

Bleeding the lifeline - Tryst with NREGA in West Bengal



1. Introduction and Summary

The National Rural Employment Guarantee Act (NREGA) 2005 is a landmark step by the central government aimed at providing employment to those living in state of chronic poverty in rural parts of the country. However, the status of its current implementation and access to it by the most marginalised is far from satisfactory.

This report is based on an extensive community level survey and case study gathering in nine districts in the state of West Bengal. Its objective to not only explore the real picture of the functioning of NREGA, but also highlight cases of denial, lack of access, delayed payment and sheer ignorance about this much publicised life-line for the rural poor.

The districts covered under this exercise over the past six months include North and South Dinajpur, Coochbehar, Murshidabad, Malda, Darjeeling, South 24 Parganas, West Midnapur and Purulia.

The methodology used was qualitative in nature and based on interviews of a cross section of stakeholders, the most prominent being women and marginalized groups themselves.

Key findings

- In 2007-08 a little over than 12 work days were generated per job card holders, a poor actualisation of the promise that each job card holder will earn at least Rs.8100 per year.
- As per the data on NREGA website¹ only **2,373** households got 100 days employment where as the total registered job card households in West Bengal is **96,13,577**.
- Participation of women in work is way below 33% in the state. Women and physically challenged people are harassed and threatened when they demand their entitlements under NREGA.
- Though the government website has reported completion of social audit but there are ample incidents of tampering of social audit processes!
- In many cases it was found that no work had been provided even after written applications, no unemployment allowances were paid, irregularities in wages payment and delay in wages payment varied from 15 days to 4 months

- Thousands of cases came to light where wages were not paid to the people even after 2½ years.
- Due to lack of livelihood opportunities villagers are leaving in search of work. There are increasing incidents of distress migration, particularly in Aila affected areas, due to erratic rainfall during the last monsoon and in-adequate kharif cultivation.
- It is also not un-common to come across cases of starvation deaths and malnourishment in the state.

The Context

Almost on a daily basis one sees media reports of protests around issues related to NREGA in different parts of the state. But these are scattered voices of protest or demands for rights.

In this backdrop, the Paschim Banga Jiban Jibika Suraksha Mancha (PBJJSM), a network of groups and community platforms working on the issue of food and livelihood rights of the poor decided to highlight the situation on the ground.

The ActionAid supported PBJJSM and village level people's alliance² members identified and consolidated cases of violation and registered complaints with the Gram Panchyats or village councils, Block Development Officers and District Magistrates.

The findings in this report were collected from 1,514 villages in 55 blocks from 9 districts through community-based activists who have been intensively working towards making NREGA functional.



2. Immediate issues

Issues that need immediate attention are:

1. People who have applied, but not gotten the job cards are not getting unemployment allowance despite the clause that provides for it after 15 days of application if work is not provided.
2. Even those who got work have only received on an average of 18 days in comparison to the guaranteed 100 days.
3. The Act mandates the wages for to be paid within the 15 days of the work finished, but this is far from the situation on the ground.
4. Women must form one third of those who receive work under NREGA. But they are not getting employed in projects. This is particularly true in the case of Muslim women. In fact they are facing brutalities from the men dominated village councils.
5. Despite a government directive for the job cards to be made accessible free of costs. Poor families are being made to cough-up money to get the cards.
6. In many cases job cards and bank account passbooks remain in the possession of a few influential individuals in the village who use these as per their own needs.
7. There is a delay in updating entries in the job cards and often these are made without actual work taking place.
8. Names of minors, missing persons and even dead people are listed on the Muster Rolls.
9. People opening bank accounts are being asked to pay whereas these accounts are meant to be zero balance.
10. Manipulation in the payment of wages and irregularities in social audit were extensively observed.
11. No proper display of signboards at worksite are maintained. Women workers, particularly those with children, face major inconvenience due to a lack of water and toilets.

3. Description of Issues

Violation of Rights

Incidents of work being denied under NREGA were observed across the nine districts. Villagers demanded work through written applications, yet no receipts were given to the applicants. In absence of any proof of having presented the applications, those who did not get work could not even claim unemployment allowances on not being provided work within 15-days.

The other major issue is of very limited days of work being provided to the applicants. This situation is massively compounded by non-payment or delay of several months. Such delay in payment to daily wages is criminal considering the only asset these poor families have is their ability to do physical labour.

There are cases where payments have not been made even after 2 ½ years.

The data on the government website³ indicates that there are only 2,373 households got 100 days work whereas there were 96,13,577 registered job cardholders in 2008. This data itself proves the degree of denial to the poor people from NREGA.

Number of people applied for work but work not given:

Malda	120
Darjeeling	54
South 24 Praganā	1108
Purulia	1388
West Medianapur	205

False entry and corruption

Crucial decisions like assessment of the projects were being taken in the absence of the concerned beneficiaries and the entries on Job Card and Muster Roll were not being made in the presence of the people who worked. Cases of tampering of Muster Roll and Job Cards were also found. There were cases where people worked lesser amount than listed on the Job Cards and thus the extra amount was siphoned off. The wage was also siphoned off because the claimant do not have possession of their bank pass book.

A number of cases was observed where payment was made to the influential individuals who never worked under NREGA schemes. People worked but their work was shown in someone else's Job Cards and payment was made to the members of Gram Sansad. Pass Book and the original claimant who worked under the scheme did not get any payments.



Non-payment of Unemployment Allowance

The sample data collected during the course of this study and campaign from 1,514 villages of 55 blocks shows that 3,094 applications for un-employment allowances are pending at Block Development Officer and District Magistrate's office. As per the data on state government website⁴ 5, 52,717 applications were received by the administration for un-employment allowances whereas only (2 days wage) Rs.162/- were paid against these applications.

Cases of denial of Unemployment:

Malda	305
Darjeeling	110
South 24 Pragana	430
Purulia	1175
West Medianapur	777
Coochbehar	96
Dakshin Dinajpur	96
Total.	2989

Non-payment and delay in payment of wages

Both are the common problem across the state. For instance, in Samsad Dakshin Karanji under 2 No. Karanji Gram Panchayat of Kushmandi Block, Dakshin Dinajpur people worked in a village road project from 25.03.2009 to 15.4.2009 but payments were made in August 2009 and October 2009.

These are some numbers on cases of non payments:

Malda	753
West Midnapur	881
Dakshin Dinajpur	14
West Midnapur	98
South 24 pargana	40
Purulia	215
Uttar Dinajpur	300

Issue of worksite facilities

As per the Act there should be critical facilities: Shed, firstaid, drinking water and crèches. Only first two were found in some places. All these are non-negotiable for NREGA work. Aged and PWD⁵ could have been engaged to take care of crèche or distributing drinking water but as there were no such facilities available

Issue of bank pass book and job card

A number of cases was found where Job Cards and bank pass books are not in possession of the Job Cards holders. The influential people like member, work supervisor, Panchayat member and politicians siphon off wages using these. In a number of cases Post Office and the Bank did not handover the Pass Book to the Job Card holders. Job Card holders only signed on the withdrawal slip and got the money but he/she could not see his/her passbook.

Demands for minimum balance by the bank were also reported in violation of zero balance account principle under NREGA rules.

Number of people denied from work as they do not have pass book:

South 24 pargana	207
Coochbehar	247

Forged Muster Roll entries

It is observed almost in all cases that Job Assistants/Work Supervisors do not take attendance of the labour when they prepare Muster Rolls at worksite. The whole process of preparing Master Roll and job card is made at the house of local leaders or house of the Panchayat member.

Some of the issues related with the Muster Roll preparations are:

- Many of the master rolls have duplicate name and signature of the labour who have not taken part in the work. Thus, payment was made to the people who never worked.
- Miss match of the amount shown in the Job card and Master roll.
- Payment was made to missing persons like dead, minor or person not in existence.
- The issues of Job card and master rolls preparation at home found in many districts like, Purulia, West Medianapur, South 24 Pragana, Malda.

Denial of employment because of not having passbook

Job claimants who do not have passbook are being frequently denied work. Local banks and post office to harass people when they try to open their “zero” balance account. People are asked to pay the money to open their accounts. For example, in Cooch Behar, Rs.50/- was taken from each of Job card holders to open the account. Even, there were cases in South 24 Paragana where money was taken from people but accounts were not opened and thus all these prevented people to get NREGA work.

The reality of Social Audit

On records the panchayat, block and district administrations have already completed the social audit processes. But, as per the villagers people at large – even the job card holders – were not informed.

On several occasion peoples’ platforms like PBJJSM, BJJAS, Pramila Bahini etc. too failed to influence the so-called audits and take part in the process as they were not informed by concerned officials or village representatives.

NREGS and Muslim women

Muslim women’s participation in NREGA in all districts is poor. Most of the rural Muslim women feel that work under NREGA is only for male members of the family. Normally Job Cards are only issued in the name of husband or the male members of the family.

Panchayat and local party members discourage Muslim women’s participation in NREGA works. They criticize and demoralize women by saying that being Muslim woman how can they do digging of soil with male persons other than their families? Earlier Women were afraid and reluctant to take part in NREGA. With the active awareness campaign by civil societies slowly women are realizing the fact that they also can increase family’s income by working under NREGA.

This is very useful for those poor women whose husbands migrated or moved to other places for earning money. Now women are going to the Panchayat to get job card issued in their name. But they faced problems in getting Job Card or open bank account in time. Most of the time political leaders and members of Panchayat are trying to prevent them demoralizing and harassing them in different ways.



4. The verdict

The NREGA 2005 was to boost the rural economy by guarantying at least 100 days work and wages at government arte to the rural people. All the rural families are entitled to avail the opportunity. It was also supposed that by the virtue of its implementation, the agricultural and rural wage labourers would have the opportunity to bargain for minimum wages from their private employers.

It's now almost 4 years that such a democratic and pro-poor act is being executed in our state. We believe it's now time to take the account of the facts and understand the outcomes. How far it has boosted the poor people's house hold economy? What's the PRI's percept and practice of the act? Is it really rejuvenating rural economy or somehow help women and disabled persons getting on an equal footing with their counter part?

5. Testimonies of violations

Cost of a zero balance pass book

If a claimant does not have a bank account, how she/he is to receive her/his wages? Here is an example of an instant “solution” practiced by the members of Gram Panchayats.

Pradeep Singh and Arati Sing a Scheduled Tribe couple from the Binai village, Makarampur, Narayangarh Block, West Medinapur. Pradeep worked for three days and Arati Sing worked for five days in the month of March 2009. Since the couple does not have any bank account, Panchayat convinced them to receive their wages through someone else’s account.

Gautam Sing and Sandhya Sing, the wife of Sudhansu Singh (politically influential people in the village) received their wages and later handed over their money. And certainly not in full – Pradeep received Rs. 200/- instead of Rs. 243/-, and Arati got nothing but only assurance.

Their story does not end there. The GUS member Sudhansu Singh helped them to open their zero balance account with the bank for which he took Rs.105/- from Pradeep and Arati. This has been complained verbally so many times to the Panchayat, afterwards a written complain was submitted to the BDO. So far the couple has not received any response BDO or Panchayat.

No work carried out but wages paid!

Over 250 people worked under an NREGA scheme during March 2008 in the Purbagopali village of Gopali GP of KGP-I Block. While receiving their wages, they noticed that five persons from family of Guru Dey (Job Assistant, bearing Job Card No.244) received wages and entry was made in Job card of Guru Dey. It was immediately brought to the notice of Panchayat Pradhan, but no action was taken by him.

People complained about this by lodging a Right to Information on 15-11-2009 to get the copy of the Muster Roll for the work. After five months they got a duplicate copy and extensive manipulations were found in the Master roll. An additional three days of work were mentioned against each individual worker and names of five members of the Guru Dey’s family were found in the roll who did no work at all.

In defense of ghost workers

People of Purbamarkunda village of Kashipur 7, Block Narayangar worked under NREGA from 23-3-2008 to 25-3-2008. At the time of payment they noticed that 8 days wages were charged in Job card and Master roll whereas they worked for only 6 days. But, they were paid wages of 6 days only. More than that, extra payment was shown in the name of Ghost workers who never worked for a single day. Should we allow the ghost workers to survive on public money? How to keep them off from the master roll?

This was complained to the DM, who ordered an enquiry through BDO. People's complain was found genuine during the investigation. BDO ordered for payment of 6 days' wages as the master roll reflected it. He also ordered to lodge a criminal case against people involved in siphoning of the government money. But so far no action was taken against the culprits.

Tribal community members threatened

Bulu Bhakta, 30, lives in Sagarhbhanga village, Makrampur GP, Block Narayangarh. Bulu is a single woman and lives with her 12-year-old-daughter. She belongs to Lodha Sabar Tribal group. She applied for work in June 2008 to the Panchayat, but her application was turned down. This made her and a dozen others from her community approach the block development officer's office. This too failed to get any notice.

She finally got work for three days in March 2009 in her village, but was not paid. In June 2009 she applied for un-employment allowance for her work application submitted in October 2008 to BDO and DM.

She was bared from the village tube well due to her constant appeals to the village council to get her right to work. To survive Bulu and her daughter had to flee from her village. On 11th July 2009 Bulu personally met the District Collector and explained the atrocities she had to face.

Then she finally got her un-employment allowance for their application of work they made in June 2008. But till now she has not got her wages for her work carried out during the last March and June 2009 and also for her un-employment allowances for her job application submitted in October 2008. She and all other claimants now are learning to live under threats from the people of power in the village.

Panchayat apathetic towards engaging women in NREGA work

Sahanaj Begam, 32, lives in Devipur village of Udayapur-2 GP, Kusmundi Block, Dakshin Dinajpur. She is the bread earner for a family of six members.

She is a community leader. She has been spreading awareness among women about the entitlements under NREGA. Under her leadership, women in her village approached the village head with their demand for work.

Panchayat was not ready with such a demand. Council members then tried to mislead the women saying that the NREGA work was only meant for men

Death for demanding work

Mantu Mandal, a resident of Satishmandal para (Shujapur) Krishnapur GP under Kaliachak III block in Malda district, had worked under the NREGA project and has Job Card no.150906009. He is the only earning member in a family of five. He along with other 25 co-workers worked under NREGA from 10.6.2009 to 16.7.2009 in a road construction work. No wages were paid to them against this work.

In August 2009 he started demanding his wages from the village head along with other workers who have not received their wages. He first complained to the work supervisor. He also contacted the Panchayat Samiti member Digambar Mandal on the issue. The site supervisor's son threatened him to harm him if he did not stop demanding the wages and went on complaining. However, later he was called to the house of site supervisor where he died due to a fatal blow on his head with the four wall of the house.

Now Mantu's family – his widow with her 9 month old son and his old father and mother, is on the verge of starvation. The incident was reported in electronic and print media.

An early lesson for demanding rights

Pinky Khatun, 19, a resident of Nathinagar village, Shobhanagar, Enlishbazar, Malda district was an active member in an awareness campaign for the NREGA in association with Nathinagar Samaj Kalyan Society (NSKS). Her efforts developed a wide spread awareness about the scheme in her village. This in turn resulted in hike of the demands for work under the NREGA and subsequent unemployment allowance for not getting work within the stipulated time.

She was also among 82 people who applied for work but her application was not accepted as her active participation had enraged the dominant group in the village. She was later kidnapped while campaigning for people's right. The incident was also reported in the local print media.

(Endnotes)

¹ http://nrega.nic.in/netnrega/writereaddata/state_out/MoreJust10032_local_0809.html

Marigalized people's alliance are there at village level, GP, Block and district level to take forward the social movement to protect their rights as citizen.

³ http://nrega.nic.in/netnrega/writereaddata/state_out/MoreJust10032_local_0809.html

⁴ http://nrega.nic.in/netnrega/writereaddata/state_out/unempall_32_local_0809.html

⁵ People with Disability

⁶ Banchita Jana Jagaran Adhikar Samity (BJJAS) is a people's alliance of poor, excluded men & women from ST, Dalits,. The BJJAS is engaged with social movement in Purulia district.