

**RIGHT TO EMPLOYMENT AND SOCIAL INCLUSION
OF WOMEN: A CRITICAL APPRAISAL OF MNREGA IN
INDIA WITH SPECIAL REFERENCE TO ASSAM**

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Abstract:

The welfare state bears the core responsibility of promoting and protecting Human Rights and providing security both traditional and non-traditional to people. But, the changing doctrine of state from 'welfare' to 'neo-liberal and market capitalist' state has downsized the role of state. Experiencing the development of Indian state after 1990's, its role in economy, social welfare and human rights have been declining. Despite, some public policies have been taken up by the state to uphold social welfare and Human Rights in the post 2000 era. These policies eye strictly on the issues of social inclusion and Human Rights. Talking about the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) in promoting employment rights, the issue of social inclusion of women to it, is accepted as an important dimension.

This paper is an attempt to relate all these issues and inquire into the importance of MGNREGA in promoting employment rights and social inclusion of women to the same. The research will try to draft the image, importance and implementation of MGNREGA in India. With the prism of Patron Client relation, it focuses to understand whether the Act creates merely beneficiaries or it has able to promote employment rights and unfold livelihood sources to the rural women.

Key Words: Assam, NREGA, Panchayati Raj Institutions, Social Inclusion, State, Women,

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Introduction:

India, being a democratic nation and following policy of democratic socialism, welfare state and rural development adopted a number of policies since its independence. India, in the early decades of independence had adopted some socialist policies, which had uploaded the state with series of responsibilities. But changing circumstances both domestic and international has changed its nature of the state and in late eighties and early nineties few phenomena like the end of cold war in global politics and introduction of open market policy in national politics have resulted in downsizing the role of state to its citizen. In post liberalization period India had achieved good Gross Domestic Production (GDP) which raised upto 10%. But this high rate of GDP was not appreciated by many as it had failed to include all clusters on the same wheel. It was noticed that though opening up of market has open the door of economic growth for a section of the society, but this model of development has failed to include the common mass.¹ It was the period where people questioned the development model and neo-liberal policies of state. As a result, the change of government from NDA to UPA has opened the path for discussion about inclusive development, social security and social welfare. The congress led UPA government, as a part of its Common Minimum Program, has introduced several programmes and policies which have elevated the role of state. Among these National Rural Employment Guarantee Act, which aims toward rural reconstruction and inclusive employment generation, is also one.

About MGNREGA:

As this paper attempts to study the role of MGNREGA in rural employment and social inclusion of women, now onwards, instead of discussing the changing nature of Indian state and debate between the schools, focus will be on how MGNREGA has succeeded in social inclusion of women in rural employment in India which is by nature a neo-liberal state. And for that, a proper understanding about the concept of social inclusion is essential.

Social Inclusion, the concept is related to social exclusion. It is a strategy to fight against social exclusion. To be more specific, social inclusion, the notion, fights against exclusion of individual or group within a society. "Social inclusion is a strategy to combat social exclusion, but without making reparations or amends for past wrongs as in *Affirmative Action*. It is the

coordinated response to the very complex system of problems known as social exclusion. The notion of social inclusion can vary, according to the type of strategies organizations adopt.”² It is the inclusion of every individual in socio-political and economic affairs of a society. “Social inclusion is based on the belief that we all fare better when no one is left to fall too far behind and the economy works for everyone. Social inclusion simultaneously incorporates multiple dimensions of well-being. It is achieved when all have the opportunity and resources necessary to participate fully in economic, social, and cultural activities which are considered the societal norm.”³ It is a scaffold for addressing a myriad social issues covering income disparity, skill level, health inequalities, housing affordability, work-life balance and many more. “An indicator of social inclusion in a society is the extent to which members express a willingness to cooperate with other members irrespective of the subgroups to which they belong.”⁴ So talking about MGNREGA social inclusion refers to inclusion of each and every qualified individual in the scheme irrespective of its gender, caste, economic status, religion etc.

At this point of time, keeping the objective of the paper in mind, it is necessary to look at the importance of social inclusion of women, more particularly inclusion of women in employment in rural area. Women may or may not be, physically in a disadvantageous position but when it is about their importance in society and economy, they always occupy the parallel position to men, though many a time they are deprived of it. When it is about employment, in both the case of rural and urban areas, they have the equal right with men. If men have the right to work, a woman also has. Explaining in the prism of theoretical understanding of social inclusion, women should not be excluded from their right to work. The state and the society should treat both men and women equality and should include the both in its development policies. Not only this, some radical feminist has bypassed this by demanding extra attention for women in the name of compensatory justice. So, importance of social inclusion of women in employment programmes has realized, both from feminist perspective and neutral/liberal perspective. This realization has brought the importance of study of inclusion of women in MGNREGA in focus.

Before diving into more deep, a proper grip over the pros and cons of MGNREGA is very essential. The National Rural Employment Guarantee Act (NREGA) is job assurance Act, enacted on 25th of August, 2005 as a part of Common Minimum Program of UPA government.

Ministry of Rural Development, Government of India proclaimed this act as “an Act to provide for the enhancement of livelihood security of the households in rural areas of the country by providing at least one hundred days of guaranteed wage employment in every financial year to every rural household whose adult members volunteer to do unskilled manual work.”⁵ It ensures a legal guarantee for one hundred days of employment in every financial year to adult members of rural household, including both BPL and non-BPL families, willing to do public work-related unskilled manual work at the wage of Rs 100 per day. The Act was renamed as Mahatma Gandhi Rural Employment Guarantee Act (MGNREGA) on 2nd of October, 2009. The act directs state governments to implement National Rural Employment Guarantee Schemes. For its implementation, central government meets the payment of wage, 3/4 of material cost and a percentage of administrative cost. State governments meet the cost of unemployment allowance, 1/4 of material cost and remaining administrative cost.

The act engaged decentralized institutions like Panchayati Raj Institutions (PRIs), Village Development Council, and Village Employment Council etc. for its implementation and aims to bring change in India’s village infrastructure. In Assam there are several areas where PRIs are not available and in these areas Village Development Council or similar kind of body implements the NREGA.

The Act and its scheme mainly focuses on eradication of rural poverty and making villages self-sustaining through productive assets creation like water tanks and soil conservation works etc. which in turn will result in sustainable livelihoods for rural people. The government has referred it as an “Act to the people, by the people and for the people”.

MGNREGA from gender View:

This was a brief idea about MGNREGA which clears the image of the act. Looking the act from the women perspective, the Act also advocates employment of rural women. The Act is designed in such a way that it reflects several provisions which are of the special interest to women workers. “The Act mandates 33 per cent participation for women.”⁶ “This combined with the fact that the Act places no restriction on how each household’s quota of 100 days is shared within the household, means that there is ample scope for women’s participation in NREGA works.”⁷ The Act also provides equal wage for both men and women. Apart from this, “the

NREGA also provides for childcare facilities at the worksite when more than five children under six years of age are present at the worksite. This is an important provision given that, in large parts of the country, there are no childcare arrangements (e.g., functional anganwadis) for working women.”⁸

Apart from these there are some other features which indirectly favor women in rural employment generation. The Act has a provision that the working site should be within 5 km radius of the village of the worker. It is guided that “work should ordinarily be provided within 5 km radius of the village. In case work is provided beyond 5 km, extra wages of 10% are payable to meet additional transportation and living expenses.”⁹ It means that as the work site will be within the radius of 5 km, the women can easily go out to the site. Again in the Act urge for a favorable working conditions for employers. The workers under MGNREGA will work in those areas where they will be provided drinking water, shade etc. This type of working area will encourage women to come out. MGNREGA, the Act provides 100 days employment assurance to unskilled labours. The guideline guides that “under the NREGA, rural households have a legal right to get “not less than” 100 days of unskilled manual labour on public works in each financial year.”¹⁰ In India especially in rural areas women are generally capable of unskilled labours. They are technically less sound but capable of doing unskilled works. Therefore in rural India an Act which ensures employment for unskilled job will help the rural women and so is by MGNREGA.

Another point is that the responsibility of its implementation lies in the hand of Panchayati Raj Institutions. This is also a positive situation for women employment in MGNREGA as Panchayati Raj System has also more than 33 women as it is designed after the 73rd amendment, which presumes to be work for fortifying of women.

So, MGNREGA as an Act of in rural employment justifies the notion of social inclusion and both directly and indirectly supports inclusion of rural women in employment. The Act has able to realize the importance and drawn several provisions for that. But mere realization and drafting is not enough to uphold welfare of the people. A proper implementation and execution is very essential for that. This Act also not poles apart from that. Existence of enough provisions for women employment in rural India is not enough unless and until those are not implemented properly. Theoretical understanding and paper strength only cannot let us know the fruitfulness

of the Act and therefore an empirical data study is necessary. For that, this paper will use few earlier research resources and other data available in website of the Act.

Statistical standings:

Let's start with few statistics available in research papers and their interpretations. Many of the literatures available for employment of rural women in MGNREGA convey the message that the Act as it is designed, provide opportunity for women. As per their study in many state of India women share more than 33% of total workdays. "The official data for 2009-10 shows that just over 48 per cent of those who participated were women, while in 2007 it was around 43 per cent"¹¹ So it indicates that participation of women is raising in MGNREGA. Another point symbolizing it is said by the report prepared by Sudarshan. To him "In 15 states out of 26, the share of women in total work days was over 33 per cent in November 2007, (data for 2006-7), and 20 out of the same 26 in 2009-10."¹² Talking about Kerala he said that "In Kerala, the share of women work days, already high at 66 per cent in 2006-07, went up to 88 per cent in 2009-10."¹³ Apart from this there are some other reports indicating the achievements made by MGNREGA in rural employment of women. For instance Development Strategy and Governance Division report on 2010 has appreciated the Act. "More than half of its beneficiaries belong to Scheduled Castes and Tribes and more than half are women"¹⁴ they said. Another research work on MGNREGA and women participation says that women from the families with female head participate largely in the scheme. To quote, "Female-headed household participation in the works is very encouraging ranging from 12 to 52 percent."¹⁵ Apart from this the following table will also clear the picture of women participation in MGNREGA.

TABLE 1: Female share of total person days generated 2006-7 and 2009-10

States	Total person days (lakhs) 2006-7	Total female work days (lakhs) 2006-7	Female share of total person days (%) 2006-7	Total female work days (lakhs) 2009-10	Female share of total person days (%) 2009-10
TAMIL	182.79	148.27	82	1982.6	83

NADU					
TRIPURA	50.13	37.6	76	189.12	41
PUNJAB	15.57	5.88	38	20.28	26
MIZORAM	7.85	2.62	34	59.6	35
ASSAM	572.92	181.43	32	203	28
U P	822.91	136.21	17	771.36	21.6
J& K	32.3	1.44	5	8.59	6.6

Source: <http://nrega.nic.in/states/nregampr.asp>; Accessed on January 2008 and September 2010.

The table shows the share of women in MGNREGA which seems to be quite well apart from the condition in states like J&K, UP etc. Another important factor come in notice in research works that though it was not purposive or designed to sample more than one third women but in many studies it happed automatically. In a study it is found that majority of workers are women. As per the report “Large interstate variations in the participation of women have been observed: women constitute more than two-thirds of NREGA workers in Kerala (71%), Rajasthan (69%) and Tamil Nadu (82%) and less than the stipulated one-third in Assam (31%), Bihar (27%), West Bengal (17%), Uttar Pradesh (15%), Himachal Pradesh (30%) and Jharkhand (27%). Other research on NREGA has highlighted the various benefits accruing to women from NREGA. This paper explores this further. Its purpose is twofold: one, to highlight the importance of the NREGA, as perceived by women workers, and two, to show that the full potential of this legislation is far from being realized.”¹⁶ The interesting fact of this research is that it was not purposive but nearly one third (32%) of the sample was female. According to the research paper “Overall, 32% of the sample workers are women. In Rajasthan (Dungarpur and Sirohi districts), 71% of sample workers were women. In Madhya Pradesh (Badwani and Sidhi districts), the proportion of women among sample workers was 44%. However, the corresponding figures for Chhattisgarh (25% in Surguja district), Jharkhand (18% in Palamau and Koderma districts), Bihar (13% in Araria and Kaimur districts) and Uttar Pradesh (5% in Sitapur district) are very low and lower than the female participation rate prescribed by the law (33%).”¹⁷ These incidents certainly prove how the Act has able to include women in employment.

So, statistics clearly draws a successful graph of MGNREGA in women employment in rural areas. Going beyond the statistics also one can find few happenings which strengthen the status of the Act in social inclusion, welfare and development of women. The minimum wage as per the guideline in the Act is Rs 100. At present it is 136 in many states including Assam. This wage is much higher than the wage of women involved in unskilled work. So this is a good step towards it. Again 50% work done so far under the Act is related to water including creating source for drinking water. This has helped women by making water easily available for them. Another related development for women is that the wage payment system. As the wage directly deposited in bank account and account in post office the women has due to that opened bank and post office account and able to handle their own earning, which earlier was many a time handled by their husbands.

So the Act, both directly and indirectly helps women in empowering themselves. The Act has not only open new path for women to involve in wage payment employment but also created opportunity for them in becoming economically sound and making their life easier than before.

Critical view:

In spite of having that much provision, despite of the above mentioned achievements, the Act is not free from criticism and the most important criticism is the question regarding patron client relation. Though the Act has able to employ more than 40% women in rural areas but the question is that is this “beneficiary” concept of MGNREGA can bring sustainable employment solution to them. This research has a critical opinion on that. No doubt the Act has ample scope for rural employment for women but this is only for 100 days in a year. So the critics have criticized it as it has just been producing beneficiaries not stakeholders, which is non-durable and not sustainable.

So, after realizing the importance and tracing the progress so far, it can be said that MGNREGA is a bold step towards employment generation of rural women. But it has some inadequacies and the important among these is the patron client relation and creation of beneficiary in the name of implementation. But just making beneficiaries is not enough to ensure rural employment. Therefore, government, people, civil society organizations and participators must either think for an alternative or some modifications in its provision, implementation

procedure and utilization of resources so that it can bring sustainable development and can transform the employment opportunity to sustain livelihood source both for men and women.

¹ Patnaik, Prabhat; "The State Under Neo-liberalism"

² <http://encyclopedia.thefreedictionary.com/social+inclusion>

³ Boushey, Heather, Fremstad, Shawn, Gragg, Rachel & Waller, Margy, "Social Inclusion for the United State" Center for Economic Policy and Research pp 3.

⁴ Braithwaite, Valerie, "The Hope Process and Social Inclusion" ANNALS, AAPSS, 592, March 2004 pp 135.

⁵ Dr Datta, Sankar & Sharma Vipin, "State of India's Livelihoods: The 4 P Report" Books for Change, 2009, pp 90.

⁶ Ibid, pp 35

⁷ Khera, Reetika & Nayak, Nandini, "Women Workers and Perceptions of the National Rural Employment Guarantee Act" Economic & Political Weekly, October 24, 2009, Pp-50

⁸ Ibid, Pp-50

⁹ Ministry Of Rural development, "The National Rural Employment Guarantee Act 2005 (NREGA) Operational guidelines 2008, 3rd Edition" Government of India, New Delhi, 2008, Pp 2

¹⁰ Khera, Reetika & Nayak, Nandini, "Women Workers and Perceptions of the National Rural Employment Guarantee Act" Economic & Political Weekly, October 24, 2009, Pp-49.

¹¹ Sudarshan Ratna M, "Examining the MGNREGA: women's participation and impacts in Himachal Pradesh, Kerala and Rajasthan, India, TEMPORARY DRAFT" SPA Working Papers 2010, pp 1

¹² Ibid, pp 2

¹³ Ibid, pp 2

¹⁴ Raabe, K, Birner, B, Sekher, M, Gayathridevi K.G, Shilpi, A & Schiffer, E, "How to Overcome the Governance Challenge of Implementing NREGA" Development Strategy and Governance Division, April, 2010, Pp-1.

¹⁵ Institute of Applied Manpower Research, "All-India Report on Evaluation of NREGA: A Survey of Twenty Districts", Planning Commission, 2008, Pp i.

¹⁶ Khera, Reetika & Nayak, Nandini, "Women Workers and Perceptions of the National Rural Employment Guarantee Act" Economic & Political Weekly, October 24, 2009, Pp-49.

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