

Kelwara Public Review

On Peoples Monitoring of Development and Food Security Programmes

30th January 2004

Background

Four *jun sunwais (Public Hearings)* conducted by the MKSS since December 1999 in Kumbhalgarh block had brought to light the massive scale on which corruption had rendered hollow the claimed benefits of development works for the poor. For instance, the Banna Lal Committee report which investigated public works in Janawad panchayat following the Jan Sunwai in April 2001 found that only 49 out of 141 works that were sanctioned actually existed only on paper; and more than half the money allocated to the panchayat between 1994-2000 had been misappropriated. Similarly, the Bori jun sunwai in Umarwaas Panchayat (Dec 1999) and the government-sponsored one in Ricched (Feb 2002) brought out the numerous ways in which money was siphoned off from public works: ghost works, ghost workers, over-billing, etc. Then, in December 2002, a public hearing on the public distribution system held to help implement the Supreme Court orders (in the Right to food writ petition) revealed many of the ways in which large amounts of subsidized wheat were being diverted to the “black market”, depriving the poor of subsidized food grain.

Review Meeting in Kelwara

Pursuing its agenda of democratic accountability of State agencies, the Mazdoor Kisan Shakti Sangathan (MKSS) felt it was time to go back to the people and organize meetings to review what had happened, specially since these irregularities had been exposed and acknowledged by the government as well. The review meeting's agenda was to ask government officials, in front of the public, what action had been taken against those who had been implicated in the corruption. Another concern was to find out what difference (if any) the jun sunwais had made in the region. The MKSS was also keen to examine the norms of new government programmes like the Prime Ministers rural road programme (PMGSY) and the District Poverty Initiative Programme (DPIP), and their implications for peoples participation and monitoring.

On January 31, 2004 the MKSS, along with the Jarga Vikas Samiti, the National Campaign for the Peoples Right to Information (NCPRI), and the Centre for Equity Studies (CES) Jaipur organized a follow-up public meeting in Kelwara – the block headquarters of Kumbhalgarh block, Rajsamand District on all the public hearings that have been held in that block over the past few years. This meeting also coincided with the visit of the international task force on transparency set up by Joseph Stiglitz using the Nobel Prize money he had received. These experts from different countries had come to see how the MKSS and rural groups in India had succeeded in using transparency and the Right to Information as a weapon of the poor. They were also witnessing a process of turning the accountability mechanism built into the bureaucracy (upwards for top officials) on its head towards the people. These mechanisms could now be accessed and used by the poor, the marginalised, and the intended beneficiaries to whom the government and public servants are actually responsible.

The Public Hearings on Development Works

The meeting began with a review of the action taken by the government on the corruption cases in Umarwas, Janawad and Ricched panchayats. In the case of Janawad, people were informed by the block development officer (BDO) Shri Parag Chaudhary that about Rs. 2 lakhs (out of Rs. 67 lakhs that were embezzled) have been recovered, and that the amounts to be recovered from various people had been calculated and notices had been served to these persons. However, they had promptly obtained a stay order from the High Court, and it seems like the process of recovery has been caught up in legal delay, and unless the government plays a more active role, it would probably take years before the entire amount is even substantially recovered.

A somewhat disturbing side-effect of the Janawad jan sunwai also emerged at this review: that the allocations of development funds for Janawad had declined considerably since the public hearing. While the BDO claimed that it only seems that the allocations for Janawad had gone down, because earlier it was being given abnormally high amounts, whereas now they are distributed more equitably on the basis of the population. However, it seems that by withholding development funds to the panchayat, the people of Janawad, and elsewhere are being warned against any further attempts to ask uncomfortable questions.

The Public Hearing on Food Security

The public hearing on the PDS in December 2002 had served as an effective exercise in increasing people's awareness of the Supreme Court (SC) orders, and as a means of monitoring the implementation of these orders. It was also a mode to identify problems that persist in spite of the SC's favourable interventions. Our conversations with the residents of these villages were eye openers: an elaborate system to undermine the objectives of the PDS seemed well entrenched in the region. While government records would show that each grain of subsidized wheat was reaching the poor, the picture that emerged from the stories of the villagers was fairly dismal. This year we wanted to see how far that corrupt system had been shaken (if at all) by the tremors of the last public hearing.

This time too, rampant corruption in the system was revealed quite early by the attitude of the dealers. The MKSS had to struggle to get the records – the ration dealers tried all sorts of stalling tactics which included exerting political pressure. Photocopies of the ration dealers' registers which they submit to the government were made available to MKSS just one day before the public meeting. In many cases even these records were incomplete. Once the dealers learnt that MKSS had initiated a review of the functioning of the PDS in the last year, they began to mobilise all the ration dealers of the block against the effort. Members of the MKSS were surrounded in the market of Kelwara and questioned in an intimidating manner. Later these dealers, who are rarely seen in the villages, began house to house visits. Their purpose was to threaten and warn villagers against speaking to MKSS workers, and to ensure that if they spoke it was to say that the PDS was working well in their village. In many cases, they made false entries in, or took away the ration cards of some BPL and Antoydaya cardholders lest MKSS should lay their hands on them.

The meeting was well attended – by both the ration card holders and the ration dealers.

Some of the dealers were actively campaigning to prevent villagers from attending the public meeting. Once the meeting began to discuss the PDS, the dealers swung into force. They began moving forward towards the *manch*. Those villagers brave enough to attend, were under continuous pressure not to speak. No sooner had the first villager come up to speak, than the ration dealers disrupted the meeting with shouting, capturing the *manch* and the space around it. They were joined in this aggression by the *pradhan*. It took about 20 minutes before order was restored with the help of the police and local administration.

When the meeting resumed, 29 ration cards were presented which did not have entries for some months, whereas the records submitted to the government were showing regular sales to the cardholders. This incontrovertible documentary evidence of fraud forced the dealers to quieten down, as they had no way of denying the implications. The officials from the District administration (including the Additional District Magistrate and the District Supply Officer) who were sitting on the panel, have promised to take action against the erring ration dealers, and issue new ration cards to the cardholders immediately. These 29 cards revealed that the discrepancy between the amounts recorded in the cards and that recorded in the unit register amounted to more than 20 quintals of wheat.

The extent of diversion to the "black market" would be much more if we compare what people actually got with the entries in the registers. This is because most BPL households did not buy wheat in the past 12 months on account of the large scale of relief works in the region which provided them with wheat as payment towards wages.

Sample list of those who have been cheated by their dealers

	Name	Village (Panchayat)	Card Type	Card amount (kgs)	Register amount (kgs)	Diversion detected (kgs)
1	Narulal Chamnaji Gameti	Rod ka Guda, Sunkhar	BPL	210	280	70
2	Tejaram Nandlal Gameti	Rod ka Guda, Sunkhar	BPL	210	280	70
3	Rakku Rod Singh Daroga	Rod ka Guda, Sunkhar	Antyodaya	210	280	70
4	Jodharam Jetaram	Aasan, Umarwas	BPL	245	315	70
5	Jhaluram Amararam	Aasan, Umarwas	BPL	245	385	140

6	Vannaram Khimaram	Aasan, Umarwas	BPL	245	350	105
7	Lachcharam Udaram	Aasan, Umarwas	BPL	315	385	70
8	Naruram Gallaram Bhil	Aasan, Umarwas	Antyodaya	245	315	70
9	Bhanwarlal Balai	Kankariya, Umarwas	BPL	210	385	175
10	Devilal Gurjar	Kankariya, Umarwas	BPL	210	350	140
11	Bhanwarlal Motiram	Kankariya, Umarwas	BPL	210	385	175
12	Saruparam Balai	Kankariya, Umarwas	BPL	105	140	35
13	Bheru Devaram Balaai	Kankariya, Umarwas	BPL	385	420	35
14	Udamsingh Preamsingh	Kankariya, Umarwas	BPL	245	280	35
15	Rodsingh Dhansingh	Bedi, Umarwas	Antyodaya	245	350	105
16	Vanesingh Ratansingh	Bedi, Umarwas	Antyodaya	245	350	105
17	Naarsingh Nojasingh	Bedi, Umarwas	BPL	175	385	210
18	Bherusingh Udaysingh	Bedi, Umarwas	BPL	315	385	70
	TOTAL			4270	6020	1750

A Comparative Situation

In 2002, records for eight panchayats had been sought. Those who visited the villages this time felt that the situation in these panchayats was better than in the panchayats where records had not been sought the last time. It is noteworthy is that in those panchayats where records had not been sought last year, the situation continues to be dismal. Lack of awareness of entitlements, overcharging, etc. continue. Then, very few villagers were aware of their entitlements under the PDS. This included not knowing that they were entitled to 35 kgs of wheat and that this should cost them Rs. 4.60 for each kilogram. This has changed dramatically. This only highlights that however small the improvements in the old panchayats may seem, they are concrete and substantial.

Sadly enough, not enough has changed since the 4 December, 2002 public hearing on the PDS in the same block. False entries in the ration cards remains a common practice. When people go to buy kerosene the dealers "complete" the entries in their cards and make them sign (or provide thumbprints) in two places: e.g., in Devaram Bhil's card (Oonthdon ki Bhagal, Kadiya panchayat), there are two entire for the month of December 2003. One for 70 kgs, dated December 10 and another for 35 kgs dated 29 December. However, he actually bought only 35 kgs in December; in Melawi Moi Taankdi (Taladri panchayat), an Antyodaya cardholder had money enough for 32 kgs only. However, the ration card records 70 kgs being sold to him. Cheating the antyodaya card holders, who often include the destitute, aged, disabled, widowed etc. is particularly worrisome.

Further, the Supreme Court order of keeping the shop open for 26 days in a month is being brazenly flaunted. Most dealers had distributed wheat only 6 times in the past year and then too the shop had remained open for just 2-6 days. Ration cards are still being kept by the dealers making it easier for them to fudge entries.

However, the most discouraging news from the review was that the attitude of the dealers has not changed at all, and if at all, has become worse. The villagers remain at the mercy of the dealers with no one to turn to when they are cheated or intimidated. This is particularly true of the tribal community in the area which comprises a third of the population, and a large percentage of the beneficiaries of schemes for the poor. It is telling that there is not a single ration dealer from amongst the tribals.

The bullying power that the dealers exercise over the villagers is amply demonstrated by a few cases we came across where BPL, Antyodaya and Annapoorna cardholders had been turned back by the dealers when they went to buy their wheat. They were all told that wheat was out of stock. Ganesharam Ramaji of Kundala ka Dhora in Taladri panchayat, an Antyodaya cardholder bought 70 kgs in July 2003, and thereafter each time has been refused wheat. He has six months of wheat pending with the dealer. Similarly, Bhabhootlal Tulsaji Khatik of Khatikon ki dhani (Kankarwa panchayat), has been refused wheat since October 2003.

Policy Suggestions

The meeting was also used to float new ideas for improving the PDS system. Among the suggestions that were made to the administration was to introduce a coupon system modelled on the system in Andhra

Pradesh, Tamil Nadu and some other states. It also included providing compensation to dealers for losses during transport, increasing their commissions, and introducing the practice of putting cello tape in the ration cards over the previous months entries to prevent false entries from being made.

Other Schemes Covered by the Supreme Court Decision

The situation with respect to the other welfare schemes of the government remains as dismal as before. Take the case of Dhapu, an old widow who has an Annapurna card and gets widow pension as well. She got just 50 kgs of wheat under the state government's gratuitous relief programme, and gets her pension once in 5 months. When she asks the ration dealer for wheat she is told that it is out of stock. When we met her she broke out in tears as she is now no longer in a position to go to the tehsildar's office to collect her pension. The old age and widow pensions continue to be dispensed once every five months rendering much of the benefits of this scheme for destitutes ineffective. A year ago the administration had indicated that this problem could be overcome by posting one additional clerk to the block office. Despite their assurance to do so, even today no clerk has been posted, and 4-5 month delays in pension payments take place. Similarly, the national family benefit insurance scheme has provisions for payments of Rs. 10000/- to be made within four weeks of the death of the main earning member. However payments are being made over a year late, with many cases pending. Sanctioned cases are also pending under the maternity benefit scheme. All these schemes have been covered by the Supreme Court directives, and delays in payments constitute flagrant violations of the court orders. The most disturbing aspect however is the fact that these delays continue even a year after they were brought to notice publicly.

Other Development Programmes (PMGSY & DPIIP)

The meeting also reviewed the more recent Government development programmes being run in the area. There was for instance a consensus and anger amongst the people regarding the provisions of the PMGSY which allowed for such works to be given on contract. In an area where there is such rank unemployment and poverty, having a government road building programme which allows the roads to be built by machines amounts to depriving the people of the area of their greatest need- employment. A resolution was passed demanding that all such works must have a ban on the use of machines.

The World Bank funded District Poverty Initiative Programme was also presented by the District Project Manager. Several questions were raised about the lack of involvement of people in the initial planning process of the programme. For a programme that is to have an expenditure of 100 crores in the District, the lack of involvement of people in determining the programme design and norms was of some concern. This was of particular importance given the completely new sets of implementation and monitoring mechanisms where Government responsibility ends at the District level and all implementation is through NGOs. The implications for existing and new monitoring and accountability mechanisms needed to be considered and discussed critically by all people concerned.

Report prepared by Reetika Khera for the MKSS

Note: The licenses of the three ration dealers whose records did not match the entries on the ration cards presented at the meeting, have been suspended a few days after the meeting.

Article in the Hindu on the Jawaja Peoples Health Assembly

A new movement in health sector

By Sunny

Sebastian

JAWAJA(AJMER),

FEB.1.

The Right to Information Movement, instrumental in unearthing many a scam at the panchayat level in Rajasthan in the past, entered the portals of health sector this weekend making people aware of the services they are entitled to get from the Government but are mostly denied.

The Mazdoor Kisan Shakti Sangathan (MKSS), the first to take up the issue of Right to Information and transparency in the spending of public funds, initiated the "People's Health Assembly" in this bloc level town to make health the rallying point for the poor citizens in the difficult times of privatization and globalisation.

It was a somewhat curious gathering of local people, experts and volunteers from the country and abroad that listened to what happens in the Rajasthan countryside when the dog bites a man. A panel, headed by Shekhar Singh, president of International Task Force on Right to Information and Aruna Roy, Magsaysay Award winner listened to villagers talking on cobra bites, deliveries and abortions in the rural country-side of India.

"Increased demand from our constituents -- who are the poor people -- made us take up the health sector reforms. Till recently MKSS role in health sector was confined to ensuring that people got a fair deal from the health officials," Ms. Roy, back from the World Social Forum, observed.

"This is not a public hearing. It is a health forum," Ms. Roy said addressing the gathering from various parts of Ajmer district which was almost unanimous in expressing their dissatisfaction over the health sector services.

"Our people cannot afford privatization yet," Ms. Roy noted as the crowd, mostly of village woman chanted the by now well known MKSS slogan, "Hum apna adhikar mangte; Nahin kisi se bheek mangte" (We want our rights; not anyone's favour).

It was not a "jan sunwai"(public hearing) per se going by the extensive homework MKSS does before it undertakes such an "expose" of the system for this was only an entry point exercise. However, this time too MKSS had its teams visiting villages in Jawaja bloc and discussing their health problems months in advance.

MKSS also tried to collect records from the State Health Department and local community health centre at Jawaja making use of the provisions of the Right to Information Act in the State. "It took us one month and three days to get information from the Health Directorate" Lal Singh, the MKSS activist who unravelled the data on dog bites noted.

The Health Assembly took up the issues of tuberculosis, malaria, delivery cases, free medicines for those below the poverty line and the poorest among the poor (Annapoorna category). The four-hour long discussions witnessed sick people coming forward to seek immediate medical attention and poor persons questioning the relevance of the white (BPL) and red (Annapoorna) cards in their possession.

It was not surprising that the women folk voted vehemently against the maternity and facilities made available to them as none of them had the personal experience of any of the facilities coming free at the time of child birth or abortion. The dog bites became a sore point as the villagers argued with the representatives of the health sector, led by D.K.Mangal, officer on special duty at the Department of Health.

The MKSS survey had revealed that none of the 33 dog bite cases it examined over a period from March 2003 to January 20, 2004 in Jawaja bloc had received the customary 14 injections. However, Dr.Mangal explained that the need for 14 injections was not there in each case of dog bite.

"The struggle for information is the struggle to open up political space," said Tom Blanton, director of the National Security Archives, USA who is part of the Task Force on Right to Information.

It was not bloodletting of the Government functionaries alone at the Health Assembly. It tried to educate the people on the health matters and also exhorted them to donate blood as Ms.Roy and a host of others volunteered to donate blood at the Jawaja hospital nearby.

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