THREE

MGNREGA: Needed Reforms

As the operational guidelines to the MGNREGA state the legislation is intended to go well beyond the narrow goal of providing relief employment:

a. Strong social safety net for the vulnerable groups by providing a fall-back employment source, when other employment alternatives are scarce or inadequate
b. Growth engine for sustainable development of an agricultural economy. Through the process of providing employment of works that address causes of chronic poverty such as drought, deforestation and soil erosion, the Act seeks to strengthen the natural resource base of rural livelihood and create durable assets in rural areas.
c. Empowerment of rural poor through the processes of a rights-based law
d. New ways of doing business, as a model of governance reform anchored on the principles of transparency and grass-root democracy. [MoRD (2008)]

In order to realize the above goals that MGNREGA has set out for itself, there need to be first and foremost human capacities. As studies and performance audits of the flagship scheme have pointed out, human resources have not been deployed adequately. Even if these resources were present in adequate numbers, their capabilities need to be developed so that they are able to discharge their responsibilities. Human resources need to be backed by proper supporting institutions, which act as decision support systems. It is with this framework in mind that the present chapter seeks to look at needed directions for MGNREGA reform.

3.1 Human Resources

3.1.1 Dedicated Implementation Team at Cluster Level

A real bottleneck in MGNREGA implementation is a lack of functionaries at the cutting edge of implementation, with serious consequences for the bottom-up, people-centred architecture of MGNREGA. The shortage of staff has had a serious impact on key parameters like high-quality people-centred planning and implementation of works, availability of employment on time, timely measurements and hence timely payments. It is clear that the sheer size of the guarantee makes it impossible to be carried out on an “additional charge” syndrome. However, this is precisely what has been happening with MGNREGA. In addition to impacting the quality of work under MGNREGA, such an inadequate provisioning of hu-

1 In the light of the above discussion, it is interesting to note that the Working Group on Capacity Building of the Central Employment Guarantee Council1 observes that barring few exceptions, a lack of pro-active dedicated teams at the cutting edge of implementation, ad-hoc appointments of “low quality staff” leading to low employee morale and job satisfaction and high rates of attrition, lack of coordination between “horizontal and vertical tiers of the government”, “poorly crafted administrative systems” and lack of strong governance systems at national and state level and absence of a proper capacity building plan strike at the very root of MGNREGA (CEGC 2010[a])

2 This has been corroborated by several independent assessments from the field. See for instance, CAG (2008), Ambasta et.al. (2008), Samaj Pragati Sahayog (2008)
man resources at the disposal of the Gram Panchayats also means that the genuine democratic
decentralisation and devolution remains incomplete.

It is obvious that the level of professional support to GPs has to be stepped up. Not
only should there be dedicated staff for a programme with new, radical demands but also the
number of such staff need to increase to set up a proper implementation team. Such a larger
team size naturally suggests that each block is broken down into implementation clusters to
ensure proper division of responsibilities between different POs in the same block.

Such a cluster-based implementation unit would also become the cutting edge of imple-
mentation, instead of the block. This can be seen as an innovation in governance delivery in
rural India, as decentralization is deepened further beyond the current District, Block, GP
model (See National Consortium on NREGA [2009] and the CEGC [2010a]). This interme-
diate layer for implementation is not to be confused with an elected Panchayat layer or an
administrative unit. It may simply be seen as a unit for which a team of human resources for
planning and implementation is deployed.

On an average there are about 90 villages per block in India. We may divide the block
into 3 parts, each to be called the Village Development Cluster or the Gram Vikas Sankul,
comprising 30 villages each or about 15 GPs. This middle tier GVS will be the cutting edge
level of MGNREGA implementation between the GP and the Intermediate Panchayat. Such
a layer will be co-terminus with optimum deployment of personnel, and will ensure:
- proper planning
- greater cohesion and coordination between GPs and within project teams
- time-bound sanctions and releases, smoother functioning, through a reduction in the criti-
cal distance between GP and MGNREGA implementation hub
- timely measurements and valuations of work
- social mobilization and social audit.

Apart from increasing human resource allocation at the cutting edge of implementation,
the Gram Vikas Sankul also ensures a level of efficiency of use of such resources since they
are collectively used by several GPs. Along with this decentralization of implementation, a
fully dedicated professional support team for MGNREGA needs to be placed at the Village
Development Cluster. This team, which we can call the Project Facilitation Team (PFT) is
recruited from the open market through a rigorous selection and screening process. The team
members should be recruited on contract for a period not exceeding 3 years. The team should
be led by a Project Officer and should comprise at the very minimum one person in-charge
of social mobilization and 3 technical assistants and one community level mobilizer for each
Gram Panchayat (GP) (CEGC 2010a).

The above provisions call for an increase in the personnel deployed for MGNREGA. They
further indicate that these personnel need to be dedicated to the task rather than placed
on an “additional responsibility” basis. The estimated costs of such human resources (there
are several, see Ambasta et.al., 2008, National Consortium on NREGA, 2009, Ambasta, 2010,
CEGC 2010b) indicate that they are well within the 6% allocation for administrative costs
currently allowed. What is required is that most of this 6% is spent at the sub-block level, or

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3 See Ambasta (2010 and 2011), for a discussion of the 3 Fs – Finances, Functions and Functionaries in the context of MGN-
REGA
the cutting edge of implementation.

A very strong PFT will almost on a daily basis, can easily reach out to, mobilise and empower the poor, wage seekers to make demands on the system. Such a dedicated PFT will prepare an annual micro-plan for each Gram Panchayat each year resulting in shelf of works and annual budget estimates (material and labour budget both). The PFT will train Gram Panchayat representatives and functionaries and also village-level workers, and work with them on all aspects such as implementation, asset verification, measurement and payment, and monitoring and evaluation, MIS maintenance, and social audit. Such a PFT will address the needs of a population of about a third of a block, or 30 to 35 villages, and in terms of geographical area a maximum of 15,000 hectare. This is a large enough area to employ and distribute the cost of hiring quality staff. Thus there would be three PFTs in a block each led by a PFT team leader and reporting to the Programme Officer at the block level. This is also roughly the area on which the cutting edge of NRLM implementation is proposed to rest. This gives grounds for convergence and pooling of human resources at the disposal of PRIs.

3.1.2 Human Resource Policies

In order to attract the best professional talent for MGNREGA implementation, the recruitment of professionals also has to be done in a professional manner. This will need innovative criteria for selection of the right person for the right job and transparent and appropriate human resource policies which build in performance assessment and incentives for good performance, while clearly placing disincentives on non-performance.

Such recruitments could be outsourced to credible agencies, backed by administrative and political support. Such innovations in the contexts of specific projects have been tried by the state governments of Bihar, Rajasthan and Tamil Nadu with good impacts. There is a need to lay down uniform guidelines under the MGNREGA for recruitment of staff particularly at the levels of Field Assistants, Technical Assistants and Additional Programme Officers who lead the project at the Block level. The terms of contract are not uniform among states or even staff categories. Job descriptions are not clear for positions filled up both by contractual employment and deputation from other state departments. In essence, while studies have preceded organisational changes in DRDAs, MGNREGA has not had the benefit of a comprehensive HR policy for project staff. The systems of recruitment, appointment, remuneration, termination and terms of service, where on contract are also either absent, or have not been able to sustain themselves after the initial round. By allocating a very low administrative expenditures, governments have tended to incentivize ad-hoc appointments, in an era where the job markets have opened up and become fluid. Problems commonly found in state NREGA systems are the following: (a) compensation structure indicating ad hoc nature of employment such as lump sum monthly payment; (b) much of the responsibility to hire staff is left to the DPC without specifying “how” or to the Mukhia/Sarpanch; and (c) high turnover.

However, without a cohesive organizational vision, mentoring, proper job descriptions, systems of incentivizing performance and disincentivizing non-performance and grievance redress, mere contractual employments are not going to serve the purpose.

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4 The recommendations of the report of the CEGC Working Group on Planning and Execution (CEGC 2010b) are in convergence with the above. The working group has suggested that the delineation of this cluster or GVS may be done on the principle of area and distance rather than administrative boundaries and recommends a delineation limit at about a population size of 40,000. In terms of national averages, this coincides with roughly one-third of the block.

5 See Arya and Shubham (2009) and CEGC (2010a)
To sum up, therefore, we need a system in place which satisfies the following principles:
- it must be objective and transparent in terms of selection and recruitment, eliminating biases in selection. Credible agencies with a track record in recruitment for the social sector may be considered for the job.
- recruitment and selection for MGNREGA should begin by clearly creating a job profile for the desired candidate.
- selection methodology must focus on multiple formal tests for selection – psychometric, sociometric, interviews and village immersion
- administration of the tests must be outsourced and formalized rather than be left to chance and vague. A selection panel should be formally constituted to oversee the process. Clear, unambiguous and transparent criteria for selection or rejection of candidates should be placed.
- a system of performance management that grades the performance of staff and rewards or punishes them by linking performance to salary and non-monetary awards, and to promotion or termination\(^6\). The system should follow a 360 degree evaluation method, incorporating field visits, review of records, assessment of wage seeker participation, factoring in feedback from village communities and PRI leadership.
- a clear cohesive organizational vision is required to iron out issues relating to implementation particularly arising between the PFTs and the PRIs
- a human resource policy for contract staff also needs to be worked out with well defined criteria specifying compensation structure and career growth path possibilities.

### 3.2 Capacity Building

The operational guidelines of MGNREGA envisage the setting up a chain of resource centres from the national to the state to the district level [Chapter 13], with the cutting edge in terms of training and capacity building has correctly been envisaged at the district level [Section 13.4.1.e]. However, capacity building is an aspect of rural development which has suffered neglect over the decades. There are gaps in terms of training infrastructure, training material, resource-persons and so on and also variations across states in each of these aspects. There is also a lack of a training plan or strategy at the state and national levels, with natural implications for quality. It is clear that there is a lack of cohesion and shared sense of purpose across the board. This is seriously impacting the quality of outcomes on the ground.

In general, the problems that have beset capacity building efforts with respect to rural developments can be seen as arising from the following:

- Training institutions for rural development are often found to be lacking in in-house hands-on experience of rural development itself.
- They also tend to be geographically removed from the areas where proposed development interventions are supposed to take place
- Training needs to be located in a larger programme of handholding support for proper transfer of skills to take place. If it is treated as a one-off affair, or is seen as confined to the class room or training course, it will not have the desired impact.
- There is as yet no system of certification for the training

\(^6\) The experience of VKP, Tamil Nadu and that of anti poverty project Gemi Diriya of Sri Lanka indicates that such systems can be very effective in incentivizing performance and disincentivizing non-performance (CEGC 2010a)
3.2.1 Network of Capacity Building Institutions

There is need to identify at the national level, a network of organizations which can perform the role of creating multiplicity of nucleii of empowerment across the country. Such a training strategy could have at its apex a national level anchor. Such an organization will provide oversight and review of the capacity building effort and discharge a very important and needed coordination role between different state level resource centres. It would also:

- help to set out a training policy at both state and national levels and make training needs assessments
- be actively involved in production of high quality training material and be a clearing house for such material
- identify, mobilize and empanel institutions which can play the role of training institutions for MGNREGA across the country, through a rigorous process
- define training content and syllabi for different stakeholders
- draw up a national level training plan for different stages of MGNREGA implementation and for different stakeholders, factoring in state level training plans
- identify and induct capable CSOs with proven track records, professional agencies, technical institutes and other institutions who can play the role of Lead Resource Centres or Anchor Organizations (AOs) for MGNREGA in different states, with the active participation of the state level training and support organizations
- ensure that training requirements for MGNREGA are actually being fulfilled across the country as per the training plan
- monitor the quality of training imparted and make specific, germane recommendations for improvement of the same
- give clear recommendations and set clear deadlines to state governments who are not acting complying with the training road map to bring them on track

Such a network of institutions at the national level could train further organizations and district level technical support resource groups (envisaged under the Operational Guidelines) to provide training and support to implementation teams as well village level workers.

At the district level there is need to set up a District Training and Support Organization, an idea already mooted in the Operational Guidelines (Section 13.4: District Technical Agencies). This district-level organization will act as a master trainer organization which imparts training to block and sub-block implementation teams and may be formed by states by inducting full-time dedicated resource persons who will act as master trainers for MGNREGA. The organization will also provide support to PFTs at the VDC level under MGNREGA.

The recruitment of such resource persons may be undertaken through the same channels as that of the project implementation teams at block and cluster levels. The district-level organization can be a CSO provided one of high quality, impeccable credentials and some experience of planning and execution or working on nature-based livelihoods is available. The district-level training team will be trained by the network of institutions identified at the national and state level and depending on the level of capacities already existing, a suitable course can be designed catering to their needs (see CEGC 2010a for a discussion). After the
training course and a course-end evaluation (including an examination) a certificate should be awarded to the trainers clearly indicating that the team members are capable of becoming master trainers at the district level.

The costs for such an arrangement would come to below 1% of the total cost of the guarantee, as can be seen from the calculations below. Given that there are about 6,000 blocks and 600 districts in India, we have 10 blocks on an average in a district. Under the human resource deployment scenario outlined earlier, we would have 3 Village Development Cluster (VDC) teams, each with 6 members. The combined strength of these teams at the block level comes to 18. This implies that a district-level master trainer team would have to cater to training and support requirements for 180 persons.

A system can be visualized of Basic Training Programmes of 20 days’ duration to be imparted by these district organisations to freshly inducted VDC team members in the first year, followed by shorter duration courses and field-based support in subsequent years (in subsequent years, given normal staff turnover, the requirement of a BTC will automatically come down). If the 180 team members of the 30 VDCs in the 10 blocks were to attend the BTC at the DMTSC in batches of 36 (which is an ideal number in terms of trainers being able to attend to trainees), at least 5 batches will have to be trained, implying about 100 days basic training in the first year. Assume about 50 days of holidays. This leaves about 315 days in the year. After the first year, the number of days available for field support will go up since the training programmes will be of a shorter duration.

The table below attempts a 5-year estimation of training and support at the district level.

<table>
<thead>
<tr>
<th></th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Average Number of Blocks per district</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>2</td>
<td>Average no. of VDCs in a block</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>Approximate strength of one VDC team</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>4</td>
<td>Strength at Block Level</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>5</td>
<td>Total Strength of VDC teams at block level [4] + ([3] x [2])</td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>6</td>
<td>Total no. of VDCs in one District [1] x [2]</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>7</td>
<td>Total Team Members to be trained by district-level team [1] x [5]</td>
<td>180</td>
<td>180</td>
<td>180</td>
<td>180</td>
</tr>
<tr>
<td>8</td>
<td>Basic Training Courses of 20 days in first year (@36 trainees per course for 180 trainees)</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>9</td>
<td>Refresher/specialized training courses (5 batches, 6 days per course)</td>
<td>0</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>10</td>
<td>Training Days</td>
<td>100</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>11</td>
<td>Days available for field support (leaving aside about 50 days for holidays)</td>
<td>210</td>
<td>283</td>
<td>283</td>
<td>283</td>
</tr>
<tr>
<td>a</td>
<td>No. of days per visit</td>
<td>7</td>
<td>4/5</td>
<td>4/5</td>
<td>4/5</td>
</tr>
<tr>
<td>b</td>
<td>No. of visits</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>12</td>
<td>No. of days of support per VDC per annum if each VDC has to be visited twice a year for 4-5 days per visit</td>
<td>7</td>
<td>9</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Year 1</td>
<td>Year 2</td>
<td>Year 3</td>
<td>Year 4</td>
<td>Year 5</td>
</tr>
<tr>
<td>---</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>12</td>
<td>No. of VDCs that can be visited twice in a year by this team for at least 4 or 5 days per visit [11] / [12]</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>13</td>
<td>Total No of visits by one team in a year [12] x [11(b)]</td>
<td>30</td>
<td>60</td>
<td>60</td>
<td>60</td>
</tr>
<tr>
<td>14</td>
<td>Strength of District Support Team</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>15</td>
<td>Average Salary of training and support persons (Rs. pm, 8% escalation per annum)</td>
<td>30000</td>
<td>32400</td>
<td>34992</td>
<td>37791</td>
</tr>
<tr>
<td>16</td>
<td>Salary Bill for district level training staff (Rs.p.a.) [14]x[15]x12</td>
<td>1080000</td>
<td>1166400</td>
<td>1259712</td>
<td>1360489</td>
</tr>
<tr>
<td>17</td>
<td>Travel Allowance for Support Team Travel (average pm):</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Per visit local travel</td>
<td>5000</td>
<td>5400</td>
<td>5832</td>
<td>6299</td>
</tr>
<tr>
<td>b</td>
<td>Total local travel for 60 visits [17(a)] x [13]</td>
<td>150000</td>
<td>324000</td>
<td>349920</td>
<td>377914</td>
</tr>
<tr>
<td>c</td>
<td>Per Board/odge and per diem (@Rs.500 per person per day, 3 persons) 500 x 3 x [11]</td>
<td>315000</td>
<td>424500</td>
<td>424500</td>
<td>424500</td>
</tr>
<tr>
<td>18</td>
<td>Travel and Board/Lodge for team at district-level per annum [17(b)] + [17(c)]</td>
<td>465000</td>
<td>748500</td>
<td>774420</td>
<td>802414</td>
</tr>
<tr>
<td>19</td>
<td>Office Costs (all costs escalated at 8% pa):</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Rental of Office premises (including training hall) (@Rs.10,000 pm)</td>
<td>120000</td>
<td>129600</td>
<td>139968</td>
<td>151165</td>
</tr>
<tr>
<td>b</td>
<td>Office accountant's salary</td>
<td>90000</td>
<td>97200</td>
<td>104976</td>
<td>113374</td>
</tr>
<tr>
<td>c</td>
<td>Office Support Staff Salary</td>
<td>60000</td>
<td>64800</td>
<td>69984</td>
<td>75583</td>
</tr>
<tr>
<td>d</td>
<td>Other Office Expenses (@Rs.10000 pm)</td>
<td>120000</td>
<td>129600</td>
<td>139968</td>
<td>151165</td>
</tr>
<tr>
<td>20</td>
<td>Total Office Costs for Team at District Level [19(a)] + [19(b)] + [19(c)] + [19(d)]</td>
<td>390000</td>
<td>421200</td>
<td>454896</td>
<td>491288</td>
</tr>
<tr>
<td>21</td>
<td>Cost of Training Programmes organized by district-level team:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>No. of Days of training</td>
<td>100</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>b</td>
<td>No. of People to be trained</td>
<td>180</td>
<td>180</td>
<td>180</td>
<td>180</td>
</tr>
<tr>
<td>c</td>
<td>Person-days of training [21(a)] x [21(b)]</td>
<td>18000</td>
<td>5400</td>
<td>5400</td>
<td>5400</td>
</tr>
<tr>
<td>d</td>
<td>Cost per trainee-day (including board/lodge/training material) (Rs. 8% escalation pa)</td>
<td>200</td>
<td>216</td>
<td>233</td>
<td>252</td>
</tr>
<tr>
<td>22</td>
<td>Cost of training programmes (Rs.) [21(c)] x [21(d)]</td>
<td>3600000</td>
<td>1166400</td>
<td>1259712</td>
<td>1360489</td>
</tr>
<tr>
<td>23</td>
<td>Costs of Training Programmes Organized by VDCs:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>No. of VDCs</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>b</td>
<td>No. of Barefoot Mobilizers and Barefoot Engineers and PRI leaders</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>c</td>
<td>Training days for this target group per annum</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>d</td>
<td>Person-days of training [23(b)] x [23(c)]</td>
<td>9000</td>
<td>9000</td>
<td>9000</td>
<td>9000</td>
</tr>
<tr>
<td>e</td>
<td>Cost per person-day (including board/lodge/training material)</td>
<td>150</td>
<td>162</td>
<td>175</td>
<td>189</td>
</tr>
</tbody>
</table>
Given 10 blocks in each district on an average and 3 VDCs within a block we have 30 VDCs to cater to at the district level. If each VDC has 5 members and at the block level, 3 personnel are pooled, we have about 18 persons in each block or 180 persons in a district whose training and support requirements have to be met.

In the first year, a BTC of 20 days’ duration will be held for all team members. If each batch of BTC trainees is of 36 persons, training of 180 persons will be completed in 5 batches amounting to 100 days in the first year. In subsequent years, we visualize 6-day refresher/specialized courses for 5 batches every year amounting to about 30 days of training. In the first year, the district team will make one support visit to each VDC for 7 days. In subsequent years, there will be two such visits each for 4 to 5 days. The support visits will also double up as hands-on training programmes. Training programmes for village level barefoot personnel will be held by the VDC team members. The estimated costs at the district-level for salaries, travel, board/lodge, office costs and training comes to about Rs.0.69 crores in the first year and remains between Rs.50 lakhs to Rs.60 lakhs even after accounting for inflation driven escalation. For 2,000 blocks, the cost will come to Rs138 crores in the first year and between Rs.99 crores to Rs.120 crores in subsequent years.

### Estimated Cost Employment Guarantee in 2,000 most Backward Blocks

<table>
<thead>
<tr>
<th>Unit</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Total no. of Rural Households in 1999-2000: 13.71 crores</td>
<td>Cr</td>
<td>13.71</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Total no. of projected Rural Households in 2001-12 @1.93% per annum rate of growth of population</td>
<td>Cr</td>
<td>17.24</td>
<td>17.58</td>
<td>17.92</td>
<td>18.26</td>
</tr>
<tr>
<td>3. Rural Labour Households [RLH] @40% of Rural Households (0.40 x [2])</td>
<td>Cr</td>
<td>6.9</td>
<td>7.03</td>
<td>7.17</td>
<td>7.31</td>
</tr>
<tr>
<td>4. No. of blocks in India</td>
<td>No</td>
<td>6495</td>
<td>6495</td>
<td>6495</td>
<td>6495</td>
</tr>
<tr>
<td>5. No. of RLH in 2,000 most backward blocks [3][4] x 2000</td>
<td>Cr</td>
<td>2.12</td>
<td>2.17</td>
<td>2.21</td>
<td>2.25</td>
</tr>
<tr>
<td>6. Households offering themselves for NREGA work @1 adult in 70% of RLH in 2,000 most backward blocks (0.70 x [5])</td>
<td>Cr</td>
<td>1.48</td>
<td>1.52</td>
<td>1.54</td>
<td>1.57</td>
</tr>
</tbody>
</table>
The table above calculates the estimated cost of the guarantee in these 2,000 most backward blocks for five years. Given 13.71 crore rural households in 1999-2000, and a 1.93% pa growth rate of rural population we have 17.24 crore rural households in 2010-11. Of these assuming 40% are rural labour households we have 2.12 crore rural labour households in 2,000 most backward blocks in year 1 rising to 2.29 crore rural labour households by the fifth year. We assume only 60% of these offer themselves for employment and avail only 60 days of work in the first year. Work demand slowly peaks, as a result of better human resource deployment at the sub-block level, reaching 100 days per rural labour household by the third year. It remains at this level in the fourth year. As the dependence on the guarantee decreases, the number of days of work demand also starts falling by Year 5. Given an average wage rate of Rs.122 per person per day, the total wage bill comes to Rs.10,863 crores in the first year. The wage rate escalates at 10% per annum to index it with price levels. At a 60:40 labour-material ratio, the total cost of the guarantee comes to Rs.18,105 crores in the first year and rises steadily thereafter but the rate of increase falls after the third year, in recognition of the fact that the dependence on the guarantee slowly reduces as better livelihoods opportunities are created. Under these assumptions, the training and support budget per district is 0.76% of the total cost of the guarantee in the first year but falls below 0.5% from the second year onwards. The scenario does not change drastically if we reduce the percentage of rural labour households participating in MGNREGA to 60% of all rural households. Even as the cost of the guarantee goes down, the share of capacity building and support allocations remain well below 1% in all years and from the second year onwards remains below 0.5%.

The above exercise is an indicative one but nevertheless points to the fact that the magnitude of allocation required to increase capacities at the cutting edge of implementation is not much. The absolute need for this minimal investment in human resources cannot be overstated in order to bring about the needed change in quality of outcomes. We would recommend that upto 1% of the cost of the guarantee is made available for MGNREGA capacity building and support provisioning., in addition to the costs of professional support. Such an allocation has the potential for dramatically changing quality of outcomes w.r.t major programmatic expenditures. The share of allocation for this purpose is expected to fall over the years but can be seen as a one time investment in creating the vital human resource capacities that are needed not only for MGNREGA but for all rural development. Convergence with NRLM
and other similar programmes (where possible) should also be explored, in terms of sharing capacity building resources and costs. CSOs identified through a rigorous process may also be formally recognized as Training Institutions for MGNREGA, with the provision that they can organize and carry out diploma courses for MGNREGA, which are recognized.

3.2.2 Issues in Civil Society Participation

Several Civil Society Organizations (CSOs) across the country have done exemplary work on MGNREGA and they represent a pool of learning and accumulated experience which must be harnessed for MGNREGA. As the experience of the National Consortium on MGNREGA shows, civil society organizations have supported gram panchayats and gram sabhas in planning, execution, social mobilization, work demand and vigilance functions with remarkable results. States such as Andhra Pradesh and Madhya Pradesh have already taken several steps to enlist the participation of CSOs in MGNREGA implementation. The Andhra Pradesh NGO Alliance (formed vide order GOMS No.80, dated 19-2-2010 of the GoAP), envisages a clear role for CSOs to be involved in ensuring the rights and entitlements of MGNREGA workers. It lists the CSOs identified for the purpose and spells out reciprocal responsibilities to be maintained through MoUs. However, there is need to ensure the highest standards of CSO accountability, a concern often voiced by state governments. However, this could also be in part due to an apprehension that their own systems are not geared up enough to keep undesirable elements out of the process. On the other hand, CSOs who have experience of working on MGNREGA also point to the difficulties of challenging local vested interests especially when entitlements are violated, given that their role is not mandated and there is no commitment of any type of reciprocal backing by local administrations. They also point to the fact that the agency which is supposed to give them such backup support may be influenced by local vested interests sabotaging the very purpose of MGNREGA.

Such concerns may be best addressed by adopting an approach which puts premium on quality and provides an autonomous and institutionalized space for the selection and functioning of CSOs. In the light of the danger that MGNREGA rights-based activists have subjected themselves to (see for instance Shah [2008]), such a space is long overdue to ensure to high quality CSOs a playing field where they can work smoothly and will also ensure a fallback mechanism for them if and when local conditions turn “difficult” for no fault of theirs. The process will also facilitate and strengthen the selection process of CSOs by state governments. This can be done by the national level body responsible for training leading a joint, two-stage selection and evaluation process, wherein the first round of screening and shortlisting is done by the concerned state level agency and the final round of screening is done by the body with oversight by its Steering Committee.

In order to arrive at such a decision, a panel of carefully selected evaluators who evaluate the work of these CSOs should be used. A high-level search committee may be formed which looks into the issue of empanelment of evaluators. In this entire scheme of things, CAPART could also potentially play a role. However, for this fundamental structural changes will have to take place in the institution in order for it to do justice to this role.

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8 See for example, Nair (2010), for a news report on the Government of Kerala’s response to the proposed Lok Karmi scheme of the Gol.
3.3 Governance Reforms

3.3.1. Management Support Systems for MGNREGA

Anchoring at the National Level

MGNREGA has assigned several responsibilities of steering and guiding the programme to the central government. The MGNREGA also assigns oversight powers to the Central Employment Guarantee Council (CEGC) vide Section 11 of the Act:

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 Employment Guarantee 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.” [MGNREGA, Section 11].

The Act also provides for establishment of similar State Employment Guarantee Councils in each state to oversee and monitor the MGNREGA implementation.

It is pertinent to mention here that the Supreme Court of India’s recent orders (Supreme Court, 2010) also point to the very powerful oversight role of the Central government. Pointing to the provision under the Act of Central Councils and State-level councils for review, monitoring and oversight, the Supreme Court has observed “In other words, this whole machinery has been set up to ensure smooth and effective implementation of the provisions of the Act” (emphasis added). The Supreme Court, in the context of commenting on the provisions under Sections 27 of the Act further observes that:

“the powers of the Central Government are very wide. They have to ensure that there is proper utilisation of funds allocated and in the event of any misappropriation or siphoning of such funds the Central or the State Governments shall not only examine such complaints but is commanded by law to stop the financing to such scheme and take remedial measures immediately.”

Our discussions on human resources, capacity building and civil society involvement earlier indicate that there is need for cohesion across the board and shared sense of purpose as well as (to the extent possible) a uniform strategy in MGNREGA implementation. Uniformity should not mean an absence of diverse approaches but should seen to be a unity of framework and ground rules of operation which are complied with. In ensuring this, the oversight role at the central level indicated by the Supreme Court becomes essential. The true potential of the Operational Guidelines can be realized if a proper organizational structure and business plan
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is in place. Such an organizational structure needs to be accountable, flexible, highly professional and open. MGNREGA represents a set of constitutional obligations, which leave little room for slack in the delivery mechanism, since such a slack would mean legal entitlements being denied to the poorest. Thus a strong and proactive oversight mechanism is critical. While Section 11 of the Act, cited above, points to the powerful oversight functions of the Central Council, which is the apex body for MGNREGA, it has also been pointed out that:

“... it is interesting to compare the facilities and structures that are available for NREGA at the centre with those of say, the Election Commission, the Census of India, or Sarva Shiksha Abhiyan – other national programmes with a much smaller budget and mandate. The NREGA cell at the Ministry of Rural Development is a dwarf in comparison ...

and that:

“NREGA is a complex legislation with many different actors. The Central Government has wide powers to define the implementation framework of NREGA through Guidelines, Rules and other means (including amendments in the Schedules of the Act). The state governments are responsible for implementing state-specific “employment guarantee schemes” within that framework. And the Panchayati Raj Institutions (PRIs), especially the Gram Panchayats, are the main “implementing agencies” of NREGA works on the ground, though the Act also allows other implementing agencies such as Line Departments. In this operational maze, clear principles and guidelines are essential. This requires, in particular, close coordination between the Central and state governments.”

In a detailed two-volume report submitted to the Prime Minister of India, based on intensive field surveys, the NCEUS recommends for MGNREGA that:

“... a full fledged Employment Guarantee Mission (on the lines of health and education missions) should be created in order to provide adequate support structures for the Central and state governments.” (NCEUS 2009, pg 227)

Indeed, for a national level programme such as the National Rural Livelihoods Mission (NRLM), whose budgetary outlay is about a quarter of that of the MGNREGA, a well structured implementational scheme has been envisioned with a national level mission governed by a proposed apex NRLM Council at the national level. Under the circumstances, it is unclear why a similar strengthening of the MGNREGA has progressed much more slowly, if at all.

It is clear that the largest employment programme in human history requires a dedicated anchoring structure at the national level to fulfill the mandate of the Act and to strengthen the functioning of the apex council, the CEGC. The precise form of such a structure may emerge through wider debate. The idea of this anchoring structure can be seen as an elaboration and enlargement of the scope of the Technical Secretariat proposed under Section 11 of the Central Council rules. Such a structure should be a dedicated structure which will take the responsibility of overseeing the following most important functions to make MGNREGA effective:

a) Human resources and Capacity Building
b) Monitoring
c) Information Technology
d) Social Audit and Evaluation
e) Grievance Redressal
Such a Secretariat (or Authority/Mission) should be a dedicated structure (see National Consortium on NREGA, 2009 and Ambasta 2009 for an elaboration). Setting up of such a structure will also help to separate the functions of executing the programme from those of evaluation and grievance redressal, since as a matter of principle, the agency executing the programme should not be the one also assessing its own work. Either a fully autonomous structure may be adopted wherein the Chairperson of the Central Council and key executive functionaries of the Secretariat are in-sourced from outside or, until such time as the full implications of such a structure are worked out a hybrid system are worked out, a hybrid structure may be adopted with the CEGC and Chairperson remaining as they are, and key positions in-sourced through external channels.

In both cases, all key positions of accountability should be filled in after a due high-level search and screen process. Serving government officers may also be identified and placed through such a screen process. The process should shortlist potential candidates from within the government or outside. The Council Secretariat should be headed by a CEO or Director General (DG). She is the executive through whom the will of the CEGC is expressed in action.

The Executive Secretariat should have the following departments:

**Monitoring:** Headed by a Deputy CEO (DCEO) or Deputy Director General (DDG), responsible for concurrent monitoring of work under NREGA and establishing and refining systems of monitoring the work under MGNREGA.

**Evaluations and Social Audit:** Mounting evaluations through a carefully selected panel of experts and consultants from across the country, ensuring that social audits are undertaken and monitoring the action taken on the findings of such social audits.

**Grievance Redressal:** Headed by another DCEO, the department will be a window for complaints made by wage-seekers, lay citizens, representatives of wage-seekers, organizations working with wage-seekers or any other agency or institution wishing to bring to the notice of the CEGC any violation of the Act or its operational guidelines in any part of the country. The Ombudsmen throughout the country will work as the eyes, arms and legs CEGC.

**Information Technology:** Also headed by a DCEO, who will report to the CEO, this department’s role will be to:
- assess ICT needs, in terms of both hardware and software, for providing a proper ICT backbone for NREGA implementation and come up with a blueprint for effective ICT deployment for NREGA which caters to information needs vis-a-vis transparency, monitoring and grievance redressals
- deploy the best possible expertise available in the country to advise it on ICT deployments
- ensure that the ICT blueprint is deployed once it has been ratified by the CEGC
- ensure ICT deployment across the country, conforming to the best standards anywhere in the world
- ensure that states are complying with the ICT requirements of data returns and updation
- ensure that latest developments in ICT which are potentially beneficial for use in NREGA implementation and monitoring are screened, piloted, developed further and disseminated.
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- pro-actively set up a coordination mechanism with other major ICT-centred initiatives of the government such as the UIDAI
- NREGA implementation personnel are trained in use of ICT

**Human Resources Department:** Also headed by a DCEO, who will report to the DG, this department’s primary responsibility will be

- to work out standards for human resources recruited for NREGA implementation,
- to work out recruitment processes, human resource policies, performance evaluation criteria and so on
- to assess gaps, (including region-specific gaps) in human resource deployment and availability and to work out short-term responses and medium-term and long-term mechanisms for ensuring a steady source of human resources for MGNREGA
- to widely promote a gender-sensitive, pro-poor and pro-active work culture down the line
- to work out a system of certification for human resources, which all implementation structures have to comply with,
- to identify and set standards for identifying training institutions across the country who can discharge the responsibilities of capacity building for NREGA
- to work out syllabi for training courses that NREGA personnel should go through,
- to arrange for trainings for these personnel
- to network with professional and technical institutions, Civil Society Organizations, subject matter specialists and experts to create the necessary human resource infrastructure for effective capacity building
- to assess training material available, to ensure its wide dissemination across the country and to promote the production and dissemination of high quality resource material (print and electronic) for MGNREGA

Each of these departments may induct and in-source professionals from across the country for their functions. Such a fully empowered Secretariat will report to the CEGC from time to time. Each of these departments may also be steered by Standing or Empowered Committees set up by the CEGC, headed by a CEGC member and optionally inducting experts of impeccable integrity and standing.

Here is an indicative diagram of such a structure at the national level:

Currently, in most states State Employment Guarantee Councils function minimally and are largely limited to giving approvals to administrative actions carried out by the concerned department. Therefore, governance reforms in the
existing administrative arrangements for implementing at the state level are urgently needed by way of a dedicated structure. Bihar is actively pursuing this approach in setting up the Bihar Rural Development Society as a dedicated structure responsible for bringing in the best professional talent into rural development. Attached is an indicative diagram outlining the structures and their interconnections at different levels.

3.4 Information Technology

3.4.1. Information Technology for Management Support

Apart from implementation, a critical role in ensuring entitlements under MGNREGA is that of monitoring. To ensure timely delivery of deliverables in any e-governance initiative, concurrent monitoring is a must. In this endeavour, apart from professional assistance that IT for MGNREGA becomes crucial in ensuring best results. Already, the IT system for MGNREGA is a pioneer in terms of the huge amount of information that it has warehoused and made available. We look at how this good start could be made better. The potential advantage of using IT systems for governance lies in:

- the speed with which data can be processed and made available in meaningful forms
- the availability of data nearly concurrently with its online updation/entry through networks, so that information is available pro-actively and to a larger audience (in a paper system, this information would have to be dug out to become available)
- the breaking of artificial barriers of geography, boundaries etc. to flow of information (in paper systems such boundaries do not automatically break there therefore a systemic support for information suppression)
Of these, the last two are key to engendering transparency and together all three make for contributions in governance which only IT make. In turn, these may be treated as fundamentals, adherence to which will determine whether the full capabilities of an IT system from the point of view of monitoring for governance is being harnessed. Thus, IT systems can become tremendous potential allies in concurrent monitoring, enabling preventives to be placed in line before situations deteriorate. They can also directly enable attaining entitlements and finally, they can become potent tools for grievance redressal.

We look at the present status of IT systems in the MGNREGA context and discuss how it can be improved. The following table illustrates the broad stages of MGNREGA workflow and the requirements of different stakeholders.

**MGNREGA Workflow and Stakeholder Expectations from IT**

<table>
<thead>
<tr>
<th>Stages of MGNREGA Workflow</th>
<th>Stakeholders and Objectives of IT Use</th>
<th>What IT must Help Enable to Fulfill these Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wage Seekers</strong></td>
<td>Implementors</td>
<td>Monitors/ Grievance Redressers</td>
</tr>
<tr>
<td>Primary Objective: Getting Entitlement in the Act</td>
<td>Primary Objective: Implementing and Planning Work to Fulfill Legal Mandate</td>
<td>Primary Objective: Monitor Programme for Quality, Smooth Out Bottlenecks and Ensure that Entitlements Reach Wage Seekers on Time</td>
</tr>
<tr>
<td>Demand for work must reach implementor</td>
<td>Flag work demand (make it visible)</td>
<td>Flag work demand (make it visible)</td>
</tr>
<tr>
<td>Work must be provided within the stipulated time</td>
<td>Demand for work must reach implementor so that they know where and when to start work</td>
<td>Flag delays in start of work (measured against receipt of work demand)</td>
</tr>
<tr>
<td>Planning and estimation**</td>
<td>Help in standardizing estimates for most activities, including material requirements and develop a standard basket of activities***. Help in making estimations, drawings etc. fast and within reach of even non-technical members of implementation team so that work demand can be responded to</td>
<td>Standardization of estimates helps in broad-basing estimation capabilities beyond a narrow subset of technical human resources and also curbs financial misuse issues (bloated estimates****)</td>
</tr>
<tr>
<td>Work must be provided within the stipulated time</td>
<td>Allow requests to be made for approval of non-standard activities</td>
<td>Shelf of Works registered with MIS will help ensure smooth and timely supply of work</td>
</tr>
<tr>
<td>Failing which unemployment allowance must be paid</td>
<td>Enable speedy approvals of such non-standard activities</td>
<td>Flag delays in approval of non-standard activities</td>
</tr>
<tr>
<td>Start of Work</td>
<td>Record start of work by online issue of work order</td>
<td>Monitor gap between demand and work start</td>
</tr>
</tbody>
</table>

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### Stakeholders and Objectives of IT Use

<table>
<thead>
<tr>
<th>Stakeholders/ Objectives</th>
<th>Wage Seekers</th>
<th>Implementors</th>
<th>Monitors/ Grievance Redressers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily attendance/ muster rolls</td>
<td>Attendance should be recorded properly and fairly</td>
<td>Reduce time taken to record attendance so that wage payments can be made in time</td>
<td>Monitor work actually provided against work demand, including gap between the two</td>
</tr>
<tr>
<td>Wage payments</td>
<td>Should be paid within stipulated time</td>
<td>Reduce overheads in terms of permissions, approvals, money transfers</td>
<td>Ensure that wage entitlements are not denied and wrongful inclusions/exclusions do not take place</td>
</tr>
<tr>
<td>Social audit</td>
<td>MIS must help them redress their grievances in social audit fora</td>
<td>Updated and detailed information must be available</td>
<td></td>
</tr>
</tbody>
</table>

To sum up:

**Wage Seekers want:**
- their work demand to be registered and made visible. System should not be able to deny them making the demand
- work to be provided on demand within the stipulated time
- fair wages to be paid for work done within the stipulated time

**Implementation Agencies want:**
- demand for work to reach them
- estimates and work plans are made fast
- work is started without delay
- work payments are made without delay

thus, any approvals/sanctions/reviews needed should take place fast

**Those monitoring the programme want:**
- access to latest information making it possible to track any entitlement in the danger of being violated and take pro-active corrective action
- that this information should be disaggregated so that the status of entitlements anywhere can be ascertained
- that a store of information is created which enables for them medium to long-term analyses on the causes of slow performance and take necessary action

However, for IT to be able to deliver along the above lines a necessary condition is that it becomes central to the workflow and is tightly integrated end to end. In addition, for maximization of benefits, it requires a system that is real time and online. The first is a case for better use of IT. The second requires better connectivity backbones and hardware and innovations.

In mixed mode systems, IT often ends up being an appendage to the main workflow which is carried out through the normal channels of paper. Thus, the information provided on the MIS is not the latest but is already old and maybe useful for ex-post action but not
for concurrent correctives. An often voiced critique of the MIS is that muster roll data or wage payment data are entered much after the event has occurred. From the point of view of ascertaining whether the 15-day legal entitlement of wage payment has been met or not the delay is fatal. Another critique is that work demand is always equal to work supplied. Because work demand data are entered after the system has provided work and those who get work are also shown as those who demanded it (done partly to get over the stringent provisions in the act with respect to unemployment allowance). Many system administrators working for the MGNREGA MIS often raise the issue of double work when it comes to filling up muster rolls - fill up paper musters and then also fill them online. Yet others talk of the time it takes for approvals to come in after muster rolls have been filled before payments can be made.

We discuss below some possible directions in which IT systems need to move (and are already moving in some states), with the recommendation that the MGNREGA implementation and monitoring system is strengthened by mainstreaming these. Where needed, the MoRD needs to build partnerships and common steering groups in order to enable this.

### Online real time systems

- As stated above, a common issue with work demand is that work demand is not immediately visible on the MIS. In terms of IT for monitoring, the issue is to make this work demand visible as soon as it arises. If MGNREGA correspondents with a handheld or a computer are available even within the perimeter of the GVS or the Block, the application can be made online. For those monitoring the system, this is enough information to trigger needed oversight functions. A cellphone based online work demand application system can be worked out wherein a short message from a wage seeker’s cellphone in a pre-defined format lodges itself on a server at the state level. The PO’s office, which is also part of the network takes cognizance of the application and ensures that employment is provided.

- It needs to be emphasized here that from the viewpoint of IT for monitoring MGNREGA, the sanctity of the work demand application is unquestionable. Since this is the demand which the entire system is geared to provide and is thereby a monitoring yardstick against which the sluggishness of the delivery system needs to be measured.

- Similarly, the opening of works is again an event which is recorded post-facto along with wage payments. If the initial work demand is visible, the system will be able to flag any delays in subsequent stages and raise the necessary alerts down the line.

- A similar system can be visualized for complaints and their redressal. Either they are entered through handhelds or directly by the wage seeker through her cellphone and the complaint is lodged to a central server. A recent move in Uttar Pradesh to enable a cellphone based complaints and grievance redressal system is on similar lines.

- The major contribution of such IT reforms will be to ensure greater and tighter monitoring of MGNREGA work so that essential parameters of timely delivery are ensured. It will also support, by making available current information for public scrutiny such as social audits. Together with decentralisation of implementation, this is the second step in ensuring that the core objectives of MGNREGA are met.

- A system can be visualized whereby handhelds are issued to field workers under MGNREGA, and muster rolls are directly updated online to the state-level servers by biometric identification of the workers who are present on site. Such an immediate updation will go
a long way in aiding concurrent monitoring. In fact, the paper muster roll can be a print out of the online muster. Equipped with a non-repudiable authentication mechanism, the muster roll print outs are authentic enough records to be kept at the panchayat level. Fitted with GPS and webcam facilities, the system should further aid in verification of the work being done on the site at which is reportedly being done. It seems that this has also already been piloted in different states by the MoRD. The results of this pilot should be made public and appropriate policies framed on the feedback.

- Each technical assistant responsible for taking measurements is given a mobile phone where measurements are recorded and sent by compressed SMS to the central server along with GPS coordinates. This will ensure that the TAs visit the work site and avoids delay in processing the payments at the mandal computer centers
- Each of the online systems referred to above can use well designed non-repudiable, de-duplicable and possibly bi-directional\(^9\) authentication mechanisms, with a facility for beneficiaries locking their identification information\(^10\). This has the potential of engendering far greater transparency than a paper based system which is far more susceptible to identity fraud. Simultaneously, this mechanism can also ensure that crucial data are concurrently available for monitoring. For this, however, steps will need to be taken to ensure that the needed connectivity backbone is in place.

### 3.5. Work in Forest Areas

It is well known that obtaining permission to work in land under the control of the forest department is extremely difficult for any implementing agency, whether government or non-government, due to the provisions of the Forest Conservation Act, 1980 (FCA). The FCA is invoked even for work such as low-cost soil and moisture conservation measures which have proven themselves to be beneficial to the micro-level flora and fauna of the forest. This poses a bottleneck, particularly in MGNREGA interventions on the watershed development approach, where the ridge area of the watershed is typically located on land in the control of the forest department. And since India’s adivasis are normally concentrated in villages close to the forest, it becomes difficult to carry out such NRM-focused development activities in adivasi villages. A conflict is also often created with the very basic provisions of employment guarantee, since long delays in obtaining necessary permissions for working in forest areas translate themselves into inordinate gaps between work demand and work initiation, thus nullifying the very purpose of the employment guarantee.

It is in this context that the provisions of the Forest Rights Act of 2006 (FRA) seek to inaugurate a new chapter in the history of India’s forests and scheduled tribes. As the preamble to the FRA clearly says, the Act is a long overdue attempt to undo the historical injustices done to scheduled tribes and other traditional forest dwelling communities. The Act has enabling and empowering provisions in terms of work in the forest areas

\(^9\) A bi-directional authentication mechanism can potentially prevent identity fraud made possible through system crackers cracking the handheld device used for authentication and using it to spoof identity. Consider the following: a MGNREGA worker authenticates against authentication servers through her biometrics. The equipment used to facilitate this authentication may be a handheld device. The underlying technology used in the device may be cracked by malicious crackers to spoof the identity. Under the circumstances, a bi-directional authentication mechanism also authenticates the handheld device for its genuineness and integrity.

\(^10\) Once the authentication transaction is over, the beneficiary, using her identification mechanism, locks her identity data. Essentially, this means that only she can herself unlock it, thus preventing unauthorized access, misuse and possible encroachments on privacy.
in Chapter II, Section 3(2) which states clearly that “notwithstanding anything contained in the Forest (Conservation) Act, 1980, the Central Government shall provide for diversions of forest land” for various facilities such as schools, dispensaries, tanks and minor water bodies etc, which involve felling of trees not exceeding seventy-five trees per hectare. Provided that the forest land to be diverted for the purposes mentioned in this sub-section is less than one hectare in each case; and the diversion is recommended by the Gram Sabha.

When the Forest Rights Act has given such a clear and overwhelming mandate to the Gram Sabha to take decisions relating to work in the forest areas, it is disturbing that no move has been made to roll this out on the ground. Works such as rain water harvesting structures, irrigation canals, tanks and minor water bodies belong to the set of priority areas for MGNREGA work, as listed in Schedule I of the Act. They are also critical components of ridge area treatment measures in most watershed interventions, which in turn are crucial in ensuring that a certain level of livelihood and food security is ensured for India’s adivasis. Efforts of this kind which bring the adivasi community and other poor forest dwellers out of their absolute levels of poverty are important not only in economic terms, but also in laying the foundation for genuine governance reform for rural areas, as well as saving the forests themselves. Work on MGNREGA in forest areas could hold the key to tackling thorny problems like naxalism. The FRA provides a facilitating framework which helps overcome the difficulties apparently arising out of the FCA.

What is needed is a way of fast-tracking forest clearances. At present the system of clearances set out by the Ministry of Tribal Affairs vide its order dated 18th May 2009 mentions clear time limits for clearances to be accorded by the forest department in case the gram sabha passes a resolution for such diversion. Provided the land to be diverted is not more than 1 hectare, the order states that the proposed site should be surveyed by the Forest Department and a clearance accorded on the basis of this survey. The order prescribes time limits for both the survey and the clearance. What is needed is to strengthen this order by clearly specifying a mechanism by which the time limit is strictly adhered to or clearly specifying what should happen if the time limit is not adhered to. The other important concern is to use the architecture of the FRA’s system for individual settlements in the case of proposals for diversion of common forest lands also. This will enable the entire process of clearances to become even more transparent and broad-based. Finally, it will be useful to think of a “perspective plan” for forests, which is worked out with inputs from subject matter specialists invited by the Forest Department and is prepared for an agreed unit of area. Such a plan should spell out the framework for conservation for the area it is meant for. Community needs under FRA could be articulated within the framework of this perspective plan, with all stakeholders coming to a clearer understanding on how they should reconcile the conflictin requirements, if any, of the FRA and the FCA. A good starting point for this would be to make forest working plans available in the public domain.

3.6 Planning and Implementation Issues

As part of the MGNREGA policy reform initiated by the Central Employment Guarantee Council in 2010, a Working Group on Planning and Execution in the context of MGNREGA was formed. A thorough examination of the issues and bottlenecks related to MGNREGA
implementation were discussed in the report of the working group (CEGC 2010b) which also spelt out recommendations for change.

Presented below is a summary of the recommendations of the Working Group which will have far reaching impacts on planning and implementation in the context of MGNREGA. The recommendations are divided into three categories: recommendations w.r.t provisions which are present in the Operational Guidelines but are not effective and need to be made effective; recommendations which require a modification in the guidelines; and, issues which need to be examined more thoroughly and in the case of which options need to be examined:

3.6.1. Currently Included in the Guidelines but not Effective

- Preparing shelf of projects on the basis of priorities identified in the Perspective Plan
- Granting Technical sanction to the shelf of projects
- Administrative sanction to annual plan and budget on the basis of the shelf of projects prepared.
- On the basis of approved budget, GPs and other PIAs can prepare a definite time table for execution of works. Work Orders can be issued by PIAs to commence works. This provision makes it easier for PIAs to respond to demand for work.
- Role of GP in raising community awareness, facilitating entitlements of workers and monitoring quality of work.
- Developing a wide range of permissible works for every agro-climatic region within a state on the basis of local conditions.
- In case of incomplete works, the DPC must proactively allocate the approved work to another technically qualified PIA.

3.6.2 Modification/Addition to Current Provisions in the Guidelines

- Establishment of team at the village cluster level to support the GP as PIA and in other roles under MGNREGA
- Preparation of a Perspective Plan for MGNREGA at the level of the village cluster; based on a bottom up process.
- Establishment of a Technical Committee at the district level to support the DPC in technical evaluation of perspective plans and shelf of projects.
- Clear definition of the role of an implementing agency
- Defining shelf of projects as collection of works to be executed over two years instead of one year. Provision for annual addition of newly proposed works to shelf of projects to replace those works already executed.
- Preparation of Labour budget with estimation of demand for work from job card holders; an initial base line budget to be prepared by GPs on the basis of survey of all job card holders, baseline to clearly indicate demand for work on a seasonal basis. Subsequent Annual Labour budgets may be prepared on an incremental basis taking into consideration contemporary economic conditions
- The baseline Labour Budget to be prepared by GP with assistance from cluster level team and to be ratified by GS.
- 6% of overall budget on MGNREGA works to be allocated for expenses at the block level.
and below on community mobilisation, support for planning & execution and monitoring of MGNREGA works. An additional 2% of the overall budget on MGNREGA works maybe allocated for meeting administrative expense above the block level and for capacity development at all levels.

- Inclusion in list of permissible works of specific activities on private land for soil fertility enhancement and livelihood support. The works should represent investment which is real, additive, measurable and verifiable.
- Convergence projects should be identified and driven by priorities in the perspective plan and must be ratified by the respective GS.
- Need for SoR at the level of a cluster of districts in the same agro climatic region for common tasks on the basis of time and motion studies
- For differently abled workers earmark specific tasks with specific SoRs to ensure gainful employment
- Provide facility for creche in villages for children of MGNREGA workers
- Establish State level Task force to suggest ways of increasing works on forest land.
- To facilitate timely release of wages, the pay order maybe prepared by the PIA after internal measurement by the PIA itself. This should be delinked from necessary verification by the PO.
- Use of appropriate software to assist PIAs in estimating costs for standard menu of works
- DPC must give AS to revised estimates for works once there is a revision of base rates for labour or material. Software should be adopted by the DPC to generate revised estimates.
- Appointment of one mate for every 30 workers instead of existing 1:50 ratio

3.6.3. Identification of Issues which Need Solutions

- Institutional mechanism for convergence
- SoRs for MGNREGA is different from departmental SoRs
- SoRs to ensure minimum wages for women workers
- Institutional mechanism for executing works on forest lands

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