

GOVERNMENT OF RAJASTHAN
RURAL DEVELOPMENT & PANCHAYATI RAJ DEPARTMENT

No. PS/RD & PR/2008

Dated : 11th March, 2008

1. All Collectors,
Rajasthan.
2. All CEO's,
Zila Parishad,
Rajasthan.

Sub : Transparency & Accountability in implementation of NREGS.

Sir,

Recent findings of Social Audit in Banswara and Jhalawar have established the need to streamline the process of issue of muster rolls, measurement of works and clearly define responsibility for the irregularities and deficiencies. During Social Audit in some cases, bogus names were found entered in muster rolls, higher utilization of material was shown than actual use on site and there were irregularities in purchase of material and transportation charges. There is an imperative need check these irregularities at the earliest.

The following instructions are issued in this regard which should be meticulously followed :

(a) Issue of Muster Rolls

As per the provisions of NREGA, it is mandatory for the labourer to apply to the Panchayat/PO in Form VI for demanding employment. The Secretary of Panchayat/Gram Rojgar Sahayak is required to issue a receipt to the applicant. Thus, the number of labourers who have applied for employment for the next fortnight is known before the date of issue of the muster rolls. But in most of the districts, Project Officers do not use this information to determine the number of muster rolls to be issued and more number of muster rolls than required are issued leaving a scope for mis-utilization of unused muster rolls.

In future, the Secretary/Gram Rojgar Sahayak will prepare a list of the labourers who have applied for employment during the next fortnight and submit it to Programme Officer who would issue the muster rolls as per the actual number of labourers demanding work. If a muster roll is not going to be fully utilized, a horizontal line should be drawn across all such columns not going to be used. This would prevent misuse of blank muster rolls.

A question may arise about the labourers who demand work after the issue of muster roll or report directly on work. As per law, the employment is to be provided within a fortnight after the application is made. Therefore, in such cases the application could be taken and registered and labourer should be asked to report on work during next fortnight.

DIA NO. 1000/001/001
/2-3-08

(b) Affixing photographs of working members on job cards

Non fixation of photographs facilitates such irregularities. Therefore, affixing photographs on all the cards can also help in detecting bogus or non existent persons. This should also be strictly enforced.

(c) Measurement of works

Every fortnight, the work is measured by the JEN and only after that the payment could be made. The JEN carries out the measurement of both the labour and material used. As per GKN, test checking of works by the Technical Officers is also provided. On the top of it, the PO and other officers are also required to carry out inspection of all the works during the month. Despite all these processes, irregularities in use of material were found in the works. Excess use of material was recorded in the MB than actually used on site and no inspecting officer could detect it ! This could be detected only during Social Audit ! Certainly there has been supervisory negligence in enforcing the test check and inspection system which encouraged such irregularities which could have been prevented.

Such irregularities can also be effectively checked at local level through the Vigilance Committees, Social Audit Forums and effective use of work site Management System by maintaining an account of material received at worksite by the Mate. Thus, there is an immediate need for an orientation training to the members Vigilance Committees, Mates and members of Social Audit Forums on how to detect and prevent such irregularities. Such trainings can be organized at village level by the PO, TA & JEN during their regular visits to the worksites. This should be completed in next two months. PO would be personally responsible for this. The Boards at worksite in the format given in the operational guidelines should also be put up without fail. Mere mentioning details on the boards bring transparency and may serve as a deterrent.

The inspections, both test check by technical officers and administrative inspections by PO's and other officers as per the norms should be strictly enforced. Each work must be inspected once in a fortnight. If the number of works is more, Collector should engage more officers. Physical verification of material used at worksite, material received and balance at site should be necessarily carried out by the inspecting officers.

(d) Irregularities in procurement of material and payment of transportation charges

Some of the irregularities pointed out in Social Audit are :

- (i) Material was purchased at much higher rates than the prevailing market rates without inviting tenders.
- (ii) Material was procured locally but bogus bills prepared to charge transportation and higher cost.
- (iii) Firms in the names of some Panchayati Raj representatives set up with intent on high profit.
- (iv) Higher transportation charges than the prevailing charges paid.

Inspecting Officers could read out the details of material purchased, used, balance, rate at which procured, from whom procured, rate of transportation charges etc. to the

labourers/people. This would certainly bring more transparency. This should be followed by the Inspecting Officers.

(e) Social Audit

Social Audit is one of the most effective method of checking corruption and irregularities in NREGS and all other RD works. Therefore, all efforts should be made to effectively train the social audit forums. It would be useful to associate reputed NGO's with these trainings so that a critical mass of the people is available in the field to serve as an effective deterrent to such irregularities. The programme of Social Audits should be widely publicized and effectively supervised to see that this activity is undertaken seriously at all levels. Any irregularity detected during social audit should be strictly dealt with.

No system functions on its own till there is commitment from the top. For implementation of the above instructions, Collector is expected to play a leadership role. CEO's & PO's have to play a pro-active role to put the system in motion under overall guidance and supervision of the Collector. The past experience shows that these levels failed to exercise their supervisory authority over the Panchayats, technical staff, inspecting officers and this was one of the main reasons that these irregularities could neither be checked nor detected till such time social audits were conducted.

While everyone is aware of their responsibility but there always is a tendency to put responsibility on lower levels when the necessity arises. This is an unacceptable practice. In all cases of irregularities, corruption etc. the responsibility and proposed action would be as per annexure-I. Please bring these instructions to the notice of all concerned.

These instructions should be strictly followed at all levels.

Encl :As above.

Yours faithfully,


(Ram Lubhaya)

Pr. Secretary to Government

Responsibility Levels to ensure Transparency & Accountability under NREGS

S. No.	Type of Irregularity	Direct responsibility for administrative & criminal liability	Nature of action to be taken once the irregularity is established during Social Audit, inspection and enquiry	Officers responsible for supervisory negligence
1	1. Bogus Entries. (i) Names of dead or migrated persons in the muster roll (ii) Deploying machines and preparing bogus muster rolls for labour payment (iii) Using blank muster rolls to fill false labour entry and take payment under false signatures/thumb impression	(i) Gram Sewak & Gram Rojgar Sahayak having failed to: (a) Detect the bogus person at the time of demand application (Photo should have been compared and in the absence of photo, establish identity through local enquiries (b) At the time of payment (c) Attendance checking during execution of work (ii) (a) Mate for marking bogus attendance (b) Having failed to enforce group system for labour employment. (iii) Sarpanch and members of Vigilance Committee/Panchayat in whose presence payment was made for having failed to point out bogus names.	(i) Criminal case for forgery, falsification of records, criminal abetment (120 B IPC) and criminal breach of trust. (ii) As soon as the FIR is lodged, Gram Rojgar Sahayak be terminated. Mate be removed & blacklisted for future. (iii) Gram Sewak should be suspended & disciplinary proceedings be initiated. (iv) Sarpanch to be suspended with approval of State Government.	Action against PO/Inspecting Officer of that area under Rule 17 CCA for having failed to detect it during inspection or having failed to inspect the work and not enquiring into the reasons of low wages (such irregularities are at the cost of other labourers) and also failing to put transparency measures in place as per operational guidelines.

2	Irregularities in procurement and use of material	<ul style="list-style-type: none"> (i) Procurement at higher rates without competitive bids (ii) Higher transportation charges (iii) Purchase from firms of near relatives and family members <p>Serious nature</p> <p>(i) Using less material at worksite than shown in record</p>	<ol style="list-style-type: none"> 1. Sarpanch 2. Gram Sewak 3. JEN <ul style="list-style-type: none"> • Sarpanch • Gram Sewak 	<ol style="list-style-type: none"> 1. Disciplinary action under Panchayat Rules 2. Recovery of the difference amount 3. Removal of JEN if on contract and disciplinary action if regular (only for poor quality of material) 	<ol style="list-style-type: none"> 1. Criminal case for falsification & forgery of record against Sarpanch, Gram Sewak & JEN 2. Gram Sewak to be suspended and face disciplinary action 3. Action for suspension and removal of Sarpanch to be initiated 4. JEN (if on contract) to be removed. If regular, suspension & disciplinary action. 	<p>PO/Inspecting Officer for having failed to detect during inspections.</p> <p>AEN/Technical Asstt. for having failed to carry out test checks as prescribed. Mate. to be removed if he helped in maintaining false record.</p> <p>XEN(NREGS) and XEN (Engg.) for having failed to put the test check systems effectively in place.</p> <p>Supervisory negligence of Collector and CEO, ZP if large scale irregularities in muster rolls & material are found in the district during Social Audits or otherwise for having failed to effectively put the inspection and supervision systems in place.</p>
---	---	--	---	---	---	--