

Empowerment of Women through the Participation in MGNREGA during post COVID-19 Period

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Abstract

Rural women play key role in sustainable development and their empowerment is imperative for achieving the successful and effective implementation of developmental schemes in rural areas. The principles of gender equality are enshrined in the Indian Constitution. A significant purpose of development planning in India has been to provide for increasing employment opportunities not only to meet the backlog of the unemployed but also to accommodate additional labour force. MGNREGA is an anti-poverty welfare initiative. It protects the rural poor from vulnerabilities by providing them demand employment. Participation of women in MGNREGA Scheme is significantly high. The Indian economy, which was already experiencing a slowdown, was hit hard by the COVID-19 pandemic. Increasing women's participation in MGNREGA during post Covid period can be useful for effective delivery of its core objective. If implemented properly, this law can have ever lasting implications for the beneficiaries to improve their status economically and socially.

Keywords: Empowerment, MGNREGA, Indian Constitution, COVID-19, Rural Development

INTRODUCTION

Women's empowerment is a process of providing suitable conditions for women's cultural, social and financial development. Women's Empowerment is a global issue. In recent years, the empowerment of women has been recognized as the central criteria in determining the status of women. The empowerment of women is an input which is intended to eliminate their subordination and establish equality. Women's empowerment and gender equality are essential for making an egalitarian society that can ensure sustainable development in the country.

In the labour market, gender gaps prevail across the globe. Women are less preferred and attracted than men to be engaged in the labour market. Though in some part of the world particularly in the developed nations women are engaging themselves in various kinds of employment but they are underemployed, exploited and working in poverty. Conditions of women in the labour market are further complicated by social norms, stereotypical thinking and expectations of household and care responsibilities.

It has been observed that, due to economic crisis, the majority of workers in the underdeveloped/ developing regions and in Sub-Saharan Africa did not enjoy the possible security. Daily wage or salaried jobs could provide and in each of these regions, there were significant differences in the vulnerable employment rate between men and women, which underline the disadvantaged position of women [1]. The present study has been undertaken with the following objectives:

1. To study the importance and significance of Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA) as poverty alleviation programme.

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Received Date: October 05, 2021

Accepted Date: October 07, 2021

Published Date: December 31, 2021

Citation: Pratim Sarkar. Empowerment of Women through the Participation in MGNREGA during post COVID-19 Period. Journal of Human Rights Law and Practice. 2021; 4(2): 13-19p.

2. To analyze and understand the impact of this Programme on rural women and to know how far this scheme is successful to make financial empowerment of women.
3. To highlight the information regarding the participation of women in this scheme during post COVID-19 period.

The methodology adopted in this study is mainly doctrinal. The study is based on secondary sources of data such as books, records, official documents of Governments, journals, magazines, judicial decisions and official websites etc.

Male favouritism and female unfairness are strongly dominated the labour market in the Southern part of Asia [2]. In India, a small number of women are able to access paid employment. Women constitute a very little percentage of the organized sector and protected under legal framework. Though employment of women in the sectors of teaching, finance, textile industry, local government and non-governmental organizations and other service sectors is on the rise, access to this field is limited to educated women normally from urban middle class. Economic empowerment of women particularly rural women has become important subject in the process of comprehensive development with social justice.

CONSTITUTIONAL CONCERN

The principles of gender equality are enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. Part-III of the Constitution consisting of Articles 12-35 are the most significant provisions of the Constitution. Human rights are the basic entitlement of every man and woman because they are made enforceable as constitutional or fundamental rights in India. The Constitution not only ensures equality to women, but also empowers the state to adopt measures in favour of women. Since, the Fifth Five Year Plan (1974-78), the empowerment of women has been recognized as the central issue in determining the status of women. The National Commission for Women was set up by an Act of Parliament in 1990 to protect the rights and legal entitlements of women. The 73rd and 74th Amendments (1993) to the Constitution of India have provided for reservation of seats in the Panchayats and Municipalities for women, laying a strong foundation for their empowerment and participation in decision making at the local levels [3].

In rural areas, women mainly work in the sectors like agriculture, tea plantation, food processing and other allied areas. Though agriculture is considered to be the major field of women's employment [4] but they are not recognized, remunerated as farmers and are assigned supplementary work to that of men such as weeding, winnowing and transplanting.

A significant purpose of development planning in India has been to provide for increasing employment opportunities not only to meet the backlog of the unemployed but also to accommodate additional labour force. According to the Report of Oxfam (an International Non-Profit Organization), irrespective of the employment category that may be casual or regular in organized or unorganized sector women workers in India are provided a lower wage rate. The gender pay gap was 34 percent in India, which means that, women get 34 percent less compared to men for performing the same job with same qualifications. This report is based on the NSSO Survey (2011-12) and also on the ILO studies [5].

Since independence poverty alleviation has been an important goal of development policy in India. Many anti-poverty workfare schemes and programmes like RLEGP, NREP, JRY, SGRY, REGS have been adopted and implemented but could not achieved desired result due to social, economic, political and legal barrier. World's largest and India's best wage employment scheme for rural people came in to force in the name of Mahatma Gandhi National Rural Employment Guarantee Act, 2005 which provides legal guarantee of employment at the statutory minimum wage and rural people got the momentum.

Importance and Significance of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005

The Act has several gender supportive features that are attractive for women workers. The Act demands that priority shall be given to women labourers. In this regard, the performance of MGNREGA with reference to participation of women is very good, which is depicted in Table 1. In the implementation part, the law mandates that at least one-third beneficiaries require to be women who have registered their name and have requested for work. It is the duty of the state to ensure certain worksite facilities so that more women may participate. Provisions for payment of equal wage to male and female workers are also recognized in the law. Payment should be made directly to the concerned worker either through bank or post office savings account. In the recent years, statutory minimum wage has been increased in various states, and hence wage earned in NREGA work is much more than the works under a private employer, more so in backward areas. In many states it has been acknowledged by large number of beneficiaries that MGNREGA has increased their household income because women also earn higher wages compared to market wages [6].

Some of the major benefits that MGNREGA provide to the rural people like increasing wage rate strengthening the rural economy, creation of natural resources and infrastructural assets that lead to sustainable development, enhanced agricultural production and irrigation facilities, strengthening the local PRIs by involving them in the planning and monitoring of the scheme and many other benefits.

Table 1. Performance of MGNREGA in terms of participation of women.

Particulars	FY 2019-2020	FY 2018-2019	FY 2017-2018	FY 2016-2017
Average days of employment provided per household	39.03	50.88	45.69	46
Women Persondays out of total (%)	55.9	54.57	53.53	56.16
Total No. of Households completed 100 days of Wage Employment	9,95,177	52,60,057	29,55,152	39,91,202
Total Households worked (In Crore)	4.47	5.27	5.12	5.1224

Source: <https://nrega.nic.in/netnrega/home.aspx> (last accessed on 11/11/2019 at 6:45pm)

The MGNREG Act is a landmark legislation in the economic history of the rural people. The above table shows that in the financial year 2016-2017, average days employment provided to per households was 46 whereas in the Financial year 2017-18 it was decreased and stood at 45.69, in the next year (2018-19) it has significantly increased to 50.88 and in the current financial year it is stood at 39.03.

The third and fourth criteria reveal that, in the financial year 2016-17, total 39,91,202 number of households completed 100 days of wage employment and total 5.1224 crore households worked , whereas in 2017-18, the overall performance was not satisfactory because out of total 5.12 crore households worked among them only 29,55,152 households completed 100 days wage employment. In the financial year 2018-19, the performance was good because total 52,60,057 households completed 100 days employment and number of total households worked increased to 5.27 and in the present year, the latest report is total 4.47 households worked among them total 9,95,177 households already completed 100 days wage employment.

Now talking about the second issue which is most important in respect to this paper is, the participation rate of women in this MGNREGA programme. Here the Table 2 shows that in the current financial year i.e. 2019-2020, maximum number of women workers have already participated in this programme. In the 2016-17, total 56.16% persondays work completed by women, in 2017-18, it was 53.53 % persondays, in the financial year 2018-19 it increased to 54.47%, whereas in 2019-2020 it has already increased to 55.9% persondays work.

Based on the data available from Government website, it can be said that in most of the states of eastern India like Arunachal Pradesh, Manipur, Meghalaya and Assam where the participation rate of

women is more than 50 percent. Some of the other states and Union Territories such as Kerala, Tamil Nadu, Himachal Pradesh, Odisha, Goa, Andaman & Nicobar, Puducherry, Dadra & Nagar Haveli and some other states are also performing well in respect of participation of women under the scheme of MGNREGA.

Table 2. State wise data of women participation in MGNREGA.

S.N.	States	Total No. of Job Card Applied for	Total No. of Job Card Issued	Total Registered Workers	Total Registered Women Workers
	Total	1407.53	1344.22	2691.64	1221.36
1	Andaman and Nicobar	0.35	0.35	0.54	0.24
2	Andhra Pradesh	89.05	89.05	178.13	87.38
3	Arunachal Pradesh	2.36	2.29	4.5	2.24
4	Assam	51.05	46.87	86.68	34.76
5	Bihar	176.57	157.55	249.26	98.39
6	Chhattisgarh	39.43	37.69	88.3	42.5
7	Dadra & Nagar Haveli	0.14	0.04	0.26	0.15
8	Daman & Diu	0	0	0	0
9	Goa	0.37	0.33	0.48	0.3
10	Gujarat	39.1	37.56	87.74	40.53
11	Haryana	9.52	9.45	17.21	7.42
12	Himachal Pradesh	12.78	12.52	23.74	11.71
13	Jammu and Kashmir	12.96	12.06	22.26	7.13
14	Jharkhand	48.52	44.3	85.63	36.25
15	Karnataka	62.42	61.6	146.4	70.1
16	Kerala	36.1	36.05	55.88	35.71
17	Lakshadweep	0.08	0.08	0.16	0.07
18	Madhya Pradesh	70.09	68.26	158.9	70.23
19	Maharashtra	92.96	85.09	220.17	101.63
20	Manipur	5.72	5.7	10.43	5.5
21	Meghalaya	5.88	5.74	11.58	6.21
22	Mizoram	1.98	1.98	2.24	0.96
23	Nagaland	4.35	4.34	7.25	3.44
24	Odisha	67.75	66.67	168.6	78.44
25	Puducherry	0.69	0.67	1.45	0.82
26	Punjab	17.74	16.58	27.87	12.67
27	Rajasthan	105.53	102.1	239.26	116.28
28	Sikkim	0.83	0.82	1.34	0.66
29	Tamil Nadu	84.35	82.37	122.9	83.51
30	Telangana	55.35	55.35	118.76	59.29
31	Tripura	6.29	6.26	10.73	5.11
32	Uttar Pradesh	171.93	163.13	244.99	73.02
33	Uttarakhand	10.96	10.62	17.8	8.77
34	West Bengal	124.33	120.75	280.2	119.94
	Total	1407.53	1344.22	2691.64	1221.36

Source: <https://nrega.nic.in/netnrega/home.aspx> (last accessed on 12/11/2019 at 6:45pm)

This scheme is directly contributing to livelihood security, social and economic development through its various activities and maximum number of people's participation. As per the Report of Ministry of Rural Development, Government of India, the participation rate of women MGNREG Scheme has been 55% in FY 2015-16, 56% in FY 2016-17, 53% in FY 2017-18 and 53% in 2018-19

(as on 07/12/2018) which has been above the statutory requirement of 1/3rd women participation under this scheme [7].

Participation of Women in MGNREGA during COVID-19 Period

The impact of COVID-19 in the economic sector is largely disruptive. As per the CMIE Report, the COVID-19 lockdown forced 12.2 people out of jobs [8]. On the basis of the study made by the International Labour Organization (ILO) and Asian Development Bank (ADB), it is estimated that around 4.1 million youths in the country lost their jobs due to Corona Virus pandemic in sectors like construction, agriculture, industry and other major sectors. The report also reveals that 18.9 million salaried employees lost their jobs during the period of April 2020 to July 2020 [9].

The Indian economy, which was already experiencing a slowdown, was hit hard by the COVID-19 pandemic. In the second week of April 2020, UN's International Labour Organization (ILO) claimed that about 400 million workers from India's informal sector are likely to be pushed deeper into poverty due to COVID-19 [10].

As an anti-poverty strategy, the inclusivity of MGNREGA both in terms of economic and social protection has been significant. The poor sections of the society have been more attracted to the employment scheme. The involvement of Scheduled Castes and Scheduled Tribes has also been consistently high since its commencement. The framework and wage rates and other provisions of the scheme motivate participation of women in a considerable way. It has been seen in many parts of the country that majority of the workers in MGNREGA sites are women, and it is always more than 52 percent since its beginning [11]. Increase in participation was seen in Mizoram, Madhya Pradesh, Manipur, Gujarat, Punjab, Haryana, Kerala, Odisha, Maharashtra, Nagaland, Assam, Karnataka, Puducherry, Goa, Arunachal Pradesh and Tripura [12].

Judicial Observations

In *Sagar Mal Jain v. State (Panchayat Raj Department) Ors* [13]. The Hon'ble Supreme Court expressed its concern for proper utilization of funds as well as the proper implementation of the scheme and to fix the responsibility of those persons causing obstacle in its execution. The efforts need to be taken to stop corruption in execution of the scheme. As the Hon'ble Court took notice of various irregularities and corruption in implementation of the MGNREGS. The Supreme Court also emphasized that it is the duty of the State Government to supervise and monitor that works are properly undertaken and distributed and no irregularities or corruption are committed. In case if any irregularity or leakage of funds reported or noticed then the District Collector can make special audit under his instruction. In the present case, some complaints regarding irregularities and corruption in implementation of the schemes under the said Act in the State of Rajasthan have been received by the Supreme Court and accordingly the apex court directed the CBI to make a proper and fair investigation in this regard.

In *Sharda Prasad & Others v. Union of India & Others*, [14] one Writ Petition has been filed by the petitioner and have prayed for quashing the orders of the Commissioner, Rural Development U.P, where it has been instructed that only those who have opened account in the Banks and Post Offices, get the wages under this scheme. The petitioners are landless, and they are also economically weakest members of society and they are working under the MGNREG Scheme and they cannot wait for 7 days for encashment of the cheques. As they are very poor, they need wages every day after completion of work either in cash or by any other mode for purchasing their daily needs. Further they have to travel long distance for depositing the cheques at the banks. Though Government is under obligation to take initiatives for the rural worker to open the 'zero balance' accounts it should continue to monitor effective transparency and speedy payments. The job card holders are entitled to receive payments of their labour on daily basis. Perhaps there can be other methods of payment, the Central and State Governments should study and innovate other modes of payment but that should not

be troublesome or problematic. In order to avoid corruption and ensure transparency, the Government should adopt and implement some innovative, fair and transparent method for ensuring timely payment of wages under the Act.

The Supreme Court expressed its deep concern and given directions to the concerned state in order to tackle and control the consequences of drought-like conditions prevalent in the various parts of our country. In *Swaraj Abhiyan (I) v. Union of India* [15], The Supreme Court Bench consists of Justice Madan B. Lokur and N.V. Ramana, held that in order to prevent the adverse consequence of this situation some legally recognized bodies and authorities are required to be established which may help and assist the affected people financially. The Court has directed some of the States like Bihar, Gujarat and Haryana to take some positive and effective steps including proper implementation of MNREG Scheme for giving relief to the drought affected people of their respective states.

CONCLUSION

The MGNREGA is a bold and most pragmatic approach to the problems of rural poverty and unemployment. This scheme is considered as an opportunity for women to enter paid employment. The MGNREGA has some positive impacts on empowerment and employment pattern for women in recent years. Our legislative bodies and judiciary have also been performing a great role to make the social and economic justice meaningful.

For successful implementation of MGNREGA as a tool for post Covid financial stability of rural people it will depend on two main factors such as equipping local administration and Panchayats to implement it as a demand-driven programme and to take benefit out of it and creation of local assets to improve rural agrarian economy.

Regular monitoring and proper supervision along with complete transparency and a healthy working condition for women in the implementation level can make this scheme more successful one. If implemented properly, this law can have ever lasting implications for the beneficiaries to improve their status economically and socially.

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