



Developing in a Ditch? Women, Struggling for the 'Right to Work' Amidst Conflict in Garhwa Jharkhand

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Disclaimer:

This document represents part of the author's study programme while at the Institute of Social Studies. The views stated therein are those of the author and not necessarily those of the Institute.

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List of Acronyms

MGNREGS	Mahatma Gandhi National Rural Employment Guarantee Scheme
NREGA, 2005	National Rural Employment Guarantee Act, 2005
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act, 2005
LWE	Left Wing Extremism
LDD	Least Developed District
MIS	Management Information System
SC	Scheduled Caste
ST	Scheduled Tribe
PMRDF	Prime Minister's Rural Development Fellow
ISS	Institute of Social Studies
UNDP	United Nations Development Programme
UDHR	Universal Declaration of Human Rights, 1948
HQ	Headquarters

Abstract

This paper is about structurally disadvantaged women's struggle for the right to work in Garwaha District in India, a district affected by violent Maoist groups in conflict with the army and other forces of the state. The paper examines the access to the Mahatma Gandhi National Rural Employment Guarantee Act, under which one of the largest employment-creation schemes in the world operates in the District. Using a mixed methods approach to understanding the reality of women's struggles for work, the study first looks at the database of the Act. Through painstaking analysis of the data, gender and caste disaggregated data were cross-tabulated to produce data disaggregated along both gender and caste lines. In qualitative terms, this study drew on semi-structured and structured interviews with women workers of the Scheme, state officials and experts in the development and employment field. An intersectional analysis of the data is intended to complement the quantitative data analysis. Overall the aim is to find out why fewer and scheduled caste women and scheduled tribal women are being included as workers in the projects of the Scheme. Key findings suggest that women still wish to participate, but that the database used to plan work was not disaggregated in such a way as to facilitate these socially excluded women's participation in the Scheme and access to employment. The most important finding is that caste, gender, violent conflict and government officials are completely interdependent and can even all be found in one family. This complex configuration of power relations serves to further socially exclude rather than further including the women who were intended to be the main beneficiaries of the right to employment under the Scheme.

Relevance to Development Studies

The study concerns the participation and exclusion of structurally disadvantaged women in one of the largest employment-creation schemes operating anywhere in the world today. Taking the case of Garwaha District, the study shows, by combining quantitative and qualitative methods of data analysis, how in a conflict-ridden area even the best of employment schemes may not work. This is because of the innovative ways of siphoning resources from these schemes, by all parties involved, especially in the absence of alternative sources of employment and livelihoods in a poor District like Garwaha. The net result is that structurally disadvantaged women are often unable to claim their formal rights to employment under the Scheme, despite their legal entitlement to do so.

Keywords

Scheduled Caste, Scheduled Tribe, Women, Employment, Garwaha, MGNREGA, Conflict, Maoists, State.

Chapter 1

Introduction – Right to Work?

1.1 Introduction

The focus of this study is disadvantaged women's 'right to work' in Garwha District in India. The name of the district, Garwha, means 'a ditch', or low-lying area, which explains the title of this study. According to the Act – National Rural Employment Guarantee Act, 2005 (NREGA) that created it, the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS for short, referred to in this study as 'the Scheme') is a rights-based and demand-driven scheme. The preamble of the Act summarily explains the rights based and demand driven spirit of the Scheme 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 household whose adult members volunteer to do unskilled manual work..."(MGNREGA, 2015:2). This massive scheme has created much-needed jobs as well as rural infrastructure in what is termed by government as an area affected by 'Left Wing Extremism' (LWE). Rather than LWE,-the term left wing violent groupings or Maoists will be used in this paper.

Employment study scholar, Abusaleh Shariff describes the Scheme as "A large programme, backed by budgetary allocation...[which] promises 100 days of manual work to households who register and apply"(2009:243). Mahatma Gandhi National Rural Employment Guarantee Scheme operates all over India, and is reportedly the biggest employment guarantee scheme in the world (Shah, 2007:45). There seems to be a special problem in Garwha, however, with achieving the goal of one hundred days of employment per year, especially for women in particular. One of the key problems is that whilst 'preference' is given to women in the scheme, there are no 'reservations' that oblige those running the scheme to give half or more of all working days to women. As per the data available on the website of the Scheme, only just over one third of days allocated per household were allocated to women (Management Information System Website, 2015); this would lead us to suggest that poor rural women will be especially disadvantaged in the Scheme.

1.2 Research Problem

The problem that this study seeks to examine is why scheduled Caste and scheduled Tribe women's participation in the Scheme, seems to have been relatively limited. As historically disadvantaged communities, women in particular within these two groups are forced to live on the fringes of Garwha society. In the Indian context, the most marginalised populations are usually defined by their caste and are mostly employed as landless peasants, as day labourers, in dirty jobs or live from hunting and gathering (Shariff,

2009: 253). One scholar on caste noted that: “Despite policies targeting scheduled castes (SC) and scheduled tribes (ST), there remain large disparities of living standards between SC/ST and non- SC/ST households in India. The SC/ST households may be poorer because they possess lower human and physical capital, but they may also earn lower returns to these assets...A large part of the structural disparities between the ST and the non- SC/ST comes from the fact that the areas where the ST live are different from those where the non- SC/ST live. In addition, the ST tend to earn lower returns even with controls for geographical conditions” (Kijima, 2006: 369).

By studying the access to and impact of the Scheme on the ‘most vulnerable’ section of the society I would be able to justify my position that innovative development solutions like, the works provided under National Rural Employment Guarantee Act, 2005 are indeed one of the answers to the challenges of districts like Garhwa.

What this paper examines is why, so far, participation of scheduled cast and tribal women in the Scheme has not reached the level of male workers, even though the Scheme has been in place for the last 10 years and was supposed to target women especially. Garhwa is an area without any mineral/natural resources and other traditional employment opportunities. This means the work provided under the Scheme has disproportionate importance. The focus of the research will be on the second phase of the Scheme, from 2010-2015, when it was operating fully.

In this study I first show some drawbacks of the Scheme, by critically considering the Management Information System (MIS) used by the Scheme staff to make decisions, and to determine how work is provided under the Scheme to women of Garhwa district, especially scheduled caste and tribal women. The study examines the last five years i.e. 2011 – 2015, and it is important that it should start with a critical analysis of quantitative indicators and measurements used by staff running the Scheme and those who fund it, the central government of India. Major decisions about budgeting, resources, work place allocation, are all made on the basis of the Management Information System. This system of data-based management thus decides not only how many women will be able to work in the Scheme, but even whether they can earn enough income to avoid the consequences of drought, hunger or illness.

Out of the total workers provided employment; around two-thirds were male and one third female in 2014-15 (Management Information System Website, 2015). This was in spite of the fact that in 2010, the working group on ‘specific needs of special category of workers’ raised the issue of gender bias in the labour market and recommended preference for women-friendly work schemes: “...as well as 50% reservation for women” (Government of India Report, 2010:5). The data shows that about half of Total

Workers were from the scheduled caste and scheduled tribe population, we have no idea how many of this 50 per cent is made up of men and of women. A more detailed look at scheduled caste and tribe participation in the work Scheme during 2014-15 shows the surprisingly low results, that scheduled caste and tribe workers made up only one quarter of the total workforce each (25.96% SC and 22.31% ST) in Garhwa District. However, these figures are not gender-disaggregated, which poses some problems for the researcher. Gender-disaggregated data is not broken down by caste, and on the other hand caste-specific data has no gender-disaggregation built into it. This is why in Chapter 3 we will explore how such data can be better disaggregated, and explore a way of achieving this (see Graphs 1 and 2).

What is remarkable is that in a scheme made for the ‘most marginalized’ people of society, the data on total job creation is disaggregated by gender and caste; but surprisingly this gender-disaggregated data is not further divided on the basis of caste and the caste based data is not further disaggregated on the basis of gender. And, by disaggregating data of the scheme, of the past five financial years (between 2010-11 to 2014-15) on the basis mentioned earlier, the research will look at the ‘difference’ or ‘repercussions’, if any, on planning, budgeting and work – allocation of the Scheme.

There have been many quantitative and qualitative studies done by the researchers about ‘the scheme’s impact in rural areas. A lot of these studies have also focused on the Scheme and its impact on women in Jharkhand. But, places like Garhwa and its people have appeared in these studies only in name or sometimes as numbers. The problem is that the lack of scholarship focused on districts like Garhwa has made it difficult to understand or even identify the ‘actual’ reach and impact of the Scheme on the ‘most vulnerable population’ i.e. scheduled caste and tribe women. The aim of my research is to fill this knowledge gap and contribute towards understanding the problems of ‘least - developed districts’ better (Booth et al., 2003:59).

1.3 Significance, Motivation and Justification for this Research

I was first introduced to Garhwa in my role as Prime Minister’s Rural Development Fellow (PMRDF) in 2012. The Government of India appointed me as an advisor to the Deputy Commissioner, Garhwa; for abridging the development deficit prevalent in this ‘least developed’ and conflict-affected district. According to a leading economic and political researcher, Santosh Paul, with regard to development and what are termed ‘Left Wing Extremists’ in the Indian official discourse: “there are two dominant and diametrically opposite viewpoints, along with various shades of grey...” (2013: 8). Paul states the first view is that of people like the former Prime Minister and Finance Minister of India, who consider left-wing extremism as the biggest internal security threat faced by the Indian state (Press Trust of India, 2010). The second view are those of: “...fierce defenders of the Maoist movement,

like Arundhati Roy who see the movement as a last ditch struggle by those millions who have been abandoned by the state in the development process and who have no hope in hell in the current economic scheme of the political structure” (Paul, 2013:8). In between the above two there are those who think that violence from left-wing groups is an outcome of a lack of economic and social opportunities for a particular segment of the Indian population, rather than the cause of their poverty. This third group believes the inter-connected problems of violence and poverty can only be solved in this context through innovative development solutions like large-scale employment creation schemes (2013:9). Overall, I position myself in an in-between observer, and adopt what Paul describes as: “These middle-of-the-road views [which] coalesce to advocate an inclusive development policy rather than rely exclusively upon a police–military option”, or indeed a revolutionary solution (2013: 9).

During my appointment in Garhwa between 2012-2014 I worked on planning and implementation of several development programs. But the one program that seemed to stand out amongst all was the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS). Under the Scheme, any person/group from the rural area has the right to ask the government for work and the government is bound by law to provide work to that person/group (Shah, 2007:46). In case the government fails to provide work to person/group within two weeks (15 days) of the job demand application, the government becomes liable to pay unemployment allowance to the person who requested work (Khera, 2008:9).

Another justification for this study is to challenge the claims about the Scheme by those who run it. Thus, the website of the Scheme states that: “A web enabled MIS www.nrega.nic.in has been developed. This makes data transparent and available in the public domain to be equally accessed by all. The village level household data base has internal checks for ensuring consistency and conformity to normative processes” (Ministry of Rural Development Website, 2015).

What does this mean in practice? This statement implies that any member of the public should be able to find the data and understand it. There are some basic problems with this assumption. The first problem is that the database is in English, and nobody in the villages, or almost nobody speaks or reads English. Even in English, the language as we will see it technical and difficult to interpret unless you have training in employment and labour data analysis, it is therefore difficult to interpret the data. However, whilst the data is not transparent as claimed, it is important to interpret it. The researcher was required, as part of her previous job training, to follow a course for six months that made it possible for her to start to interpret and critically engage with the Management Information System of the Scheme. As will be shown in more detail later in this study, Management Information System’s data is not adequately disaggregated in a way that

matches the goals of the Scheme. Even summary table on the website do not provide information about what proportion of beneficiaries come from ‘target’ groups, such as tribal and scheduled caste women in particular. This will be explored further in Chapter 3.

This study thus could have some importance for the use of the Management Information System of the Scheme in Garhwa, where there are no other guaranteed employment opportunities for rural population. Garhwa is the only district in mineral/natural resource rich Jharkhand State, with none of these mineral/natural resources. Add to this combination the ‘geographical misfortune’ of falling in a rain shadow area, and you have a place with no employment or agricultural opportunities. The large number of participation of rural workers in the Scheme in the district shows that people are willing to work in such development schemes. But the lower participation of female workers poses a question with regard to reach of the scheme in districts like Garhwa. Absence of data on participation of ‘most vulnerable population’ in the Scheme is an area, which needs in – depth study. Both these knowledge gaps would help in understanding how far the Schemes provided under the Mahatma Gandhi National Rural Employment Guarantee Act has reached to the ‘most vulnerable’ segment of the society. And, what has been ‘the scheme’s’ impact on the lives of this particular segment of the population in Garhwa district?

1.4 Research Objectives and Questions

The aim of this study will be to find data to fill the ‘knowledge gap’ identified about the proportion of the jobs created in the Scheme being allocated specifically to the most marginalised scheduled caste and scheduled tribe women, as opposed to ‘women in general’. A second aim is to show through interviews and discussions with the women of scheduled caste and tribe as to what do they think as the ‘reasons’ behind their lesser participation in the Scheme. The study explores how a massive work-creation scheme has affected their sense of being actively involved in their own development.

The key question relates to the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), which is termed the Scheme in this study. The geographic focus is on *two panchayats (village Councils)* in the conflict-affected District of Garhwa, in Jharkhand, India. In relation to the period 2010-2015, the key question is as follows:

How successful has Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) been in realizing the right to work for structurally disadvantaged (Caste and Scheduled Tribe) women and in positively affecting their lives?

Sub-questions to be addressed in specific chapters are as follows:

- What is the importance of Management Information System in planning of works under ‘the scheme’? And, how non - disaggregation of the gender based data, further on the basis of caste and, caste based data, further on the basis of gender, is affecting the employment opportunities of scheduled caste and scheduled tribe women workers’ in ‘the scheme’?
- What are the reasons behind the apparent lack of participation of women in ‘The Scheme’? What is the importance of the ‘right to work’ for the improvement of the lives of structurally disadvantaged women?
- To what extent can the on going violent conflict and diversion of jobs from intended beneficiaries in Garwha explain the success or otherwise of The Scheme in ensuring employment for poor and vulnerable women?

The study starts with the expectation that for the Scheme to be successful, one would expect a high proportion of women from disadvantaged scheduled caste and scheduled tribe populations to be among the major beneficiaries, since the Scheme is supposed to be demand-driven. However, if the present disaggregated data of the scheme shows that only one-third women workers worked in the scheme in the past five financial years then what proportion was that of the scheduled caste and Tribe women? Is that the Scheme as it operates in Garwha has been diverted from its original goal of creating jobs for marginalized women, to meet ‘other’ demands for employment, seen as more ‘urgent’ by decision-makers. As a result it is suggested that a far lower share of jobs is going directly to intended beneficiaries, especially to scheduled caste and scheduled tribe women.

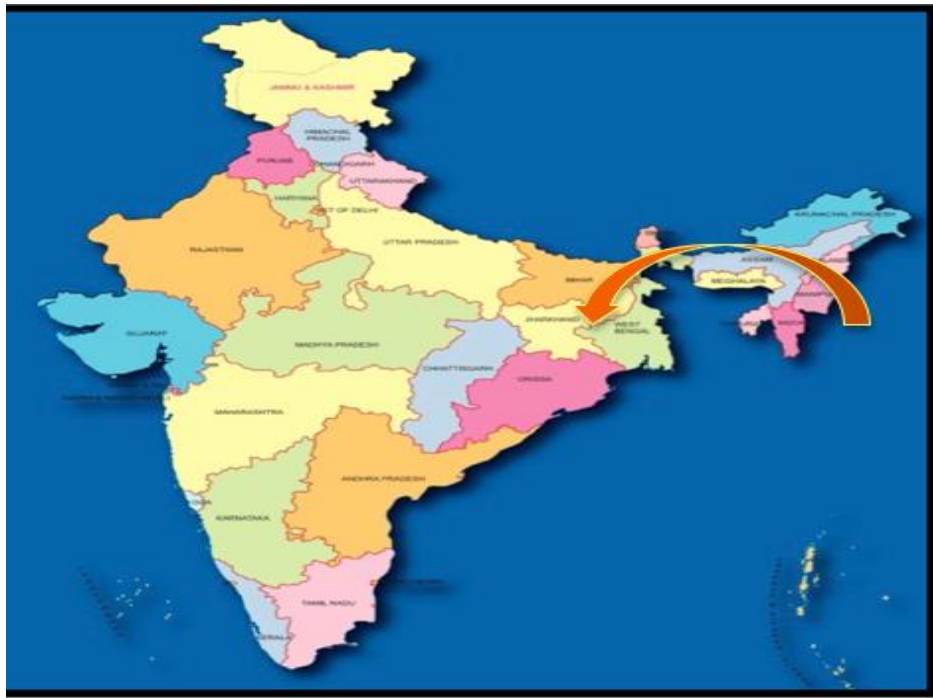
The other aspect of the working hypothesis is that only an increase in participation of women from the ‘most vulnerable’ segment of population in The Scheme can reduce their structural disadvantage and result in the betterment of their lives, especially because of the presence of conflict in the area. This hypothesis is based on the common practice of armed groups (Maoist splinter groups) ‘levying’ almost 50% tax on the Scheme in Maoist-controlled areas of the District, something not well documented by researchers. However this diversion through taxation is common knowledge among people living in Garwha and similar areas. Newspaper report in ‘The Telegraph’ reported an incident in this connection, “two aides of economist Jean Dréze were targeted by unscrupulous contractors, suspected to have been backed by Maoists, for exposing rampant corruption in the Centre’s flagship rural job scheme in a Latehar village late last night” (2011). Latehar district shares border with Garhwa district and newspaper reports of such kind are common occurrence in both the districts. These reports never blame

or target the Maoists for corruption but always hint at the link between corruption and Maoists.

1.5 Situating the Research in its Socio-Historical and Geographical Context

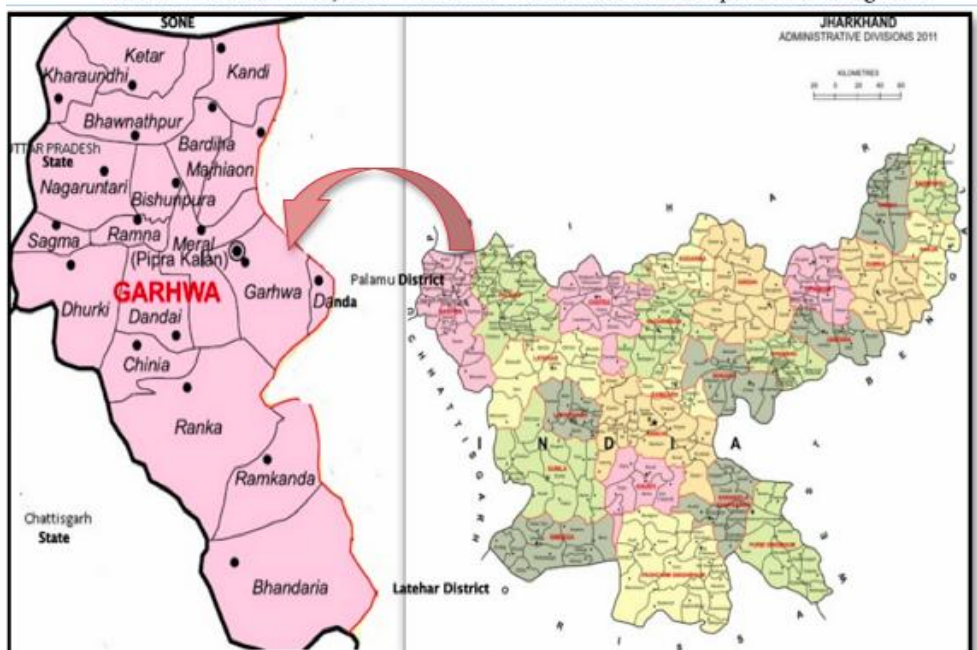
Garhwa district is situated on the North – Western most boundary of Jharkhand state (Garhwa District Website). The district shares its border with Bihar state through river Sone on Northern side; district Sonebhadra of Uttar Pradesh state shares district’s border on the North – Western most boundary. Sarguja district of Chhattisgarh state is situated on South – Western side of the district and Latehar and Palamu district of Jharkhand state share borders on South and North – Eastern borders respectively.

Map 1.5: Map of India with marked location of Jharkhand State



Source: Census of India, 2011 – Administrative Atlas of India <http://censusindia.gov.in/>

Map 1.5.1: Map of Garhwa district (Left) & Jharkhand State (Right)



Source: Census of India, 2011 – Administrative Atlas of India. <http://censusindia.gov.in/>

As evident from Map 1.5 and Map 1.5.1, both Garhwa district and Jharkhand state share their borders with numerous other districts and states. All these bordering states and districts have one thing in common – ‘the red corridor’. Researchers Jyoti Prasad and Nilanjan define ‘the red corridor’ as “a region comprising parts of Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Odisha, Uttar Pradesh and West Bengal with considerable Naxalite activities” (2013:2). The names mentioned by Prasad and Nilanjan are names of Indian states. In India, provinces are termed as states.

Naxalite and Maoist groups are defined in official Indian government policy as ‘Left Wing Extremists’, as already mentioned. The rebel activists who are standing up against Indian State using violent means are seen by some as terrorists and by others as defending the poor and disadvantaged (Paul, 2013). The Ministry of Home Affairs, responsible for tackling Maoists issue describes the Maoist movement as –

“A number of Left Wing Extremist outfits have been operating in certain remote and poorly connected pockets of the country for a few decades now. In a significant development in 2004, the People’s War (PW), then operating in Andhra Pradesh, and the Maoist Communist Centre of India (MCCI), then operating in Bihar and adjoining areas, merged to form the CPI (Maoist) Party. The CPI (Maoist) Party, is the major ‘Left Wing Extremist’ outfit responsible for majority of incidents of violence and killing of civilians and security forces and has been in-

cluded in the Schedule of Terrorist Organisations along with all its formations and front organisations under the Unlawful Activities (Prevention) Act, 1967. The CPI (Maoist) philosophy of armed insurgency to overthrow the Government is unacceptable under the Indian constitution and the founding principles of the Indian State” (Ministry of Home Affairs, Government of India Website).

As the aim of this research is to look at the development in one of the ‘least developed districts’ of India falling into ‘the red corridor’, so it was important to provide the short context for Left Wing Extremism and the Maoist movement in India. With regard to demography and development following are some figures related to Garhwa district:-

Table 1.5.2 – Garhwa- Demography & Development Figures - 2015

Indicators	Garhwa
Total Population	1,322,784
	Male - 683,575
	Female – 639,209
SC Population	319,946 (24.18% of the Total Population)
	Male – 165,313
	Female – 154,633
ST Population	205,874 (15.56% of the Total Population)
	Male -104,499
	Female -101,375
Total SC and ST Population (%)	39.74% of the Total Population
Main Workers	175126
	Male - 135273
	Female – 39,853
Marginal Workers	396305
	Male -200178
	Female – 196127
Non Workers	751353
	Male - 348124
	Female - 403229
Male: Female Ratio	1000: 935
Literacy Rate	60.33%

Male	72.19%
Female	47.58%
Forest Area (%)	42.63% of the total Geographical area
Cultivable Land (%)	41.35% of the total Geographical area
Fallow Land (%)	6.38% of the total Geographical area
Barren (un – irrigated) Land (%)	8.64% of the total Geographical area
Irrigated Land (%)	25.9% of the total cultivable area
Average Annual Rainfall (mm.)	1.335 mm/ 52.55 inches

Source: Data from <http://www.censusindia.gov.in>

As evident from Table 1.5.2 Garhwa district has significant scheduled caste and scheduled tribe population and this shows in their participation in works under the Scheme, which is approximately 50% of the total actively working population in the Scheme (Management Information System Website, 2015) With regard to Human Development Indicators, Garhwa district as part of Jharkhand state ranks at no. 19 out of 23 states taken for comparison (UNDP, 2011). In Table 2, the male: female ratio shown for the district is 1000:935, which is below the national indicator of 1000:940, which is also very low (Census of India, Website). The literacy rate of any country is one of the key indicators to determine its socio – economic progress and Indian literacy rate stands at 71.04% whereas Garhwa’s literacy rate stands almost 10 points below at 60.33%. With such appallingly low Human Development indicators it is not difficult to imagine the living conditions of people living in Garhwa. Add to this the low rainfall and irrigated land of only 25.9% of the total cultivable area and you have one of the ‘least developed districts’ in India (Backward Regions Grant Fund, Website).

1.6 Research Methods Used

Qualitative Interview technique was used to find out the importance of ‘right to work’ for improvement in the lives of structurally disadvantaged women. ‘Semi – structured’ interviews were conducted with Total 25 women of both the villages. To talk about issues of patronage, favours, and caste – ‘Social Maps’ technique of Participatory Rural Appraisal (PRA) was used. As talking openly about the issue of patronage and caste in granting work for a village under the scheme could have been ‘dangerous’ for both the interviewee and researcher, ‘Social Maps’ were used as a way to dig deeper about such issues at the level of community.

At the research planning stage I decided that this problem with the data deserved more attention. Whilst my fieldwork was only in two of the 18 Blocks that compose the Garhwa District, Danda block and Garhwa block. The main reason behind this decision was accessibility to and familiarity

with the block. Being the district headquarter, Garhwa block is the most accessible block of the district in this conflict affected area. As I was planning to do in-depth interviews and focussed group discussions with the scheduled Caste and tribe women workers of the Scheme regular accessibility to the village was crucial for my research.

Another criteria for selection was a village with significant number of scheduled caste and tribe women workers who had worked in the scheme. This is where my research plan did not work out as I had decided to do my research in only one village (Chhapardaga) of the district but the village head woman explained that “even though they have ST women workers working in the Scheme in their village it is not possible to interview them as they have all migrated to nearby towns and cities to work at brick kilns as it is the ‘seasonal work’ that they do to earn extra income before the rainy season starts in July” (Samudri Devi, Chhapardaga, 2015).

‘Structured Interviews’ were conducted with the Deputy Commissioner cum District Magistrate and Superintendent of Police, Garhwa. As both the sample villages had women as Heads of the *Panchayat*, I separately had structured interviews with them to know about their experiences of implementing work under the scheme.

An in – depth interview was conducted with Professor and Economist Jean Dreze, who wrote the first draft of the National Rural Employment Guarantee Act, 2005 (NREGA). Professor Dreze has been living in India since 1979 and working on the issues of social justice. In 2002 he became an Indian Citizen (earlier Belgian) and for the last five years his research and work focus area has been Jharkhand; as a Visiting Professor in the Department of Economics, Ranchi University, Jharkhand. My work as a Prime Minister’s Rural Development Fellow in Garhwa, and now as a researcher is highly influenced by his writings because of my interaction, and collaboration and participation on issues of social justice, organized and conducted by him in Jharkhand state.

Through the data available on website of the Management Information System of the Scheme I found out that in another village, named Ursuggi which is 25 kilometres away from the district headquarter there was significant number of women who had worked in the scheme. The person-days generated in the scheme for scheduled caste and tribe female workers were never less than 25 % of the total persondays generated by scheduled caste and tribe male workers in the past five years (Table 3.5.1). As both the villages ‘Chhapardaga’ and ‘Ursuggi’ had the highest number of SC and ST women workers in ‘Garhwa’ and ‘Danda’ block respectively I decided to conduct interviews and discussions with women in both the villages (more details in Appendix 1, 4 and 6). In Chapter 3, more detailed quantitative data analysis is conducted for two villages, namely Chhapardaga and Ursuggi. This was because in these villages I interviewed SC and ST women

involved in Scheme. These villages were selected on the basis of the following criteria:

- Both Chhapardaga and Ursuggi have significant number of scheduled caste and tribal population as a percentage of total population of the village. SC/ST population is 7.98% of the total population in Chhapardaga and for Ursuggi it is 69.51% of the total population.
- Another criteria for selection was accessibility. Although many parts of Garhwa district witness violent incidents of conflict between Maoist and State Apparatus i.e. paramilitary forces; Chhapardaga and Ursuggi villages are comparatively 'safer' because of their proximity to the district headquarters (HQ). Chhapardaga is situated 60 kilometers away from the district headquarters and the distance between Ursuggi and headquarters is of 35 kilometers.
- Prior familiarity with the area was another parameter of selection. As both the sample villages had Women as Head of the *Panchayat*; I in my role as PMRDF used to invite both these women frequently for capacity building trainings at the district headquarters. This familiarity helped me a lot in getting women to talk about the issues of conflict, patronage and favours which they do not 'normally' discuss openly.

As I have positioned myself in the third category of 'in – between people' defined by Santosh Paul for looking at the development and violent Maoist conflict situation in India I am looking at the development and conflict situation of Garhwa from innovative development solutions perspective (2013:9). And, the Mahatma Gandhi National Employment Guarantee scheme is one such innovative development scheme that can aid districts like Garhwa in coming out of their conflict and least development situation. Eminent economist and member of the drafting committee of the National Rural Employment Guarantee Act, 2005, Professor Jean Dréze explains the relationship between the Scheme and rural poverty as "The NREGA is making a difference to the lives of the rural poor, slowly but surely" (2009:1). The use of 'mixed method', both qualitative and quantitative research methods have helped immensely in getting critical insights into the research problem.

1.7 Ethical Challenges & Dilemmas

As I was doing fieldwork in an area where the violent conflict between Maoist groups and State is presently going on, many times when the interviewees delved deeper while explaining the conflict and patronage dynamics of the scheme, I had to deliberately divert their information flow. It was difficult to do, as some of the women who had prior familiarity with me really wanted their voices to be heard. But, as I was no longer part of the district administration, I felt that their open – accusations against 'powerful' people might land them into trouble.

My earlier position as an advisor to Deputy Commissioner, Garhwa had created expectations amongst people with regard to ‘announcement’ of new schemes and rural - development work in the research area, so it was challenging to make my role clear but also get honest opinions. There was one interviewee who refused to speak and became emotional after she realized that I was not working with the district administration anymore. Such incidents and reactions for me were emotional too. My decision to stay in the field – area for entire two months of my research period helped me immensely in dealing with such issues.

Describing ‘the ethical challenges of field research in conflict zones’ researcher E.J. Wood wrote “The challenges of implementing this norm were numerous: what were the risks and benefits of participation? Would illiterate and marginally literate rural residents understand the informed consent process or would it alienate potential participants?” (2006: 379). While writing sensitive quotes from interviewees and key informants’ interviews as part of my research paper, I am always in a dilemma. The awareness that a single misplaced quote can create life –threatening situation for participants is a weighty responsibility to write with.

1.8 Structure of the Research Paper

This paper will look at the participation of scheduled caste and scheduled tribe women in the works provided under Mahatma Gandhi National Rural Employment Guarantee Act, 2005, in Garhwa district of Jharkhand State, between the financial years 2010-11 to 2014-15. In Chapter 2, I will discuss the history behind the enactment of Mahatma Gandhi National Rural Employment Guarantee Act, 2005. In the same chapter key concepts, used in this paper will be explored in detail and the analytical framework using intersectional analysis approach used will also be explained. Next, in Chapter 3 is a critical analysis of the Management Information System of the Scheme, which shows how disaggregation of the data of total workers in the Scheme on the basis of caste and gender, does not provide a picture of gender disaggregated and caste disaggregated data. This means that on the basis of gender and on the basis of caste, combined data is not able to help us understanding the work allocation patterns. The targeted workers i.e. scheduled caste and tribe workers who are women, are not visible as a sub-category. In the same chapter, Chapter 3, I present findings about the available data of the Scheme and its Management Information System, by gender disaggregating caste data and caste disaggregating gender data. This complex and time-consuming task, covered five years, from 2010-11 to 2014-15. Chapter 4 then builds on the findings of Chapter 3, and analyses the right to work through women’s reflection on the issue. This chapter mainly focuses on hurdles women workers of the scheme feel are created in how they participate – or do not participate - in work allocated under the Scheme. Chapter 5 then reflects on more positive outcomes, counterbalancing the almost wholly negative findings of Chapters 3 and 4. Those disadvantaged women who have found it possible to participate in the Scheme, describe the advantages of being able to realise their rights to employment.

The paper ends with Chapter 6; the conclusion, which includes some modest proposals for how to improve, scheduled caste and scheduled tribe women's access to employment and participation in the Scheme, in future.

Chapter 2

The Right to Work – History, and Conceptual and Analytical Framework

2.1 Introduction

This part of the research paper will present the history of ‘right to work’ movement in India. For contextualizing the issue of ‘right to work’ within this research, key concept associated with the issue will be elaborated upon thereafter. Intersectional approach based analysis forms the last part of this chapter to elucidate different actors and factors, constituting and constructing each other. And, how this interlinked constitution and construction impact and affect each other.

2.2 History – Enactment of Mahatma Gandhi National Rural Employment Guarantee Act, 2005

Mahatma Gandhi National Rural Employment Guarantee Act was enacted in the year 2005, but at the time of enactment it was named as National Rural Employment Guarantee Act. The prefix of Mahatma Gandhi was added later in the year 2009 (Anand et. al, 2010:7).

The founding stone of the Act was laid down some thirty – five years ago in the form of ‘Crash Scheme for Rural Employment’. The primary objective of Crash Scheme for Rural Employment was to equip rural India with economic resources, for generation of employment. However bureaucratic hurdles and corruption led to the ultimate doom of the scheme (Anand et.al, 2010:5). Between Crash Scheme for Rural Employment, 1971 and Mahatma Gandhi National Rural Employment Guarantee Act, 2005, seven other ambitious Schemes/Acts/Bills were implemented or enacted till the year 2001(See Appendix 9 for more details).

Government of India launched, Sampoorna Gramin Rozgar Yojana (Integrated Rural Employment Scheme) in the year 2001. At that time in India, a parallel people’s movement under the banner of ‘right to food campaign’ was demanding rural employment based schemes to be converted into laws. Laws - which binds the government to provide employment to rural population as and when they demand it. Right to Food Campaign is an umbrella network of “individuals and organisations committed to the realization of the right to food in India” (2001). Economist, and drafting committee member of the Mahatma Gandhi National Rural Employment Guarantee Act, Professor Jean Dréze explain the need for such an Act as,

“Maharashtra (State in India) has had an employment guarantee Act since the 1970s and it’s a kind of approach to social security that could work as kind of backing for most workers in informal sector and beyond that the idea is to put public employment in rights framework...have en-

titlements like payment within 15 days, worksite facilities, compensation for not providing work...so it was created, firstly to create accountability and ensure that the programme works as well as it can and also that the Act becomes kind of an organizational opportunity, something around which they can mobilize people”(Interview with Jean Dréze, Ranchi University, Ranchi, August 2015).

The employment guarantee Act of 2005 for the first time made rural employment, legal entitlement of rural population in India. Getting 100 days of ensured manual labour work, at a worksite within 5 kilometers from labour’s home, compensation, in case of no employment within 15 days of work – demand, drinking water, medical – aid, shelter at the worksite and most importantly equal wages for both men and women was finally a reality with statutory backing (Mahatma Gandhi National Rural Employment Guarantee Act, 2005). Equal compensation to both men and women workers for equal work became a reality. Single women and widows are also counted as ‘households’ within the Act and they have equal rights as any other household to demand work whenever the need arises. It was, and remains one of the most progressive Acts in India set within a ‘rights- based framework’.

Schedule II of the employment guarantee Acts states “provided that priority should be given in such a way that at least one-third of the beneficiaries shall be women who have registered and requested for work under this Act” (Mahatma Gandhi National Rural Employment Guarantee Act, 2005). The words ‘priority’ and ‘shall be’ are of utmost importance here. In place of ‘priority’ if the word ‘reserved’, and ‘must’ in case of ‘shall be’ would have been used, there is a chance that the number of female participants in the projects of employment guarantee act would have been higher than they are today. Right to Food campaign member Arundhati Dhuru explains the impact of not providing compulsory reservation for women as,

“...the right to employment is limited to 100 days per ‘household’ in a year. Now the important word to keep in mind here is household. In a household comprising 5 members, if there are two able bodied men willing to work, then why would the female member of that household get any work. We have been constantly protesting with the government about this section of the Act, as it marginalizes poor women” (Interview with Arundhati Dhuru, Lucknow, August 2015).

In such a progressive and rights – based Act, where one-third reservation is guaranteed to women in several committees to be formed for monitoring and evaluation of projects under the Act, it is difficult to understand the reason behind non-reservation for female labours – who are one of its target beneficiaries. Either employment should be provided at the individual level or 33 days of employment should be compulsorily made available to women members of the household; for the act to achieve its objective of providing social protection, and ensuring social justice for all.

2.3 Key Concepts

This part of the Chapter deals with the way ‘right to work’ has been defined and described by United Nations Agencies and in Indian Constitution. How these definitions and descriptions are important for socio – legal studies. Right- based approach will be discussed to see how historically social movements have demanded rights as freedom from all types of violence – structural, physical and cultural. Intersectionality as a perspective will be discussed to understand the intersections of caste, gender, violence and geo – politics.

2.3.1 The ‘Right to Work’ and rights-based approaches

Article 23, part 1 of The Universal Declaration of Human Rights (UDHR), 1948 describes ‘right to work’ as, “Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment” (UDHR, 1948). The declaration further outlines essential characteristics of the right to work. Those characteristics are that people should be paid equally for equal work, the remuneration to be paid to people should be ‘just’ and should ensure ‘existence worthy of human dignity’ (1948) for the person and his/her family as well. The document also talks about ‘collective bargaining power’ of the workers and ensuring that workers are free to be part of, and can create unions to protect their right to work. The declaration for the first time stated universality of right to work as a human right.

The Universal Declaration of Human Rights, 1948 described and explained in detail as to what is the ‘right to work’ and the International Labour Organisation’s (ILO) Declaration in 1998 explained more explicitly about ‘rights at work’. ILO categorised these rights at work in four categories and principals. These categories and principals are – “freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labour, the abolition of child labour and the elimination of discrimination in respect of employment and occupation” (International Labour Organisation, 1998). The Universal Declaration of Human Rights, 1948 is about ‘employment rights’ and the International Labour Organisation’s, right at work explains labor rights.

Part IV of the Indian Constitutions covers socio – economic rights of the citizens under the chapter Directive Principles of the State Policy. Article 39 of the Constitution enumerates “ certain principles of policy to be followed by the State: The State shall in particular, direct its policy towards securing (a) that the citizen, men and women equally, have the right to an adequate means to livelihood...”(Constitution of India, 1950). In connection with article 39, article 47 of the constitution directs the State to ensure livelihood of its citizens as “ duty of the State to raise the level of nutrition and the standard of living...”(Constitution of India, 1950).

Although at the International level the ‘right to work’ was declared as universally applicable human right as far back as in 1948 and the Indian Constitution at the time of its adaptation in 1948 also enshrined it under chapter IV of the Directive Principles of the State Policy, the Mahatma Gandhi National Rural Employment Guarantee Act, could become a reality only in the year 2005 in India. It is also known as ‘right to work’ Act, ‘employment guarantee’ Act or ‘the scheme’ in India and, wherever in this paper these words are used, they are in connection with the Mahatma Gandhi National Rural Employment Guarantee Act, 2005.

What difference did the passing of the ‘right to work’ Act made in the lives of the Indian rural people? One economist explains this difference as something of an ‘interest’ and explains,

“the promise and enactment of social and economic rights in India is of interest for several reasons. One, the impressive showing of the Indian economy has been accompanied by increasing economic inequality and the persistence of social (especially gender and caste) inequalities. Two, the overall economic and political environment is pro-business where the thrust has been on dismantling state intervention” (Khera, 2013:3).

Khera, further explores this ‘interest’ by questioning as to why at a time when all the economic and political thrust in India was on ensuring mainly urban economic ‘India Shining’, an Act providing guaranteed employment for rural areas was enacted? The answer is provided by Khera, quoting a question asked by Atul Kohli - ‘how do the political elite manage the excluded groups in a poor, mobilized democracy (2012)?’ Kohli, answers his question by explanation of political strategies – one ‘to discover legitimacy formulas that will ensure electoral victories’, and the other is ‘the Congress’ commitment to inclusive growth’ (2012: 61). ‘Politics of the excluded’ also finds mention in Kohli’s answer to his question (2012; 68-69). In India ‘politics of the excluded’ is mainly spread around issues of – caste, violent conflict groups, religion, region etc. What this means is that the ‘employment guarantee’ Act was basically enacted to ensure election win for the then party in political power – The Congress Party. Khera and Kohli’s analysis of the situation is apt as the ‘right to work’ act ensured a landslide win for the Congress Party and its allies under the banner of ‘United Progressive Alliance’ in the year 2009, four years after the enactment of ‘right to work’ Act.

As explained in paragraph 2.2 of the paper, the ‘right to work’ Act was not just enacted because the political party in power at that time wanted to ensure electoral victory in the next elections, but it was also the result of a long struggle by individuals and groups who worked collectively under the banner of ‘right to food campaign’. Economist Ritika Khera, whose name has been referred to several times in this research paper, is also a member of ‘right to food’ campaign. Khera refers to the long struggle behind enactment

of ‘employment guarantee’ Act as ‘democratic politics’ (2013:3), she explains it as, “...various democratic means of change that are available: electoral compulsions of party politics, public mobilisation and other strategies used by non-party political actors (often referred to as ‘civil society’), including mobilising the media and recourse to the judiciary” (2013:3). So, the ‘right to work’ Act became a reality for economically poor, rural Indian population because different segments of Indian population – civil society, media, judiciary etc. came together in its support. In the absence of the solidarity by different segments of the population for the ‘right to work’ movement in India, the ‘employment guarantee’ Act would have remained a dream, like it is for the economically poor urban workers in India.

The difference between urban work – seekers and the rural work – seekers is, of ‘guaranteed work’. This ‘guaranteed – work’ is a ‘statutory right’ of the rural work – seeker because of the enactment of ‘right to work’ Act, whereas an urban work – seeker can not force the government to provide them guaranteed work in absence of statute to ensure their ‘right to work’. Such Acts or statutes which provide ‘guarantee’ and ‘rights’ are referred to in social sciences as Acts enacted with ‘rights based approach’. International Development Organisation, CARE defines ‘rights-based approach’ as – “...achieving minimum conditions for living with dignity (i.e., attaining ... human rights—as validated by national and international law).

Rights-based approaches’ seek to: “... empower... poor communities to claim and exercise their rights and enables those responsible to fulfil their duties” (2001). The important question to ask here is, does the mere enactment of Act with ‘right – based approach’ ensures empowerment of ‘poor communities to claim and exercise their rights’ and sets up structures for fulfillment of those rights (CARE, 2001)? Fortman answers this as “just as the relationship between abstract rights and concrete entitlements is not mechanical, neither is there an automatic link between entitlements and honoured claims (actual acquirement)” (2006:40). In case of ‘employment guarantee’ Act in India, this is what is happening, as will become evident when we consider the data available in the Management Information System of the Scheme in Chapter 3. Out of the total workers provided employment; around two-thirds were male and one third female in 2014-15. But the data of the Scheme does not provide clear and concrete information, as to, out of two-third male workers how many belonged to the ‘scheduled caste’ and ‘scheduled tribe’? Same is the case with data for female workers. As the ‘scheduled caste’ and ‘scheduled tribe’ rural workers are target groups of the ‘employment guarantee’ Act, whether their ‘entitlement’ of ‘guaranteed work’ resulted in ‘actual acquirement’ of work or not is the real question? And, this is the question that this paper is trying to answer through the study of the ‘employment guarantee’ Act works in Garhwa district of Jharkhand State in India.

2.3.2 Caste, Gender and Structural Disadvantage

There are basically four main castes in India. The 'Caste – System' is something that is 'unique' and can be found only in India and some of its neighbouring countries. Social Sciences Researcher Dhesi explains caste as "The referent ideology of Hinduism in *Varnashrama dharama*, according to which mankind is divided into four categories (*varnas*), as ordained by God. According to this ideology, all men are born unequal with unequal capacities in order to perform functions of unequal importance to Him"(1998:1034). The language of the caste – system in itself is problematic where there is reference to only 'men' and God as 'him' and no reference to 'women' at all in all this description, we will look at the gender implications of caste further in this paragraph. It is important to point here that caste and class are two different things and should not be used interchangeably. Dhesi explains this difference in caste and class as "While caste is determined on the basis of birth, it, in turn, traditionally determines the distribution of human and physical capital, occupations, social status and power. Class differentiation is still weak and tends to overlap caste"(1993:1034).

The scheduled caste and scheduled tribe is considered the lowest caste in the Indian caste – system. This consideration combined with discriminations met out to population belonging to the scheduled caste and tribe is responsible for their low social and economic status in India. According to Dhesi these caste-based discriminations have generational implications and, impacts a person's access to 'education' and 'labour market' (1993). What happens when we add gender in the 'caste – system'? Does it make a difference in person's educational and labour market opportunities? Researcher Karin Kapadia agrees that yes it does make a difference, "like all social institutions, caste and gender categories include persons of certain identities in particular ways and exclude others"(2002:144). In order to understand 'social exclusion' and 'inequalities' meted out against people of certain caste and gender we will have to look at the structure of their origin. "A structural account offers a way of understanding inequality of opportunity, oppression and domination, that does not seek individualized perpetrators, but rather considers most actors complicit in its production, to a greater or lesser degree"(Young, 2002:421). By looking at different 'actors' involved in 'oppression' and 'domination' of the scheduled caste and tribe women, this paper will look at the structural inequalities meted out to them even in work opportunities being provided to them under an Act (right to work), targeting them.

2.3.3 Violent Maoist Groups: Favours

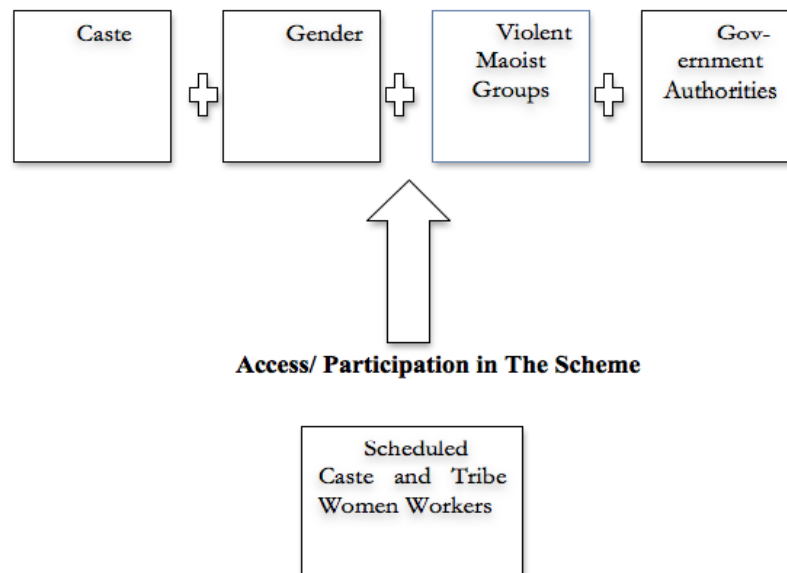
As explained in introduction of the paper that this phenomena of 'favours' 'taken' or 'given' by the violent Maoist groups does not find a lot of mention in literature related with the study of Indian Maoist Movement. Although, there have been several newspaper reports about the demand of 'levy' i.e. the tax charged by the Maoist groups for allowing the government 'development' work to take place in the geographical areas under their control. The

Maoists consider it as a ‘favour’ to the local government with exchange of some ‘monetary’ gains. Recently, in January 2015 the former Chief Minister of Bihar (State of Jharkhand was formerly part of Bihar) Mr. Jitendra Ram Manjhi accepted the fact about ‘levy’ being charged by the Maoist groups, he said ““I do not see any wrong in what they (Maoists) are doing by collecting levy from contractors engaged in building roads, community buildings and other government works,...””(Outlook India, 2015). Few, but open acceptance of ‘levy’ issue combined with newspaper reports makes it essential to factor in this issue while analysing data on the participation of rural scheduled caste and tribe Women in the works of the Scheme.

2.3.4. Intersectional Approach for Analysis of The Right to Work

For the analysis of the ‘right to work’ of the scheduled caste and tribe women workers of the Scheme, I am employing the Intersectional analysis approach. Describing the importance of ‘Intersectional Analysis’ approach Brewer et.al explain that “Most economists have not yet grappled with the demands of intersectional scholarship, which recognizes the intertwined nature of gender, race, class, caste and other influences on the economic situation of individuals and groups. Among economists, feminist economists may have made the most progress and be best positioned to break further ground,..”(2002:3).

Diagram 2.3.4 – Analytical Framework to Analyse ‘Right to Work’ by Employing Intersectional Analysis



In diagram 2.3.4, I have identified four intersections, which interfere with scheduled caste and tribe Women’s access to employment in the working of the Scheme or employment guarantee Act. The four intersections are discussed in detail in chapter 4.

Chapter 3

Part of the Problem? A Critical Look at the Schemes' Management Information System

3.1 Introduction

In this chapter I am going to look at the Management Information System (MIS) of the Scheme critically, to find out how many SC/ST women of Garhwa district were provided work under the Scheme in the last five years i.e. 2011 – 2015. It is important that the study include a critical analysis of the quantitative element because, on the basis of this quantitative data, major decisions are made every year about budgeting for the following year. This in turn decides how many women will be able to work in the Scheme, but what has not been visible so far, is how many scheduled caste and scheduled tribe women, the main target group for employment creation, have been able to earn enough income to avoid the consequences, for example, of drought and hunger in Garhwa District. Grappling with the quantitative data is for this reason, however daunting, also unavoidable for any serious study of structurally disadvantaged women's access to employment under the Scheme.

The quantitative data of the MIS is also the primary data used to inform all key decision-makers involved in planning and design. Data is used both to determine how priorities are set, and the data, and its interpretation is also used to evaluate the Scheme's effectiveness. MIS is thus both highly sensitive and highly political. In this study it was decided one chapter should be devoted entirely to explaining how the database of the Scheme i.e. the Management Information System, may be part of the problem in terms of achieving the Scheme's wider objectives to favour the most disadvantaged in the District.

3.2 An Overview of Management Information System

Management Information System was the main source of secondary data collection. Other than data from the Management Information System; *Panchayat (village council)* records and Census of India website records of the selected villages was used to find out the recent population data for both the villages. As explained earlier, for the purpose of this study it was crucial to find out recent population data, segregated on the basis of caste and gender. The Census of India - primary body to provide data on population in India, provides data on the basis of caste only till Block level.

The total person days generated under Mahatma Gandhi National Rural Employment Guarantee Scheme in the financial year 2014-15 (MIS, 2015) was 22.66 Lakh (2.266 million) for Garhwa district. On average, the days of employment provided per household were 41.41. And, the number of households that worked totalled 55,000.

Table 3.2: The Scheme’s Work in Garhwa- Financial Year 2014 -15

Particular (Financial Year 2014 -15)	Numbers
Total persondays generated	22.66 Lakh*
Average days of employment provided per household	41.41 Days
Total household worked	55,000
Percentage Male Workers	65.37%
Percentage Female Workers	34.63%
Percentage of Total, Scheduled Caste (SC) Workers	25.96%
Percentage of Total, Scheduled Tribe (ST) Workers	22.31%

Source: <http://nrega.nic.in/netnrega/home.aspx> - MIS *- 2.266 million.

3.3 Critical Analysis of the Data Entry Process in management Information System of the Scheme

Explaining the extent and structure of the Scheme, the Information and Data Management Information System website mentions that the MIS:

“includes separate pages for approximately 2.5 lakh Gram Panchayat, 6465 Blocks, 619 Districts and 34 States & UTs. The portal places complete transaction level data in public domain for example - Job cards, Demand for work and Muster rolls which is attendance cum payment sheet for worker” (Ministry of Rural Development Website).

In order to understand the Management Information System of the Scheme it is necessary to have the knowledge of ‘process of getting employment’ and governance structure related to the scheme.

The ‘process of getting getting employment’ (see appendix 2 for more details) in the Scheme starts with the entitlement provided to every rural household for 100 days of work in a financial year under the Mahatma Gandhi National rural Employment Guarantee Act, 2005. Once a member of a rural household is ready to take manual labour work under the Scheme, they would have to go to the office of village *Panchayat* (council) to register their household and get a ‘job-card’. In the Management Information System of the Scheme one can check the number of days of employment provided to a person or household by entering the number written on the household ‘job – card’. Although the information available on the website having database of the Scheme provides detail to anyone who has access to

the internet, the information is only available in English language and is highly 'technical'. For places like Garhwa this becomes a problem as the literacy rate in the district is very low and the knowledge of English language would be limited to certain 'categories' of people. Those categories of people are the ones who are either 'upper' caste or have had access to 'good' schooling, which in turn demands fees which is something the rural – poor can't easily afford.

Once the 'job-card' is provided to the household, any member of that household can demand work under the Scheme. The demand 'procedurally' should be made on a 'demand application' and the employment seeker should be provided with the 'receipt'. But in reality that rarely happens for several reasons. As the job – seeker is not aware about his right to get a receipt, the *panchayat* (village council) Head does not want to provide the receipt, as it creates obligation on his part to provide work within 15 days of job – demand being made. In case the job – seeker is not provided employment within 15 days of the job – demand being made, then he/she is entitled to unemployment allowance under the provisions of the 'employment guarantee' Act. All this information about job – demand being made, employment provided and in case of failure to provide work within 15 days of job demand being made, unemployment allowance paid, should be made available on the database i.e. Management Information System website of the Scheme. These informations do get uploaded on the website but usually are delayed by months and the cases of unemployment allowance gets rarely registered because in that case the officer responsible for not providing the employment on time, would have to pay the unemployment allowance from his/her personal salary.

When the work is provided within 15 days of job – demand being made then the worker is entitled to receive his/her wages within 15 days of starting work. Both male and female workers are entitled to equal wages. Now with the connection of a 'households' job card with the job – card holder's bank account facility, the wages are directly transferred to the worker's bank account. All this information should be timely updated on the Management Information System of the Scheme, but it rarely happens. This delay in uploading of workers' work – details also slows down payment for workers. Sometimes this delay is because of non – availability of required resources like computer and internet at the district office of management Information System and sometimes its 'created' to reap 'benefits' from the delay by asking for share in a worker's wage for timely payment. So, instead of providing support to the Scheme by providing timely data, the management Information till now has proved more 'harmful' than beneficial.

As the Management Information System of the Scheme provide data in 'technical' language and requires some understanding of 'Indian Administration Structure' related with implementation of the 'employment guarantee' Act I am writing the basic governance structure and key words of the Scheme. The number of blocks in Garhwa district i.e. 19 blocks (more de-

tails in appendix 3). Further all the blocks are divided into village councils or *Panchayats* and at present there are 193 village councils in the district (Garhwa District Website). This research has taken two sample villages with significant number of scheduled caste and scheduled tribe population to find out the status of work provided to scheduled caste and tribe women in the district. The name of the sample villages are Ursuggi and Chhapardaga, and the way in which these were selected was already outlined in Chapter 1. Each is part of Garhwa and Danda block respectively. A broad explanation of the governance structure of the scheme is as follows:-

Diagram 3.3 – Governance Structure of the Scheme (State to Village)



Source: The figure is an interpretation from the information available at www.nrega.nic.in

3.4 Key Words

The MIS of the Scheme mentions several technical words like ‘job – card’, ‘muster-roll’, ‘demand for work’, ‘workers’ etc. The meaning and explanation of these words are described as follows in the ‘Mahatma Gandhi National Rural Employment Guarantee Act, 2005’ and in the operational guideline of ‘the scheme’: -

1. “block” means a community development area within a district comprising of a group of Gram Panchayats;
2. “household” means the members of a family related to each other by blood marriage or adoption and normally residing together and sharing meals or holding a common ration card;
3. “minimum wage”, in relation to any area, means the minimum wage fixed by the State Government under section 3 of the Minimum Wages Act, 1948 for agricultural labourers as applicable in that area.
4. “rural area” means any area in a State except those areas covered by any urban local body or a Cantonment Board established or constituted under any law for the time being in force;

5. “Unskilled manual work” means any physical work which any adult person is capable of doing without any skill or special training;
6. Job Card – The Gram Panchayat after due verification will issue a job card. The job card will bear the photograph of all adult members of the household willing to work under NREGA and is free of cost.
7. Workers – Adult members of a rural household, willing to do unskilled manual work, may apply for registration in writing or orally to the local Gram Panchayat.
8. Financial Year- In India Financial Year starts on 1st April and ends on 31st March. This year the financial year started on 1st April 2015 and will end on 31st March 2016 (Mahatma Gandhi National rural Employment Guarantee Act, 2005).

3.5 Status of work provided to SC/ST women workers, from 2011 - 2015

As one of the primary objectives of this research is to find out the status of work provided to SC/ST women workers in the Scheme in the past five years, I took out this data from the available Management Information System database of the Scheme for all the workers in Ursuggi and Chhapardaga village in the last five financial years i.e. 2010-11 to 2014-15.

Table 3.5: Number of Registered Workers in Chhapardaga & Ursuggi

Financial Year	Villages	No. Of Registered		SCs		STs		OTHERs		Male	Female
		Hou sho ld	Pers ons	Hous ehold	Pers ons	Hous ehold	Pers ons	Hous ehold	Perso ns		
2010 -11	URSUGGI	686	1650	197	455	294	742	195	453	912	738
2011-12	URSUGGI	686	1650	197	455	294	742	195	453	912	738
2012-13	URSUGGI	686	1650	197	455	294	742	195	453	912	738
2013-14	URSUGGI	686	1650	197	455	294	742	195	453	912	738
2014-15	URSUGGI	686	1650	197	455	294	742	195	453	912	738
2010 -11	CHHAPA RDAGA	755	1504	223	445	3	6	529	1053	788	716
2011-12	CHHAPA RDAGA	755	1504	223	445	3	6	529	1053	788	716
2012-13	CHHAPA RDAGA	755	1504	223	445	3	6	529	1053	788	716
2013-14	CHHAPA RDAGA	755	1504	223	445	3	6	529	1053	788	716
2014-15	CHHAPA RDAGA	755	1504	223	445	3	6	529	1053	788	716

Source:

http://164.100.128.68/netnrega/loginframegp.aspx?salogin=Y&state_code=34

Table 3.5 above shows the registered number of workers in Ursuggi and Chhapardaga village from 2011-2015. It further shows the figures divided on the basis of caste. But as the objective of the study is to find out total number of women scheduled caste and tribe workers, who were provided

work under the scheme in the last five years the, data available in the database of the Scheme does not provide data segregated in this manner.

Another problem with this data is that it shows only registered number of workers not the active workers in the scheme. The MIS website of the Scheme explains active jobcards as “ any individuals of households who has worked any one day in either the last two financial year or in current financial year” (NREGA, MIS Website). So the data shown in Table 4 has data of all the workers of both the sample villages who have registered to work in the Scheme. Out of these workers, how many are actually working in the projects of the Scheme can not be derived from the data available in table 4.

In order to find out the number of ‘active jobcards’ of the SC/ST women workers of the Scheme in the two sample villages I took the data available in the database of the Scheme and matched it with ‘active jobcards’ .As the data in Management Information System is segregated on the basis of caste for total workers of the scheme and not on the basis of sex; the segregation on the basis of sex was done manually, through ‘active household jobcards’ from the available data of management Information System.

Table 3.5.1: Persondays Generated by Scheduled Caste and Tribe Women Workers Active in the Scheme Between 2010 - 2015¹

Particulars	Village	2010-11	2011-12	2012-13	2013-14	2014-15
Total	Ursuggi	157	69	66	10	25
Households demanded & Allotted work	Chhapardaga	228	234	290	401	447
	Total	385	303	356	411	472
Total	Ursuggi	11,746	3,583	8,896	57	518
Persondays generated	Chhapardaga	13,989	13,935	14,916	20,081	43,573
	Total	25,735	17,518	23,812	20,138	44,091
SC/ST persondays generated	Ursuggi	11,662	3493	4,045	41	518
	Chhapardaga	5186	5401	4,407	6,679	8388
Total		16,848	8894	8,452	6,720	8,906
SC/ST women persondays generated	Ursuggi	4794	1177	957	47	175
	Chhapardaga	502	413	1256	1645	2896
Total		5,296	1,590	2213	1,692	3,071

Source: - <http://nrega.nic.in/netnrega/Homepanch.aspx>

3.6 Explanation

Table 3.5.1 above shows that in the Year 2010-11 the difference between total persondays generated and persondays generated by SC/ST workers was not huge. In fact, it was 65.46% of the total persondays generated. If we compare the data for SC/ST women persondays generated to the total persondays it comes to 20.57%. In comparison to male SC/ST workers the persondays generated by female workers is very low. In an area with significant number of SC/ST population (76.79% of Total Population), why is it the persondays generated by women so low? Is it that they don't want to work in the Scheme or is there some other reason? From the financial year 2011-12 to 2013-14 there has been a significant decrease in both the total persondays generated and persondays generated by the SC/ST workers in various works of 'the scheme'. The total persondays generated by SC/ST workers in the next three financial years were 50.77%, 35.49% and 33.46% of the total persondays generated. In only three financial years the persondays generated by SC/ST workers became half of what it used to be in 2010-11. The persondays generated by SC/ST women workers in the works of the Scheme witnessed a steep downfall – 9.07%, 9.29% and 8.40 % in the next three financial years respectively. But, in the year 2014-15 total persondays gener-

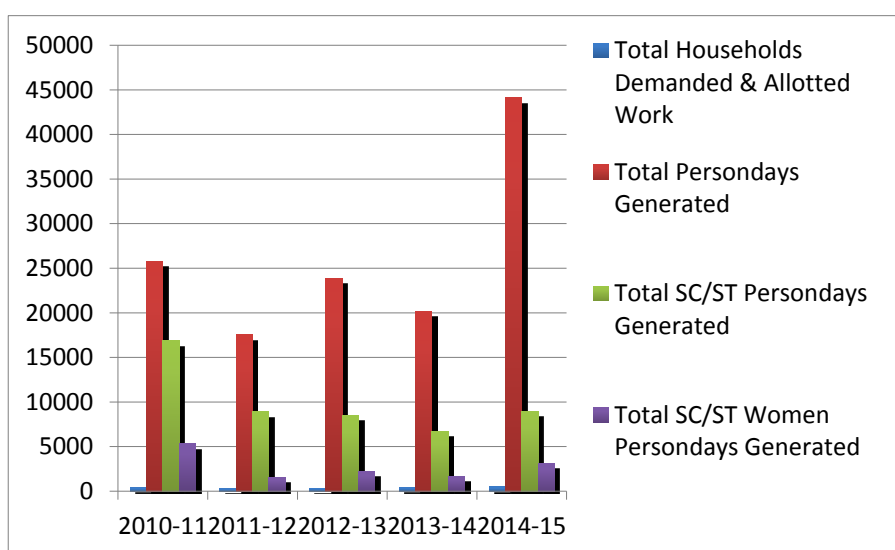
ated was the highest of the last five financial years at 44,091 days. This increase in persondays did not result in an increase in persondays generated by total SC/ST workers or SC/ST women workers; it was only 20.19% and 6.96% of the total persondays.

3.6 Graphical representation of the persondays Generated by Scheduled Caste and Tribe Women Workers

In Graph 1 the data calculated in Table 5 is represented in a more visual form. The ‘blue’ bar of the graph shows total household demanded & allotted work. The ‘red’ bar represents total persondays generated. The ‘green’ and ‘purple’ bars represent total scheduled caste and scheduled tribe persondays generated and total scheduled caste and scheduled tribe women persondays generated. It clearly shows that the higher the Total Persondays, the lower the share of work going to scheduled caste and scheduled tribe women. This suggests that indeed, Management Information System is in many ways ‘part of the problem’ of the Scheme.

Graph 3.6, clearly shows that the difference between the total persondays generated and the total persondays generated by Scheduled caste/scheduled tribe workers has been significant in the last five years even in an area with majority scheduled caste and tribe population. In the case of persondays generated by Scheduled Caste and Tribe women it has always been less than 10% of the total persondays generated except in the year 2010-11, when it was 20.57% (for more details see Appendix 5).

Graph 3.6: Persondays Generated by Scheduled Caste/Scheduled Tribe Women Workers Active in the Scheme from 2011- 2015



Source: - <http://nrega.nic.in/netnrega/Homepanch.aspx> and Table 5

This worsening of the situation with regard to low persondays generated for scheduled caste and scheduled tribe women requires more attention. The quantitative approach adopted in this chapter, has shown that structurally disadvantaged women are being consistently excluded from the right to work under the Scheme.

3.7 Conclusion

The data derived in Table 5 and its graphical representation in Graph 1 shows the actual work under the Scheme, which the women ‘demanded’ in the past five financial years i.e. 2010-11 to 2014-15. It is clear from this data that not even one-third of all employment or work, was ‘demanded’ by the most structurally disadvantaged women in the projects of the Scheme in the past five financial years. Why this is, and why a scheme targeting marginalized sections of the society is failing to provide employment for most scheduled caste and tribe women workers, is what needs further explanation. Who are those marginalised even among the already marginalised populations in Garwha District. Are they not ‘interested’ to work, or are they being excluded through poor planning, and perhaps misallocation of work? In order to find answers to these questions, this key finding of the quantitative data analysis – namely that scheduled caste tribe women’s participation was low and declining, was discussed with women during interviews. Chapter 4 now examines what the women said, and is based mainly on analysis of interviews with scheduled caste and tribe women workers of the Scheme. The findings in Chapter 4 are discussed in light of the findings of this chapter about the problematic role of the Management Information System in women’s struggles to access their right to work.

Chapter 4

Women Reflect on the Right to Work: Caste and Resource Issues

4.1 Introduction

In this chapter I am going to look at the reasons behind what emerged from the quantitative analysis of MIS data in Chapter 3, namely the comparatively lower participation of scheduled caste and scheduled tribe women in the work and employment activities of the Scheme (See Graph 1 for more details). Women of these structurally disadvantaged communities attribute their lower participation levels primarily to the fact that they belong to a socially 'lower' caste. In this chapter, this idea of discrimination is examined in more detail. According to the interviews with women, caste is the decisive factor in determining which village or village council will get work sanctioned under the Mahatma Gandhi National Rural Employment Guarantee Act, and which will not. Women reflect on their right to employment and how this is limited under the Scheme. They claim that work granted under the Scheme, is allocated not only on the basis of caste but also gender. So who does get to work under the Scheme? And is the right to work really determined by both caste and gender? So far the MIS data suggests this is the case. In this chapter, the reasons for this will be explored, using insights from the women themselves, and from scholars and other studies on this issue.

4.2 Multiple Categories, Multiple Discriminations

Women felt that belonging to the multiple categories of – women, rural, poor, 'lower' caste and living in violent Maoist conflict affected areas, are the reasons behind them being discriminated time and again. It is important to understand that one cannot study these categories in isolation as they build and define each other. In Social Sciences this study of constructing and constituting categories is termed as 'intersectionality'. Crenshaw defines intersectionality as "instead of merely summarizing the effects of one, two or three oppressive categories, adherents to the concept of intersectionality stress the interwoven nature of these categories and how they can mutually strengthen and weaken each other" (Winker et. al, 2011:51). This section of the paper explores though experiences of women of Garhwa as to how belonging to a socially 'lower' caste automatically puts them in a discriminated upon category but when interrelated categories of being women, from rural areas, who are poor and who live in conflict affected areas are added to how this then the discrimination becomes manifold.

4.3 Numerous Actors/Factor: Interlinking Relationship

In this study of access to, and impact of Mahatma Gandhi National Rural Employment Guarantee Act, on the lives of scheduled caste and tribe women, examining role of only one Actor or factor will not provide examiner with full understanding of the situation. As all the actors as well as factors

are interlinked, deepening and intensifying each other. So, it is of utmost importance to keep in mind the interlinkages between different actors and factors. During the focused group discussion, women while reflecting on their 'right to work' reveal how it is not possible to point out one actor/factor as 'the' or primary hurdle in them getting employed as labourers under the Scheme. Women discussant, categorized actors as government employees, contractors, elected village representatives, violent Maoist groups, and male family members. The categorization activity was employed by the researcher to make it easy for women to detach themselves from familiar actors. Close, and often family relationships between women and the actors, and amongst actors as well, were proving to be difficult for women to talk openly about interlinking relationships between them.

Women explain the reason behind impossibility of blaming one of the categories of actors as the interlinking relationship between these categories. During the discussion these interlinkages were not explained explicitly by the women, instead they defined the relationship as – all the families of their village had one family member working as or for contractors or is member of some Maoist outfit or works for the government.

It was challenging for the researcher to discuss 'sensitive' yet complex issues of identity, caste, violence and patronage with women. Sometimes discussions came to an abrupt halt because of interviewees' proximity to, and sensitivity of the issue. For the purpose of this research 'factor' in this paragraph means factors related with Management Information System of the Scheme, and how this factor is exploited by actor categories of 'government employees' and 'contractors' for their own benefit.

4.4 Silence, Anger and Frustration

Sensitivity and complexity of the research issue combined with researcher's prior familiarity with interviewees proved to be immensely beneficial as well as challenging for the research. Benefits in terms of time, work – hours forgone and energy spent in providing rich and honest insights and interviews, by all the interviewees. Challenging, due to familiarity of people with researcher's prior role with district administration in Garhwa. Researcher's prior role included implementation and monitoring of rural development schemes in the research area. Prior familiarity created duality about researcher's role during field – research, which transformed into silence, anger and frustration amongst women during interviews and focused group discussions. Emphasizing about 'dual imperative' in sensitive research, researchers Jacobsen and Landou explain why it's important to study this duality (2003). The researcher explain that this awareness about 'dual imperative' in social science would help in reducing "non-representativeness and bias, issues arising from working in unfamiliar contexts including translation and the use of local researchers, and ethical dilemmas including security and confidentiality issues and whether researchers are doing enough to 'do no harm'" (Jacobsen et. al, 2003:185).

Understanding the meaning and reason behind long silences of interviewees, especially women interviewees assisted the researcher in getting valuable insights for the research. The issues that made women angry, when they became silent and what frustrated them the most helped enormously in shaping the course of this research.

4.5 Scheduled Caste and Scheduled Tribe Women: Employment in the Scheme and Caste Issues

As evident from Graph 1 in Chapter 3, the participation of scheduled caste and scheduled tribe women in the works of Scheme has continuously fallen down between financial years 2010-11 to 2014-15 in both Ursuggi and Chhapardaga village. An increase in overall persondays generated in the scheme has almost always resulted in decrease in the persondays generated for women belonging to scheduled caste and scheduled tribe. Through gender-based segregation of available caste-based data in the Management Information System of the Scheme, the researcher was able to find out the numbers depicted in Graph 1. To know the ground realities behind this data the researcher asked all the interviewees questions related to caste and employment in the scheme.

“...on the other side of the District Collectorate there is a big village. Upper caste people live there. They get a lot of work under Scheme. Mukhiya ji (village headman) says everybody there gets at least 80 days of work in a year. What do we get? Only 30-40 days of work in a year” (Interview with Pachiya Devi, Chhapardaga, August 2015).

Even if women of scheduled caste and tribe are unaware of their entitlements, such as 100 days of guaranteed work under the Scheme they know very well about the villages where most of the works gets sanctioned. Elaborating more on this issue Vimla Devi explains,

“...no upper caste people especially their women will ever do what we do- work in the mud. Never. This work under the Scheme is always some digging or labour work. They (upper caste) have never done it...they get all their work done by machines” (Chhapardaga, August 2015).

Vimla Devi's explanation makes it easy to understand even when the socially 'upper' caste men and women do not actually work in the scheme how most of the money sanctioned for Schemes' works ultimately goes to them. The collusion between the officials in the scheme and socially 'upper' caste people, who are also economically affluent results in work done through machines. The use of machine instead of manual labour is defined as illegal activity under the National Rural Employment Guarantee Act, 2005. This corrupt collusion between the authorities sanctioning the Scheme

and the ‘upper’ caste population which is manufacturing new ways to siphon – off money rightfully belonging to the marginalised population appears to be the key cause of less participation of women in works of the Scheme.

4.6 Favour and patronage: Hurdles in Accessing the Right to Work

Professor Jean Dréze, Member of the Central Employment Guarantee Council (CERG) of the Scheme and key informant for this research explains the problems of favour and patronage associated with the Scheme in Jharkhand as something that would eat up the ‘tremendous potential’ of the Mahatma Gandhi National Rural Employment Guarantee Act (2008). How does this favour and patronage machinery work? As soon as a village is granted work under the ‘Scheme’ the Village Head informs ‘particular’ workers to come and start work at the designated work – site. A very apt example of selection of workers is Prabha Devi’s answer to the researcher’s question ‘How did you get the work in the scheme?’

“...When the scheme comes in the village, the Village Head sometimes comes and sometimes through others informs us that Scheme has come. Do you people want to work or not?...It’s not that you get work through your good luck...The work that comes most of the time is very small in comparison to the number of people who want to work, so how do you expect that everybody will get work”(Interview with Prabha Devi, Chhapardaga August 2015).

This selection of workers as per the whims of Village Head is an illegal act in itself under the provisions of the Scheme (see appendix 9 for more detail). These criteria for selecting workers are mainly based upon caste affiliations and election support to Village head during village elections. This favour of providing work happens at village level but at the district level, patrons are supported by authorities by way of granting projects under the Scheme exclusively for patrons’ village. These patrons are the economically affluent village heads, relatives of the village head who work as ‘contractors’ to ensure ‘smooth’ functioning of the projects granted under the Scheme. ‘Contractors’ of the Scheme return this favour of government authorities by paying money, siphoned –off from Scheme’s approved budget. Bhikhu, who claims that his village was not granted any significant work under the Scheme in the last three years explains the mathematics behind this intricate web of favour and patronage’

“Look sister, since I have nothing to loose and your report might reach somewhere at the top I want tell you something. Out of the entire money granted to a project in the Scheme only 30% is actually invested in the scheme. 20% goes to the Bada Babu (Big Officer) in the district, 30% goes to the Dada log (Big Brothers) and the Village Head or his people keep remaining 20%. The percentage share might change in the areas where there is less presence of Dada’s gang in that case Bada Babu

would automatically take that money. Everybody knows everybody's area” (Interview with Bhikhu, Ursuggi, August 2015).

It is important to note here that this intricate web of favour and patronage has significance importance for contractors so that they can exploit workers, and for government authorities who cannot directly transfer money from the funds of the Scheme to their bank accounts. The role of Dadas in this intricate web of favour and patronage would be discussed in paragraph 4.7. Stressing upon the ill impacts of misappropriation of funds on workers of the Mahatma Gandhi National Rural Employment Guarantee Act Professor Dréze, states “it is bad enough that brazen embezzlement of NREGA funds in Jharkhand, with the complicity of many government officials, has deprived millions of people of employment and wages, and thereby, of their constitutional right to life. For good measures, State authorities often scuttle any attempt to expose this nexus of corruption and crime”(2008). Favour and patronage, being taken, and given to both government officials and violent Maoist groups are one of the biggest challenges for women in accessing their right to work.

4.7 Maoist Levies: Impacts on Women in the Scheme

Elaborating further on Bhikhu’s statement in paragraph 4.6, about a percentage of The Scheme’s budget being given to Dadas, the researcher wants to point out here that Dada, literal translation Big Brother is the word which is used by villagers to refer to the members of violent Maoist groups. The money charged by Maoist groups from funds of the Scheme is referred to as ‘Levy’ or ‘Tax’. The charge of levy is something of an open – secret in the areas under control of violent Maoist groups. Some of the violent Maoist groups deny the charge but some accept it also as a tax for allowing the government to function in their area.

What I want to stress here is that it was considered unsafe either for the villagers or researcher to talk openly about Maoists groups. Karmi Devi warned the researcher about possible implications of discussing issues such as levy charge by the Maoists,

“You are from here. You know that most of the people here do not want to talk about dadas, then why are discussing such things and putting yourself in danger. The entire village knows that you would come here again tomorrow, they know the route...why?” (Interview with Karmi Devi, Ursuggi, August 2015)

The statement was followed by a long silence from Karmi Devi. When she spoke again she informed the researcher that she would refer the researcher to some women who live close to the District Collectorate where it would be safe for them to discuss such issues. It is important to note here that discussing issues related with violent Maoist groups, especially those

criticizing the activities of Maoist groups is something that generally does not happen in villages of Garhwa. And, there is a strong reason behind this silence of ordinary villagers against development damaging activities of violent Maoist groups. In the year 2011, Niyamat Ansari, a grassroots activist based in Latehar district of Jharkhand was killed.

“According to one fact finding report, Ansari was deeply engaged in variety of peaceful struggles against the state – especially the widespread corruption in the implementation of pro –people projects such as NREGA; he was also a close associate of the economist Jean Dréze. According to this report, Maoists, some state officials and contractors joined hands in the murder” (Mukherji, 2012:117).

Murder cases like that of Niyamat Ansari are used as weapons of suppression against people by violent Maoist groups. Some government officials and contractors also do not lag behind in colluding with the Maoists when such acts of repression benefits them as well. Some of the women who came for focused group discussion at the researcher’s residence in Garhwa did talk about Levy charged by Maoists groups from government development projects.

“The entire village knows about the cut of dada log (Big Brothers) from the Scheme fund. But you can’t oppose it openly...Every family here has one member who works either with Dadas or contractors or with district officials. Who do you complain to? What if you complain to the wrong person? Everybody is taking their share...it would be good if they all leave a little more for us” (Interview with Kabutari Devi , Garhwa District Headquarters, August 2015).

After the discussion with women from Ursuggi and Chhapardaga village the researcher fully realized the twin sides of the funds from the Scheme. On one side the funds are financing much needed rural development projects in the district but on the other side a large portion of the same funds is being siphoned – off because of collusion of district officials, contractors and Maoists groups. This research project undertaken by the researcher for the first time made her realize how big a problem is development funds in itself in a district where there is lack of mechanisms to check fund flows. When 70% of the funds of the Scheme get divided amongst the district officials, contractors and Maoist groups then with the remaining 30% it is impossible to get the development project implemented. There is no choice but to get the project somehow visible on the ground with the help of machines. These ‘innovative’ ways to implement projects under the Scheme clearly leaves almost no place for women workers of Schedules Caste and Tribe to get labour work in the Scheme.

4.8 Gender as an Issue - Women Seeking Work Under the Scheme

The problems of scheduled caste and tribe women does not end in them getting work only from 30% of the entire funds allotted for a project in the Scheme. Those women who get work under the Scheme actually face gender and caste based abuses. The contractors who select women to work in the Scheme warn them of half – payment or no payment at all if they did not work as fast as men. A woman worker of Chhapardaga village only got to work for an average of 20 days per year in the last five financial years. Suryamani explains the reason behind her less participation in works of the Scheme as,

“If the brick – kiln work would be available through out the year, I would work there instead of this horrible work. Most of the time I am paid only half of my wages. When I ask for more, those men at work site abuse me. They tell me to be happy with what I am getting...They verbally abuse us and curse us for being women. They tell me I do not work as much as men” (Interview with Suryamani Devi August 2015).

All the 25 women, whom the researcher interviewed for this research, agreed that at least once or some of them many times were abused by contractors at work site for being women or because of their caste. Gender and caste are used as oppressive tools at most of the worksites to snatch away the due wages of women workers. This blatant abuse of women workers’ rights is something that happens because of invisible support of male workers. Male workers consider it demeaning when female workers are paid same wages as them.

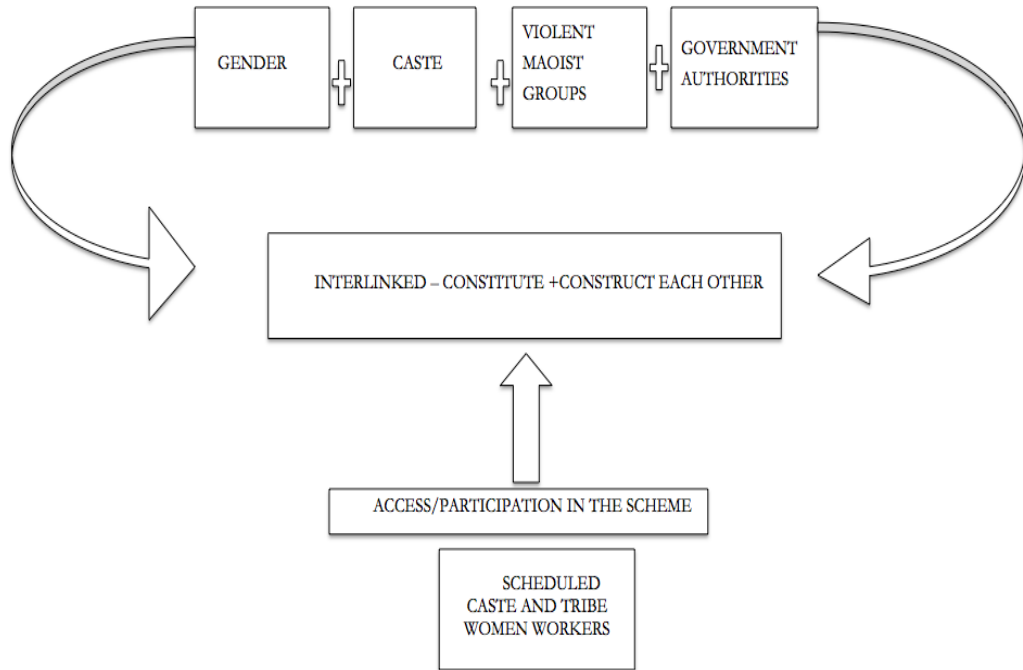
“My husband works most of the time with me in the Scheme. I always get paid half – wages than him. I dig as much as he digs in a day. It is hard labour work. I once complained to my husband about less wages, he immediately said because you work less” (Interview with Karmi Devi, Ursuggi, August 2015).

Economist Ritika Khera in her research about the way women workers look at the works of Mahatma Gandhi National Rural Employment Guarantee Act found out that “On worksite where contractors were involved, 35 percent of women workers said they were harassed...the conditions of work at worksites run by contractors tend to be more exploitative”(Khera et.al, 2009:10).

Khera’s research took place in 6 States of India including Jharkhand. On the basis of field – research findings, Khera explains gender discrimination at the worksite; by use of gender and caste based verbal abuses, or use of the verbal abuses to refrain women from getting their legal entitlements (2009:10). Both caste and gender based verbal abuses are often used in India to discourage women from entering into work -areas which are considered predominantly male like manual labour work under the Scheme.

Overall, the combination of these influences on women’s participation in work under the Scheme is depicted in the following Diagram 3.

Diagram 4.8 – Intersectional Analysis of the Right to Work



In Diagram 2.3.4, mentioned in Chapter 2 of the paper the interlinking relationship between different actors affecting structurally disadvantaged women’s access to the right to work was not very clear. But, the insight gained through interviews and discussions conducted with women helped me in understanding the interlinked relationship between different actors – as constituting and constructing each other.

4.9 Conclusion

Whilst the data derived from closer study of the Management Information System (MIS) of the Scheme provided me only with numbers, the profound experiences shared by the women through informal discussions and interviews equipped this study with a much deeper set of insights into how the realities behind those numbers were experienced by women in relation to their efforts to secure the right to work. Studying only quantitative or only qualitative data for this research would have left some elements of the overall picture blank, and the research findings would have been either hollow or vague. A mixed methods approach which has highlighted how caste and gender intersect to play a major role in determining structurally disadvantaged women’s employment prospects in the Scheme, has worked well. When caste and gender are understood to construct and constitute one another, then the impact of damaging factors such as violent conflicts, the atmosphere of favour and patronage in the District, and a ‘contract-culture’ where contractors have a great deal of room for manoeuvre, produces an

environment where very few of the least advantaged women, who are after all the main target group of the Scheme, actually benefit from it and are able to access their employment rights. This study has explored how several sets of complex factors interact to produce and reproduce structural disadvantage, in spite of the best intentions of the Scheme as originally designed.

Chapter 5

Possible Promising Future? Positive Outcomes of the Scheme

5.1 Introduction

This chapter will explain some positive outcomes of the ‘right to work’ scheme on the lives of scheduled caste and tribe women workers who were able to participate and be allocated work. These women workers in their personal interviews (more details in Appendix 8, for interview guide) and group discussions explained the positive outcomes of working in the scheme for their personal lives. They explained how wages earned through the work allocated under the Scheme increased their household health, well being and provided resources to spend on education. The wages contributed to women feeling more financially independent in general, and this they also felt increased their decision-making power and gained them respect, especially from their in-laws, at the household level.

5.2 Investment in Health and Education

All the women that I interviewed agreed that they are not dependent on wages- earned through work in the scheme for their day-to-day expenditure but this extra money earned through work in the Scheme, ensures that they do not go hungry in bad crop season - which are quite frequent in this area. Explaining her reason behind preference for work in the Scheme, over other available work in the village, Prabha Devi in her interview says,

“Wages earned through this work provide me extra cash. A lot of good things have happened because of this work. Even in illness, when you have money in your hand you can spend it on yourself or for food, or medical check –up. When I have money then I can also use it to educate my kids. So, isn’t it for my benefit? It is for my benefit. Suppose I need Rs. 200 (\$4) for my daughter’s school fees, then I will have to look for it, when I have the money available because of my wages then I immediately take it out and give it to her for her fees.”(Interview with Prabha Devi, Ursuggi, August 2015).

Research Scholar Asha Sharma has explained this increase in health and education expenditure in her study titled “ SC/ST Employment Guarantee: Women’s Empowerment in Rural India By MGNREGA”(2012). In her study of four districts in four states of India she discovered that most of the workers in the scheme were spending a significant part of their income on education and health. She explains this as “ a significant percentage of workers – almost 34 percent – also spent their NREGA wages on their children’s education. The other large expenditure regularly met through NREGA wage is health care, with around 40 percent of the respondents having spent earnings on this” (Sharma, 2012:7). This study research of Sharma combined with interviews of women in Garhwa suggests that wages earned

through employment in the Scheme contribute to increase in investment in health and education both personal and for the family.

The scheme has provided women with much needed monetary support in the form of money wages. This has increased women's status in the household, be it in domestic decision – making or financial decisions. Ms. Sharma describes this increase in women's status in household as "... women's labour (farm and non –farm) has always been an essential component in the functioning of rural household, it has been made invisible due to the absence of any monetary remuneration. By putting cash earning in women's hands, NREGA has both increased and diversified the contributions that women are making to household incomes as wage earners"(Sharma, 2007:7). Prabha Devi and other interviewees feel this change in their status at home. They all agree that this 'change' is brought primarily by their ability to earn money.

5.3 Investment in Education of Female Child

In answer to the question about - Do you spend any part of the wages on yourself, or for your daughter's need? More than 15 women answered yes in their interviews; that they have used the money for education of their female child. In her interview Sheela Devi explains her reasons behind investment in education of her daughter as,

"I have four kids. 3 sons and 1 daughter. Daughter is the eldest amongst all the siblings and supports me in household chores. I sometimes take her to work too. But that happens only when I don't get work in the scheme in non – harvest season. This year I have already worked 40-50 days in the scheme, so I have some savings. I am using this money for my daughter's education, as education is very important."(Chhapardaga, August 2015)

Earlier the women said that they used to take their girls to work with them to earn some extra money, but now as they get employment in the Scheme non – harvest season too, they prefer to send their female children to school as well.

5.4 Investment in well – being of married female child

All the interviewees agreed that they save a part of their income from wages for future. When I asked them what was the 'event'/occurrence' during which these savings were used, they all agreed that a major part of the savings were used as dowry during the marriage ceremony of their daughters. Champa Devi in her interview speaks about her happiness on being able to spend money on her daughter, she says,

“How else could have I managed the expenses of my elder daughter’s marriage. I married off my daughter. The other children are studying in school. I managed the marriage of my elder daughter because I was working in the scheme. How else would I have sent her to her in - laws home? You know, I could not have sent her to her in – laws home without spending money, I spent money on her marriage and then she was sent to her in –laws home”(Ursuggi, August 2015).

In Indian society, especially in villages, dowry (Money and things given to the son-in-law at the time of wedding by the parents of the girl) is very common. The dowry money and things affect the well being of married girl in her in-laws house. Another aspect of expenditure at the time of a daughter’s marriage is the expenditure on cosmetics and jewellery; Sarita Devi shares her experience in this regard and says,

It is different when you spend money yourself, not the money given by your husband. I could not have managed the marriage expenses without my husband’s help but I also spent money on her marriage. My daughter got married after I started working in the scheme, so I used that money to give her things, which a mother gives to her daughter. Cosmetics, jewellery, clothes. Fathers most of the time don’t know what the daughter wants. Whatever my son desires his wish is fulfilled by my husband, but only a mother knows what is that her daughter wants.”(Interview with Sarita Devi, Ursuggi, August 2015).

It appears from the interviews of the women that for them the well being of their married female daughter (in her in-laws home) is quite important. During the group discussions I tried with women to point out the problems associated with the dowry and how it robs them off of their hard-earned money, but most of the women did not agree to non-payment of dowry at the time of marriage of their daughters. So, the wages earned through employment in the Scheme are not only increasing investment in education and health as evident from paragraph 5.2, it also supports in flourishing of social problems like dowry.

5.5 Decision – Making and Increase in Respect Amongst the Family Members

The wages earned through working in the scheme has increased the decision – making powers of the female members of the family. During the group discussion with women from Chhapardaga village the point about decision – making and respect was the most discussed point. It appeared that the money earned through wages affected every aspect of these women’s life from as basic as eating the vegetables that they liked to being able to discuss about further education of their married daughter with in-laws of the daughter. Savitri Devi explains this point, as follows:

“When I got money in my own hands it was a really happy moment for me. When the men at home or my husband gives me money then they take account of the expenses but when it’s my money then I don’t have to give account of the expenses to anyone. I go and buy vegetables of my own choice, buy books for my kids. I also try to save a part of my wages and keep it in a secret place, which my husband doesn’t know. You never know when you might need this money...” (Interview with Savitri Devi, Chhapardaga, August 2015).

Explaining the importance of receiving wages directly, Economist Ritika Khera in her research on women workers and the Scheme writes “a large majority, 79%, of women workers collect their own wages, and generally they keep their wages...the proportion of workers who keep their own wages is higher for female workers 69% than for male workers 51%. One may argue that what really matters is not only who keeps the money, but also who has control over it. Interview with women suggest that in a large number of cases, they have substantial say in deciding how the money is spent”(Khera et.al 2009:7). In their interviews, several women narrated incidences where their in-laws have either started asking for their opinion in household matters or have stopped interfering in the lives of women unnecessarily, and all of them attribute this change at household level to the monetary power gained through wages earned by employment in the Scheme.

5.6 Household Work and Work in the Scheme

With regard to the question about - where do you work? 15 women replied that they work as semi- skilled agriculture worker, construction worker and whenever they get the opportunity they also work as a worker in the Scheme. What was surprising about responses of other 10 women was that they recognized their household work as being as important as any other work. The women did complain about their household work not being recognized as important work, as they do not get paid for it, but all 25 of the women interviewees agreed that the household work was not any less important for them. Emphasizing this point Indravati Kunwar explains,

“I work at home and whenever the work starts under the scheme then I go and work there also. First I finish household work and then I go and work at pond or road construction work, whatever is available under the scheme... At the end of 15 days or a month when I receive my wages it is a very happy moment for me...the family members, specially my in –laws treat me with a lot more respect when I work in the scheme, and earn money... One does not get paid for household work so it is not respectful. Money is everything. When I work in the scheme I get paid and with that money I buy whatever I want. It is so good.” (Interview with Indravati Kunwar, Chhapardaga, August 2015).

It appears from the statement that the scheme has empowered rural women with the much-needed financial empowerment. Reetika Khera describes this financial independence in terms of women being able to ‘take charge of their lives’ (2009:8) – “NREGA employment is helping women take charge of their lives, in little (and not so little) ways. Where the NREGA is implemented well, it has provided predictable and regular employment to women. In their fragile existence, the NREGA has brought mental respite from the tensions of being able to fulfil their basic needs (2009:8)”. Although the women themselves do not discriminate between the household work and the work in the Scheme, but the wages- earned through work in the Scheme brings the difference in the attitude of others, especially that of in –laws.

5.7 Conclusion

The wages earned through employment in the Scheme has brought a lot of positive changes in the lives of the structurally disadvantaged women. The positive changes are not only impacting the womens’ lives personally, but also that of their children and other family members. But, there are some negative outcomes as well, like payment of dowry from the savings made through hard – earned wages. It is important to look at both positive as well as socially problematic outcomes of the wages, on the lives of structurally disadvantaged women to understand the outcome in totality.

Chapter 6

Conclusions and Some Modest Proposals

This study has tried to explore the access to, and impact of the Scheme in the lives of structurally disadvantaged women belonging to the scheduled caste and scheduled tribe population. The Scheme was enacted as per the provisions made under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 – one of the biggest employment guarantee programs being run presently in the world. The research-area of the study is Garhwa district of Jharkhand state in India. The Scheme guarantees 100 days of manual labour work in a year to any rural household that demands work. It is a rights-based Scheme, as it provides rural households with right to demand work, and in case the demand for work is not fulfilled, the work-seeker is provided unemployment allowance. The Scheme has generated much – needed employment in an area affected by the violent conflict; between the violent Maoists groups and the Indian State.

History of the enactment of, Mahatma Gandhi National Rural Employment Guarantee Act, 2005 was explained in the paper to track the discourse behind the right to work movement in India. Crucial concepts related with the right to work, were then discussed to understand them in – depth and, also how the concepts were going to be used in the paper. Intersection analysis approach was used to point out different actors, negatively impacting the access to the Scheme for the structurally disadvantaged women.

Management Information System (web – based database of the Scheme) was also critically analysed to work out the number of total women workers belonging to the scheduled caste and tribe population, provided work in the Scheme in the past five financial years i.e. between 2010-11 to 2014-15. The database of the Scheme provides number of total workers – disaggregated on the basis of gender and caste. The gender-disaggregated data is not further disaggregated on the basis of caste, and the caste-disaggregated data is not further disaggregated on the basis of gender, in the database of the Scheme. The further disaggregation of data on the basis of caste and gender was done for two sample villages of the study, namely Ursuggi and Chhapardaga, situated in Garhwa and Danda blocks respectively. The study of Management Information System of the Scheme was of critical importance for the paper, as on the basis of this database planning, budgeting and allotment of work takes place under the Scheme.

Critical data analysis of the Scheme's database for the past five years made it evident that not even one-third of the jobs were provided to scheduled caste and tribe women in the Scheme. To find out the factors responsible for

the apparent non-employment of structurally disadvantaged women in the Scheme, semi-structured interviews were conducted with the women of the two sample villages. Caste, was termed as the primary hurdle behind non – employment of women in the Scheme. Gender, presence of violent Maoist groups, illegal employment of contractors and government officials were termed as other related hurdles in structurally disadvantaged women’s access to the Scheme.

Through the interview and discussions conducted with the few women from the scheduled caste and tribe who got employment under the projects of the Scheme, the positive outcomes of the Scheme in their personal lives as well as positive improvement in their role in the family were also discussed.

So, on the basis of this research I conclude the following:

Caste, gender, presence of violent Maoist groups and involvement of government officials in improper activities, together affects the scheduled caste and tribe women’s access to the Scheme.

Non – disaggregation of the data-available in the Management Information System of the Scheme, both on the basis of gender and caste affects the Scheme’s primary objective of providing work to the marginalised sections of the population.

Women from the scheduled caste and tribe want to get employment in the projects of the scheme but their employment opportunities are curtailed by caste and gender based discriminations. The presence of violent Maoist groups and their involvement with the government officials in devising new ways to siphon – off money from the projects of the Scheme also affects structurally disadvantaged women’s access to the Scheme.

The wages earned through employment in the Scheme have brought positive outcomes in the lives of women from the scheduled caste and tribe. These positive outcomes are increase in investment in person and family well - being through wages- earned in the scheme. The wages have also contributed in increasing decision – making power at the household level, and gained respect amongst the in – laws for the structurally disadvantaged women.

In the end, I want to mention some modest proposals, proposed by the scheduled caste and scheduled tribe women workers for improvement in their participation level in the Scheme. The proposals are as follows:

- That those households who are willing to work for 100 days in a year in the Scheme should be provided with at least that many days of employment.

- Wages should be provided timely. As timely wages encourage women to seek more employment in the Scheme.
- At present, the market rate of manual labour is higher than the wage-rate provided under the Scheme, so the wage-rate should be increased.
- Availability of work-site facilities as per the provisions of the Scheme – Shed, water, medicine and crèche. Especially crèche, as it reduces the worry about small- children from the minds of mothers.
- Appointment of more women Meths (worksite supervisors).

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Appendices

Appendix 1: Access to the scheme and average days of work provided in the past five years

S. No.*	Name of Interviewee*	Caste	Work	Years Worked in the scheme	Ave. Days Work per year, in Past 5 Budget Years	Ease/Difficulty of getting work on Scheme
1.	Prabha Devi	SC	Semi-skilled agriculture & construction work, NREGA worker	5	40-50	Easy
2.	Sheela Devi	SC	Semi-Skilled Agriculture work & NREGA worker	5	40-50	Easy
3.	Savitri Devi	SC	NREGA worker	6	40-50	Easy
4.	Indravati Kunwar	SC	Semi-Skilled Agriculture & NREGA worker	5	50-60	Difficult
5.	Fooli Devi	SC	NREGA worker	6	40-50	Difficult
6.	Salinda Devi	SC	NREGA worker	5	30-40	Easy
7.	Kalavati Devi	SC	NREGA worker	5	40-50	Difficult
8.	Bimali Devi	SC	Semi-Skilled Agriculture	5	50-60	Easy
9.	Pachi-	SC	NREGA	5	30-40	Easy

	ya Devi		worker			
10.	Gulabi Devi	SC	NR EGA worker	5	50-60	Diffi- cult
11.	Saras- vati Devi	SC	Sem i – Skilled Agricul- ture & NREGA worker	6	40-50	Easy
12.	Surya mani Devi	SC	NR EGA worker	5	20-30	Easy
13.	Kalin- dra Devi	SC	NR EGA worker	5	40-50	Diffi- cult
14.	Mun- shi Devi	SC	NR EGA worker	5	40-50	Easy
15.	Kabu- tari Devi	SC	NR EGA worker	5	40-50	Easy
16.	Jasmi Devi	ST	Sem i – Skilled Agricul- ture & NREGA worker	3	20-30	Diffi- cult
17.	Parvati Devi	SC	NR EGA worker	3	10-20	Diffi- cult
18.	Sunita Devi	ST	NR EGA worker	2	20-30	Diffi- cult
19.	Lilava- ti Devi	ST	Sem i – Skilled Agricul- ture & NREGA worker	5	20-30	Easy
20.	Vimla Devi	ST	Sem i – Skilled Agricul- ture & Construc- tion Work, NREGA worker	3	10-20	Diffi- cult
21.	Puriya	ST	Sem	2	20-30	Diffi-

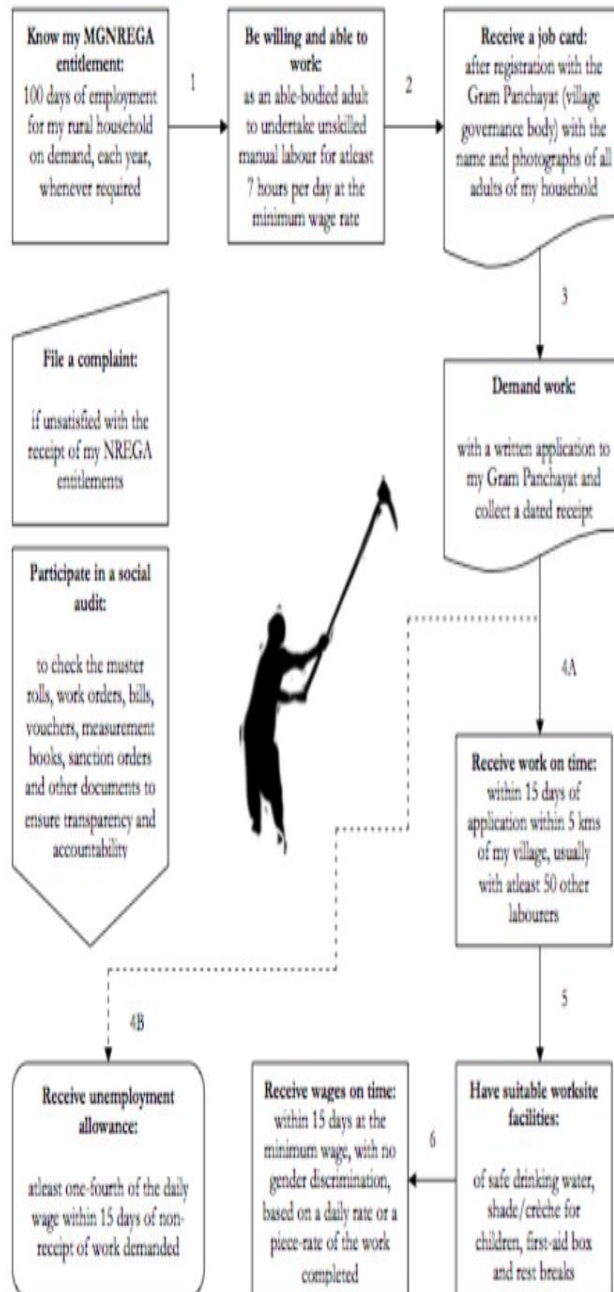
	Devi		i – Skilled Agriculture & NREGA worker			cult
22.	Champa Devi	ST	Semi – Skilled Agriculture & NREGA worker	2	10-20	Difficult
23.	Sarita Devi	SC	NREGA worker	5	10-20	Easy
24.	Kusumari Devi	ST	Semi – Skilled Agriculture & NREGA worker	3	20-30	Difficult
25.	Karmi Devi	ST	Semi – Skilled Agriculture & NREGA worker	5	10-20	Easy

* S.No. 1 to 15 is from Chhapardaga village and 16 to 25 are from Ursugi village.

*Names of the interviewees have been changed keeping in mind their security.

Appendix 2: Process of Getting Employment under the Scheme

Figure 3: From the Eyes of a Rural Work-seeker:
The process of securing my MGNREGA entitlements



Source: Right to Food Campaign Website -<http://www.righttofoodcampaign.in/employment>

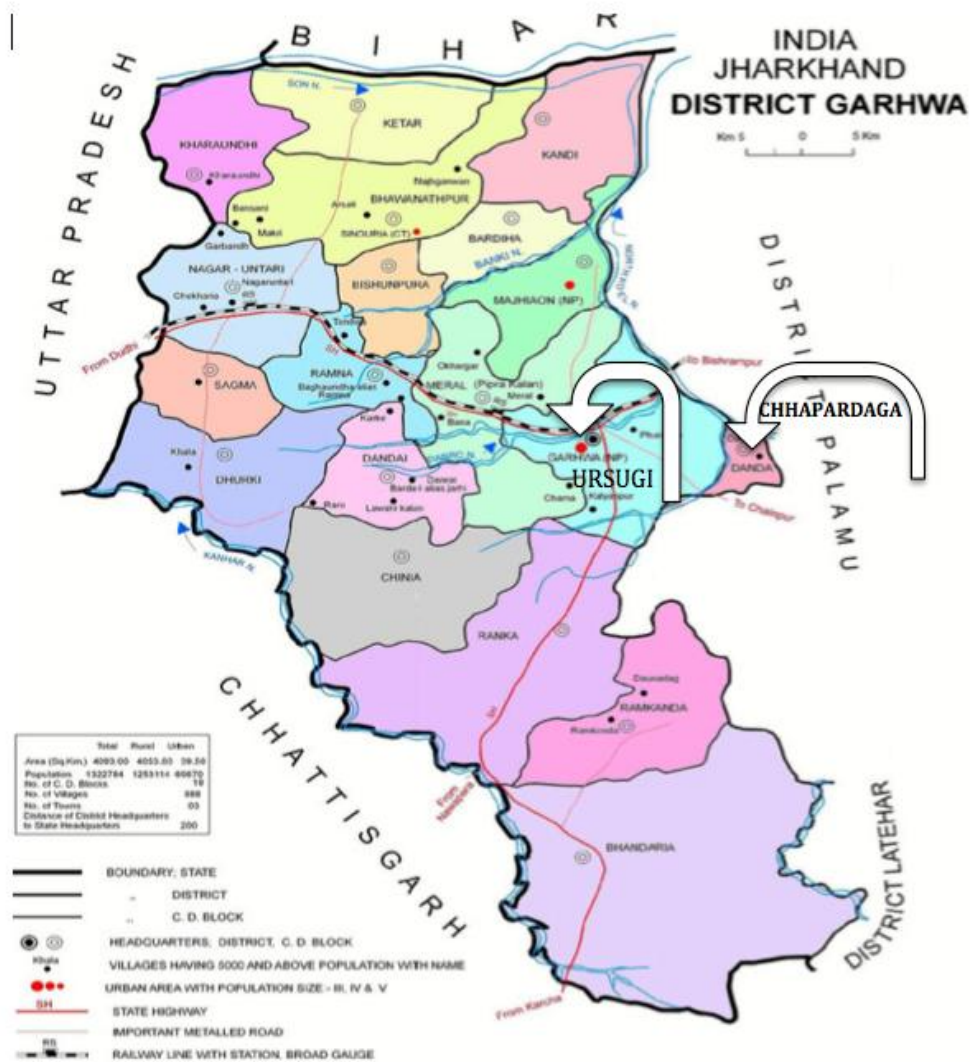
Appendix 3: List of Blocks in Garhwa District

List of Blocks in Garhwa District

District	Block	Village Council (Panchayat)	Village
Garhwa	Bardiha		
	Bhandariya		
	Bhavanathpur		
	Bishunpura		
	Chinia		
	Danda	1. Bhikhahi 2. Chhapardaga 3. Danda	Chhapard- aga
	Dandai		
	Dhurki		
	Garhwa	1. Achala 2. Belchampa 3. Birbandha 4. Chhatarpur 5. Chiraunjiya 6. Dube Marhatiya 7. Farathia 8. Jata 9. Kalyanpur 10. Karua Kala 11. Korwadih 12. Madheya 13. Mahulia 14. Nawada 15. Obra 16. Parihara 17. Pipara 18. Pratap pur 19. Ranka 20. Sangrahe Khurd 21. Tildaag 22. Ursuggi	Ursuggi
	Kandi		
	Ketar		
	Kharaundhi		
	Majhion		
	Meral		
	Nagar Untari		
	Ramkanda		
Ranka			
Ramna			
Sagma			

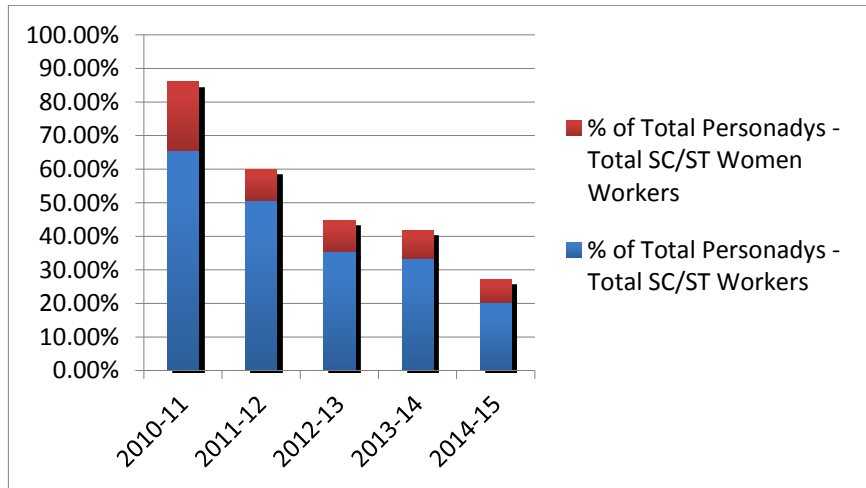
Source: <http://garhwa.nic.in/block.html>

Appendix 4: Sample Villages Marked in the Map of Garhwa District



Source: <http://censusindia.gov.in/>

Appendix 5: Graph 2: % of Total Persondays – Total SC/ST Workers Persondays Generated & Total SC/ST women workers Persondays Generated



Source: - <http://nrega.nic.in/netnrega/Homepanch.aspx>

Appendix 6: Basic Demography Figures of Chhapardaga & Ursuggi

Table 6: Demography Figures of Chhapardaga & Ursuggi

S.No.	Particulars	Chhapardaga	Ursuggi
1.	Area of Village in Hectares	609.00 Hectares	616.00 Hectares
2.	Number of Households	660	717
3.	Total Population		
	Persons	3442	3816
	Male	1727	2004
	Female	2004	1812
4.	Scheduled Caste Population (% of Total Population)	7.98%	16.56%
	Persons	275	632
	Male	130	327
	Female	327	305
5.	Scheduled Tribe Population (% of Total Population)	0%	52.25%
	Persons	-	1994
	Male	-	1036
	Female	-	958
6.	Literates		
	Persons	1621	1223
	Males	178	787
	Females	543	436
7.	Illiterate		
	Persons	1821	2593
	Males	649	1217
	Females	1172	1376

Source: Census of India. <http://censusindia.gov.in/>

Appendix 7: ‘Milestones of the Indian Journey Towards NREGA’ (1960-2009)

Box I: Milestones of the Indian Journey Towards NREGA (1960-2009)

Date	Main Provisions of Bills/Acts
1960-61	Rural Manpower (RMP)
1971-72	Crash Scheme for Rural employment (CRSE)
1972	Pilot Intensive Rural Employment Programme (PIREP)
1973-76	Small Farmers Development Agency (SFDA), Marginal Farmers and Agricultural Labour Scheme (MFAL)
1977	Food for Work Programme (FWP) and Antyodaya Programme
1980	The National Rural Employment Programme (NREP).
1983	Rural Landless Employment Guarantee Programme (RLEGP).
1993-94	Jawahar Rozgar Yojana (JRY), Employment Assurance Scheme (EAS)
1999-2000	The Jawahar Rozgar Yojana (JRY) was merged with JGSY was made a rural infrastructure programme
2001	The Sampoorna Grameen Rozgar Yojana (SGRY)
2004	National Food for Work (NFFWP)
7 th September 2005	Notification of NREGA
2 nd February, 2006.	NREGA introduced in 200 districts
2007	NREGA Phase II- Extended to additional 130 Districts.
1 st April 2008	NREGA Phase III-Extended to cover all districts of India
2 nd October 2009	NREGA renamed as Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA)

Source: ‘Responding to People’s Protests about Poverty: Making and Implementation of the National Rural Employment Guarantee Act (NREGA) in India’ by Anand et.al (2010)

Appendix 8: Interview Guide

.....Village.....Panchayat

Interview No.....

1. What is your name? And, what is the name of your village?
2. What is your caste?
3. Where do you work?
4. Since how many years have you been working in the works of the scheme?
5. On an average how many days have you worked in the scheme in the past five years?
6. How did you get the work in the scheme? (Easy to get or difficult?)
7. Do you get wages in your hand or your husband or family members receive it on your behalf?
8. Do you go to bank yourself and who gets to keep the money?
9. What do you do with that money? Has anything changed (better /worse) in your life because of the money that you receive in the form of wages?
10. Do you get to spend that money or someone else in the family decides where the money will be spent?
11. Do you have any kids? What do they do?
12. If both your boy and girl goes to the school, who goes into the government school and who goes in the private school?
13. Do you spend any part of that money on yourself? How?
14. How is that money bringing any joy into your own life?
15. Do you want anything to be changed or improved in the scheme?

Appendix 9: Relevant Sections of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005

Preamble and Name of the Act

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 household whose adult members volunteer to do unskilled manual work and for matters connected therewith or incidental thereto. BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:-
CHAPTER I PRELIMINARY 1. (1) This Act may be called the National Rural Employment Guarantee Act, 2005

Guarantee of Rural Employment to Households

3. (1) Save as otherwise provided, the State Government shall, in such rural area in Guarantee of the State as may be notified by the Central Government, provide to every household whose rural adult members volunteer to do unskilled manual work not less than one hundred days of such work in a financial year in accordance with the Scheme made under the Act.

Conditions for Work

AND MINIMUM ENTITLEMENTS OF LABOURERS 1. The adult members of every household who- (i) reside in any rural areas; and (ii) are willing to do unskilled manual work, may submit their names, age and the address of the household to the Gram Panchayat at the village level (hereafter in this Schedule referred to as the Gram Panchayat) in the jurisdiction of which they reside for registration of their household for issuance of a job card.

Work-site Facilities

27. The facilities of safe drinking water, shade for children and periods of rest, first-aid box with adequate material for emergency treatment for minor injuries and other health hazards connected with the work being performed shall be provided at the work site. 28. In case the number of children below the age of six years accompanying the women working at any site are five or more, provisions shall be made to depute one of such women worker to look after such children.

Preference to Women in Providing Work Under the Scheme

6. The Programme Officer shall ensure that every applicant referred to in paragraph 5 shall be provided unskilled manual work in accordance with the provisions of the Scheme within fifteen days of receipt of an application or from the date he seeks work in case of advance application, whichever is later: Provided that priority shall be given to women in such a way that at least one-third of the beneficiaries shall be women who have registered and requested for work under this Act.

Source: <http://nrega.nic.in/rajaswa.pdf>.

Appendix 10: List of Key Informants

S.No.	Name	Occupation
1.	Me. Bhikhu*	Member of the Village Council, Ursuggi, Garhwa District, Jharkhand, India.
2.	Professor Jean Dréze	Economist and Visiting Professor, Department of Economics, University of Ranchi, Ranchi, India
3.	Ms. Arundhati Dhuru	Uttar Pradesh State Advisor to the Supreme Court Commissioners on the Issue of right to Food

* Name changed because of security reasons.

¹ The excel sheets containing disaggregation of data on the basis of gender and caste, from the available data in the Management Information System of the Scheme is available with the researcher and can be obtained via email at – shrad-dhapande@gmail.com.