated that they received two and one applications, respectively, under Right to Information. The applicants demanded information about payment of wages, periodicity thereof and about the payment of unemployment allowance. The applications were duly responded and no further queries were received thereby indicating that the applicants were satisfied with the information provided.
4. The district programme coordinator stated that a complaint questioning the measurement of works was received, which was sorted out satisfactorily.
5. All the district/ block officers denied having received any complaint regarding any discrimination/ harassment on the basis of sex or caste in the works under the Scheme. They also claimed that at least 40 per cent of the persons provided employment under the Scheme has been women.

6. The respondents admitted that despite their best efforts, in some of the cases payment of wages is not made within the stipulated period of 15 days. The reason behind delay in payment is stated to be technical problems such as delay in measurement and the overburden on the staff.
7. The district/ block officials stated that the social audits are conducted during Gram Sabha meetings.
8. All the district/ block officials stated that they conduct random supervision of the worksites usually once a month.

Conclusions

MNREGS in the existing frame has great potential of transforming rural India, if it is sincerely and effectively implemented. Government should launch an intensive awareness programme through different media and make the masses aware. Dedicated and fully trained staff should be appointed for effective implementation of the scheme.

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भारत का राजपत्र
The Gazette of India

असाधारण
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 7th September, 2005/Bhadra 16, 1927 (Saka)

The following Act of Parliament received the assent of the President on 5th September, 2005 and is hereby published for general information:—

THE NATIONAL RURAL EMPLOYMENT GUARANTEE ACT, 2005

No. 42 OF 2005

[5th September, 2005.]

An Act to provide for the enhancement of livelihood security of the households in rural areas of the country by providing at least one hundred days of guaranteed wage employment in every financial year to every household whose adult members volunteer to do unskilled manual work and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the National Rural Employment Guarantee Act, 2005.
- (2) It extends to the whole of India except the State of Jammu and Kashmir.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different States or for different areas in a State and any reference in any such provision to the

Short title,
extent and
commencement.

commencement of this Act shall be construed as a reference to the coming into force of that provision in such State or, as the case may be, in such area:

Provided that this Act shall be applicable to the whole of the territory to which it extends within a period of five years from the date of enactment of this Act.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "adult" means a person who has completed his eighteenth years of age;

(b) "applicant" means the head of a household or any of its other adult members who has applied for employment under the Scheme;

(c) "Block" means a community development area within a district comprising a group of Gram Panchayats;

(d) "Central Council" means the Central Employment Guarantee Council constituted under sub-section (1) of section 10;

(e) "District Programme Coordinator" means an officer of the State Government designated as such under sub-section (1) of section 14 for implementation of the Scheme in a district;

(f) "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;

(g) "implementing agency" includes any department of the Central Government or a State Government, a Zila Parishad, Panchayat at intermediate level, Gram Panchayat or any local authority or Government undertaking or non-governmental organisation authorised by the Central Government or the State Government to undertake the implementation of any work taken up under a Scheme;

(h) "minimum wage", in relation to any area, means the minimum wage fixed by the State Government under section 3 of the Minimum Wages Act, 1948 for agricultural labourers as applicable in that area;

11 of 1948.

(i) "National Fund" means the National Employment Guarantee Fund established under sub-section (1) of section 20;

(j) "notification" means a notification published in the Official Gazette;

(k) "preferred work" means any work which is taken up for implementation on a priority basis under a Scheme;

(l) "prescribed" means prescribed by rules made under this Act;

(m) "Programme Officer" means an officer appointed under sub-section (1) of section 15 for implementing the Scheme;

(n) "project" means any work taken up under a Scheme for the purpose of providing employment to the applicants;

(o) "rural area" means any area in a State except those areas covered by any urban local body or a Cantonment Board established or constituted under any law for the time being in force;

(p) "Scheme" means a Scheme notified by the State Government under sub-section (1) of section 4;

(q) "State Council" means the State Employment Guarantee Council constituted under sub-section (1) of section 12;

(r) "unskilled manual work" means any physical work which any adult person is capable of doing without any skill or special training;

(s) "wage rate" means the wage rate referred to in section 6.

CHAPTER II

GUARANTEE OF EMPLOYMENT IN RURAL AREAS

3. (1) Save as otherwise provided, the State Government shall, in such rural area 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 this Act.

Guarantee of rural employment to households.

(2) Every person who has done the work given to him under the Scheme shall be entitled to receive wages at the wage rate for each day of work.

(3) Save as otherwise provided in this Act, the disbursement of daily wages shall be made on a weekly basis or in any case not later than a fortnight after the date on which such work was done.

(4) The Central Government or the State Government may, within the limits of its economic capacity and development, make provisions for securing work to every adult member of a household under a Scheme for any period beyond the period guaranteed under sub-section (1), as may be expedient.

CHAPTER III

EMPLOYMENT GUARANTEE SCHEMES AND UNEMPLOYMENT ALLOWANCE

4. (1) For the purposes of giving effect to the provisions 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 this Act and in the Scheme:

Employment Guarantee Schemes for rural areas.

Provided that until any such Scheme is notified by the State Government, the Annual Action Plan or Perspective Plan for the *Sampoorna Grameen Rozgar Yojana* (SGRY) or the National Food for Work Programme (NFFWP) whichever is in force in the concerned area immediately before such notification shall be deemed to be the action plan for the Scheme for the purposes of this Act.

(2) The State Government shall publish a summary of the Scheme made by it in at least two local newspapers, one of which shall be in a vernacular language circulating in the area or areas to which such Scheme shall apply.

(3) The Scheme made under sub-section (1) shall provide for the minimum features specified in Schedule I.

5. (1) The State Government may, without prejudice to the conditions specified in Schedule II, specify in the Scheme the conditions for providing guaranteed employment under this Act.

Conditions for providing guaranteed employment.

(2) The persons employed under any Scheme made under this Act shall be entitled to such facilities not less than the minimum facilities specified in Schedule II.

6. (1) Notwithstanding anything contained in the Minimum Wages Act, 1948, the Central Government may, by notification, specify the wage rate for the purposes of this Act:

Wage rate.

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.

(2) 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.

11 of 1948.

11 of 1948.

Payment of unemployment allowance.

7. (1) If an applicant for employment under the Scheme is not provided such employment within fifteen days of receipt of his application seeking employment or from the date on which the employment has been sought in the case of an advance application, whichever is later, he shall be entitled to a daily unemployment allowance in accordance with this section.

(2) Subject to such terms and conditions of eligibility as may be prescribed by the State Government and subject to the provisions of this Act and the Schemes and the economic capacity of the State Government, the unemployment allowance payable under sub-section (1) shall be paid to the applicants of a household subject to the entitlement of the household at such rate as may be specified by the State Government, by notification, in consultation with the State Council:

Provided that no such rate shall be less than one-fourth of the wage rate for the first thirty days during the financial year and not less than one-half of the wage rate for the remaining period of the financial year.

(3) The liability of the State Government to pay unemployment allowance to a household during any financial year shall cease as soon as—

(a) the applicant is directed by the Gram Panchayat or the Programme Officer to report for work either by himself or depute at least one adult member of his household; or

(b) the period for which employment is sought comes to an end and no member of the household of the applicant had turned up for employment; or

(c) the adult members of the household of the applicant have received in total at least one hundred days of work within the financial year; or

(d) the household of the applicant has earned as much from the wages and unemployment allowance taken together which is equal to the wages for one hundred days of work during the financial year.

(4) The unemployment allowance payable to the household of an applicant jointly shall be sanctioned and disbursed by the Programme Officer or such local authority (including the Panchayats at the district, intermediate or village level) as the State Government may, by notification, authorise in this behalf.

(5) Every payment of unemployment allowance under sub-section (1) shall be made or offered not later than fifteen days from the date on which it became due for payment.

(6) The State Government may prescribe the procedure for payment of unemployment allowance under this Act.

Non-disbursement of unemployment allowance in certain circumstances.

8. (1) If the Programme Officer is not in a position to disburse the unemployment allowance in time or at all for any reason beyond his control, he shall report the matter to the District Programme Coordinator and announce such reasons in a notice to be displayed on his notice board and the notice board of the Gram Panchayat and such other conspicuous places as he may deem necessary.

(2) Every case of non-payment or delayed payment of unemployment allowance shall be reported in the annual report submitted by the District Programme Coordinator to the State Government along with the reasons for such non-payment or delayed payment.

(3) The State Government shall take all measures to make the payment of unemployment allowance reported under sub-section (1) to the concerned household as expeditiously as possible.

Disentitlement to receive unemployment allowance in certain circumstances.

9. An applicant who—

(a) does not accept the employment provided to his household under a Scheme;

or

(b) does not report for work within fifteen days of being notified by the Programme Officer or the implementing agency to report for the work; or

(c) continuously remains absent from work, without obtaining a permission from the concerned implementing agency for a period of more than one week or remains absent for a total period of more than one week in any month,

shall not be eligible to claim the unemployment allowance payable under this Act for a period of three months but shall be eligible to seek employment under the Scheme at any time.

CHAPTER IV

IMPLEMENTING AND MONITORING AUTHORITIES

10. (1) With effect from such date as the Central Government may, by notification specify, there shall be constituted a Council to be called the Central Employment Guarantee Council to discharge the functions, and perform the duties, assigned to it by or under this Act.

Central
Employment
Guarantee
Council.

(2) The headquarters of the Central Council shall be at Delhi.

(3) The Central Council shall consist of the following members to be appointed by the Central Government, namely:—

(a) a Chairperson;

(b) not more than such number of representatives of the Central Ministries including the Planning Commission not below the rank of Joint Secretary to the Government of India as may be determined by the Central Government;

(c) not more than such number of representatives of the State Governments as may be determined by the Central Government;

(d) not more than fifteen non-official members representing Panchayati Raj Institutions, organisations of workers and disadvantaged groups:

Provided that such non-official members shall include two chairpersons of District Panchayats nominated by the Central Government by rotation for a period of one year at a time:

Provided further that not less than one-third of the non-official members nominated under this clause shall be women:

Provided also that not less than one-third of the non-official members shall be belonging to the Scheduled Castes, the Scheduled Tribes, the Other Backward Classes and Minorities;

(e) such number of representatives of the States as the Central Government may, by rules, determine in this behalf;

(f) a Member-Secretary not below the rank of Joint Secretary to the Government of India.

(4) The terms and conditions subject to which the Chairperson and other members of the Central Council may be appointed and the time, place and procedure of the meetings (including the quorum at such meetings) of the Central Council shall be such as may be prescribed by the Central Government.

11. (1) The Central Council shall perform and discharge the following functions and duties, namely:—

Functions and
duties of
Central
Council.

(a) establish a central evaluation and monitoring system;

(b) advise the Central Government on all matters concerning the implementation of this Act;

(c) review the monitoring and redressal mechanism from time to time and recommend improvements required;

(d) promote the widest possible dissemination of information about the Schemes made under this Act;

(e) monitoring the implementation of this Act;

(f) preparation of annual reports to be laid before Parliament by the Central Government on the implementation of this Act;

(g) any other duty or function as may be assigned to it by the Central Government.

(2) The Central Council shall have the power to undertake evaluation of the various Schemes made under this Act and for that purpose collect or cause to be collected statistics pertaining to the rural economy and the implementation of the Schemes.

State
Employment
Guarantee
Council.

12. (1) For the purposes of regular monitoring and reviewing the implementation of this Act at the State level, every State Government shall constitute a State Council to be known as the(name of the State) State Employment Guarantee Council with a Chairperson and such number of official members as may be determined by the State Government and not more than fifteen non-official members nominated by the State Government from Panchayati Raj institutions, organisations of workers and disadvantaged groups:

Provided that not less than one-third of the non-official members nominated under this clause shall be women:

Provided further that not less than one third of the non-official members shall be belonging to the Scheduled Castes, the Scheduled Tribes, the Other Backward Classes and Minorities.

(2) The terms and conditions subject to which the Chairperson and members of the State Council may be appointed and the time, place and procedure of the meetings (including the quorum at such meetings) of the State Council shall be such as may be prescribed by the State Government.

(3) The duties and functions of the State Council shall include—

(a) advising the State Government on all matters concerning the Scheme and its implementation in the State;

(b) determining the preferred works;

(c) reviewing the monitoring and redressal mechanisms from time to time and recommending improvements;

(d) promoting the widest possible dissemination of information about this Act and the Schemes under it;

(e) monitoring the implementation of this Act and the Schemes in the State and coordinating such implementation with the Central Council;

(f) preparing the annual report to be laid before the State Legislature by the State Government;

(g) any other duty or function as may be assigned to it by the Central Council or the State Government.

(3) The State Council shall have the power to undertake an evaluation of the Schemes operating in the State and for that purpose to collect or cause to be collected statistics pertaining to the rural economy and the implementation of the Schemes and Programmes in the State.

13. (1) The Panchayats at district, intermediate and village levels shall be the principal authorities for planning and implementation of the Schemes made under this Act.

Principal authorities for planning and implementation of Schemes.

(2) The functions of the Panchayats at the district level shall be—

(a) to finalise and approve blockwise shelf of projects to be taken up under a programme under the Scheme;

(b) to supervise and monitor the projects taken up at the Block level and district level; and

(c) to carry out such other functions as may be assigned to it by the State Council, from time to time.

(3) The functions of the Panchayat at intermediate level shall be—

(a) to approve the Block level Plan for forwarding it to the district Panchayat at the district level for final approval;

(b) to supervise and monitor the projects taken up at the Gram Panchayat and Block level; and

(c) to carry out such other functions as may be assigned to it by the State Council, from time to time.

(4) The District Programme Coordinator shall assist the Panchayat at the district level in discharging its functions under this Act and any Scheme made thereunder.

14. (1) The Chief Executive Officer of the District Panchayat or the Collector of the district or any other district level officer of appropriate rank as the State Government may decide shall be designated as the District Programme Coordinator for the implementation of the Scheme in the district.

District Programme Coordinator.

(2) The District Programme Coordinator shall be responsible for the implementation of the Scheme in the district in accordance with the provisions of this Act and the rules made thereunder.

(3) The functions of the District Programme Coordinator shall be—

(a) to assist the district Panchayat in discharging its functions under this Act and any scheme made thereunder;

(b) to consolidate the plans prepared by the Blocks and project proposals received from other implementing agencies for inclusion in the shelf of projects to be approved by the Panchayat at district level;

(c) to accord necessary sanction and administrative clearance, wherever necessary;

(d) to coordinate with the Programme Officers functioning within his jurisdiction and the implementing agencies to ensure that the applicants are provided employment as per their entitlements under this Act;

(e) to review, monitor and supervise the performance of the Programme Officers;

(f) to conduct periodic inspection of the works in progress; and

(g) to redress the grievances of the applicants.

(4) The State Government shall delegate such administrative and financial powers to the District Programme Coordinator as may be required to enable him to carry out his functions under this Act.

(5) The Programme Officer appointed under sub-section (1) of section 15 and all other officers of the State Government and local authorities and bodies functioning within the district shall be responsible to assist the District Programme Coordinator in carrying out his functions under this Act and the Schemes made thereunder.

(6) The District Programme Coordinator shall prepare in the month of December every year a labour budget for the next financial year containing the details of anticipated demand

for unskilled manual work in the district and the plan for engagement of labourers in the works covered under the Scheme and submit it to the district panchayat.

Programme
Officer.

15. (1) At every Panchayat at intermediate level, the State Government shall appoint a person who is not below the rank of Block Development Officer with such qualifications and experience as may be determined by the State Government as Programme Officer at the Panchayat at intermediate level.

(2) The Programme Officer shall assist the Panchayat at intermediate level in discharging its functions under this Act and any Scheme made thereunder.

(3) The Programme Officer shall be responsible for matching the demand for employment with the employment opportunities arising from projects in the area under his jurisdiction.

(4) The Programme Officer shall prepare a plan for the Block under his jurisdiction by consolidating the project proposals prepared by the Gram Panchayats and the proposals received from intermediate panchayats.

(5) The functions of the Programme Officer shall include—

(a) monitoring of projects taken up by the Gram Panchayats and other implementing agencies within the Block;

(b) sanctioning and ensuring payment of unemployment allowance to the eligible households;

(c) ensuring prompt and fair payment of wages to all labourers employed under a programme of the Scheme within the Block;

(d) ensuring that regular social audits of all works within the jurisdiction of the Gram Panchayat are carried out by the Gram Sabha and that prompt action is taken on the objections raised in the social audit;

(e) dealing promptly with all complaints that may arise in connection with the implementation of the Scheme within the Block; and

(f) any other work as may be assigned to him by the District Programme Coordinator or the State Government.

(6) The Programme Officers shall function under the direction, control and superintendence of the District Programme Coordinator.

(7) The State Government may, by order, direct that all or any of the functions of a Programme Officer shall be discharged by the Gram Panchayat or a local authority.

Responsibilities
of the Gram
Panchayats.

16. (1) The Gram Panchayat shall be responsible for identification of the projects in the Gram Panchayat area to be taken up under a Scheme as per the recommendations of the Gram Sabha and the Ward Sabhas and for executing and supervising such works.

(2) A Gram Panchayat may take up any project under a Scheme within the area of the Gram Panchayat as may be sanctioned by the Programme Officer.

(3) Every Gram Panchayat shall, after considering the recommendations of the Gram Sabha and the Ward Sabhas, prepare a development plan and maintain a shelf of possible works to be taken up under the Scheme as and when demand for work arises.

(4) The Gram Panchayat shall forward its proposals for the development projects including the order of priority between different works to the Programme Officer for scrutiny and preliminary approval prior to the commencement of the year in which it is proposed to be executed.

(5) The Programme Officer shall allot at least fifty per cent. of the works in terms of its cost under a Scheme to be implemented through the Gram Panchayats.

(6) The Programme Officer shall supply each Gram Panchayat with—

- (a) the muster rolls for the works sanctioned to be executed by it; and
- (b) a list of employment opportunities available elsewhere to the residents of the Gram Panchayat.

(7) The Gram Panchayat shall allocate employment opportunities among the applicants and ask them to report for work.

(8) The works taken up by a Gram Panchayat under a Scheme shall meet the required technical standards and measurements.

17. (1) The Gram Sabha shall monitor the execution of works within the Gram Panchayat.

Social audit of work by Gram Sabha.

(2) The Gram Sabha shall conduct regular social audits of all the projects under the Scheme taken up within the Gram Panchayat.

(3) The Gram Panchayat shall make available all relevant documents including the muster rolls, bills, vouchers, measurement books, copies of sanction orders and other connected books of account and papers to the Gram Sabha for the purpose of conducting the social audit.

18. The State Government shall make available to the District Programme Coordinator and the Programme Officers necessary staff and technical support as may be necessary for the effective implementation of the Scheme.

Responsibilities of State Government in implementing Scheme.

19. The State Government shall, by rules, determine appropriate grievance redressal mechanisms at the Block level and the district level for dealing with any complaint by any person in respect of implementation of the Scheme and lay down the procedure for disposal of such complaints.

Grievance redressal mechanism.

CHAPTER V

ESTABLISHMENT OF NATIONAL AND STATE EMPLOYMENT GUARANTEE FUNDS AND AUDIT

20. (1) The Central Government shall, by notification, establish a fund to be called the National Employment Guarantee Fund for the purposes of this Act.

National Employment Guarantee Fund.

(2) The Central Government may, after due appropriation made by Parliament by law in this behalf, credit by way of grants or loans such sums of money as the Central Government may consider necessary to the National Fund.

(3) The amount standing to the credit of the National Fund shall be utilised in such manner and subject to such conditions and limitations as may be prescribed by the Central Government.

21. (1) The State Government may, by notification, establish a fund to be called the State Employment Guarantee Fund for the purposes of implementation of the Scheme.

State Employment Guarantee Fund.

(2) The amount standing to the credit of the State Fund shall be expended in such manner and subject to such conditions and limitations as may be prescribed by the State Government for the purposes of implementation of this Act and the Schemes made thereunder and for meeting the administrative expenses in connection with the implementation of this Act.

(3) The State Fund shall be held and administered on behalf of the State Government in such manner and by such authority as may be prescribed by the State Government.

22. (1) Subject to the rules as may be made by the Central Government in this behalf, the Central Government shall meet the cost of the following, namely:—

Funding pattern.

- (a) the amount required for payment of wages for unskilled manual work under the Scheme;

(b) up to three-fourths of the material cost of the Scheme including payment of wages to skilled and semi-skilled workers subject to the provisions of Schedule II;

(c) such percentage of the total cost of the Scheme as may be determined by the Central Government towards the administrative expenses, which may include the salary and allowances of the Programme Officers and his supporting staff, the administrative expenses of the Central Council, facilities to be provided under Schedule II and such other item as may be decided by the Central Government.

(2) The State Government shall meet the cost of the following, namely:—

(a) the cost of unemployment allowance payable under the Scheme;

(b) one-fourth of the material cost of the Scheme including payment of wages to skilled and semi-skilled workers subject to the provisions of Schedule II;

(c) the administrative expenses of the State Council.

Transparency
and
accountability.

23. (1) The District Programme Coordinator and all implementing agencies in the District shall be responsible for the proper utilisation and management of the funds placed at their disposal for the purpose of implementing a Scheme.

(2) The State Government may prescribe the manner of maintaining proper books and accounts of employment of labourers and the expenditure incurred in connection with the implementation of the provisions of this Act and the Schemes made thereunder.

(3) The State Government may, by rules, determine the arrangements to be made for the proper execution of Schemes and programmes under the Schemes and to ensure transparency and accountability at all levels in the implementation of the Schemes.

(4) All payments of wages in cash and unemployment allowances shall be made directly to the person concerned and in the presence of independent persons of the community on pre-announced dates.

(5) If any dispute or complaint arises concerning the implementation of a Scheme by the Gram Panchayat, the matter shall be referred to the Programme Officer.

(6) The Programme Officer shall enter every complaint in a complaint register maintained by him and shall dispose of the disputes and complaints within seven days of its receipt and in case it relates to a matter to be resolved by any other authority it shall be forwarded to such authority under intimation to the complainant.

Audit of
accounts.

24. (1) The Central Government may, in consultation with the Comptroller and Auditor General of India, prescribe appropriate arrangements for audits of the accounts of the Schemes at all levels.

(2) The accounts of the Scheme shall be maintained in such form and in such manner as may be prescribed by the State Government.

CHAPTER VI

MISCELLANEOUS

Penalty
for non-
compliance.

25. Whoever contravenes the provisions of this Act shall on conviction be liable to a fine which may extend to one thousand rupees.

Power to
delegate.

26. (1) The Central Government may, by notification, direct that the powers exercisable by it (excluding the power to make rules) may, in such circumstances and subject to such conditions and limitations, be exercisable also by the State Government or such officer subordinate to the Central Government or the State Government as it may specify in such notification.

(2) The State Government may, by notification, direct that the powers exercisable by it (excluding the power to make rules and Schemes) may, in such circumstances and subject to such conditions and limitations, be exercisable also by such officer subordinate to it as it may specify in such notification.

27. (1) The Central Government may give such directions as it may consider necessary to the State Government for the effective implementation of the provisions of this Act.

Power of Central Government to give directions.

(2) Without prejudice to the provisions of sub-section (1), the Central Government may, on receipt of any complaint regarding the issue or improper utilisation of funds granted under this Act in respect of any Scheme if *prima facie* satisfied that there is a case, cause an investigation into the complaint made by any agency designated by it and if necessary, order stoppage of release of funds to the Scheme and institute appropriate remedial measures for its proper implementation within a reasonable period of time.

28. The provisions of this Act or the Schemes made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of such law:

Act to have overriding effect.

Provided that where a State enactment exists or is enacted to provide employment guarantee for unskilled manual work to rural households consistent with the provisions of this Act under which the entitlement of the households is not less than and the conditions of employment are not inferior to what is guaranteed under this Act, the State Government shall have the option of implementing its own enactment:

Provided further that in such cases the financial assistance shall be paid to the concerned State Government in such manner as shall be determined by the Central Government, which shall not exceed what the State would have been entitled to receive under this Act had a Scheme made under this Act had to be implemented.

29. (1) If the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend Schedule I or Schedule II and thereupon Schedule I or Schedule II, as the case may be, shall be deemed to have been amended accordingly.

Power to amend Schedules.

(2) A copy of every notification made under sub-section (1) shall be laid before each House of Parliament as soon as may be after it is made.

30. No suit, prosecution or other legal proceedings shall lie against the District Programme Coordinator, Programme Officer or any other person who is, or who is deemed to be, a public servant within the meaning of section 21 of the Indian Penal Code in respect of anything which is in good faith done or intended to be done under this Act or the rules or Schemes made thereunder.

Protection of action taken in good faith.

45 of 1860.

31. (1) The Central Government may, by notification, and subject to the condition of previous publication, make rules to carry out the provisions of this Act.

Power of Central Government to make rules.

(2) In particular, and without the prejudice of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the number of representatives of the State Governments under clause (e) of sub-section (3) of section 10;

(b) the terms and conditions subject to which the Chairman and other members of the Central Council may be appointed, and the time, place and procedure of the meetings (including the quorum at such meetings) of the Central Council, under sub-section (4) of section 10;

(c) the manner in which and the conditions and limitations subject to which the National Fund shall be utilised under sub-section (3) of section 20;

(d) the rules relating to funding pattern to meet the cost of certain items under sub-section (1) of section 22;

(e) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the Central Government by rules.

32. (1) The State Government may, by notification, and subject to the condition of previous publication, and consistent with this Act and the rules made by the Central Government, make rules to carry out the provisions of this Act.

Power of State Government to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the terms and conditions upon which eligibility for unemployment allowance may be determined under sub-section (2) of section 7;

(b) the procedure for payment of unemployment allowance under sub-section (6) of section 7;

(c) the terms and conditions subject to which the Chairperson and members of the State Council may be appointed, and the time, place and procedure of the meetings (including the quorum at such meetings) of their appointment to the State Council, under sub-section (2) of section 12;

(d) the grievance redressal mechanism at the Block level and the District level and the procedure to be followed in such matter under section 19;

(e) the manner in which and the conditions and limitations subject to which the State Fund shall be utilised under sub-section (2) of section 21;

(f) the authority who may administer and the manner in which he may hold the State Fund under sub-section (3) of section 21;

(g) the manner of maintaining books of account of employment of labourers and the expenditure under sub-section (2) of section 23;

(h) the arrangements required for proper execution of Schemes under sub-section (3) of section 23;

(i) the form and manner in which the accounts of the Scheme shall be maintained under sub-section (2) of section 24;

(j) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the State Government by rules.

Laying of
rules and
Schemes.

33. (1) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall have thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(2) Every rule or Scheme made by the State Government under this Act shall, as soon as may be after it is made, be laid before each House of the State Legislature where there are two Houses, and where there is one House of the State Legislature, before that House.

Power to
remove
difficulties.

34. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

SCHEDULE I

[See section 4(3)]

MINIMUM FEATURES OF A RURAL EMPLOYMENT GUARANTEE SCHEME

1. The focus of the Scheme shall be on the following works in their order of priority:—
 - (i) water conservation and water harvesting;
 - (ii) drought proofing (including afforestation and tree plantation);
 - (iii) irrigation canals including micro and minor irrigation works;
 - (iv) provision of irrigation facility to land owned by households belonging to the Scheduled Castes and Scheduled Tribes or to land of beneficiaries of land reforms or that of the beneficiaries under the Indira Awas Yojana of the Government of India;
 - (v) renovation of traditional water bodies including desilting of tanks;
 - (vi) land development;
 - (vii) flood control and protection works including drainage in water logged areas;
 - (viii) rural connectivity to provide all-weather access; and
 - (ix) any other work which may be notified by the Central Government in consultation with the State Government.
2. Creation of durable assets and strengthening the livelihood resource base of the rural poor shall be an important objective of the Scheme.
3. The works taken up under the scheme shall be in rural areas.
4. The State Council shall prepare a list of preferred works for different areas based on their ability to create durable assets.
5. The Scheme shall be subject to appropriate arrangements as may be laid down by the State Government under the rules issued by it for proper maintenance of the public assets created under the Scheme.
6. Under no circumstances shall the labourers be paid less than the wage rate.
7. When wages are directly linked with the quantity of work, the wages shall be paid according to the schedule of rates fixed by the State Government for different types of work every year, in consultation with the State Council.
8. The schedule of rates of wages for unskilled labourers shall be so fixed that a person working for seven hours would normally earn a wage equal to the wage rate.
9. The cost of material component of projects including the wages of the skilled and semi-skilled workers taken up under the Scheme shall not exceed forty per cent. of the total project costs.
10. It shall be open to the Programme Officer and Gram Panchayat to direct any person who applied for employment under the Scheme to do work of any type permissible under it.
11. The Scheme shall not permit engaging any contractor for implementation of the projects under it.
12. As far as practicable, a task funded under the Scheme shall be performed by using manual labour and not machines.
13. Every Scheme shall contain adequate provisions for ensuring transparency and accountability at all level of implementation.
14. Provisions for regular inspection and supervision of works taken up under the Scheme shall be made to ensure proper quality of work as well as to ensure that the total wages paid for the completion of the work is commensurate with the quality and quantity of work done.

15. The District Programme Coordinator, the Programme Officer and the Gram Panchayat implementing the Scheme shall prepare annually a report containing the facts and figures and achievements relating to the implementation of the Scheme within his or its jurisdiction and a copy of the same shall be made available to the public on demand and on payment of such fee as may be specified in the Scheme.

16. All accounts and records relating to the Scheme shall be made available for public scrutiny and any person desirous of obtaining a copy or relevant extracts therefrom may be provided such copies or extracts on demand and after paying such fee as may be specified in the Scheme.

17. A copy of the muster rolls of each Scheme or project under a Scheme shall be made available in the offices of the Gram Panchayat and the Programme Officer for inspection by any person interested after paying such fee as may be specified in the Scheme.

SCHEDULE II

(See section 5)

CONDITIONS FOR GUARANTEED RURAL EMPLOYMENT UNDER A SCHEME AND MINIMUM ENTITLEMENTS OF LABOURERS

1. The adult members of every household who—

- (i) reside in any rural areas; and
- (ii) are willing to do unskilled manual work,

may submit their names, age and the address of the household to the Gram Panchayat at the village level (hereafter in this Schedule referred to as the Gram Panchayat) in the jurisdiction of which they reside for registration of their household for issuance of a job card.

2. 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 members of the household affixing their photographs, as may be specified by the State Government in the Scheme.

3. The registration made under paragraph 2 shall be for such period as may be laid in the Scheme, but in any case not less than five years, and may be renewed from time to time.

4. Every adult member of a registered household whose name appears in the job card shall be entitled to apply for unskilled manual work under the Scheme.

5. All registered persons belonging to a household shall be entitled to employment in accordance with the Scheme made under the provisions of this Act, for as many days as each applicant may request, subject to a maximum of one hundred days per household in a given financial year.

6. The Programme Officer shall ensure that every applicant referred to in paragraph 5 shall be provided unskilled manual work in accordance with the provisions of the Scheme within fifteen days of receipt of an application or from the date he seeks work in case of advance application, whichever is later:

Provided that priority shall be given to women in such a way that at least one-third of the beneficiaries shall be women who have registered and requested for work under this Act.

7. Applications for work must be for at least fourteen days of continuous work.

8. There shall be no limit on the number of days of employment for which a person may apply, or on the number of days of employment actually provided to him subject to the aggregate entitlement of the household.

9. Applications for work may be submitted in writing either to the Gram Panchayat or to the Programme Officer, as may be specified in the Scheme.

10. The Gram Panchayat and Programme Officer, as the case may be, shall be bound to accept valid applications and to issue a dated receipt to the applicant. Group applications may also be submitted.

11. Applicants who are provided with work shall be so intimated in writing, by means of a letter sent to him at the address given in the job card and by a public notice displayed at the office of the Panchayats at the district, intermediate or village level.

12. As far as possible, employment shall be provided within a radius of five kilometres of the village where the applicant resides at the time of applying.

13. A new work under the Scheme shall be commenced only if—

(a) at least fifty labourers become available for such work; and

(b) the labourers cannot be absorbed in the ongoing works:

Provided that this condition shall not be applicable for new works, as determined by the State Government, in hilly areas and in respect of afforestation.

14. In cases the employment is provided outside such radius, it must be provided within the Block, and the labourers shall be paid ten per cent. of the wage rate as extra wages to meet additional transportation and living expenses.

15. A period of employment shall ordinarily be at least fourteen days continuously with not more than six days in a week.

16. In all cases where unemployment allowance is paid, or due to be paid, the Programme Officer shall inform the District Programme Coordinator in writing the reasons why it was not possible for him to provide employment or cause to provide employment to the applicants.

17. The District Programme Coordinator shall, in his Annual Report to the State Council, explain as to why employment could not be provided in cases where payment of unemployment allowance is involved.

18. Provision shall be made in the Scheme for advance applications, that is, applications which may be submitted in advance of the date from which employment is sought.

19. Provision shall be made in the Scheme for submission of multiple applications by the same person provided that the corresponding periods for which employment is sought do not overlap.

20. The Gram Panchayat shall prepare and maintain or cause to be prepared and maintained such registers, vouchers and other documents in such form and in such manner as may be specified in the Scheme containing particulars of job cards and passbooks issued, name, age and address of the head of the household and the adult members of the household registered with the Gram Panchayat.

21. The Gram Panchayat shall send such list or lists of the names and addresses of households and their adult members registered with it and supply such other information to the concerned Programme Officer at such periods and in such form as may be specified in the Scheme.

22. A list of persons who are provided with the work shall be displayed on the notice board of the Gram Panchayat and at the office of the Programme Officer and at such other places as the Programme Officer may deem necessary and the list shall be open for inspection by the State Government and any person interested.

23. If the Gram Panchayat is satisfied at any time that a person has registered with it by furnishing false information, it may direct the Programme Officer to direct his name to be struck off from the register and direct the applicant to return the job card:

Provided that no such action under this paragraph shall be directed unless the applicant has been given an opportunity of being heard in the presence of two independent persons.

24. If any personal injury is caused to any person employed under the Scheme by accident arising out of and in the course of his employment, he shall be entitled to, free of charge, such medical treatment as is admissible under the Scheme.

25. Where hospitalisation of the injured worker is necessary, the State Government shall arrange for such hospitalisation including accommodation, treatment, medicines and payment of daily allowance not less than half of the wage rate required to be paid had the injured been engaged in the work.

26. If a person employed under a Scheme dies or becomes permanently disabled by accident arising out of and in the course of employment, he shall be paid by the implementing agency an *ex gratia* payment at the rate of twenty-five thousand rupees or such amount as may be notified by the Central Government, and the amount shall be paid to the legal heirs of the deceased or the disabled, as the case may be.

27. The facilities of safe drinking water, shade for children and periods of rest, first-aid box with adequate material for emergency treatment for minor injuries and other health hazards connected with the work being performed shall be provided at the work site.

28. In case the number of children below the age of six years accompanying the women working at any site are five or more, provisions shall be made to depute one of such women worker to look after such children.

29. The person deputed under paragraph 28 shall be paid wage rate.

30. In case the payment of wages is not made within the period specified under the Scheme, the labourers shall be entitled to receive payment of compensation as per the provisions of the Payment of Wages Act, 1936 (4 of 1936).

31. The wages under a Scheme may be paid either wholly in cash or in cash and kind provided that at least one-fourth of the wages shall be paid in cash only.

32. The State Government may prescribe that a portion of the wages in cash may be paid to the labourers on a daily basis during the period of employment.

33. If any personal injury is caused by accident to a child accompanying any person who is employed under a Scheme, such person shall be entitled to, free of charge, such medical treatment for the child as may be specified in the Scheme and in case of death or disablement, through an *ex gratia* payment as may be determined by the State Government.

34. In case of every employment under the Scheme, there shall be no discrimination solely on the ground of gender and the provisions of the Equal Remuneration Act, 1976 (25 of 1976), shall be complied with.

✦

B. A. AGRAWAL,
Addl. Secretary to the Govt. of India.


भारत का राजपत्र
The Gazette of India

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate Paging is given to this Part in order that it may be filed as a separate compilation.

विधि और न्याय मंत्रालय
(विधायी विभाग)

नई दिल्ली, 10 दिसम्बर, 2005/19 अग्रहायण, 1927 (शक)

दि नेशनल कमीशन फार माइनोंरिटी एजुकेशनल इन्स्टीट्यूशन्स ऐक्ट, 2004; (2) दि श्री चित्रा तिरुनल इंस्टीट्यूट फार मेडिकल साइंसेस एंड टेक्नालाजी, त्रिवेन्द्रम (अमेंडमेंट) ऐक्ट, 2005; और (3) दि नेशनल रूरल अम्पलायमेंट गारंटी ऐक्ट, 2005 के निम्नलिखित हिन्दी अनुवाद राष्ट्रपति के प्राधिकार से प्रकाशित किए जाते हैं और ये राजभाषा अधिनियम, 1963 (1963 का 19) की धारा 5 की उपधारा (1) के खंड (क) के अधीन उनके हिन्दी में प्राधिकृत पाठ समझे जाएंगे :-

MINISTRY OF LAW AND JUSTICE
(LEGISLATIVE DEPARTMENT)

New Delhi, December 10, 2005 /Agrahayana 19, 1927 (Saka)

The translation in Hindi of the following, namely :- (1) The National Commission for Minority Educational Institutions Act, 2004; (2) the Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum (Amendment) Act, 2005; and (3) The National Rural Employment Guarantee Act, 2005 are hereby published under the authority of the President and shall be deemed to be the authoritative texts thereof in Hindi under clause (a) of sub-section (1) of section 5 of the Official Languages Act, 1963 (19 of 1963) :-

राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, 2005

(2005 का अधिनियम संख्यांक 42)

[5 सितम्बर, 2005]

देश के ग्रामीण क्षेत्रों में गृहस्थियों की आजीविका की सुरक्षा को, प्रत्येक ऐसी गृहस्थी को, जिसके वयस्क सदस्य अकुशल शारीरिक कार्य करने के लिए स्वेच्छा से आगे आते हैं, प्रत्येक वित्तीय वर्ष में कम से कम सौ दिनों का गारंटीकृत मजदूरी नियोजन उपलब्ध कराकर, वर्धित करने तथा उससे संसक्त या उसके आनुषंगिक विषयों का उपबंध करने के लिए अधिनियम

भारत गणराज्य के छप्पनवें वर्ष में संसद् द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

अध्याय 1

प्रारंभिक

1. (1) इस अधिनियम का संक्षिप्त नाम राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, 2005 है।

संक्षिप्त नाम,
विस्तार और
प्रारंभ।

(2) इसका विस्तार, जम्मू-कश्मीर राज्य के सिवाय सम्पूर्ण भारत पर है।

(3) यह उस तारीख को प्रवृत्त होगा जिसे केन्द्रीय सरकार राजपत्र में अधिसूचना द्वारा नियत करे; और विभिन्न राज्यों या किसी राज्य में विभिन्न क्षेत्रों के लिए विभिन्न तारीखें नियत की जा सकेंगी तथा ऐसे किसी उपबंध में, इस अधिनियम के प्रारंभ के प्रति किसी निर्देश का यह अर्थ लगाया जाएगा कि वह, यथास्थिति, ऐसे राज्य या ऐसे क्षेत्र में उस उपबंध के प्रवृत्त होने के प्रति निर्देश है:

परन्तु यह अधिनियम उस सम्पूर्ण राज्यक्षेत्र को, जिस पर इसका विस्तार है, इस अधिनियम के अधिनियमन की तारीख से पांच वर्ष की कालावधि के भीतर लागू होगा।

2. इस अधिनियम में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

परिभाषाएं।

(क) “वयस्क” से ऐसा व्यक्ति अभिप्रेत है जिसने अठारह वर्ष की आयु पूरी कर ली है;

(ख) “आवेदक” से किसी गृहस्थी का प्रमुख या उसके अन्य वयस्क सदस्यों में से कोई अभिप्रेत है, जिसने रक्रीम के अधीन नियोजन के लिए आवेदन किया है;

(ग) “ब्लाक” से किसी जिले के भीतर कोई सामुदायिक विकास क्षेत्र अभिप्रेत है, जिसमें ग्राम पंचायतों का एक समूह है;

(घ) "केन्द्रीय परिषद्" से धारा 10 की उपधारा (1) के अधीन गठित केन्द्रीय नियोजन गारंटी परिषद् अभिप्रेत है ;

(ङ) "जिला कार्यक्रम समन्वयक" से किसी जिले में स्कीम के कार्यान्वयन के लिए धारा 14 की उपधारा (1) के अधीन उस रूप में पदाभिहित राज्य सरकार का कोई अधिकारी अभिप्रेत है ;

(च) "गृहस्थी" से किसी कुटुम्ब के सदस्य अभिप्रेत हैं, जो एक दूसरे से रक्त, विवाह या दत्तकग्रहण द्वारा संबंधित हैं और सामान्यतः एक साथ निवास करते हैं तथा सम्मिलित रूप से भोजन करते हैं या एक सामान्य राशन कार्ड रखते हैं ;

(छ) "कार्यान्वयन अभिकरण" में केन्द्रीय सरकार या किसी राज्य सरकार का कोई विभाग, कोई जिला परिषद्, मध्यवर्ती स्तर पर पंचायत, पंचायत समिति, ग्राम पंचायत या कोई स्थानीय प्राधिकरण या सरकारी उपक्रम या गैर सरकारी संगठन, जिसे किसी स्कीम के अधीन किए जाने वाले किसी कार्य का कार्यान्वयन करने के लिए केन्द्रीय सरकार या राज्य सरकार द्वारा प्राधिकृत किया गया है, सम्मिलित हैं ;

(ज) किसी क्षेत्र के संबंध में "न्यूनतम मजदूरी" से कृषि श्रमिकों के लिए न्यूनतम मजदूरी अधिनियम, 1948 की धारा 3 के अधीन राज्य सरकार द्वारा नियत न्यूनतम मजदूरी अभिप्रेत है, जो उस क्षेत्र में लागू है ;

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(झ) "राष्ट्रीय निधि" से धारा 20 की उपधारा (1) के अधीन स्थापित राष्ट्रीय नियोजन गारंटी निधि अभिप्रेत है ;

(ञ) "अधिसूचना" से राजपत्र में प्रकाशित अधिसूचना अभिप्रेत है ;

(ट) "अधिमानित कार्य" से कोई ऐसा कार्य अभिप्रेत है जिसे किसी स्कीम के अधीन पूर्विक्ता के आधार पर कार्यान्वयन के लिए किया जाता है ;

(ठ) "विहित" से इस अधिनियम के अधीन बनाए गए नियमों द्वारा विहित अभिप्रेत है ;

(ड) "कार्यक्रम अधिकारी" से स्कीम को कार्यान्वित करने के लिए धारा 15 की उपधारा (1) के अधीन नियुक्त कोई अधिकारी अभिप्रेत है ;

(ढ) "परियोजना" से आवेदकों को नियोजन उपलब्ध कराने के प्रयोजन के लिए किसी स्कीम के अधीन किया जाने वाला कोई कार्य अभिप्रेत है ;

(ण) "ग्रामीण क्षेत्र" से तत्समय प्रवृत्त किसी विधि के अधीन स्थापित या गठित किसी शहरी स्थानीय निकाय या किसी छावनी बोर्ड के अंतर्गत आने वाले क्षेत्रों के सिवाय किसी राज्य में कोई क्षेत्र अभिप्रेत है ;

(त) "स्कीम" से धारा 4 की उपधारा (1) के अधीन राज्य सरकार द्वारा अधिसूचित कोई स्कीम अभिप्रेत है ;

(थ) "राज्य परिषद्" से धारा 12 की उपधारा (1) के अधीन गठित राज्य नियोजन गारंटी परिषद् अभिप्रेत है ;

(द) "अकुराल शारीरिक कार्य" से कोई भौतिक कार्य अभिप्रेत है जिसे कोई

वयस्क व्यक्ति किसी कौशल या विशेष प्रशिक्षण के बिना करने में समर्थ है ;

(ध) "मजदूरी दर" से धारा 6 में निर्दिष्ट मजदूरी दर अभिप्रेत है ।

अध्याय 2

ग्रामीण क्षेत्र में नियोजन की गारंटी

3. (1) यथा अन्यथा उपबंधित के सिवाय, राज्य सरकार राज्य में ऐसे ग्रामीण क्षेत्र में जो केन्द्रीय सरकार द्वारा अधिसूचित किया जाए, प्रत्येक गृहस्थी को, जिसके वयस्क सदस्य अकुशल शारीरिक कार्य करने के लिए स्वेच्छा से आगे आते हैं, इस अधिनियम के अधीन बनाई गई स्कीम के अनुसार किसी वित्तीय वर्ष में सौ दिनों से अन्धून के लिए ऐसा कार्य उपलब्ध कराएगी ।

(2) प्रत्येक व्यक्ति जिसने स्कीम के अधीन उसे दिया गया कार्य किया है, प्रत्येक कार्य दिवस के लिए मजदूरी की दर से मजदूरी प्राप्त करने का हकदार होगा ।

(3) इस अधिनियम में अन्यथा उपबंधित के सिवाय दैनिक मजदूरी का संवितरण साप्ताहिक आधार पर या किसी भी दशा में उस तारीख के पश्चात् जिसको ऐसा कार्य किया गया था पन्द्रह दिन के अपश्चात् किया जाएगा।

(4) केन्द्रीय सरकार या राज्य सरकार अपनी आर्थिक क्षमता और विकास की सीमाओं के भीतर, किसी स्कीम के अधीन किसी गृहस्थी के प्रत्येक वयस्क सदस्य के लिए उपधारा (1) के अधीन गारंटीकृत अवधि के परे किसी अवधि के लिए, जो समीचीन हो, कार्य सुनिश्चित करने के लिए उपबंध कर सकेगी ।

अध्याय 3

नियोजन गारंटी स्कीमें और बेकारी भत्ता

4. (1) धारा 3 के उपबंधों को प्रभावी बनाने के प्रयोजनों के लिए, प्रत्येक राज्य सरकार इस अधिनियम के प्रारंभ की तारीख से छह मास के भीतर, स्कीम के अंतर्गत आने वाले ग्रामीण क्षेत्रों में प्रत्येक गृहस्थी को जिसके वयस्क सदस्य इस अधिनियम द्वारा या उसके अधीन और स्कीम में अधिकथित शर्तों के अधीन रहते हुए अकुशल शारीरिक कार्य करने के लिए स्वेच्छा से आगे आते हैं, किसी वित्तीय वर्ष में सौ दिनों से अन्धून का गारंटीकृत नियोजन उपलब्ध कराने के लिए अधिसूचना द्वारा एक स्कीम बनाएगी ।

परन्तु यह कि राज्य सरकार द्वारा किसी ऐसी स्कीम को अधिसूचित किए जाने तक सम्पूर्ण ग्रामीण रोजगार योजना के लिए वार्षिक कार्रवाई योजना या भावी योजना या राष्ट्रीय काम के लिए अनाज कार्य कार्यक्रम, जो ऐसी अधिसूचना से ठीक पूर्व संबंधित क्षेत्र में प्रवृत्त है, इस अधिनियम के प्रयोजनों के लिए स्कीम हेतु कार्रवाई योजना समझा जाएगा ।

(2) राज्य सरकार कम से कम दो स्थानीय समाचार पत्रों में, जिनमें से एक ऐसे क्षेत्र या क्षेत्रों में जिसको ऐसी स्कीम लागू होगी, परिचालित जन भाषा में होगा, उसके द्वारा बनाई गई स्कीम का सार प्रकाशित करेगी ।

(3) उपधारा (1) के अधीन बनाई गई स्कीम अनुसूची 1 में विनिर्दिष्ट न्यूनतम बातों के लिए उपबंध करेगी ।

5. (1) राज्य सरकार, अनुसूची 2 में विनिर्दिष्ट शर्तों पर प्रतिकूल प्रभाव डाले बिना, इस अधिनियम के अधीन गारंटीकृत नियोजन उपलब्ध कराने के लिए स्कीम में शर्तें विनिर्दिष्ट कर सकेगी ।

निर्धन गृहस्थियों को ग्रामीण नियोजन की गारंटी ।

ग्रामीण क्षेत्रों के लिए नियोजन गारंटी स्कीमें ।

गारंटीकृत नियोजन उपलब्ध कराने के लिए शर्तें ।

(2) इस अधिनियम के अधीन बनाई गई किसी स्कीम के अधीन नियोजित व्यक्ति ऐसी सुविधाओं का हकदार होगा जो अनुसूची 2 में विनिर्दिष्ट न्यूनतम सुविधाओं से कम नहीं है।

मजदूरी दर।

6. (1) न्यूनतम मजदूरी अधिनियम, 1948 में किसी बात के होते हुए भी, केन्द्रीय सरकार, इस अधिनियम के प्रयोजनों के लिए, अधिसूचना द्वारा, मजदूरी दर विनिर्दिष्ट कर सकेगी :

1948 का 11

परन्तु यह कि विभिन्न क्षेत्रों के लिए मजदूरी की भिन्न-भिन्न दरें विनिर्दिष्ट की जा सकेंगी :

परन्तु यह और कि किसी ऐसी अधिसूचना के अधीन समय-समय पर विनिर्दिष्ट मजदूरी दर साठ रुपए प्रतिदिन से कम की दर पर नहीं होगी।

(2) किसी राज्य में किसी क्षेत्र के संबंध में केन्द्रीय सरकार द्वारा कोई मजदूरी दर नियत किए जाने के समय तक, कृषि श्रमिकों के लिए न्यूनतम मजदूरी अधिनियम, 1948 की धारा 3 के अधीन राज्य सरकार द्वारा नियत न्यूनतम मजदूरी उस क्षेत्र को लागू मजदूरी दर समझी जाएगी।

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बेकारी भत्ते का संदाय।

7. (1) यदि स्कीम के अधीन नियोजन के लिए किसी आवेदक को, नियोजन चाहने वाले उसके आवेदन की प्राप्ति के या उस तारीख से जिसको किसी अग्रिम आवेदन की दशा में नियोजन चाहा गया है, इनमें से जो भी पश्चात्पूर्ती हो, पन्द्रह दिन के भीतर ऐसा नियोजन उपलब्ध नहीं कराया जाता है तो वह इस धारा के अनुसार एक दैनिक बेकारी भत्ते का हकदार होगा।

(2) पात्रता के ऐसे निबंधनों और शर्तों के अधीन रहते हुए, जो राज्य सरकार द्वारा विहित की जाएं तथा इस अधिनियम और स्कीमों और राज्य सरकार की आर्थिक क्षमता के अधीन रहते हुए, उपधारा (1) के अधीन संदेय बेकारी भत्ता किसी गृहस्थी के आवेदकों को गृहस्थी की हकदारी के अधीन रहते हुए, ऐसी दर से जो राज्य परिषद् के परामर्श से, अधिसूचना द्वारा, राज्य सरकार द्वारा विनिर्दिष्ट की जाए, संदत्त किया जाएगा :

परन्तु यह कि कोई ऐसी दर वित्तीय वर्ष के दौरान पहले तीस दिनों के लिए मजदूरी दर के एक चौथाई से कम नहीं होगी और वित्तीय वर्ष की शेष अवधि के लिए मजदूरी दर के एक बटा दो से अन्यून नहीं होगी।

(3) किसी वित्तीय वर्ष के दौरान किसी गृहस्थी को बेकारी भत्ते का संदाय करने का राज्य सरकार का दायित्व समाप्त हो जाएगा जैसे ही --

(क) आवेदक को, ग्राम पंचायत या कार्यक्रम अधिकारी द्वारा या तो स्वयं कार्य के लिए रिपोर्ट करने या उसकी गृहस्थी के कम से कम एक वयस्क सदस्य को तैनात करने के लिए निदेशित किया जाता है ; या

(ख) वह अवधि जिसके लिए नियोजन चाहा गया है, समाप्त हो जाती है और आवेदक की गृहस्थी का कोई सदस्य नियोजन के लिए नहीं आता है ; या

(ग) आवेदक की गृहस्थी के वयस्क सदस्यों ने उस वित्तीय वर्ष के भीतर कुल मिलाकर कम से कम सौ दिनों का कार्य प्राप्त कर लिया है ; या

(घ) आवेदक की गृहस्थी ने मजदूरी और बेकारी भत्ता, दोनों को मिलाकर उतना उपार्जित कर लिया है, जो वित्तीय वर्ष के दौरान कार्य के सौ दिनों की मजदूरी के बराबर है।

(4) गृहस्थी के किसी आवेदक को संयुक्त रूप से संदेय बेकारी भत्ता कार्यक्रम अधिकारी या ऐसे स्थानीय प्राधिकारी द्वारा (जिसके अन्तर्गत जिला मध्यवर्ती या ग्राम स्तर का पंचायत है), जिसे राज्य सरकार अधिसूचना द्वारा इस निमित्त प्राधिकृत करे, मंजूर और संवितरित किया जाएगा।

(5) उपधारा (1) के अधीन बेकारी भत्ते का प्रत्येक संदाय, उस तारीख से जिसको वह संदाय के लिए शोध्य हो जाता है, पन्द्रह दिन के अपश्चात् किया जाएगा या प्रस्तावित किया जाएगा।

(6) राज्य सरकार, इस अधिनियम के अधीन बेकारी भत्ते के संदाय के लिए प्रक्रिया विहित कर सकेगा।

8. (1) यदि कार्यक्रम अधिकारी, अपने नियंत्रण के परे किसी कारण से बेकारी भत्ते का समय पर या बिल्कुल संवितरण करने की स्थिति में नहीं है, तो वह जिला कार्यक्रम समन्वयक को मामले की रिपोर्ट करेगा और अपने सूचना पट्ट पर और ग्राम पंचायत के सूचना पट्ट पर तथा ऐसे अन्य सहजदृश्य स्थानों पर जो वह आवश्यक समझे, संप्रदर्शित की जाने वाली किसी सूचना में ऐसे कारणों की घोषणा करेगा।

कतिपय परिस्थितियों में बेकारी भत्ते का संवितरण न करना।

(2) बेकारी भत्ते का संदाय न करने या विलंब से संदाय के प्रत्येक मामले की जिला कार्यक्रम समन्वयक द्वारा राज्य सरकार को प्रस्तुत की गई वार्षिक रिपोर्ट में, ऐसे संदाय न करने या विलंब से संदाय के कारणों सहित, रिपोर्ट की जाएगी।

(3) राज्य सरकार, उपधारा (1) के अधीन रिपोर्ट किए गए बेकारी भत्ते का संबंधित गृहस्थी को यथासंभव शीघ्रता से संदाय करने के सभी उपाय करेगी।

9. कोई आवेदक जो—

(क) किसी स्कीम के अधीन अपनी गृहस्थी को उपलब्ध नियोजन स्वीकार नहीं करता है; या

(ख) कार्य के लिए रिपोर्ट करने के लिए कार्यक्रम अधिकारी या कार्यान्वयन अभिकरण द्वारा अधिसूचित किए जाने के पन्द्रह दिन के भीतर कार्य के लिए रिपोर्ट नहीं करता है; या

(ग) संबंधित कार्यान्वयन अभिकरण से कोई अनुज्ञा प्राप्त किए बिना एक सप्ताह से अधिक की अवधि के लिए कार्य से लगातार अनुपस्थित रहता है या किसी मास में एक सप्ताह से अधिक की कुल अवधि के लिए अनुपस्थित रहता है,

कतिपय परिस्थितियों में बेकारी भत्ता प्राप्त करने के हक से संवित रहना।

तो वह तीन मास की अवधि के लिए इस अधिनियम के अधीन संदेय बेकारी भत्ते का दावा करने का हकदार नहीं होगा किन्तु किसी भी समय स्कीम के अधीन नियोजन चाहने का हकदार होगा।

अध्याय 4

कार्यान्वित और मानीटर करने वाले प्राधिकारी

10. (1) ऐसी तारीख से, जिसे केन्द्रीय सरकार, अधिसूचना द्वारा विनिर्दिष्ट करे, केन्द्रीय रोजगार गारंटी परिषद् के नाम से एक परिषद् इस अधिनियम द्वारा या उसके अधीन उसे समनुदेशित कृत्यों और कर्तव्यों का पालन करने के लिए गठित की जाएगी।

केन्द्रीय रोजगार गारंटी परिषद्।

(2) केन्द्रीय परिषद् का मुख्यालय दिल्ली में होगा।

(3) केन्द्रीय परिषद् निम्नलिखित सदस्यों से मिलकर बनेगी, जिन्हें केन्द्रीय सरकार द्वारा नियुक्त किया जाएगा, अर्थात् :-

(क) अध्यक्ष ;

(ख) केन्द्रीय मंत्रालयों के, जिनके अन्तर्गत योजना आयोग भी है, भारत सरकार के संयुक्त सचिव से अन्यून की पंक्ति के उतनी संख्या से अनधिक में, जो केन्द्रीय सरकार द्वारा अवधारित की जाए, प्रतिनिधि ;

(ग) राज्य सरकारों के उतनी संख्या से अनधिक में, जो केन्द्रीय सरकार द्वारा अवधारित की जाए, प्रतिनिधि ;

(घ) पंचायती राज्य संस्थाओं, कर्मकार संगठनों और असुविधाग्रस्त समूहों का प्रतिनिधित्व करने वाले पंद्रह से अनधिक गैर सरकारी सदस्य ;

परंतु यह कि ऐसे गैर सरकारी सदस्यों में केन्द्रीय सरकार द्वारा एक समय में एक वर्ष की अवधि के लिए चक्रानुक्रम से नामनिर्देशित जिला पंचायतों के दो अध्यक्ष सम्मिलित होंगे ;

परंतु यह और कि इस खंड के अधीन नामनिर्देशित एक तिहाई से अन्यून गैर सरकारी सदस्य महिलाएं होंगी ;

परंतु यह भी कि गैर सरकारी सदस्यों के एक तिहाई से अन्यून सदस्य अनुसूचित जातियों, अनुसूचित जनजातियों, अन्य पिछड़े वर्गों और अल्पसंख्यकों के होंगे ;

(ङ) राज्यों के उतनी संख्या में प्रतिनिधि होंगे, जो केन्द्रीय सरकार इस निमित्त नियमों द्वारा अवधारित करे ;

(च) भारत सरकार के संयुक्त सचिव की पंक्ति से अन्यून की पंक्ति का एक सदस्य सचिव ।

(4) वे निबन्धन और शर्तें जिनके अधीन रहते हुए, केन्द्रीय परिषद् का अध्यक्ष और अन्य सदस्य नियुक्त किए जा सकेंगे तथा केन्द्रीय परिषद् की बैठकों का समय, स्थान और प्रक्रिया (जिसके अन्तर्गत ऐसी बैठकों में गणपूर्ति भी है) वह होगी जो केन्द्रीय सरकार द्वारा विहित की जाए ।

11. (1) केन्द्रीय परिषद् निम्नलिखित कृत्यों और कर्तव्यों का पालन और निर्वहन करेगी, अर्थात् :-

(क) केन्द्रीय मूल्यांकन और मानीटरी प्रणाली स्थापित करना ;

(ख) इस अधिनियम के कार्यान्वयन से संबंधित सभी विषयों पर केन्द्रीय सरकार को सलाह देना ;

(ग) समय-समय पर मानीटरी और प्रतितोष तंत्र का पुनर्विलोकन करना तथा अपेक्षित सुधारों की सिफारिश करना ;

(घ) इस अधिनियम के अधीन बनाई गई स्कीमों के संबंध में जानकारी के विस्तृत संभव प्रसार का संवर्धन करना ;

(ङ) इस अधिनियम के कार्यान्वयन को मानीटर करना ;

(च) इस अधिनियम के कार्यान्वयन पर केन्द्रीय सरकार द्वारा संसद् के समक्ष रखे जाने के लिए वार्षिक रिपोर्टें तैयार करना ;

केन्द्रीय परिषद् के
कृत्य और
कर्तव्य ।

(छ) कोई अन्य कर्तव्य और कृत्य, जो केन्द्रीय सरकार द्वारा समनुदेशित किए जाएं ।

(2) केन्द्रीय परिषद् को इस अधिनियम के अधीन बनाई गई विभिन्न स्कीमों का मूल्यांकन करने की शक्ति होगी और उस प्रयोजन के लिए ग्रामीण अर्थव्यवस्था और स्कीमों के कार्यान्वयन से संबंधित आंकड़े संगृहीत करेगी या संगृहीत कराएगी ।

12. (1) राज्य स्तर पर, इस अधिनियम के कार्यान्वयन का नियमित रूप से मानीटर और पुनर्विलोकन करने के प्रयोजनों के लिए प्रत्येक राज्य सरकार (राज्य का नाम) राज्य रोजगार गारंटी परिषद् के नाम से एक राज्य परिषद् का गठन करेगी जिसमें एक अध्यक्ष और उतनी संख्या में गैर सरकारी सदस्य, जो राज्य सरकार द्वारा अवधारित किए जाएं तथा राज्य सरकार द्वारा पंचायती राज्य संस्थाओं, कर्मकार संगठनों और असुविधाग्रस्त समूहों से नामनिर्दिष्ट पंद्रह से अगधिक गैर सरकारी सदस्य होंगे :

राज्य रोजगार
गारंटी परिषद् ।

परन्तु इस खंड के अधीन नामनिर्देशित गैर सरकारी सदस्यों के एक तिहाई से अन्धन सदस्य महिलाएं होंगी :

परन्तु यह और कि गैर सरकारी सदस्यों के एक तिहाई से अन्धन सदस्य अनुसूचित जातियों, अनुसूचित जनजातियों, अन्य पिछड़े वर्गों और अल्प संख्यकों के होंगे ।

(2) वे निबन्धन और शर्तें जिनके अधीन रहते हुए राज्य परिषद् का अध्यक्ष और सदस्य नियुक्त किए जा सकेंगे तथा राज्य परिषद् की बैठकों का समय, स्थान और प्रक्रिया (जिसके अन्तर्गत ऐसी बैठकों में गणपूर्ति भी है) वह होगी जो राज्य सरकार द्वारा विहित की जाए ।

(3) राज्य परिषद् के कर्तव्यों और कृत्यों में निम्नलिखित सम्मिलित होंगे—

(क) स्कीम और राज्य में उसके कार्यान्वयन से संबंधित सभी विषयों पर राज्य सरकार को सलाह देना ;

(ख) अधिमानित कार्यों का अवधारण करना ;

(ग) समय-समय पर मानीटरी और प्रतितोष तंत्र का पुनर्विलोकन करना तथा अपेक्षित सुधारों की सिफारिश करना ;

(घ) इस अधिनियम और इसके अधीन स्कीमों के संबंध में जानकारी के विस्तृत संभव प्रसार का समर्थन करना ;

(ङ) राज्य में इस अधिनियम और स्कीमों के कार्यान्वयन को मानीटर करना तथा ऐसे कार्यान्वयन का केन्द्रीय परिषद् के साथ समन्वय करना ;

(च) राज्य सरकार द्वारा राज्य विधान-मंडल के समक्ष रखी जाने वाली वार्षिक रिपोर्टें तैयार करना ;

(छ) कोई अन्य कर्तव्य और कृत्य जो उसे केन्द्रीय परिषद् और राज्य सरकार द्वारा समनुदेशित किया जाए ।

(4) राज्य परिषद् को, राज्य में प्रचालित स्कीमों का मूल्यांकन करने तथा उस प्रयोजन के लिए ग्रामीण अर्थव्यवस्था और स्कीमों तथा कार्यक्रमों के कार्यान्वयन से संबंधित आंकड़े संगृहीत करने या संगृहीत करवाने की शक्ति होगी ।

स्कीमों की योजना और कार्यान्वयन के लिए प्रधान प्राधिकारी ।

13. (1) इस अधिनियम के अधीन बनाई गई स्कीमों की योजना और कार्यान्वयन के लिए जिला, मध्यवर्ती और ग्राम स्तरों पर पंचायतें, प्रधान प्राधिकारी होंगी ।

(2) जिला स्तर पर पंचायतों के निम्नलिखित कृत्य होंगे—

(क) स्कीम के अधीन किसी कार्यक्रम के अंतर्गत कार्यान्वित की जाने वाली परियोजनाओं के ब्लाक अनुसार शैल्फ को अंतिम रूप देना और उसका अनुमोदन करना ;

(ख) ब्लाक स्तर और जिला स्तर पर कार्यान्वित की जाने वाली परियोजनाओं का पर्यवेक्षण और मानीटर करना ; और

(ग) ऐसे अन्य कृत्य करना, जो राज्य परिषद् द्वारा समय-समय पर उसे समनुदेशित किए जाएं ।

(3) मध्यवर्ती स्तर पर पंचायत के निम्नलिखित कृत्य होंगे—

(क) अंतिम अनुमोदन के लिए जिला स्तर पर जिला पंचायत को भेजने के लिए ब्लाक योजना का अनुमोदन करना ;

(ख) ग्राम पंचायत स्तर और ब्लाक स्तर पर कार्यान्वित की जाने वाली परियोजनाओं का पर्यवेक्षण और मानीटर करना ; और

(ग) ऐसे अन्य कृत्य करना, जो राज्य परिषद् द्वारा समय-समय पर उसे समनुदेशित किए जाएं ।

(4) जिला कार्यक्रम समन्वयक, इस अधिनियम और उसके अधीन बनाई गई किसी स्कीम के अधीन उसके कृत्यों का निर्वहन करने में पंचायत की सहायता करेगा ।

जिला कार्यक्रम समन्वयक ।

14. (1) जिला पंचायत के मुख्य कार्यपालक अधिकारी या जिले के कलक्टर या समुचित पंक्ति के किसी अन्य जिला स्तर के अधिकारी को, जिसका राज्य सरकार विनिश्चय करे, जिले में स्कीम के कार्यान्वयन के लिए जिला कार्यक्रम समन्वयक के रूप में पदाभिहित किया जाएगा ।

(2) जिला कार्यक्रम समन्वयक, इस अधिनियम और उसके अधीन बनाए गए नियमों के उपबन्धों के अनुसार जिले में स्कीम के कार्यान्वयन के लिए उत्तरदायी होगा ।

(3) जिला कार्यक्रम समन्वयक के निम्नलिखित कृत्य होंगे—

(क) इस अधिनियम और उसके अधीन बनाई गई किसी स्कीम के अधीन उसके कृत्यों के निर्वहन में जिला पंचायत की सहायता करना ;

(ख) ब्लाक द्वारा तैयार की गई योजनाओं और जिला स्तर पर पंचायत द्वारा अनुमोदित की जाने वाली परियोजनाओं के शैल्फ में सम्मिलित करने के लिए अन्य कार्यान्वयन अभिकरणों से प्राप्त परियोजना प्रस्तावों का समेकन करना ;

(ग) आवश्यक मंजूरी और प्रशासनिक अनापत्ति, जहां कहीं आवश्यक हो, प्रदान करना ।

(घ) यह सुनिश्चित करने के लिए कि आवेदकों को इस अधिनियम के अधीन उनकी हकदारी के अनुसार नियोजन उपलब्ध कराए जा रहे हैं, अपनी अधिकारिता के भीतर कृत्य कर रहे कार्यक्रम अधिकारियों और कार्यान्वयन अभिकरणों के साथ समन्वय करना ;

(ङ) कार्यक्रम अधिकारियों के कार्यपालन का पुनर्विलोकन, मानीटर और पर्यवेक्षण करना ;

(च) चल रहे कार्य का नियतकालिक निरीक्षण करना; और

(छ) आवेदकों की शिकायतों को दूर करना ।

(4) राज्य सरकार, ऐसी प्रशासनिक और वित्तीय शक्तियों का जिला कार्यक्रम समन्वयक को प्रत्यायोजन करेगी जो इस अधिनियम के अधीन उसके कृत्यों को कार्यान्वित करने हेतु उसे समर्थ बनाने के लिए अपेक्षित हों ।

(5) धारा 15 की उपधारा (1) के अधीन नियुक्त कार्यक्रम अधिकारी और जिले के भीतर कृत्य कर रहे राज्य सरकार, स्थानीय प्राधिकरणों तथा निकायों के सभी अन्य अधिकारी, इस अधिनियम तथा तद्धीन बनाई गई स्कीमों के अधीन उसके कृत्यों को कार्यान्वित करने में जिला कार्यक्रम समन्वयक की सहायता करने के लिए उत्तरदायी होंगे ।

(6) जिला कार्यक्रम समन्वयक, आगामी वित्तीय वर्ष के लिए श्रम बजट प्रत्येक वर्ष के दिसंबर मास में तैयार करेगा जिसमें जिले में अकुशल शारीरिक कार्य के लिए पूर्वानुमानित मांग और स्कीम के अंतर्गत आने वाले कार्यों में श्रमिकों को लगाने की योजना के ब्यौरे होंगे और उसे जिला पंचायत की स्थायी समिति को प्रस्तुत करेगा ।

15. (1) मध्यवर्ती स्तर पर प्रत्येक पंचायत के लिए, राज्य सरकार किसी व्यक्ति को, जो ब्लाक विकास अधिकारी से नीचे की पंक्ति का न हो, ऐसी अर्हताओं और अनुभव के साथ जैसे कि राज्य सरकार द्वारा अदधारित की जाएं, मध्यवर्ती स्तर पर पंचायत के लिए कार्यक्रम अधिकारी के रूप में नियुक्त करेगी ।

(2) कार्यक्रम अधिकारी, इस अधिनियम और उसके अधीन बनाई गई किसी स्कीम के अधीन मध्यवर्ती स्तर पर पंचायत को उसके कृत्यों का निर्वहन करने में सहायता करेगा ।

(3) कार्यक्रम अधिकारी अपनी अधिकारिता के अधीन क्षेत्र में परियोजनाओं से उद्भूत नियोजन अवसरों के साथ नियोजन की मांग का मेल करने के लिए उत्तरदायी होगा ।

(4) कार्यक्रम अधिकारी, ग्राम पंचायतों द्वारा तैयार किए गए परियोजना प्रस्तावों और मध्यवर्ती पंचायतों से प्राप्त प्रस्तावों का समेकन करके अपनी अधिकारिता के अधीन ब्लाक के लिए एक योजना तैयार करेगा ।

(5) कार्यक्रम अधिकारी के कृत्यों में निम्नलिखित सम्मिलित होंगे—

(क) ब्लाक के भीतर ग्राम पंचायतों और अन्य कार्यान्वयन अभिकरणों द्वारा कार्यान्वित की जाने वाली परियोजनाओं को मानीटर करना ;

(ख) पात्र गृहस्थियों को बेकारी भत्ता मंजूर करना और उसका संदाय सुनिश्चित करना ;

(ग) ब्लाक के भीतर स्कीम के किसी कार्यक्रम के अधीन नियोजित सभी श्रमिकों को मजदूरी का तुरंत और उचित संदाय सुनिश्चित करना ;

(घ) यह सुनिश्चित करना कि ग्राम सभा द्वारा ग्राम पंचायत की अधिकारिता के भीतर सभी कार्यों की नियमित सामाजिक संपरीक्षा की जा रही है और यह कि सामाजिक संपरीक्षा में उठाए गए आक्षेपों पर अनुवर्ती कार्रवाई की जा रही है ;

(ङ) सभी शिकायतों को तत्परता से निपटाना जो ब्लाक से भीतर स्कीम से कार्यान्वयन के संबंध में उत्पन्न हों ; और

कार्यक्रम
अधिकारी ।

(घ) कोई अन्य कार्य करना जो जिला कार्यक्रम समन्वयक या राज्य सरकार द्वारा उसे समनुदेशित किया जाए ।

(6) कार्यक्रम अधिकारी, जिला कार्यक्रम समन्वयक के निदेशन, नियंत्रण और अधीक्षण के अधीन कृत्य करेगा ।

(7) राज्य सरकार, आदेश द्वारा निदेश दे सकेगी कि किसी कार्यक्रम अधिकारी के सभी या किन्हीं कृत्यों का ग्राम पंचायत या किसी स्थानीय प्राधिकारी द्वारा निर्वहन किया जाएगा ।

ग्राम पंचायतों के
उत्तरदायित्व ।

16. (1) ग्राम पंचायत, ग्राम सभा और वार्ड सभाओं की सिफारिशों के अनुसार किसी स्कीम के अधीन ग्राम पंचायत क्षेत्र में कार्यान्वयन के लिए ली जाने वाली परियोजना की पहचान और ऐसे कार्य के निष्पादन और पर्यवेक्षण के लिए उत्तरदायी होगी ।

(2) कोई ग्राम पंचायत, ग्राम पंचायत के क्षेत्र के भीतर किसी स्कीम के अधीन किसी परियोजना को जिसे कार्यक्रम अधिकारी द्वारा मंजूर किया जाए, ले सकेगी ।

(3) प्रत्येक ग्राम पंचायत, ग्राम पंचायत और वार्ड सभाओं की सिफारिश पर विचार करने के पश्चात् एक विकास योजना तैयार करेगी और स्कीम के अधीन जब कभी कार्य की मांग उत्पन्न होती है, किए जाने वाले संभव कार्यों का एक शैल्फ रखेगी ।

(4) ग्राम पंचायत, परियोजनाओं के विकास के लिए जिसके अंतर्गत उस वर्ष के प्रारंभ से जिसमें इसे निष्पादित किया जाना प्रस्तावित है, की संवीक्षा और प्रारंभिक पूर्वानुमोदन के लिए कार्यक्रम अधिकारी को विभिन्न कार्यों के बीच अग्रता का क्रम सम्मिलित है, अपने प्रस्तावों को अग्रेषित करेगी ।

(5) कार्यक्रम अधिकारी, ग्राम पंचायत के माध्यम से कार्यान्वित की जाने वाली किसी स्कीम के अधीन उसकी लागत के अनुसार कम से कम पचास प्रतिशत कार्य को आबंटित करेगा ।

(6) कार्यक्रम अधिकारी, प्रत्येक ग्राम पंचायत को निम्नलिखित का प्रदाय करेगा,—

(क) उसके द्वारा निष्पादित किए जाने वाले स्वीकृत कार्य के लिए मस्टर रोल ; और

(ख) ग्राम पंचायत के निवासियों को अन्यत्र उपलब्ध नियोजन के अवसरों की एक सूची ।

(7) ग्राम पंचायत आवेदकों के बीच नियोजन के अवसरों का आबंटन करेगी तथा कार्य के लिए उनसे रिपोर्ट करने के लिए कहेगी ।

(8) किसी स्कीम के अधीन किसी ग्राम पंचायत द्वारा आरंभ किया गया कार्य अपेक्षित तकनीकी मानकों और मापमानों को पूरा करेगा ।

ग्राम सभा द्वारा
कार्य की
सामाजिक
संपरीक्षा ।

17. (1) ग्राम सभा, ग्राम पंचायत के भीतर कार्य के निष्पादन को मानीटर करेगी ।

(2) ग्राम सभा, ग्राम पंचायत के भीतर आरंभ की गई स्कीम के अधीन सभी परियोजनाओं की नियमित सामाजिक संपरीक्षा करेगी ।

(3) ग्राम पंचायत, सभी सुसंगत दस्तावेज, जिनके अन्तर्गत मस्टर रोल, बिल, वाउचर, माप पुस्तिकाएं, मंजूरी आदेशों की प्रतियां और अन्य संबंधित लेखा बहियां और कागजपत्र भी हैं, सामाजिक संपरीक्षा करने के प्रयोजन के लिए ग्राम सभा को उपलब्ध

कराएगी।

18. राज्य सरकार, जिला कार्यक्रम समन्वयक और कार्यक्रम अधिकारियों को ऐसे अनिवार्य कर्मचारिवृन्द और तकनीकी सहायता, जो स्कीमों के प्रभावी कार्यान्वयन के लिए आवश्यक हों, उपलब्ध कराएगी।

स्कीम के कार्यान्वयन में राज्य सरकारों के उत्तरदायित्व।

19. राज्य सरकार, स्कीम के कार्यान्वयन की बाबत किसी व्यक्ति द्वारा की गई किसी शिकायत के निपटान के लिए, नियमों द्वारा ब्लाक स्तर और जिला स्तर पर शिकायत दूर करने हेतु समुचित तंत्र अवधारित करेगी और ऐसी शिकायतों के निपटारे के लिए प्रक्रिया अधिकथित करेगी।

शिकायत दूर करने हेतु तंत्र।

अध्याय 5

राष्ट्रीय और राज्य रोजगार गारंटी निधियों की स्थापना और संपरीक्षा

20. (1) केन्द्रीय सरकार, इस अधिनियम के प्रयोजनों के लिए, अधिसूचना द्वारा, राष्ट्रीय रोजगार गारंटी निधि के नाम से ज्ञात एक निधि स्थापित करेगी।

राष्ट्रीय रोजगार गारंटी निधि।

(2) केन्द्रीय सरकार, संसद् द्वारा विधि द्वारा इस निमित्त किए गए सम्यक् विनियोग के पश्चात् अनुदान या उधार के रूप में ऐसी धनराशि, जिसे केन्द्रीय सरकार राष्ट्रीय निधि के लिए आवश्यक समझे, जमा कर सकेगी।

(3) राष्ट्रीय निधि के खाते में जमा रकम का ऐसी रीति से और ऐसी शर्तों और परिसीमाओं के अधीन रहते हुए, जो केन्द्रीय सरकार द्वारा विहित की जाएं, उपयोग किया जाएगा।

21. (1) राज्य सरकार, स्कीम के कार्यान्वयन के प्रयोजनों के लिए, अधिसूचना द्वारा, राज्य रोजगार गारंटी निधि के नाम से ज्ञात एक निधि स्थापित करेगी।

राज्य रोजगार गारंटी निधि।

(2) राज्य निधि के खाते में जमा रकम, ऐसी रीति से और ऐसी शर्तों और परिसीमाओं के अधीन रहते हुए, जो इस अधिनियम और उसके अधीन बनाई गई स्कीमों के कार्यान्वयन के प्रयोजनों के लिए राज्य सरकार द्वारा विहित की जाएं और इस अधिनियम के कार्यान्वयन के संबंध में प्रशासनिक खर्चों को पूरा करने के लिए, व्यय की जाएगी।

(3) राज्य निधि, राज्य सरकार की ओर से ऐसी रीति में और ऐसे प्राधिकारी द्वारा, जो राज्य सरकार द्वारा विहित किया जाए, धारित और प्रशासित की जाएगी।

22. (1) ऐसे नियमों के, जो केन्द्रीय सरकार द्वारा इस निमित्त बनाए जाएं, अधीन रहते हुए, केन्द्रीय सरकार निम्नलिखित की लागत को पूरा करेगी, अर्थात् :-

वित्तपोषण बैटन।

(क) स्कीम के अधीन अकुशल शारीरिक कार्य के लिए मजदूरी के संदाय के लिए अपेक्षित रकम ;

(ख) स्कीम की सामग्री लागत के तीन चौथाई तक रकम, जिसके अंतर्गत अनुसूची 2 के उपबंधों के अधीन रहते हुए कुशल और अर्धकुशल कर्मकारों को मजदूरी का संदाय भी है ;

(ग) स्कीम की कुल लागत का ऐसा प्रतिशत, जो केन्द्रीय सरकार द्वारा प्रशासनिक खर्चों के प्रति अवधारित किया जाए, जिसके अंतर्गत कार्यक्रम अधिकारियों और उनके सहायक कर्मचारिवृन्द के वेतन और भत्ते, केन्द्रीय परिषद् के प्रशासनिक खर्च, अनुसूची 2 के अधीन दी जाने वाली सुविधाएं और ऐसी अन्य मद भी हैं, जो केन्द्रीय सरकार द्वारा विनिश्चित की जाएं।

(2) राज्य सरकार निम्नलिखित की लागत को पूरा करेगी, अर्थात् :-

(क) स्कीम के अंतर्गत संदेय बेकारी भत्ते की लागत;

(ख) स्कीम की सामग्री लागत का एक चौथाई, जिसके अंतर्गत अनुसूची 2 के अधीन रहते हुए कुशल और अर्धकुशल कर्मकारों की मजदूरी का संदाय भी है ;

(ग) राज्य परिषद् के प्रशासनिक खर्च ।

पारदर्शिता और
उत्तरदायित्व ।

23. (1) जिला कार्यक्रम समन्वयक और जिले के सभी कार्यान्वयन अभिकरण, किसी स्कीम के कार्यान्वयन के प्रयोजन के लिए उनके व्ययन पर रखी गई निधि के उचित उपयोग और प्रबंध के लिए उत्तरदायी होंगे ।

(2) राज्य सरकार, इस अधिनियम के उपबंधों और उसके अधीन बनाई गई स्कीमों के कार्यान्वयन के संबंध में श्रमिकों के नियोजन और उपगत व्यय की समुचित बहियां और लेखा रखने की रीति विहित कर सकेगी ।

(3) राज्य सरकार, नियमों द्वारा, स्कीमों और स्कीमों के अधीन कार्यक्रमों के उचित निष्पादन के लिए और स्कीमों के कार्यान्वयन में सभी स्तरों पर पारदर्शिता और दायित्व सुनिश्चित करने के लिए, की जाने वाली व्यवस्थाओं को अवधारित कर सकेगी ।

(4) नकद रूप में मजदूरी और बेकारी भत्ते के सभी संदाय, सीधे संबद्ध व्यक्ति को और पूर्व घोषित तारीखों पर समुदाय के स्वतंत्र व्यक्तियों की उपस्थिति में किए जाएंगे ।

(5) यदि ग्राम पंचायत द्वारा किसी स्कीम के कार्यान्वयन से संबंधित कोई विवाद या शिकायत उत्पन्न होती है तो वह मामला कार्यक्रम अधिकारी को निर्देशित किया जाएगा ।

(6) कार्यक्रम अधिकारी प्रत्येक शिकायत की उसके द्वारा रखे शिकायत रजिस्टर में प्रविष्टि करेगा और विवादों तथा शिकायतों को उसकी प्राप्ति से सात दिन के भीतर निपटाएगा और यदि वे ऐसे मामले से संबंधित है जिसे किसी अन्य प्राधिकारी द्वारा सुलझाया जाना है तो वह उसे शिकायतकर्ता को सूचना देते हुए, ऐसे प्राधिकारी को अग्रेषित करेगा ।

लेखाओं की
संपरीक्षा ।

24. (1) केन्द्रीय सरकार, भारत के नियंत्रक और महालेखा परीक्षक के परामर्श से, स्कीमों के लेखाओं की सभी स्तरों पर संपरीक्षा के लिए समुचित व्यवस्थाएं विहित कर सकेगी ।

(2) स्कीम के लेखा ऐसे प्ररूप में और ऐसी रीति से जो राज्य सरकार द्वारा विहित की जाए रखे जाएंगे ।

अध्याय 6

प्रकीर्ण

अनुपालन के
लिए शक्ति ।

25. जो कोई इस अधिनियम के उपबंधों का उल्लंघन करेगा, वह दोषसिद्धि पर जुर्माने का, जो एक हजार रुपए तक का हो सकेगा, दायी होगा ।

प्रत्यायोजित करने
की शक्ति ।

26. (1) केन्द्रीय सरकार, अधिसूचना द्वारा, निदेश दे सकेगी कि उसके द्वारा प्रयोक्तव्य शक्तियां (नियम बनाने की शक्ति को छोड़कर) ऐसी परिस्थितियों में तथा ऐसी शर्तों और परिसीमाओं के अधीन रहते हुए, राज्य सरकार या केन्द्रीय सरकार अथवा राज्य सरकार के अधीनस्थ ऐसे अधिकारी द्वारा भी, जिसे वह ऐसी अधिसूचना में विनिर्दिष्ट करे, प्रयोक्तव्य होंगी ।

(2) राज्य सरकार, अधिसूचना द्वारा, निदेश दे सकेगी कि उसके द्वारा प्रयोक्तव्य

शक्तियाँ (नियम और स्कीम बनाने की शक्ति को छोड़कर) ऐसी परिस्थितियों में तथा ऐसी शर्तों और परिसीमाओं के अधीन रहते हुए, राज्य सरकार द्वारा या उसके अधीनस्थ ऐसे अधिकारी द्वारा भी जिसे वह ऐसी अधिसूचना में विनिर्दिष्ट करे, प्रयोक्तव्य होंगी ।

27. (1) केन्द्रीय सरकार, इस अधिनियम के उपबंधों के प्रभावी कार्यान्वयन के लिए राज्य सरकार को ऐसे निदेश दे सकेगी जो वह आवश्यक समझे ।

केन्द्रीय सरकार की निदेश देने की शक्ति ।

(2) उपधारा (1) के उपबंधों पर प्रतिकूल प्रभाव डाले बिना, केन्द्रीय सरकार किसी स्कीम के संबंध में, इस अधिनियम के अधीन अनुदत्त निधियों को जारी करने या अनुचित उपयोग के संबंध में किसी शिकायत की प्राप्ति पर, यदि प्रथमदृष्ट्या यह समाधान हो जाता है कि कोई मामला बनता है तो उसके द्वारा पदाभिहित किसी अभिकरण द्वारा की गई शिकायत का अन्वेषण करा सकेगी, और यदि आवश्यक हो तो स्कीम की निधियों के निर्मोचन को रोकने का आदेश कर सकेगी और उचित कालावधि के भीतर इसके उचित कार्यान्वयन के लिए समुचित उपचारी उपाय कर सकेगी ।

28. इस अधिनियम या उसके अधीन बनाई गई स्कीमों के उपबंध, तत्समय प्रवृत्त किसी अन्य विधि या ऐसी विधि के फलस्वरूप प्रभाव रखने वाली किसी लिखत में अन्तर्विष्ट उससे असंगत किसी बात के होते हुए भी, प्रभावी होंगे :

अधिनियम का अध्यारोही प्रभाव होना ।

परन्तु जहां कोई ऐसी राज्य अधिनियमिति विद्यमान है या इस अधिनियम के उपबंधों से संगत ग्रामीण गृहस्थी में अर्धकुशल शारीरिक कार्य के लिए नियोजन गारंटी का उपबंध करने के लिए अधिनियमित की जाती है, जिसके अधीन गृहस्थी की हकदारी उससे कम नहीं है और नियोजन की शर्तें उससे न्यूनतर नहीं हैं, जिनकी इस अधिनियम के अधीन गारंटी दी गई है, वहां राज्य सरकार को अपनी निजी अधिनियमिति को कार्यान्वित करने का विकल्प होगा :

परन्तु यह और कि ऐसे मामलों में वित्तीय सहायता, संबद्ध राज्य सरकार को ऐसी रीति से संदत्त की जाएगी, जो केन्द्रीय सरकार द्वारा अवधारित की जाएगी, जो उससे अधिक न होगी, जिसे वह राज्य इस अधिनियम के अधीन प्राप्त करने का तब हकदार होता जब इस अधिनियम के अधीन बनाई गई कोई स्कीम कार्यान्वित की जानी होती ।

29. (1) यदि केन्द्रीय सरकार का यह समाधान हो जाता है कि ऐसा करना आवश्यक या समीचीन है तो वह, अधिसूचना द्वारा, अनुसूची 1 या अनुसूची 2 का संशोधन कर सकेगी और तदुपरि, यथास्थिति, अनुसूची 1 या अनुसूची 2 तदनुसार संशोधित की गई समझी जाएगी ।

अनुसूचियों को संशोधित करने की शक्ति ।

(2) उपधारा (1) के अधीन बनाई गई प्रत्येक अधिसूचना की प्रति उससे बनाए जाने के पश्चात् यथाशीघ्र संसद् के प्रत्येक सदन के समक्ष रखी जाएगी ।

30. जिला कार्यक्रम समन्वयक, कार्यक्रम अधिकारी या किसी अन्य व्यक्ति के विरुद्ध, जो भारतीय दण्ड संहिता की धारा 21 के अर्थान्तर्गत लोक सेवक है या समझा जाता है, किसी ऐसी बात के लिए जो इस अधिनियम या उसके अधीन बनाए गए नियमों या स्कीमों के अधीन सद्भावपूर्वक की गई है या की जाने के लिए आशयित है, कोई वाद, अभियोजन या अन्य विधिक कार्यवाही नहीं होगी ।

सद्भावपूर्वक की गई कार्रवाई के लिए संरक्षण ।

31. (1) केन्द्रीय सरकार, अधिसूचना द्वारा और पूर्व प्रकाशन की शर्त के अधीन रहते हुए, इस अधिनियम के उपबंधों को कार्यान्वित करने के लिए नियम बना सकेगी ।

केन्द्रीय सरकार की नियम बनाने की शक्ति ।

(2) विशिष्टतया और पूर्वगामी शक्ति की व्यापकता पर प्रतिकूल प्रभाव डाले बिना, ऐसे नियम निम्नलिखित सभी या किन्हीं विषयों के लिए उपबंध कर सकेंगे, अर्थात् :-

(क) धारा 10 की उपधारा (3) के खण्ड (ड) के अधीन राज्य सरकारों के

प्रतिनिधियों की संख्या ;

(ख) धारा 10 की उपधारा (4) के अधीन वे निबंधन और शर्तें जिनके अधीन रहते हुए केंद्रीय परिषद् का अध्यक्ष और कोई सदस्य नियुक्त किया जा सकेगा और केंद्रीय परिषद् के अधिवेशनों (जिसके अंतर्गत ऐसे अधिवेशनों में गणपूर्ति भी है) का समय, स्थान और उनकी प्रक्रिया ;

(ग) वह रीति जिसमें तथा वे शर्तें और परिसीमाएं जिनके अधीन रहते हुए धारा 20 की उपधारा (3) के अधीन राष्ट्रीय निधि का उपयोग किया जाएगा ;

(घ) धारा 22 की उपधारा (1) के अधीन कतिपय मर्दों की लागत को पूरा करने के लिए वित्त पोषण पैटर्न से संबंधित नियम ;

(ङ) कोई अन्य विषय, जिसे विहित किया जाना है या जो विहित किया जाए या जिसकी बाबत, केंद्रीय सरकार द्वारा, नियमों द्वारा, उपबंध किया जाना है ।

32. (1) राज्य सरकार, इस अधिनियम के उपबंधों को कार्यान्वित करने के लिए, अधिसूचना द्वारा और पूर्व प्रकाशन की शर्त के अधीन रहते हुए और इस अधिनियम तथा केंद्रीय सरकार द्वारा बनाए गए नियमों से संगत नियम बना सकेगी ।

(2) विशिष्टतया और पूर्वगामी शक्ति की व्यापकता पर प्रतिकूल प्रभाव डाले बिना, ऐसे नियम निम्नलिखित सभी या किन्हीं विषयों के लिए उपबंध कर सकेंगे, अर्थात् :-

(क) वे निबंधन और शर्तें जिन पर धारा 7 की उपधारा (2) के अधीन बेकारी भत्ते के लिए पात्रता अवधारित की जा सकेगी ;

(ख) धारा 7 की उपधारा (6) के अधीन बेकारी भत्ते के संदाय के लिए प्रक्रिया ;

(ग) धारा 12 की उपधारा (2) के अधीन वे निबंधन और शर्तें जिनके अधीन रहते हुए राज्य परिषद् का अध्यक्ष और कोई सदस्य नियुक्त किया जा सकेगा और राज्य परिषद् के अधिवेशनों (जिसके अंतर्गत ऐसे अधिवेशनों में गणपूर्ति भी है) का समय, स्थान और उनकी प्रक्रिया ;

(घ) ब्लाक स्तर और जिला स्तर पर शिकायत प्रतितोष तंत्र और धारा 19 के अधीन ऐसे मामले में अनुसरण की जाने वाली प्रक्रिया;

(ङ) वह रीति जिसमें तथा वे शर्तें और परिसीमाएं जिनके अधीन रहते हुए धारा 21 की उपधारा (2) के अधीन राष्ट्रीय निधि का उपयोग किया जाएगा;

(च) वह प्राधिकारी जो धारा 21 की उपधारा (3) के अधीन राज्य निधि को प्रशासित कर सकेगा और वह रीति जिसमें वह राज्य निधि को धारित करेगा;

(छ) धारा 23 की उपधारा (2) के अधीन श्रमिकों के नियोजन के बही खाते और व्यय रखे जाने की रीति ;

(ज) धारा 23 की उपधारा (3) के अधीन स्कीमों के उचित निष्पादन के लिए अपेक्षित प्रबंध ;

(झ) वह प्ररूप और रीति जिसमें स्कीम के लेखाओं को धारा 24 की उपधारा (2) के अधीन रखा जाएगा ;

(ञ) कोई अन्य विषय जिसे विहित किया जाना है या जो विहित किया

राज्य सरकार की
नियम बनाने की
शक्ति ।

जाए या जिसकी बाबत राज्य सरकार द्वारा, नियमों द्वारा, उपबंध किया जाना है।

33. (1) इस अधिनियम के अधीन केन्द्रीय सरकार द्वारा बनाया गया प्रत्येक नियम, बनाए जाने के पश्चात् यथाशीघ्र संसद् के प्रत्येक सदन के समक्ष, जब वह कुल तीस दिन की अवधि के लिए सत्र में हो, जो एक सत्र में अथवा दो या अधिक आनुक्रमिक सत्रों में पूरी हो सकेगी, रखा जाएगा और यदि उस सत्र के या पूर्वोक्त आनुक्रमिक सत्रों के ठीक बाद के सत्र के अवसान के पूर्व दोनों सदन उस नियम में कोई परिवर्तन करने के लिए सहमत हो जाएं या दोनों सदन इस बात से सहमत हो जाएं कि वह नियम नहीं बनाया जाना चाहिए तो ऐसा नियम, यथास्थिति, तत्पश्चात् केवल ऐसे परिवर्तित रूप में ही प्रभावी होगा या उसका कोई प्रभाव नहीं होगा, तथापि उस नियम के ऐसे परिवर्तित या निष्प्रभाव होने से पहले उसके अधीन की गई किसी बात की विधिमान्यता पर प्रतिकूल प्रभाव नहीं पड़ेगा।

नियमों और स्कीमों का रखा जाना।

(2) इस अधिनियम के अधीन राज्य सरकार द्वारा बनाया गया प्रत्येक नियम या बनाई गई प्रत्येक स्कीम, उसके बनाए जाने के पश्चात् यथाशक्य शीघ्र, राज्य विधान-मंडल के, जहां दो सदन हैं, प्रत्येक सदन के समक्ष और जहां राज्य विधान-मंडल का एक ही सदन है, वहां उस सदन के समक्ष रखा जाएगा/रखी जाएगी।

34. (1) यदि इस अधिनियम के उपबंधों को प्रभावी करने में कोई कठिनाई उत्पन्न होती है तो केन्द्रीय सरकार, राजपत्र में प्रकाशित आदेश द्वारा ऐसे उपबंध, जो इस अधिनियम के उपबंधों से असंगत न हों, बना सकेगी जो कठिनाई को दूर करने लिए आवश्यक और समीचीन प्रतीत होते हों :

कठिनाइयों को दूर करने की शक्ति।

परन्तु इस धारा के अधीन कोई आदेश इस अधिनियम के प्रारंभ से तीन वर्ष की समाप्ति के पश्चात् नहीं किया जाएगा।

(2) इस धारा के अधीन किया गया प्रत्येक आदेश, किए जाने के पश्चात् यथाशीघ्र, संसद् के प्रत्येक सदन के समक्ष रखा जाएगा।

अनुसूची 1

[धारा 4(3) देखिए]

ग्रामीण रोजगार गारंटी स्कीम की न्यूनतम विशेषताएं

1. स्कीम का केंद्र बिन्दु निम्नलिखित संकर्मों पर उनकी पूर्विकता के क्रम में होगा :

- (i) जल संरक्षण और जल शस्य संचय ;
- (ii) सूखारोधी (जिसके अंतर्गत वनरोपण और वृक्षारोपण हैं) ;
- (iii) सिंचाई नहरें जिनके अंतर्गत सूक्ष्म और लघु सिंचाई संकर्म भी हैं ;

(iv) अनुसूचित जातियों और अनुसूचित जनजातियों की गृहस्थियों के स्वामित्वाधीन भूमि के लिए या भूमि सुधार के हिताधिकारियों की भूमि के लिए या भारत सरकार की इन्दिरा आवास योजना के अधीन हिताधिकारियों की भूमि के लिए सिंचाई प्रसुविधा का उपबंध ;

(v) पारंपरिक जल निकायों का नवीकरण जिसके अंतर्गत तालाबों का शुद्धिकरण भी है ;

(vi) भूमि विकास ;

(vii) बाढ़ नियंत्रण संरक्षण संकर्म, जिनके अंतर्गत जलरुद्ध क्षेत्रों में जल विकास भी है ;

(viii) सभी मौसमों में पहुंच का उपबंध करने के लिए ग्रामीण संयोजकता ; और

(ix) कोई अन्य कार्य, जिसे राज्य सरकार के परामर्श से केंद्रीय सरकार द्वारा अधिसूचित किया जाए ।

2. टिकाऊ आस्तियों का सृजन और ग्रामीण निर्धन व्यक्तियों के आजीविका संसाधनों के लिए आधार को सुदृढ़ करना स्कीम का एक महत्वपूर्ण उद्देश्य होगा ।

3. स्कीम के अधीन आरंभ किए गए संकर्म ग्रामीण क्षेत्रों में होंगे ।

4. राज्य परिषद् विभिन्न क्षेत्रों के लिए उनकी टिकाऊ आस्तियां सृजित करने की योग्यता के आधार पर अधिमानी संकर्मों की एक सूची तैयार करेगी ।

5. स्कीम उन समुचित व्यवस्थाओं के अधीन रहते हुए होगी जो स्कीम के अधीन सृजित सार्वजनिक आस्तियों के समुचित रखरखाव के लिए राज्य सरकार द्वारा बनाए गए नियमों के अधीन उसके द्वारा अधिकथित की जाए ।

6. किसी भी परिस्थिति के अधीन श्रमिकों को मजदूरी दर से कम का संदाय नहीं किया जाएगा ।

7. जब मजदूरी का कार्य की मात्रा से सीधा संबंध हो तब मजदूरी, राज्य परिषद् के परामर्श से प्रतिवर्ष, विभिन्न प्रकार के कार्यों के लिए राज्य सरकार द्वारा नियत दर अनुसूची के अनुसार संदत्त की जाएगी ।

8. अकुशल श्रमिकों के लिए, मजदूरी की दर अनुसूची इस प्रकार नियत की जाएगी कि सात घण्टे तक कार्य करने वाला व्यक्ति, आम तौर पर मजदूरी दर के बराबर मजदूरी अर्जित करेगा ।

9. कार्यक्रम के अंतर्गत आरंभ की गई परियोजनाओं की सामग्री संघटक की लागत, जिसके अंतर्गत कुशल और अर्धकुशल कर्मकारों की मजदूरी भी है, कुल परियोजना लागत के चालीस प्रतिशत से अधिक नहीं होगी।

10. कार्यक्रम अधिकारी और ग्राम पंचायत किसी ऐसे व्यक्ति को, जो स्कीम के अधीन नियोजन के लिए आवेदन करता है, यह निदेश देने के लिए स्वतंत्र होगा कि वह ऐसी स्कीम के अधीन अनुज्ञेय किसी प्रकार का कार्य करे।

11. स्कीम में उसके अधीन परियोजनाओं के कार्यान्वयन के लिए किसी ठेकेदार को लगाने की अनुज्ञा नहीं दी जाएगी।

12. यथाव्यवहार्य, स्कीम के अधीन वित्त पोषित कार्य शारीरिक श्रम का उपयोग करके पूरा किया जाएगा, मशीन का नहीं।

13. प्रत्येक स्कीम में, कार्यान्वयन के सभी स्तरों पर पारदर्शिता और उत्तरदायित्व सुनिश्चित करने के लिए पर्याप्त उपबंध अंतर्विष्ट होंगे।

14. किसी स्कीम के अधीन किए जा रहे संकर्म का, कार्य की उचित क्वालिटी सुनिश्चित करने के लिए और साथ यह सुनिश्चित करने के लिए कि कार्य के पूरा किए जाने के लिए संवत्त मजदूरी, किए गए कार्य क्वालिटी और मात्रा के अनुरूप है, नियमित निरीक्षण और पर्यवेक्षण करने के लिए उपबंध किए जाएंगे।

15. स्कीम को कार्यान्वित करने वाले जिला कार्यक्रम समन्वयक, कार्यक्रम अधिकारी और ग्राम पंचायत, अपनी अधिकारिता के भीतर स्कीम के कार्यान्वयन से संबंधित तथ्यों और आकड़ों तथा उपलब्धियों सहित वार्षिक रूप से एक रिपोर्ट तैयार करेंगे और उसकी एक प्रति, जनता को मांग पर और ऐसी फीस के संदाय पर जो स्कीम में विनिर्दिष्ट की जाएं उपलब्ध कराई जाएगी।

16. स्कीम से संबंधित सभी लेखे और अभिलेख जनता की छानबीन के लिए उपलब्ध कराए जाएंगे और उसकी एक प्रति या सुसंगत उद्धरण अभिप्राप्त करने की वांछ रखने वाले व्यक्ति को, मांग पर और ऐसी फीस का संदाय करने के पश्चात्, जो स्कीम में विनिर्दिष्ट की जाए, ऐसी प्रतियां या उद्धरण दिए जा सकेंगे।

17. प्रत्येक स्कीम या किसी स्कीम के अधीन परियोजना के मस्टर रोल की एक प्रति, ग्राम पंचायत और कार्यक्रम अधिकारी के कार्यालय में, हितबद्ध व्यक्ति द्वारा, ऐसी फीस का संदाय करने के पश्चात्, जो स्कीम में विनिर्दिष्ट की जाए, निरीक्षण के लिए उपलब्ध कराई जाएगी।

अनुसूची 2

[धारा 5 देखिए]

किसी स्कीम के अधीन गारंटीकृत ग्रामीण रोजगार के लिए शर्तें और श्रमिकों की न्यूनतम हकदारियां

1. प्रत्येक गृहस्थी के वयस्क सदस्य, जो--

(i) किसी ग्रामीण क्षेत्र में निवास करते हैं, और

(ii) अकुशल शारीरिक कार्य करने के इच्छुक हैं,

उस ग्राम स्तर पर ग्राम पंचायत (जिसे इस अनुसूची में इसके पश्चात् ग्राम पंचायत कहा गया है) को, जिसकी अधिकारिता में वे निवास करते हैं, अपने नाम, आयु और गृहस्थी के पते, कार्य कार्ड जारी करने के लिए अपनी गृहस्थी के रजिस्ट्रीकरण के लिए आवेदन कर सकते हैं।

2. ग्राम पंचायत का यह कर्तव्य होगा कि वह ऐसी जांच करने के पश्चात् जो वह

ठीक समझे, गृहस्थी को रजिस्टर करे और गृहस्थी के व्यस्क सदस्यों के ऐसे ब्यौरे, जो स्कीम में राज्य सरकार द्वारा विनिर्दिष्ट किए जाएं, अंतर्विष्ट करते हुए और उनके फोटोग्राफ चिपकाकर, एक कार्य कार्ड जारी करें।

3. पैरा 2 के अधीन रजिस्ट्रीकरण ऐसी अवधि के लिए जो स्कीम में अधिकशित की जाए किन्तु किसी भी मामले में पांच वर्ष से कम नहीं होगी, किया जाएगा, और इसे समय-समय पर नवीकृत किया जा सकेगा।

4. रजिस्ट्रीकृत गृहस्थी का ऐसा प्रत्येक व्यस्क सदस्य, जिसका नाम कार्य कार्ड में है, स्कीम के अधीन अकुशल शारीरिक कार्य के लिए आवेदन करने का हकदार होगा।

5. किसी गृहस्थी के सभी रजिस्ट्रीकृत व्यक्ति, इस अधिनियम के उपबंधों के अधीन बनाई गई स्कीम के अनुसार, उतने दिनों के लिए, जितने दिनों के लिए प्रत्येक आवेदक अनुरोध करे, किसी वित्तीय वर्ष में प्रति गृहस्थी अधिकतम एक सौ दिनों के अधीन रहते हुए, नियोजन के हकदार होंगे।

6. कार्यक्रम अधिकारी यह सुनिश्चित करेगा कि पैरा 5 में निर्दिष्ट प्रत्येक आवेदक को, स्कीम के उपबंधों के अनुसार, आवेदन की प्राप्ति से पन्द्रह दिन के भीतर या उस तारीख से, जिससे वह अग्रिम आवेदन की दशा में कार्य चाहता है, इनमें से जो भी पश्चात्पूर्ती हो, अकुशल शारीरिक कार्य दिया जाएगा :

परन्तु यह कि महिलाओं को इस तरह पूर्विकता दी जाएगी कि कम से कम एक तिहाई फायदा प्राप्त करने वालों में ऐसी महिलाएं होंगी, जो इस अधिनियम के अधीन कार्य के लिए रजिस्ट्रीकृत हैं और जिन्होंने अनुरोध किया है।

7. कार्य के लिए आवेदन कम से कम चौदह दिनों के निरन्तर कार्य के लिए होना चाहिए।

8. गृहस्थी की संपूर्ण हकदारी के अधीन रहते हुए नियोजन के उन दिनों की संख्या जिनके लिए कोई व्यक्ति आवेदन कर सकेगा, या उसको वस्तुतः दिए गए नियोजन के दिनों की संख्या पर कोई सीमा नहीं होगी।

9. कार्य के लिए आवेदन, लिखित रूप में ग्राम पंचायत या कार्यक्रम अधिकारी को, जैसा स्कीम में विनिर्दिष्ट किया जाए, प्रस्तुत किए जाएंगे।

10. यथास्थिति, ग्राम पंचायत और कार्यक्रम अधिकारी वैध आवेदन स्वीकार करने और आवेदक को तारीख सहित रसीद जारी करने के लिए आबद्ध होंगे। समूह आवेदन भी प्रस्तुत किए जा सकेंगे।

11. ऐसे आवेदकों को, जिन्हें कार्य दिया जाता है, कार्य कार्ड में दिए गए उनके पते पर उनको पत्र भेज कर और जिला, मध्यवर्ती या ग्राम स्तर पर पंचायतों में सार्वजनिक सूचना प्रदर्शित कर इस प्रकार लिखित रूप में सूचित किया जाएगा।

12. जहां तक संभव हो, आवेदक को उस ग्राम से जहां वह आवेदन करते समय निवास करता है, पांच किलोमीटर की त्रिज्या के भीतर नियोजन प्रदान किया जाएगा।

13. स्कीम के अधीन कोई नया कार्य केवल तभी प्रारंभ किया जाएगा जब,—

(क) ऐसे कार्य के लिए कम-से-कम पचास श्रमिक उपलब्ध हों; और

(ख) श्रमिकों को अविस्त संकर्मों में नियोजित न किया जा सकता हो :

परन्तु यह शर्त उन नए संकर्मों के लिए लागू नहीं होगी जो राज्य सरकार द्वारा पहाड़ी क्षेत्रों में और वनरोपण के संबंध में अवधारित किए गए हों।

14. यदि नियोजन ऐसी त्रिज्या के बाहर प्रदान किया जाता है तो यह ब्लॉक के भीतर ही प्रदान किया जाना चाहिए और श्रमिकों को अतिरिक्त परिवहन और जीवनयापन खर्चों को पूरा करने के लिए अतिरिक्त मजदूरी के रूप में, मजदूरी दर के दस प्रतिशत का संदाय किया जाएगा।

15. नियोजन की अवधि साधारणतः लगातार कम से कम चौदह दिन की और एक सप्ताह में छह दिन से अनधिक की होगी ।

16. उन सभी मामलों में जहां बेकारी भत्ता संदत्त किया जाता है या संदत्त किया जाना शोध्य है वहां कार्यक्रम अधिकारी, लिखित रूप में जिला कार्यक्रम समन्वयक को वे कारण सूचित करेगा कि उसके लिए आवेदकों को नियोजन प्रदान करना या नियोजन प्रदान कराना क्यों संभव नहीं था ।

17. जिला कार्यक्रम समन्वयक, राज्य परिषद् को अपनी वार्षिक रिपोर्ट में यह स्पष्टीकरण देगा कि उन मामलों में जहां बेकारी भत्ते का संदाय अन्तर्वर्तित है, नियोजन क्यों नहीं प्रदान किया जा सका था ।

18. स्कीम में अग्रिम आवेदन के लिए, अर्थात् ऐसे आवेदनों के लिए जो उस तारीख से जिससे नियोजन चाहा गया है, पहले प्रस्तुत किए जा सकेंगे, उपबंध किया जाएगा ।

19. स्कीम में एक ही व्यक्ति द्वारा अनेक आवेदन प्रस्तुत करने के बारे में उपबंध किया जाएगा परन्तु यह तब जबकि तत्संबंधी अवधि, जिनके लिए नियोजन चाहा गया है, अतिव्याप्त नहीं होती ।

20. ग्राम पंचायत ऐसे रजिस्टर, बाउचर और अन्य दस्तावेज ऐसे प्ररूप में और ऐसी रीति से, जो राज्य सरकार द्वारा विहित की जाएं, तैयार करेगी और रखेगी या तैयार करवाएगी और रखवाएगी, जिसमें ग्राम पंचायत में रजिस्ट्रीकृत कार्य कार्डों और जारी की गई पासबुकों की विशिष्टियां और गृहस्थों के मुखिया तथा व्यस्क सदस्यों के नाम, आयु और पते अंतर्विष्ट होंगे ।

21. ग्राम पंचायत, उसके पास रजिस्ट्रीकृत गृहस्थियों और उनके व्यस्क सदस्यों के नाम और पते की सूचियां, ऐसी सूची तथा ऐसी अन्य जानकारियां संबद्ध कार्यक्रम अधिकारी को, ऐसी अवधि पर ऐसे प्ररूप में, जो स्कीम में विनिर्दिष्ट किया जाए, भेजेगी ।

22. उन व्यक्तियों की सूची, जिन्हें कार्य दिया जाता है, ग्राम पंचायत के सूचना पटल पर और कार्यक्रम अधिकारी के कार्यालय में तथा ऐसे अन्य स्थानों पर जिन्हें कार्यक्रम अधिकारी आवश्यक समझे, प्रदर्शित की जाएगी और सूची राज्य सरकार या किसी हितबद्ध व्यक्ति द्वारा निरीक्षण के लिए खुली रहेगी ।

23. यदि ग्राम पंचायत का किसी समय समाधान हो जाता है कि किसी व्यक्ति ने मिथ्या जानकारी प्रस्तुत करके उसके पास रजिस्टर कराया है तो वह कार्यक्रम अधिकारी को रजिस्टर से उसका नाम काटने का निदेश दे सकेगी और आवेदक को कार्य कार्ड लौटाने का निदेश दे सकेगी :

परन्तु इस पैरा के अधीन ऐसी कार्यवाही तब तक निदेशित नहीं की जाएगी, जब तक कि आवेदक को दो स्वतंत्र व्यक्तियों की उपस्थिति में सुने जाने का अवसर नहीं दे दिया गया हो ।

24. यदि स्कीम के अधीन नियोजित किसी व्यक्ति को, उसके नियोजन के कारण और उसके क्रम में किसी दुर्घटना से कोई शारीरिक क्षति कारित होती है तो वह निःशुल्क ऐसे चिकित्सीय उपचार का, जो स्कीम के अधीन अनुज्ञेय है, हकदार होगा ।

25. जहां क्षतिग्रस्त कर्मकार का अस्पताल में भर्ती होना आवश्यक हो, वहां राज्य सरकार उसके अस्पताल में भर्ती होने के लिए, जिसके अन्तर्गत आवास, उपचार, ओषधियां भी हैं, तथा दैनिक भत्ते के संदाय के लिए, जो संदत्त किए जाने के लिए अपेक्षित उस मजदूरी दर के आधे से कम नहीं होगा, जो क्षतिग्रस्त व्यक्ति के कार्य में लगे होने पर होती, व्यवस्था करेगी ।

26. यदि स्कीम के अधीन नियोजित किसी व्यक्ति की, नियोजन से उद्भूत दुर्घटना या उसके क्रम में मृत्यु हो जाती है या वह स्थायी रूप से निःशक्त हो जाता है तो कार्यान्वयन अभिकरण द्वारा उसे पच्चीस हजार रुपए की दर पर या ऐसी रकम का जो केन्द्रीय सरकार द्वारा अधिसूचित की जाए, अनुग्रहपूर्वक संदाय किया जाएगा और यह रकम, यथास्थिति, मृत या निःशक्त व्यक्ति के विधिक वारिसों को संदत्त की जाएगी।

27. कार्यस्थल पर स्वच्छ पेयजल, बालकों के लिए तथा विश्राम की अवधि के लिए शेड, लघु क्षति में आपात उपचार के लिए पर्याप्त सामग्री सहित प्राथमिक सहायता पेटी तथा किए जा रहे कार्य से संबद्ध अन्य स्वास्थ्य परिसंकेत के लिए सुविधाएं प्रदान की जाएंगी।

28. यदि किसी कार्यस्थल पर कार्यरत महिलाओं के साथ छह वर्ष से कम आयु के बालकों की संख्या पांच या उससे अधिक है तो ऐसी महिलाओं में से किसी एक महिला को ऐसे बालकों की देखभाल करने के लिए तैनात करने की व्यवस्था की जाएगी।

29. पैरा 28 के अधीन नियुक्त व्यक्ति को मजदूरी दर पर संदाय किया जाएगा।

30. यदि स्कीम के अधीन विनिर्दिष्ट अवधि के भीतर मजदूरी का संदाय नहीं किया जाता है तो श्रमिक, मजदूरी संदाय अधिनियम, 1936 (1936 का 4) के उपबंधों के अनुसार प्रतिकर का संदाय प्राप्त करने के हकदार होंगे।

31. स्कीम के अधीन मजदूरी का या तो पूर्णतः नकद रूप में या नकद और वस्तु के रूप में संदाय किया जा सकेगा, परन्तु कम से कम एक-चौथाई मजदूरी का संदाय नकद ही किया जाएगा।

32. राज्य सरकार विहित कर सकेगी कि श्रमिकों को नियोजन की अवधि के दौरान, दैनिक आधार पर श्रमिकों के मजदूरी के एक भाग का संदाय नकद रूप में किया जाए।

33. यदि किसी ऐसे व्यक्ति के, जो स्कीम के अधीन नियोजित है, साथ में आने वाले बालक को दुर्घटनावश कोई शारीरिक क्षति कारित होती है तो ऐसा व्यक्ति बालक के लिए निःशुल्क ऐसा चिकित्सीय उपचार, जो स्कीम में विनिर्दिष्ट किया जाए और उसकी मृत्यु या निःशक्तता की दशा में, अनुग्रहपूर्वक संदाय, जो राज्य सरकार द्वारा अवधारित किया जाए, प्राप्त करने का हकदार होगा।

34. स्कीम के अधीन प्रत्येक नियोजन की दशा में, मात्र लिंग के आधार पर कोई विभेद नहीं होगा और समान पारिश्रमिक अधिनियम, 1976 (1976 का 25) के उपबंधों का पालन किया जाएगा।

टी.के. विश्वनाथन,
सचिव, भारत सरकार।



भारत का राजपत्र

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	बिहार	अररिया औरंगाबाद भोजपुर दरभंगा गया जमुई जहानाबाद कैमूर (भुवुआ) कटिहार किशनगंज लखीसराय मधुबनी मुंगेर मुजफ्फरपुर नालंदा नवादा पटना पुर्णिया रोहतास समस्तीपुर शिवहर सुपौल वैशाली
		सूची
राज्य	राज्यों के क्षेत्र (जिले)	
(1)	(2)	
आंध्र प्रदेश	आदिलाबाद आनंतपुर चिचूर कुडप्पा करोम नगर खम्माम महबूबनगर मेडक नालगोंडा निजामाबाद रंगारेड्डी विजयनगरम वारंगल	
अरुणाचल प्रदेश	अपर सुबानसिरी	

(1)	(2)	(1)	(2)
छत्तीसगढ़	बस्तर	कर्नाटक	बीदर
	बिलासपुर		चित्रदुर्ग
	दंतेवाड़ा		दावनगौरे
	धमतरी		गुलबर्गा
	जशपुर	केरल	रायचूर
	कांकेर		पलक्कड
	कवर्धा	मध्य प्रदेश	वायनाड
	कोरिया		बालाघाट
	रायगढ़		बड़वानी
	राजनांदगांव		बैतूल
	सरगुजा		छत्तरपुर
गुजरात	बनासकांठा		धार
	डांग्स		डिंडोरी
	दोहाद		झाबुआ
	नर्मदा		खंडवा (पूर्वी निमाड़)
	पंच महल		मंडला
	साबरकांठा		सतना
हरियाणा	महेन्द्रगढ़		सिवनी
	सिरसा		शहडोल
हिमाचल प्रदेश	चम्बा		शिवपुर
	सिरमौर		शिवपुरी
झारखण्ड	बोकारो	मणिपुर	सीधो
	चतरा	मिज़ोरम	टीकमगढ़
	धनबाद		उमरिया
	दुमका	नागालैंड	पं. निमाड़ (खरगोन)
	गढ़वा	उड़ीसा	तामेनलॉग
	गिरिडीह		लवंगतलाई
	गोड्डा		सैहा
	गुमला		मोन
	हजारोबाग		बोलांगीर
	जमतारा		बौध
	कोडरमा		देवुगढ़
	लतेहर		डेंकनाल
	लाहारदग्गा		गजपति
	पाकुर		गंजम
	पलामू		झारसुगुड़ा
	रांची		कालाहांडी
	साहेबगंज		क्योंझर
	सरायकेला		कोरापुट
	सिमडेगा		मलकानगिरी
	पं. सिंह भूम		मयूरभंज
			नवरंगपुर
			नौपाड़ा
			फुलबनी
			रायगड़ा
			संबलपुर
			सोनपुर
			सुन्दरगढ़

(1)	(2)	(1)	(2)
पंजाब	होशियारपुर	पं. बंगाल	द. 24 परगना,
राजस्थान	बांसवाड़ा		बांकरा
	झुंजरपुर		बोरभूम
	झालावाड़		जलपाईगुड़ी
	करौली		मालदा
	सिरोही		मुंशिदाबाद
	उदयपुर		पुरुलिया
सिक्किम	उ. सिक्किम		द. दिनाजपुर
त्रिपुरा	धलाई		प. मिदनापुर
तमिलनाडु	डिंडीगुल		उ. दिनाजपुर
	नागापट्टिनम		[फा. सं. 28012/10/2005-एनआरईजीए]
	शिवगंगई		अमिता शर्मा, संयुक्त सचिव
	द. आरकोट/कुड्डालूर		
	तिरुवन्नामलाई		
	विल्लुपुरम		
उत्तरांचल	चमौली		
	चम्पावत		
	टिहरी गढ़वाल		
उत्तर प्रदेश	आजमगढ़		
	बांदा		
	बाराबंकी		
	चन्दौली		
	चित्रकूट		
	फतेहपुर		
	गोरखपुर		
	हमीरपुर		
	हरदोई		
	जालौन		
	जौनपुर		
	कौशाम्बी		
	कुशीनगर		
	लखीमपुर खीरी		
	ललितपुर		
	महोबा		
	मिर्जापुर		
	प्रतागढ़		
	रायबरेली		
	सीतापुर		
	सोनभद्र		
	ठन्नाव		

MINISTRY OF RURAL DEVELOPMENT
NOTIFICATION

New Delhi, the 24th January, 2006

S.O. 87(E).—In exercise of the powers conferred by Sub-section (3) of Section 1 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central Government hereby appoints the 2nd day of February, 2006, as the date on which the said Act shall come into force in the different areas in the States as specified in the Schedule given below :—

SCHEDULE

State	Areas in the States (Districts)
(1)	(2)
Andhra Pradesh	Adilabad Anantpur Chittoor Cudappah Karimnagar Khammam Mahbubnagar Medak Nalgonda Nizamabad Rangareddy Vizianagaram Warangal
Arunachal Pradesh	Upper Subansiri
Assam	Bongaigaon Dhemaji Goalpara Karbi Anglong Kokrajhar North Cachar Hills North Lakhimpur (Laksha)

(1)	(2)	(1)	(2)
Bihar	Araria	Jharkhand	Bokaro
	Aurangabad		Chatra
	Bhojpur		Dhanbad
	Darbhanga		Dumka
	Gaya		Garhwa
	Jamui		Giridih
	Jehanabad		Godda
	Kaimur (Bhabua)		Gumla
	Katihar		Hazaribagh
	Kishanganj		Jamtara
	Lakhisarai		Kodarma
	Madhubani		Latehar
	Munger		Lohardagga
	Muzaffarpur		Pakaur
	Nalanda		Palamu
	Nawadah		Ranchi
	Patna		Sahibganj
	Purnia		Saraikela
	Rohtas		Simdega
	Chhattisgarh		Samastipur
Sheohar		Bidar	
Supaul		Chitradurga	
Vaishali		Davanagere	
Bastar		Gulbarga	
Bilaspur		Raichur	
Dantatewada		Palakkad	
Dhantari		Waynad	
Jashpur		Balaghat	
Kanker		Barwani	
Gujarat	Kawardha	Kerala	Betul
	Koriya		Chattarpur
	Raigarh		Dhar
	Rajnandgaon		Dindori
	Sarguja		Jhabua
	Banaskantha		Khandwa (East Nimar)
	Dangs		Mandla
	Dohad		Satna
	Narmada		Seoni
	Panch Mahals		Shahdol
Haryana	Sabarkantha	Madhya Pradesh	Sheopur
	Mohindergarh		Shivpuri
	Sirsa		Siddhi
Himachal Pradesh	Chamba		Tikamgarh
	Sirmaur		Umari
			West Nimar (Khargone)

(1)	(2)	(1)	(2)
Manipur	Tamenlong	Uttaranchal	Chamoli
Mizoram	Lawngtlai		Champawat
	Saiha		Tehri Garhwal
Nagaland	Mon	Uttar Pradesh	Azamgarh
Orissa	Bolangir		Banda
	Boudh		Barabanki
	Debagarh		Chandauli
	Dhenkanal		Chitrakoot
	Gajapati		Fatehpur
	Ganjam		Gorakhpur
	Jharsuguda		Hamirpur
	Kalahandi		Hardoi
	Keonjhar		Jalaun
	Koraput		Jaunpur
	Malkangiri		Kaushambi
	Mayurbhanj		Kushinagar
	Nabarangpur		Lakhimpur Kheri
	Naupada		Lalitpur
	Phulbani		Mahoba
	Rayagada		Mirzapur
	Sambalpur		Pratapgarh
	Sonepur		Raebareli
	Sundargarh		Sitapur
Punjab	Hoshiarpur		Sonebhadra
Rajasthan	Banswara		Unnao
	Dungarpur		South 24 Parganas
	Jhalawar	West Bengal	Bankura
	Karauli		Birbhum
	Sirohi		Jalpaiguri
	Udaipur		Malda
Sikkim	North Sikkim		Murshidabad
Tripura	Dhalai		Purlia
Tamil Nadu	Dinidigul		Dakshin Dinajpur
	Nagapattinam		Midnapur West
	Sivagangai		Uttar Dinajpur
	South Arcot/Cuddalore		
	Tiruvannamalai		
	Villupuram		

[F. No. 28012/10/2005-NREGA]

AMITA SHARMA, Jt. Secy.

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भारत का राजपत्र

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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

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ग्रामीण विकास मंत्रालय

(ग्रामीण विकास विभाग)

अधिसूचना

नई दिल्ली, 14 मार्च, 2006

MINISTRY OF RURAL DEVELOPMENT

(Department of Rural Development)

NOTIFICATION

New Delhi, the 14th March, 2006

का.आ. 316(अ).—राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, 2005 (2005 का 42) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, इसके द्वारा 01 अप्रैल, 2006 के पहले दिन को ऐसी तारीख नियत करती है जिससे उक्त अधिनियम नीचे दी गई अनुसूची में विनिर्दिष्टानुसार राज्य में विभिन्न क्षेत्रों में प्रवृत्त होगा :

अनुसूची

राज्य	राज्य के क्षेत्र (जिले)
1	2
मेघालय	द. गारो हिल्स प. गारो हिल्स

[फ्त. सं. 28012/10/2005-एनआरईजीए]

अमिता शर्मा, संयुक्त सचिव

S.O. 316(E).—In exercise of the powers conferred by sub-section (3) of Section 1 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central Government hereby appoints the 1st day of April, 2006, as the date on which the said Act shall come into force in the different areas in the State as specified in the Schedule given below :—

SCHEDULE

State	Areas in the States (Districts)
1	2
Meghalaya	South Garo Hills West Garo Hills

[F.No. 28012/10/2005-NREGA]

AMITA SHARMA, Jt. Secy.

12. केन्द्रीय परिषद् की निधियां - (1) केन्द्रीय परिषद्, अपने कार्यों और अधिनियम या इन नियमों के अधीन उसे सौंपे गए कार्यों पर होने वाले खर्च की पूर्ति ग्रामीण विकास मंत्रालय द्वारा राष्ट्रीय रोजगार गारंटी निधि में से उसे जारी किए गए वार्षिक अनुदान से करेगी।

(2) केन्द्रीय परिषद् की निधियां केन्द्रीय परिषद् द्वारा यथाअनुमोदित किसी अनुसूचित बैंक के माध्यम से प्रचालित की जाएंगी।

[फा. सं. 24011/5/2005-एसजीआरवाई(एम)]

अमिता शर्मा, संयुक्त सचिव

MINISTRY OF RURAL DEVELOPMENT

(Department of Rural Development)

NOTIFICATION

New Delhi, the 21st March, 2006

G.S.R. 175(E).—The following draft of certain rules to be called the National Rural Employment Guarantee (Central Council) Rules, 2006, which the Central Government proposes to make, in exercise of the powers conferred by sub-sections (1) read with clauses (a) and (b) of sub-section (2) of section 31 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), is hereby published, as required under the said sub-section (1), for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules shall be taken into consideration on or after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette.

Objections or suggestions, if any, may be addressed to the Secretary, Ministry of Rural Development, Government of India, Krishi Bhavan, New Delhi-110001.

The objections or suggestions which may be received from any person with respect to the said draft rules before the expiry of the period so specified will be taken into consideration by the Central Government.

DRAFT RULES

1. Short title and commencement.—(1) These rules may be called the National Rural Employment Guarantee (Central Council) Rules, 2006.

(2) They shall come into force(to be specified at the time of final publication).

2. Definitions.— In these rules, unless the context otherwise requires,-

(a) "Act" means the National Rural Employment Guarantee Act, 2005 (42 of 2005);

(b) "Central Council" means the Central Employment Guarantee Council constituted under sub-section (1) of section 10;

(c) "Chairperson" means the Chairperson of the Central Council;

(d) "District Panchayat" means an institution (by whatever name called) of self-government constituted under article 243B of the Constitution, for the rural areas at the district level in accordance with the provisions of Part IX of the Constitution;

(e) "Executive Committee" means the Executive Committee of the Central Council constituted under sub-rule (1) of rule 9;

(f) "Member-Secretary" means the Member-Secretary of the Central Council;

(g) "section" means a section of the Act;

(h) "Scheme" means a Scheme notified by a State Government under sub-section (1) of section 4;

(i) "Technical Secretariat" means the Technical Secretariat of the Central Council;

(j) words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. The Central Council.- (1) Subject to the provisions of sub-rule (2), the Central Council constituted under sub-section (1) of section 10 shall consist of the following, namely:—

(a) Union Minister for Rural Development..... Chairperson, *ex officio*;

(b) (i) Secretary to the Government of India, Department of Rural Development-member-*ex-officio*;

(ii) a nominee of the Ministry of Women and Child Development not below the rank of Joint Secretary to the Government of India.... member;

(iii) a nominee of the Ministry of Agriculture not below the rank of Joint Secretary to the Government of India.... member

(iv) a nominee of the Ministry of Environment and Forest not below the rank of Joint Secretary to the Government of India member;

(v) a nominee of the Ministry of Statistics and Programme Implementation not below the rank of Joint Secretary to the Government of India.... member;

(vi) a nominee of the Ministry of Panchayat Raj not below the rank of Joint Secretary to the Government of India.... member;

(vii) a nominee of the Ministry of Tribal Affairs not below the rank of Joint Secretary to the Government of India.... member;

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(viii) a nominee of the Ministry of Social Justice and Empowerment not below the rank of Joint Secretary to the Government of India.... member;

(ix) one representative of Planning Commission who shall not be below the rank of Advisor in the Planning Commission.... member;

(c) six representatives of the department of rural development of the State Governments who shall not be below the rank of Secretary to the concerned State Government to be nominated by the Central Government member;

(d) twelve members to be nominated by the Central Government from Panchayati Raj Institutions, organisations of workers and disadvantaged groups, of whom four shall be women, and shall include—

(i) two representatives to be nominated by the Central Government from the Scheduled Castes, one representative each from Scheduled Tribes, Other Backward Classes and minorities;

(ii) Chairpersons of two District Panchayats nominated by the Central Government by rotation for a period of one year at a time;

(e) three members representing the States to be nominated by the Central Government of whom—

(i) one shall be an expert in any of the areas of works, such as water conservation, land development, afforestation and plantation and rural engineering, listed or notified under Schedule I of the Act;

(ii) one shall be an expert in social audit; and

(iii) one shall be an expert on wage employment;

(f) Joint Secretary to the Government of India in the Ministry of Rural Development in charge of the National Rural Employment Guarantee Act, 2005.....Member-Secretary.

(2) Not less than one-third of the total number of non-official members of the Central Council shall be women.

4. Terms and conditions of appointment of members.- (1) The members representing the Ministries or Departments of the Government of India shall hold their offices as long as they are serving in their respective Ministries or Departments or till the concerned Ministry or Department nominates any other officer.

(2) The term of office of the official members representing the State Governments shall be for a period of one year.

(3) The term of office of the non-official members nominated under clause (d) of sub-rule (1) of rule 3 shall be appointed for a period of one year.

(4) A non-official member nominated under clause (e) of sub-rule (1) shall be appointed for a period of two years or till any other member is appointed in his place takes charge, whichever is earlier.

(5) The non-official members nominated under clauses (d) and (e) of sub-rule (1) shall be entitled to receive travelling allowance and dearness allowance for attending the meetings of the Central Council or the Executive Committee, as the case may be, at the rates admissible to the Central Government servants of the highest grade.

(6) The non-official members shall also be entitled to receive honorarium at the rate of one thousand rupees per day for the days of the meeting of the Central Council or its Executive Committee or any other official work for which they attend to at the headquarters at New Delhi on invitation by the Central Council.

5. Resignation, etc. of non-official members.— (1) Any non-official member may,—

(a) by writing under his hand addressed to the Chairperson resign his office at any time;

(b) be removed from his office in case he incurs any disqualification mentioned in sub-rule (2).

(2) The Central Government may, remove from office a non-official member if he,—

(i) has been adjudged as an insolvent; or

(ii) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(iii) has become physically or mentally incapable of acting as a member; or

(iv) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or

(v) has so abused his position as to render his continuance in office prejudicial to the public interest; or

(vi) remains absent for three consecutive meetings of the Central Council except for reasons beyond his control or without permission of the Chairperson;

(3) Any vacancy caused in the Central Council due to resignation, death, removal or otherwise of a non-official member shall be filled from the same category to which such member was representing and the person newly nominated shall hold office so long as the member whose place he fills would have been entitled to hold office, if the vacancy had not occurred.

6. Meetings of the Central Council and its quorum. - (1) The Central Council shall meet at least two times in a year or more frequently as it may consider necessary at such place and at such time as may be decided upon by the Chairperson:

Provided that six months shall not intervene between two consecutive meetings of the Central Council.

(2) The Chairperson shall preside at every meeting of the Central Council at which he is present, and in his absence, the Secretary to the Government of India, Department of Rural Development shall preside.

(3) Not less than one-third of the members shall constitute the quorum for the meetings of the Central Council.

7. Procedure of the meetings.— (1) The Member-Secretary shall give at least fourteen clear days notice for a meetings of the Central Council, giving therein the date, time and place of the meeting.

(2) If the quorum in the meeting is not present, the Chairperson may postpone the meeting to another date and the Chairperson and the members present at the postponed meeting shall constitute the quorum.

(3) Every question brought before any meeting of the Central Council shall be decided upon by a majority of the members present and voting at the meeting before which the matter is brought and no member shall be allowed to vote by proxy.

(4) In the case of an equality of votes on any resolution or question, the Chairperson shall have a casting or a second vote.

(5) The Member-Secretary shall, within thirty days of a meeting, circulate the minutes of that meeting duly approved by the Chairperson

8. Functions of the Central Council.— (1) The Council shall perform the duties and discharge the functions assigned to it under section 11.

(2) The Central Council may, subject to such control and directions, authorise the Member-Secretary to deal with such financial and administrative matters for its day-to-day functioning.

(3) The Central Council shall lay down the systems and procedures for maintenance of its accounts and other records.

(4) The Member-Secretary shall be responsible for the custody and maintenance of the minutes book and other records of the Central Council and the Executive Committee.

9. Executive Committee.— (1) The Central Council shall constitute a Committee to be called the Executive Committee to assist it to discharge the duties and perform the functions assigned to it.

(2) The Executive Committee constituted under sub-rule (1) shall consist of the following, namely:-

- | | |
|---|------------|
| (i) Secretary to the Government of India, Department of Rural Development. | President; |
| (ii) The Financial Advisor, Ministry of Rural Development; representative of the Ministry of Panchayati Raj and two Members who are Secretaries of State Governments nominated by the Chairperson of the Executive Committee. | Members; |
| (iii) Four non-official members of the Central Council to be nominated by the Chairperson of the Central Council. | Members. |

(3) The Member-Secretary shall be the Member-Secretary of the Executive Committee.

10. Functions of the Executive Committee.- (1) Subject to the general superintendence and directions of the Central Council, the Executive Committee shall perform the following duties and functions, namely:-

- (a) take steps to give effect to the decisions of the Central Council;
- (b) manage the administrative and financial affairs of the Central Council;
- (c) sanction expenditure in connection with the affairs of the Central Council;
- (d) appoint expert groups for technical support and advice to improve the quality of implementation of the Act;
- (e) exercise all such powers and performs such functions as may be entrusted to it by the Central Council.

(2) The Executive Committee shall meet at least once in three months or more frequently, if required by the Central Council.

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(2) The Executive Committee shall meet at least once in three months or more frequently, if required by the Central Council.

11. Technical Secretariat.— (1) The Central Council and the Executive Committee shall be assisted by a Technical Secretariat, which may be set up by the Central Government in accordance with these rules to provide logistic and technical support for the implementation of the provisions of the Act.

(2) The Technical Secretariat shall be headed by the Member-Secretary and persons of professional services enlisted on the basis of procedures, norms and terms decided by the Executive Committee.

(3) The persons of professional services engaged for the Technical Secretariat shall pertain to services in functional areas specified in section 11.

12. Funds of the Central Council.— (1) The Central Council shall meet its expenses in connection with its affairs and the functions entrusted to it under the Act or these rules from the annual grants released to it by the Ministry of Rural Development out of the National Employment Guarantee Fund.

(2) The funds of the Central Council shall be operated through a scheduled bank as approved by the Central Council.

[F. No. 24011/5/2005-SGRY(M)]

AMITA SHARMA, Jt. Secy.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

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अधिसूचना

नई दिल्ली, 14 जनवरी, 2008

का.आ. 88(अ).—केन्द्रीय सरकार, राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, 2005 (2005 का 42) की धारा 29 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और यह समाधान हो जाने पर कि अधिनियम की अनुसूची 1 का संशोधन करना आवश्यक और समीचीन है, अधिनियम की अनुसूची 1 में निम्नलिखित संशोधन करती है, अर्थात् :—

1. (1) इसका संक्षिप्त नाम राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम अनुसूची 1 संशोधन आदेश, 2008 है ।
- (2) यह राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगा।
2. राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, 2005 की अनुसूची 1 में,—
 - (i) पैरा 8 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

“8 (1) विभिन्न अकुशल श्रमिकों के लिए मजदूरी की दरों की अनुसूची इस प्रकार नियत की जाएगी कि नौ घंटे के लिए काम करने वाला कोई व्यस्क व्यक्ति सामान्यतया मजदूरी दर के बराबर मजदूरी उपाजित कर सके ।

(2) किसी व्यस्क कर्मकार के कार्यदिवस, जिसके अंतर्गत विश्राम के अंतराल भी हैं यदि कोई हों, इस प्रकार व्यवस्थित किए जाएंगे कि वह किसी दिवस को बारह घंटे से अधिक न हों”;
 - (ii) पैरा 8 के पश्चात् निम्नलिखित पैरा अंतःस्थापित किया जाएगा, अर्थात् :—

“8-क. किसी समूह में कार्य करने वाले किन्हीं पुरुष और स्त्री कर्मकारों द्वारा किए गए औसत कार्य आधारित दरों की सूची नियत करने के लिए आधार होगा ताकि दरों की अनुसूची में लिंग आधारित कोई विभेद न हो ।”

[फा. सं. जे-11011/2/2007-एनआरईजीए]

अमिता शर्मा, संयुक्त सचिव

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

New Delhi, the 14th January, 2008

S.O. 88(E).— In exercise of the powers conferred by sub-section (1) of Section 29 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), and being satisfied that it is necessary and expedient to amend Schedule 1 of the Act, the Central Government hereby makes the following amendments to Schedule 1 of the Act, namely :—

1. (1) It may be called the National Rural Employment Guarantee Act, Schedule I Amendment Order, 2008.
- (2) It shall come into force on the date of publication in the Official Gazette.
2. In Schedule 1 of the National Rural Employment Guarantee Act, 2005,—
 - (i) for paragraph 8, the following paragraph shall be substituted, namely :—
 - “ 8 (1) The Schedule of rates of wages for various unskilled labourers shall be so fixed that an adult person working for nine hours would normally earn a wage equal to the wage rate.
 - (2) The working days of an adult worker shall be so arranged that inclusive of intervals of rest, if any, it shall not spread over more than twelve hours on any day”;
 - (ii) after paragraph 8, the following paragraph shall be inserted, namely :—

“8-A. The average out-turn of work put out by men and women workers working in a group will be the basis for fixing task based Schedule of rates so that there is no gender based discrimination in the Schedule of rates.

[F. No. J-11011/2/2007-NREGA]

AMITA SHARMA, Jt. Secy.



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1815]

नई दिल्ली, बृहस्पतिवार, सितम्बर 22, 2011/भाद्र 31, 1933

No. 1815]

NEW DELHI, THURSDAY, SEPTEMBER 22, 2011/BHADRA 31, 1933

ग्रामीण विकास मंत्रालय

अधिसूचना

नई दिल्ली, 22 सितम्बर, 2011

का.आ. 2202(अ).—केन्द्रीय सरकार, महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, 2005 (2005 का 42) की धारा 29 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह समाधान हो जाने पर कि ऐसा करना आवश्यक और समीचीन है, उक्त अधिनियम की अनुसूची I में निम्नलिखित और संशोधन करती है, अर्थात् :-

2. उक्त अनुसूची के पैरा 1 के उप-पैरा (iv) के स्थान पर निम्नलिखित उप-पैरा रखा जाएगा, अर्थात् :-

“(iv) अनुसूचित जातियों और अनुसूचित जनजातियों या गरीबी रेखा से नीचे कुटुंब या भूमि सुधार के हिताधिकारियों या भारत सरकार की इंदिरा आवास अयोजना के अधीन हिताधिकारियों या कृषि ऋण अधित्यजन और ऋण राहत स्कीम, 2008 में यथापरिभाषित लघु कृषक या सीमांत कृषकों या अनुसूचित जनजाति और अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006 के अधीन हिताधिकारियों की गृहस्थियों की स्वामित्वाधीन भूमि के लिए सिंचाई सुविधा, बागवानी, बागान और भूमि विकास सुविधाओं का उपबंध ;”।

[फा. सं. के-11033/2/2011-मनरेगा]

डी. के. जैन, संयुक्त सचिव

टिप्पण : महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, 2005 (2005 का 42) की अनुसूची 1 का निम्नलिखित अधिसूचना संख्याओं द्वारा संशोधन किया गया :

1. का.आ. 323(अ), तारीख 6 मार्च, 2007
2. का.आ. 1489(अ), तारीख 18 जून, 2008
3. का.आ. 3000(अ), तारीख 31 दिसम्बर, 2008
4. का.आ. 1824(अ), तारीख 22 जुलाई, 2009
5. का.आ. 1484(अ), तारीख 30 जून, 2011

MINISTRY OF RURAL DEVELOPMENT

NOTIFICATION

New Delhi, the 22nd September, 2011

S.O. 2202E).—In exercise of the powers conferred by sub-section (1) of Section 29 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central Government, on being satisfied that it is necessary and expedient to do so, hereby makes the following further amendments in the Schedule I to the said Act, namely :

2. In the said Schedule, in paragraph 1, for sub-paragraph (iv), the following sub-paragraph shall be substituted, namely:—

“(iv) provision of irrigation facility, horticulture, plantation and land development facilities to land owned by households belonging to the Scheduled Castes and Scheduled Tribes or below poverty line families or to the beneficiaries of land reforms or to the beneficiaries under the Indira Awas Yojana of Government of India or that of the small farmers or marginal farmers as defined in the Agriculture Debt Waiver and Debt Relief Scheme, 2008 or to the beneficiaries under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ;”.

[F. No. K-11033/2/2011-MGNREGA]

D. K. JAIN, Jt. Secy.

Note :—Schedule I of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (42 of 2005) has been amended *vide* following Notification Numbers :

1. S.O. 323(E), dated the 6th March, 2007
2. S.O. 1489(E), dated the 18th June, 2008
3. S.O. 3000(E), dated the 31st December, 2008
4. S.O. 1824(E), dated the 22nd July, 2009
5. S.O. 1484(E), dated the 30th June, 2011.