

# Review of the Three Flagships Schemes of the UPA

## NRHM and the Right to Health



## SSA and the Right to Education



## NREGA and Right to Work



**Wada Na Todo Abhiyan**

April – May 2008

## NRHM & the Right to Health: Outcomes of the Policy Dialogue

**09 April 2008, New Delhi**

In 2004, the UPA government of India drew up the National Common Minimum Programme, promising responsive and corruption-free governance. The ambitious National Rural Health Mission, launched in 2005, has a clear focus to make primary health accessible to the country's poor. Three years down, India's health system remains the most privatized in the world and India's health indicators are among the worst; it has the highest number of malnourished women and children. To take stock, India International Centre, Indian Medical Parliamentarian's Forum (IMPF) and Wada Na Todo Abhiyan (WNTA) organized a discussion on April 4, 2008 to assess lessons from the ground and chart future action.

### Health in the National Agenda



Dr. Anbumani Ramadoss, Union Minister for Health & Family Welfare, stated that the maternal mortality rate, infant mortality rate, declining sex ratio and under nourishment were still matters of grave concern. "The NRHM is the largest public health programme in the world, and to reduce even 1% of child mortality takes millions of personnel working together in cohesion," he said. While outlining the imperatives taken by the government to ensure that public health in India is given its due, Dr. Ramadoss acknowledged that there is much more to be done and shared

his own passion to ensure that Health becomes a first priority on the national development agenda. He also suggested that the introduction of an insurance program to cover maternal health could be an additional step to ensure health coverage for women.

Amarjit Sinha, Joint-Secretary, Ministry of Health & Family Welfare, while pointing out that the NRHM was showing good results such as resulting in the increase in the demand for public health facilities in Tamil Nadu, said the lack of resident doctors was a constraint and pointed out the need for states to allocate more funds for health services.



Dr. Syeda Hameed, Member - Planning Commission of India shared her observations on the abysmal state of health care available to women in states like Kashmir. She emphasized the need to generate awareness about NRHM in states which have a large numbers of poor. She also pointed out for the need to tap the potential of 'informal' health providers such as midwives as well as traditional systems of Indian medicine to improve health figures in rural areas.

Dr. R. Senthil, Member of Parliament & Member Secretary - IMPF, noted that the delivery of effective healthcare services to the poor remain poor due to low investments in health and increasing privatization, with 40% of Indians selling personal assets to access healthcare. "The task is to make healthcare more inclusive and interlink it with safe food, water and sanitation," said Senthil.

### Financing for Public Health

India's spending on health resources is among the lowest in the world. Public health and finance expert Dr. Ravi Duggal called for changes in financing strategies, such as by raising the tax-GDP ratio, untying large funds to Panchayati Raj institutions and exploring block funding for health as done in countries like Canada. He also cited the example of Mizoram as the only state in India where 2.5% of the State Domestic Product is invested in health resulting in visibly higher standards of public health care and facilities. The absence of the private sector in providing health has been a major factor in promoting public investment in health care in this state, he observed.

Siba Sankar Mohanty from Centre for Budget and Governance Accountability commented that there has been a 263% increase in private 'out-of pocket' spending on health during 1996-2006. "Increase in government expenditure can impact the reduction of private spending from pockets... even after four years, government spending on health hovers around 1%, and not 3% as promised" he said. He pointed out that the recently introduced FRBM Act does not allow states to increase its spending on social sectors and urged civil society groups to pressure the government to amend or repeal the same.

### **The Right(s) approach**

Dr. Abhijit Das, Member of the Advisory Group on Community Action - NRHM, said that it is critical to apply the 'rights approach' in public health systems, where the state respects, fulfils and protects the rights of its citizens to basic healthcare. People need to be made aware of their entitlements, Das stressed. Training health providers with soft skills can help improve the performance of the mission, and ease the power asymmetry between doctors and patients.

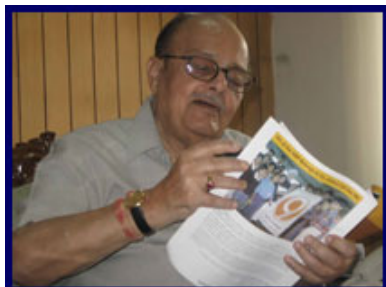
Paul Divakar from the National Campaign for Dalit Human Rights drew attention to caste biases that influence the union budget's health and fiscal policies. He felt that there are not enough allocations earmarked for SC/STs and there is meagre effort towards reaching sustainable health of these communities.

Global experience has shown that healthcare is equitably and universally accessible. The challenge ahead of NRHM is to help make India realise its goal of health for all its people. With of course, a greater dose of political will.

*With inputs from Manasi Singh and Swati Sahi ([One World South Asia](#))*



### Wada Na Todo Delegation Presents Memorandum to HRD Minister on Implementation of the Right to Education Bill



**3 May 2008, New Delhi**

On Saturday, 3 May 2008 Wada Na Todo members accompanied by Member of Parliament, D Raja met the Human Resource Development Minister Arjun Singh to present a memorandum urging the Government to adopt the Right to Education Bill.

“This Parliamentary session is almost over but I assure you that we will table it in the next session, he told the delegation led by D. Raja, MP and National Secretary, CPI. I will present it at the Cabinet meeting next week so that it is

approved for the Monsoon session, ” said the Minister.

“The Bill is already overdue,” said D Raja, “and should be made into law immediately.” He also told the Minister that the government’s expenditure in education should be reversed to increase expenditure in public education to 6% of the GDP, as promised in the UPA government’s Common Minimum Programme.

“The government has to ensure that every child, irrespective of his or her ethnic background, gets basic school education and quality education across states” said Ashok Bharti, Convener of the Abhiyan. Already 3 lakh children have sent in their signatures to Finance Minister P. Chidambaram under their ‘9 is mine’ campaign to demand that the government keeps its promise to invest 6% and 3% of the GDP into basic education and public health,” he said.

“The education ministry has a special role to play in ensuring education for all so that India is able to maintain its high growth rate,” said Aditi Kapoor, member of the Abhiyan.

#### Panel Discussion on SSA and the Right to Education-Outcomes

On April 22, 2008, experts from civil society, academics and government representatives met to discuss and inspect the national programme outcomes and the right to education. Insufficient resources, lack of political will, bureaucratic complacency and pervasive social exclusion have kept over half the country’s children from completing a meaningful basic education, experts felt.

R. Govinda, professor from the National University of Education Planning and Administration, drew attention to the various zones of exclusion existing within the schooling system. “We don’t have schools in India, but social ghettos, each defined socio-economically. SSA has little to do with the right to education, as the latter is about entitlements and like most development programmes, SSA is input-oriented,” said R. Govinda. Entitlements can work only in an inclusive framework, he added. The very fact that SSA is just a flagship scheme of the central government and does not rest on a political mandate unlike the right to education makes it inherently weak.



Vinod Raina from Bharat Gyan Vigyan Samiti (BGVS) spoke on the casteism that exists even within government schools, ranging from the respectable Kendriya Vidyalayas to the makeshift rural Education Guarantee Centres (EGCs) that lack bare minimum infrastructure and teachers for quality learning. “There is a need to define quality of education, delivery mechanisms and inclusiveness,” he added.



Ashok Bharti, Convenor of WNTA, said community mobilisation is critical to the universalisation of education. The Shiksha Adhikar Yatra by WNTA in Haryana last year was an awareness drive that led to enrolment of hundred children. A growing cause of concern is the mushrooming of private educational institutions, experts felt, as it perpetuates the existing societal inequalities and hierarchy, thus further disempowering the weaker sections of society.

### **Paucity of funds**

Siba Shankar Mohanty from Centre for Budget, Governance and Accountability (CBGA) noted the declining priority of the states in terms of financial commitment to the education sector. Describing it as a “precarious condition”, he added growing privatisation has led to a high 18% proportionate share of accredited private schools providing elementary education to the total number of schools in 2007, way above the figure of 7.9% in 1979.

The government’s shortfall on expenditure on education is further compounded by the Fiscal Responsibility and Budget Management (FRBM) Act where any decline in revenue is compensated by an immediate reduction in expenditure and the social sector is the worst hit by such compression of funds.

By the end of the 11th five-year plan, the central government seeks to increase the states’ share to SSA from 15% to 50%. However, given the current scenario of resource crunch and the lack of priority, such a move may not improve the situation.

### **Need for a holistic and action-oriented approach**

To deliver results, mere investment in the scheme would not help. The SSA would be insufficient in meeting its desired goal unless other corrective mechanisms are in place. Poor performance in schools is attributed to lack of trained teaching staff, poverty and social mindset. An alarming percentage of dropouts and those who despite completing the minimum eight years of schooling are not able to read and write properly, reflect the dismal state of affairs.

D. Raja, Member of Parliament Committee on HRD said that India needs to have a common school system which is more representative and equity based. Poverty, social exclusion, child labour and gender discrimination need to be incorporated in policy formulation for meaningful education. Moreover, a favourable environment can be built in from of pre-school education, good nutrition and early childhood care.



Though, some progress has been achieved, mostly through increased public demand, improved sector management and civil society and judicial pressure, a deeper level of negotiation and engagement with the states is crucial. Educational planning and administration should be decentralised to bring it closer to the people. Issues of transparency and accountability for effective implementation were also raised, with particular focus on social auditing and periodic evaluation of such schemes.

At the end of the discussion, the participants submitted a memorandum to D. Raja, urging the HRD ministry to introduce the Right to Education Bill in the current session of the Parliament

With Inputs from Manasi Singh and Swati Sahi, [One World South Asia](#)



To,  
Shri Arjun Singh  
Hon'ble Union Minister – HRD  
Government of India

03 May 2008

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**Urgent Appeal to Adopt the 'Right to Education Bill' with suggested amendments in the ongoing session of Parliament (April 2008)**

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Dear Sir,

Wada Na Todo Abhiyan is a national network of over 3000 organizations in 23 states, working to ensure the fulfillment of the Millennium Development Goals, the National Development Goals and the National Common Minimum Programme (NCMP).

Through the 'Nine-is-Mine' Campaign, we have been rallying to remind the government of its commitment to spend 9% of its GDP on health and education. In Feb 2007, the 200,001<sup>st</sup> petition of this campaign was presented to the Prime Minister, Dr. Manmohan Singh. In Feb 2008, a total of 300,000 petitions signed by children (below 18 years) across the country were sent to the Finance Minister, P Chidambaram.

The Right to Education has been an all-important agenda of the United Progressive Alliance. The National Common Minimum Program (NCMP) reflects the commitment to universal education in keeping with the 83<sup>rd</sup> Constitutional Amendment (2002), which makes Elementary Education a Fundamental Right of every single child in the 6–14 years.

The reinstatement of the Central Advisory Board on Education (CABE) by the UPA government was seen by the country as a step in the right direction. One of the important tasks of the CABE was the review of the pending 'Right to Education Bill', which was submitted with amendments to the government in 2006.

We believe that the UPA government must take the historic opportunity to ensure the Fundamental Right to Education through the adoption of the 'Right to Education Bill'.

The urgency for this action and concern on the delay in adopting the Right to Education Bill has been expressed by citizens' groups across the country during the discussions held on 'Sarva Shiksha Abhiyan & the Right To Education' at the India International Centre, New Delhi on 22 April 2008, and chaired by Shri D Raja, Member of the Parliamentary Committee on HRD. A spontaneous petition for the immediate adoption of the 'Right to Education' Bill was also signed and submitted to him as an outcome of this meeting.

We urge the government to ensure that the Right to Education Bill is adopted in the current session of the parliament taking into its purview the following concerns & proposals:

1. The central government should be obliged to provide and guarantee the fundamental right to free and compulsory education for the age group of 0-18 years.
2. Investment in public education be increased to 6% of the GDP as a pre-requisite to create long term infrastructure and investment in public education, in keeping with the government's own assessments for required public spending on education<sup>1</sup>.

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<sup>1</sup> From the Kothari Commission (1964 to 1966) to the CABE (reconstituted in 2004), the Government's own assessments have argued that average annual expenditure from the public exchequer has to be in the range of 6% of GDP, at least half of which should be for primary and secondary school. The India government spends far less on education than even its own assessments call for. Current spending is between 3 and 4% of GDP.

The education cess levied by the Government in the past four years is expected to fetch almost Rs. 4,000-5,000 crore a year. However this cess is being used as an excuse to cut down the spending on primary education from government's own budgetary allocations.

3. Quality of education across schools should be standardized through the introduction of a Common School System. Single-teacher, single classroom Education Guarantee Scheme (EGS) kind of para-schools must not be considered as a substitute for formal, fully functional schools under the Bill.
4. A universal definition of a functional 'school' must be applied across the country<sup>2</sup>. The Tapas Mazumdar Committee (1999) has recommended that even in unreserved habitations of the poor rural India the Government should give utmost importance to the formal village school instead of pursuing low cost education to attain the stage of Universal Elementary Education (UEE) with uniform quality.
5. There should be a special provision within the Bill to ensure that marginalized children including those from SC & ST communities, Denotified & Nomadic Tribes, Muslim Minorities, Girl children and Children with Disabilities receive free and compulsory education.
6. There must be an additional allocation for the nutrition, health care and developmental opportunities for the age group of 0-18 years, as per the recommendations of the Tapas Mazumdar Committee
7. Private schools must be covered within the scope of the Bill, and be bound to provide free education for the age group 0-18 years. 25% reservation for the poor must be applicable to private schools within the neighborhood.
8. The government must not transfer the responsibility for the provisions of the proposed Act to parents or penalize them for non-implementation.
9. In keeping with the principles of the Constitution of India, we urge that respect for diversity, equality and social inclusion are an integral part of the education system and special efforts are made to ensure that schools become 'zero discrimination zones'.

*Submitted to Shri Arjun Singh,  
Hon'ble Union Minister – HRD  
Government of India  
3 May 2008, Shastri Bhawan, New Delhi  
By Wada Na Todo Abhiyan*



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<sup>2</sup> The official teacher-student norm is 1:40, in some states it is 1:80. A one per cent annual growth rate of schools compared to a much higher population growth rate and teacher shortage are some of the reasons. The prescribed norm of a school being available within the radius of one kilometer is still a distant dream.

## Outcomes – National Consultation on NREGA and Right to Work

### Anti-poor, anti-rural lobby needs to relearn the NREGA lesson: says Minister

05 May 2008, New Delhi:



Rural Development Minister Raghuvansh Prasad Singh today said that only 15 paise goes to the poor is disproved by the effective reach of the National Rural Employment Guarantee Act (NREGA). "Wages for NREGA works now go directly into 1.4 crore bank accounts, belonging to the workers, to ensure transparency. However, there is a need to counter the myths propagated by the 'anti-poor, anti-rural' lobby in the country to ensure that NREGA succeeds."

Whether it is the creation of long term assets at the village level, the development of land belonging to Scheduled Tribes or Scheduled Castes or the increased demand for work, the first phase of NREGA has been successful and our work now is to strengthen these outcomes in the second phase", said Mr Singh." Challenging the veracity of the criticism that has been leveled against the scheme, Mr. Singh

said that across the country NREGA has unleashed a silent revolution by forcing the government and private employers to provide minimum wages to the poorest of the poor, which no other government has been able to ensure since Independence.

Mr K.S. Gopal, Director CEC and member of Wada Na Todo Abhiyan said "The consultation brings together practitioners to share what works on the ground, what the main challenges are and the 'best practices' that can be taken up by the government,".



Aruna Roy MKSS and member of the NREGA Council stated that NREGA has increased the bargaining power of the poorest of the poor at every stage from demanding a job card to ensuring legitimate wages for work. The control of distress migration in villages is another significant outcome that has been achieved through NREGA. She however pointed out the need for civil society groups to work actively with local panchayats to ensure that elderly workers, disabled persons and nomadic tribes who do not fall in the ambit of the scheme, are also included.

Researcher Deepak Xavier from the Centre for Budget and Governance Accountability shared that during 2006-07, NREGS created more than 90 crore person days of employment in 200 districts compared to 83 crore person days per year together by SGRY and NFFWP in 586 districts during 2001-06

Participants urged the government to increase investments for the functioning of and capacity building of gram sabhas for proper implementation and effective monitoring of the programme. The Minister acknowledged that people's participation in planning and pro-active role of gram sabhas is key to the programme.

During 2006-07, NREGS created more than 90 crore person days of employment in 200 districts compared to 83 crore person days per year together by SGRY and NFFWP in 586 districts during 2001-06.

Ashok Bharti from NACDOR, spoke for the need for special measures to ensure the greater participation of Dalits and Muslim Minorities, and urged that the government should ensure that their participation in the workforce as well as the creation of productive assets for these communities is monitored and the progress made is widely known.



### **Strategies for Effective Implementation**

Shri.Niten Chandra, Director, NREGA Division, Dept. of Rural Development, GOI, said that factors like Personnel Deployment, Flow of Funds, Record Maintenance, Community Mobilization, Media Management, Involvement of NGOs, Vigilance and Monitoring Committees and Social Audit should be taken care of if NREGA needs to be implemented effectively.

Divya Prasad, Director, Ministry of Panchayati Raj, GOI, said that a composite plan must be made based on the planning commission guidelines. She called for the convergence of NREGA with other developmental initiatives. Financial management system too must be made transparent and advance funds must be provided to the Panchayat so that work is undertaken without interruption.

Ms. Poonam from Public Affairs Centre opined that there should be an independent appraisal system to improve the transparency and accountability of NREGA. She suggested that there should be systematized knowledge of Implementation design and the citizens should invariably be involved in the process of evaluation.

### **Policy Dialogue on 'NREGA and Right to Work'**

The two day national consultation culminated with a Policy Dialogue on NREGA and Right to Work, organized in collaboration with the India International Centre.

Shri Sudhakar Reddy, MP in his role as a Chair remarked that NREGA is a well-intended Act. It has helped in preventing the migration of people to the urban areas. The rural people are now in a position to pay back all that they get from the state. This has also contributed in enhancing the quality of the life in the rural areas. However, he added that there are a few areas that need to be looked into, for e.g. works are given when the agricultural work is at its peak. He emphasized that the Panchayats must play key role in enhancing the NREGA work.

Chandra Mitra, MP too agreed that this is an ambitious and well intended Act but stated that there is a need to revisit the scheme for the awareness is very low and this is not target-oriented, just demand driven. In his opinion, there is a need for regional variations in the introduction of this scheme; it should be region-specific and all the procedures should be simplified. Any design regarding the implementation should take into consideration the topography of the land. The success of NREGA cannot only depend on central government; the state governments too take responsibility in this regard.



**Dr. Raghuvansh Prasad Singh**  
**Hon'ble Union Minister – MoRD**  
**Government of India**

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**Recommendations for the Effective Implementation of NREGA, emerging from the National Consultation on NREGA held on 5-6 May 2008, New Delhi**

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Dear Sir,

We thank you for your participation and inputs to the '**National Consultation on NREGA**' held on 5-6 May 2008 at the India International Centre, New Delhi. The consultation was attended by over 100 practitioners of NREGA and civil society organizations from 20 states and aimed to put forward some concrete suggestions for future implementation based on experiences from the field.

We recognize that NREGA is a historic step taken to ensure the Right to Work for the rural poor. Experiences across states suggest that NREGA has been instrumental to ensure minimum wages, reduce seasonal migration and increasing the bargaining power of the rural poor in relation to their work and wages.

However, we also realize that the immediate challenge before the government and civil society alike is the protection of the gains that have been achieved through NREGA, the mainstreaming of the innovations and achievement of the larger outcomes in relation to the Right to Work and creation of long term productive assets for marginalized communities.

It is in this context that we submit the following recommendations for your consideration and urge the government to take proactive steps to address poverty through the implementation of NREGA.

**I. Delivering on Intent**

- In order to succeed, NREGA must move from Department mode to Mission Mode.
- Co-ordination between the Central government, State governments and local panchayats is crucial to the effective implementation of NREGA. Steps must be taken to review and resolve the administrative and financial bottlenecks that have arisen over the last two years, and ensure that there is political will across states to ensure universal implementation of NREGA.
- The challenge of NREGA is not only to provide 100 days of work but to serve as a first step towards the creation of sustainable livelihood and secure the right to work and social security for all people across rural and urban areas across the year.

**II. Generation of 100 days employment and Payment of Wages**

- The rule of providing employment not less than 14 days at a stretch should be strictly enforced.
- Works approval and sanction should be at block level rather than at the district level.
- Additional EGS functionaries, particularly technical staff such as a Worksite Supervisor who reports to the panchayat for planning of works, should be made available at the village level.
- Gramasabhas / Job card holders in the village should have multiple options to ensure transparent and timely payments such as through post office / banks, panchayat bodies, etc.

- The issue of receipts for work applications is to be made compulsory. And any refusal to issue of receipts by the responsible functionary at various levels should be penalized.
- Compensation should be made for Delayed payments in the line of Unemployment Allowance.
- The Standard Schedule of Rates should be reviewed every year and also reflect seasonal needs and requirements. Special measures should be taken to provide work and wages even in situations of drought and floods.
- Village level Vigilance committees to review works and payments must be formed and promoted.
- A District and State NREGA Fund should be constituted and a minimum balance allowing for continuity in works and payments should be ensured.

### III. Directing NREGA investments for Asset Creation

- Development of SC / ST lands and assigned lands should be taken up under priority basis. Every State should develop an MIS of village wise land holding details of SC and STs and evolve plans accordingly.
- Forest protection and conservation should be made part of NREGA. Plantations useful for community in degraded forests should be made part of NREGA and usufructs to be provided for the poor.
- Small and marginal farmers in dry land regions and growing food and fodder crops should be provided a specified numbers of wage days per acre or gap wages for a specified number of days.
- A comprehensive participatory plan for each panchayat should be prepared, instead of using the NFFWP plans as the only basis for works. The shelf of works must not be ad hoc pieces but emerge as a roll out plan for the next few years for implementation.
- 50% of the works must be planned and implemented at panchayat level as mentioned in the Act.
- NREGA should be seen as an additional wage program, and other poverty alleviation programs should not be subsumed within NREGA.
- Pure labour works must be described and displayed at the block level. A 60:40 ratio should allowed for some works, the other works should be allocated at the rate of 90:10.

### IV. Workers' Rights & Worksite Facilities

- A Labour Register must be maintained, and NREGA Workers' Unions must be formed in each state.
- A Job Card must be provided for each adult labourer, and not only to one person per household.
- Every panchayat should prepare a seasonal work calendar in consultation with the wage seekers and follow that in implementation of the program.
- Linkages with Anganwadis should be made i.e., funds from NREGA should be used to pay additional amount to Anganwadi for taking care of children of wage seekers. Nursing mothers should be allowed to decide their provisions for support which must be paid for by the EGS.
- Disabled should be given 30% enhancement even they are working along with others.
- An expert committee must be set up to examine ways of including other occupational and social groups in NREGA, including Nomadic Tribes and aging workers.
- Existing work norms and laws to address the caste, gender and disability discrimination and sexual harassment at the workplace must be made operational during the program implementation.
- Life Insurance and Health Insurance schemes for workers must be introduced to ensure social security through NREGA.

## V. Planning, Social Audit & Participation

- The Central government should ensure transparency in the flow of funds to states, and ensure that work is not interrupted due to delay in transfers.
- Every state must develop a specified social audit strategy under the broad guidelines that are adopted by the Central government. Third party should be given priority for social audit.
- Social audit should also include the planning, information gathering and follow up action required – and not be limited to public hearings and meetings. The follow up action should be made transparent and the implementation agency should be made accountable for follow up action,
- Information sought in relation to NREGA must be provided within 7 days, as stipulated in the Act. Stringent penalties must be put in place against officials and other agencies who oppose public access to information about NREGA or harass and intimidate those seeking information as witnessed recently in Rayagada, Orissa.
- The Panchayat should be seen as the central institution for the implementation of NREGA and their financial resources and control over the implementation over the program must be increased accordingly. Capacity building of the panchayats should be prioritized for ensuring comprehensive planning process and fund allocated for this purpose.
- The role of NGOs must be emphasized and their contribution to Awareness Generation, Social Audit, Planning and Monitoring and Capacity building should be encouraged. NGOs must also be encouraged to take up pilot project (responsibility to facilitate the program in selected villages) to generate learning. NGOs must be involved in the Expert and Functional Committees that are set up for the NREGA.

*Submitted to*

*Dr. Raghuvansh Prasad Singh,  
Hon'ble Union Minister – MoRD  
Government of India*

*National Seminar on NREGA held on 16<sup>th</sup> May 2008, New Delhi organized by the Ministry of Rural Development, GOI*

