

Minutes of the National Conference of Legal Experts on NREGA held on 25th November, 2008, at PUSA, New Delhi.

A National Conference of Legal Experts on NREGA was held under the Chairmanship of Hon'ble Minister of Rural Development on 25th November, 2008 at PUSA in New Delhi. In the Conference the report of the Expert Group set up by the Ministry on grievance redressal under NREGA was released.

A list of the participants is enclosed.

The Union Minister released the report of the Expert Group on Grievance Redressal under NREGA set up by the Ministry under the Chairpersonship of Prof. Moolchand Sharma, Vice-Chairman of University Grants Commission. The Expert Group recommended the Lok Adalat model of grievance redressal and organization of legal awareness camps for generation of awareness in rural areas under the aegis of National Legal Services Authority and the Ombudsman system of grievance redressal. Under the Scheme of Lok Adalats any person, Central Government, State Government, National and State Legal Services Authority may refer disputes to the Lok Adalats. The complaints may refer to application and allocation of work, payment of wages, social audit, organization of gram sabhas, etc. He urged all the Member Secretaries of State Legal Services Authority to implement the Scheme properly in all the blocks and gram Panchayats of the country for the benefit of the NREGA workers.

Union Minister of Rural Development, Dr. Raghuvansh Prasad Singh, highlighted the critical role played by NREGA in empowering the rural poor. He complimented the legal fraternity for coming out with full support in streamlining the grievance redressal mechanism for the NREGA workers. He said that this support gives him enormous confidence that the hurdles in the implementation of NREGA can be effectively dealt with. He underlined that this Act is the great benefactor of the rural poor as it enables the workers to demand work upto 100 days during the year. He stated that the number of initiatives have been taken by the Ministry in strengthening the implementation of NREGA. It is important that people are made aware of the provisions of the Act, people's participation is encouraged, vigilance and monitoring is strengthened, transparency and accountability is brought into the system. The initiatives of the Ministry has been driven by these important requirements of proper implementation of the Act. He hoped that with the support of NALSA the grievance redressal mechanism will

get a boost. More than 4.8 crores saving accounts of the workers have been opened in banks and post offices for payment of wages to the workers. Now the benefit of the Janashree Bima Yojana and Rashtriya Swasthya Bima Yojana are also being extended to the workers. Through the NREGA website 85 lakhs muster rolls and 5.22 crores job cards have been put on the website which are in public domain.

Dr. Rita Sharma, Secretary, Department of Rural Development underscored the priorities of the Ministry in strengthening of the implementation of NREGA. She called for strong partnerships with the judiciary for redressal of grievances of the workers. She welcomed the initiative of NALSA in supporting the implementation of NREGA by organization of legal awareness camps and Lok Adalats. She said that the Ministry fully supports this important initiative of NALSA. She pointed out that the Ministry is taking several initiatives such as involving the civil society organizations, media, professional institutions and the legal fraternity for the proper implementation of the Act.

The Chief Information Commissioner of Central Information Commission Mr. Wajahat Habibullah, said that NREGA and RTI have become the harbingers of transparency and accountability in government programmes. He said that the strength of the country in information technology should be used to make available government records in public domain. NREGA has become a leading programme in setting new trends in using ICT for improving access to information to the civil society.

Minister of State, Smt. Suryakanta Patil recalled the inception of NREGA as the initiative of the UPA Government in 2006 when it was inaugurated by the Chairperson of UPA, Smt. Sonia Gandhi and the Prime Minister, Dr. Manmohan Singh in Anantpur District in Andhra Pradesh. She stated that the Scheme has brought great benefits to the poor by increasing the minimum wage rate and the opportunities for employment.

Prof. Moolchand Sharma, Chairperson, Expert Group on Grievance Redressal, and Vice-Chairman, University Grants Commission stated that NREGA has been hailed all over the world as the finest programme for providing livelihood and social security for the marginalized sections of the society. The access to benefit of growth by the weaker social groups has not been incumbent on the trickle down process but has been made a part of the framework of legal rights of the workers. This Act has brought hopes to many. In particular, the financial crises

afflicting the modern economics including the poor workers of this country, has demonstrated the dire need of such a legislative protection for continuous employment.

During the open house discussions, the participants shared their experiences and made suggestions for strengthening the implementation of NREGA. Details are given below.

- **Mr. K. Uthirapathy**, Member Secretary, Puducherry State Legal Services Authority observed that since empirically it is found that the out turn of male and female workers are not the same, payment of equal wages to men and women workers is resented by male workers. In Pondicherry, the work site supervisor gets paid out of the share of wages of the workers. This causes disgruntlement among the workers.
- **Mr. U. Sarathchandran**, Member Secretary, Kerala State Legal Services Authority observed that the political interference poses hindrances in the dissemination of information. The legal literacy and education camps are very helpful for awareness generation.
- **Mr. Sudhir Saxena**, Member Secretary, UP State Legal Services Authority, informed the House that “legal clinics” have been set up in the remote areas of the State and Micro-level legal literacy camps are being organized. He suggested that smaller disputes can be settled in the Lok Adalats or the literacy camps.
- **Mr.M.K.Khanna**, National Commission for Minorities said that NREGA is a pathbreaking poverty alleviation programme. The minorities need to be given greater attention.
- **Mr.V.R.Reddy**, Member Secretary, AP State Legal Services Authority, underlined that there is a need for full time dedicated legal authorities to conduct Lok Adalats and educational activities on NREGA. He suggested the model of “Pension Lok Adalats” for grievance redressal in NREGA.
- **Mr.D. K. Basu**, Retired Judge, High Court, West Bengal stated that the awareness generation about the law and the involvement of the NGOs will be critical for the successful implementation of NREGA.

- **Mr. Akbar Ali, Member Secretary, NALSA**, made a brief presentation on the new Scheme of the NALSA to support nrega through legal camps and Lok Adalats and explained the way it would work.

Summing up the discussions, Secretary, Department of Rural Development, and Government of India stated that the pilot initiative of Lok Adalats under NREGA for redressal of grievances will contribute to bridging the gap in the implementation of NREGA by realizing the aspirations of the rural households. The pilot will help in further streamlining the implementation of NREGA. She thanked the members of the judiciary, academia, legal profession and the officials for making the Conference a success.