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IN NREGA REFORMS, PRIORITISE THE WORKER AND HER DUES

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MGNREGA work on a canal at Thrissur in Kerala. File | Photo Credit: PTI

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) is no stranger to reform. In fact, the zeal with which reforms are introduced often outpaces the capacity to adapt. Every time the administrative system gets back on its feet after a reform move, it is hit by another. Poorer States struggle more to adapt when compared to those that are better off because of weaker administrative capacity. The most recent concern of the central government is over the programme's "regressive" spending pattern, where poorer States spend less NREGA funds than better-off ones. As if on cue, a committee to suggest reforms has been constituted instead of listening to the long-standing demands of workers and their collectives. NREGA is underperforming because its most basic design principles have been forgotten or wilfully ignored. We remind the committee of this simple message.

The first is: address delays in wage payments to restore the faith of workers in the programme. In 2016, the Supreme Court of India directed the government to ensure that wages were paid on time, calling the act of making workers wait for wages for months as equal to "forced labour". However, there has not been even a single decisive step taken by the Ministry since then. Instead, the process of wage payments created by the central government has become even more convoluted. For instance, seven or more functionaries have to sign off before payment due to a worker can be approved (stage one of the wage payment cycle). This does not even include the series of delays from when the payment is approved till payment is made (stage two of the cycle). In contrast, the processing of loans from private banks is done in fewer steps. The point is the Ministry of Rural Development must simplify the payment process and has to be transparent about pending wage payments in stage one and two so that bottlenecks can be corrected.

The second is: strengthen implementation capacities where expenditure is low instead of curbing expenditure where employment generation is high. States which are spending more are implementing the programme better because they have better capacities (as several studies including the government's own Economic Survey concluded in 2016). For a universal, demand-based social security programme such as NREGA, reforms cannot be based on 'targetting' better. There has to be a focus on exclusion and not inclusion "errors". Instead of using expenditure and income poverty as the only markers, exclusion must be identified at the

household level. There is enough evidence to show that NREGA is fairly well targeted, benefiting the poorest, especially Scheduled Caste (SC) and Scheduled Tribe (ST) families. However, there is scope for improvement. For instance, panchayats, blocks and districts where employment of SCs and ST families is lower than their proportion in the population must be identified. This would indicate pockets where the most marginalised are being nudged out of the programme. Similarly, panchayats where the average wage being paid is lower than the notified wage rate must be identified as well. This would indicate places where the implementing authorities need to be hauled up for failing to ensure work is completed — which in turn deprives workers of their minimum wage. The online Management Information System of NREGA can flag areas where entitlements are violated instead of being used as a tool by bureaucrats to centralise and control things.

The third is: run the programme like a demand-based law, and not a scheme. Intermittent and unpredictable fund releases by the central government are one of the fundamental reasons why State governments are unable to ensure the full potential of NREGA. As of today, 18,191 crore in liabilities is due to 24 States. Poor performing States, on account of inadequate funds, typically discourage and often deny demand for work.

Based on our experience of organising NREGA workers in several districts of Bihar, we have found that even when we have been able to get receipts for our work demand applications, worksites are not opened on time, and the work provided does not match demand. The Kaam Mango Abhiyan was launched by the Ministry of Rural Development in 2013 — due to declining demand of work under NREGA), the Union Ministry of Rural Development launched this campaign, which literally means “ask for work” — with the help of civil society organisations in six districts in six States; 53,000 workers demanded work in Katihar district alone and dated receipts were provided. Unfortunately, the historic numbers of workers demanding work were let down by the Ministry because funds to honour the demand were not released to States in time. Lessons from such campaigns are part of the institutional memory of government. In a related instance, workers in Barari block of Katihar were on indefinite strike as they have not been provided work and wages for the work they have done. Given the unique financial needs of this programme, the General Financial Rules need to be reimagined so that budgetary allocations remain flexible to the need for funds by States in response to demands for work.

The fourth is: make discussions on any proposed reforms participatory. NREGA emerged from the demands of a vibrant peoples’ movement across India and its cornerstones have been its path-breaking provisions for public accountability. Building on the spirit of public participation, which gave NREGA an institutional architecture that was well before its time, is needed. There has to be a leveraging of consultative processes and forums built into it, such as the State and Central Employment Guarantee Councils. State governments have played a pivotal role in the successes and failures of NREGA, and any proposed reforms must be tabled in State assemblies in addition to Parliament along with bringing civil society organisations, worker unions and representatives of self-help groups into the discussion.

The fifth is: it is time the Government of India makes an earnest attempt to map the impact of each of its “reforms” on access to and the expenditure of NREGA, particularly in poorer States. A slew of “reforms” — the majority have focused on centralisation such as the electronic fund management system, geo-tagging of assets and a national mobile monitoring system (NMMS) — have disrupted implementation. Almost 3,000 women NREGA workers in Muzaffarpur district are protesting against the NMMS application after the app failed to capture their attendance. They have been denied their wages. The committee members must meet the protesting workers when they visit various States. The central government must be held accountable for the denial of entitlements to NREGA workers as a result of top down “reforms” that workers had no say in designing.

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The article is also an appeal to this committee to consider some principles in order to guide its discussions and recommendations. Reforms to NREGA must prioritise the access of workers to entitlements with ease and dignity, rather than focus on administrative and fiscal efficacy alone.

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