



## ORIGINAL RESEARCH PAPER

Sociology

## Mahathma Gandhi National Rural Employment Guarantee act - A golden path to Right to Work

KEY WORDS:

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**Introduction**

**National Rural Employment Guarantee Act 2005** (NREGA) was later renamed as the "Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). It is a employment guarantee scheme enacted by legislation on August 25, 2005. " (MGNREGA), is an Indian labour law and social security measure that aims to guarantee the 'right to work'. It aims to enhance livelihood security in rural areas by providing at least 100 days of wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work. Later in 2016 the number of working days are enhanced to 150 days.

Each state has launched an employment guarantee scheme for its implementation. Basic unit of implementation is block. There is a programme officer on each block. The main implementing agencies are Gram Panchayats and it has accountability towards Gram Sabha. Gram Panchayats are also have power to make plans by suggestions for gram sabha. Job card are issued by Gram Panchayats and incentives are deposited to the bank accounts of employees. Provision of social audit is also there under the name 'hamara paisa hamara hisab'. Works related to rainwater harvesting and conservation, desilting of canal distributaries, desilting and renovation of old ponds/tanks and digging up of new farm ponds are mainly being carried out under NREGS. Starting from 200 districts on 2 February.. 2006, the NREGA covered all the districts of India from 1 April 2008. The statute is hailed by the government as "the largest and most ambitious social security and public works programme in the world". In its World Development Report 2014, the World Bank termed it a "stellar example of rural development".

**Aim and objectives:**

The MGNREGA was initiated with the objective of "enhancing livelihood security in rural areas by providing at least 100 days of guaranteed wage employment in a financial year, to every household whose adult members volunteer to do unskilled manual work". Another aim of MGNREGA is to create durable assets (such as roads, canals, ponds, wells). Employment is to be provided within 5 km of an applicant's residence, and minimum wages are to be paid. If work is not provided within 15 days of applying, applicants are entitled to an unemployment allowance. Thus, employment under MGNREGA is a legal entitlement

**Following main objectives of NAREGA.**

- Expanding earning sources
- Strengthening pure natural resources under control via works that deal with causes of serious hardship like famine, deforestation and ground break down and so motivate maintainable growth.
- Strengthening grassroots procedures of democracy
- Infusing visibility and responsibility in government
- Strengthening high decentralization as well as deepening procedures of democracy by providing a critical part to the local Panchayati Raj, Organizations in planning, tracking and execution.
- Therefore, by observing the main aims and objectives of this government scheme, people can easily understand the benefits of the program.

MGNREGA is to be implemented mainly by gram panchayats. The involvement of contractors is banned. Labour-intensive tasks like creating infrastructure for water harvesting, drought relief and flood control are preferred Apart from providing economic security and creating rural assets, NREGA can help in protecting the environment, empowering rural women, reducing rural-urban migration and fostering social equity, among others."

The law provides many safeguards to promote its effective management and implementation. The act explicitly mentions the principles and agencies for implementation, list of allowed works, financing pattern, monitoring and evaluation, and most importantly the detailed measures to ensure transparency and accountability

**Back ground:**

The Planning Commission approved the scheme and the same was adopted on national scale. Starting from 1960, the first 30 years of experimentation with employment schemes in rural areas taught few important lessons to the government like the 'Rural Manpower Programme' taught the lesson of financial management, the 'Crash Scheme for Rural Employment' of planning for outcomes, a 'Pilot Intensive Rural Employment Programme' of labour-intensive works, the 'Drought Prone Area Programme' of integrated rural development, 'Marginal Farmers and Agricultural Labourers Scheme' of rural economic development, the 'Food for Work Programme' of holistic development and better coordination with the states, the 'National Rural Employment Programme' of community development, and the 'Rural Landless Employment Guarantee Programme' of focus on landless households.

On 1 April 1989, to converge employment generation, infrastructure development and food security in rural areas, the government integrated NREP and RLEGP into a new scheme JRY. The most significant change was the decentralization of implementation by involving local people through PRIs and hence a decreasing role of bureaucracy.

On 2 October 1993, the Employment Assurance Scheme was initiated to provide employment during the lean agricultural season. The role of PRIs was reinforced with the local self-government at the district level called the 'Zilla Parishad' as the main implementing authority. Later, EAS was merged with SGRY in 2001.

On 1 April 1999, the JRY was revamped and renamed to JGSY with a similar objective. The role of PRIs was further reinforced with the local self-government at the village level called the 'Village Panchayats' as the sole implementing authority. In 2001, it was merged with SGRY

In January 2001, the government introduced FWP similar to the one initiated in 1977. Once NREGA was enacted, the two were merged in 2006.

On 25 September 2001 to converge employment generation, infrastructure development and food security in rural areas, the

government integrated EAS and JGSY into a new scheme SGRY. The role of PRIs was retained with the 'Village Panchayats' as the sole implementing authority. Yet again due to implementation issues, it was merged with Mahatma Gandhi NREGA in 2006.

**Legal Base:**

The Act aims to follow the Directive Principles of State Policy enunciated in Part IV of the Constitution of India. The law by providing a 'right to work' is consistent with Article 41 that directs the State to secure to all citizens the right to work. The statute also seeks to protect the environment through rural works which is consistent with Article 48A that directs the State to protect the environment.

In accordance with the Article 21 of the Constitution of India that guarantees the right to life with dignity to every citizen of India, this act imparts dignity to the rural people through an assurance of livelihood security. The Fundamental Right enshrined in Article 16 of the Constitution of India guarantees equality of opportunity in matters of public employment and prevents the State from discriminating against anyone in matters of employment on the grounds only of religion, race, caste, sex, descent, place of birth, place of residence or any of them. NREGA also follows Article 46 that requires the State to promote the interests of and work for the economic uplift of the scheduled castes and scheduled tribes and protect them from discrimination and exploitation.

Article 40 mandates the State to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government. Conferring the primary responsibility of implementation on Gram Panchayats, the Act adheres to this constitutional principle. Also the process of decentralization initiated by 73rd Amendment to the Constitution of India that granted a constitutional status to the Panchayats is further reinforced by the Mahatma Gandhi NREGA that endowed these rural self-government institutions with authority to implement the law. Achievements: Following are major achievements of MGNREGA.

1. Since its inception in 2006, around 1,10,000 crore has gone directly as wage payment to rural households and 1200 crore person-days of employment has been generated. On an average, 5 crore households have been provided employment every year since 2008.
2. Eighty per cent of households are being paid directly through bank/post office accounts, and 10 crore new bank/post office accounts have been opened.
3. The average wage per person-day has gone up by 81 per cent since the Scheme's inception, with state-level variations. The notified wage today varies from a minimum of 122 in Bihar, Jharkhand to 191 in Haryana.

**Scheduled Castes and Scheduled Tribes)**

4. have accounted for 51 per cent of the total person-days generated and women for 47 per cent, well above the mandatory 33 per cent as required by the Act.
5. 146 lakh works have been taken up since the beginning of the programme, of which about 60 per cent have been completed.
6. 12 crore Job Cards have been given and these along with the 9 crore (90 million) muster rolls have been uploaded on the Management Information System available for public scrutiny. Since 2010-11, all details with regard to the expenditure of the MGNREGA are available on the Management Information System in the public domain.

**List of Permissible Works to be taken up under MGNREGS**

S No	Name of the Work
1	Boundary Trench
2	Cattle Pond
3	Cattle Proof Trench
4	Cattle Ramp
5	Cattle Trough
6	Compost Pit

7	Dugout pond
8	Dumping Yard
9	Farm Pond
10	Feeder Channel
11	Closure of Breaches to Feeder Channel
12	Field Channel
13	Fish Breeding Pond
14	Mini Percolation Tank
15	Nadep Compost Pit
16	New Open Well
17	Pebble Bunding
18	Percolation Tank
19	Staggered Trenches
20	Stone Bunding
21	Surface Storage Pond
22	Threshing Floor
23	Water Absorption Trench
24	Restoration of Irrigation tanks
25	Approach Road Cum Pipe Culvert
26	Recharge of dried up open well
27	Terracing in hilly areas
28	Vegetable Cultivation with pandals
29	Development of Mulberry Bush Plantation
30	Roof water harvesting & recharge structure
31	Solid Waste Management

For successful implementation of this unique programme the authorities should provide 1.Work site facilities, 2.Transparency and Accountability, 3.Timely Wage Payment, and 4.creating adequate awareness about the programme.

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