

Women Workers and Perceptions of the National Rural Employment Guarantee Act

REETIKA KHERA, NANDINI NAYAK

The National Rural Employment Guarantee Act, which entitles rural households to 100 days of casual employment on public works at the statutory minimum wage, contains special provisions to ensure full participation of women. This paper, based on fieldwork in six states in 2008, examines the socio-economic consequences of the NREGA for women workers. In spite of the drawbacks in the implementation of the legislation, significant benefits have already started accruing to women through better access to local employment, at minimum wages, with relatively decent and safe work conditions. The paper also discusses barriers to women's participation.

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Reetika Khera (reetika.khera@gmail.com) is affiliated to the Centre for Development Economics, Delhi School of Economics and Nandini Nayak (nandini@soas.ac.uk) is a research scholar at the School of Oriental and African Studies, London.

1 Introduction

In August 2005, Parliament passed the landmark legislation, the National Rural Employment Guarantee Act (hereafter NREGA). The NREGA is a national law funded largely by the central government and implemented in all states, which creates a justiciable "right to work" for all households in rural India. Under the NREGA, rural households have a legal right to get "not less than" 100 days of unskilled manual labour on public works in each financial year.

The enactment of the NREGA in 2005 came about partly as a result of a sustained campaign by academics and activists across India. Significant efforts were made by campaign groups to highlight the crisis of food and work availability being faced by large numbers of the rural poor in India. The NREGA, as finally enacted, was a diluted version of the "citizen's draft".¹ Nevertheless it signified a huge step forward as a social security mechanism for the rural poor.

This paper attempts to understand the perceptions of this legislation as reported by women workers currently working under the Act. The NREGA's potential in empowering women by providing them work opportunities has been commented on by others as well (see Drèze and Oldiges 2007; 2009; Institute of Social Studies Trust 2006; Jandu 2008).² Looking at all India participation rates in the first two years of its implementation, Drèze and Oldiges (2009) point to the marginal increase in the participation of women (from 40% in 2006-07 to 44% in 2007-08). Large interstate variations in the participation of women have been observed: women constitute more than two-thirds of NREGA workers in Kerala (71%), Rajasthan (69%) and Tamil Nadu (82%) and less than the stipulated one-third in Assam (31%), Bihar (27%), West Bengal (17%), Uttar Pradesh (15%), Himachal Pradesh (30%) and Jharkhand (27%). Other research on NREGA has highlighted the various benefits accruing to women from NREGA. This paper explores this further. Its purpose is twofold: one, to highlight the importance of the NREGA, as perceived by women workers, and two, to show that the full potential of this legislation is far from being realised.

1.1 NREGA: Main Provisions of the Act³

Despite some weaknesses, the NREGA is a remarkable legislation under which local administrations are legally bound to provide work on demand to any worker or group of workers who apply for work, within 15 days of receipt of a work application⁴ on public works operated under the NREGA. Though the list of permissible works under the NREGA is quite restricted, there is ample scope

for undertaking projects that provide economically useful assets. In the event that the local administration fails to provide work, an unemployment allowance is to be paid to the workers. The NREGA promises “not less than 100 days” of work to all households in rural India in each financial year where adults in the household are willing to undertake unskilled manual labour at the statutory minimum wage.

There are several provisions of the Act which are of special interest to women workers. First, the Act mandates that at least one-third of the workers should be women. This, combined with the fact that the Act places no restriction on how each household's quota of 100 days is shared within the household, means that there is ample scope for women's participation in NREGA works. Second, the wage earned is equal for both men and women. Besides this, the NREGA also provides for childcare facilities at the worksite when more than five children under six years of age are present at the worksite. This is an important provision given that, in large parts of the country, there are no childcare arrangements (e.g., functional anganwadis) for working women.

1.2 NREGA Survey 2008

This paper presents some findings related to women NREGA workers from a field survey (hereafter “NREGA Survey 2008”) conducted in May-June 2008 in six north Indian states: Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Rajasthan and Uttar Pradesh.⁵ The 10 sample districts were: Araria and Kaimur (Bihar); Surguja (Chhattisgarh); Palamau and Koderma (Jharkhand); Badwani and Sidhi (Madhya Pradesh); Dungarpur and Sirohi (Rajasthan); Sitapur (Uttar Pradesh). The NREGA was rolled out in three phases: starting with 200 districts in 2006-07 (“Phase 1” districts), 130 districts were added in 2007-08, and NREGA was extended to the entire country in April 2008. Districts included in the “NREGA Survey 2008” are all “Phase 1” districts, where the Act came into force in February 2006.

The survey involved unannounced visits to a random sample of 98 worksites, spread over the 10 sample districts. Interviews were conducted with a random sample of 1,060 NREGA workers currently employed at these worksites. The random sample of workers was drawn from the muster roll⁶ of a currently ongoing worksite under the NREGA.

The survey was aimed at understanding the impact NREGA has had in the lives of workers who are currently working under the programme. The survey was not focused on women specifically, but 32% of sample workers were women. The interviews with women workers provided insights into the significance of NREGA work for these women and highlighted the “transformative” potential of the NREGA in enhancing economic and social security. Though the potential of this programme is substantial, implementation varies across states. In a mosaic of chequered implementation however, many narratives from women workers tell a significant story about the benefits of the NREGA. We highlight this significance of NREGA work for women workers and make the case that attention must be paid by the government towards effective implementation to ensure that these important benefits are not scuttled.

2 Women's Access to Casual Wage Work

Using qualitative and quantitative data from the survey, this section highlights the significance of NREGA work in light of the fact that women have limited access to wage work.⁷

It is important to note that there are large variations in the female participation in the NREGA across sample areas. Overall, 32% of the sample workers are women (see Table 2 further on). In Rajasthan (Dungarpur and Sirohi districts), 71% of sample workers were women. In Madhya Pradesh (Badwani and Sidhi districts), the proportion of women among sample workers was 44%. However, the corresponding figures for Chhattisgarh (25% in Surguja district), Jharkhand (18% in Palamau and Koderma districts), Bihar (13% in Araria and Kaimur districts) and Uttar Pradesh (5% in Sitapur district) are very low and lower than the female participation rate prescribed by the law (33%).

It is interesting to note that the figures on women's share in NREGA employment according to our survey, are broadly in line with the official data (available on www.nrega.nic.in) for 2007-08. For instance, if we rank states based on women's participation rates, both sources give us the same ranking with Rajasthan and Madhya Pradesh at the top and Uttar Pradesh at the bottom. Another interesting comparison is with the female labour/workforce participation rate (based on 2000-01 and 2004-05 NSSO data) where Madhya Pradesh and Rajasthan (in that order) significantly outperform Bihar and Uttar Pradesh (see Table 1).

Table 1: Women's Share of Employment

	Women's Share in NREGA Employment according to		Women's Share in the Rural	
	NREGA Survey, 2008 (Sample Districts Only)	Official NREGA Data, 2007-08 (All Districts)	Labour Force 2000-01	Workforce 2004-05
Bihar	12	27	12.3	13.8
Chhattisgarh	25	42	44.7	-
Jharkhand	18	27	24.6	31.3
Madhya Pradesh	44	42	37.0	36.6
Rajasthan	71	69	32.5	40.7
Uttar Pradesh	5	15	17.9	24.0

Sources: Drèze and Oldiges (2009) for official NREGA figures, 2007-08. Female Labour Force Participation Rate and Female Workforce Participation Rates are from www.indiastat.com

Possible reasons for the low participation rates of women in these states (including implementation related problems) are explored in the last section.⁸

2.1 Low Workforce Participation Rates

In the study areas, the NREGA has provided income-earning opportunities to women where hardly any existed before. The reasons for the unavailability of wage labour for women are complex and vary across regions. Women are primary providers of care roles for the sick and the elderly. Outside of unpaid housework, women have some opportunities for paid agricultural work. The combination of a labour surplus economy and sharp gender divisions of labour, imply that these opportunities tend to be seasonal in nature.⁹ There are even fewer opportunities for non-agricultural wage work in these areas where the rural economy is predominantly agricultural. The limited access to wage work for women in these areas is captured by the fact that in the three months preceding the survey, only 30% of the female respondents reported earning a cash income other than

NREGA (see Table 2). In fact, even among men just over half (55%) said that they had earned cash from sources other than the NREGA.

The women who reported wage work other than NREGA were performing agricultural labour in their own village or in other villages, working in the construction industry in towns and cities, working at stone quarries and collecting and selling forest produce such as *tendu* leaves, *mohua* flowers, grass and wood.

These employment opportunities, however, are not without problems. The earnings from them were limited or seasonal or insecure. Much of this work is irregular (e.g., agricultural work, collection of *tendu* leaves and *mohua* flowers are all seasonal in nature) and consequently women find themselves in a vulnerable position. Migration for work in the construction industry exposes workers to a range of vulnerabilities (e.g., exploitation, illness) to add to which gender biases are consistently faced in the availability of work.¹⁰ Many of these occupations (construction, factory, mining work and stone crushing) are replete with hazards and the possibility of injury.

Half of the women in the sample said that had they not worked on the NREGA worksites, they would have worked at home or would have remained unemployed. This could be either because women do not have many other employment opportunities (locally and even otherwise in some cases) or women workers are, “as a rule”, paid less than their male counterparts in rural and urban casual wage work (see Table 2).¹¹ When women have other employment opportunities, they often face “invisible” social constraints: some women might have considered working only on the fields owned by farmers from their own community or at a place where other persons from their community are working. Similar constraints and limitations prevail when migrating for work to cities.¹² On top of this, the harsh work conditions in the private labour market may also deter women from participating in it.

To summarise, employment opportunities for women in the private labour market are limited, irregular, poorly paid and can be hazardous. It often involves migration which raises a whole range of issues of its own. In addition to “invisible” social barriers, working conditions in the private labour market are often very demanding and exploitative.

2.2 Attractiveness of NREGA Employment for Women

NREGA workers (men and women alike) belong to the most disadvantaged groups. As Table 2 above shows, a large majority (over 70%) were from the scheduled castes (SCs) and scheduled tribes (STs) and most NREGA labourers were illiterate (82% in the case of women).

Many female respondents said the work provided under the NREGA opened up a new opportunity for them. The wider acceptability of NREGA work derives from several factors: it is locally available, being government work there is regularity and predictability of working hours, less chance of work conditions being exploitative and work is considered socially acceptable and “dignified”. Last (but not the least), it is better paid than other work. These attractive features of NREGA for women are discussed below.

Table 2: Profile of Sample Workers

	Women	Men
Proportion of NREGA workers who are	32	68
Proportion of NREGA workers who are		
Scheduled castes (SC)/scheduled tribes (ST)	75	71
Illiterate	82	52
Proportion of NREGA workers who		
Had other sources of cash income in the past three months	30	55
Collect their own wages	78	92
Keep their own wages	69	51
Prefer payments through banks	53	44
Average wage (Rs/day)		
Statutory minimum wage (Rs/day)	88*	88*
Agricultural work	47	53
Other casual labour	58	71
NREGA wage	85	85

* Unweighted average of state minimum wages in the six survey states.

The Act stipulates that work be provided locally, within five km of the residence. This makes participation in NREGA work logistically feasible for women. Since they continue to bear the main responsibility of household work, travelling any distance for paid work makes this task more difficult for them. Apart from the fact that NREGA work is provided in the village itself, the fact that women work in groups and that work is provided by the government helps to make NREGA work “socially acceptable”.¹³

Other reasons why NREGA work was regarded “acceptable” are pertinent. NREGA promises the statutory minimum wage. Even in cases where the minimum wage is not paid (as is often the case, especially in Rajasthan),¹⁴ NREGA wages imply a substantial jump in the earning potential for women (see Table 2). As per survey data, the average wage earned by women in the private labour market ranged between Rs 47 and 58 per day, for agricultural and other casual labour, respectively. On NREGA, the average wage earned was Rs 85, clearly a huge increase over other wage opportunities. Some women stated they did not engage themselves in agricultural wage labour earlier because they would have been paid too little and it was not worth their while to go out and work for a pittance. The prospect of earning a substantial wage within the village in some cases might swing “acceptability” in favour of women.

The fact that NREGA work is offered by the local government rather than by a private employer in some ways frees potential women workers from caste and community-based strictures related to who they can and cannot work with.¹⁵

Further, being government work, the hours of work are clearly stated and are limited to eight hours in a day (in the case of daily-wage work). Fixed working hours often cannot be expected in the case of other work. This is of special concern for women who combine any paid work with household work. NREGA employment is therefore considered relatively “safe” in the sense that it is thought that there are some checks and balances in place to prevent harassment of workers.

Moreover, NREGA employment offers a new sense of independence: for instance, Gita (Sirohi district, Rajasthan) said she would have stayed at home or worked on her own fields had NREGA work not been available. She considered working on the NREGA (government) worksite because she did not have to go through a

potentially embarrassing and humiliating conversation to ask anyone in the village for work.

3 Social and Economic Benefits

This section focuses on the impact of NREGA earnings as reported by female workers in our sample. We begin by looking at the scale of NREGA employment. The average days of NREGA employment, for the sample states, has been reported in Table 3. Again, Rajasthan tops the chart with an average of 46 days per female worker. Apart from Rajasthan and Madhya Pradesh, the days of NREGA employment reported in the other states are very low (less than 20 days in the remaining sample states).

Table 3: Participation of Women in NREGA

	Bihar	Chhattisgarh	Jharkhand	Madhya Pradesh	Rajasthan	Uttar Pradesh	All Survey States
Number of women in the sample	28	23	37	90	154	6	338
Participation of women (%)	13	25	18	44	71	5	32
Days of NREGA employment in the past 12 months	15	16	14	23	46	18	30
Proportion of women workers who							
Collect their own wages	75	74	63	71	100	0	78
Keep their own wages	67	74	59	71	74	0	69
Had other sources of cash income in the past three months	61	22	41	29	22	83	30
Prefer payments through banks	56	73	13	39	64	67	53

Yet, in the overall sample, NREGA was considered “very important” by 68% of the respondents.¹⁶ This figure increases to 81% in the households that have worked for at least 60 days in the last 12 months (here responses for male and female workers are taken together). Looking at the response from widows separately, NREGA was also considered “very important” by 82% of widows

in the sample. Of the total sample, more than two-thirds (69%) of the sample workers stated the NREGA had helped them avoid hunger, while 57% stated the NREGA had helped them avoid migration and equal proportion of workers also said they had used NREGA wages to buy medicines in the last 12 months.¹⁷

A large majority (79%) of women workers collect their own wages, and generally they keep their wages. In fact, as Table 3 shows, the proportion of workers who keep their own wages is higher for female workers (69%) than for male workers (51%). One may argue that what really matters is not only who keeps the money, but also who has control over it. Interviews with women suggest that in a large number of cases, they have substantial say

in deciding how the money is spent.¹⁸

Two-thirds of the female respondents reported having to face less hunger as a result of NREGA employment (Table 4). These earnings bring improved food security in a variety of ways: cash in hand allows households to

buy food in larger quantities which is generally cheaper than buying on a daily basis; women reported easier access to credit from local moneylenders to meet food expenditures; there were some indications from the interviews with women of a diversification of diets, even if only very marginally, from a cereal-dominated diet.

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Table 4: Social and Economic Benefits to Women

	Proportion (%) of Female NREGA Workers Who Said That NREGA Helped Them					
	Hunger	Migration	Avoid Illness	Hazardous Work	Repay Debts	With Child's Schooling
Bihar	74	14	57	7	7	25
Chhattisgarh	78	39	35	39	39	26
Jharkhand	57	40	31	45	17	12
Madhya Pradesh	57	39	33	17	24	27
Rajasthan	69	26	56	30	29	39
Uttar Pradesh	100	17	17	20	67	50
All sample states	67	31	46	27	26	31

NREGA also seems to be functioning as a “healthline” for many rural households. Across the states, NREGA workers (men and women alike) reported using their wages to treat an illness in the family or for their own medical expenses. Nearly half of the female respondents said that NREGA helped them cope with an illness in the family (see Table 4). Much of the economic uncertainty which afflicts the lives of the rural poor stems from sudden illnesses and chronic ailments. To that extent, NREGA seems to be fulfilling its role of enhancing economic security.

Interview after interview provides insights into how NREGA employment is helping women take charge of their lives, in little (and not so little) ways. Where the NREGA is implemented well, it has provided predictable and regular employment to women. In their fragile existence, the NREGA has brought respite from the anxieties associated with fulfilling their basic needs. These signs of relief peep through their statements regarding “improved creditworthiness”; from knowing that they will not have to sleep hungry; from not having to migrate in search of work which they are not sure of getting; from not having to spend money on travelling in cases where they work in nearby areas as labourers; from the assurance that there will be some money to pay for small and large medical bills should someone in the family fall ill; from being protected from very strenuous and poorly paid work (e.g., collecting forest produce and bringing it to the market for amounts as little as Rs 10 per day) and being protected from exploitative work conditions including sexual exploitation in some cases and conditions where there is no clear demarcation of working hours or tasks. In this sense, the NREGA has made a significant contribution to improving the wellbeing of women. Some examples are highlighted below:

In Rajasthan, where the scale of NREGA employment has been substantial, women reported purchasing productive assets with their earnings: Leela Ajma (Sirohi district, Rajasthan) spent some money buying agricultural inputs; Sumiri Jogira (Sirohi district, Rajasthan) said she and her family were able to hire a tractor for their fields; Sita said she bought a sewing machine with her earnings.

For some women, NREGA work has allowed them to spend money on their own needs, while earlier they might not have been at the liberty to do so. Keyo, a 45-year old widow (Sirohi district, Rajasthan) states she has been able to take care of medical bills to treat a respiratory problem that was contracted due to work she earlier did in a stone quarry, which later prevented her from working. Had NREGA work not been available to her, she would have been unemployed, since other wage work is hazardous and too strenuous for her to undertake. She was also dependent on a wage

earning daughter who is married – because of the number of people dependent on her daughter, Keyo might not have had the option earlier to treat the medical problem and subsequently seek work, but money earned under the NREGA allowed her to do this. Santosh, a 22-year-old respondent also from Sirohi (Rajasthan) said she is happy to have money she can spend. Since she is earning money herself, she does not feel answerable to her husband or parents-in-law as to how she spends her money and she can now travel to her parents house when she wants. In a society with strict norms of patrilocality where often significant exclusion from natal homes prevails, this is a remarkable statement in itself.

3.1 Significance for Single Women

We have seen that NREGA offers the relatively high (compared to the private market) statutory minimum wage and women workers are paid the same as men. Work conditions on NREGA work-sites are better and there is perceived dignity in doing NREGA work. Social barriers in the case of NREGA employment are lower. In the case of single women, these benefits are magnified. In this short section we use testimonies gathered during the survey to highlight the benefits to some single women in the sample.

The extremely vulnerable position of widows is brought out by the case of Timmo Kuwar, a 40-year old widow from Palamu district, Jharkhand. She has hardly any land (only 0.05 acres) and even that, she said, her brother was trying to usurp. NREGA work was very important for her because earlier she had to migrate out in search of work, whereas now she got work locally. Earlier she worked at breaking stones, which she said was very dangerous and if she does not get NREGA work, she would have to go back to that.

In Sitapur (Uttar Pradesh), Takdiri, a widow said that NREGA had “changed her life because earlier she was able to get work at Rs 35 per day, whereas now she earns Rs 100 per day. Bejni Devi (Araria district, Bihar) said that she was glad to have access to NREGA employment since the wage she can now earn in the village has increased significantly. The wage she would get for locally available work was Rs 15 per day, whereas she gets Rs 75 for NREGA work (as opposed to the statutory minimum wage of Rs 82/day in Bihar). If she had not got this work, she would have had to migrate with her four-month old child, since she had not got any other local employment in the past three months.¹⁹

NREGA work allows some measure of protection from having to migrate in search of work, or, given the small amount of work currently available, at least allows them to postpone migration. This protection from migration implies a significant improvement in the quality of life because of the costs and risks associated with migration. Tejki Dhira's (a widow from Sirohi district, Rajasthan) case illustrates this: she is 61 years old and migrating to Ambaji to sell wood is very difficult for her. This is what Tejki would have done if NREGA employment had not been available. The money she earned by working under the NREGA helped her repay the loan she took to treat her husband's illness and to perform the death ceremonies.

Access to work in the village is also critically important for those who are coping with illness of a family member. Kali Bai (from Sirohi district, Rajasthan) had a constant source of income when her husband was alive. Now, it is her NREGA wages that allow her

to sustain herself and her son who has a mental health problem. In the same district, another widow, Jamnabai Galbaji said that NREGA wages were crucial for her child's heart treatment.

For those widows who are not getting widow pensions,²⁰ NREGA employment offers relief and confidence. Keshi (a Rajput widow²¹ from Sirohi, Rajasthan) is one such woman. While earlier there was uncertainty as to whether she would have enough food to eat, she is now in a position to contribute to the family pot by paying for her grandchildren's education. Like many others, she reports improved credit-worthiness. Importantly, for some women and especially for women heading households, the NREGA has made loans more easily available (earlier lenders wondered whether they would get their money back, now there seems to be easier availability of credit) and in some cases, women say they have been able to repay at least part of their loan.

The "dignity" associated with doing government work and not having to seek work from private landlords or contractors is also a very significant benefit for women workers. Baby Pusaji Rawal (Sirohi district, Rajasthan) said that NREGA employment suited her because she does not have to go out and find work, and she does not need to wait for work. Government work opened under the NREGA has allowed her to leave work with private landlords and contractors which is often replete with an underlying threat or possibility of sexual abuse and exploitation. These very same issues are highlighted by Herring and Edwards (1983) in their study of the Employment Guarantee Scheme implemented since the 1970s in Maharashtra. Women heads of households who Herring and Edwards spoke with stated that they consider government work under the Maharashtra EGS "safer" and that EGS work provided by the government has led to a reduction in subtle forms of coercion and overt sexual exploitation faced by women workers (1983: 583).

Many widows also spoke of the harsh working condition in the private labour market. Aansi Bai (Sirohi district, Rajasthan) said that at the private contractors worksite she used to get Rs 50 for 12 hours of work. NREGA pays her more (Rs 100/day) for eight hours of work.

Several respondents (27%) stated that work provided under the NREGA has allowed them to stop doing hazardous work or work they did not want to do (e.g., working at quarries, going to the forest to cut wood, etc) – see Table 4. Rina Devi (Koderma district, Jharkhand) said she no longer needs to go the jungle to cut wood where wild animals were a constant threat. Several female respondents in Palamu district (Jharkhand) and Sirohi district (Rajasthan) said that NREGA employment has allowed them to avoid working at a stone quarry, which was hazardous.

Before moving on, it is worth noting that though we have focussed only on widows in this section, the category of single-women is not restricted to widows. Further, many women in the sample who were primary wage earners (i.e., not necessarily single women) found themselves facing the same vulnerabilities as single women and presented very similar testimonies.

4 Areas of Concern

This section focuses on three areas of concern with respect to women and their access to work under NREGA. First, in spite of the relative accessibility of NREGA for women, major barriers

remain. Second, there has been a thrust (from the government) towards payment of wages through banks. Some issues related to bank payments are discussed here. Finally, the low rates of participation of women in gram sabhas are discussed.

4.1 Barriers to Women's Participation

We begin with a detailed discussion of the persistent barriers to women's participation in NREGA works. The low participation rates in four out of six sample states bear witness to the existence of such barriers.

First, there are, in many areas, tenacious social norms against women working outside the home. In Uttar Pradesh and Bihar, we met women who said that they had not been able to register as workers under the NREGA²² and were told that this programme was "not for them". In Sitapur district (Uttar Pradesh), there was a significant amount of hostility to female participation in NREGA, both from gram panchayat functionaries and male relatives. Names of adult women were excluded from job cards and it was commonly stated that women "cannot" work on worksites, that they are "too weak", and that it is "socially unacceptable" for them to undertake this work. The widespread prevalence of these opinions related to female labour was reflected in the fact that only 5% of the randomly sampled workers in Sitapur district, Uttar Pradesh were women.

The reason for this bias seems to be partly related to the difference in the statutory minimum wage earned under the NREGA, and the local market wage rate (especially for women). This combined with the fact that men and women earn the same wage has created resistance to the participation of women by men who want to maintain privileged access to this (relatively high paid) work.

Takdiri (Sitapur district, Uttar Pradesh) pointed out that she had been turned away from several worksites – and that when there is an "excess of workers" women are the ones who are turned away. It may be pointed out that problems in accessing work highlighted by Takdiri are in themselves "illegal" – in that all workers who seek work have a right to work and must be provided work by the government as per law. Moreover, as against the legal provisions of the NREGA, work in most places is not "demand driven". Instead, in most places work is started at the initiative of the local government²³ and can be in limited supply at any given time. This is also the case for many respondents to the current survey. For many people facing difficult economic circumstances the certainty of accessing work when sought is critical as is regularity of payment.²⁴ However, women being turned away from work, especially in these circumstances is a matter of concern.

Second, the continued illegal presence of contractors is a significant negative factor affecting the availability of work and its benefits for women. On worksites where contractors were involved, 35% of women workers said they were harassed, as compared to only 8% on contractor-free worksites.²⁵ Besides, as mentioned above, the conditions of work at worksites run by contractors tend to be more exploitative (Table 5). It is quite likely that the complete absence of contractors is one of the factors that contributes to the high participation of women in Rajasthan.

In Rajpur block (Badwani district, Madhya Pradesh), for instance, work was being implemented by contractors in four out of five works visited. Women workers who the survey team spoke

Table 5: Barriers to Women's Participation

	Proportion (%) of Female Workers in the Sample	Proportion (%) of Female Workers Reporting		
		Harassment at the Worksite	Contractor-Managed Worksites	Delays in Payment of Wages ¹
Bihar	13	15	15	12
Chhattisgarh	25	35	30	70
Jharkhand	18	3	38	20
Madhya Pradesh	44	28	46	7
Rajasthan	71	5	0	7
Uttar Pradesh	5	0	0	100
All sample states	32	14	19	16

1 Proportion who reported that wages were not paid within 15 days among those women workers who had been paid at the sample worksite.

with said the contractor would come to the village and ask for names of able-bodied men to work on the site. If women asked for work, their pleas were ignored. Importantly, since the legal entitlement to get work on demand is not understood by many, this turning away of women workers does not meet with opposition from the village community – in fact, male workers engaged by the contractors thought the turning away of women was perfectly justified. In Udaipur block (Surguja district, Chhattisgarh), Bodhsai from Marya Panchayat said women and girls are subjected to verbal abuse by the contractor and women workers are often told they do not work fast enough.

Third, another big hurdle inhibiting the participation of women is the lack of childcare facilities. The Act requires that when there are more than five children under the age of six present at a worksite, a female worker be appointed to take care of them. We did not find childcare facilities being provided anywhere. (Only 3% of the worksites had childcare facilities, and these need to be taken with a pinch of salt because at least two were cases of “window dressing”.²⁶) The lack of these facilities can be crippling for women, especially for those with breastfeeding infants who cannot be left behind for long hours.²⁷ Most women who have children do not bring them to the worksite as it is not seen as a safe place for them: apart from the dangers of being left untended in the open, women are also worried about the heat and sometimes they are harassed when they spend time with the child (e.g., to breastfeed the child). However, leaving the child at home is not without its problems: sometimes the child is left unsupervised, breastfed children are fed once in the morning and left alone until evening when the mother returns which has a significant adverse impact on the health of the child. Meanwhile, the mothers spend their day in anxiety worrying about the child's safety at home. What is encouraging is that four out of every five women said that if some childcare facilities are provided they would bring their child to the worksite.²⁸

Fourth, in some states productivity norms are too exacting, because the “schedule of rates” is yet to be revised in line with NREGA norms. To illustrate, in Jharkhand the standard task for a day's work at the time of the survey was digging 110 cubic feet (in soft soil), which is far too much.²⁹ Certain types of NREGA work also limit the participation of women. This applies, for instance, to the construction of wells on private land. The nature of this work is such that women stop being employed as soon as digging has reached a certain depth.

Fifth, delayed payments also come in the way of participation of poor women. Delays in wage payments make things particularly

difficult for single women, who cannot afford to wait for work and wages as they are the sole earners in the family. When the wages do not come on time, they are often forced to return to previous, less preferred forms of employment. For example, Shanti Devi (Koderma, Jharkhand), said that at the mine where she worked before, she was paid on a daily basis whereas she has to wait for a month for her NREGA wages. As Table 5 shows, in Uttar Pradesh, where only 5% of the sample workers were women, all of them reported that wages had not been paid within the stipulated 15-day period.

4.2 Bank Payments of NREGA Wages

Another area of concern relates to the en masse switch over to bank payments of NREGA wages since September 2008. This is a relatively recent “administrative innovation”, which is perceived by the government as a “magic pill” for ending corruption.³⁰

Respondents were asked whether they preferred to be paid in cash, or through banks or post offices. In the survey, roughly 53% of women in the sample wanted payments through banks and/or post offices.³¹ The introduction of bank payment could benefit women in several ways. The main reasons in favour of bank payments include the perception that payment through banks will increase the possibility of saving and a reduction in the possibility of being cheated by those who distribute wages in the village (even in Rajasthan, where record keeping is on the whole better than in the other states visited). Other reasons why people want bank payments include the perception that this will lead to a reduction in delays (in payments), that a lump sum of money will be available in one instalment (stated by respondents especially in UP and Bihar). Interestingly, for women, it is also seen as an effective tool for increasing their control over the use of this money (e.g., some women said when wages are paid in cash, it is easier for husbands to take control over it).

However, if payments through banks are introduced without consciously taking into account women's concerns, this change could end up hurting them. For instance, in the event when bank accounts are opened in the name of one job card holder (as has happened in many of the survey areas), women might be denied rightful direct access to their own earnings. The case for cash payments is sometimes made on the grounds that banks are often at a distance from the place of residence, in some cases in distant (larger) villages or towns and getting there involves additional costs, and that it would lead to some loss of liquidity.

What has emerged from the survey is that if banks are close to the workers residence, women have their own accounts and they are able to operate these accounts, then the introduction of wage payments through banks/post offices may turn out to be a good development for women.

5 NREGA and Gender Equality

As noted at the beginning of this paper, the NREGA has several provisions that are aimed at improving the participation of women. We have seen that these have met with varying degrees of success in different parts of the country. In the case of women, it is important to note that even relatively small levels of NREGA employment have resulted in significant perceived benefits from the programme. Serious problems remain in implementation

across states (such as the lack of availability of crèches for mothers of young children and the continued illegal presence of contractors). Given the critical gains made by women workers – in accessing work and an income, food and healthcare for themselves and their families, and in leaving potentially hazardous work – it needs to be ensured that the problems in implementation do not derail the gains.

More importantly, NREGA has the potential to have a wider impact on gender relations. This can happen in several ways. For instance, NREGA employment can enhance women's economic independence by providing them access to cash earnings. Relatedly, NREGA earnings can bring about a sense of equality fostered by earning, for the first time, the same wage as men.³² There will also be an impact on gender relations through the effect of NREGA on gender division of labour. This could happen because women are seen to be contributing "actively" (in the conventional sense) to the economy and their contribution to economic activity becomes more directly visible. Further, in keeping with similar provisions under panchayati raj legislation, the NREGA guidelines have provisions for female participation in vigilance committees under the NREGA. Over time, it is hoped that women will be able to take advantage of such provisions, making their own space in public and social life (more on this below).

However, for effective participation by women, it is important for the NREGA to go beyond the initial gender-related provisions such as fixing the minimum share of women workers and equal wages. A more comprehensive perspective on gender equality needs to be built in all aspects of the Act. One of the first steps in this direction is to move from the household entitlement of 100 days to individual entitlements, which will assure women 100 days of work in their own right, without having to negotiate within the household. In order to ensure direct access to NREGA earnings, instead of having joint bank accounts (or worse, accounts in the name of the male member of the household), there should be separate bank accounts for women. This has already been done in some states (e.g., in Tamil Nadu, men and women have separate job cards and separate bank accounts). Increasing the share of women in NREGA staff appointments would also go a long way towards achieving the agenda of gender equality and sensitivity. One encouraging example of this is the move, in Rajasthan, towards appointing trained female mates.³³

That gender equality remains a distant goal is evident when we look at women's participation in gram sabhas. Only 33% of sample workers (both men and women) stated they had attended a gram sabha during the preceding 12 months.³⁴ A large number of women respondents said that they do not go to gram sabhas

because they are either not welcome at the meetings or that they think "it is not a meeting that women can attend". Since decisions related to the implementation of NREGA works are supposed to take place in gram sabhas, it is significant that most women look at them as meetings they "should not attend".

However, there are also heartening departures from this pattern, which suggest that the NREGA presents us with an important opportunity for improving gender relations in some of the most remote areas of the country. For instance, in Pati block (Badwani district, Madhya Pradesh), women were among the most vocal members of the vigilance committees and also participated actively in gram sabhas. This also raises the question as to why women have been able to gain so much out of the NREGA in Pati block. In this context, it is appropriate to mention the role of the Jagrut Adivasi Dalit Sangathan, a small organisation of peasants and labourers, working in the area towards helping workers claim their entitlements under the NREGA. The emphasis of the work of the Sangathan has been on making the local government answerable to gram sabhas and to the people. In several pockets in Pati block, NREGA is implemented as a demand-driven employment programme, as is intended by law. Sangathan members submit applications for work and work is opened by the government in response to work demanded. Members of the Sangathan, women and men, have collectively participated in NREGA planning and implementation by way of participation in gram sabhas and in supervision committees for NREGA sites, so engagement with the NREGA is not just in terms of getting employment. Rallying around the NREGA has also strengthened the Sangathan and encouraged higher female participation in vigilance committees.

To reiterate the benefits from the NREGA for women: work is available at the statutory minimum wage, allowing workers to get work in their village, as a result of which migration and hazardous work can now be avoided by many. These benefits should be adequately recognised and efforts should be made to strengthen these gains. Ensuring the establishment of crèches for women workers, abolition of contractors, effective implementation of transparency mechanisms and the establishment of a schedule of rates more favourable to women will go a long way in removing the short-term barriers to women's participation in NREGA. For the longer term goals of gender equality to be realised, attention also needs to be paid to ensuring greater participation of women at all levels (e.g., as labourers, in NREGA worksite management and staff appointments) and in all spheres (e.g., participatory planning through participation in gram sabhas, social audits). These measures can simultaneously impact gender relations and improve the implementation of NREGA.

NOTES

- 1 The term "citizens' Draft" refers to the draft prepared by campaign groups, which included amongst other things, the provision for individual entitlements rather than household entitlements. Drèze (forthcoming), Macauslan (draft) and Lakin and Ravishankar (2006) track the campaign for the NREGA.
- 2 Interestingly, even in the Maharashtra Employment Guarantee Scheme (an Act similar to the NREGA, enacted in Maharashtra in the 1970s), the importance of the programme for women had been highlighted in many studies, to the extent that one

describes it as a "women's programme" (Dev 1995). See also Dandekar (1983), Sathe (1991) and Krishnaraj, Pandey and Kanchi (2004a, 2004b).

- 3 The full version of the NREGA is available at <http://nrega.nic.in>. See www.righttofoodindia.org for a primer which presents the basics of the Act in a user-friendly format.
- 4 Workers have an option to make advance applications (i.e., seek work at a later specified date). Work applications may be written or oral.
- 5 Taken together, these states account for 40% of the total population of India.
- 6 "Muster Rolls" are attendance sheets on the basis

of which payments are made to workers. They are supposed to be available at the worksite for public scrutiny and examination by workers.

- 7 The random sample of workers was drawn from lists of workers on NREGA sites. As a result, some categories of "potential workers" such as women unable to participate in the NREGA for lack of childcare facilities are actually excluded from the sample. The focus of the survey was the implementation of the NREGA, and the perceived benefits, if any, to the worker from work being implemented under the NREGA.
- 8 Problems in implementation include accessing work

- as per the provisions of the NREGA; problems with being paid at regular intervals and the low scale of employment generated – on average 30 days in the past 12 months per female worker (see Table 3).
- 9 See for instance Chen (1989), Breman, (1996), Drèze and Sharma (1998). On this see also Harriss-White (2003).
 - 10 See for instance Breman (1996).
 - 11 See for instance Chen (1989), Olsen and Mehta (2006), National Commission for Enterprises in the Unorganised Sector (2007). With regard to agricultural wage work, Chen points out that “generally, across regions, women are paid less than men for the same agricultural operations”...In all regions, the lower-paid off-peak season operations (weeding, preservation, processing) are dominated by women.”
 - 12 Breman (1996) and Mosse et al (2007), for instance, mention the physical and sexual vulnerabilities faced by women migrants.
 - 13 Lungibai (Sirohi district, Rajasthan) said that this is the first time she was working for a wage and that her husband had “allowed” her to work since work was available within the village. Similarly, Maina (Aant Panchayat, Sitapur district) states she has never worked for a wage earlier. Interestingly enough she felt that NREGA employment “has not changed her life substantially” but went on to state that she has started sending her daughter to school as a result of this work.
 - 14 The NREGA allows wage to be calculated on a time rate or piece rate basis. Since the wage is often calculated on a piece rate rather than time rate basis, as is typically the case in Rajasthan, workers get less than the statutory minimum wage. The calculation of wage on a piece rate basis is dependent on a “schedule of rates” for specific tasks done by workers.
 - 15 Barbara Harriss-White (2003: 31) for instance states “caste ideology ... affects whether women work at all, what work they can do and how far from home they may move”. Also, with regard to migrant labour, Breman (1996) comments on restrictions faced by women migrant workers – they are likely to travel with male relatives (see pp 45-53).
 - 16 The terms “very important”, “less important” and “not important”, which were used in the survey questionnaire are terms which may be interpreted broadly. However, the use of these terms aims at emphasising perceived benefits by workers under the NREGA. Quantification of perceived benefits on a more elaborate numerical scale was avoided and instead, reliance was placed on discussions with workers. Supplementary questions on access to healthcare, nutrition and education, for instance, were asked but again with emphasis on discussion rather than quantification on a numerical scale.
 - 17 Preliminary results from a survey of 320 households in one district of Andhra Pradesh also report similar results (Ravi and Engler 2009).
 - 18 As Haski, a tribal woman in Chanar panchayat (Sirohi district) put it: “*Main ghar ki mukhiya hoon*” (I am the head of the household). That women have some measure of control over savings can also be seen later in this section, where women state they spent the money on their personal needs, including medical problems and to travel to their parents’ village.
 - 19 Similarly, Nani Bai (Badwani district, Madhya Pradesh) said she now earns Rs 85 (the minimum wage in Madhya Pradesh) instead of Rs 20-25 that she earned earlier as an agricultural labourer.
 - 20 The government of India has a widow pension scheme which pays Rs 200 per month; some states supplement this amount with contributions from the state budget.
 - 21 The Rajput community is particularly conservative and for women, access to wage work is difficult and often looked down upon.
 - 22 Under the NREGA, job is provided to workers who are listed on the work cards issued in the name of the head of the household. All adults in the family may register for work. One “job card” is provided per household – which according to operational guidelines for the Act is supposed to be a nuclear family. A household registered under the NREGA is entitled to demand “at least” 100 days of work under the NREGA.
 - 23 The incentive to do this for the state government is that the funds to be spent under the NREGA are provided by the central (federal) government. Therefore, the state government is effectively using central funds for local area development without dipping into the state exchequer.
 - 24 See Khera (2006).
 - 25 The proportion of male NREGA workers reporting harassment is much lower – only 9% and 11% on worksites where contractors were involved.
 - 26 In the assessment of the survey team, these are fake childcare facilities which were put in place only for the benefit of the survey team.
 - 27 See Bhatti (2006) and Narayanan (2007) where these issues are discussed in detail.
 - 28 It might be reiterated here that the sample was drawn from lists of workers at worksites. If anything, concerns related to childcare are therefore underemphasised in the survey findings, since there are likely to have been many women who would not have been on the muster rolls because of the lack of childcare facilities.
 - 29 Note that the Schedule of Rates (SoR) have been revised downwards in almost all survey states after the survey concluded.
 - 30 See Adhikari and Bhatia (forthcoming), Drèze and Khera (2008), Kar (2009) and Vanaik and Siddhartha (2008).
 - 31 Interestingly the figure for women is higher than the figure for men (44%) – see Table 1.
 - 32 Though earlier government schemes provided for the payment of equal wages, it did not happen in practice. For NREGA work, women, almost routinely, earn the same as men.
 - 33 Mates are worksite supervisors, selected from among NREGA labourers. See Khera (2009) for more details of this experiment.
 - 34 It is important to qualify this, however, with the fact that at the moment in many places, gram sabha meetings tend not to be held.

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