

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 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 is not only to explore the real picture of the functioning of NREGA, but also to 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 an average of a little over 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 whereas 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, there were 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 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 male dominated village councils.
5. Despite a government directive for the job cards to be made accessible free of cost. 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, let alone creches.

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 of 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 that 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 who have not received work despite applying for it:

Malda	120
Darjeeling	54
South 24 Pragma	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 cards and muster rolls were not being made in the presence of the people who worked. Cases of tampering of muster rolls and job cards were also found. There were cases where people worked fewer days 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 passbook.

A number of cases were 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. passbook and the original claimant who worked under the scheme did not get any payment.



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 the 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 allowance:

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 common problems 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: shelter, first-aid, 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, these people could not be given work.

Issue of bank passbook and job card

A number of cases was found where job cards and bank passbooks are not in possession of the job card holders. The influential people like work supervisor, panchayat member and politicians siphon off wages using these. In a number of cases post offices and the bank did not handover the passbook 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 banks were also reported in violation of zero balance account principle under NREGA rules.

Number of people denied work as they do not have passbook:

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 muster rolls and job cards is done at the house of local leaders or houses of the panchayat members.

Some of the issues related to the muster rolls preparations are:

- Many of the muster 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 muster roll.
- Payment was made to missing persons like dead, minor or person not in existence.
- The issue of job card and muster 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 harass people when they try to open their zero balance account. People are asked to pay to open their accounts. For example, in Cooch Behar, Rs.50/- was taken from each of job card holders to open the account. There were cases in South 24 Paragana where money was taken from people but accounts were not opened and thus 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 villager 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 schemes. Earlier, Women were afraid and reluctant to take part in NREGA. With the active awareness campaign by civil societies women are slowly realizing the fact that they too can contribute to be family's income by working under NREGA.

This is very useful for those women whose husbands migrated or moved to other places for earning money. Now women are going to the Panchayat to get job cards issued in their name. But they faced problems in getting job card and open bank accounts. Political leaders and members of Panchayat try to prevent them by demoralizing and harassing them in different ways.



4. The verdict

For millions of marginalised rural households NREGA can become a critical lifeline if implemented earnestly. It was started as a scheme that would revive rural economy and infrastructure. But after almost four years of the Act being notified it continues to be plagued by corruption and remains out of reach for the ones who need it the most. The women, tribal and disabled people have very limited participation in it.

The experience from a large number of villages in West Bengal clearly reveals the manipulation tactics being used by the powerful. The most worrying sign being, lack of support from the elected village council members.

5. Testimonies of violations

Cost of a zero balance passbook

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

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

Gautam Singh and Sandhya Singh, 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. They complained about this to the Panchayat many times and then filed a written complain with the BDO. So far the couple has not received any response from the 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 the 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 muster roll. An additional three days of work were mentioned against each individual worker and names of five members of 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 muster roll whereas they worked for only 6 days. But, they were paid wages of 6 days only. Moreover, 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 do we keep them off from the muster roll?

A complaint about this was made to the DM, who ordered an enquiry through BDO. People's complaints was found genuine during the investigation. The BDO ordered for payment of 6 days' wages as the muster 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 has been 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 application that was submitted in October 2008 to BDO and DM.

She was barred 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 her application of work made in June 2008. But she has still not got her wages for the work carried out during 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 are now learning to live under threats from the people in 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 sole bread winner for a family of six.

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 to cope 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 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 had 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 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.

Now Mantu's family – his widow with her 9 month old son and his old father and mother, are 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 widespread awareness about the scheme in her village. This in turn resulted in a 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. This 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.



India Country Office
R 7, Hauz Khas Enclave
New Delhi 110016
Tel: +91 11 40640500,
Fax +91 11 41641891

International head office
PostNet suite #248
Private bag X31
Saxonwold 2132
Johannesburg
South Africa
Tel: +27 11 731 4500
Fax: +27 11 880 8082

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