

Illusions of Change

The National Rural Employment Guarantee Act as implemented by the Orissa government has resulted in grandiose claims of expenditure but very little to show in reality.

VIDHYA DAS, PRAMOD PRADHAN

The path winds around the village, along a water channel dug a long time ago, irrigating the backyard vegetable and maize fields, before it dips down to fields of red yellow mud with large clods of earth turned up by the plough, preparatory to monsoon cultivation. We tramp over the fields, on and on. Every now and then we ask Hody Disari, "is this it?". She replies, no, this belongs to the shundies, this belongs to the people from Gunar village, and then, finally, we are standing at the foot of a small hillock. It has been ploughed, and bunded. It is to be settled for Deena Jahni in an effort to help the landless have land. Hody, is your land also here we ask. No, she says, it is a bit further away. And so we move on. And on and on, more fields, larger hill-ocks, and then, we are on another path, the scorching sun frizzles the hair on our head, and then she points out, that is my land. We stop short. It has defeated us. The land is a little slope across more fields, and a

ravine that probably fills with water during the rains, another ten minutes tramp, but we do not try to reach it. The sun, and the heat and the distance have quite curtailed our ambitions. But Hody, and her son have been working on the land. They have put stone bunds across it, and brought it under the plough. They will plant trees on the border once the rains start, and sow 'ragi' (millet) for their annual crop. It is a labour of love and hope.

Even as we stare in mute defeat, there is hope and excitement amongst the people, in anticipation of the promised land, something I did not expect. Koraput is difficult terrain. One can just go thus far on even turf, then the land dips, and rises, ravines open up, and hills rear ahead. Years of effort to eke out a living with little options have exposed rock and stony sub-soil, and one stumbles on scrub and pebbles, and thorny bushes as one tries to reach any destination. Moving is difficult, cultivation a challenge, to put it very mildly. New land settlements are possible only in the most hostile of terrains as much of

the cultivable land has already been taken up.

Hody is a widow in Upar Gadala village, Koraput district. The village is part of our efforts for "entitlements" so that landless people can have some land, and move on to settled cultivation, and allow regeneration of tree cover on the hill slopes. In Upar Gadala, 18 families are thus to be benefited. So far a fair amount of cooperation from the district administration has helped to identify land, make the necessary changes in land types, and identify the beneficiaries. However, they are yet to receive the title deeds or 'pattas'. But as the process has been started, we hope things will move, with perhaps some more pushing. They have started working on this dry difficult upland, in anticipation of the rains, in anticipation of the crops, and the harvest, in anticipation of some security, in a life lived on the edge. They know that this is not going to give them much returns. In terms of actual income, and increased food supply, life is going to improve marginally, but, land is a security beyond all that for these people who have been so disempowered, so exploited all their lives.

And this is where an Act like the National Rural Employment Guarantee Act (NREGA) had really raised our hopes, against hopes we must say. There were really good and wonderful people leading the movement that led to this Act, monitoring its implementation, setting examples for others to follow. Surely much can come out of such a beginning. With grim determination, we start following up things as the NREGA year starts with fanfare and announcements. "There is (sic) substantial funds, we can even provide work to two people from a family", announces the secretary at a meeting. This is indeed positive thinking we feel, and we start talking about it, spreading the message, reading out and explaining the Act, and the notices in the villages. The cards are slow in coming. The Luisiing sarpanch in Phiringia block, Phulbani district is excited. He tells us about how he has been running around to get people work, and get them job cards. The Block Development Officer (BDO) tells us "start the work, we shall give the job cards later". "That's not right, the card is central to the guarantee" we tell him. He

assures us that he will look into it. A couple of months later, we find in Taladangadang that the job cards have been distributed, but the contractor has taken all the job cards of the wage earners. We have received the minimum wages they assure us, but without the muster role, without the job card, there is no way we can find out. If payment has been made as per rules, why have the job cards been taken away?

But, that was several months ago, and now things could have changed. Indeed, several positive and constructive steps have been taken by the Orissa government for the better in its implementation of the Employment Guarantee Act. In the last financial year, the material to wages ratio was shockingly 54 to 46, with some of the districts showing ratios such as 57 to 43, etc. In the last three months of the current year, however, things have improved, and the material to wage ratio has come down to 26 per cent to 74 per cent, with the balance being made up by "contingencies". Circulars of the public relations (PR) department detail how the works should be taken up, and payments should be made, and also strictly lay down that contractors

IPE - CD

are not to be engaged in the execution of the work, emphasising that the works are to be taken up departmentally by the gram panchayats/panchayat samities or line departments according to prescribed guidelines. These instructions also provide for payment of wages through the banks and post offices provided the wage earners are willing.

In another progressive move, in November 2006, the chief minister issued a letter doubling the piecework rates for earth work. Thus, the rates for work on ordinary soil went up from Rs 50 to Rs 100 for 100 cubic feet of earth dug up, from Rs 67 to Rs 135 for 100 cubic ft of hard soil, and from Rs 105 to Rs 210 for every 100 cubic ft of stony soil. The government also increased the daily wage from Rs 55 per day to Rs 70 per day from May 1, 2007 onwards. The state has also been the first in adapting Information Technology to monitor the NREGA in all its 3672 gram panchayats, being way ahead of Andhra Pradesh, Karnataka, the supposedly IT pioneers in India, as also other states implementing NREGA. Thus according to several press reports, Orissa is the first state to place the name, age, job card numbers, and other details of each job card holder on the net, and enable access to online records of muster rolls, works undertaken, with costs and bill numbers, etc.

The state has also been projected as the first state in implementation of the NREGS, showing a total expenditure of more than Rs 700 crore, a fund utilisation of 82.39 per cent, surpassing all the major states in percentage of expenditure against available funds. Out of the 19 districts, taken up in the 2006-07 financial year, Mayurbhanj has come out on top with Koraput and Nuapada coming second and third respectively. The state claims to have issued job cards to 23.30 lakh households, and provided employment to 11.19 lakh households. On an average, reports say, each household has been provided with 31 days of employment, while no household has completed 100 days of employment.

Delusion and Reality

Impressive achievements indeed. However, there is shocking invisibility of these achievements on the ground. Even as the reports of Rs 700 crore plus utilisation started coming out, many of us were puzzled to see the near non-existence,

and non-impact of these achievements in the rural areas. Just a few months earlier, the Association for India's Development (Aid) had reported several discrepancies in the muster rolls, and the attendance registers in two villages in Gajapati Block. In addition to this, the job cards were also reported as being kept in the panchayat, and were not with the wage earners. But, the most surprising part of the report was the response of the district collector. According to the Aid (Orissa Rural Employment Guarantee Scheme Watch) report:

“(The collector) came up with some good suggestions such as the project completion actuals should be written on backside of boards that have been put. He also suggested that we conduct a joint audit to understand the corruption issues. He was wondering if piece rate was being employed for payments made. We pointed out that there is a complication if people are paid by piece rate rather than day-wage rate in terms of transparency, since on job card and muster rolls, days worked are only being entered and payments made. If piece rate is being converted to effective day rate then the days entered won't correspond to actual days the worker worked making the system murky. In any case this can not explain how people worked zero days were paid nothing and still days have been entered on job card. He mentioned that Orissa government policy will be to more and more pay by piece rate method.”

This response is shocking because the district collector is responsible for ensuring 100 days work to the people. In fact at the launch of the NREGA in the state, the chief minister had met with the district collectors of the 19 selected districts to emphasise precisely this point, and underlined that a district collector would be punishable for the tardy implementation of the scheme. Thus, when a district collector wonders how people are being paid and makes inane suggestions like writing completion reports on the backside of boards, instead of at least expressing a strong denial or disbelief at the findings of Aid, one wonders, what is really happening. But, the experience of Aid is not unique. The non-delivery, and the continued and increased exploitation of the rural poor under the NREGA is obvious and apparent to even the most indifferent. There are major lapses in almost every work taken up.

In two letters to the chief minister, we had pointed out the major discrepancies in the NREGA work in several villages in

Koraput, Rayagada, and Nawrangpur districts. In villages like Podabandh and Pudugusil in Rayagada district, people had worked and not received wages and asked to sign on blank muster rolls before they could receive payment. In Kanheimunda in Nawrangpur, there were several discrepancies in the records in the job cards, and in the payment received. In a village like Tikarapada, in Koraput district, people had received more money than the number of days worked, but the much talked about e-records indicated that the muster roles showed 28 days as against the 12 days of payment made. In actual fact, people had worked only five days. Since these letters, there has been little follow-up in the villages. One must apply to the BDO, then to the district collector, and then only to the state level authorities and the CM's office. But, this is precisely where people face a problem. Their applications are stone-walled, by the simple absence of any officials to receive these applications. If there are officials present, they refuse to give receipts, which makes it difficult for the applicants to follow up. In any case the tribal villages are at least an hour's walk away in majority of the cases from the block head office. There are little options, with the poor public transport, which can cover only a partial distance because of the paucity of roads.

In Kaliamb and Hatimunda villages, Dumbaguda Panchayat, in Koraput district, people worked for 15 days. Payments were made to some, and not to others, the job cards of course in all cases were left blank. A second phase of work was begun, the tribal members in the villages refused to work, as most of them did not receive payment in the first phase. We cautioned them that if they did not attend the work provided for their village, they would lose out on their 100 days employment entitlement. Their bleak expressions underline the lose-lose situation they are in. To reach Dasmantpur block headquarters to make any appeals or complaints, they will have to walk a little more than three hours one way.

That these are not isolated events, confined to a few pockets overlooked because of their remoteness has been underlined by a recent study by Parshuram Ray of Centre for Environment and Food Security, Delhi. This study has uncovered that irregularities are the norm. Some of the stark findings of the study are as follows: Number of Villages with complete and correct job card entries: zero out of hundred; Number of villages where 100 days

employment has been provided: zero out of hundred; Number of villages where workers have been able to cross-check their muster rolls: zero out of hundred; Number of villages where no employment, and no job cards have been given: 11 out of hundred; Number of villages where no employment has been given: 37 out of hundred.

Empowering the Little People?

But more than this non-delivery is the connivance in corruption that appears to prevail from top to bottom. There is a complete disregard for any form of accountability, and people's complaints and appeals are ignored again and again. In Nuapada district, the CEFS report brings out the stark contradictions. Here one confronts padlocked houses as one enters Mahulkot village. Several families have migrated for work to Raipur, AP, etc. Forty children from different villages study in a residential care centre for the children of migrant parents run by a local NGO. The children look emaciated, and neglected, and say that their parents have been away for more than six months. They are reluctant to talk. Payments have been made in the month of May for a road work in the month of March. There are no entries in any of the job cards. A note, signed by the APD on January 28, 2007 in one of the job cards says "social audit has taken place, entries in the job cards do not match the muster rolls". This job card also does not have any entries. In Khamtarai village,

people have worked for eight days to dig a pond, in the month of April. No payment has been made, nor are there any entries in the job card. As the CEFS team tries to probe further, Jati Majhi erupts in anger, "What has the government done for us? The contractor is far better, even if he makes us work too much, and pays little, he pays regularly once a week, atleast we are able to buy rice to eat. The government makes us run to them several times, and then does not even bother to pay."

Ray outlined the problems they had faced in the Nandapur block, when they tried to get information. The BDO refused to give information and shouted at them. When his team tried to get the necessary permission from the PR department, they were advised to first get necessary orders, and then visit the block offices to check the NREGA records. This is the treatment meted out to those who can talk on equal terms, and are well informed about the rules and Acts. If a village youth tries to demand wages, or tries to appeal for proper implementation, one wonders, what she or he would have to face. According to the OREGS guidelines, the BDO is actually the programme officer (OREGS) for grievance redressal at the block level. His main functions are "scrutinising village plans, matching employment opportunities with the demand for work at the block level, and supervising the implementing agencies, safeguarding the entitlements of the OREGS workers, ensuring that social audits are conducted by the palli sabha/gram sabha,

and responding to complaints. He is chiefly responsible to ensure that any one who applies for work, gets employment within 15 days. He will also assist the panchayat samiti in its functions, and will be answerable to the district programme coordinator."

Further, the guidelines also specify that a photocopy of the muster roll will be kept/sent for public inspection in every gram panchayat, and in the office of the programme officer. The OREGS guideline further emphasises that the original muster roll will form part of the expenditure record of the executive agency, and that key documents related to the NREGA should be proactively disclosed to the public, without waiting for anyone to apply for them, as suggested by the state employment guarantee council. Nobody is perhaps concerned that each and every one of these provisions were being violated in Nandapur block, as also in most other blocks. What are the consequences for wilfully violating the NREGA? What did the chief minister mean, when he said in the first meeting for the NREGA, that district collectors are punishable for violating the Act? According to Section VI, of the National Act, whoever contravenes the provisions of this Act, shall on conviction be liable to a fine which may extend to one thousand rupees. This provision hardly seems to be much of a deterrent to the likes of the Nandapur BDO. Or perhaps, that was the source of his fear, and anger.

Can we ever hope to help people like Hody Disari, and Deena Jahni through the

NEW WEB EDITION OF *EPW* (www.epw.org.in)

The *EPW* web edition has been comprehensively redesigned with a new look, feel and additional features. The web edition will now have

- **Interactive features (Blogs)**
- **Provision to review papers submitted to *EPW***
- **'Featured Themes' with selections from the archives**
- **A vastly enhanced and improved search facility**
- **Abstracts in search results**
- **Improved design for easier access and reading**
- **Organised listing of articles in Review and Special Issues**
- **Facility for online subscription using a secure payment gateway**
- **Archives from 2000; to be extended shortly to 1966.**

Visitors to the site no longer need to register. Non-subscribers can read all the articles in the current and past four issues without registration. There is a Guide to the Site explaining all features in detail.

EPW is committed to providing a large measure of open access to the articles published in the journal. However, since we depend entirely on income from circulation and advertising, we need to restrict access to the archives to subscribers. From August 20, only (print/web) subscribers to *EPW* will be able to use the archives. All print subscribers will enjoy full access to the archives. A new category of web subscription is now available for readers who do not want the print edition but wish to have access to the *EPW* archives. The web subscription charges have been set at very modest levels.

Access to the entire site (including the archives) will be open to all until August 19. Do visit the web site and subscribe to either the print or web edition on our promotional offers. Please send us feedback as well. We trust that all readers of *EPW* will support us in this endeavour.

***EPW* would like to express its deepest gratitude to IRIS, which, since 1999, has hosted the journal's web site at no cost and without whose support the web edition would not have been launched and maintained all these years.**

NREGA? It is perhaps easier to throw up one's hands, and say, "Nothing in this country will ever work. Laws are just pieces of paper." What is the hope for the tribal communities? As we said, the NREGA is backed by wise and experienced people. If they fail to look at the little people, if they simply assume that the present provisions, backed by the occasional 'public audit', will suffice, we must begin to doubt their wisdom. For too long have the people, the dalits, the tribals in this country suffered. We do not see how things can change for them. We do not see how we can fulfil the expectations and hope that Hody and her fellow tribesmen have placed in us. We had started out with much hope and even some excitement, looking forward to constructive works enabling people to

develop their lands, bring waste land and commons under productive use, and an overall improvement in the livelihoods of people who have been for years on the margins. All this would needless to say take time, but, with the right provisions and processes in place, at least one could make a beginning. Or so we had thought.

The government has taken, as pointed out earlier, several progressive steps. But, it should not sit back and count its laurels. The government of Orissa must rise to the occasion, and take immediate steps to stop this most hypocritical and cruel joke on its poorest and most vulnerable communities. **EPW**

Email: Aragamee@satyam.net.in