I. Transparency of NREGA-related Information

1. All MGNREGA-related information is in the public domain.

2. No request for information shall be denied on the basis of the grounds specified under the exemptions listed under any other law.

3. The NREGA Transparency Rules will set up minimum norms for mandatory proactive disclosure, including public display of information both electronic and physical display and reading aloud information as specified. The rules also enable open inspection, facilitate providing copies of records at no more than cost of making copies, and mandate the providing of copies applied for as soon as possible, but in any case within seven days.

4. The norms of pro-active disclosure shall, as specified in annexure 2 include but not be restricted to (a) mandatory, timely updating of every workers job card and bank pass book, b) open inspection of records, worksites and offices, (c) display in summary form as specified (including wall painting, information boards and notice boards), (d) reading documents/records/information out aloud (e) displaying on the website and providing local extracts in CD form (f) notices in the newspapers and media- including radio and community radio (where present) and cable television, (g) information booklets and pamphlets in the local language/idiom, (h) annual reports.

5. All records in the "Minimum List of Documents for Pro-active Disclosure" given in Annexure 1 will be available for open inspection at the place specified.

6. All documents listed in Annexure 2 will be generated and made available at the place and in the form (and as per the format) specified in the Annexure.

Specific Transparency Rules

The following four modes of ensuring transparency will be followed to ensure minimum standards of citizen's access to information related to NREGA.

<u>Janta Information System</u>

The NREGA will facilitate the right of ever job cardholder to have regular transaction based updating of job cards and bank pass books that provide information about worker entitlements, details including photographs of workers in the household, work demanded, work received, money received, measurements recorded, along with dates and proofs of transactions. A model job card is attached as annexure …

Inspection

The NREGA will follow an "open office, open record" regime, where all records will be open for inspection by any group/individual, free of cost, at the location where the records are in use or stored (for instance, the Gram Panchayat Bhawan). Inspection should under normal circumstances be facilitated immediately and in any case within one hour. Inspection will include the right to inspect works or records and copy by hand any part of the records asked for.

Pro-active disclosure

Section 4 of the RTI Act, which concerns mandatory pro-active disclosure of information, should be strictly complied with at all levels of implementation of NREGA. Pro-active disclosure places an obligation on the government and the implementing agency to make information available to people without their seeking it out, or needing to apply for it. Key documents related to NREGA must therefore be pro-actively disclosed to the public. A minimum list of such key documents is given in Annexure 1. The State Employment Guarantee Council and the Central Employment Guarantee Council may review this list from time to time, and suggest necessary additions.

Pro-active disclosure will include the processing of records in a manner that a lay person can understand the information in a consolidated and summarized form. The process will include the following modes of pro-active disclosure:

1) The reading out aloud of essential information as per the prescribed formats of these Rules. (see Annexure 2).
2) The establishment of painted wall boards at prescribed locations and in the prescribed formats (see Annexure 2).
3) The establishment of painted display boards at prescribed locations in the prescribed formats
4) The publishing of information through newspaper advertisements, press releases, or the printing of leaflets and reports.
5) By making announcements through the audio-visual media, such as radio, community radio, radio, and television.
6) Through hanging/putting up information on notice boards at the Gram Panchayat, Block, and District levels as specified in annexure 2.
7) Key records should also be made available on the Internet. There shall be free and open access to the website of the NREGA where as much of the information as prescribed in these Rules, including summaries and consolidated information, will be

uploaded regularly. Every State Government and the Central Government shall work towards maintaining an online status of information, related to expenditures and disbursements.. CDs containing extracts of all the information for a block shall be prepared every quarter, and made available for open purchase at a nominal rate,not exceeding the cost of the CD.

Updated data on registration, number of job cards issued, demand for work received, list of people who have demanded work and the number of days of employment provided, details of funds received and spent, details of payments made, list of works sanctioned and their order of priority within the Gram Panchayat, works started, cost of works and details of expenditure on it, duration of work, person-days generated, reports of local vigilance committees, and consolidation of muster rolls and bills of each work completed, should be made public in the prescribed format of all offices and agencies involved in implementing NREGA. This information should also be placed by the Gram Panchayat before the Gram Sabha at least twice a year (along with special efforts to proactively share the information with members of the Gram Sabha on a real time basis, and all summaries as per the Social audit formats should be available at least 15 days before each social audit.

NREGA-related expenditure of each Gram Panchayat should be pro-actively displayed and updated twice a year. Summaries of information should be displayed through various means, including painting on walls at the Panchayat Bhawan as per the format specified in annexure. Detailed accounts and other NREGA related expenditure should be published in the Annual Reports made available at cost price.

Copies

Requests for copies of NREGA-related documents made under the NREGA Transparency Rules must be complied with within seven days. No request should be refused under any circumstances.

Copies of NREGA-related documents should generally be sought "at source", e.g. from the Gram Panchayat in the case of GP-level documents such as muster rolls. However, any individual should have the right to apply for copies of information at a block, and district level, while adding an additional seven days time to enable the PO or the DPC to procure the information and provide it to the applicant.

People should know who to apply to for information and for gaining access to records. The names and positions of such key persons should be made known to the public and painted on display boards outside every office.

Annexure 1:

Minimum List of Documents for Pro-active Disclosure (Please consult gireesh for both annexures, help with the MIS chapter, and all formats. A lot of this already exists)

Pro-active disclosure of key NREGA-related documents is an important aspect of the NREGA's commitment to transparency and the right to information. An initial list of such key documents is given below. The list is not exhaustive and should be interpreted as an essential minimum.

The principal fora for pro-active disclosure in the context of NREGA are: (1) through open inspection at the worksite, gram panchayat, block, or district offices. (2) through painted walls in the villages, and (3) information boards and noticeboards at the gram panchayat office; (4) publication; (5) display or presentation at the Social Audit Forums of the Gram Sabha; (6) display or presentation on "employment guarantee day" at the Gram Panchayat level; and (7) posting on the Internet etc. The appropriate means of pro-active disclosure will have to be specified for each type of document.

(1) Pro- active Disclosure at the work site (enumerate and describe, and add list of documents in the work site diary- Rajasthan model)

- The worker and anyone else who is interested, must have access to the muster roll as and when desired.
- The muster roll should also be signed every day by the worker (Tamil Nadu Model – annexure
- The job card should have a daily measurement space- Jharkhand job card with rajasthan labour card modification,so that the worker has a record of work and payment due on a daily basis. Regular entries on the job card are essential and failure to update a job card should make the concerned official liable to be penalised for a violation under the Act. Work site board outlining the quantum of work required, and premarking at the worksite – Tamil Nadu model (annexure) shall be mandatory for piece rate or task based work.

(2) Pro-active Disclosure at the Gram Panchayat Level

- The building of a Janta Information System (JIS) to correspond with the MIS on the website – The JIS will have the following components -
  - Transparency of on-going MR's
  - Transparency walls – containing the annual summary of workers, employment provided, and wages paid to them. Similarly, wall painting of information related to material used at a worksite should be displayed as- No. of trolleys of sand, No. of bags cement etc
  - Transparency boards
  - Worksite boards- including the details of work specifications and sanctions and quantum of work required from a worker The SOR /

BSR should also be in local language and simplified so that the worker on the worksite knows the quantum of work required per day.

- Use of notice boards and public notices
- Printed material like pamphlets and annual reports
- CDs with extracts of information available on the MIS
- Worksite booklet for the labourer which includes SOR / BSR rate- type of soil and rate according to SOR etc
- All the registers maintained at the gram panchayat and higher levels

All MGNREGA registers including but not restricted to

- Job card Application Register and Job Card Register
- Employment Register
- Muster rolls due for payment
- Bills due for payment, and bills paid
- Cash book
- Unemployment Allowance lists
- Asset register
- Transparent display of the annual action plan displaying the works to be taken up under MGNREGA
- List of works of all Implementing Agencies
- Work orders
- Weekly reports
- Inspection reports
- Audit reports
- District Schedule of Rates
- Members of the Vigilance and Monitoring Committee
- Measurement Book summaries
- Work allocation lists
- Current roster of work applications
- Summary sheet of individual measurements

(3) Pro-active Disclosure at Other Levels

- Labour Budget prepared by the District Programme Co-ordinator
- Shelf of Projects (both "Panchayat works" and "General works")
- Annual Plan
- Perspective Plans
- Recommendations of the Gram Sabhas on works to be taken up
- List of "accredited engineers"
- Employment Guarantee Fund account statement
- Annual Work Plan and Budget Proposal (AWPB)
- Annual Ranking of Districts
- Financial Audit Reports (and Action Taken Reports)
- Social Audit Report (and Action Taken Reports)
- Utilization Certificate
- Completion Certificate
- Monthly accounts
- List of Technical Estimates
- List of Technical Sanctions
- List of Administrative Sanctions
- Summary of Muster rolls
- District Schedule of Rates
- Grievance Redressal Register
- Reports of "project meetings"
- Vigilance and Monitoring Committee reports
- Summaries of Bills and Material
- List of Enquiries Conducted
- Assets register
- Copies of work orders
- Copies of Gram Panchayat "works file"
- Tenders and all documents related to purchasing
- Evaluation reports
- Inspection reports

Weekly worksite reports