

**WORK FOR ALL
AT A LIVING WAGE**

**Towards an Employment Guarantee
Act**

January 2004

CONTENT*

Introduction

Factsheet on the right to work and employment guarantee (Paschim Banga Khet Majoor Samity)

Right to food and right to work (Jean Drèze)

Maharashtra's Employment Guarantee Act

A draft Employment Guarantee Act for Rajasthan

Sample leaflet on the right to work

* This booklet has been prepared by the support group of the “right to food campaign” for circulation at the World Social Forum (Mumbai, January 2004). It presents an initial collection of recent writings on this issue, for information and debate. The views expressed are those of the individual authors.

For further information on the right to food campaign, see the campaign website (www.righttofood.com) or send a line to right2food@yahoo.co.in.

Introduction

Recent events have led to a revival of interest in the right to work as a basic right of all Indian citizens. A growing number of organisations around the country are campaigning for different aspects of the right to work: an “employment guarantee act”, a check on the spread of labour-displacing machinery, the enforcement of minimum legal wages, and worker control of natural resources, among others. This booklet is a preliminary compendium of recent documents on this issue.

Further material (in English and Hindi) is available on the website of the right to food campaign (www.righttofood.com), and more is in the process of being assembled. If you have any comments or suggestions, please send a line to right2food@yahoo.co.in

Factsheet on the Right to Work and Employment Guarantee Scheme*

Is the Right to Work a Utopian demand?

Regular employment at a living wage is the dream and the first demand of the poor in our country. A majority of the poor in India continue to live in rural areas and depend on wage labour for their survival. Guaranteeing the right to work calls for an “Employment Guarantee Act” (EGA), whereby the Government is legally bound to provide work to all those who are able bodied. This would enable people not only to feed themselves and their families, but also to achieve a minimum standard of living. This is not a Utopian idea. Indeed, the state of Maharashtra passed an Employment Guarantee Act as early as 1979. Since then, it has been providing employment to lakhs of the rural poor every year under the “Employment Guarantee Scheme” (EGS).

What is the Maharashtra Employment Guarantee Act?

According to Article 3 of this Act, "Every adult person in the rural areas in Maharashtra shall have the right to get a guaranteed employment for doing unskilled manual work and to receive wages thereof weekly, or in any case, not later than a fortnight".

To get work, all unemployed rural adult persons are to be given an identity card after registration at the nearest block office. Work is to be provided within a fortnight after registration within five kilometres of the worker's house. The worker is paid a wage equal to the minimum wage for agricultural labourers for the lowest zone in Maharashtra as fixed by the State Government from time to time. Where the Government is unable to provide employment, an unemployment allowance of Rs. 2 per day is paid.

* Note prepared by Paschim Banga Khet Majoor Samity, April 2003.

What are the other facilities available for workers under the Maharashtra EGA?

Other facilities provided are free medical facilities and half the daily wage rate for injuries; in case of death at the work-site, Rs. 5000/- to the next of kin of the deceased; in case of disablement, an ex-gratia payment, which in any way will not exceed Rs. 5000/-. Crèches, temporary accommodation and water are also to be provided at work sites.

How did the scheme start?

Progressive politicians, bureaucrats and social activists began experimenting with EGA type pilot projects in 1965 in order to tackle the problem of rural poverty. These experiments were given a boost during the major drought that affected Western Maharashtra during 1972-74. The massive and relatively successful public works programme provided a stimulus for its continuation in the post drought period. There were also agitations by left parties and trade unions for drought relief. This movement also supported the demand for a permanent programme like the EGS. This finally led to the passage of the Maharashtra Employment Guarantee Act of 1977.

How is the scheme financed?

The Maharashtra State Tax on Professions, Trades, Callings and Employments Act of 1975 details the financial mechanisms through which EGA is to be supported. The Act provides an exclusive revenue stream for the scheme. There are five specific taxes under the act, of which the most important is the 'professional tax' that is borne mainly by registered professionals and formal-sector employees in the urban sector. The state government makes a contribution to the EGS Fund that matches the yield from these dedicated taxes.

Is the Maharashtra EGA a complete success?

In spite of these progressive provisions, Maharashtra EGA has not been a success story all along. Shortcomings include low wage rates; low turnout of the unemployed at the work sites due to lack of information; non-payment of compensation to the registered job seekers owing to lack of organised demand; submission of false and inflated muster rolls by Government officials etc. Unless rural labour is organised, it is very difficult to remove flaws and to raise the government-fixed minimum wages to a level that ensures a minimum standard of living. In spite of the provision that wages should be paid within two weeks of completion of the job, there are inordinate delays in the payment of wages also.

Why are we asking for an Act like the Maharashtra EGA in spite of these problems?

The experience with employment schemes like NREP, RLEGP, JRY, EAS and now Sampoorna Grameen Rozgar Yojana (SGRY) has been even worse than with the Maharashtra EGA. Funds can be reduced or increased at the whim of the Government in power. Work is often not given to those asking for it even if funds are lying unutilised, and workers cannot force the Government to give them work as no rights accrue from these schemes. In contrast, EGA provides rural labour with a right to employment enforceable through a court of law – something that cannot be taken away with a change of Government. This is the biggest advantage of EGA, as activists see it. Secondly, the funds under the Act cannot be used for any other purpose. And lastly, it also means that a large number of rural workers, instead of working for many different employers, work together at a single site, making them easier to organise.

What is the history of the demand for an EGA type Act in other parts of India?

The movement for EGA at the national and state levels was especially strong in the late 1980s and early 1990s. Amongst the national-level actions was a national seminar in Kolkata in 1989, a cycle rally with over 1000 cyclists from various parts of India to Delhi in 1989, a national convention at Delhi that was attended by the then Finance Minister Madhu Dandavate, and various campaigns in the states of Tamil Nadu, Andhra Pradesh, Orissa, West Bengal, Karnataka and Maharashtra. During that period, all Left and socialist unions also held a huge rally at Delhi demanding the Right to Work.

What has been the response of the Government?

The movement for EGA also began to have an impact on the Government. At the State level, both Tamil Nadu and Andhra Pradesh adopted pilot schemes in a few districts. At the Central level, a meeting of the National Development Council (NDC) in October 1990 endorsed the principle of making employment generation the central focus of development planning in order to achieve the goal of Right to Work for all. It was also suggested that legislation be adopted to provide an immediate work guarantee to the poorest people. This legislation and the schemes suggested were in line with the Maharashtra EGA. The National Development Council also set up a committee to examine the legal, operational, organisational and financial aspects of the approach and to give it a practical shape. Estimates

were also made of the funds required for the scheme at the national level. The Central Government, however, fell soon afterwards, so the plan was shelved.

On 31 July 1991, the National Commission on Rural Labour (NCRL) submitted its report and recommended that for the betterment of agricultural labourers, the Right to Work should be accepted as a Fundamental Right with certain qualifications and an Employment Guarantee Act should be enacted to implement this.

A few years later, the Central Government adopted the Employment Assurance Scheme (EAS) as a limited way of providing guaranteed employment for 100 days, though it did not receive any statutory backing.

Why are we raising the demand for an EGA type Act today?

The demand for an EGA is particularly timely for several reasons. First, planners and policy-makers seem to think that “micro-credit” schemes are the ideal way of dealing with poverty and unemployment. This is in spite of consistent evidence that these schemes by-pass those who have labour as their only asset. Experience also shows that micro-credit can at best provide a small supplementary income to a few families and cannot deal with large-scale unemployment and poverty. It is important that the demand for employment guarantee be raised today to counter such thinking.

Secondly, the Supreme Court hearing on the right to food (PUCL vs. Government of India and others, 2001) has already focused attention on the huge stockpiling of foodgrains and the problems in utilising these. Employment Guarantee Schemes where half the wages are paid in kind are a constructive way of dealing with these stocks. In addition, the Supreme Court has also given orders on the Sampoorna Grameen Rozgar Yojana, providing some assurance of work.

Thirdly, there is a crying need for employment in drought-affected areas, where rural labourers have been deprived of employment for long periods of time. Drought conditions have led to intensified hunger, poverty and unemployment in large parts of the country.

Finally, employment opportunities in the agricultural sector have shrunk over the last decade of economic reforms. With few jobs being generated in other sectors, unemployment is the most burning problem facing the rural poor.

How much would a national Employment Guarantee Act cost?

There are several ways of estimating the cost of a national EGA. Different methods lead to different results, but most of them suggest that the total annual cost would be of the order of 1.5 to 2 per cent of India's GDP. An illustrative calculation is presented below.

Experience shows that not all the rural poor take up wage employment under an Act such as the EGA. In Maharashtra, about one fifth of all eligible persons report for work. If similar participation rates apply elsewhere, and if people below the poverty line are taken as the target group, the number of person-days of employment to be generated would work out as follows.

Total rural population as per 2001 Census	(in crores) 74.2
Total rural population below the poverty line (27%)	20.0
Total adult working population below the poverty line (40% of the population below poverty line)	8.0
Number of people reporting for work (20% of the adult working population)	1.6
Total person-days to be generated, @ 200 person-days per year (assuming that each worker gets 90-100 days of work elsewhere)	320

Assuming an average cost of Rs 100 per day (say, Rs 60 for wages and Rs 40 for materials), the total cost of an EGA would therefore be of the order of Rs 32,000 crores per year. This is about 1.5% of India's total GDP.

If, say, half of the wages are paid in kind in the form of 5 kgs of grain valued at Rs 6 per kg, the total cost can be further broken down as Rs 22,400 crores plus 16 million tones of grain. The grain component should not be difficult to meet in the near future, given the availability of enormous food stocks, and the cash component would come down to 1% of India's GDP.

What are the possible demands of a campaign for the Right to Work?

The demands that can be put forward by the campaign are as follows:

- i. The enactment of an Act guaranteeing employment for rural workers in all States and at the Central level on the lines of the Maharashtra Act;
- ii. Employment must be given at a minimum wage that ensures a decent standard of living for all workers for 8 hours of work;
- iii. If employment is not provided within 15 days of application, workers must be compensated at the minimum wage;
- iv. The participation of rural people in the planning and implementation of works should be made compulsory by the Act;
- v. Accounts under the Act must be open to public scrutiny;
- vi. All policies that are labour displacing must be stopped and reconsidered;
- vii. All funds under the Sampoorna Grameen Rozgar Yojana must be utilised to provide work immediately and must not lie unspent.

Right to Food and Right to Work

Jean Drèze*

The “rights approach” to development has received a good deal of attention in recent years. The notion is attractive, but its practical implications are often far from transparent. India, however, is one country where the rights approach to development seems to be taking shape within specific but non-negligible domains.

For instance, there is wide recognition today of elementary education as a fundamental right of all Indian children, and this growing acceptance of the right to education has played an important part in the rapid progress of school attendance in the nineties. Similarly, India’s “right to information” movement is a visionary response to the disempowerment of the underprivileged in many walks of life due to the inaccessibility of public records. More recently, the right to food has been invoked by citizen’s organisations to challenge the scandalous accumulation of gigantic food stocks against a background of widespread hunger.

A natural extension of these efforts is to demand the “right to work”. The right to work is indeed the best protection against hunger and poverty. Access to gainful employment is also an important basis of participation in the society.

An important step towards the realisation of the right to work has been made in the state of Maharashtra. According to the state’s “employment guarantee scheme” (EGS), unanimously approved by the State Assembly in the early 1970s, every citizen has a right to be gainfully employed on public works at a basic wage, if he or she demands it. In practice, Maharashtra’s EGS falls short of an actual work guarantee, as state

* Initially published in *FIAN* magazine (German edition), 2002.

authorities often succeed in evading their responsibilities in this respect. Nevertheless, the scheme has considerably strengthened the bargaining power of the rural poor in demanding gainful employment. On an average day, EGS worksites employ about half a million labourers, most of whom belong to the poorest sections of the population. Recent studies highlight a number of secondary benefits from the programme, such as the creation of productive assets, higher agricultural wages, reduced rural-urban migration, and significant changes in local power structures. The scheme is particularly important for women, who constitute more than half of the EGS labour force.

Elsewhere in India, there is a long tradition of labour-intensive rural works programmes, especially (though not exclusively) in years of drought. These programmes, however, are not based on the right to work. They are just additional employment opportunities provided by the state, as and when resources and commitment are available. There are several reasons why a guarantee of employment, as opposed to ad hoc provision, would make a real difference.

First, a guarantee of employment would strengthen the bargaining power of those who are demanding work. This consideration is paramount, given the pervasive problem of official inertia in the absence of organised public pressure.

Second, a demand-driven approach would ensure that employment is provided where and when it is most needed. When employment is allocated from the top down, the whims of bureaucrats or the political affiliation of the local MLA (Member of Legislative Assembly) often matter more than the real needs of the people.

Third, an employment guarantee scheme would also facilitate the inclusion of the poorest of the poor in employment programmes. When employment opportunities are limited, those with greater clout and better connections (among potential workers) tend to get the work at the expense

of the more vulnerable. In contrast, an open-ended employment guarantee gives full play to the principle of “self-selection”, whereby the poor are free to decide whether or not they wish to participate in the programme.

Fourth, the right to work brings an element of predictability in people’s lives. Today, labourers cannot count on employment being provided to them during the lean season. The result is massive seasonal migration, especially in dryland areas. An employment guarantee programme would give labourers greater confidence in the prospect of local employment, and discourage seasonal migration.

Last but not least, a legally binding employment guarantee programme is likely to be far more durable than ad hoc employment schemes. Maharashtra’s EGS has already lasted for nearly three decades, in spite of major changes in political leadership over the years. By contrast, other employment programmes have tended to be fragile and short-lived. Within the last three years alone, several employment programmes sponsored by the central government have come and gone.

There is, in short, a strong case for the introduction of a nation-wide employment guarantee programme, building on Maharashtra’s experience in this respect. The programme needs to be legally binding, if it is to have any teeth. The case for an employment guarantee is particularly strong at this time, when more than 60 million tonnes of foodgrain are lying idle in public warehouses across the country. These resources provide a unique opportunity to make the right to work a reality.

Maharashtra's Employment Guarantee Act*

INTRODUCTION

With a view to alleviating poverty by providing gainful employment to the poorer sections of the community in rural areas as well as 'C' class municipal councils in the State, the Employment Guarantee Scheme (EGS) was started in the year 1972. The State Government has given the statutory support to the guarantee of employment through the enactment of the Maharashtra Employment Guarantee Act, 1977, which has been brought into force from 26th January 1979.

AIMS AND OBJECTIVES OF THE SCHEME

The principal aim of the Employment Guarantee Scheme is to provide gainful and productive employment to the people in rural areas and in the areas of 'C' Class Municipal Councils, who are in need of work and are prepared to do manual labour but cannot find it on their own. The employment has to be gainful to the individual and productive to the economy of the State. The guarantee to provide work has been restricted to unskilled manual work. The fundamental objective of the scheme is to undertake the works which will be durable community assets and to link the wages with the quantity of the work done.

SALIENT FEATURES

- (1) All adult persons residing in villages and 'C' Class Municipal councils areas are covered under this programme. However, a person who is more than 15 years old but less than 18 years can also be given employment under this scheme if there is no earning member in the family.
- (2) The guarantee is given at the district level. The person demanding the work has no choice of particular work. The guarantee is to provide work anywhere in the district, though operationally works are normally provided within the Panchayat samiti area. If the work is not available within the radius of 8 km. where the employment seeker lives, then work is provided beyond 8 km. from his residence anywhere in the district, with necessary camping arrangements and travelling expenses (once while going to the work and again after completion of work or closure of work, for returning to residence).
- (3) The works are implemented through the Government Departments, like Irrigation, Public Works, Agriculture, Water Conservation, Forest, and Zilla Parishads (referred to as implementing agencies).

* This note is extracted from a recent plan document of the Government of Maharashtra.

- (4) Employment seeker has to get his name registered under this scheme with the Registering Authority of the village i.e. Talathi or Gramsevak by filling form No. 1 prescribed under rules. Thereafter he/she has to ask for employment under EGS from Samiti Officer (Tahsildar) or from Registering Authority in the concerned village by filling form No.4. The Samiti Officer has to provide work under the scheme within 15 days after the receipt of application in form No. 4 i.e. “demand for work”. The employment seeker is required to declare that he will work for a continuous period of at least 30 days on the work to which the Samiti Officer has directed. The Samiti Officer directs the employment seeker to the implementing agency of the work by giving the employment seeker directive in form No. 7. The implementing agency has to employ the person on the work, if the person presents himself on work within 7 days of the receipt of the letter issued by the Samiti Officer. Failure to provide employment creates the liability on the State for payment of unemployment allowance at the rate of Rs. 2 per day.
- (5) Only productive works are permitted under the scheme. With a view to minimise the recurrence of drought in the State, it has been prescribed that moisture conservation and water conservation works should be given priority. Accordingly, priority of works is fixed as follows:—
- (a) Moisture and water conservation-Labour intensive components of major and medium irrigation projects, canal works, state and local sector minor irrigation , percolation and village tanks and underground bandharas.
 - (b) Soil conservation and land development works.
 - (c) Afforestation.
 - (d) Road works both Plan & Non-plan.
 - (e) Integrated Watershed Development Programme.
- (6) The works, which have unskilled wage component of more than 60 percent of the total cost of work are permitted under the employment guarantee scheme. For road and tank works this percentage is required to 51 percent.
- (7) The works are invariably executed departmentally by engaging labourers on muster rolls. The labourers are however, not paid according to the number of days they remain present on the work but are paid according to the quantity of work done on the basis of rates fixed for different items of work. These rates for different items are so fixed that an average person working diligently for 7 hours a day, should earn wage equal to the minimum wage prescribed for agriculture labour for the concerned zone viz. Zone I - Rs.51/-, Zone II - Rs.49/-, Zone III- Rs.47/-, Zone IV - Rs.45/- per day. under the Minimum Wage Act.
- (8) Ex-gratia payment upto Rs.10000 is admissible in case of death or disablement of a worker on the work.
- (9) Welfare amenities are provided to the workers such as drinking water, creches, rest shade, first aid facilities, etc.

PLANNING OF WORKS

The Collector prepares an annual plan for employment guarantee scheme works in his district for the period from 1st October to 30th September of next year. In addition to ongoing schemes, a shelf of approved schemes is kept ready so that the employment that can be provided (measured in terms of mandays) is 150 percent of the expected employment need during the ensuing year.

SANCTION AND IMPLEMENTATION OF WORKS UNDER E.G.S.

The Collector is empowered to sanction works costing upto Rs.50 lakhs and the Commissioner upto Rs. 75 lakhs. Works costing above Rs.75 lakhs are to be approved by the State Government.

CONDITIONS FOR STARTING WORKS

The full requirement of labour of agriculture sector as well as that of plan and non-plan works of the government/Local bodies should be first met. Thereafter labour requirement of existing on-going EGS works should be fully met. New EGS works can be started thereafter. New works under the scheme can be commenced if only (a) at least 50 labourers become available for that work, and (b) the workers cannot be absorbed on the on-going EGS/Plan, Non-Plan works or schemes. However, exception can be made for works in hilly areas. Similarly, afforestation works also can be taken up wherever necessary to do so.

ORGANISATIONAL ARRANGEMENT FOR IMPLEMENTING THE SCHEME

- (1) Three tier administrative set up has been evolved to ensure close and effective liaison and continuous supervision over the programme. Committees for Planning, Direction, Control and Co-ordination have been set up at the State, District and Panchayat Samiti level.
- (2) At the State level, the Planning Department is overall in charge of the programme covering all aspects of planning administration, provision of funds, monitoring and evaluation of the programme.
- (3) The Commissioner of the Revenue Division controls EGS works in his Division.
- (4) The Collector is overall incharge of the programme at the district level.
- (5) At Panchayat Samiti Level, the Tahsildar has been assigned the function of the assessment of demand for employment and deployment of labourers on different works in the Panchayat Samiti area.
- (6) The Planning Department makes a budget provision and releases the quarterly credit limits to the Collectors. The Collectors have discretion to make further releases to the implementing agencies at the district level who in return release funds to the sub-divisional officer for payment of expenses incurred on implementation of the works. An account of expenditure is required to be maintained by the implementing agencies at

the primary and district level in accordance with the normal procedure laid down by the Government.

- (7) Weekly and Monthly Progress Reports have been prescribed for the E.G.S. These reports are sent by the implementing agencies to the Collectors for onward transmission to the Planning Department. The information in regard to the number of works in progress, labour potential, labour attendance at the end of the week etc. is obtained in the weekly report. The category, number of works sanctioned, completed and in progress, employment potential of these works, actual mandays generated at the end of the month, the total wage component of expenditure incurred during the month are obtained in the monthly progress report.

INSPECTION AND VIGILANCE

- (1) The inspection and the vigilance duties are assigned at the divisional level to the Commissioner with the assistance of the Officer on Special duty in each division. In addition to this, Collectors, Chief Executive Officers of Zilla Parishads, Deputy Collectors, Tahsildars and Supervisory Officers of the implementing agencies are duty bound to supervise and inspect the E.G.S. works, as per the norms prescribed.
- (2) To minimise the malpractices, the Divisional Commissioner has been empowered to take disciplinary action against implementing officers of Employment Guarantee Scheme under the Maharashtra Conduct, Discipline and Appeal Rules. Further, a High Level Vigilance Committee under the Chairmanship of Secretary (Rural Employment) has been constituted. Vigilance squads have also been constituted at District/ Divisional and State levels. The labourers have been given identity cards-cum-wage books in which their attendance and the wages received by them are shown, which also helps in reducing the instances of malpractice.

RESOURCES

In order to raise resources for the implementation of the scheme, the State Government has levied special taxes as shown below: —

- (1) Tax on profession, trades, callings and employment.
- (2) Additional tax on motor vehicles for Employment Guarantee Scheme.
- (3) Additional tax on Sales Tax for the Employment Guarantee Scheme.
- (4) Special assessment of irrigated agriculture land.
- (5) Surcharge on land revenue for Employment Guarantee Scheme.
- (6) Tax on non-residential urban lands and buildings under Maharashtra Education Cess Act, for Employment Guarantee Scheme.
- (7) The State Government has to make a matching contribution equal to the net collection of taxes and levies as mentioned above every year.

PEOPLE'S PARTICIPATION

- (1) Consequent to the keen interest evinced at all levels in the rural employment programme, the State Legislature has constituted a special Legislature Committee to examine, assess and evaluate the working of the State's employment guarantee scheme, with special reference to benefits accrued to and the impact made on the people employed under the scheme, and to find out the deficiencies and shortcomings, if any, and to suggest measures to remove them and to improve the said scheme.
- (2) At the district and Panchayat Samiti levels, District and Panchayat Employment Guarantee Committees respectively are appointed. In such committees, persons belonging to the backward classes, representatives of labourers, women are included on these District and Panchayat Committees.

Draft Employment Guarantee Act for Rajasthan: A Summary*

A draft “Employment Guarantee Act” for Rajasthan has been prepared by a group of concerned citizens. The essential features of the proposed Act are as follows:

The right to work

- The aim of this Act is to safeguard the right to work. The fundamental entitlement defined by the Act is as follows (section 3):

Every adult in the rural areas of Rajasthan shall have a right to guaranteed employment for doing unskilled manual work at the statutory minimum wage, and to receive the wages thereof within a fortnight, in accordance with the provisions of this Act and the Programme made thereunder.

The Employment Guarantee Programme

- In order to give effect to the right to work, the Act directs the state government to implement an Employment Guarantee Programme (EGP), analogous to Maharashtra's "employment guarantee scheme".

- Works taken up under the EGP are expected to be productive, in the broad sense of contributing directly or indirectly to economic progress or the quality of life.

- Employment is to be provided within the Panchayat Samiti, preferably within a radius of 5 kilometres of the village where the applicant resides.

* For the full text of this draft Act, see www.righttofood.com (“right to work” section).

Labourers employed outside this radius are entitled to transport and daily living allowances.

- At the work sites, labourers are entitled to facilities such as safe drinking water, child-minding, and medical treatment of injuries.

- Applications for work are to be submitted in writing at the Panchayat Samiti office. Group applications of 15 persons or more may be submitted through the Gram Panchayat.

- If a person does not get work within 15 days of applying, he or she is entitled to an "unemployment allowance", no lower than one fourth of the statutory minimum wage.

Institutional Arrangements

- The implementation of EGP works shall follow the same basic procedures as those presently applicable to drought relief and other rural works programmes in Rajasthan.

- The Act attempts to take on board the present trend towards decentralised and participatory governance in Rajasthan. For instance, the main implementing agency at the village level is the Gram Panchayat, and the Gram Sabha and Ward Sabhas are centrally involved in the planning of EGP works.

- The Block Development Officer is responsible for matching the demand for work with available EGP employment within the Panchayat Samiti area.

Transparency, Monitoring and Redressal

- The Act provides for every implementing agency to be accountable to an independent monitoring body. For instance, the work of the Gram

Panchayat is to be monitored by the Gram Sabha, e.g. through periodic social audits. At the state level, the EGP will be monitored by an independent Employment Guarantee Council, answerable to the State Assembly.

- Various provisions have been made to ensure transparency at all levels. For instance, the details of each project are to be clearly displayed on a board close to the site after completion of the work. Similarly, a copy of the muster rolls of each project taken up by the Gram Panchayat is to be posted at the Gram Panchayat office until such time as the wages are paid.
- The Act outlines specific mechanisms for dealing with any complaints that may arise in the implementation of the Employment Guarantee Programme.

Employment Guarantee Fund

- The costs of the EGP are to be met from an “Employment Guarantee Fund” established for this purpose. Ideally, the resources for this fund would come from three sources: (1) a bundle of “dedicated taxes”, (2) a matching contribution from the state government, and (3) a matching contribution from the central government.
- Gram Panchayats, Panchayat Samitis and Zila Parishads will be receiving fixed shares of the project funds (initially 74%, 15% and 11% of total project funds, respectively).
 - The Employment Guarantee Fund is also expected to be used for disbursement of unemployment allowances, payment of salaries of supporting staff, compensation in the event of disability or death, etc.

हर हाथ को काम दो! काम का पूरा दाम दो!!

काम का अधिकार क्यों जरूरी है ? इसलिये कि:

- काम के बिना कमाई नहीं होती ।
- कमाई नहीं तो भोजन नहीं होता ।
- भोजन नहीं तो जीवन नहीं चलता यानी काम का अधिकार नहीं तो जीवन का अधिकार भी पूरी तरह हासिल नहीं ।

और जीवन का अधिकार

- हर मनुष्य का पहला जन्मसिद्ध अधिकार है । यानी सबसे बड़ा मानव-अधिकार है ।
- इसलिये हमारे संविधान का सबसे बड़ा मौलिक अधिकार है । लेकिन काम के अधिकार के बिना अधूरा है ।

काम का अधिकार कैसे बहाल किया जा सकता है ?

- रोजगार गारंटी कानून बनाकर जैसा महाराष्ट्र ने बनाया है ।
- रोजगार न दे पाने की हालत में सरकार बेरोजगारी भत्ता दे ।

यह रोजगार गारंटी कानून क्या है ?

- इस कानून के तहत किसी भी नागरिक द्वारा रोजगार के लिए पंजीकरण कराने पर सरकार उसे उसके गांव के पास ही 45 दिन के अन्दर अकुशल श्रम आधारित रोजगार उपलब्ध कराती है ।

रोजगार गारंटी कानून के क्या फायदे हैं ?

- यह कानून गरीबों को न्यूनतम आजीविका और सुरक्षा-कवच प्रदान करता है ।
- सभी लोग रोजगार के हकदार हो जाते हैं और न्यूनतम रोजगार के लिए किसी की कृपा व खुशामद पर नहीं निर्भर रहना पड़ता ।
- गांव में या उसके पास रोजगार मिलने पर पलायन या विस्थापन में कमी आती है ।
- सीमित काम के लिए ग्रामीणों में आपसी छीना-झपटी नहीं होगी एवं ए.पी.एल और बी.पी.एल के बीच इसे लेकर झगड़ा नहीं होगा ।
- गांवों में अलग से छोटी-छोटी योजनाओं की जरूरत नहीं रहगी एक ही समन्वित योजना से काम चल जायेगा
- बार-बार अकाल या बाढ़ की मार से बचने के लिए योजना बनायी जा सकेगी । पानी रोकने खेती सुधारने पेड़ लगाने आदि का काम हो सकेगा । गांव में आधारभूत ढांचा विकसित हो सकेगा ।
- रोजगार मिलेगा तो स्वास्थ्य और कुपोषण पर खर्चों में कमी होगी । बच्चों को शिक्षा और संपूर्ण विकास का मौका मिलेगा ।

पूरे हिन्दुस्तान का एक ही नारा । काम का अधिकार हमारा ।।

समर्थन समूह *मूख से मुक्ति का अधिकार अभियान फोन ६ फ़ैक्स 91.11.51642147*

ई-मेल right2food@yahoo.co.in