



The Indian Journal for Research in Law and Management

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WAGE SECURITY TO RIGHTS GOVERNANCE: A STUDY OF MGNREGA'S LEGAL ARCHITECTURE AS A RURAL SOCIAL ACCOUNTABILITY MECHANISM IN INDIA

-Niraja Ghatak

Abstract

India previously followed the central legislation namely Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA) which was a rights-based, rural wage employment programme that legally guaranteed up to 100 days of paid unskilled manual work per year to adult members of rural households with the main aim of providing livelihood security. Despite its successful implementation in some regions of India there were multiple drawbacks of this Act. However, one of the core reasons for its shortcoming, was not adequately impressed upon in the arena of legal research. Hence, this paper aims to dissect that very issue. MGNREGA envisages a district level Ombudsman as a time bound, comparatively inexpensive and independent accountability institution. It had not yet evolved into a robust mechanism for enforcing worker's statutory rights. Many States and districts even lack a functioning Ombudsman and where they do exist, rural workers have little to no awareness and access. Even the institutional dependence on the local administration undermines independence of this statutory body. The paper also discusses a few pertinent questions. Firstly, How does the appointment, tenure, removal, honorarium and infrastructural support affect the practical independence and 'security' of the Ombudsman under MGNREGA 2005? Secondly, How does the Ombudsman interact with other grievance redressal channels under MGNREGA 2005 and



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does the multiplicity of channels strengthen or dilute workers' pursuit of justice and access to remedies? Lastly, are findings from the social audits on sham projects and corruption within the system, systematically referred and acted upon by the District Ombudsman?

Aside from a discussion on these questions, the paper also draws a comparative study across States, where Ombudsman relatively work well with those where Ombudsman are deemed to be absent and ineffective. Simultaneously, it also draws another comparative study between the MGNREGA 2005 and its substitute, Viksit Bharat–Guarantee for Rozgar and Aajeevika Mission (Gramin) (VB-G RAM G) Act, 2025.

Hence this paper focuses on this research problem and its main objective is to investigate why this grievance redressal body remains ineffective and how it can be reformed. The research methodology used in this paper is mainly doctrinal and comparative in nature.

Keywords: MGNREGA. Rights, Rural, Viksit Bharat, Employment

INTRODUCTION

Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA) was a rights-based, rural wage employment programme that legally Guaranteed up to 100 days of paid unskilled manual work per year to adult members of rural households with the main aim of providing livelihood security and create durable assets in rural India for the downtrodden rural people to elevate their lifestyle and provide them with basic necessities of life. This scheme was



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a central legislation and was notified on 5th September 2005. It was implemented in phases across rural districts in India. It offered guaranteed wage employment through labour-intensive public works especially in areas that were affected by chronic poverty and ecological extremes of drought and flood. Originally the scheme was known as the National Rural Employment Guarantee Act (NREGA) when it first came into force in 2005. Later, in 2009, it was renamed as the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) as a tribute to Mahatma Gandhi's vision of village based self-reliance and dignified labour.

Before we proceed, it is important to point out a few key provisions of the MGNREGA, 2005. This scheme provided 100 days of wage employment per financial year to every Rural household whose adult members volunteered for unskilled manual labour-intensive work under Chapter III, Section 4(1) of the 2005 act. Wages were to be paid weekly and not later than fifteen days at specific rates notified for each State with a Prohibition on wages below the statutory minimum rate. There was also a legal obligation to provide work within a 5 km radius of the village in which the adult person seeking work resided permanently failing which the workers had to be compensated and were entitled to an additional 10% wage to cover their travel expenses. Workers were also entitled to an unemployment allowance by their respective State government if work was not provided within 15 days of demand which made the legal guarantee to provide work, enforceable and justiciable in nature under Section 7 of the 2005 act. This scheme also incorporated gender equity provisions including equal wage payments for men and women and there was a requirement that at least one third of the beneficiaries had to be women and they were to be provided with worksite facilities like crèches. Financial inclusion of these rural adults through mandatory wage payments into bank or post office accounts and linkages with social security schemes such as 'Janashree Bima Yojana' and 'Rashtriya Swasthya Bima Yojana'. This



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scheme was a demand driven design in which planning and estimation of work responded to application for employment rather than top-down allocation of work. MGNREGA incorporated multiple transparency and accountability framework including key elements like mandatory maintainable and public disclosure of all records and accounts, provisions for regular social audits at the Gram Sabha Level and legal enforceability of entitlements such as unemployment allowance and timely wage payments, which allow workers to hold the state administratively and legally accountable.¹

Under MGNREGA 2005, there was a district-level grievance redress authority created specifically to receive, inquire into and decide complaints related to the implementation of the scheme which was the Ombudsman and pass awards under Section 30 as per schedule 1 of the 2005 act².

The Ombudsman was provided for in the MGNREGA framework and Operational Guidelines of 2013 which directed each State and Union territories to appoint an Ombudsman for every district which implemented this scheme. The Ombudsman complemented other accountability mechanisms under MGNREGA such as social audits, public disclosure of records and the enforceable right to demand work and unemployment allowance. The Ombudsman under MGNREGA was formally empowered to act on complaints and to issue binding recommendations. This office acted as a deterrent to corruption and maladministration and is a pillar of rural social accountability by giving the rural workers an independent forum to challenge violations of their rights and entitlements.

¹ National Rural Employment Guarantee Act, No. 42 of 2005, India Code (2005)

² Department of Rural Development, Ministry of Rural Development, Government of India, Ombudsperson(March 13,2024)



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Nevertheless, this paper addresses a major problem. MGNREGA envisages a district level Ombudsman as a time bound, comparatively inexpensive and independent accountability institution. It had not yet evolved into a robust mechanism for enforcing worker's statutory rights. Many States and districts even lack a functioning Ombudsman and where they do exist, rural workers have little to no awareness and access. Even the institutional dependence on the local administration undermines independence of this statutory body. Hence this paper focuses on this research problem to investigate why this grievance redressal body remains ineffective and how it can be reformed. The paper also discusses a few questions. Firstly, how does the appointment, tenure, removal, honorarium and infrastructural support affect the practical independence and 'security' of the Ombudsman under MGNREGA 2005? Secondly, how do the Ombudsman interact with other grievance redressal channels under MGNREGA 2005 and does the multiplicity of channels strengthen or dilute workers' pursuit of justice and access to remedies? Lastly, are findings from the social audits on sham projects and corruption within the system systematically referred to and acted upon by the District Ombudsman?

Aside from a discussion on these questions, the paper also draws a comparative study across States, where Ombudsman relatively work well with those where Ombudsman are deemed to be absent and ineffective. Simultaneously, it also draws another comparative study between the MGNREGA 2005 and its substitute, Viksit Bharat–Guarantee for Rozgar and Aajeevika Mission (Gramin) (VB-G RAM G) Act, 2025.



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1.THE INSTITUTIONAL STRUCTURE OF AN OMBUDSMAN UNDER MGNREGA 2005:

The district level Ombudsman under MGNREGA used to be appointed by the State Government on the recommendation of the selection committee. The Ombudsman was a well-known person from a society who has knowledge and expertise in the field of public administration, law, social work or management³.

As per section 30, Schedule 1 of MGNREGA 2005, an Ombudsman was to be established for addressing grievances, enquiring into complaints, and passing awards from time to time. State governments were also directed to appoint these authorities in every district to receive complaints both in electronic and physical mediums. States were also directed to take measures to spread awareness among the rural population and Mahatma Gandhi NREGA beneficiaries about the functioning of the Ombudsman, to put the Ombudsperson's contact information on the Citizen Information Boards and mandated the presence of an Ombudsman in the Social Audit Public Hearings as well. The Ministry of Rural Development also developed an Ombudsperson App to ensure easy reporting and Categorization of the grievances by the Ombudsman on the basis of complaints that were received. This app was launched on 24th February 2022⁴.

When it came to the appointment of an Ombudsman, the State government did so on the recommendations of a selection committee which included, the Additional Chief Secretary of the State Government who would be nominated (Chairperson), Representative of the Union Ministry

³ Press information bureau, Govt of India, Ministry of rural development(September 15 ,2009)

⁴ Department of Rural Development, Ministry of Rural Development, Government of India, Ombudsperson(March 13,2024)



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of Rural Development (Member), An eminent civil society person nominated by the Union Ministry of Rural Development (Member) and the Principal Secretary/Secretary of the State Nodal Department (Member Convenor)⁵.

This committee also had the power to terminate the Ombudsman after giving them an opportunity of being heard due to any unsatisfactory act of the Ombudsman. For the appointment, applications used to be invited by openly advertising, and the selection committee used to select suitable persons for each district and rank them in order of preference. No written test was conducted however an interview and an internal marking pattern was embraced by the committee to rank their preferences. Suitability depended on at least ten years of experience in public administration, law, social work et cetera and an ‘impeccable standing.’ An experience in working with a community organization was mandatory. At the same time, preference for an appointment of an Ombudsman could be given to a person who resided in the same or neighbouring district so that their knowledge about the district could be harnessed. Another significant point to note is that a person who was a member of a recognized political party or a banned organisation was not considered for the appointment as Ombudsman. And the Ombudsman had to be physically active and able to participate in field tours, inspections and visits to remote areas. In a nutshell, one can understand that on paper the profile and political neutrality criteria aim to secure professional independence and reduce partisan influence. However, the fact that appointment is entirely routed through a State executive-controlled committee and that panel-based appointments could be made without renewed scrutiny meant that the Ombudsman's initial dependence on the government was quite considerable. And

⁵ Government of Tamil Nadu, Rural development and Panchayat, MGNREGA, *Establishment of the office of the Ombudsman for redressal of grievances under Mahatma Gandhi National Rural Employment Guarantee Scheme* (July 27, 2010)



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because there was no role of an independent constitutional body like the Judiciary or legislature in appointments, this fact in itself weakened the structural insulation from the very bureaucracy and political class which the Ombudsman was supposed to scrutinize.

In context of tenure, the Ombudsman was to be appointed for a tenure of two years which could be extended but not more than twice by one year, each based on performance appraisal process or till the person attained an age of 68 whichever was earlier. And there could be no reappointment of the same person. When it came to the procedure of termination, the Ombudsman could be terminated by the State government on the recommendations of the selection committee and had to record the reasons for such recommendations. The recommendations had to be made to the chief secretary of the State Government who used to pass the orders. The Ombudsman, too, could relinquish his post by serving a one-month notice of his intention and willingness to resign. For a complaint to be made against an Ombudsman, a written and signed complaint could be made to the Chief Secretary of the State Government by any aggrieved party. It could also include MGNREGA authorities or MGNREGA beneficiaries. But frivolous or anonymous complaints would not be entertained without a prima facie allegation that can be verified from official documents and records without further inquiry. Despite a fixed, non-renewable and limited tenure, extensions depend heavily on executive discretion and performance appraisal conducted by the same bureaucracy it can create a pressure to avoid antagonising powerful officials. What can also be observed from a thorough reading of the guidelines is that there is no requirement that removal should be recommended by an independent oversight body or be subject to judicial vetting. Which weakens both real and perceived security of office and can reduce the investigative zeal of the Ombudsman.



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When we try to analyse the remuneration given to the Ombudsman, subject to notification by the State Government, the Ombudsman was given an entitlement in fees of one thousand rupees per sitting with an upper limit of twenty thousand rupees per month. Sitting denotes per day functioning regardless of the number of cases handled. ‘The sitting fee and allowance shall be paid timely by The State government’. Technical and infrastructural support was provided by the DRDA or by other bodies as mentioned by the State Government. Necessary support was given to the Ombudsman to carry out functions, which include support staff, equipment, helplines et cetera. However, a low honorarium and irregular payments had been highlighted as major disincentives which push retired officials to treat their responsibility as an Ombudsman as symbolic rather than as an active watchdog. The Ombudsman may also be less willing to take confrontational stances against Senior District level officials whose cooperation they need for records, logistics and implementation of their awards in the face of inadequate honorarium or when subject to discretionary revision.

A study named, “MGNREGA Ombudsman a Forlorn Scarecrow: Issues and Ways Forward in Karnataka” conducted by authors, Sanjiv Kumar and S Madheswaran depicted this perspective on the independence of the Ombudsman-

“Although the ‘instructions on Ombudsman’ envisages them to be independent of the state and the central government, none of them have any doubt that in the districts, their position and stature is limited and diminutive when compared To the District Programme Officer of MGNREGA, that is the Chief Executive Officer of the Zila Panchayat in Karnataka.”

Hence an Ombudsman which is established by a statute is more autonomous and can exercise their authority with ease independent of the Executive. With reference to the study and the data



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collected by the authors, a clear picture can be drawn in which the authorities did not invest in the technical and infrastructural support in many districts of Karnataka. This case study highlights the significance of the technical and infrastructural support meted out to the Ombudsman for the maintenance of their independence and security. The study showcased an inadequate staffing pattern without technical support staff and a lack of official vehicles in a timely manner which proved to affect their ‘mobility, autonomy and agility’ which was necessary for a productive outreach ventures and inquiries.⁶

1.1 FINALITY OF THE AWARD ISSUED BY AN OMBUDSMAN UNDER MGNREGA 2005:

Under Section 30, Schedule I of the MGNREGA Act of 2005, the Ombudsman was mandated to pass awards in accordance with guidelines issued under Section 27. The guidelines on the Ombudsman defined “award” as a reasoned, written decision on a complaint which may direct payment of wages, unemployment allowance, recovery of misappropriated funds, correction of records or recommendation of disciplinary or penal actions against responsible officials.

The guidelines clearly stated that the State government and district MGNREGA authorities must act upon the awards issued by the Ombudsman and upload “Action Taken Reports (ATR)” against each award on the MGNREGA portal. And the awards were expected to be implemented in a time bound manner, and the ATR requirement created a formal obligation to show compliance to higher authorities and the public. Hence the award was binding on implementing

⁶ Sanjiv Kumar and S Madheswaran, MGNREGA, *Ombudsman a Forlorn Scarecrow: Issues and Ways Forward in Karnataka* (2019)



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authorities unless set aside or modified through an appeal or under review. The Ombudsman, as we know, did not personally execute disciplinary action. Implementation was carried out by District Programme Coordinators, Programme Officers and other officials who may have complied or ignored the award. Hence the binding effect was more administrative rather than backed by a decree of a court. The 2013 guidelines also required the Programme Officers and the District Programme Officers to submit ATRs and empower the Ombudsman to flag non-implementation to State level Authorities. The Ombudsman could also recommend disciplinary proceedings against officials proceedings against officials who wilfully disregarded awards and obstructed investigations. However, the Ombudsman despite the formal powers often faced non-cooperation, delayed ATRs, quite non-implementation especially when the awards target powerful district officials. Because the Ombudsman lacked direct coercive powers and the awards were deemed quasi judicial in nature, they depended on the same bureaucracy for infrastructure and records. This was where a gap was created between the formal rules and actual enforcement.

Hence the most definitive move by the aggrieved parties and workers to enforce their rights in a hostile local administration is to submit written representations to the Programme Officers and District Programme Coordinators and demand for implementation of the awards. Highlighting non-compliance with the awards can trigger departmental scrutiny and investigation. Since awards and ATRs are supposed to be uploaded on the online portal, non-implementation can be raised in Gram Sabha social audits with proceedings recorded.

This step treats the award as a lever inside the bureaucratic chain of command. Social Audit works as a collective enforcement mechanism turning an individual award into a public accountability issue. Workers can also file Right to Information requests seeking copies of ATRs



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filed against the award, noting dates and reasons for non compliance. When administration channels failure, workers can always rely on the legal right to work and wages under MGNREGA Act, 2005 and resort to seeking help of the Constitutional Safeguards by filing Writ Petitions under Article 226 in High Courts to challenge non implementation as violation of statutory rights under MGNREGA act 2005. And the Court may direct payment of wages and unemployment allowance; it can also order an investigation.

2. INTERACTION OF OMBUDSMAN WITH OTHER GRIEVANCE REDRESSAL CHANNELS UNDER MGNREGA 2005:

MGNREGA 2005 had provided a layered grievance and accountability legal architecture. Aggrieved parties could directly submit complaints to Gram Panchayats and Programme Officer at the Block level, District Programme Coordinator at the District Level and State MGNREGA Cell as well. Aside from these channels, workers could raise issues at Public Hearings of Social audits and Gram Sabha in regards to unpaid wages, unemployment allowance, poor worksite conditions with findings recorded in audit reports⁷.

Dedicated grievance mechanisms involving helplines, online portals, Ombudsman App, District Level Ombudsman were recognised by the 2005 act. Proactive Public Disclosure, Right to Information application could also be used to obtain records necessary for complaints. The

⁷ Comptroller & Auditor General of India, Performance Audit Report on : Implementation of MGNREGS in Punjab, Ch 5 *Grievance Redressal, Monitoring and Internal Control* (2022)



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Ombudsman as a statutory body is meant to handle more serious complaints. The Ombudsman receives complaints from multiple sources. The Operational Guidelines of 2013 explicitly stated that Ombudsman could even receive complaints from electronic mode aside from physical mode. Complaints could directly arrive from workers and their representatives or be referred to by Social Audit findings, RTI revelations or failure of lower-level grievance officers. As mentioned earlier, the Ombudsman is also present in social audits and public hearings and to also display their contact details which include their name and phone numbers on Citizen Information Boards. In a way we can draw a link between social audit and the Ombudsman. The audit identifies systemic problems and the Ombudsman translates serious or recurring issues into individual awards and recommendations. Ombudsman awards must also be followed by Action Taken Reports (ATRs) being uploaded by the administration on the MGNREGA Portal creating a formal interface between Ombudsman decisions and the implementing authorities. Ombudsman annual and quarterly reports are also sent to senior level authorities for instance, Rural Development Department and State MGNREGA Council which helps in monitoring of handling grievance cases to maintain transparency.

Now, a question that we must address is whether the Multiplicity of grievance redressal channel strengthens or dilutes the pursuit and access to justice. While multiple channels can help the workers submit their complaints and voice their grievances at various forums through helplines, social audits, public hearings and so on, this redundancy does increase the chance that their grievance will be heard at some forum. Different channels can corroborate and cross check the evidence among themselves for instance a social audit as well known is better for exposing collective systemic issues, the other administrative routes handle routine procedures and the Ombudsman can order awards for resolving these complaints. ATRs and RTI requests on the



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other hand, verify whether awards are actually implemented. From this perspective, perhaps plurality should strengthen worker's pursuit of justice by creating overlaps and safeguards against a single point of failure. However, a contrasting perspective also exists which emphasizes the practical risks of dilution. The first problem which might occur, is that the workers may not know which forum would be suitable to approach for the resolution of their grievances. Some channels may be poorly staffed or non-responsive for example, an inactive helpline. While others like the Ombudsman may not have adequate infrastructural support or simply be absent altogether in certain districts.

2.1 AWARENESS ABOUT THE OMBUDSMAN AMONG MARGINALIZED GROUPS:

Workers who mainly belong to the marginalized and vulnerable groups and entitled under the MGNREGA of 2005 currently are groups of women, scheduled tribes and disabled persons have extremely low awareness regarding the existence of a district level Statutory body like the Ombudsman under MGNREGA. Knowing about this forum is important because the Ombudsman does hold independent powers to investigate complaints and award compensation within 30 days. It can also penalize local functionaries, systemic barriers such as remote district office locations, illiteracy, and fear of local elite reprisal. Most rural labourers view work allocation and wage delays as facts of fate or routine administrative slacks rather than legal violations they can seek redressal for. Marginalized groups such as remote tribal communities, nomadic groups and disabled workers face an even wider information gap due to language barriers and isolation. Information about how to file complaints through physical modes or the



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official Ombudsperson App through electronic modes rarely reaches the worksite level via Gram Panchayats.

Under the MGNREGA Act of 2005, appointment of ombudsman for every district is mandated to conduct enquiries and pass awards. However out of 715 appointments only 263 have been appointed which showcases the ‘poor coordination between central and state nodal agencies’⁸.

The absence of an ombudsman in many districts also contributes to the lack of awareness among the workers. Under the same act, it was mandated that Gram Sabha must conduct regular social audits of the projects under Gram Panchayats. However, it was observed that in ‘2020-21, only 29,611 Gram Panchayats were audited at least once’⁹

The lack of regular social audits led to the social audit reports not being available in the public domain either. Hence that, too led to a lack of awareness about the provisions of MGNREGA.

Other pertinent barriers include a geographical distance because the Ombudsman office is typically situated at a distant headquarter making travel expensive. There are socio-economic and Power Asymmetries owing to the local village elites and contractors, sometimes even the worksite supervisors, to wield heavy social and economic leverage over the vulnerable workers threading them with work exclusion. It has even been observed that in Tamil Nadu, many have no awareness about the existence of an Ombudsman despite having a workforce over 2 lakhs across the state, the Ombudsman hardly receives 20 complaints in a month from each district in Vellore. “Most complaints are pre-screened by the rural department. Genuine concerns rarely

⁸ PRS legislative research, Critical evaluation of MGNREGA: *Standing committee report* (Feb 8 2022)

⁹ Ibid.



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reach my desk. Public awareness could facilitate addressing general issues within seven days,” An ombudsman for a northern district added¹⁰.

3. DO FINDINGS FROM SOCIAL AUDITS GET SYSTEMATICALLY REFERRED AND ACTED UPON BY THE DISTRICT OMBUDSMAN?

Social Audit is a tool that enforces transparency and responsibility. It helps integrate citizens and their participation in governance. It has been mandated under MGNREGA 2005.

Findings of Social Audits on sham projects and corruption within the system are not always referred to and acted upon by the District Ombudsman across most regions in India for many reasons. While the operational guidelines of 2013 under MGNREGA stated that denial of entitlements and specific grievances should be routed to the ombudsman to register suo motu complaints but systemic gaps severely hinder this linkage in practice. Many districts lack a continuously active ombudsman due to persistent administrative delays in appointments leaving offices vacant for long intervals. Social Audit Units often operate independently and formal protocols to automatically channel localizer Audit findings into the Ombudsman's case registry are weak. Action Take Reports based on Social Audit findings frequently stall at the lower bureaucracy level resulting in poor recovery of misappropriated funds. And while a few states demonstrate structured tracking via administrative review meetings, most treat social audit resolutions as ad hoc compliance rather than triggers for Legal redress through an ombudsman.

¹⁰ *Not many know about existence of ombudsman for MGNREGA in Tamil Nadu*, New Indian Express (August 25, 2023)



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As it is known that in the case of delay in payment of wages under MGNREGA, workers are entitled to compensation at the rate of 0.05% of the wages that are unpaid per day. However, because the social audit findings are not always implemented, the payment of delay compensation is also not adhered to in most places in the country. And it was recommended by the committee to the Ministry to ensure compliance¹¹.

Under MGNREGA, workers who apply for work but are not provided with it within 15 days are entitled to daily unemployment allowance. It is up to the state governments to determine the rate. But it was not being paid adequately due to the lack of Social Audit implementation yet again in many States. Hence it was recommended by the committee to the Ministry to ensure compliance with the mandate by MGNREGA.

4. COMPARATIVE STUDY AMONG STATES WHERE OMBUDSMAN WORK RELATIVELY WELL AND WHERE THEY ARE ABSENT:

States such as Kerala, Tamil Nadu and parts of Andhra Pradesh exhibit higher grievance disposal rates, active social audits and lower wage delays¹².

Conversely, states with widespread vacancies or absent ombudsmen in parts of UP, Bihar and Gujarat suffer from unaddressed Corruption, fund leakages, plunging local work demands.¹³

¹¹ Ibid.

¹² Syed Rizwan Ahmed and Sanjay Kumar, *A Study on State-wise Implementation of MGNREGS in India : A Data Envelopment Analysis* (2024)

¹³ Risha Chitlangia, *UP, MP to Assam, several districts have no MGNREGS ombudsperson to address workers' grievances*, THE PRINT (15 December 2023)



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States with a relatively well functioning Ombudsman system have a high administration capacity and integration with the local self government institutions which result in a strong institutional oversight. Ombudsmen actively coordinate with public hearings and social audits. In Andhra Pradesh, complaints are proactively tracked via dedicated state portals. Leading to Swift penalty imposition on erring local functionaries and lower incidence of ghost beneficiaries and transparent records of job card demands. States with Absent or Deficient Ombudsman systems like in Uttar Pradesh and Bihar, there is a high incidence of rural poverty coupled with chronic administrative vacancies which leave rural labourers without a localized legal recourse.

“During FY 2016-17, the number of person days Generated under MGNREGS was higher in states like Andhra Pradesh (2052.90 lakhs), Tamil Nadu (3999.36 lakhs,)”¹⁴

Gujarat and Punjab have historically showcased a slow compliance with the Ministry of Rural Development’s 80% district coverage thresholds, resulting in lower worker awareness and diminished reliance on statutory rights. Which leads to high accumulation of unresolved wage and material liabilities and dependence on informal local structures.

Functional states process complaints in weeks via digital apps but in the inactive states, workers are forced to rely on block level bureaucrats who are often implicated in the delays themselves. Functional states display Ombudsman contact numbers on Citizen Information Boards and promote awareness regarding Ombudsman through Gram Panchayats but inactive regions usually suffer from poor information flow and inactive public scrutiny.

¹⁴ Ibid.



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5. COMPARATIVE STUDY BETWEEN MGNREGA 2005 AND THE VIKSIT BHARAT- GUARANTEE FOR ROZGAR AND AJEEVIKA MISSION (GRAMIN) (VB-G RAM) ACT, 2025:

The Viksit Bharat -Guarantee for Rozgar and Aajeevika Mission (Gramin) (VB-G RAM G) Act, 2025 replaced the older MGNREGA, 2005. VB-G RAM G increased the Guaranteed workdays for 100 to 125 days and mandated weekly wage payments. It shifts from a demand-driven right to a planned funding model with 60:40 Centre State Cost sharing ratio. MGNREGA had no formal seasonal suspension while the VB -G RAM G allowed for a temporary pause up to 60 days during peak farming seasons. MGNREGA was funded almost entirely by the Central Government for wages but now as mentioned above there is a 60:40 cost sharing between the Centre and states. MGNREGA faced frequent delays with fortnightly or monthly clearings while VB-G RAM G mandates faster weekly wage disbursements.¹⁵

CONCLUSION:

The Ombudsman under MGNREGA can be made more effective through a few reforms aimed at accessibility, speed, and enforceability of decisions.

¹⁵ Satish Mohite and Guruprasad Ganeshkar, *Comparative Study of the MGNREG Act, 2005 and the Viksit Bharat – G RAM G (Gramin) Act, 2025* (Feb 28, 2026)



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- Confer a clear Statutory Status on the Ombudsman with powers and protections similar to other oversight institutions.
- Make “one Ombudsperson per district” a hard and time bound obligation with consequences for non-compliance.
- In high workload districts, provide for multiple Ombudsmen so that complex or wage-delay cases can be handled without backlogs.
- Publish quarterly and annual reports online with district wise statistics to increase transparency, trust and awareness among people.
- Display basic rights of workers in local languages on the Citizen Information Board to increase awareness.
- Encourage collaboration with legal aid clinics to assist workers in drafting complaints and following up on awards especially in remote blocks areas



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