



Transparency Review

Journal of Transparency Studies

LATEST CORRUPTION STUDY

POOREST OF POOR THE VICTIMS

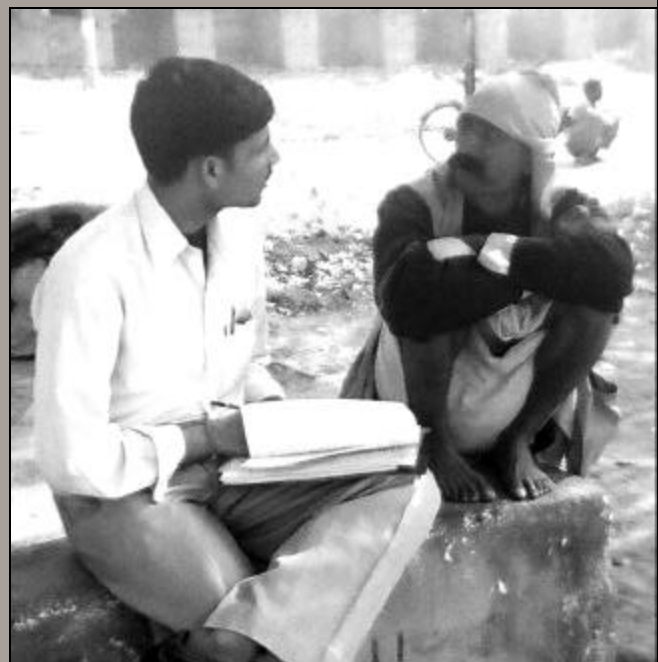
With media regularly exposing high-level scams, we have become inured to corruption. Though the booty runs into hundreds of crores, it seems to have little effect on middle class life. The money pouring into malls, housing estates, new cars and luxury goods suggests that some of us may be beneficiaries rather than victims of the virus. Paying bribes has become little more than a nuisance, the grease to get things done; taking it attracts little opprobrium.

The real cost of corruption falls on those least able to pay; on those crippled by the demand for a few rupees. Their fate does not make headlines though the suffering involved may be immense. The millions belonging to the BPL, or Below Poverty Line, category, live on the edge of survival. They are the poorest of the poor. Their plight is officially recognised by the funds sanctioned to alleviate their distress. But they are least capable of complaining or securing media attention as bribes are demanded for funds and facilities meant for them. The extent of the scam and the human tragedy involved is exposed by the latest TII-CMS corruption study summarised in this issue.

The study brings out the shocking fact that as many as one-third of the millions of BPL families in our country pay bribes to secure access to services to which they are entitled. Figures do not bring out the tragedy for the victims as much as personal accounts of their suffering. In Kanpur, for instance, Dalip, the husband of Devorani, a young dalit mother aged 25, had to pay Rs 500 for admission to a hospital when the birth of a child was imminent. This, in spite of

the fact that maternity cases should be admitted free and the mothers get an allowance of Rs 1,400. After childbirth, Dalip was asked for an additional Rs 1,000, which he did not have. Devorani was ejected from the hospital though bleeding and unconscious. She died in her village.

Shanti, an ageing widow in Naupada village in Orissa forced to work as an agricultural labourer, thought she would get a permanent shelter when she heard that her name featured in the Indira Awas Yojana list for a house. Illiterate, she asked the Sarpanch for help with the formalities, but he demanded Rs 5,000. Unable to pay, she watched while the house was allotted to someone else.



Editor: Ajit Bhattacharjea

CONTENTS

The Virus Hits BPL Families - 2

A TII-CMS Survey on corruption across the country shows how corruption has hit the poor

Some Positive Trends
(N.Vittal) - 11

The former Chief Vigilance Commissioner look at the brighter side of the country

NREGS

Transforming Rural India
(Lalit Mathur) - 13

A former civil servant writes about the changes in rural life brought by the rural Job scheme

A Lifeline for the Poor
(P, Sainath) - 16

The author draws a vivid picture of how the scheme has benefited the poor, who seem to want it stretched beyond the present minimum 100 days

Murder of Activist - 18

A report on the murder of an activist of NREGS in Jharkhand allegedly by a mafia

RIGHT TO INFORMATION

CIC Pulls UP Department - 20

Personnel Department, told to show file noting

RTI Magic Wand For Villagers - 21

Thousands of villagers are now using RTI

Letters To The Editor

The coverage given to the National Rural Employment Guarantee Scheme (TR April Issue) is very exhaustive and rightly so as the issue deserves national attention. You might be knowing that I was Secretary to the then Chief Minister of Maharashtra, late Sh Vasant Rao Naik, who started for the first time in India an Employment Guarantee Scheme early in 1970s. Of course, the then Speaker of Maharashtra Assembly late Sh Page gave very valuable intellectual guidance and practical help. Maharashtra was then experiencing in 1972 very serious scarcity and famine conditions when we were employing almost five million workers.

I am happy to say that we made a success of the scheme because of full political backing, full involvement of grassroot social workers and very close monitoring. Ministers were given certain districts to look after the scheme in those areas. The State Government had imposed some special taxation to meet the financial burden in the wake of the Bangladesh war. The special levy was continued after the war was over and used to finance the Employment Guarantee Scheme. Some

novel features are required to be mentioned. With the help of Sh Arvind Mafatlal through his Trust we distributed widely supplement nutrition called Sukhadi to workers and their families. When we experienced shortage of junior engineers, we involved engineering colleges to send their students to help the department. If I remember right late Dr V. Subramaniam who was the Revenue Secretary in charge of the Scheme had produced a good substantive document on the subject.

I am therefore happy to see you are highlighting both the negatives and positives of the implementation of this revolutionary scheme to spread prosperity to the rural areas and at the same time to create infrastructure for sustainable development.

B.G. Deshmukh,
Former Union Cabinet Secretary &
Principal Secretary to the Prime Minister

This is a very valuable reference document, bringing together excellent material on RTI.

Anant Trivedi, Delhi

CORRUPTION : PERCEPTION & EXPERIENCE

In 2000, when CMS first initiated these annual studies on corruption involving citizens, some people wondered why we were frittering our resources, since corruption had become a "fact of life" in India and was beyond redemption. Even when CMS studies in 2003 and 2005 showed that corruption involving citizens had declined, however marginally, in certain public services, those who relied more on perception were skeptical. Planning Commission had in its Xth Plan Report noted that "Corruption is most endemic and entrenched manifestation of poor governance in Indian society, so much so it has almost become an accepted reality and a way of life". In the XIth Five Year Plan too, it somewhat reiterated that "good governance" is not possible without addressing corruption in its various manifestations, especially in the context of basic services. The ultimate proof of "inclusive growth", for "bridging the divide" and equity goals is the extent of access to essential services by those "below the poverty line". For, inadequate access means denying them an opportunity to share the benefits of national growth. Also because the poor are disproportionately affected by corruption since they depend more on public services.

India Corruption Studies have been concerned precisely with this aspect, in the context of the basic and need-based public services that a citizen frequently avails. A unique

feature of CMS methodology has been to recognize that corruption has two sides, each sustaining the other and reinventing itself. One is perception, the dimension which is relatively easy to talk about. The second is actual experience of corruption. Perception and experience are often two separate issues requiring separate, but parallel efforts. That is what "CMS PEE model" is all about. This model has brought out "the gap" between "Perception" and

"Experience". The other aspect is "Estimation" of total money involved in corruption. It is arguably as yet another tool to sensitize the nation about its seriousness so that corruption is not seen as "high-return-low-risk activity".

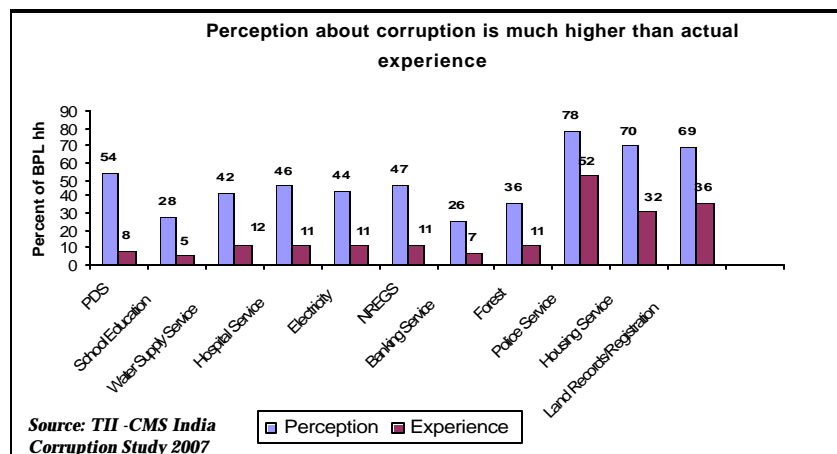
Perceptions are accumulated impressions, based on one's own immediate and past experience and those of neighbours/ friends. More importantly, perceptions these days to a

large extent are also moulded on the way corruption is portrayed and hyped, particularly, in the visual media. Experience, on the other hand, is where a citizen or household does not get the service as a matter of course, but as a discretion and in exchange for certain money as bribe or deprived of access for not paying bribe or having to use "a contact" to influence the service provider. This study also provides a benchmark for the extent of awareness about RTI Act among BPL households across the country and their use of the two-year-old Act.

The CMS Model

The uniqueness of the CMS PEE model is that it is not limited to quantifying "perception" in general terms but goes much beyond in specific context and also quantifies experience in specific contexts and in a specific time context. And then, based on both, the model estimates in monetary terms the extent of corruption in the process of citizens availing public services.

Most other indices, including the global index by Transparency International, are based only on perception. Also, a second feature of CMS PEE model is that it involves a large sample of specific users of public services in context.



THE VIRUS HITS BPL FAMILIES

This TII-CMS India Corruption Study 2007 is unique. Unlike earlier annual surveys of CMS, this Focussed on BPL households, mostly in rural India. The coverage of this study included all parts of the

Basic Services:
Public Distribution System (PDS)
Hospital
School Education (up to class XII)
Electricity
Water supply
Need Based Services:
National Rural Employment Guarantee Scheme (NREGS)
Land Records/ Registration
Forest
Housing
Banking
Police
<i>TII-CMS India Corruption Study-2007</i>

country. The study, like the earlier ones, is based on CMS PEE model where the scope is not only limited to perceptions about corruption in general, but perception in the

specific context of a service and, more importantly, actual experience of paying bribe by BPL households in availing one or more of the 11 selected public services. Depending on frequency of interaction, the eleven services are divided broadly into "basic services" (PDS, Hospital Service, School Education (up to 12th), Electricity Service and Water Supply Service) and "need based services" (Land Records / Registration, Housing Service, Forest, NREGS, Banking Service and Police Service (traffic and crime). The study does not include operational irregularities in the system and even corruption that does not involve citizens directly. This round of India Corruption Study 2007 is designed and conducted by Centre For Media Studies (CMS) in collaboration with the Transparency International India (TII).



2.0 Coverage and Methodology

The survey covered 22,728 randomly selected BPL households across the States. The fieldwork was conducted between November 2007 and January 2008. The concepts and methodology for the study were finalized after extensive consultations with experts and those familiar with the services covered.

The CMS methodology for the study involved household level sample survey exit interviews at service delivery outlets, discussions with the concerned "service providers" in each case and observations on display of information at the service delivery points, etc. Large-scale surveys spread across States of varying performance and services of distinct and different characteristics, will not have same reliability when one looks at the data from a micro level of an individual State or service.

Experienced investigators and researchers conducted the fieldwork after pilot testing of instruments and field orientation. The fieldwork was independently validated by sub-sample checks. About 150 investigators were engaged for collection of the field data and a dozen senior researchers of CMS were involved in quality control. The preliminary findings were further put through a series of extended consultations with experts. The analysis benefited from discussions with some 35 outside experts in all.

The perceptions about corruption in the specific context of the 11 services include whether corruption is viewed as having increased or declined in the last one year and whether presence of any redressal provisions were noticed or not. Similarly, experi-

ence of corruption includes actual bribe paid or use of a "contact" in availing a service in the previous one year. In this process, the study also brings out the percentage of BPL households who could not avail the particular service as they could not pay bribe or they had no "contact". Together, these three types

indicate the total size of BPL households caught in the trap or affected by corruption while trying to avail the services. For example, overall, more than 40 percent of the BPL households, who approached Police Service, Land and Housing Services in the previous one year, either (actually) paid bribe or used a contact. Relatively, higher percentage of people paid bribe in the case of "need based services" than in (the case of) "basic services". Another interesting fact is that there is not much difference in the extent of corruption that BPL households experience in urban and rural areas.

3.0 Estimation of Bribe

Based on the incidence of bribe paid by sample BPL households, an estimate is made for the total amount paid as bribe by BPL households in the country during the last one year in the eleven services. The total bribe amount involved in a year in BPL households availing the eleven services covered in this study is estimated as Rs. 8,830 million.

4.0 Services Ranked

School Education (up to class XII in Government schools) among the 11 services studied stood last in the ranks list of the level of corruption. But when one looks at this service individually, it is also entrenched in corruption involving BPL households. That Police Service stood number one corroborating the general impression. Land Records / Registration and House/Plot, which are specially tailored for BPL households, stood at two and three in the rank, a matter of concern. While the level and extent of corruption in

Ranking of Services	
Services	Rank
Police	1
Land Records/ Registration	2
Housing	3
Water Supply Service	4
NREGS	5
Forest	6
Electricity	7
Health	8
PDS	9
Banking	10
School Education (up to class XII)	11

TII-CMS India Corruption Study - 2007

Police Service was high in all States, but the ranks of other services showed variations across the states. Given the nature of need based services which are monopolistic or involve asset creation or volume, these services ranked high on corruption as compared to basic services.

5.0 Relative Position of States on Corruption

This TII-CMS India Corruption Study 2007, brought out that corruption involving citizens including BPL households, is all pervasive across the States and public services. No State or service is anywhere near "zero corruption" level. Nevertheless, taking the degree of variation from State-to-State and service-to-service, the States are

Levels of Overall Corruption in States (involving BPL households)				
(Arranged in alphabetical order)				
States by size	Levels of corruption			
	Alarming	Very High	High	Moderate
Big	Assam Bihar Jammu & Kashmir Madhya Pradesh Uttar Pradesh	Karnataka Rajasthan Tamil Nadu	Chhattisgarh Delhi Gujarat Jharkhand Kerala Orissa	Andhra Pradesh Haryana Himachal Pradesh Maharashtra Punjab Uttarakhand West Bengal
Small/UTs	Goa Nagaland	Meghalaya Sikkim	Arunachal Pradesh Manipur	Chandigarh Mizoram Pondichery Tripura

grouped into four levels to explain the extent/level of corruption based on a weightage scheme - Moderate, High, Very High and Alarming. This grouping and positioning of States is limited to interaction of BPL households in availing the eleven services covered in this study.

The grouping of States on corruption reflects relative position of States in the context of all eleven services. States under "alarming" group calls for serious introspection, restructuring and even repositioning of certain services meant for BPL households.

In Himachal Pradesh the level of corruption is "moderate" in all the 11 services studied whereas in the case Madhya Pradesh and Assam corruption level in all the 11 services was high or very high or alarming. In Delhi and West Bengal, for example, corruption level was moderate in most services surveyed.

Among smaller States (North-East and UTs), in

Nagaland and Goa, most of the 11 services had high or very high or alarming level of corruption. Whereas it was moderate in Chandigarh and Tripura.

Highlights: At National Level

☞ TII-CMS India Corruption Study 2007 confirmed a wide gap between perception and actual experience about corruption in public services irrespective of recent measures to improve service delivery and curb corruption.

☞ About one-third of BPL household, across the country paid bribe in the last one year to avail one or more of the 11 public services covered in the study, which showed that the poor were not spared even in the case of targeted programmes.

☞ In the last couple of years, several initiatives had been taken in the country to improve delivery of public services. Citizens' Charters, RTI Act, Social Audit, e-governance measures including the massive computerization, etc were among some of these. The benefits of these measures have not substantially percolated down to the poor as yet.

☞ The percentage of BPL households who paid bribes, out of those who were availing the services covered in the last one year ranged from 3.4 percent in the case of School Education to as high as 48 percent in the case of Police Service.

☞ About four percent of BPL households used a "contact" in the previous year to avail services such as PDS, School Education, Banking Services; and as high as 10 percent in the case of Housing and Land Records/Registration.

☞ Nearly two percent of BPL households could not avail PDS, School Education and Electricity, as they could not pay bribe or had no contact or influence to get access to services. In fact, in the last one year, more than four percent of BPL households could not avail Land Records/Registration, NREGS, Housing and Police Service for the same reason.

☞ The fact that most of the poor who claimed to have paid bribe did so directly to one or the other

functionary within the delivery set up was a revelation, particularly because quite often the reasons for repeat visits were absence of staff and/or their apathetic attitude. This lent strength to the perception that the poor were not a priority even in the case of some of the programmes designed for them.

☞ Procedural delays are the other reasons that made BPL households vulnerable to paying bribe or depriving them from availing the service. There is hardly any evidence in this study that IT or E-governance initiatives taken on a large scale in different States, involving some of the services, made much difference in the levels of perception about corruption or even actual experience.

☞ Police and Land Records/ Registration services stood out for their "alarming level" of corruption involving BPL households among the 11 services covered in this study. Whereas, School Education (up to class XII) and Banking Service (including postal service) came out with "moderate level" of corruption, implying that even these services were not free from corruption.

☞ As regards the relative position of States on corruption in availing the 11 public services by BPL households, Assam, J & K, Bihar, Madhya Pradesh and Uttar Pradesh had an "alarming level" of corruption, while Himachal Pradesh, Uttaranchal, Delhi and Punjab had "moderate level".

☞ The important fact is that the poor deserve better attention in getting access to public services, particularly some of the targeted programmes meant specially for them, than they seem to be getting now.

☞ Despite claims and some initiatives for redressal of complaints in services like Police, these had not helped either in reducing perceptions nor experiences of BPL households. However, in the case of Schools, and Banking Services some dent seems to have been made.

☞ Overall, in the case of Police, Land Records Registration and Housing Services in particular, a higher percentage of BPL households who tried to avail these services found that corruption had increased in the last one year.

It is estimated that bribes paid by BPL families in the last one year for availing 11 public services totalled a staggering Rs 883 crores of which the police claimed Rs 214 crores

☞ The percent of households with BPL income but not having a "BPL card" was relatively high in North-East states, West Bengal and Delhi.

☞ The study estimated that Rs. 8,830 million, in all, was paid as bribe by BPL households in the last one year, in availing 11 public services. It is estimated that the poorest households of our country paid Rs. 2,148 million to police, as bribe.

Public Distribution System

☞ It is estimated that around 47.23 million BPL households (88%) interacted with the Public Distribution System during the last one year.

☞ More than half (54 per cent) of the BPL households had no doubt that corruption existed in the PDS. In fact, around one-third of the BPL households felt that corruption had increased in the PDS service during the past year, while another 46 per cent did not notice any change in the corruption level within the service.

☞ Around 10 per cent of the BPL households either paid bribe or used contact to avail one or the other services of the PDS during the last one year.

☞ The total amount of bribe paid by these BPL households in the PDS during the last one year was estimated to be Rs 458 million.

☞ Among the reasons cited for paying bribes, getting a new ration card was reported by majority of the surveyed BPL households (44 per cent). Around 30 per cent of rural BPL households paid bribe to take the quota of ration from the Fair Price Shop.

☞ Among households interacting with PDS service for reasons other than collecting their monthly ration, around 94 per cent had to visit three times or more to avail services like getting a new ration card, to change the ration shop, among others.

☞ Three out of four BPL households, who paid bribe to avail services during the last one year, paid it directly to the concerned official/staff.

☞ More than one out of ten BPL households (13%) acknowledged that measures had been taken by the State Governments to check corruption in PDS service, during the last one year.

☞ On grievance redressal measures taken within the PDS service, every second BPL households opined that the situation had not changed in the last one year while 26 per cent felt that it had, in fact, deteriorated.

Hospital Services

☞ Around 80 per cent of the BPL households interacted with a public health service in past one year.

☞ Forty eight per cent of the BPL household believed that corruption existed in the Government health services.

☞ Out of the total BPL households who interacted, more than half of them faced one or other difficulty in getting their work done.

☞ Nearly fifty per cent of the BPL households thought that corruption had remained the same; while another one fourth felt it had increased during past one year.

☞ Almost 15 per cent of the total BPL households paid bribe or used a contact to get the service. Another 2 per cent were denied health services because they could not pay bribe as demanded in the last one year.

☞ Mostly (in 90 per cent cases) bribe was paid to the officials directly.

☞ The total amount of bribe paid by these BPL households in the Hospital Service during the last one year was estimated to be Rs 870 million.

☞ Only 14 per cent of the BPL households thought that the department had taken initiative/s to check corruption in service.

☞ A little more than one-fourth (28 per cent) of the BPL households thought that the information is available at the service delivery point.

☞ Almost 23 per cent of the BPL household thought that grievance redressal services had improved in the last one year.

Electricity Services

☞ An estimated 53 per cent (around 28.4 million) BPL households at the national level interacted with the electricity service during the last one year.



☞ The percentage of interaction of the BPL households with the department varied in three categories of States. The highest percentage (67 percent) of the BPL households interacted with the service in the last one year in better off States, followed by average rated States, where 52 percent people interacted with the service. Only 35 percent BPL households interacted with the service in the last one year in below average rated states.

☞ At national level, nearly 10 percent (2.7 million) of the BPL households, who interacted with the electricity service, paid bribe. A total estimated amount paid as bribe by the BPL households in the year was Rs. 1,040 million.

☞ Around one-third of the BPL households paid bribe for getting new connection (in rural areas 36 percent and urban areas 28 percent). The second highest percentage (nearly 23 percent) of the BPL households paid bribe to the electricity service to get their faulty meter corrected (in urban areas 26 percent and in rural areas 21 percent).

☞ At the national level, 44 percent of the BPL households felt that corruption existed in the department. As high as 49 percent BPL households in below average rated States and 46 percentage in average rated States and, comparatively low percent (38 percent) in better-rated States, felt that corruption existed in the electricity service.

☞ At the national level, nearly fifty percent of the BPL households felt that the level of corruption remained same in the last one year. Only 22 percent BPL households felt that the level of corruption in the last one year had come down. In better rated states 30 percent BPL households were of the view that corruption in the electricity service had decreased in the last one year.

☞ Of those BPL households who paid bribe, more than eighty percent (81 percent) paid it directly to the official/staff of the service.

☞ Very few of the BPL households at the national level thought that the electricity department had taken initiatives to check corruption in the department (15 percent) and that the grievance

redressal service of the department had improved (21 percent). However, comparatively a higher percentage (23 percent) of the BPL households thought that the information was easily available in the department.

School Education Services

☞ An estimated forty percent (21.47 million) BPL households at the national level interacted with the School Education service in the last one year.

☞ The percentage of interaction of the BPL household was higher in above average Educational Development Index (EDI) states.

☞ At the national level, 3.1 percent BPL households paid bribe in School Education service in the last one year. The amount paid as bribe by BPL households was estimated to be Rs. 120 million.

☞ Among those who paid bribe, a majority paid for new admission, issuance of certificate and promotion of their children from one class to another.

☞ At the national level, 28 percentage of BPL households felt that there was corruption in the service. Comparatively, a low percentage (20 percent) BPL households in the State of

above average EDI feel that there was corruption in school education. While average and below average EDI states, 31 percent BPL households thought so.

☞ At the national level, about 47 percent of BPL households said the level of corruption in the School Education service had remained the same in the last one year while 37 percent it had come down. For about 18 percent the level of corruption has increased in the last one year.

☞ More than 80 percent of those who paid bribe did so directly to the officials/staff of the school.

☞ Nearly one-fourth of BPL households at the national level felt that the education service has taken initiatives to check corruption in the last one year. Thirty six percent of the BPL households felt that information was easily available in the department and 33 percent felt grievance redressal service of the department had improved now.



☞ Overall, corruption level in school education involving BPL households was relatively less than in the case of other ten services covered in this study.

☞ (The four indicators of access, infrastructure, teacher related and outcomes used by the National University of Educational Planning and Administration (NUEPA) for grading schools do not seem to be directly related to the level of corruption involving BPL households.)

Water Supply Services

☞ It is estimated that around 14% BPL households (7.5 million) interacted with the Water Supply Service during the last one year.

☞ Of the total BPL households 9 percent households paid bribe to avail water supply services during the last one year.

☞ The total amount of bribe paid by BPL households in the water service during the last one year is estimated to be around Rs 239 million.

☞ About 15 percent of the BPL households either paid bribe or used a contact to avail water supply service during the last one year.

☞ Among reasons cited for paying bribe, installation/maintenance of hand pumps was reported by majority (49%) of the BPL households.

☞ Of the households who visited for purpose other than paying bill, 56 percent visited three times or more for the water supply service during the last one year. Majority (60%) of them interacted three times or more for installation/maintenance of hand pump.

☞ About 42 percent of the BPL households, who interacted with water supply service, thought that corruption existed in the department. Around one-fourth of the BPL households felt that corruption had increased, while half of them believed that the level of corruption had remained unchanged in the last one year.

☞ Of those who paid bribe to get their work done in the last one year, 81 percent of them paid bribe directly to the department official/staff.

☞ About 16 per-

cent BPL households felt that measures taken by the Government had checked corruption in Water Supply services to some extent or other.

Forest Services

☞ Around 20 percent of the BPL households interacted for availing forest services in the last one year. It should be kept in mind that a substantial number of India's tribal people depend on forest for part of their livelihood and sustenance.

☞ The total amount of bribe paid by these BPL households during the last one year was estimated at about Rs 240 million.

☞ Around 13 percent of the BPL households, who interacted with forest related service, either paid bribe or used contact to avail the services during the last one year.

☞ Among reasons cited for paying bribes, majority reported permission for picking fuel wood and for getting saplings.

☞ Around 36 percent of these BPL households were of the opinion that corruption existed in forest service. A little more than half (54 percent) of them believed that the level of corruption had remained same.

☞ Majority (91 percent) of the BPL households, who paid bribe during the last one year, had paid directly to the concerned official/staff.

☞ Only 17 percent of the BPL households acknowledged measures taken by Government to check corruption in the forest service.

☞ About grievance redressal measures, only one-fifth of the BPL households had acknowledged one or the other measures that have been taken within the forest service in the last one-year.

Banking Services

☞ An estimated 38 percent (20.4 million) BPL households interacted with the banking service, including the postal services, during the last one year. (Under NREGS, some fifty million workers are supposed to get their account opened locally to get wages.)

In the case of water supply nearly 50 percent of those interviewed cited installation or maintenance of hand pumps as the reason for their paying bribe. Understandable considering how vital water is for sustenance.



☞ The total amount of bribe paid by BPL households to avail banking services during the past year is estimated as Rs 831.7 million.

☞ Among reasons cited for paying bribe, more than half of the households (58%) paid it for seeking loan.

☞ Nearly three-fourth of the BPL households, who paid bribe, paid it directly to the staff of banking services.

☞ For half of the BPL households, who accessed banking services, procedural delays such as time taken to open new account, documentation process, time taken to deposit or withdraw money, get the loan sanctioned, were some main causes of inconvenience and harassment.

☞ As much as 42 percent of the BPL households felt that staff in banking services indulged in corrupt practices or remain absent from their seats during office hours.

☞ One out of every four BPL households felt that corruption existed in banks and well over half the BPL households felt that corruption in banks had in fact either increased or no change was noticed during the past year.

☞ Less than one-fourth of the BPL households noticed one or the other initiative by the banking sector to curb corruption.

☞ Around 37 percent of the BPL households interacting with banks acknowledged improvement in the grievance redressal at the bank level while for the rest the situation remained unchanged the had deteriorated in the last one year.

National Rural Employment Guarantee Scheme (NREGS)

☞ Across the country, around 7 per cent (0.96 million) of rural BPL households paid bribe to avail the benefits of NREG Scheme during the last one year.

☞ The total amount of bribe paid by rural BPL households in the NREGS during the past year was estimated to be Rs 71.5 million.

☞ Forty percent of the rural BPL households surveyed, interacted with NREGS. Out of these, 61 per cent interacted to get registered as a beneficiary household.

☞ Among rural BPL households, those who interacted with the concerned office or staff for NREGS during the last one year, 37 per cent said that officials / staff was corrupt.

☞ Around 47 per cent of the rural BPL households held the opinion that corruption existed in the department. Thirty one percent of the BPL households felt that corruption level had in fact increased over the last one year.

☞ The study showed that 14 per cent of the BPL households, who interacted for NREGS, either paid bribe or used contact to avail its services.

☞ Half of the BPL households, who paid bribe, did so to get registered as a household willing to work under the NREG scheme.

☞ More than half the BPL households, who paid bribe, paid it directly to the concerned government staff for availing the scheme.

☞ Only 13 per cent of BPL households felt that initiatives taken in the last one year to check corruption in NREGS had been effective.

☞ Eight out of 10 households believed that there had been no change in situation or it had deteriorated, as far as redressal of their grievances related to NREG Scheme was concerned.

About 7 crores was paid as bribe money under NREGS; half of it to get registered for job under the scheme.

Police Services

☞ Across the country, around 10 percent (5.6 million) BPL households interacted with the police service during the previous year. Of them, an estimated that around 2.5 million BPL households paid bribe to police in one connection or other.

☞ The total amount of bribe paid by the BPL households to the Police during the previous year was estimated as Rs 2,148.2 million.

☞ The main reason for interaction with police service for BPL households was to file a complaint (51 %).

☞ Among the BPL households interacting with police during the year, 73 per cent opined that police personnel were corrupt. The level and extent of corruption in police service was high in all States and was highest among all the services covered in this study.

☞ About 78 per cent of these BPL households hold the opinion that corruption existed in the service. Over half of the BPL households, felt that it had increased during the previous year.

☞ Two out of three BPL households who interacted with the police service during previous year either 'paid bribe' or 'used a contact'.

☞ Around half of the BPL households paid bribe to ensure that their complaint could get registered.

☞ Nine out of ten households, who paid bribe, paid directly to the police personnel.

☞ Only 7 per cent of the BPL households said that one or other initiatives was taken towards reducing corruption.

☞ As regards grievance redressal measures, 9 out of 10 households believed that the situation in the police service had not changed in the last one year or had deteriorated even further.

Housing Services

☞ Of the BPL households surveyed, about 14 percent interacted with the housing service in the last one year.

☞ Around 70 percent of those who interacted made repeated visits for allotment of a house/housing site.

☞ About 78 percent reported facing some difficulty. One out of two felt that the 'corrupt staff' in the department and their corrupt practices were the main causes for difficulties.

☞ Seventy percent of the BPL households who interacted with the department in the last one year perceived that corruption existed in the service and about 45 percent were of the opinion that in the last one year corruption had increased.

☞ Only 10 percent of the BPL household



interacting with the housing service felt that the department had taken initiatives towards reducing corruption.

☞ As high as two out of five BPL households interacting with the housing service either paid bribe or used a contact to avail its services.

☞ Sixty percent of the BPL household paid bribe for allotment of plot or constructing house and rural BPL households paid more than urban.

☞ About 63 percent of the BPL households, who reported paying bribe to avail the service, paid it to the staff of the housing service. Incidence of paying to the staff for a service was more in the rural areas.

☞ It is estimated that around 1.5 million BPL households paid bribe.

☞ The total amount of bribe paid by BPL households during the past year was estimated to be around Rs. 1,566 million.

Land Records And Registration Services

☞ Of the total BPL households in the country, an estimated 18 percent households paid bribe to avail land related services.

☞ The total amount of bribe paid by BPL households to the department for availing land related services during the past year was estimated to be Rs. 1,234 million.

☞ A little less than one-third (31 percent) of the BPL households reportedly paid bribe and one-tenth households claimed exerting influence to avail land related services.

☞ Among those who paid bribe, nearly one-fourth (22 percent) claimed to have paid it for obtaining land records.

☞ A sizable proportion of households also

paid bribe for availing services not directly related to land; about 16 percent of the households paid bribe to get income certificate and another 14 percent paid it for obtaining caste certificate.

☞ More than half of the BPL households visited three times or more to avail the land related services. Nearly one-fourth households visited the concerned department three times or more for obtaining land record.

☞ Of those who paid bribe to avail the land related services, as high as 82 percent of them paid bribe directly to the department official/staff.

☞ About 69 percent of the BPL households, who visited the department for land

services, held the opinion that corruption existed in the concerned department.

☞ While 45 percent of them believed that corruption had increased over the year about 43 percent felt that the level of corruption remained same in the department dealing with land related services. Benefits of computerization had not percolated down to BPL households.

☞ Only one-tenth BPL households were aware about some initiatives taken by the States for curbing corruption. Nearly 12 percent households acknowledged that grievance redressal had been improved in the department dealing with land related matters.

(More on CMS website: www.cmsindia.org)

Major Purposes for Paying Bribe	
	Purposes of paying (in that order)
Basic Services:	
PDS	New card, for monthly quota, change address, change shop, addition, license to sell
Hospital	For bed, out patient, diagnostic service, medicine, ANC/PNC, operation, certificate, blood
School Education (up to class XII)	New admission, certificates, attendance/ promotion, scholarship, hostel seat
Electricity	New connection, meter repair, bill related, meter installation, bill adjustment, agriculture connection, ensure better supply
Water Supply	Installation / maintenance of hand pump, regularization of unauthorized connection, meter installation, repair of pipe, irrigation water, supply of water tanker
Need Based Services:	
NREGS	Registration / to get selected, issuance of job card, wage payment
Land Records/ Registration	Income certificate, obtaining land record, sale/purchase deed, mutation, land survey, caste certificate, property tax
Forest	To pick fuel wood, for cutting trees, for saplings, to collect forest produce, forest land for farming, for grazing
Police	For filing complaint and FIR, as an accused, remove name as witness, passport verification, verification for job, character certificate, violation of traffic laws
Housing	Allotment of plot/ house, release of house loan, toilet construction, ownership transfer
Banking	To take loan, open new A/c, pension, withdrawal, deferment of loan installment
<i>TII-CMS India Corruption Study – 2007</i>	

SOME POSITIVE TRENDS

■ N.Vittal (former Chief Vigilance Commissioner)



As the Central Vigilance Commissioner from 1998 to 2002, I was directly connected with the issue of fighting corruption in the Government of India organisations. I stretched the envelope to cover not only the organisations directly under the purview of the CVC but also bring the issue out of the closet and mobilise public awareness about corruption and its harmful impact on all aspects of society. In my extra curricular activities as CVC. I received the support of a number of well wishers in different organisations. Dr. Bhaskar Rao of the Centre for Media Studies requires a special mention in this context. This is because, he has added an hitherto unavailable instrument in the literature on corruption in the form of objective scientific surveys.

Corruption has multi dimensions. Any effort to fight corruption will also have to be multi pronged. One basic issue in the corruption scene is that many a time, people become emotionally excited. Those who are in the media focussed on details about particular corruption cases and conducting sting operation. What was lacking was a larger objective perspective to assess the state of corruption and also explore measures taken to check corruption. Berlin based Transparency International, the NGO set up to assess corruption, publishes annually the Corruption Perception Index (CPI) in different countries. This has emerged increasingly as an acceptable yardstick for comparative studies of corruption in different countries. It has also set a precedent in building a literature and databases for an intelligent assessment for an informed debate about the state of corruption. Dr. Bhaskar Rao of CMS has made a unique contribution in undertaking every year, on a suggestion I made as CVC, to conduct field studies and document the level of corruption particularly affecting the common citizen interacting with public offices. The reports published from the year 2000 onwards provide a valuable input for an informed debate on the state of corruption in the country.

Another welcome development is the synergy of the efforts of the CMS and the Transparency International's India chapter for conducting annual corruption perception studies. The ranking of the states in the country in terms of the corruption perception index is an important and useful addition to literature of the subject. While fully recognising the fact that corruption has been universal and has been part of every society in history, what we can say definitely is that if there has to be rule of law and healthy development in any country, elimination of corruption is a *sin qua non*. If elimination is not possible at least the level of corruption must be reduced to a minimum. Even here, we can make a broad distinction between the corruption which affects the common man or the poor and the corruption which takes place more or less in a collusive manner at higher levels in society. The ideal would be to eliminate corruption at both the levels. Nevertheless, removing corruption that affects the common man or the poor in a country like India should be the pragmatic first step.

As one looks back at the state of corruption in India, instead of bemoaning the loss of values and extensive corruption, it is worthwhile to look at the positive developments that are taking place which show that while the potential of India as emerging economic power is increasingly recognised, we can be reasonably sure that with increasing education and awareness about the developments that have taken place, the level of corruption also can be effectively brought down.

The most significant development in recent times is the Right to Information Act passed in 2005. This in itself was the result of activists like Aruna Roy, Dr. Jayaprakash Narain and Anna Hazare and others who through their NGOs did a valuable service to the country by increasing awareness about corruption and exposing its dangers. The CMS has also been studying the impact of the Right to Information Act and how it is implemented. Like any measure, RTI will also take its time. Healthy conditions and conventions will have to be set up and developed. The Right to Information Act by

itself is an important instrument in the hands of the citizens to fight corruption and tackle it especially when it affects the common man.

The second important development is the increasingly ubiquitous availability of mobile phones with camera. This has put an effective tool in the hands of every citizen who wants to fight corruption. He can become a citizen journalist and combined with the 24x7 news channels which are also proliferating, conduct sting operations to expose corruption. It is true that we have also had very bad examples of sting operations undertaken with ulterior motives. Nevertheless, from the point of view of instruments available today on anti-corruption, the combination of alert citizens armed with the cell phone camera with the 24x7 channels is a very welcome development.

The third major development is the increasing penetration of information technology and its presence in different sectors of governance. E-governance has become the declared policy of many States and Central organisations and although the progress has been not even, this development in itself has created an environment where we can bring greater transparency and accessibility to information and ease of governance from the citizen's point of view. The effective computerisation of the passenger reservation system in Railways and the many efforts in different States for improving service to the public through E-Sewa etc are very healthy developments.

What we need is a strategic approach to optimise the benefits of the initiatives taken so far.

(i) There should be a method of replicating the best practices in practically every State so that every State need not reinvent the wheel.

(ii) Many a time, even within the State, departments are not able to interlink their databases because of multiplicity of softwares. This problem of intra operability must be overcome urgently. This can be also done professionally to ensure that instead of starting from scratch, the efforts put in, the investment made and the computerisation work done so far is not wasted and the application of IT extended more rapidly.

(iii) The question of scaling up the successful cases rapidly should be taken on a priority basis. If inter service rivalries, seniority syndrome and bureaucratic approaches are coming in the way, the possibility of outsourcing the scaling up operations

in e-governance to private sector and establishing a type of private public partnership to achieve this goal should be undertaken immediately without standing on the formalities. Greater the application of the IT in governance, greater the scope for transparency, accessibility of information, improvement of services and reduction of corruption. I am aware of the dangers of cyber crimes, which go with the territory. But this can also be tackled with increasing knowledge and experience gained in this area.

(iv) The 2004 judgement of the Supreme Court, which forced the candidates in an election to declare their criminal records and education qualification and wealth should be fully utilised by the NGOs and enlightened citizens who are fighting corruption to force the appropriate authority to investigate about the accumulation of wealth by the people in public life and see how they can be brought to book. The long standing recommendation made by the CVC as well as the Election Commission that candidates against whom criminal charges have been framed in the courts of law should not be permitted to contest election till they are cleared in the cases should be implemented. This will require political will and unless the TINA situation is created the Government may not accept this suggestion. But if we want to eliminate political corruption which is the root of all corruption in our country today, this cleansing operation to see that law breakers do not become law makers must be given the highest priority. Positive developments at least on fighting corruption are taking place in India. This is also reflected in the successive reports of the Transparency International. The passing of the Right to Information Act seem to have increased the credibility of the Government of India and it has really concerned in fighting corruption in the comity of nations.

It is easy to be pessimistic about fighting corruption in India. But the fact that institutions like the Central Vigilance Commission, Election Commission and the Supreme Court have been able to play a critical role in different levels to check possibilities of corruption and ensure that the rights of the citizen are protected leaves the hope that with a healthy combination of vigilant organisation, our educated citizens aware of their rights, and intelligent and imaginative use of technology, corruption hopefully will become increasingly less in the country both in public life and in business.

NREGS

The National Rural Employment Guarantee Programme, after two years, has been found not only to provide a stable economic base to households but is also directing capital investment to rural areas and creating valuable assets that are changing the rural landscape. It has also resulted in attacks on social audit teams. One of the activists was recently murdered. This section deals with the issue in some detail.

TRANSFORMING RURAL INDIA

■ Lalit Mathur

The potential has not even begun to be explored, but it is greater than the green revolution. It is perhaps also more significant, for, it will not be confined to the relatively better off irrigated areas, and will directly benefit the poor.

In recent times no programme for rural areas has received as much attention as the Employment Guarantee. Much has been written in the national media, and the programme somehow seems to be in a state of continuous evaluation, of being "judged" all the time. Yet, it has only just completed two years - not long enough to assess any programme, and certainly not those which involve a process, and which require time to stabilise.

Somewhat surprisingly, little notice has been taken of the contribution of the National Rural Employment Guarantee Programme (NREGP) to directing capital investment to rural areas - and to agriculture in particular. Of course, the guarantee of 100 days of wage employment is without doubt the primary objective of the legislation, and the wage earned is of enormous importance to the household - there are innumerable examples from across the country of how the programme has enabled children to go to school, improved nutrition within the family, increased wages, reduced indebtedness and migration and significantly, even empowered the poor. And directly, 5.2 crore households (2.1 in

2006-07 and 3.1 in 2007-08) have so far been provided 220 crore person-days of employment, in which the participation by scheduled castes, scheduled tribes and women has been high.

But the employment guarantee has another important aspect - the wages go to create assets, and these also, are an integral part of the programme. There are already reports of how this has begun to happen - in Wayanad district of Kerala, elephant trenches now protect crops in hundreds of acres which earlier were destroyed year after year; in the Sunderbans, illegal fishing has given way to irrigated farming owing to the construction of field channels to bring water; water tables have risen in "backward" districts across the country because of tanks, check dams, anicuts, bunding and other such works; in fact, in Dungarpur district of Rajasthan, where the digging of wells was banned for years, the groundwater situation has improved so much that wells have now been permitted; in Villupuram district there are villages where drinking water wells save time and effort of women who no longer have to carry potable water over long distances. These are all productive assets which yield direct benefits to the village.

Such investments are particularly relevant today, when there is all-round concern at the slow rate of growth in agriculture (just 2.6 per cent), and the

solution is seen in directing capital to rural areas - highlighted both in the Economic Survey and the Budget for 2008-09.

In fact the Act itself spells out the types of works permitted - it focuses on the creation of durable assets, especially for water conservation. The information from the field in the first year (for which details are available) shows that 75 per cent of the 8.3 lakh works have been water-harvesting structures, minor irrigation tanks, community wells, land development, flood control, plantations and so on.

Benefits include the creation of over 12 crore cubic metres of water storage capacity, three lakh km of drainage and embankments in water logged areas, 3.5 lakh hectares each of plantations and land development. These contribute also to drought proofing in low rainfall and



semi-desert regions. They, moreover, give immediate returns; for, the works are generally managed by the village community and it requires only the first monsoon to utilise the water or to cultivate land developed and readied for farming. This experience is clearly quite contrary to the common understanding of rural works as the construction of roads which are washed away with each monsoon.

These assets are in the most backward pockets of the country - arid, tribal, often inaccessible - where only marginal investments, or none at all, would have gone in the ordinary course. This is also of special relevance today with greater concern for water, global warming and climate change.

Although less than half the works taken up during the year were completed by March 2007, their execution is a continuous process and more would have been completed by the end of the working season in June. The expenditure was also not insubstantial - about Rs. 9,000 crores. The average expenditure per district was Rs. 45 crores, but this went up to more than Rs. 100 crores in some States. Such levels of investment on these works, sustained over the years, will have a visible impact on the landscape of rural India.

A refreshing feature of the employment guarantee is that the maintenance of the assets, including care of plantations, is provided for in the programme. There is, therefore, no dependence on additional funds each year to ensure their continuing productivity.

While too much should not be read from the reports of one year, it is interesting that this trend continued also in the second year. There seems little doubt that the NREGP projects are a valuable and timely investment in rural infrastructure.

A legitimate question then is regarding the potential of NREGP projects for capital formation. That this is substantial, should be clear from just one illustration.

Works can also be taken up on individuals land holdings - but only of the poor - members of the SCs, STs, households

below the poverty line (BPL), those benefited from land reforms. The activities include land development, provision of irrigation and horticulture.

According to the figures of the Ministry of Rural Development, the poor possess more than 15 million hectares of land - Government assigned, ceiling surplus and bhoodan, as recorded tenants, lands restored to tribal communities. At present, these lands are often left fallow or produce one crop with a low yield. Such lands invariably have no source of irrigation, are away from the village and are undeveloped. But they share an important feature - they are invariably in compact blocks and are therefore suitable for integrated development packages. These holdings could therefore be transformed into productive farming units, often with irrigation from wells, tanks, other water harvesting structures, lift irrigation schemes.

This happened in Maharashtra under the Employment Guarantee Scheme (EGS) started in the 1970s. Investments were made on private land holdings for land development, irrigation and plantations, and medium and large farmers took advantage to bring in a horticulture revolution - the area under fruit crops went up almost six-fold, from 1.7

lakh ha to 9.7 lakh ha in the 10 years 1990-2000. If similar works under the employment guarantee are taken up on the lands of the poor, the 15 million hectares will make a perceptible contribution to agricultural production. Let us recall that the gross area under high yielding varieties of wheat and paddy after the green revolution was about 35 million hectares, and that this transformed the food-grains scenario in India.

The Common Minimum Programme of the UPA and the recently announced Land Policy both emphasise precisely such programmes. The NREGA provides the opportunity to make it happen - not as a welfare measure, but rather as an assertion of the contribution which the poor make to India's development. Capital investments in rural infrastructure at its best, for, benefits go directly to the poor - there is perhaps a lesson here for the Rural Infrastructure Development Fund (RIDF).

There are other possibilities, many of which do not require additional funds; only a reorientation of existing schemes, coordination in decision making between the Centre and the States, and integrated action in implementation. Thus, programmes for watershed development, drinking water, agriculture, horticulture, farming systems, fisheries, handlooms, handicrafts - each can synergise with the employment guarantee, enhance production from rural areas, increase the contribution of the primary sector to the economy and impact on the GDP. There are several examples of how this can be done for different occupational groups like marginal farmers, fishermen, weavers, landless agriculture labour - godowns, worksheds, common facility centres, small harbours, plantations on common lands with tree pattas and so on. The potential has not even begun to be explored, but it is greater than the green revolution. It is perhaps also more significant, for, it will not be confined to the relatively better off irrigated areas, and will directly benefit the poor.

There have undoubtedly been problems, also reports of leakages and misappropriation, inefficiencies in implementation. However, as the draft CAG report has pointed out, there is not even

enough staff, and what little there is, is not trained for the work and responsibilities cast upon it by the employment guarantee; there is also no arrangement for planning at the field level, no Annual Plans by the gram panchayat, inadequate systems for supervision and control. The legacy of earlier wage employment schemes has continued, with the predominance of official decision making, often in combination with the influence of powerful local interests. This is changing, but slowly. We need to put in place a stronger support structure as recommended also by the CAG. It is necessary to invest in systems and enable them to stabilise for democratic annual plans, for effective implementation and accountability to become the norm at the panchayat, block and district levels.

Capital formation under the employment guarantee programme has taken place in spite of these severe handicaps. Much more can be achieved. There has been an aggressive urgency in attracting overseas capital to India; can a similar concern also be shown for a programme of capital investment that we ourselves have initiated, and one which has great potential and meaning for the nation's development?

At the policy level there appears to be a diffidence about the NREGA, and a predilection towards wanting to come to the conclusion that it has failed. It is simply not enough to legislate, budget and leave it to a single Ministry to deliver a transformation. It is essential also to plan for, to invest in, and to put in place, the mechanisms and the personnel required for its successful implementation - otherwise we would only be planning for its failure. This programme is more difficult and far more complex than the green revolution was, but it has not been given the priority, the drive and the urgency it deserves.

There is all round concern at the slow rate of growth in agriculture and the allied sectors, at the widening gulf between urban and rural areas and at the growing disparities between the rich and the poor. The Employment Guarantee can make a vital difference. But to recognise, and act on this, requires determination - and the will.

(The author is a former Director General of the National Institute of Rural Development, Hyderabad)

A LIFELINE FOR THE POOR

■ P. Sainath

"Why can't they keep the schools open during summer," asks P. Somamma in Mosangi. A strange question, with the mercury blazing past 43 Celsius in the Nalgonda village and all of us cowering in the little shade we can find.

"Why would you want to send the kids to school in this heat, Somamma?"

"At least there," she says, "they got one decent meal a day. I can't afford to give them one now, during the vacation."

In Kondapur in Mahbubnagar district, Bharatamma echoes that demand. "When the schools are closed, there is no mid-day meal. That means, instead of getting to eat, the children go to work. How else does the family manage?" Hit by rising food prices, poor families can't afford one more meal. For those with two children in school, the costs really go up. When the schools are open, you can find some young ones saving a part of their meal for a hungry grandparent at home.

Back in Mosangi, Somamma's son Bikshapati says he preferred the mid-day meal at school to food at home. "It was better," he says. "We got dal, rice, tomatoes, rasam, even eggs." Much of that is beyond his family's reach now. If he and his family are able to pull on at all, it's because of the work the National Rural Employment Guarantee Act brings to their village. In Mosangi, there is bitterness over how it has worked. In Kondapur, where it has done better, there are some complaints. Yet, in the eyes of all them, this is the most important programme the countryside has seen in years.

There are complaints of rip-offs. "We've been

paid only Rs.30 a day," says an angry P. Mallamma in Mosangi. The record says they got Rs.84 a day. K. Kamma says she has "worked for over a month, without being paid." Even a former deputy sarpanch, Saiddulu, has not been paid for a week's work. He is well over 60 - yet another older person returning to work, driven by food costs. But he is clear that the work the NREGA brings is "very vital to us. It should run well, that's all."

Three major issues confront a programme that is the lifeline of these communities at this time. Two of these are built into it. "Why only 100 days of work," ask people. And they do not get those 100 days fully. The second is the rule of only one member per family being able to use it. In Andhra Pradesh, very sensibly, field assistants at NREG sites are breaking that rule. It is possible to see husband and wife together at the same site. That's as far as it goes, though.

Poor families see themselves as a collective. "One family member cannot go to Guntur to work and another to the site," says Lashkar in Lambapur village. Splitting up is bad economics. A day's wage at a brick kiln might be less than what it is for NREG work. But

though brick kilns are brutal and exploitative, all members of a family can work there - and for more than a hundred days. These two restrictions hobble a programme people say they badly need.

Third are the usual local problems. Payment delays for one. Though Andhra Pradesh seems to be ahead of several other States, this remains a problem. "People here have waited four months to get much less than what was owed to them," says



Lakshamma hopes the NREG work will continue. But she's up against a powerful combine of forces entrenched in the countryside and ensconced in Delhi's power elite.

Mallamma. "People are recorded as working when they did not work. Others are not recorded as working when they did," says B. Ramaiah in Vadlparthi village of Nalgonda. Lambapur in the same district throws up this kind of paradox. This is a village where NREG work has dramatically curbed migrations. There is no one who will tell you things have not improved. Yet, most "pass-books" show zero days of work. This is an adivasi 'tanda' with very low literacy and education. The records are a mess and a formal audit would conclude there has been a disaster. But Lambapur has done well out of the NREGA. To make it more complex, the reverse could be true in Mosangi. The records would show Mosangi has done better, which it has not. Everywhere is the backlash from



the old contractor-local official-low bureaucracy that feels threatened by the NREGA. Capturing the records and the process is part of the fight-back. In at least two other States, activists promoting the NREGA have been killed.

Yet Andhra Pradesh has fared better, thanks to the growing awareness of people of their rights. Even at the start, 2.7 million people applied for job cards in the first month after the programme was announced. From top officials in the State's NREGA team to unions of landless labourers, many have worked hard to promote the programme

In this process, a small but vital reordering of power relations is under way. The NREGA is having multiple and layered effects. With better wages, the bargaining power of the weakest has gone up a notch. For some, their access to costly

(Courtesy: The Hindu)

services like health has risen slightly. NREG work has been a lifejacket in the flood waters of the price rise. And no other programme has had the positive impact on distress migrations that it has achieved.

"It is not just low level officials," laughs a very senior official in Delhi. "There is hostility right here at top levels of bureaucracy and politicians. There are efforts on to make it less attractive to people needing work. Complaints that the NREGA is raising wages and hurting farmers are

being used to push for limiting that wage. And making even those 100 days of work harder to access. This would be disastrous. But it seems certain such efforts will soon follow."

"Of course, there is much scope for improvement," he

says. "You could get people to participate more in choosing the kind of works needed locally. We could provide better technical support and advice. Restrictions on the number of days and family members could be sorted out by making it more universal." And by aligning it to works that benefit the whole community, including local farmers, some of those other problems could also be met.

In Tatikolu village, Lakshamma hopes the programme will continue. She is up against a powerful combine of forces entrenched in the countryside and ensconced in Delhi's power elite. A widow with young children, she finds it hard to get work at the site to begin with. Seated in her bleak home, she wonders when her food supply will run out. And hopes the NREG work won't. "Without it, I don't know what we would do."

SOCIAL AUDIT ACTIVIST MURDERED

Lalit Kumar Mehta, a close aide of Jean Dreze, who was fighting for social audit of the National Rural Employment Guarantee Scheme (NREGS) in Chatarpur block of Jharkhand's Palamau district, was recently found murdered. Mehta had dropped Dreze, who is considered the architect of the NREGS, at a cyber cafe in Daltonganj and was on his way back to Chatarpur when he is believed to have been waylaid and killed.

Dreze had come to attend a public meeting on social audit of the NREGS, to be held the next day. The meeting had been organised by Mehta. Just hours ahead of the meeting, the 32-year-old's bruised body was found in the Kandra forest area of Palamau.

"Mehta had been involved in verification of muster rolls. These revealed high levels of corruption involving people in high places. The brutality of the murder makes us believe that it was not a robbery." said Dreze, who is conducting an audit in Palamau district in Jharkhand,

In Chatarpur and its neighbouring areas, Mehta had been fighting for proper implementation of the NREGS. He was also the founder of an NGO, Vikas Sahyog Kendra (VSK), which is credited with having successfully supervised construction of over 110 check dams in drought-prone Palamau since 1997.

"The social audit of the NREGS was on top of Lalit's agenda. We always appreciated it as we believe in transparency," Palamau Deputy Commissioner N P Singh. Social audit of the NREGS is an effort to know field-level problems in the implementation of the scheme, including problems faced by labourers, the quality of works, payment of wages, and maintenance of attendance register.

(Courtesy: The Indian Express)

MURDERER ARRESTED, SAYS GOVERNMENT

With the arrest of an alleged highway robber, 19-year-old Behari Singh of the Chatarpur block in Palamau district, the police are claiming to have cracked the Lalit Mehta murder case. "We now have enough evidence to prove that Mehta was murdered by road robbers," said Palamau SP Deepak Verma.

Behari was reportedly arrested from his father's house in Kundoli village, 2 km from Chatarpur, on June 28. Police said Behari had confessed that he and his accomplice, Raju Singh, killed Mehta. Raju is wanted in at least two cases of highway robberies.

A case was lodged after the body of Mehta, a close aide of economist Jean Dreze, was found in a

(Courtesy: The Indian Express)

field along the highway in Bishrampur police station area, 10 km from Chatarpur, on May 15.

Apart from Dreze, a number of NGOs and social activists suspected that Mehta was murdered by people who siphoned off NREGS funds. While the NGOs and social activists led by Dreze had demanded a CBI probe into the case, the State Government had ordered the Crime Investigation Department to inquire into it. Last month, Chief Minister Madhu Koda recommended a CBI probe.

Asked if the police had gathered any clue about Mehta's cellphone that he was carrying at the time of his murder, Thakur said, "We have traced the place where Raju was hiding. We will arrest him soon and unearth Mehta's cellphone too."

DREZE ALLEGES COLLUSION IN MURDER

Noted economist and National Rural Employment Guarantee Scheme (NREGS) activist Jean Dreze lambasted Jharkhand's Palamau district administration and alleged the report on the murder of social activist Lalit Mehta was a "cover-up job".

Dreze's criticism of the local administration came in the wake of the first official report prepared by the Palamau district administration which rejected the claims by NGOs and social activists, including Dreze, that Mehta's murder had nothing to do with his social audit of NREG works in the district.

Dreze also said the report was aimed at diverting the attention from serious investigation into the murder.

"The report is a characteristic attempt to harass people who make complaints or enquiries that challenge those in high places. Under the garb of an inquiry report, this document is a cover-up job aimed at confusing the issues and discouraging any serious investigation of the nexus of corruption surrounding Lalit Mehta's murder," said Dreze in a written statement.

(Courtesy: The Indian Express)

The first official report prepared by the district administration, on the May 15 murder of Mehta, rejected the claims by NGOs and social activists that the killing was linked to an audit by the social activist. In his report, Mehta had detected irregularities in works under the National Rural Employment Guarantee Scheme in the district.

The district administration report had also alleged that Dreze, who is a member of the Central Employment Guarantee Council, was orchestrating a campaign to malign the district administration.

In this context, Dreze has termed the report an act of intimidation that aimed at confusing the issues. "Like the murder itself, it (report) seems to be an act of intimidation," said Dreze. Dreze's statement holds significance as he is a member of the apex body to monitor the implementation of the rural job guarantee scheme at the national level.

The Centre has already written to Jharkhand Chief Minister Madhu Koda 'advising' him to refer the case to the CBI.

ATTACK ON TEAM PLAYED

Political parties and civil rights groups here have condemned the attack on the workers of Rozgar Evum Suchana Ka Adhikar Abhiyan, holding a social audit on the National Rural Employment Guarantee Scheme in Manohar Thana tehsil of Jhalawar district in Rajasthan. They alleged tacit support of the State Government in the attacks as well as in the initial reluctance on the part of local panchayat functionaries in extending cooperation to the social audit, a mandatory procedure under NREGA.

"The Government is trying to thwart a democratic process," said Dushyant Ojha, Secretary of the Communist Party of India. "Social audits are the participatory part of democratic functioning. The Government in Rajasthan is only betraying its inherent despotic and authoritarian traits by trying to stop social audits in a public-oriented programme of the nature of NREGS," he said.

The People's Union for Civil Liberties (PUCL), Rajasthan, in a resolution expressed serious concern over the attacks on the activities of Right to Information and NREGS and non-cooperation of the

(Courtesy: The Hindu)

local administration to the processes of social audit.

"In our view the State Government had a direct role in the attacks on the social audit activists in Banswara in December 2007 and now in Jhalawar. The Government does not want public scrutiny of NREGA work. The decision on the part of sarpanches and gram sevaks not to give information was not their own. The State Government and the Rural Development Department were behind the move," said the resolution signed by Prem Krishna Sharma and Ramakant Saxena among others.

"The PUCL is of the view that the Rajasthan Government is not interested in carrying out any work under NREGS but wants to keep aside the money sanctioned meant for it as election fund. Comptroller and Auditor General's report too refers to the existence of corruption in the scheme," the resolution noted. It demanded an enquiry by the Anti-Corruption Bureau into misuse of funds allocated for the scheme.

Two-dozen activist organisations, which met at Vinobha Gyan Mandir here, condemned the attack and deplored the stand of the authorities .



DEPARTMENT PULLED UP ON FILE NOTINGS

An insertion in the “Frequently Asked Questions (FAQ)” section of the Department of Personnel and Training’s (DoPT) website has landed it in direct confrontation with the Central Information Commission (CIC).

As per the “interpolation” in the form of a circular issued on April 10, 2008, the department was presently under no obligation to disclose file notings when sought under the Right to Information (RTI) Act.

Reacting to it, Chief Information Commissioner Wajahat Habibullah has said, “The DoPT circular cited above is curious in that it seeks to substitute the law passed by Parliament with its own interpolation inserted on its website.” “This interpolation was also, it appears, inserted not on the basis of any expert advice but on the recommendation of Under Secretary (RM) Shri Rakesh Malhotra, at the time the DoPT was examining the uploading in the FAQ section,” he adds.

The circular drew CIC’s attention when it was hearing an appeal of a senior IAS officer Des Raj Dhingra from Haryana, who was denied access to notings on his file despite requesting the department that non-disclosure of the information within the next 48 hours would affect his “life and liberty”.

Dhingra had on May 23, 2008 sought to “personally examine” his file over doubts that his date of birth was wrongly noted, solely due to which he was set to retire seven days later. However, the department chose not to reply, following which,

(Courtesy: The Indian Express)

three days later on May 26, he appealed to DoPT Director Chaitanya Prasad.

Dhingra pleaded that he had applied for “copies of the noting portion within 48 hours as per the RTI Act, which says the information sought shall be provided within 48 hours from the date of receipt of the request if it concerns the life or liberty of the person”. Five days later, on May 31, he was going to retire because of the “recording of wrong date of birth”. But his request was met with a denial on the basis of the circular.

The DoPT goes on to acknowledge that the “CIC in several cases has held that the ‘file noting’ is an integral part of a file and should be disclosed”, but points out that “the matter is under examination and decision taken would be communicated to all concerned as and when taken”.

“While the Act of 2005 incorporates other exemptions, it has not incorporated any such provision which will exclude the file notings from disclosure. Contrary to what has been submitted before us by the DoPT, it appears that Parliament, in fact, intended that the file notings are no more exempted and are to be made available to the people,” the CIC noted.

Pointing out that decisions of Information Commissions to permit access to notings are “binding” on public authorities until and unless a parliamentary amendment says otherwise, the CIC directed the DoPT to disclose all file notings to Dhingra within a week.

PDS RICE SMUGGLED OUT

Thousands of quintals of rice, meant for the poor and needy through the PDS, was being diverted to other states, alleged Opposition leader and AIADMK general secretary Jayalalitha.

In a statement issued here, Jayalalitha, quoting the official reply to a Right to Information Act query regarding rice smuggling, charged that over 1.09 lakh quintal PDS rice worth Rs 11 crore was diverted from fair price shops (FPS) to the black market.

While the Rs 2 per kilogram of rice was touted by the "minority DMK Government" as one of its achievements, the authorities had not bothered to monitor the implementation, she said.

Detailing her allegation on the diversion, she said rice from Coimbatore (worth Rs 1.16 cr), Krishnagiri (Rs 98 lakh), Vellore (Rs 79 lakh),

(Courtesy: The Indian Express)

North Chennai (Rs 62 lakh), Salem (Rs 45 lakh), Erode (Rs 53 lakh), Madurai (Rs 55 lakh) and Nilgiris (Rs 17 lakh) was diverted to the black market in 2007 alone. The total quantum of smuggling during last year was over 1.09 lakh quintals worth Rs 11 crore, she said, quoting the reply to an RTI application.

She said when the Opposition and even some of the alliance parties raised the issue, authorities registered cases against some individuals at a few places. However, the State Government had not shown any enthusiasm towards an earnest effort to stop the smuggling or to bring the culprits to book. Though many other essential commodities like sugar and pulses were also being distributed through the fair price shops, these commodities almost never reached the public, she added.

RTI MAGIC WAND FOR VILLAGERS

For thousands of villagers in the villages there is a vital connection between the RTI Act and NREGS. The first is used to get details of the works undertaken, and once the information is obtained, villagers use it to conduct social audits to verify if work shown as completed in official records was actually done.

If flaws are detected, the villagers lodge complaints with senior Government officials. "Using both the Acts in tandem can help expose corruption," said RTI activist Aruna Roy who had used the two laws to bring out irregularities in implementation of NREGA in Rajasthan. In some areas of Rajasthan, social audits on the basis of information obtained under RTI has proved to be of help to villagers.

"Using the two laws, villagers have been able to get their legal right to wages and the minimum 100 days of work (as mandated in NREGA)," Roy said. This week Pandey and his colleagues started social audits on information provided to villager Yashwant Rao in Miyaganj block in Unnao

(Courtesy: Yahoo News)

district of UP 18 months after he had filed an RTI application.

Rao was asked to deposit Rs 1.58 lakh by the block development officials for information about development works in 66 gram sabhas under NREGA. He finally got the information on the orders of the Uttar Pradesh Chief Information Commissioner.

In Delhi, Arvind Kejriwal another activist said: "Through RTI we have picked samples of a road in Model Town, north Delhi, in the presence of municipal engineers to find out if the quality of material used in road construction was right. Such attempts by us earlier had exposed corruption in road construction," he said.

With the success of the RTI in exposing leakages in government programmes, Roy, Pandey and Kejriwal want social auditing to be made mandatory for every government programme. "It not only helps in exposing corruption but in NREGA we have found it also acts as a deterrent," Roy said.

TRANSPARENCY STUDIES

The Right to Information Act 2005 represents a historic breakthrough in recognising the citizen's democratic rights to monitor measures affecting the public good. Following adoption of the Act by the Parliament of India, the Centre for Media Studies (CMS) set up a Transparency Studies wing to document, examine and publicise the interrelation between governance and society in all its aspects. It facilitates dissemination of relevant material, confers with experts and field workers and networks with the media to promote implementation and awareness.

The functions of Transparency Studies include:

- Publishing and distribution by electronic mail of *Transparency Review*, a journal designed to publicise news, articles and documentation concerning developments in Right to Information and the overall interface between governance and society. Priority is given to right to education, especially of children; right to work; right to justice and associated human and social rights, especially at the grassroots.
- Operating Transparency Features to disseminate articles and information on the above.
- Linking with civil society groups to further common objectives like exposing corruption, monitoring elections, improving civic services.
- Arranging discussions on emerging issues and problems between specialists and mediapersons.

CENTRE FOR MEDIA STUDIES (CMS)

Centre for Media Studies (CMS) is an independent professional forum engaged in research, policy advocacy, advisory services and programme evaluation. CMS promotes accountability, responsiveness and transparency in policy-making in public systems and services. CMS debates and dialogues on important public issues are appreciated nationally.



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