

**Orissa Monitoring Note**  
**Ashwani Kumar Member, Central Employment Guarantee Council**  
**(CEGC) MoRD**

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## **Preface of the Report:**

### **(A) Brief Observation on general progress of MG-NREGA in Orissa**

Despite reports of CAG, Prof. Dreze (Member, CEGC) and NIRD Social Audit Report in the past, the implementation and governance of MG-NREGA in Orissa seems to have not changed much on the ground. The success stories of “Ganjam” & ‘Mayurbhanj’ and Banking Correspondent scheme for tackling delay wage payment make one to believe that not much is still not lost! A brief perusal of the general progress of MG-NREGA at the outset of the report is intended to provide a background for a more detailed analysis of the status of implementation of NREGA in Orissa.

Based on data analysis of MIS of MoRD, it is more than obvious that the employment generation record compared to cumulative number of households issued job card is dismal and complaints regarding delay payment, non-payment of unemployment allowance and violations of various transparency provisions in the Act are rampant and routinely reported from various sources including media. The myth of lack of demand for NREGA work in Orissa has become excruciating complicated to justify. And it certainly needs demystification because in a state where hunger and distress migration especially forced by notorious labor contractors (sardars) are endemic especially in Kalahandi-bolangir – Koraput (KBK), the demand for NREGA work especially from BPL families should logically and naturally exist or must be existing! It would not only be counterintuitive and but also preposterous to imagine that poor tribals refuse to demand NREGA work and prefer suffering silently worst effects of poverty and hunger especially when 15 of 30 districts had been hit by drought in 2009. On the contrary, we all know it too well that poor people are often vocal about their rights; consider the recent protest of 42 Beneficiaries under NREGA in the Bhawanipatna Sadar block of Kalahandi against non-payment and delay payment of wages under NREGA.( the details of the report are available at OREGS watch). Their protest would never be reported by the government as it would not perhaps meet the criterion of lodging the grievance with implementing agencies in the state. Though the state government is clearly aware of the it calls “eventual starvation” (refer to letter of Chief secretary dated 5/11/2003), state government’s official reports have routinely denied many cases

of 'alleged starvation deaths' that have been reported from KBK region and also from Keonjhar district in the recent past. Not surprisingly, the SC-appointed Commissioner and Special Commissioner have recently recommended a "protocol" for preventing alleged starvation deaths in the state of Orissa. Had NREGA been implemented in the right earnest, Orissa government would not have earned the ire of the right to food activists!

Against this backdrop, look at the employment person days per household in Orissa calculated by Prof. Dreze (Member, CEGC). According to him, Orissa recorded 21 days in 2006 and 8 days in 2007-8.( available at the portal of Frontline) On the Contrary, the annual reports of PR of Orissa mentions average number of days provided work per household was 57 days in 2006-7 and 35.4 in 2007-8. One may notice the decline in average number of days in both reports. There is no information about the annual report of 2008-9 at the portal of PR. Now, consider the figure of employment generated during 2009-10; only 995193 households have been given works out of more than 54 lakh job card holders in the state because only 1021008 households demanded work. The statist explanation for very few reporting for work is following; No Demand, No Work, and if demand exists, there is no fund from the Center! (Forgetting its own chief secretary's admission about chronic issue of non-utilization of rural development funds in the districts. Refer to letter of Chief secretary dated 5/11/2003). There is no doubt that NREGA funds remain unutilized at the district level; out of Rs.56.6 crore of total available fund,( including OB, Central and State share) Kalahandi district could spend only Rs. 11.9 Crore until the end of January; it is really atrocious considering the widespread poverty in the district. Sadly, there is no penalty under section 25 of Act for non-utilization of NREGA funds! Moreover, a cursory analysis of flow of NREGA fund available at various districts would show the availability of fund at about Rs. 540 crore until 12 February 2010. (According to their admission, the total funds available up to December 2009 was Rs.655.25 crore and total expenditure was Rs. 490.35 crore)

Now, let us consider more disaggregated reality in the KBK region. In Bolangir, for example, out of 235897 job card householders only 44450 job card householders demanded work and 43791 households have been provided work in 2009-10 work. So if one correlates the number of people who demanded work and those who got the job, it really looks impressive yet as we know from a variety of field sources and reports that registration of work demanded still suffers from various gaps in many districts. The fact that only 1902 households have completed 100 days in Bolangir reflects very poorly on the NREGA division of the Panchyati Raj in Orissa. In Bolangir, 5299 days of unemployment allowances still pending; so even if demand exists, the state not only fails to provide timely work but also fails to provide 'unemployment allowance" in violation of the Act! In Kalahandi district, only 186 households completed 100

days of work out of 269834 job card householders. Considering the lingering history of chronic poverty in Kalahandi, 5625 days of pending unemployment allowances in 2009-10 amounts to committing 'day light robbery' of livelihood rights of poor by implementing agencies of NREGA in Orissa in complete breach of Section 7 of the Act. ! In Koraput, only 52515 households demanded work out of 266032 job card holders. And let us not forget that 12202 days of "unemployment allowance" is still pending in Koraput in 2009-10. In Keonjhar/Kendujhar, out of 269207 job cards, only 41637 households have been provided job because only 41755 households demanded work as per the statist explanation. In Keonjhar, largely tribal district and populated by primitive tribes such as Juangs who are often found deficient in livelihood resources, 1347 days of unemployment allowances still are pending. More importantly, it is not known if provisions of Section 7, Section 8 of the Act and Section 16 of the Schedule II of the Act regarding "cases of unemployment allowances 'and provisions regarding compensations in cases of "delay payment" as per section 30 of the Schedule II are being faithfully implemented as per the letter and spirit of NREGA and also Operational Guidelines ( OGS of MoRD)as there is such information available at the at the portal of Panchyati Raj of Government of Orissa. The information deficiency is write large at the portal of PR; consider this generic and stereotypical description of NREGA at the PR portal which harps on NREGA as " "People's Act" ( music to ears of Civil Society activists in Orissa), " right to life with dignity"( no reference to specific ' livelihood security' as mentioned in the preamble to NREGA) and an act " of the people, by the people and for the people".( clearly forgetting that the Act was passed by parliament of India and notified by the Central Government in 2005). Though the Panchyati Raj portal rightly mentions the empowering effect of the Act on the ordinary people, the social audit section of the portal has nothing to show on people's participation in the social audit other than a strange CV of someone called AV Swamy; we assume he is social audit specialist at the NREGA division of PR department. No information about the organogram of the NREGA division is available at the portal. We do not even have any information displayed on the portal about "State Employment Guarantee Council" constituted under section 12 of the Act. Although MIS of MoRD now has updated report on the employment generated under NREGA until January 2010, the portal of PR (Orissa) still displays figures until December 2009. There is not a single executive order/instruction/directive issued by either state government or MoRD (central government) in the year 2009-10 has been displayed at the portal of NREGA of PR. At least important notifications of MoRD such as "District Ombudsman" should have been prominently displayed at the NREGA portal of PR; NREGA is also about proactive disclosure under the Right to Information!

## **(B) Public Hearing on implementation of MG-NREGA in Orissa**

It is in this backdrop of progress of NREGA in Orissa, the member, Central Employment Guarantee Council (CEGC) attended the Bhubaneswar Public Hearing organized by "Food Collective" Orissa held at IDCOL auditorium in Bhubaneswar on 2<sup>nd</sup> February 2010. The member thanked Director Special Project (Panchyati Raj) for accepting his informal invitation to attend the Public Hearing organized by "Food Collective" Orissa. I am not aware if the NREGA division of Panchyati Raj has evolved any institutional mechanism of participation in public consultation including public hearing or it simply relies on 'Citizen Help Line' for recording and addressing public grievances! Additional Secretary (wage employment) was also at the site of Public hearing. Retired Justice P. K. Mishra, who chaired the Jury held the State responsible for 'lackadaisical implementation of MNREGA'. Speakers after speakers and villagers after villagers including women from different corners of the State made serious allegation about "distorted implementation" of MNREGA in the State. I quote following serious allegations from the reporting of Public Hearing published in the Hindu 3February 2010; <http://www.hindu.com/2010/02/04/14hdline.htm>:

"We were not aware of MNREGA. When we were given job cards, we went to local block development officers seeking jobs. He was supposed to give us work within 15 days. However, the badly needed work eluded us for so many days," said Parbati Muduli from Nabarangpur district. We have spent money from our own resources to get our dues from gram panchayat. However, nobody paid heed to our pleas. When an assistant labor officer found discrepancies ordered immediate release of payment to one laborer, he was immediately transferred. About 12 daily wage earners are yet get their dues," said Nilima Topno from Sundargarh. The charges leveled by villagers appeared to have substance. As many as 54,60,196 job cards were issued during the year 2009-10 and about 9,69,187 persons demanded work during the period. Against such huge job card issuance and demands, only 24,451 persons were provided 100 days' work, said Umi Daniel, a researcher on migration. In 2008-09, only 52,459 persons were given 100 days' work against demand of 12, 20,596, which presented sorry state-of-the-affairs in the implementation, Mr. Daniel said. There has been huge mismatch in figures being reported out by the State government. Although less number of jobs were provided against demands made by workers during 2008 to 2010, not a single job cardholder was given unemployment allowance", alleged one participant in the public hearing".

**Action Demanded on the Public Hearing:**

The member (CEGC) was handed over affidavits and testimonials from villagers at the Public Hearing. Kindly find them in the enclosures with the report. Evoking section 11(1) especially (c) &(e) of the Act, I would recommend a thorough investigation into the allegations of distortions in the implementation of MGNREGA in Orissa by a specially constituted team of auditors/monitors in which one official from MoRD and an eminent civil society person nominated by MoRD are involved to ensure impartiality and objectivity in the investigation. Details of disciplinary/ remedial/ punitive action taken should also be provided in the compliance report by the state government.

Visit to NREGA division at the Panchyati Raj, Orissa on 3 February 2010

The member appreciated the cooperation and courtesy extended by the Director, Special Projects( (Panchyati Raj) who was also willing to share his experiences and also expressed interests in learning from innovations taking place elsewhere in the country for the proper implementation of the Act. The member was given a brief presentation on the twin issues raised in his letter to MoRD forwarded to Orissa government. As regards Orissa government's pilot project on 'electronic benefit transfer" scheme for payment of NREGA wages, the member was informed about the scheme of "banking correspondent" launched in about 1000 panchayats in collaboration with SBI. It is heartening to know that the MoU has been signed between PR department and State Bank of India. The Member was informed that in the first phase, 1000 GPs in Ganjam, Gajapati, and Mayurbhanj are being covered at the cost of SBI. The State government has also decided not to pay onetime cost of Rs.30 per card and the Rs. 2500/-per month per CSP. The Member appreciated the project and wished to see the implementation of this on the ground for a better policy feedback. A follow up visit would be required to

see how the scheme of banking correspondent is unfolding in Orissa. The member also emphasized the need for consolidating basic provisions of the Act such as taking timely and genuine measurement, appointing adequate Employment Guarantee Assistants/ Junior Engineers/ Computer Operators/ Program Officers, etc for proper implementation of the Act. The member was also briefed about the controversial scheme of "Goan Sathi"; This Scheme is worth discussing in detail for understanding the unintended consequences of a policy innovation. In Goan Sathi scheme launched by Orissa Government( letter number 4323 dated 30/01/2008 GoO), two persons in each village were recruited in each village to assist the implementation of NREGA especially organize cardholders to start a job, write muster rolls, help check measurement, payment of labourers etc. Though there was no provision for any salary for Gaon Sathi, they received an incentive @Rs 4/- per labourers organized by him at daily basis; Suppose a Gaon Sathi organized 40 and 55 labourers on day 1 and day 2 respectively; then the GS would get Rs.160/- and Rs. 220/- for respective days. But also consider if the Goan Sathi organized the work for 100 workers for 30 days, he would have earned:  $4 \times 100 \times 30$ : Rs. 12,000, much more than the entitlement of the worker in the Act. This scheme has unwittingly resulted in the return of laborer "Contractor Raj" and wastage of NREGA money contrary to the spirit of Act. At the public hearing in Bhubaneswar and also during the field visit of Keonjhar, people and field officials informally corroborated the nefarious

role of various Gaon Sathi in distorting the spirit of the Act. The member was informed that the Scheme of Gaon Sathi had been scrapped.

As regards the issue of settling complaints forwarded by MoRD (Govt. of India), the member was presented a letter (dated 22/12/2009) addressed to Mr. Rohit Kumar, Deputy Secretary, MoRD. Prime facie, the letter has rejected 15 complaints mentioned in the letter of RD secretary dated 5 November 2009. Though the NREGA division of PR department uses an unusually harsh language such as "far from truth, unsound, and baseless"-- as if those who made complaints were either motivated or insane --- in settling the complaints forward by MoRD, they conveniently forget the inordinate delay in settling the complaints. For instance, two complaints forwarded to state government on 7/10/2008 are still pending. We also do not know the details of the enquiry or any information about the process or procedure of settling the complaints. It would be worth reminding that section 15(e) clearly instructs that 'complaints will be promptly dealt with by Program Officer'. The inordinate delay and the causal manner in settling complaints indeed constitutes a ground for evoking Section 25 of NREGA, regarding penalties against contraventions of the Act. Attached is the letter from GoI regarding settlement of complaints forward by MoRD.

The member was also apprised about the shortage of staff (deputy secretaries need to be appointed) and also lack of technical capacity at the level of division.

It was more than clear that NREGA division needed to be upscaled and also

professionalized as per the provisions of the Act. The skills of social audit specialist needs to be upgraded and also given an exposure to some of the best social audit practices from the civil society. It is better if NREGA division follows the examples of AP or Rajasthan in matters of social audit. Social audit with the cooperation of civil society seems to be not on the agenda of NREGA division.

The member also attended very briefly a workshop at SIRD for post office officials and noted the participation of experts from AP in developing perspectives for bank and post office payment.

**Keonjhar District Monitoring Visit Note**  
**on Banspal and Telkoi Block**  
**Dated 04.02.2010**

Banspal block which is the most backward blocks of the district and most importantly inhabited by Juang tribe, one of the most backward, poor, and illiterate primitive tribes. The district collector Ms Debjani Chakravarti and her field level staff also accompanied the Member during the visit. The member was also told that this was a Naxal/Maoist threshold area meaning that Naxals have started trickling in the area. Therefore, it is all the more important that NREGA and other RD schemes are implemented vigorously and transparently to the full satisfaction of local population.

The following NREGS Projects were visited;. The details of the Projects are given below.

(A)Name of the Project :Construction of Road from Upper Panasansa to Kanjipani,

Name of the GP	: Kuanr
Year of Sanction	: 2009-10
Estimated cost	: 10 Lakhs.
Length of the road	: 4 K.Ms(approx)



Material Component : 4 Lakhs.  
Wages Component : 6 Lakhs.  
Date of initiation of Project: 22.12.2009  
Expenditure incurred till date : 2.48 Lakhs.(Materials :0.88 lakhs,  
Wages : 1.60 lakhs )  
Number of Mandays :684

Background of the Project:

The District Collector explained that there was no dearth of demand for work but perhaps administrative inertia and policy roadblocks prevented opening up a NREGA work site here. According to her, this project was not in the approved action plan. This project could not be taken up earlier as it is coming under the forest area and forest conservation act was in force. After the coming into force the Forest Right Act 2006 this could be taken up as per the provision of Section 3(2) of FRA-2006. This is a good convergence of NREGS and FRA 2006. This project was taken up as per the felt need of 3 hamlets of Panasanasa revenue village namely Gudhulisahi, Dhenkikota Sahi and Uper Panasanasa. These hamlets are inhabited by 264 persons in 62 households.( information provided by the district). Prior to construction of this road people of these hamlets were facing difficulties to come to Kanjipani market which is 4 KM away from their habitations through the hilly terrain. Construction of this road will go a long way in boosting the communication infrastructure in the area, the collector informed the member. However, efforts should be made to maintain the project after rains are over.

Monitoring Observations:

The quality of the work was quite good and provided much needed help to Juang people in the hills. The member could not visit their village as he was

informed that Juang were having a wedding feast. Also could not go to the Panchayat office to check papers relating to the project.

(B) Name of the Project : Renovation of Talapansanasa WHS.  
 Name of the GP : Kuanr  
 Year of Sanction : 2009-10  
 Estimated cost : 3 Lakhs  
 Material Component : 1 Lakhs.  
 Wages Component : 2 Lakhs.  
 Date of initiation of Project: 22.12.2009  
 Expenditure incurred till date : 37,309/- (Materials : Nil , Wages : 37309/- )  
 Number of Mandays : 400

During the visit to this work site, the member interacted with some workers in the field. The names of the job seekers along with their Job card Numbers are given below.( information was taken by disirct official)

Sl. No	Name of the workers	Job card Number
1	Tulasi Juanga, W/O-Kabibara	19939
2	Karata Juanga, W/O- Srikanta	20051
3	Drupadi Juanga, W/O-Thuru	19921
4	Golapa Juanga, W/O-Damodar	20000
5	Jhadamalli Juanga, W/O-Banamali	20037
6	Banamali Juanga, S/O-Bansidhara	20037
7	Basudev Juanga, S/O-Pabitra	19963
8	Laxmi Juanga, W/O-Sukura	20095
9	Radhi Juanga, W/O-Late Mina	19928
10	Saibani Juanga, W/O-Mukunda	20018

Observations: Violations of the Act and Guidelines of MoRD:

1. The Muster Roll was not found at the worksite; even attendance was not recorded; On the intervention of the Member, the muster roll was brought on the site and attendance taken Let us not forget that independent

- surveys have already raised the issue of fudged muster rolls and also inflated muster rolls in Orissa. Therefore, the Member considers it a serious breach of the provisions of the Act and also guidelines. Second, the Muster Roll (MR) records only Job Card number leaving the name of the actual worker; it creates a scope for proxy/ghost worker at the site.
2. The Job cards were without photos, no entries recorded; ---serious violation of the Act! Job Cards are also so designed that it almost becomes unverifiable as there is no column for “wages paid” in the Job Card, making it impossible for workers to verify their wage payments and the coding system is really an insult to poor people! Even this Job Card is not being maintained as per guidelines of MoRD. The member recommends strong actions to correct this distortion in the implementation of the Act.
  3. The member found children working at the site. When asked, field level officials tried to dodge the member suggesting that “they are poor tribals so they look young”. After I persisted, the Collector intervened and told VLW/BDO to withdraw the children from the site and instructed PO/BDO to make recovery from their salaries. (Oral Instructions: I don’t know if formal official instructions would ever be issued). As Goan Sathi has been designated as the Village Sanjojak, it has not added any value to the work as one sees open violations of various provisions in the Act. The VS has failed to protect provisions of transparency and also organizing work at the site. In this particular case, he was actively unaware of anything related to worksite.
  4. In major violation of NREGA, Schedule II, Sections 27 and 28 with regard to worksite facilities, No work site facility was available at this site. The DPC agreed with the Member that it was a serious breach though the member was given a facile explanation that workers do not need worksite

facility as the site is close to the village. One simply wonders about the details of money being on worksite facility.

5. While interacting with workers at the site, the member observed that NREGA guidelines with regard to Project Initiation as mentioned in 6.6.1 of OG (2008) are not followed as most workers were ignorant about the “provisions of the Act, the system of payment of wages, SOR, information on worksite facilities and their entitlements especially provisions in Schedule II of the Act.
6. A major violation was OG guidelines section 6.7.4 with regard to SOR (schedule of Rates) lack of awareness of the workers about SOR; The SOR with standard designs should be proactively disclosed and widely publicized. In particular, the SOR should be posted at worksites in the vernacular, in a manner that is legible and comprehensible to labourers using the simple terminology of ‘people’s estimates’.(OGs).
7. No where was the Member shown Vigilance Committee report or register of Local Vigilance & Monitoring Committee; it seems to exist on the paper; more information and detailed check needs to be done by National level Monitors in this regard.
8. Social Audit: the Member was not shown or discussed anything on Social Audit Forum in the district. Believe it or not, the state NREGA division and district administration offered the facile and fallacious argument that there was no complaint about social audit. Orissa seems to have mastered a perfect social audit! A thorough and comprehensive social audit needs to be done with the help of eminent NGOs in the state. Due to paucity of time, the member could not check proceedings of Gram Sabha, register of job cards, register of Social Audit forums, assets registers, material registers, and bank/post office records; therefore a follow up visit would be required to assess the state of transparency and accountability in Keonjhar.
9. The member interacted with one Dukhini Juanga. She has been assisted under AAY. During interaction she reported that she is getting AAY rice regularly but she showed no awareness of NREGA entitlements! The Member also met a couple of elderly villagers who were not given any work in NREGA.

(C)Name of the GP:-	Oriya –Birda
Name of the Village:-	Jata
Name of the Project:-	Constn. of Katatala Adibandha
Estimated Cost:-	Rs 6,00,000/-(Rupees Six Lakhs) only
Year:-	2009-10
Work Code:-	37930

### Monitoring Observations:

25 laborers were working at the worksite. The worksite facilities such as Drinking water, shed, First Aid Box were available. Checked the Muster Rolls which were issued with specimen seal but without signature of the Programme Officer. This is a serious breach and raises the scope for a large scale fraud in the program. Verified some Job Cards and found that the Photographs of the Job Seekers were not pasted. Interacted with some Laborers as well as the villagers. Not a single woman was found on the site; the pretext was quite ingenious as I was told that women had not showed up due to death of a child in the village.....! It needs to be investigated as the percentage of women is quite below the national average when it is a common knowledge that women often face the multiple burdens of poor livelihood systems. The labourers during interaction reported that they were getting wages in time. But the M/R should be maintained in the New Format and should be maintained at the worksite. Transparency pillar constructed at the worksite should contain the NREGS logo. Then proceeded to Block office. The Member suggested to the BDO to give the details of the NREGS work going on in field with the names of labourers, wages paid etc. either through walling or through display in a board in block office as well as in Panchayat.

(D)	Name of the GP:-	Podang
	Name of the Village:-	Tenteinali

Name of the Project :- Constn. of road from Bena to Tenteinali

Estimated Cost :- Rs. 5,00,000.00

Year :- 2009-10

Work Code :- 92439 /923

### Monitoring Observations:

A cursory/quick head count by district officials informed the Member that 125 labourers were working at the site. It was difficult to check the figure as the workers were involved in the work. No work site facilities such as drinking water shed for labourers & First Aid Box could see at the worksite. Verified the Job Card of the labourers and found that some of them had earlier worked under NREGS during the year 2005-06 and 2006-07 in a forest deptt. Project. Photographs were not pasted on the Job Cards. This is a common practice in the area. No worker seemed to be aware of NREGA entitlements; a sense of dependency on the district administration runs deep in the region. It was also shocking to know from the local people that no work had been initiated in this block in the year 2008-9; the new DPC after taking charge had taken some proactive steps to initiate the work in the block. Let us recall that this block had come into national news for alleged starvation death of "Nachu Juanga"; the starvation death was investigated by the district and not found a case for starvation death. The Member was advised to contact the relevant department of

Orissa government to check the report. There are 7 Juanga Bastis in this village 'Tenteinali'. The Member Visited Ward No.2 and 3, which are in a hill top, along with the DPC/ Collector and went to the house of "Nachu Juanga"; The Member was informed that his wife has been working in NREGA downhill. The livelihood security was found wanting in the village; a house to house visit showed very poor food availability in the village. One could easily notice that the non-implementation of NREGA in the village had a debilitating effects on the livelihood security of Jaungs in the region. Road connection to the Basti is highly necessary for accessing simple needs of life. CDPO was instructed by the DPC-Collector to provide immediate treatment to a malnourished baby of Suman Juang. CDPO was instructed by Collector to send proposal for a Mini AWC in this village.

Exit Protocol Meeting with the Commissioner-Cum- Secretary PanchayatiRaj on 5<sup>th</sup> February 2010 in Bhubaneswar.

Last but not least, during the exit discussion with the Commissioner-Cum-Secretary PanchayatiRaj, (entirely a voluntary effort by the member) the member thanked the Commissioner for agreeing to meet. The Member was very condescendingly informed that the Commissioner would look into the 'Observations' of the Member. Operational Guidelines of MoRD clearly says (3.1.3) "Commissioner is responsible for ensuring that all activities required to fulfil the objectives of the Act are carried out....He may also be directed to ensure that the system of grievance redressal, social audit, applications for right to information, and other measures of public accountability and transparency are effective as well as responsive to the demands of NREGS workers and the community"! Therefore, the Member does not think only giving "observations" are covered within the functions and duties of CEGC especially under section 11(1) and more importantly clause (2) of Section 11 gives members of CEGC to

demand information about the various schemes made under the Act by the state governments and also ensure faithful implementation of the scheme as per the letter and spirit of the Act and also Operational Guidelines of MoRD.

Following Recommendations may be taken up for implementation:

1. Simplification of Job Card format; Expert Group of MoRD on Job Card be asked to look into the Orissa Job Card for designing a much simpler and user-friendly card from the perspective of poor and illiterate.
2. Banspal block has been suffering not only from lack of livelihood support systems but also incidentally from the accountability deficits in the implementation of NREGA as that there are about 35 grievance petitions pending with the BDO Banspal.
3. BDOs are working as Programme Officer dealing with multifarious activities; Full time Programme Officer must be appointed to ensure proper implementation, monitoring and supervision of the scheme. Barring a couple of good BDOs, most BDOs are not enthused about NREGA.
4. To address the issue of starvation and malnutrition problem of the PTG people, Mid Day Meal provision at worksite is required; we could consider opening up "Community Kitchen" in the tribal areas especially in those areas where starvation deaths are reported from.
5. Reputed NGOs and civil society organizations need to be involved as per the meaning of "implementing agencies" in section 2(g) of the Act. Orissa. The awareness of tribals about NREGA is dismal leading to lack of



demand and also siphoning off money by PRIs representatives ( Sardars) in collusion with DRDA officials. CAPART norms should be adopted for indentifying NGOs.

6. Special package of assistance is required for the Juang villages for development of infrastructure.(Housing Package). Orissa government should devise a special NREGA package for Primitive tribes in the state. To provide the livelihood support to these PTG people, livelihood departments need to work in convergence with NREGA.
7. On-line entry format needs simplification, fund transfer within the district, from one block to another, or from one GP to Block is not being reflected in on-line financial statement. Systemic improvement is required. The unique number of M/R must be awarded for GPs, preferably alphabets instead of numbers should be used.
8. Four BDO post are lying vacant in the Keonjhar district out of 13. The vacant post should be filled up immediately.
9. Penalty provision under Section 25 of NREGS act should be strictly enforced against DRDO and any other agency involved in the implementation.

10. Centre to release funds to districts directly (on-line) after 60% expenditure is done. There should be automatic “top up system” for fund release( MP model).
11. “Gram Sanjojak” like Gaon Sathi is inefficient, not even aware of basic features of the Act and also a possible source of violation of various key provisions in the Act. It would be better if Orissa follows proposed Scheme of Lok Sevak/Lok Karmi of MoRD.
12. The existing mechanism of Grievance redressal led by the duo of DPC-Collector and PO/BDO has not been working satisfactorily given the frequency and quantum of complaints in the district; We hope the system of District Ombudsman by MoRD would restore confidence of the people and also legitimacy of government agencies. The member tried calling Toll Free Help Line no-1800-345-6770 but it never worked; tried both mobile phone as well landline!

### Concluding Remarks

Based on member’s participation in a Public hearing on 2<sup>nd</sup> Feburaury2010 in Bhubaneswar, interactions with civil society/Voluntary Organizations in Bhubaneswar, discussion with eminent citizens, briefing with local media and interactions with NREGA Commissioner-Secretary Panchayati Raj, Director Special projects, DPC/ Collector Keonjhar and various other line department officials in Keonjhar and interactions with NREGA workers, the member reach the conclusion that though Panchyati Raj department has started implementing innovative scheme of banking correspondent(BC) to tackle the delay in payment,

the implementation of NREGA in Orissa suffers from serious violation of various provisions of the Act that has resulted in 'violence of exclusion' as witnessed in the exclusion of 'Jaungs' from NREGA in Keonjhar . Let us not forget that planning by the people at the level of panchayat is almost fictional and frequently non-starter as admitted by ground -level officials. The member appreciate some of the new initiatives of the current DPC(Keonjhar) that have started showing results though they still need to be done in full observance of the provisions of the Act. The violations of the key provisions must end immediately in the district. The precarious livelihood support systems for Juang would have been strengthened if NREGA had been implemented faithfully from the inception of NREGA in the district. Saving primitive tribes such as Juang from the starvation and hunger would not only lend more credibility to NREGA but also save Keonjhar from falling into the hands of Maoists who are waiting to take over Keonjhar; the member was repeatedly cautioned about the increasing presence of Maoists in the district. Evoking Section 11 of the Act, the Member, (CEGC) therefore, would recommend a special review/appraisal/audit by the MoRD (Government of India) of the implementation of NREGA in Orissa with special focus on the livelihood support systems of primitive tribes especially in the districts from where reports of alleged starvations deaths have come. The special review must not be a bureaucratic exercise in terms of cost-benefit analysis but account for violations of the rights of NREGA workers and also

suggest changes in the existing management and delivery systems in the implementation of NREGA. Along with the state government, MoRD also needs to take proactive steps to implement District Ombudsman, Lok Sevak/Lok Karmi, and Banking Correspondent and also address the genuine demands of the state for smooth fund flow. It is heartening to note that conferment of excellence award by MoRD on Mayurbhanj and Ganjam has motivated district officials to do much better work. The implementation of NREGA varies across districts, blocks, and panchayats; few have done quite good,( Ganjam& Mayurbhanj), some have begin to show improvements( Keonjhar etc) and many still struggling hard to implement the original intent of the Act. Unless, NREGA in Orissa adopts a campaign/mission mode with the active involvement of civil society, the future of NREGA in Orissa would continue to be mired in the occasional success stories and permanence of chronic poverty and hunger!

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