

INSTITUTIONAL AND GOVERNANCE CHALLENGES IN SOCIAL PROTECTION:

**DESIGNING IMPLEMENTATION MODELS FOR THE
RIGHT TO WORK PROGRAMME IN INDIA**

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Context

- **Constitutional provision for securing work**
 - Part of the Directive Principles of State Policy.
 - Article 39 (right to means of livelihood) and
 - Article 41 (provision for securing right to work)
- But these were not invoked to develop a comprehensive programme for creating work entitlements
- **However, Public works programmes were not new for India**
 - Drought relief programmes, self-employment programmes
 - Generally perceived to be ineffective and poorly implemented (and limited coverage)

- The growth story starting early 1990s – liberalisation and its impact
 - Informal and insecure employment
- Demand for public works programme emerged as a social protection response - in the political arena as well
- The Common Minimum Programme of the UPA Government placed right to work as top priority
- Earlier programmes (Maharashtra EGS) has been inspiration for the current rights based employment programme

Choice of NREG as a SP

- Citizenship and Participatory development
 - Role not only by way of getting work, but in choice of works, participation in social audit (transparency)
- Creation and augmentation of asset base of the rural poor and natural resource base of the community
- Right to work as a legal entitlement – a very important shift in public policy - towards rights based approach

NREG Programme features

- Twin principles of universality and self-selection
- Enforceable obligation on the part of the State
- Entitlements to workers (work on demand, 100 days of work at assured wage, timely payment, work place facilities, work for women ((33%); 60 % spending as wages)
- Scope for transformation – types of works, process of engagement
- Process of implementation is expected to enhance transparency and accountability
 - Role for PRIs (and gram sabha)
 - Vigilance committees
 - Social audits
- Types of works
 - to enhance natural resource augmentation and regeneration
 - Create conditions for sustainable livelihood resources for poor through private land development; community assets
 - Improves connectivity

Implementation

- Implemented NREGS in 3 phases
 - Phase I – 200 districts in February 2006
 - Phase II – additional 130 districts in April 2007
 - Phase III – Universalization of NREGS in April 2008 through extension to all 615 Rural districts of the country

- Progress (till March 10)
 - Employment provided to 52.2 million households (with 5 persons per hh; over 250 million people benefited)
 - Participation by most marginal social and economic groups
 - SC (31%); ST (20%); women (48%)
 - Average person days 59
 - Works taken up 4.1 million; of them completed 45%
 - Financial inclusion - bank accounts opened for wage earners in banks/post offices
 - There are wide regional variations in performance across states

The focus of the study

- **Institutions and Governance Structures: implementation processes**
 1. Differential institutional and delivery capacities of the local level bureaucracy and PRIs
 2. Mobilization of the civil society
 3. Administrative preparedness of the state and
 4. Commitment and motivation of the political leadership and higher level bureaucracy
 5. Adaptations and innovations

Three study states and varying contexts

State	Local Context vis a vis NREGA
Andhra Pradesh	PRI weak – commitment of bureaucracy and political leadership strong- Institutions available (SHGs); proactive use of IT, social audits
Bihar	PRI, bureaucratic commitment and NGO presence weak Poor record of implementation of development programmes (corruption and nexus between contractors, officials and panchayati raj structures)
Rajasthan	Traditionally at helm of social mobilization efforts by civil society organizations; past experience of implementing public works programmes as a response to drought relief

Study Design

- Two districts in each state –(covering 2 blocks and 16villages; a total of 1400 hh)
- The focus is on ‘process dimensions’
- Qualitative and quantitative dimensions in implementation process attempted
 - Structured household survey,
 - Village schedule and
 - Work site schedule
 - Focus group discussions with
 - Workers & families, implementation functionaries, and officials

Basic Findings

Pre Work Processes

- **Job Cards:** In Andhra Pradesh and Rajasthan - 100% workers possessed job cards; in Bihar, 11.41% of worker households do not have job cards
- One card for family (even for a joint family)
- About 20 per cent in Bihar- Job card not in possession of worker

Work Applications

- Most sample households in Rajasthan (90.61%) and Andhra Pradesh (70.56%) made a specific application (informal request) for NREGS work; in Bihar, only one fifth asked for NREGS work

Dated Receipts for work requests – not followed (over 75% respondents) – this is linked to the provision of unemployment allowance – in the event of inability to provide work by officials. However,

Over 90 % instances works were given within 15 days of request

Status of Job Cards

In Bihar, no job card entries were made for 56.91% of worker households; in Andhra Pradesh - 46.35% cases

In Rajasthan 35% of households reporting all entries made in job cards

NREG Employment Days

		Average no. of employment days (per hh)	% Per HH Employment Days				
			Upto 25	25-50	50-75	75-99	100
Andhra Pradesh	Kurnool	78	2.1	12.1	27.5	30	28.3
	Medak	70	4.6	19.6	28.3	36.7	10.8
	Total	74	3.3	15.8	27.9	33.3	19.6
Bihar	Gaya	25	62	28.5	7.9	0.8	0.8
	Purnia	23	62.9	29.6	5.8	0.8	0.8
	Total	24	62.4	29	6.8	0.8	0.8
Rajasthan	Tonk	78	5.8	11.6	21.6	25.7	35.3
	Udaipur	74	6.3	16.7	22.5	31.3	23.3
	Total	76	6	14.1	22	28.5	29.3

- Person days employment per household, averaging at 76 days in Rajasthan; AP - 74 days and Bihar - 24 days.
- In Rajasthan and Andhra Pradesh, maximum households received between 75-100 days of employment (58% and 53% households).

Work related entitlements

- Status of the worksite facilities fairly poor
Nearly all sample worksites did not have facilities (except drinking water in some cases)

Attendance records

Andhra Pradesh & Rajasthan - muster rolls available at all the worksites when visited; in Bihar one third worksites have muster rolls

Marking attendance varied – in AP and Rajasthan it was recorded properly but in Bihar officials recorded attendance on a informal note book (Instead of muster roll (85%))

Muster rolls signed (thumb impression) on a weekly basis by nearly all sample workers in Andhra Pradesh, whereas in both Bihar and Rajasthan, nearly half the sample workers did not sign the muster rolls at all.

Post Work Processes

Wages

- Schedule of rates fixed as per minimum wages in all states
- The schedule itself varies from state to state
- The difference between minimum wage and actual wage varies. ex. Rajasthan 40 per cent of minimum wage
- Delay in Wage Payment –
 - Large delay in Rajasthan (more than month)
- Timely payments in AP
- NREG wages more than agriculture wages

- Mode of payment –
 - AP and Rajasthan – System of Banks and Post offices - institutionalised
 - Bihar – instances of cash payment (in 58% cases)
 - Bihar – preference for post offices - Banks were not keen to operate zero balance accounts, without receiving any commercial gain (official in Bihar)

Impact on Worker Households

- Contribution of NREG wages to Household Income
 - Rajasthan 16.5 %
 - Andhra Pradesh - 9.6 %
 - Bihar - 8.3 %
- Increase in food consumption, reduced 'hunger', increase in spending on health, to an extent repayment of debt

Adaptations and innovations observed

AP

- Flexible timings is one innovation adopted across the states

This created choice for workers to engage in other remunerative activities wherever possible (like in AP, workers are engaged on their own farms); working from 7 AM-12 AM

Seasonality related adjustments

- AP follows a village panchayat based decisions – to avoid conflicts with agriculture season-calendar for NREG
- Payment system institutionalised
 - Mostly payments done on a stipulated day of a week for a village
 - Workers provided with payment slips for receiving wages from Banks /post offices
- Use of ICT in implementation

- Revisions in schedule of rates
 - Undertaking time and motion studies (extra payment in summer)
- ‘Project’ mode of working in AP - more days of work, closer monitoring, creation of tangible assets (convergence with other line departments through this mode)
- Development of private lands of the poor (of SC, ST and marginal farmers) (45% of works in AP)
- Cadre of community facilitators (worked in earlier programmes like SHGs) – leading to effective implementation
- Separate institutional setup for social audits – state level society for Social audit with representatives of all stakeholders
 - Though NGOs do not participate, they facilitate participation (role for officials and panchyats)
- Promotion of wage seekers associations with the help of state level society for Govt-NGO collaboration

- Rajasthan

- Weekly off for the workers
- Circular by government on flexible timings – during summer
- 5 workers as one group – with leader for closer monitoring – one 'mate' for 40 workers (helper)
- Monthly meeting between – govt and NGOs at the state level (it is being institutionalised at the district level)
- Invitation to NGOs to be Project implementing agencies

- Bihar
 - Field level innovations are not observed
 - At the state level
 - No visible initiatives identified

Deficits Identified

1. Design related limitations

- Centralised design – though expected to have local flexibility – not used uniformly across the states
- Guidelines loaded with heavy work load
 - Record keeping
- Lack of local expertise and technical support for creating shelf of works
- Systems for tracking and granting unemployment allowance – not very clear- easy to subvert – not invoked

Work entitlement deficits

- In relation to provision of facilities
 - Still it remains a glaring gap
- Selection and quality of works
 - Not streamlined due to lack of technical personnel.
No mechanisms in place
- Working in ‘groups’ created its own dynamics
 - Discrimination (caste and gender based)
 - Difficult/risky works awarded to SC groups, single women discriminated against to be part of groups
 - Large groups in Rajasthan - free ride by upper caste workers
 - In certain instances Old age, disabled taken care within groups

- Measurement of works and payments - remains a major institutional gap in securing entitlement of wages (free riders, manipulation, discrimination)
 - More acute in Rajasthan – workers agitated over this issue at several places
- Delay in release of funds, no shelf of works, local conflicts (over selection of works) reflect low number of days in Bihar

Need for streamlining processes

- Rationalisation of procedures related to record of work, wages, payment
- Improvement in technical support, involvement of line departments (convergence) in identification and design of works
- Simplification of measurement procedures
- Rationalisation of procedures related to fund transfers for implementation

Impact of Institutionalisation of implementation process in AP

- Work
 - Work seen as government work associated with more dignity- different from working for landlords / contractors
 - Group work – shared work makes even hard work less drudgery
 - Higher share of participation by Dalits
 - Work participation increased – women
 - Negotiated adjustments of working hours in a day
 - Evolved a calendar for NREG
- Wages and Labour market
 - NREG minimum wages – equal wages for male and female
 - Agriculture and other Rural wages increased both for male and female
 - Differences in wages reduced
 - Cases of wages being paid in advance to ensure supply of labour for agriculture (tightening of labour markets)
 - Demand for labour increased
- Migration
 - Distress migration reduced/eliminated
 - High wage migration (especially male) continues

- Works
 - A. private land/asset improvement
 - Land and water development works on Dalit/Adivasi lands
 - Instances of barren lands of poor made productive
 - Instances of agriculture laborers graduating to marginal/small farmers
 - Common asset development/improvement
 - Instances of common property resources – improved (land and water, horticulture)
 - Benefits – rising water table, reduced soil erosion and flooding
- Income and Food Security
 - Overall days of employment increased
 - Rise in incomes –used for purchase of food from PDS and other sources
 - “Hunger” a thing of the past in villages

Central Message

NREG is rights based demand driven programme to be implemented by decentralised panchayat raj institutions at the grassroots level

but

its success depends on proactive state government initiatives and innovations in building the capacity of grassroots governance institutions to be able to continuously design and supply a shelf of works at the local level