

**PRESS RELEASE**

In the recent week, the Ministry of Rural Development (MoRD) has dealt three major, concerted blows to the National Rural Employment Guarantee Act (NREGA):

(1) The Budget allocation for NREGA was reduced to just Rs 60,000 crore in 2023-24 (less than Rs 50,000 crore if we deduct wage arrears from 2022-23). This makes this year’s allocation the lowest as a proportion of GDP (0.2%) in the history of the programme.

(2) The NMMS digital-attendance App was made compulsory from 1 January onwards.

(3) The Aadhaar-Based Payment System (ABPS) was made compulsory from 1 February.

The above three are magnified by the continuing delays and denial of payment of wages, including wages not being paid to MGNREGA workers in West Bengal for more than a year.

In a press conference organized by NREGA Sangharsh Morcha in Press Club of India on 16th February 2023, each of these issues were discussed by a panel consisting of Nikhil Dey (Mazdoor Kisan Shakti Sangathan), Yogendra Yadav (Swaraj Abhiyan), Maheshwari Devi (MGNREGA Mazdoor Union), Jean Dreze, (Visiting Professor, Ranchi University) and NREGA workers from the state of Bihar who have come to Delhi to be a part of the 100 day dharna to protest against the above three issues.

Nikhil Dey introduced the 100 day dharna that the NSM is currently on. It is enormously difficult for NREGA workers to come to Delhi and protest, but are being forced to do so to resist the assault on NREGA through imposition of the NMMS , ABPS wage payment , budget cuts and delays in payment of wages. The allocation for FY 2023-24 as a percentage of the GDP is around 0.198% which is the lowest ever in the history of NREGA. With a budgetary allocation of Rs 60,000 crore and current pending liabilities amounting to Rs 9,400 crore, only Rs. 50,600 crores will be remaining for expenditure. Consequently, only 16.64 days of work per active household can be generated for FY 23-24. He suggested that Government of India should introduce an online photo monitoring system for its employees before imposing it on NREGA workers across the country. He concluded by saying that NREGA workers of West Bengal have not been paid for more than a year without taking any actions against corrupt officials in the State and instead punishing NREGA workers. This is one of the worst human rights violations ever.

Yogendra Yadav stated that the measures being introduced by the MoRD are a clear demonstration of the Government of India’s attempt to hollow out a law without formally repealing a law. The fact that the MoRD issued an order mandating ABPS payments on the same day that the budge allocation was reduced is a clear indication of deliberate, illegal and immoral hurdles being imposed by the Government to ensure less funds are spent on the programme. Swaraj Abhiyan filed a PIL in 2015 with the Supreme Court to question the informal ceiling being imposed on a programme which technically can have no budget ceiling. He concluded by saying that the cut in budgetary allocations in NREGA are aligned with the overall reduction in social sector provisioning for education, health and farmers welfare, and this is an open declaration to people saying rights can and will be kept aside.

Maheshwari Devi,  from Muzaffurpur District, Bihar shared the difficulties she faces as a MGNREGA worker because of the NMMS. She mentioned that she reaches work at 9am, and is made to stay at the worksite till 4pm because her photo needs to be uploaded twice a day for her to get her wage. There are numerous instances when workers have come to work and have finished their work, but their attendance is not marked for the day because of server and technical issues with the NMMS. Workers have been made to return home without wages for work already completed by them. She herself had worked for 6 days, but was marked attendance for 1 day and went to the Block officer, District Officer to complain against the “gaayab haazri” and is now here in Delhi to be heard. She concluded that she believes the MoRD should stop imposing such hurdles on workers and instead increase MGNREGA entitlement to 300 days and ensure wages are paid within 7 days. She said workers work for the programme, and must have the hisaab of the programme not the app.

Vikas who works as a mate in Muzaffurpur District said he has come to the Dharna to voice his dissatisfaction with the NMMS. He said even the implementing agency at the grassroots including the Panchayat Rozgar Sahayak is distressed with this app. He is unable to ensure registration of attendance of workers who have completed their day’s work in the programme due to connectivity issues, server issues and some or the other logistical issue.

Jean Dreze discussed the order issued by MoRD on mandating all NREGA payments to be routed through the ABPS alone. The order was passed on the same day as the budget cut was allocated, and while the latter caught everyone’s attention the former did not. He described the nature of difficulties that people, particularly rural poor workers face in seeding their bank account to their Aadhar Card and mapping them on to the NPCI mapper. It is precisely because of these difficulties that even though the MoRD has been pushing for ABPS, to date it has been able to only ensure that 43% of NREGA workers are eligible for ABPS payment. The enforcement of the order issued by MoRD on 30th January will result in the majority of MGNREGA workers not being paid their duly earned wages. And an even larger majority of workers will not know whether they are or are not eligible for ABPS. This is a truly shocking oder and can destroy the programme. This order reeks of the same kind of recklessness and irresponsibility that was demonstrated by the Government in its announcement of demonetization and the national lockdown. He termed it as the biggest attack on NREGA so far. He further stressed that there is no evidence to indicate that ABPS based wage payment transfers are more efficient than ordinary bank based wage payment transfers. And that is what makes this ultimatum issued by the MoRD even more unjust.

The NSM strongly condemns the steps taken by the Ministry of Rural Development that have compromised peoples’ right to work as guaranteed by the MGNREGA. The mandatory imposition of NMMS digital-attendance App and NREGA wage payments being routed through the ABPS are leading to a gross violation of workers’ inalienable right to payment within 15 days. This directly violates the order of the Supreme Court in Writ Petition (Civil)Number 857 of 2015 which clearly states  “ We therefore make it clear and direct that in terms of the Act and Schedule II thereof a worker is entitled to payment of wages within a fortnight of the date on which the work was done, failing which the worker is entitled to the compensation as prescribed in paragraph 29 of the Schedule II of the Act. The burden of compliance is on the State Governments and Union Territory Administrations as well as the Central Government. We direct the Central Government through the Ministry of Rural Development, in consultation with the State Governments and Union Territory Administrations to prepare an urgent time bound mandatory program to make the payment of wages and compensation to the workers.  One entity cannot pass on the burden to another and vice versa.”

The NSM demands the following:

1.The immediate removal of NMMS app that is leading to denial of work and wages to workers
2. The revocation of the order issued on 30th January 2023 mandating all payments to NREGA workers taking place through the Aadhar Based Payment System
3. The MoRD put in place a time bound action plan to ensure that all NREGA workers are paid their wages within 15 days of them completing work

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