

Fact Finding Report: Slew of FIRs against Sanjay Sahni in Muzaffarpur, Bihar

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2 Glossary of Abbreviations

- SPSS: Samaj Parivartan Shakti Sangathan
- BMW: Bihar MNREGA Watch
- MNREGA: Mahatma Gandhi National Rural Employment Guarantee Act
- NREGA: National Rural Employment Guarantee Act
- NCPRI: National Campaign for People’s Right to Information

- PDS: Public Distribution System
- RTI: Right to Information
- FIR: First Information Report
- PO: Programme Officer
- PRS: Panchayat Rozgar Sahayak
- PS: Police Station
- SHO: Station House Officer
- FFT: Fact Finding Team
- BDO: Block Development Officer
- DDC: District Development Commissioner
- SDO: Sub Divisional Officer
- DC: District Collector

3 Background

Samaj Parivartan Shakti Sangathan (SPSS) began with the electric passion of one man Sanjay Sahni, a class 7 drop-out and then an electrician in the streets of Janakpuri in South-West Delhi to expose corruption in the National Rural Employment Guarantee Act (NREGA also MNREGA) in his panchayat. Now, the passion has spread, from a man to a village, from village to panchayat, panchayat to block and finally all over Muzaffarpur district and spilling onto a neighbouring one, encompassing 10000 labourers. SPSS is no longer one man's crusade against corruption, it is a people's movement that fights for increasing awareness among citizens regarding their rights.

Sanjay Sahni's chance discovery of the internet in August 2011 went hand-in-hand with a series of other startling encounters. Within a few days of accessing the world wide web for the first time, Sanjay had realised something equally momentous – lakhs of rupees were stolen by his elected representatives and their nexus of crooked bureaucrats in the name of his fellow-villagers. The NREGA promised 100 days of work for any household that approached a representative of the state for work. In Ratnauli, Sanjay's village, labourers had barely heard of the act; even fewer had ever asked for work. And yet, incredibly, as per official online records, many had worked for days together. What's more, they had been paid and the money had been withdrawn from their accounts.

A quick visit to Ranauli from Delhi confirmed Sanjay's worst fears. Most of the records were fraudulent.

Sanjay soon began calling people off the NREGA website (www.nrega.nic.in). With some luck and many months later, he found himself telling his story to Nikhil Dey of the National Campaign for the People's of Right to Information (NCPRI). Nikhil Dey put him on to Mr. Santosh Mathew, then Principal Secretary, Rural Development Department, Bihar government. Santosh Mathew instituted an audit in Ratnauli within a week of receiving the complaint. The audit team from Patna visited Muzaffarpur about four months after Sanjay first accessed the NREGA website and asked several uncomfortable questions. For the first time in their lifetimes, many persons in Ratnauli had actually seen government officials from Patna. In their eyes, Sanjay had transformed, from a non-descript occasional visitor to local hero.

Sanjay didn't rest on his laurels and went about putting together a team of individuals that would help raise awareness. And soon, the Bihar MNREGA Watch (BMW) was born first, as a people's organisation used to monitor the implementation of the NREGA in Ratnauli and its neighbouring panchayat, Mahant Maniyari. If the NREGA had to provide work to labourers – as the act had been envisaged and not concentrate excess wealth in the hands of the Mukhiya and his cronies, then people needed to know what was going on in their names and what they were entitled to. The BMW held several “awareness” *sabhas* in Ratnauli and neighbouring Mahant Maniyari. The sabhas attracted visitors from other panchayats too and the common meeting ground for participants was soon rechristened “NREGA chowk”. At their core, these sabhas were awareness meetings. However, several things seem to happen simultaneously: strategies were planned, new avenues for work and expansion identified. Workers were trained to demand work from the state – a right under the NREGA – both orally and through applications. Soon, as opposed to the past, real workers worked on the scheme and on doing so, demanded payments within 15 days, as was stipulated in the Act. Most workers were (and continue to be) women. They worked hard, ensured the work was measured by a qualified engineer, applied pressure on the panchayat Rozgar Sevak (PRS) to make note of their attendance, even appointed mazdoor-mates of their own.

Thus, roads were built, ponds were dug, earth levelled.

Soon, an enlightened work force wasn't merely satisfied with work-provision and payments for the same. They began demanding that their ration be delivered on time: in Mahant Maniyari, a group of women gheraoed the local Fair Price Shop dealer and insisted he give them three-months' worth pending grains to everyone in their village; the old, the infirm and the widows wanted their pensions in their accounts in a monthly manner, not on an arbitrary basis. Work was also pursued on the RTI front, using the empowering law to demand rights. BMW was eventually subsumed by SPSS – a union that was more than a mere monitoring agency, one that promised to look beyond the

NREGA, one that promised to bring about change in the society.

SPSS grew across panchayats and blocks, eventually encompassing around 10,000 labourers across 2 districts. Everywhere, the stories were similar: first, the Mukhiya-PRS-Postoffice (elected representative-bureaucracy-payment agency) nexus was broken down, corruption exposed using information uploaded on the NREGA website; then, labourers demanded and obtained work, agitated for timely and correct payments. Sabhas were held, dharnas organised at the collector's office, at the Mukhiyas' homes. Rights were demanded, responses were videotaped, audits organised, RTIs filed. The local media was often sympathetic, extensively covering some of the bigger agitations – for instance, the one for timely payments organised at Muzaffarpur in August 2013 was covered by both local newspapers and TV News channels.

All this was not without facing backlash from the elected representatives. A few SPSS members were threatened, some injured in scuffles. More shockingly, Ram Kumar Thakur, a lawyer who was also a resident of Ratnauli and a supporter of SPSS, was shot dead in the open by the Mukhiya's men. Despite SPSS meeting the Chief Minister, Mr Nitish Kumar, and the Rural Development Minister at the centre, Mr Jairam Ramesh, and briefing them on the matter, the Mukhiya continues to reside in the panchayat. On the other hand, Mr Thakur's close family lives in constant fear, fending off threats by the Mukhiya's cronies.

SPSS continues to inspire not merely in Muzaffarpur, but across the country. SPSS volunteers are a frequent presence in many movements for change everywhere – over 200 labourers came out in a protest in Delhi for the passing of the Whistleblower's Bill in February 2014. Their mobile radio campaign, where labourers get short 2 minute messages about the latest developments in their locality on their cell phones, has been touted as a great example for using technology to further rural causes. SPSS has held social audits of government schemes on their own and have presented findings before the district collector.

Having come a long way, SPSS still has much more to do. It does however offer a unique kind of hope – that rural mass movements can develop organically, with only cursory support from the elite and no support at all from the rich; that one man's thirst for justice can find resonance among thousands; that thousands together can get their denied rights even in the harshest of environs; that the traditional sources of power – the corrupt officialdom – can be broken down and forced to change, using a unique marriage of traditional non-violent methods (dharnas, petitions, campaigns and marches) and modern technology (the internet, mobile radio and cell-phones). SPSS is a struggle for change that stands for a remarkable, if simple dictum: *we will know, we will live.*

4 Prelude to the FIRs

The labour organisation created by Sanjay Sahni has had a remarkable success over the last few years in reducing corruption in the Public Distribution System (PDS) and NREGA. A significant contribution has been the substantial degree of empowerment and agency of the largely illiterate and Dalit women community who are part of the organisation. The extent of awareness and information about their rights and entitlements pertaining to various social welfare programmes gained in such a short span of time is commendable and unique in democratic engagement in the country.

The local administration and power structures have not taken well to this rapid burst in women fighting for their rights and entitlements. This has resulted in a slew of false First Information Reports (FIRs) against Sanjay Sahni, in an attempt to stifle the quest to assert their rights and crusade against corruption and patriarchy, that is endemic, not just in this region but in the entire country. We present below the list of FIRs filed against Sanjay Sahni from the most recent to the oldest.

1. Received and registered Maniyari P.S. (Muzaffarpur district) as case number 52/17 dated 31/03/2017 under sections 147, 149, 341,342,353,379,504, 506, IPC. “S.I. Arun Kumar Singh will please investigate this case”. FIR filed by Mr. Shambhunath Singh, son of Shyam Lal Singh, village Rahimpur. Currently working as the PRS of Ratnauli panchayat, Kurhani block, Muzaffarpur district.
2. Received and registered Maniyari PS (Muzaffarpur district) as case number 01/17 dated 01/01/2017 under sections 147/149/341/323/325/353/379/307/507/506 IPC . “S.I. Laxman Ram will investigate this case undersigned by SHO Amit Kumar.” FIR filed by Shatrughan Kumar, son of Ramcharya Singh, a resident of Gram panchayat Rampur, Lakkhisaray district. Currently working as PRS in Amrak Gram panchayat in Kurhani block in Muzaffarpur district.
3. Received and registered Town PS (Muzaffarpur district) as FIR number 45/14 dated 15/10/2014 under sections 341,147,149,353. Further subsections 3,4,5 Bihari Service Maintenance Act 908/9 (Use of playing loud speaker act). FIR filed by Mr. Anil Kumar.
4. Received and registered Maniyari P.S. (Muzaffarpur district) as case number 277/14 dated 10/10/2014 under sections 147,341,342,384,386,323,353,120(b) IPC. S.I. V.K. Gupta will investigate this case. FIR filed by Jeetendra Kumar, son of Satyanarayan Pd. Currently working as block Programme Officer (PO) Kurhani block, Muzaffarpur district.

The most recent FIR against Sanjay Sahni was filed on 31st March, 2017 by the PRS of NREGA of Ratnauli panchayat. We will present the details of this FIR and with evidence illustrate the false nature of it to substantiate the vendetta that the local power structures have had against Sanjay Sahni and the organisations SPSS/BMW at large.

5 Testimonials of the FIR filed on 31/03/2017

The FFT interviewed various stakeholders connected to the most recent FIR filed on 31/03/2017. The testimonials of each concerned stakeholder is presented in sequence.

5.1 Testimonial of Shambhunath Singh (PRS), the complainant of the FIR

According to the FIR that was procured and studied by the fact finding team, Shambhunath Singh had gone to an NREGA work site in Mahant Maniyari village in Ratnauli Gram panchayat on 31/03/2017. There were two separate works on construction of farm ponds where there were 153 labourers present at the work site. Shambhunath Singh had apparently gone to the work site to collect signatures in the muster roll when, at around 12:30 PM, Sanjay Sahni of Ratnauli panchayat reached the work site. He then supposedly started instigating the labourers whose names weren't on the muster roll to sign on the muster roll. When Shambhunath apparently declined that their names weren't on the muster, about five people (Nana Lalan Sahni, Umesh Sahni, Pavitra Paswan, Mandeshwari Devi) snatched and tore the muster rolls. According to the FIR, as Shambhunath Singh was trying to escape from the scene, he was verbally abused by Sanjay Sahni who then, along with a few others started beating him up. Consequently, Shambhunath claims in the FIR that he was badly hurt in the chest and then called the block Programme Officer (PO) Mr. Jeetendra Kumar, who came to his rescue and took him to the Sadar Hospital in Muzaffarpur town for treatment. In fact, the FIR was filed by Shambhunath Singh in the presence of the block PO at the Sadar Hospital on the night of 31/03/2017.

The PRS was repeatedly contacted by the Fact Finding team between 14/04/2017 and 16/04/2017. The PRS didnt respond to several phone calls. Finally, a text message was sent to him asking him to speak on the phone. One of the members of the fact finding team managed to speak to him on the phone. However, when asked to speak on the recent FIR filed by Shambhunath Singh against Sanjay Sahni and other members of SPSS, Shambhunath refused to comment on it. He insisted that, he had spoken to "higher authorities" who had advised him to speak about it only within the block office premises and not to speak on the phone. Shambhunath refused to meet in person before the 18th of April and also refused to speak on the phone about the FIR. Despite a member of the FFT telling him that no member of the FFT would be in Muzaffarpur on the 18th, the PRS responded saying "There is a lot of pressure on me to finish transferring the money of workers and finish work on Aadhaar seeding. I am always giving most importance to my work so I am busy." The FFT member pleaded saying "I understand. I won't take up a lot of your time. I will just take 10 minutes of your time to discuss the FIR." The PRS reponded saying that he wouldn't want to talk about the matter on the phone. He continued saying that Ratnauli panchayat is unsafe for him and he wouldn't talk anything about it on the phone. He said "I am sorry. I can't say anything on the phone." Further, the PRS refused to either meet in person before the 18th of April, 2017.

When requested to speak again, the PRS said that he filed an FIR to get some security from the government so that in future there isn't any untoward incident against him in that panchayat. The PRS further asked a member of the FFT to speak with the block PO about the incident. The PRS completely refused to comment any more on the phone and hung up.

5.2 Testimonial of Sanjay Sahni about the FIR filed on 31/03/2017

According to Sanjay Sahni, he was not in Muzaffarpur on 31/03/2017. Sanjay said that he had gone to Ranchi on 29/03/2017. On the evening of 31/03/2017, he got a call from a friend saying that there was an FIR filed against him on the grounds that Sanjay and a few other labourers had beaten up the PRS of Mahant Maniyari and consequently, the PRS was admitted to a hospital. However, there is clear evidence that Sanjay was in Ranchi on 31/03/2017 and was far away from the scene of the purported scuffle. As evidence to the effect, we present the following –

- A copy of Sanjay's bus ticket (Figure 1) from Muzaffarpur to Ranchi dated 29/03/2017.
- A letter written by Prof. Jean Dreze (Figure 2) on 03/04/2017 addressed to the Director General of Police, Patna, Bihar with a cc to the Rural Development Secretary, Government of Bihar stating that Sanjay Sahni was in fact meeting with Prof. Dreze in Ranchi on 31/03/2017. In addition to mentioning that the FIR is bogus, the letter by Prof. Jean Dreze states - "This is the latest in a long series of acts of harassment against Sanjay Sahni by local MGNREGA functionaries, who resent his attempts to prevent corruption in MGNREGA and organise MGNREGA workers."
- Passbook update done in Bank of India (Figure 3 and Figure 4) in Ranchi on 31/03/2017.
- Withdrawal slip from a Punjab National Bank ATM in Ranchi dated 31/03/2017.

5.3 Testimonial of ward member, Kishun Sahni, present at the site of events on 31/03/2017

Kishun Sahni, a ward member of Mahant Maniyari panchayat, had gone to the work site on 31/03/2017. Kishun saw a host of labourers waiting to sign the muster rolls. According to Kishun, the PRS doesn't come regularly to take signatures on the muster rolls. As such, there is a lot of pending signatures to be collected when he comes to the work site. This usually results in a bit of commotion because of the backlog work.

Kishun had gone to the work site that day to talk to the PRS about doing some work on a farm pond. He noticed that there was some argument between the PRS and the workers. Kishun Sahni said that Siri Sahni was waiting at the work site for a long time to



Figure 1 – Bus Ticket

put down his signature on the muster roll. However, the PRS verbally abused him saying “I am not your father’s servant to keep calling out your name.” Siri Sahni responded to this statement by saying “You are a (public) servant and that’s why you are taking signatures from us.” Kishun recollected that the PRS then got angry, moved his hands violently, took his muster roll and left in a bike. Kishun followed him on a bicycle and then asked the PRS to calm down. Kishun was absolutely certain that there wasn’t any physical altercation between the PRS and the workers. However, when Kishun spotted him at a place after following him in a bicycle, Kishun noticed a mild mark in his shirt. The block PO, Jeetendra Kumar, was also there, and in front of Kishun, the block PO tore the shirt of the PRS. The block PO had apparently come to the village with people on five different bikes. The block PO asked Kishun to come with them but Kishun refused citing that it is unethical to do so. The block PO then smeared the body of the PRS with mud, took a photo of the PRS in that condition and sent it to the BDO and the DDC. The next day Kishun Sahni read in the papers that the workers had torn the shirt of the PRS. Kishun said “I didnt want to join them because I felt that whatever was being done by the PO and the PRS was wrong.”



Figure 2 – Letter from Prof. Jean Dreze

Kishun was an eyewitness to the PO tearing the shirt of the PRS and then smearing the body of the PRS with mud and then falsely alleging that Sanjay Sahni and his friends had done it. In fact, Kishun said that Sanjay Sahni was not even in the panchayat that day. Sanjay Sahni, according to Kishun Sahni, was in Ranchi on that day. In anguish, Kishun says “How can they file such a false FIR against Sanjay Sahni when he was far away in Ranchi that day?” Kishun further says that the current PO always speaks to everybody in a brash manner.

5.4 Testimonial of Dr. P.N. Verma, Sadar Hospital, Muzaffarpur

Two members of the FFT went to Sadar Hospital, Muzaffarpur on 16/04/2017 to speak with the doctor and the attendant of the male ward number 28 where the PRS, Shambhunath Singh, was admitted on the 31st of March, 2017. According to the testimonial of the PRS, he was beaten up by Sanjay Sahni and the workers at the work site on 31/03/2017 and he was consequently admitted in the hospital.



Figure 3 – Bank of India Passbook

Dr. P. N. Verma said that he wouldn't be able to provide any information pertaining to the injury that happened on 31/03/2017. He asked the FFT members to speak with the Deputy Superintendent and/or the Civil Surgeon (Dr. Lalita Singh). A member of the FFT spoke to the Civil Surgeon on the phone who asked Dr. P.N. Verma over the phone to show the medical register of 31/03/2017. Dr. Verma then summoned Mr. Sharma, an attendant in the Emergency Ward to bring and show the register to the FFT. Mr. Sharma said that the register was with the record keeper and that the record keeper would only come the next day. Mr. Sharma was able to recollect the admission of the PRS in Sadar Hospital on the night of 31/03/2017. Mr. Sharma asked the FFT to come the next day, seek permission from the Deputy Superintendent, to access the medical register. However, Mr. Sharma informally said that "I remember it was a Friday night. The PRS was perfectly fine. He had nothing but was admitted in the hospital on a whim. Shambhunath Singh came at night with a lot of people on motor bikes on the night of 31st of March. There was no space to move around. The entire hospital was crowded by the what seemed like the entire district staff of NREGA had come. All he had was just mud on his body and nothing else. The PRS said that he was hurt but I couldn't find anything wrong with him but if a patient comes and says that he is hurt, then we have

दिनांक Date	चेक नं./ Cheque No.	विवरण Particulars	दिल्ली गई रकम DR Amount	जमा की गई रकम CR Amount	शेष जमा राशि Balance
		Account No. 7608000100014894		Balance b/f	6,295.47 Cr
07-01-2017		By CLEARING - 9525 :		5,000.00	11,295.47 Cr
07-01-2017		By CLEARING - 313375		10,000.00	21,295.47 Cr
08-01-2017		To SMS CHRG FOR:01-10-2016	17.25		21,278.24 Cr
09-01-2017	538492	To SANJAY KUMAR	19,000.00		2,278.24 Cr
29-01-2017		By IMPS-IN/702019481781/61 (012000)		6,000.00	8,278.24 Cr
31-01-2017		By NEFT ANKITA AGGARWAL / (006200)		10,000.00	18,278.24 Cr
31-02-2017	538493	To SANJAY KUMAR	16,000.00		2,278.24 Cr
02-02-2017		By NEFT VIDYASAGAR M S (006200)		4,000.00	6,278.24 Cr
03-02-2017		By NEFT SWATI NARAYAN (006200)		5,000.00	11,278.24 Cr
14-02-2017	538494	To SANJAY KUMAR	10,000.00		1,278.24 Cr
02-03-2017		By NEFT VIDYASAGAR M S (006200)		4,000.00	5,278.24 Cr
05-03-2017		By Interest 9000100014894: (625500)		61.00	5,339.24 Cr
06-03-2017		By NEFT SWATI NARAYAN (006200)		5,000.00	10,339.24 Cr
31-03-2017	538495	To SANJAY KUMAR	8,000.00		2,339.24 Cr
03-04-2017		By NEFT VIDYASAGAR M S (006200)		4,000.00	6,339.24 Cr
03-04-2017	538496	To SANJAY KUMAR	5,000.00		1,339.24 Cr
04-04-2017		To SMS CHRG FOR:01-01-2017to31-03-2017	17.95		1,321.99 Cr
06-04-2017		By NEFT ANKITA AGGARWAL / (006200)		10,350.00	14,671.99 Cr
20-04-2017	538497	To SANJAY KR (013000)	10,000.00		4,671.99 Cr
20-04-2017		By NEFT SWATI NARAYAN (006200)		5,000.00	9,671.99 Cr
				आगे ले जाई गई रकम	Carried Over

Figure 4 – Bank of India Passbook Update

to give some medication. He was admitted here for 3 nights. Dr. R.B. Singh attended to him. He was perfectly fine. He was just acting like he was hurt.”

One of the FFT members spent the whole day next day trying to access the injury report. But, the FFT member was neither given nor shown the injury report on the grounds that this was a “medico-legal case”. Dr. R.B. Singh could not be reached by the FFT members to speak on the matter.

5.5 Testimonial of Indu Devi, a labourer who was at the site of events on 31/03/2017

Indu Devi, a woman in her 30s, was at the work site when the alleged scuffle happened. According to her, the PRS was seeking signatures from workers at the work site for 4 weeks of work. The work was concerning construction of farm ponds earlier in 2017. Some muster rolls were filled but some were blank muster rolls. Along with a few others, she objected to him getting signatures on blank muster rolls and asked him to get signatures only on muster rolls that have names of people in it. “Some of us, for the sake

of record keeping, were videographing the incident” she said. While the entire process was going on, when 15 people were left to sign, Siri Sahni, a worker, who was waiting at the site for several hours asked the PRS to enter his signature saying “I have been waiting for too long, could you please take my signature.” The PRS responded to this request by saying “I have called your name. Where were you?” to which Siri said “I have been sitting right here for so long. I would’ve heard if you called out my name.” The PRS apparently got angry at this response of Siri and said - “What do you think? I am not your father’s servant.” Hearing this, Siri responded saying “Well if you are not a [government] servant, then why are you recording our signatures? [Aap naukar nahi hai toh kya hai?].” At this the PRS became angry and started verbally abusing them. As Indu Devi was trying to control the situation, the PRS moved his hands violently that hit Indu Devi in her stomach. She didn’t give up but continued to talk to the PRS saying “Bhaiya! Chhod dijiye na. Aap kaam kar rahe hain, kaam kijiye, jhanjhat nahin kijiye” (Brother! Leave the matter. Please continue working and don’t pick a fight.)

The PRS continued being angry and kept pushing Indu Devi away while she repeatedly tried to make him listen and then finally Indu Devi left him because she was hurt in the stomach. He was taking signatures of people whose names weren’t in the muster roll. When Indu Devi expressed anguish at him taking signatures of people not in the muster roll, he said “Why are you talking? I will enter the details later.” He further used abusive language with Indu Devi saying “Who do think you are? I will come to your house and take you away.” Despite him using such abusive language, Indu Devi continued addressing him as “Brother” and asked him to calm down and not to speak like that. He then folded the muster roll and got on his bike and left. Then she said that “we heard that he tore his own shirt, applied dirt on his body, and filed a case against us. We heard that it came out in the papers the next day.” Indu Devi went on to say that she was quite unconscious because of being hurt in the stomach and could have filed an FIR against the PRS.

5.6 Testimonial of Mandesri Devi, a labourer who was at the site of events on 31/03/2017

Mandesri Devi, a woman in her 50s, was at the work site when the alleged scuffle happened. The work was concerning farm ponds. The PRS reached the site around 2PM. “We were waiting for our signatures to be taken on the muster roll at the work site. There were people from both Ratnauli panchayat and Mahant Maniyari panchayat.” she said. While they were at the site asking him to fill out signatures for filled muster rolls, there was a person called Siri from Ratnauli panchayat who apparently said “I have been waiting for long. I am a poor man. Could you please read out my name.” At which the PRS responded saying “I called out your name. Where were you?” Siri responded saying “You didn’t call out my name. I am waiting here. I would have heard my name had you called.” At this, the PRS got angry and said “I am not your fathers servant that I will keep calling out your name.” Hearing this, Siri responded saying “If you are

not a servant, then why do you come here?." The PRS got angry and moved his hands violently. It didn't hurt Siri but hurt some women as some of us, she said, were waiting in front of the PRS.

Mandesri Devi, along with a few other women asked the PRS to calm down, leave the matter and continue taking signatures on the muster roll. The PRS, in a very angry tone said "I will take you all away from your house." Then the PRS folded his papers and left at around 4 PM. Mandesri Devi, along with a few others were at the work site till 6PM, waiting for the PRS to show up. They then gave up waiting and left the site. The next day, Mandesri Devi heard that the PRS had filed a case against some of them. Mandesri Devi said that none of the workers had touched the PRS but the PRS moved his violently and hurt Indu Devi. Mandesri Devi said that the women were trying to separate the PRS from Siri Sahni to avoid any physical scuffle between them. On the contrary, the PRS hurt Indu Devi and Chanda Devi. Sanjay was in Ranchi at that time and all of them at the work site know that Sanjay Sahni was in Ranchi when this incident happened. "The PRS has been historically unhappy with us because we have learnt to ask for our rights."

5.7 Testimonials of some labourers present at the site of events on 31/03/2017

They were giving work under Ratnauli panchayat. So, Shambunath Singh, the PRS of Ratnauli panchayat, was responsible for signatures on muster rolls. The PRS would come once every 5-8 days and as such their signatures and attendance were not on the filled muster rolls but on other papers. The NREGA workers told him to at least put their attendance properly. The PRS, they say, doesn't even give the muster rolls to the workers. "Aap humein muster rolls nahi dete kamse kam haajri toh chadha lijiye (You dont give us muster rolls so at least fill it out correctly.)" They approached him for their attendance to which he said "OK, give me the number and list of names." He wrote everyone's names and attendance on another piece of paper and went away. After the end of December 2016, their work got over and Lalpari devi called up the PRS to come and get signatures on the muster rolls for completed works. Siri Sahni, one of the workers, tired of waiting for long said in exasperation, "Aap hajri banate hai ya mazaak karte hai?" (Are you getting signatures or having fun). Siri told him that he had been sitting there since 11 am in the morning and still the PRS hadn't taken his signature nor had he revealed his attendance.

To this the PRS reacted saying "Aap ko lag raha hai ki hum naukar aagaye hai? [Do you think I'm your servant?] Siri responded saying "Aap naukar nahi hai toh kya hai?[well if you are not a (government) servant, what are you?]" At this the PRS became angry, abused them all and started fighting. The PRS allegedly said, "I will drag you out of your house and beat you up!" Siri Sahni and 3 other women were almost hit. Then 2-3 women asked him not to indulge in physical fighting. The PRS then went ahead and

tore his own clothes with a blade and admitted himself in the hospital. After which he apparently met the PO and went to the hospital. Chandrakala Devi says this with a lot of confidence that the labourers didn't even touch him. They came to know about all of this through a local newspaper report. One worker, Somariya Devi, apparently saw the PRS tear his own shirt with some assistance from the block PO in the pursuit of tearing the shirt of the PRS.

There was a worker who went with him (Kishun Sahni from ward no. 5). Kishun Sahni came on a bicycle from behind to do the receipt work. The PO didn't go to the site. The PO was there at ward number 5. He went to the ward's place and headed mostly to the police station. Kishun Sahni saw the PO tearing the kurta and then applied 'mitti' over him. Sanjay was in Ranchi during this incident. The NREGA workers were the only ones even present during this FIR. In utter exasperation, one of the workers asked a rhetorical question - "why does he always fight with us? We just ask for our right. Looks like he assumes he can make us leave our work and break the sangathan. We shall continue protesting if they still don't address our demands"

Why was Kishunji following the PRS? Kishunji had also come to get his attendance done. He followed the PRS, who was riding on a scooter as he left, on his cycle. He and his wife had also worked on the same site. When asked if they are afraid of getting more FIRs, Chandrakala Devi responded saying "I don't fear death, why should I fear an FIR? What will they do? Take us to jail? I'm ready to go. Do they think that if they take us to jail, we won't ask for work from the jail? We'll break the walls of the jail, we'll tell them give us work, take out the muster rolls. We haven't come to sit and eat in the jail. We want work even within the jail."

5.8 Testimonial of the Block PO, Jeetendra Kumar regarding the FIR filed on 31/03/2017

Mahant Maniyari and Ratnauli panchayats are in Kurhani block in Muzaffarpur district. Jeetendra Kumar is the NREGA Programme Officer (PO) of Kurhani block. The block PO is the supervisor of the PRS of each panchayat. According to the PO, there have been repeated FIRs in Ratnauli. He says that the workers of the two panchayats insist that they will retain the muster rolls. When specifically asked about the FIR filed by the PRS against Sanjay Sahni and a few others on the 31st of March, 2017, the PO responded saying "It was the last day of work on a farm pond. The PRS frequently takes attendance and at around 3:30 PM on the 31st of March, 2017, the PRS called me and told me that there was some altercation with him at the work site. As such an FIR was filed. The labourers should salute the PRS for the work done but his shirt was torn by the workers. I didn't go to the place but the PRS sent me a photo of his with a lot of mud and torn shirt. I don't remember who the FIR was filed against. I am guessing Sanjay Sahni's name was there in the FIR. So I feel that Sanjay Sahni is a repeated offender. The PRS was in Sadar hospital for 3 days between 31st March and 2nd April."

While the PO was speaking about this FIR, somebody walked in to the PO office and spoke in a loud threatening voice with the members of the FFT - “Are you working for Sanjay Sahni or are you working for the PRS.” When the FFT members asked who the person was, the PO sent him out and didn’t reveal who it was.

5.9 Testimonial of the SHO, Maniyari Police Station regarding the FIR filed on 31/03/2017

The SHO is aware of the array of FIRs filed against Sanjay Sahni and a group of labourers who are part of the Sangathan. The SHO felt that there could be faults on both sides – from the administration side as well as the labourers. However, the investigation is incomplete so it is difficult to say anything more concrete at this point. The SHO had himself registered the FIR of the PRS on the night of 31/03/2017 at the Sadar Hospital in Muzaffarpur town. The SHO said he did notice some scars on the body of the the PRS and felt that if the scars are real then there might have been a scuffle. It is, however, early to comment on the matter. The SHO made a verbal assurance to some members of the FFT that he will get back to us in a week or so. When a member of the FFT reached out to the SHO on phone on 30/04/2017, the SHO was not available as he was away on a holiday and would return on the 8th of May, 2017. The FFT member was asked to contact the SHO after that.

6 Summary of the Findings of the the FIR filed on 31/03/2017

The FIR (4th in a series of FIRs) against Sanjay Sahni and some members of the Sangathan(SPSS) filed on 31/03/2017 clearly appears to be a case of personal vendetta of the local NREGA administration against Sanjay Sahni, and the members of the Sangathan at large.

There is very clear evidence, as illustrated in this report, that Sanjay Sahni was in Ranchi on 31/03/2017. There is complete agreement in the testimonials of various workers who were present at the work site about the chain of events leading to the FIR. Each of the workers that the FFT spoke with indicated that not a single worker even “touched” the PRS. On the contrary, there is a consensus that the PRS had pushed a woman worker and used abusive language against many of the workers present at the site. The block PO indicates that he didn’t visit the panchayat after the event but testimonials of the ward member, Kishun Sahni (an eyewitness), and several other workers suggest otherwise. The main complainant of the FIR, the PRS Shambhunath Singh, refused to comment about the incident on the phone despite repeatedly seeking his comments. The attendant at Sadar Hospital categorically said that there was no injury on the PRS and the admission in the hospital was a “show” put up by the PRS.

In the light of the clear evidence that Sanjay was in Ranchi on 31/03/2017 and the dissonant testimonials between the PRS and the block PO on one side and everybody else on the other side, it appears unmistakably evident that the FIR is false. The FIR has been filed to intimidate Sanjay Sahni and the members of the SPSS to prevent them from bringing about transparency in NREGA works in the panchayats and hinder the efforts of SPSS to foster accountability of the local administration.

7 Events Leading to the First 3 FIRs

7.1 First FIR

- In June 2016, a vehicle with block and panchayat administrators with a microphone system had roamed the two panchayats and said that work would be provided to all those who wanted it and to not let a third person interfere.
- An FIR had been filed on 13th October 2014 against 4 people including Sanjay Sahni. This was after a day of heated discussion on accepting group versus individual receipts for work demand.
- As part of the corruption free drive, workers from NREGA Watch had been filing demand for work collectively for 100 days in a row, which was acknowledged by the PRS.
- On 8th October 2016, 16 officials, including 8-9 PRS', Junior Engineers, and the recently posted (June 2014) Programme Officer, Jeetendra Kumar (who is also the current PO) came to Mahant Maniyari Gram Panchayat to accept demand application. They were accompanied by a *thanedar* from the Police Station.
- They refused to accept group demand and instead took individual demand of workers. In the receipt there was no job card number, name of the worker, date of receipt or date on when work demanded. The receipt format only had the name and signature of the PRS.
- After this was pointed out by members of NREGA Watch, arguments ensued. This went on the whole day. As the day wore on, Sanjay Sahni called the SDO and DSP who arrived after 10 pm and dissipated the situation.
- For 4 days nothing happened, and on 13th October an FIR was filed with charges of holding the officials captive, "maar-pitai", confiscating government documents etc.

7.2 Second FIR

The second FIR was filed on 15/10/2014 by the then SDO, Muzaffarpur in the Town Police Station, Muzaffarpur. The main charges of this FIR were:

- Forcibly using loud speakers and microphones in restricted areas without seeking due permission from the authorities.
- Occupying the gates of the government office thus creating obstacles in routine government work.

7.3 Third FIR

- Workers from SPSS were working on 3 worksites, in different locations. Work was being provided to them separately and incrementally on the following works
 1. *Shri Radha Krishna Trust Ke Batra Pokhar Ki Udahi Karya*. The work code was: 0515005029/WC/20218030.
 2. *Indira Aawaas Labharthi Ajay Ray, Pita Kishori Ray ke Niji Zameen mein Mitti Bharai Karya*. The work code was: 0515005029/LD/59472
 3. *Gram Ratnauli Mein Anerva Jaan Ka Udahi Karya*. The work code was: 0515005034/IC/20183170
- On 26th December 2016, Sanjay Sahni was checking the NREGA Management Information System (MIS), and noticed that a new work of “PCC road” (*Giddiya Tola Mahant Maniyari Mein Anil Paswan Ke Ghar Se Rajdev Paswan Ke Ghar Tak PCC Karya*, work code: 0515005029/RC/20234603) had been opened in Mahant Maniyari Gram Panchayat. He also saw that the e-muster roll had names of several non-NREGA workers. Sensing a red flag, he put out this message on the NREGA Watch mobile radio for people to be vigilant of potential corruption. He also spoke to someone in the concerned tola, Giddiya, and asked him to go check on the work.
- 27th December, 2016: Members of NREGA Watch reached the worksite at around 10 am where they saw that cement bags had been brought in, and a machine was churning cement to build a road [Rs. 3.57 lakh is the approved financial sanction, with Rs. 3.29 lakh on material costs]. About 3–4 people from Naya Gaon were operating the machine and claimed that they were here because the Mukhiya, Pawan Kumar Rai, had asked them to come and conduct this work and were going to be paid a fixed rate for the same. This Mukhiya has been recently elected. The workers of NREGA Watch called the mukhiya on the phone but he refused to come. The people who had brought the machine drove off with it. After this, members of NREGA Watch went to the Panchayat Bhavan and spoke to the Mukhiya. There was heated discussion and it was decided that a larger meeting with concerned officials and all members of NREGA Watch would be held the next day.
- 28th December, 2016: A meeting was called at the Panchayat Bhavan where the BDO, PO (Jeetendra Kumar), PRS of Mahant Maniyari, Sanjay Ram and another PRS of Amarkh Gram Panchayat, Shatrughan Kumar, the Mukhiya, Pawan Kumar Rai, Junior Engineers and about 250 people were present. The PRS (who has been holding this post for 8-9 months) had read out the muster roll where about

100 people of both Mahant Maniyari and Ratnauli Gram Panchayat, members of NREGA Watch, were given work in a village 15 kms away *Pramod Kumar Ke Niji Zameen Mein Pokhar Nirman Karya*. This work was to start on 30th December 2016, but people refused to go and were agitated that work had been provided more than 5 km away. A lot of altercation and exchange of words took place. Members of NREGA Watch also pointed out that the work being done by machines was illegal and further the quality of cement was poor. The PO allegedly said that no payments have been made on the work yet, so allegations of corruption are unfounded. The PRS of Amarkh, Shatrughan Kumar allegedly spoke up regarding the quality of cement and said it was packaged from the company and therefore uniform quality. The BDO spoke in favour of a “corruption free village” but did not intervene. The meeting ended inconclusively.

- 30th December, 2016: This was the date for the hearing under the Lok Shikayat Nivaran Act from a previous case of unemployment allowance filed by NREGA Watch. Both parties (PRS/PO and NREGA Watch) had got summons but neither went. [complaint ID: 999990116121683490].
- 1st January, 2017: FIR filed by Shatrughan Kumar, PRS of Amarkh Gram Panchayat against Sanjay Sahni, Avdesh Sahni and 7–8 other people for 10 charges under Indian Penal Code, 177, 149, 341, 323, 325, 353, 379, 307, 507, 506.

8 Historical Context of the first 3 FIRs leading to the 4th FIR filed on 31/03/2017

In Section 5 and Section 6, the FFT has established how the fourth FIR filed against Sanjay Sahni and other members of SPSS was bogus. As has been mentioned before, there have been a series of FIRs to stifle the efforts to bring about transparency and accountability of the local administration and the local elite.

The FFT conducted interviews with Sanjay Sahni, some members of SPSS, the block Programme Officer (PO) of NREGA, the PRS of two different panchayats, the SHO of Maniyari police station, the SDO of the Public Distribution System in Muzaffarpur district, the Mukhiya of Mahant Maniyari panchayat, among others. These interviews shed more light on the context of the struggle and present a narrative leading up to the FIRs. The FFT is convinced that the FIRs are mostly bogus and are being used as an instrument of harassment. Despite lack of literacy and despite years of being subjugated by entrenched patriarchy, these women knights have gathered enormous agency and empowerment to be able to fearlessly ask for their rights and entitlements. It would be a travesty to democracy if the subaltern women voices of Mahant Maniyari, who are fighting for their rights, are nipped by the local administration and the local elites.

8.1 Interview with Sanjay Sahni regarding the first 3 FIRs

The first FIR was filed in 2014 by the block PO, Jeetendra Kumar, in the Mahanth Maniyari (MM) panchayat on the grounds that Sanjay tore NREGA related papers and also for engaging in fights against the PO. In 2014, the PO was posted in Musahari block. He was there for just 2 months and then he was transferred to Kurhani block in June 2014. Soon after assuming office in Kurhani block, the PO started using microphones and loud speakers in the villages openly dissuading people from being part of the Sangathan. The PO had also begun engaging with the panchayat Mukhiya to start a propaganda against Sanjay.

Prior to Jeetendra Kumar becoming the PO, the members of SPSS would present their demand for work under NREGA in groups. This saved a lot of paper and was an attempt to help the local administration streamline the process of presenting work demand. For instance, demand for work for over 300 people was being done using only 30 to 35 pages. Till October 2014 the members of the Sangathan would call the PRS and ask him/her to collect the filled out work demand forms from the Panchayat Bhavan. The PRS would then take the work demand forms, sign the photocopies of the work demand forms that would serve as a collective receipt for all those who demanded work. This was a great exercise of efficiently maintaining transparency of one aspect of the NREGA process. The following figure depicts the collective work demand forms that was being by SPSS. But, this process of presenting work demand forms collectively was not liked by the block PO. The PRS was contacted on 07/10/2014 to take the collective work demand forms and enter in the Management Information System (MIS) of NREGA to officially register. But in addition to the PRS, there were 15 other people at the Panchayat Bhavan on 08/10/2017.

The PO disregarded the format for work demand that SPSS had created and insisted on using a different format; a format that didn't even have basic details such as the job card number of the applicant and the date of demanding work. Such a format, rightly claimed by Sanjay, would not serve any purpose of accountability in case the allocation of work to the concerned applicant does not happen within 15 days of requesting for work. This would have thus prevented from respecting the clauses enshrined in the Act.

Figure 5 depicts the format of demand for work for a group of applicants while Figure 6 depicts the format of registering work demand that the PO insisted. As can be easily gleaned from Figure 5, the format for work demand registration is much more detailed, with a view to foster accountability while the format for work demand insisted by the PO, Figure 6, lacks the ability to register even the basic details. The PO rejected the efficient group work demand format (Figure 5 created by SPSS). Not wanting to compromise on accountability structures for work demand registration, the SPSS members insisted on at least putting basic details such as the job card number, name, and the date of demanding work in the format that the PO brought. Further, Sanjay claims that the PO had arbitrarily reduced the wage rates of work done. This was done only to stifle the zeal of the empowered members of SPSS, who are primarily landless women fighting for

their rights.

Much arguments had ensued in the Panchayat Bhavan on the night of 08/10/2017 between the PO, a few Panchayat Rozgar Sevaks on one side with about 200 odd members of SPSS on the other side. The PO continued to reject the collective work demand format created by SPSS. The SPSS members refused to accept the incomplete work demand format (Figure 6) of the PO and asked the PO to call the district authorities. The PO refused to do so. After much back and forth, the Block Development Officer (BDO) arrived at the Panchayat Bhavan and the DDC spoke to Sanjay Sahni on the phone at 11 pm. While all this action was on at the Panchayat Bhavan, around midnight, the DSP and the SDO arrived at the Panchayat Bhavan. The DSP and SDO assured the members of SPSS that a fair inquiry into the matter would be conducted and any mistakes of the PO would be rectified. They urged the members of SPSS to let the PO leave the village.

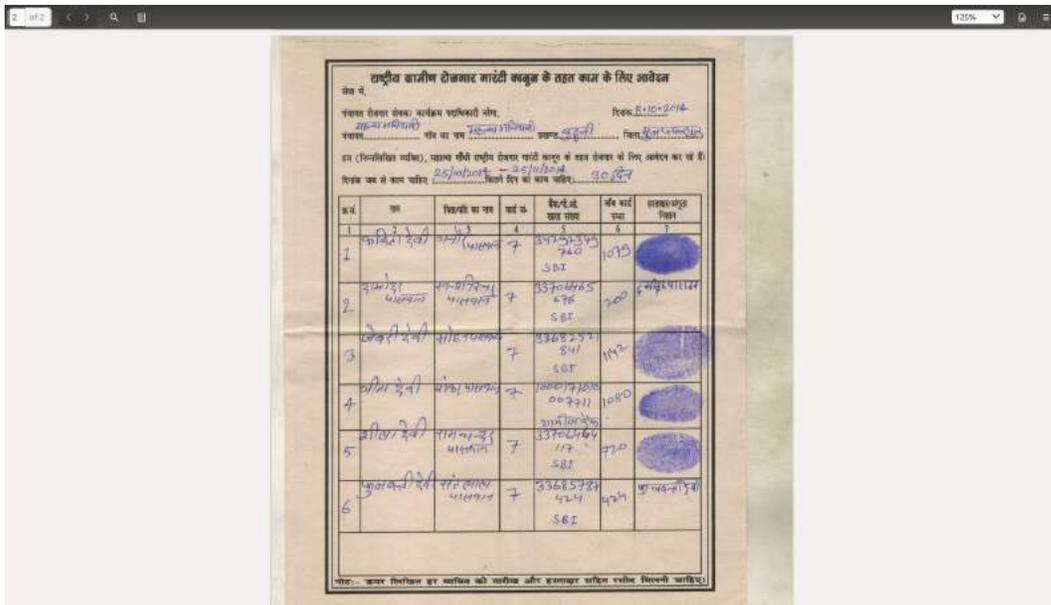


Figure 5 – Group Work Demand Format Created by SPSS

After much argument and after much insistence by the SPSS members, the PO had to accede to their rightful demand in not compromising the tenets of the Act. This can be seen in Figure 7. It is, however, a pity that the SPSS members had to go to such an extent to ensure something as basic as putting their job card numbers and date of demanding work in the form.

Two days later, on 10/10/2017, it came to the notice of Sanjay Sahni through some media reports that an FIR had been filed against him by the block PO. According to the FIR, the main charges against Sanjay Sahni were –

- Sanjay attempted to snatch important documents from government officials.

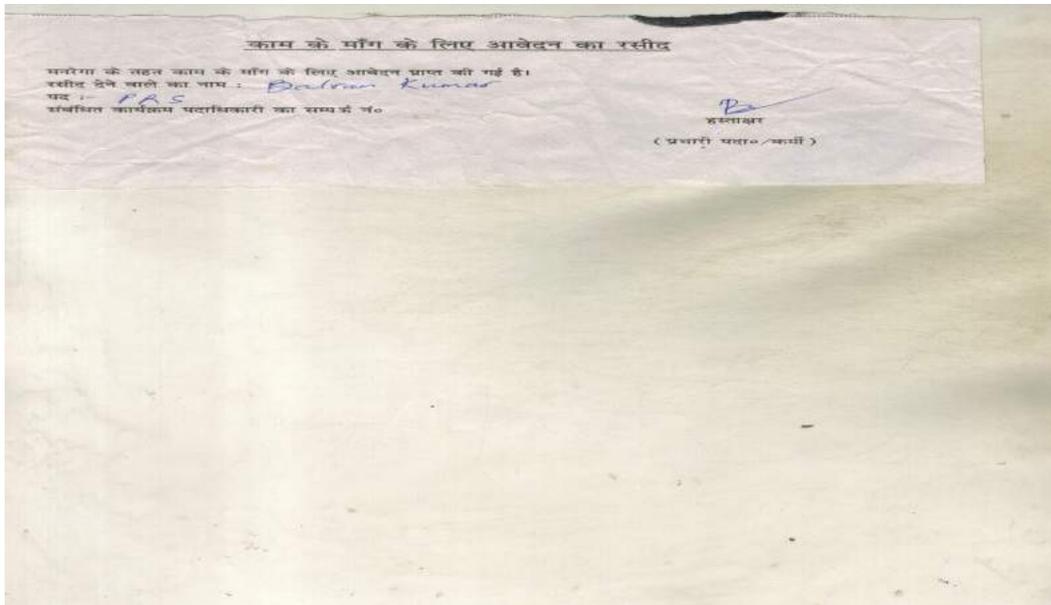


Figure 6 – Work Demand Format Created by the PO

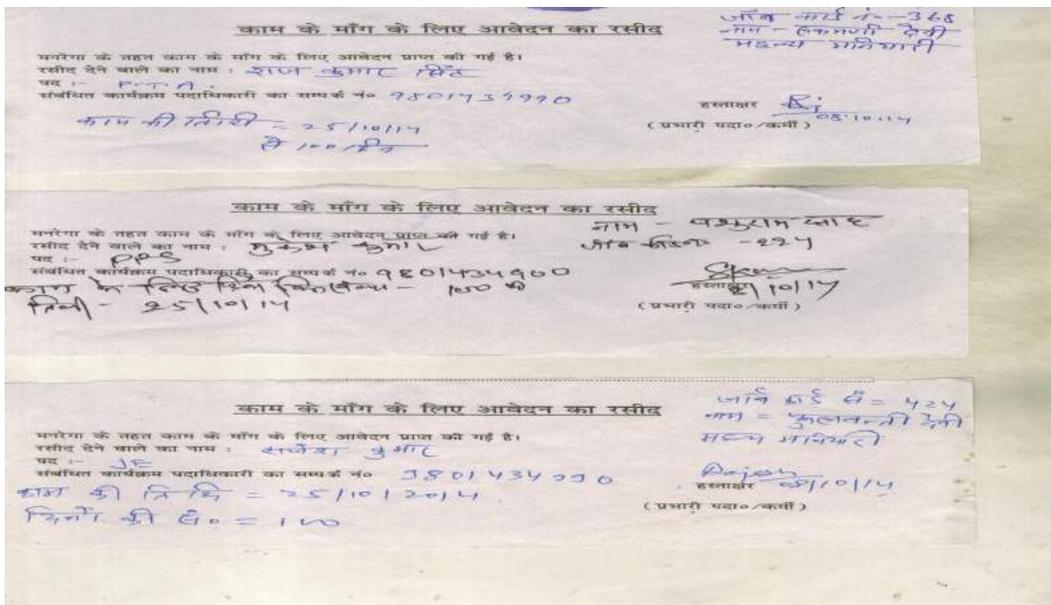


Figure 7 – Work Demand Format Amended after efforts by SPSS

- While a camp was being conducted in the panchayat, Sanjay along with some anti-social elements, arrived at the camp and started using abusive language on the peaceful government officials.
- Sanjay and his group of anti-social people were forcing the government officials to put backdated signatures on receipts of work demand forms. When the officials refused to participate in such an act, Sanjay and his group held the government

officials hostage in the village.

- While the wages were being deposited to the workers' accounts, Sanjay Sahni was forcing the PO to pay more wages than were due to the workers.
- According to the FIR filed by the PO, Sanjay Sahni threatened the block PO with dire consequences if the PO tried to complain about Sanjay. Further, according to the FIR, Sanjay allegedly threatened that there should be no NREGA work in the village without Sanjay's permission. Moreover, Sanjay apparently wants NREGA wages according to his own wishes and is thus putting pressure on the field level functionaries to this effect.

Sanjay and the members of SPSS were aghast to note the FIR and felt that the charges in the FIR were patently false. None of them had snatched or torn any official papers. They believe that they were asking for the PO to respect the provisions of the Act and not cheat the NREGA workers by subverting the Act. The false charges against Sanjay and some members of the SPSS prompted the workers to do a *dharna* outside the Panchayat Bhavan from 10/10/2014. Meanwhile, Sanjay Sahni sent a letter to the District Magistrate (DM) of Muzaffarpur seeking permission to do a *dharna* in the Collectorate to highlight various issues pertaining to NREGA that are plaguing the workers. The letter is depicted in Figure 8. The letter seeks to address various cases of delayed payments, issues pertaining to job cards, and issues pertaining to work demand registration, among other things.

The SPSS members having sent a letter to the DM (Figure 8) informing the DM about a *dharna* felt it was alright to take the *dharna* from the Panchayat Bhavan to the Collectorate. After a few days of *dharna* at the Panchayat Bhavan, the SPSS members went to the DM's office. This expression of protest became the context of the second FIR filed against Sanjay Sahni and a few others. This FIR was filed on 15/10/2014 by the then SDO, Muzaffarpur. The main charges of this FIR were:

- Forcibly using loud speakers and microphones in restricted areas without seeking due permission from the authorities.
- Occupying the gates of the government office thus creating obstacles in routine government work.

Sanjay does agree and acknowledge that the people at the site used loudspeakers and microphones during their protest outside the DM's office. Immediately after this, Sanjay says that all the block programme officers of Muzaffarpur district went on strike on the grounds that Sanjay Sahni is a contractor in NREGA who beats up government officials and should be arrested. However, there were no arrests.

Following the incidents of the two false FIRs against Sanjay and some others, Sanjay wrote a letter to the Secretary of the Ministry of Rural Development, Government of Bihar, on 17/12/2014. The letter categorically highlights the harassment that members of

SPSS

Date: 31/10/14

शेखर सिंह
 विभाग - सहायक जिला अधीक्षक एवं ग्रामीण मजदूरी के अधिकारी
 मंडल -

उपरोक्त विभाग के सम्बन्ध में कृपया डॉ. मुखर्जी के कर्मचारियों से अज्ञात संदेशों में समस्या को लेकर उन्हें लिखित सुझाव प्राप्त होकर मजदूरी की समस्याओं को दृष्टिगत करने हेतु काम की सीमा समाप्त हो लेकिन अभी तक इसे पर कोई बोल-चालाव नहीं हुई है। निम्न प्रकार से समस्याओं को दृष्टिगत करने का प्रयास किया जा रहा है।
 डॉ. मुखर्जी की मजदूरी - 31/10/2014 से 31/10/2014 के दिनों में 10 मजदूरों को भुगतान करने पर लगे हैं।
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10/11/14

1. मुझे जिला मुख्यालय में अपनी समस्याओं को ज्ञात करवाकर - श्री मुखर्जी से समस्याओं को दृष्टिगत करने में मदद मिलेगी।
 2. मुझे जिला मुख्यालय में अपनी समस्याओं को दृष्टिगत करने में मदद मिलेगी।
 3. मुझे जिला मुख्यालय में अपनी समस्याओं को दृष्टिगत करने में मदद मिलेगी।
 4. मुझे जिला मुख्यालय में अपनी समस्याओं को दृष्टिगत करने में मदद मिलेगी।
 5. मुझे जिला मुख्यालय में अपनी समस्याओं को दृष्टिगत करने में मदद मिलेगी।

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(2) श्री मुखर्जी के कार्यालय में
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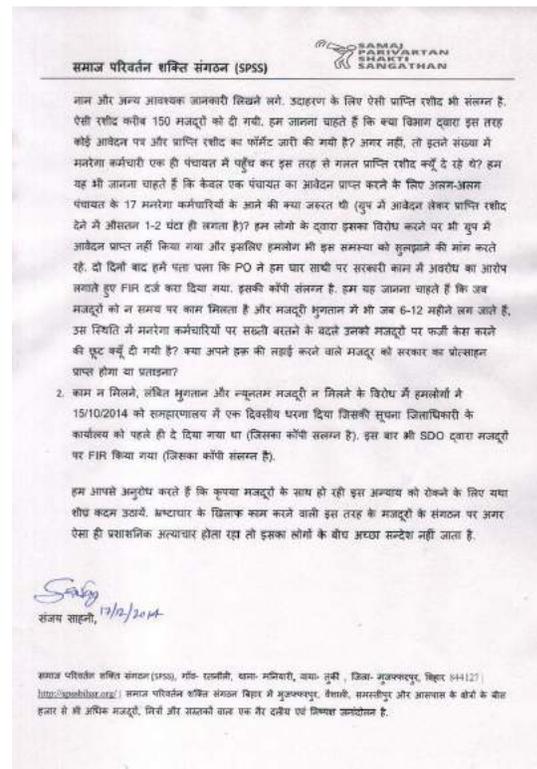
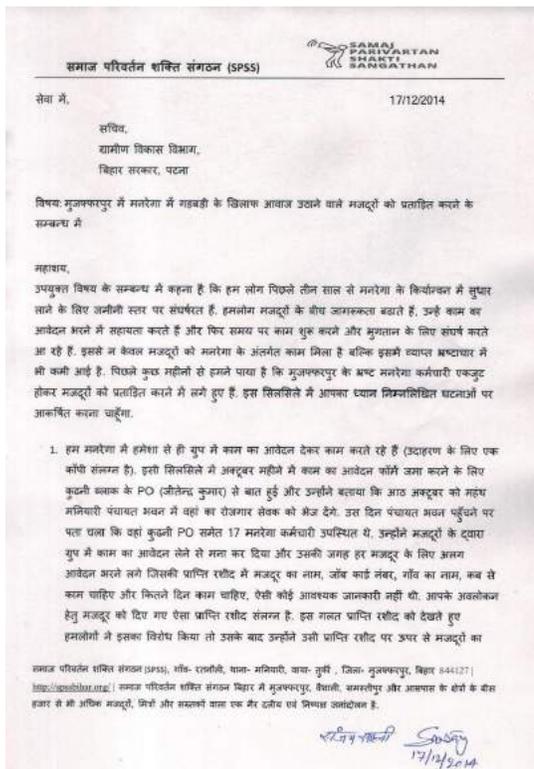
(3) श्री मुखर्जी के कार्यालय में
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 मुखर्जी - 31/10/14
 मुखर्जी - 31/10/14

Binaud Mishra
 31/10/2014

Figure 8 – Letter to the DM seeking permission for Dharna

SPSS were facing by the local NREGA administration, primarily raising the issues of the group work demand format that was rejected by the block PO and the numerous cases of delayed payments of wages. The letter sought to bring the attention of the Ministry to the corruption and control exercised by the local power brokers and government officials on NREGA workers. The letter is presented in Figure 9a and 9b.

Despite continued demand for work, Sanjay says that no work was allotted to the members of SPSS. NREGA work is an important lifeline for the workers of SPSS and drying that



(a) Letter: Page 1

(b) Letter: Page 2

Figure 9 – Letter to MoRD

up was becoming a huge blow to the villagers. The sustained indifference of the local administration for over a year prompted the members of SPSS to stage a *dharna* at the Collectorate in December 2015. On the 4th day of the *dharna*, the DDC (a new DDC) reached the *dharna* site and apparently informed that new work sites have been opened for people of that panchayat. However, the rules of engagement had now apparently changed.

Sanjay says that earlier, at the work site, there used to be one mate and the group members of SPSS would collectively monitor the accuracy of muster roll entries. This was a practice that SPSS adopted owing to large scale bogus entries in the muster roll before the worker collective began working. But the PO refused to recognise the mate and declined handing over the muster rolls to the mate at respective work sites. The SPSS members requested at least a photocopy of the muster rolls to be provided through

the PRS for continuous monitoring in the pursuit of transparency. Their struggle was further exacerbated when the PO threatened to reduce the daily wage rate of the workers.

The onset of the new financial year (2016-17) prompted about 450 odd members of SPSS to present a demand for 100 days of work in the beginning of April 2016. According to the provisions of the Act, if the government fails to allot work within 15 days of demanding for work, then the workers are eligible for an unemployment allowance. The demand for work fell in deaf ears; a violation of the Act. The constant harassment and neglect for over a year left the members of SPSS with no choice but to stage another *dharna*. Sanjay says “We don’t want to do *dharna*. It’s not as if we like to stand in the sun all day, leaving our villages. But the administration had left no choice. We are only asking for our rights. What’s wrong with it?” SPSS had written a letter to the DM expressing anguish about the situation of the daily wage labourers. The DM, apparently, didn’t yield a sympathetic ear and reprimanded Sanjay for doing *netagiri*. The DM didn’t relent to provide a copy of the issued muster rolls to the elected mate of each work group at the work site. Sanjay expressed that this would be fine had the PRS visited the work site everyday to enter attendance in the muster roll but that seldom happened. Having learnt to navigate the complex Management Information System (MIS) of NREGA, Sanjay could only find the completed muster rolls online. Issued muster rolls for works weren’t available online. Many NREGA labourers lack literacy and as such aren’t aware if their names appear in the muster roll. There have been several cases across the country where people work at the site when somebody else’s name appears in the muster roll. Thus issued muster rolls are a crucial piece of document at the work sites. One could obtain the issued muster rolls by filing RTIs but that would have taken a long time. Issued muster rolls should have been made proactively available if there is a genuine desire to implement Section 4 of the RTI.

Sanjay spoke to Nikhil Dey of MKSS who in turn spoke with the government to make issued muster rolls proactively available. This in itself is a creditable feat in ensuring transparency at the grassroots. Issued muster rolls are now available online in the MIS.

The local administration continued to be unhappy with the sustained crusade of fostering accountability at the grassroots. Having learned about the success of SPSS in procuring issued muster rolls through the NREGA MIS, the PO apparently colluded with the local power structures, such as the Mukhiya and the ward members of the panchayat, to try and break the unity of the collective. They threatened some members to leave the collective, failing which, they would be allotted work far away from the panchayat. It acted as a bribe and threat simultaneously. This local power group achieved a degree of “success” in dislodging about 30 odd members from SPSS. The SPSS members who refused to budge were allocated work in Turkey panchayat, about 20 kms away from their own panchayat, Mahant Maniyari. The workers expressed legitimate concern about this since travelling back and forth to Turkey from Mahant Maniyari would cost, on an average, Rs 40 per person per day, roughly a quarter of their daily wages. The PO claimed

that work could be allocated far away under some special circumstances but the SPSS members perceived this as a form of retribution towards the workers for relentlessly seeking answers to their legitimate questions. Further, the workers felt that given that three farm ponds in the village needed work, there was no justification for work allocation 20 kms away. When seeking answers to this question, the PO apparently claimed that work allocation was his discretion and he can choose to allocate work wherever he felt.

The SPSS members filed a grievance with the Bihar Grievance Redress Cell (Lok Shikayat Nivaran) pertaining to work allocation 20 kms away. Before allotting work 20 kms away, the PO, through NREGA allotted a road construction work by issuing muster rolls in the names of people who never do NREGA work in the village and apparently machines were used for this work; violating the principles of the Act. Further, there was not a single member of SPSS whose name featured in the muster roll for the road construction work. This violation of the Act prompted Sanjay to make a broadcast announcement on the mobile phone broadcast network, around the 21st or 22nd of December 2016 regarding “usage of machines in NREGA in Mahant Maniyari and appealing the citizens of the panchayat to keep a check on the corruption in this work”. Nobody in that village, the jan pratinidhi, the sarpanch, the ward panch etc knew about this. The phone message was broadcast to the ward members of the panchayat as well. Upon receiving the message, the ward members of the panchayat visited the work site and found that machines were indeed being used. This was videographed and photographed by some members of the Sangathan. The contractor took away the machine. The Mukhiya, however, refused to come to the work site and instructed anybody interested to meet the Mukhiya in the Panchayat Bhavan and passed the responsibility to the PRS. The SPSS members urged the Mukhiya to call for a meeting the next day at the Panchayat Bhavan.

At the said meeting, the PRS confessed that he got the names of people to be entered in the muster roll at the insistence of the Mukhiya. After the meeting, the PRS of Amarak panchayat (a different panchayat) filed an FIR against Sanjay and some others of SPSS on the 1st Jan, 2017. This PRS in the FIR claimed that Sanjay along with a group of 7 to 8 people beat the PRS up and tried to affect him physically by wanting to drive a Bolero jeep over him and stealing a bag of muster rolls; a claim that is squarely dismissed by Sanjay and members of the Sangathan. Sanjay learned later that the PRS of Amarak panchayat had met with a motorbike accident that had injured his leg.

Based on the advise of the Bihar Grievance Redress Office, work in the local farm pond was allotted from the 6th of January, 2017. Sanjay’s name wasn’t included by the PO in the muster roll on grounds that “Sanjay hadn’t worked enough to get his name in the muster roll”. This work, according to Sanjay, has been continuing till the 31st of March, 2017. The PRS, say members of the SPSS, would come to the work site only once or twice a week. There was a ward member who would take the names of some people in a register and would play around with the the number of days worked in the muster roll because the muster rolls weren’t brought to the work site. Then Sanjay left for Ranchi

on the 29th of March, 2017 and the fourth FIR was filed against Sanjay on the 31st of March, 2017 when Sanjay was in fact, as established clearly, in Ranchi on the said date.

8.2 Interview with the PDS SDO

The current PDS SDO does not seem to exhibit any sympathy for Sanjay Sahni. The narrative that is being spun around Sanjay in the local administration seems to be at odds with what the members of SPSS indicate. She indicated that there is a general perception among the local administration that Sanjay is raising public issues and in the process he is demanding some cut. She had heard that there is an allegation that he is blackmailing the administrative staff. She confessed that she doesn't know the veracity of these allegations but has heard that he has engaged in physical disputes with the administrative staff. She clarified that as far as PDS is concerned, there was only one grievance and that was redressed. The grievance was presented by Madina begum, a member of SPSS and that grievance was redressed. Further, the grievance so raised was genuine, said the SDO.

8.3 Interview with Kurhani Block PO

From the beginning of the meeting, the block PO, Mr. Jeetendra Kumar, kept repeating that he has been a remarkable Programme Officer of NREGA in more than one block. He mentioned that he has been among the top 5 programme officers several times. He claimed to have been instrumental in generating assets worth crores of rupees across districts and that he had done tree plantations in several places. He further claimed that he has created 3,49,000 person days of work.

When asked about the best performing panchayats in Kurhani block, he waxed eloquently about Ratnauli, Mahant Maniyari, Akhtiyarpur, Sankarpurvi, and Jabaruah. In fact, he said "there has been a record breaking number of person days in the last 5 years in Ratnauli and Mahant Maniyari". He further said that while some labourers are empowered, many are getting misguided. To this end, the block PO had threatened to file an FIR against a member of *MNREGA Jagrukta Council* while the PO was posted in Raxaul district on the grounds that the person was collecting funds from the labourers to file unemployment allowance for the labourers. The PO apparently told the person that one needed permission from the District Collector to collect funds from people. This threat, claimed the PO, made the person stop working as part of *MNREGA Jagrukta Council*.

The PO went on to highlight the success stories from Mahant Maniyari, Ratnauli, and Amarak panchayat saying that more than Rs 1 crore have been paid as wages to the NREGA labourers of these places. He expressed pride in reiterating that these three panchayats are totally corruption-free. When asked about the need for civil society engagement in NREGA, he said that it is important to have civil society organisations in places with problems. "What is the point of having civil society groups where the system is already in good shape?" he said referring to the pointless presence of [sic SPSS] in good

performing panchayats such as Mahant Maniyari, Ratnauli, and Amarak panchayats. It is instructive to remember at this point that these are the three panchayats where SPSS has a very strong presence.

Recollecting the events leading up to the first FIR against Sanjay in 2014, the PO said - "I went to Mahant Maniyari and the daily routine work was on. We had gone to collect work demand there. This was around October 2014. We were around 6 to 7 people who were forced to remain in the village. I didn't know because I was new. There was apparently some problem with the wage payment of NREGA. We were stalled in the village and told that unless we give them [sic SPSS members] money, they will not let us go. We were held back till 12:30 AM. A CSO has to work in a place where there is corruption not at a place where there is already a lot of good work done. A CSO person should work as a facilitator. There were around 100-150 people who detained me. They were asking for more money. They wanted to have more money than what was in the measurement book. I told them that I will conduct an investigation against the engineer and then get back but they did not let me go. This was totally unlawful. At that time, I filed an FIR against Sanjay and a few others on the grounds that he was being an obstacle in government work. There should be no major format for collecting work demand. The reason I stopped their work demand format is because if there is a mistake then who will pay for it. What if the person makes a mistake in entering the job card in the format. I didn't want them to use their format." He further went on to add that being empowered implies that one should get work on time. As a crucial addendum to his comments, the PO said - "The day a mazdoor starts working well then automatically there will be no corruption. If the labourer starts working well, then corruption will end automatically." This seems to suggest that the PO is pinning the laziness of labourers as the root cause of corruption.

When asked about the need to conduct social audits, the PO mentioned that he himself is going to conduct social audits in Kurhani block. Elaborating further, he said he will create an agency of well-meaning, literate people who will do social audits for him. It seemed clear that he had no idea that social audits are conducted or should be conducted by an independent body to evaluate the condition of works done in NREGA. He further mentioned that in October 2014, the NREGA team from the block was holding a camp in Mahant Maniyari. The PO had refused to accept the work demand application format that SPSS had created. The PO didn't want to accept responsibilities for mistakes by the labourers in filling out the application form. The PO had filed an FIR against Sanjay for interference in government work.

The PO further said that "in places where women and old people work, the work is adversely affected." He categorically stated that the credibility of NREGA was bad because of women and old people. He continued saying "NREGA is not just a welfare programme but it is also for asset creation. There is a lot of myth about the allowance of machine. There can be mixing machine, for example. There is a list of machines that can be used for NREGA work but people don't know. The PRS should go around

and explain when and which machines can be used.” While we were in the middle of a conversation, somebody walked in and said - “Are you working for Sanjay Sahni or are you working for the PRS and said in a loud threatening voice. When we asked who it was, the PO sent him out and didn’t reveal who it was. The PO continued saying that in case works have been exhausted in a village, then for exceeding the limit of 5 kms, there will be 10% allowance. The PO indicated that there was one such instance when he allocated work 10 to 11 kms away. This was in Ratnauli when work allocation wasn’t possible because the farm ponds had water so he had to allocate work for them in Turki panchayat. However, this is in dissonance with several labourers’ testimonials (including Sanjay) that this was a case of personal vendetta because there were several other works to be done in Ratnauli and Mahant Manihari and yet the PO allocated work far away.

8.4 Interview with the Mukhiya of Mahant Maniyari

The current Mukhiya has intermittently been the Mukhiya from 2001 and has been in this role more recently from 2016. The Mukhiya was also at the helm of affairs in the village from 1978 to 2000. The Mukhiya repeatedly harped about the manner of engagement of the Sangathan. The Mukhiya mentioned that he wants corruption to be eradicated and indicated that if people felt that he was corrupt then he wouldn’t be re-elected so many times by people in his village. He said that there is a lot of corruption in NREGA all over the country and even here, in Muzaffarpur, but Sanjay’s method of fighting corruption is agitational and not amicable. There is an ongoing work on road construction through panchayat funds and some members of SPSS have been videographing the entire process in a quest to ensure transparency. However, the Mukhiya has been unimpressed with this effort of the SPSS members. He doesn’t see this as a drive to foster transparency but instead as interference in his work. The Mukhiya emphasised that the method of work practiced by the Sangathan is leading to much annoyance in the administration.

The Mukhiya has apparently asked Sanjay several times to alter the operational mode of the Sangathan. “What is corruption?” was a rhetorical question posed by the Mukhiya to which he responded saying “Taking bribes isn’t the only form corruption but being high-handed is also corruption.” He insisted that Sangathan has made no difference in practices of corruption in the village. He further added saying “Sanjay is just troubling the administration and wants to highlight how there are many women with him. Now there is road work going on and see they are checking, are they finding any fault there? None. They bring the action to such a point that fighting becomes the obvious next step.” The Mukhiya insisted that the Sangathan’s demand of wanting a copy of the muster rolls in the panchayat wasn’t a fair demand. He maintained that it was the responsibility of the PRS and owing to the repeated use of abusive language by the women of the Sangathan, the PRS and the PO have become angry and disinterested in visiting Ratnauli and Mahant Maniyari panchayats. Referring to the case of allocating work in Turki panchayat, 15 kilometres away from Mahant Maniyari, the Mukhiya supported the block PO. The Mukhiya said “The labourers were allotted work in Turki panchayat. In

this panchayat, the there isn't much land work to be done. as such they were allotted work in Turki panchayat. All the land here is for farming and construction of houses. So to engage labourers, unless there is a construction of farm ponds there is no work here for them. When they were allotted work in Turki, they didn't want to go." This contradicts the version of the workers in the village who mentioned that there was work to be done in farm ponds in Mahant Maniyari but such work wasn't allotted and instead work was allocated 15 kilometres away.

The Mukhiya said that while he was aware that some FIRs have been filed, he didn't know the reason and the content of these FIRs. He continued the narrative of women using "abusive language" with the PO and the PRS when the PO and the PRS are in fact "good people". The Mukhiya elaborated his role and likened his role as more important than that of a saint. When asked about his role in removing corruption, the Mukhiya responded by saying "How will you remove corruption when it all began right from the inception of the universe?" The Mukhiya apparently has told Sanjay several times to focus on work and avoid doing *netagiri*. The Mukhiya recollected another incident of a conflict between the NREGA workers and a ration dealer. A ration dealer was supposedly not giving due entitlements to the labourers and the Mukhiya had apparently spoken to the dealer on behalf of the NREGA workers and gave the dealer 2 months to mend his ways. However, the NREGA workers were impatient, created trouble and also "beat up the ration dealer". When we told the Mukhiya that the narrative from the members of the sangathan is radically different, the Mukhiya claimed ignorance.

We apprised the Mukhiya that the women members of SPSS are largely illiterate and extremely marginalised. We emphasised that they were given Rs 30 to Rs 50 per day before the SPSS was formed. Their awareness of their rights and entitlements have increased manifold ever since the inception of the sangathan. When the Mukhiya was asked if this exponential increase in the awareness and empowerment among women in his panchayat is good or bad, the Mukhiya responded saying "it isn't bad but what has the sangathan got to do with it. They have learned all this from radio and television." The Mukhiya further added that the Mukhiya conducts training and he teaches everything to the people in his panchayat. "Every Tuesday, I sit with the panchayat staff. I do Gram Sabha 4 times a year. (2nd Oct, 2 May, 15th Aug, 26th Jan) where I teach everything". Elaborating further, the Mukhiya undermined NREGA by saying "Only those people work in NREGA, who are not capable of doing anything else, be it man or woman. If they are capable of working well, then why wont they work in other things and not NREGA."

8.5 Interview with Chandrakala Devi, an SPSS Member

In this subsection, we present her testimonials on the first three FIRs. Chandrakala Devi is in her early 40s and one of the FIRs is filed against her as well. When asked the reasons for the first FIR, she said that normally when they filed an application for work demand, they received a receipt from the PO or the PRS. One copy they give the workers and one

they keep it with them. The receipt contains the date. However, in the events leading up to the first FIR, “The receipt that he gave us that time did not include the date and name. We protested saying why are you giving us fake receipts. When we are fighting for truth, you should also give us a receipt with all the details.” she said.

The entire team arrived on 16th to dish out fake receipts and the money was not given. “We did not physically assault the PRS or anybody. There was no violence.” She further added that the PO said that he doesn’t listen to anyone. The PO and the PRS refused to take the work demand application that the sangathan provided them. She lamented “We ask work and we ask for our wages. When we are working on the site, we demand that the PRS record our attendance on the muster roll and tell us our attendance. But the PRS never listens to us. They don’t put up any notice board at the site. When the work gets done, then after one week, he comes once in a month for measurement.” She further said that the PRS would print about 7 to 8 muster rolls at once and wouldn’t show the muster rolls to the workers. He would keep it with him. Further, the PRS would not take attendance on the muster roll everyday and would come to the site irregularly and even the days when he does come, he takes the attendance in his notebook and not on the muster rolls and that too just recording it for one day and not the other days. She adds that “That is why we keep telling him that take our attendance and count and tell us how much has been our attendance till date. Then he starts shouting, creating a ruckus and then even threatens us. Finally he goes and files FIRs.”

This led to protest demonstration by the members of SPSS and the main reasons for the demonstrations were - (a) not giving due wages for completed works, and (b) Issuing incomplete/fake receipts for work demanded. In fact before the first FIR was filed, when the PO and the PRS were held back in the Panchayat Bhavan, the sangathan members prepared food for the PO and the PRS. The DDC arrived at the Panchayat Bhavan where the PO and the PRS were held back by the sangathan members. The DDC assured that the wages would be given to them and their work demand forms would be accepted by the administration. The PO and the PRS were let go based on the assurance given by the DDC and the first FIR was filed the very next day. Chandrakala Devi was also one of the accused in the first FIR.

In a lighter vein, Chandrakala Devi said “Chor hai woh aise road par ghoomta hai. Jab hum apna adhikar maangte hai toh FIR darj ho jata hai. (Real thieves seem to be roam around freely but when we ask for our rights, FIRs are filed against us).” In a tone that is both upset and resilient, she says that whenever they resist and raise voices against malpractice by the administration, FIRs are being filed against them. When asked if there was any timeline within which the administration would meet their just demands, she said the DDC had given assurances such as work and wages will be given on time. However, after a visit by the DDC, few people get 100 days in a year. She adds that even when they go to the district office, leaving everything behind, taking things to cook and stage a dharna for 2-3 months, very little changes take place after the dharna. They

should be given work within their own panchayat and within a 5 kms radius but then when they demand work, they are given work in panchayats far away recollecting the work allotment in Turki. Regarding that, she says “It takes Rs.40 to travel to Turki. If they keep paying Rs.80 for travelling to the worksite, what will we save”?

Regarding the events leading up to the third FIR filed in January 2017, Chandrakala Devi mentioned that the labourers had requested to display a notice board indicating the cost of a road construction work and display the names of people whose names appeared in the muster rolls for the corresponding work. However, machines were being used and people whose names were in the muster rolls that appeared in the NREGA MIS seemed different from those working at the site. This led to a protest and consequently an FIR was filed against Sanjay on January 1st, 2017. While the labourers were asking the PRS of Mahant Maniyari panchayat, the PRS of Amarak panchayat, Shatrughan, intervened. At this, one of the workers told Shatrughan that he wasn't the relevant PRS and so he had no business to intervene. It was a labour issue. The only people who should talk about this are the labourers, PO and the relevant PRS.

When asked if she was afraid of the FIRs, she responded candidly saying “I don't fear death, why should I fear an FIR? What will they do? Take us to jail? I'm ready to go. Do they think that if they take us to jail, we won't ask for work from the jail? We'll break the walls of the jail, we'll tell them to give us work, take out the muster rolls. We haven't come to sit and eat in the jail. We want work even within the jail.” When we asked if they raised such concerns before the formation of the sangathan, she said “We never asked for our work before the sangathan was formed. We, women, never even ventured out of our houses. We started asserting our rights after Sanjay bhhaiyya came and told us about NREGA. In the beginning, we would work without filling work demand applications.” When asked if being with the sangathan has changed anything she quickly responded saying that she learned to raise her voice against injustice. She further added that the sangathan members are like her siblings and thousands of women would be willing to join any call for fighting for rights and justice. She adds that such levels of assertion and empowerment has happened only due to the positive impact of being with the sangathan. Reflecting on her priorities, she says “I compromise on my family, on my household work for the meetings.” In a resounding tone of resilience, she says “We are only asking for our rights as mentioned in the law. How much can they also try to stop us?”

8.6 Interview with SPSS Members in Amrak panchayat

We met with several members of the sangathan in Medhaul village in Amrak panchayat to gauge the context leading to the slew of FIRs against Sanjay Sahni and some other sangathan members. Amrak panchayat is in Turki block. We are reporting the conversation that we primarily had with the following members of the sangathan – Sunaina Devi (45), Suhaag Devi (60), Janaki Devi (35), Kanti Devi (32), Shanti Devi (35), Meena Devi

(60), Khusmi Devi (60), Chanari Devi (50), and Khumug Devi.

They have been part of MGNREGA Watch since 2014. Trouble began, they said, when Jeetendra Kumar, the current PO, assumed office. More recently, he has engaged in creating trouble through filing an FIR by tearing the shirt of a PRS and putting mud on him to falsely implicate Sanjay. The pressure tactics by the PO seems to work to some extent as some people have begun to leave the sangathan. “It is too much for some to handle” they say. According to them, the PRS of Amrak panchayat has also been a source of trouble. He is reported to have said that “whoever is receiving senior pension, their names won’t appear on the working list. If you’re receiving benefits from one government scheme, you’re not eligible for another.” Both the PRS and the PO are Bhumiars. They further added that “the PO has made breaking the NREGA Watch (Sangathan) as his primary aim. The question of assault by us doesn’t even arise. We don’t even touch them. We sit separately and talk. The PRS and the PO use very abusive language.”

The first FIR in 2014 was filed in Mahant Maniyari. Since these members belong to a different panchayat, they weren’t present at the site of the first FIR. They were, however, present at the *dharna* that took place in the DC office in 2014 following the first FIR. The demonstrations outside the DC office was held to protest against the false charges against Sanjay in the first FIR. “We were present at the *dharna* that took place 8 days after the 1st FIR. We gave slogans from outside the DC office. We heard that the PO said they won’t give work using the sangathan’s form, which has been in use for a while. Their form only had finger prints, no information. They had sought 8 days to correct for the errors by the PO. We staged a *dharna* only when no steps were taken despite the promise. The only reason to not accept our work application form was to sneak away some money. We kept demanding work and they keep refusing, giving reasons like there is no new scheme, there is no beneficiary who needs work, etc. We get tired and then have to stage a *dharna*. Those who demand work and complain whenever the PO doesn’t give work are neglected. Even if we get work after our struggles, we get work allotted in different panchayats. Why would we fight if we were getting everything on time? We are only fighting for our rights.”

When asked about the third FIR, they echoed that road construction was going on and they had employed labour whose name wasn’t there on the muster rolls issued. The workers whose names were there had not been called or intimidated about the work. “Hence we confronted the PRS. It was after this that he accused us of driving a Bolero over his foot. But we have heard that the PRS was troubling the workers a lot - insulting them, even though as workers we try to never touch him/them. When we confront them, they tear their own clothes, apply mud and cry foul. It is so funny that the PRS claims the women mazdoor from Ratnauli drank sharaab, chased him and beat him up. Do we look like women who drink? We have never even touched or tasted sharaab. The PO is trying to make us leave NREGA and SPSS but he will run away but we will stay.” came a

passionate response from these sangathan members.

The conversation veered towards understanding why they are still part of the sangathan when they have to face so much trouble. The responses were variations of a similar theme. For example, Sunaina Devi responded saying that the sangathan has given her a platform to fight for her rights. “It helps us to deal with our miseries. Nobody amongst us would leave the sangathan no matter what. We are united because of the sangathan and we are demanding our rights - corruption free schemes.” she said without any doubt. Janaki Devi is solely dependent on NREGA work for a significant part of the year. Janaki Devi wants to continue in NREGA and the sangathan because she believes that NREGA has a lot of potential for development in the village. She alluded to a great sense of collective transparency in the sangathan when she said “Whatever is spent in the name of the Sangathan, it is written in the books. A question of corruption doesn't even arise. I will never lose my faith in MGNREGA or the sangathan.”

Having echoed similar thoughts like Sunaina Devi and Janaki Devi, Shanti Devi was a little more vocal. “Bhaiyya (Sanjay) se hum mazboot hai, aur bhayiya hum se mazboot hai. Humari bohot himmat bhi badh gayi hai Hum sab ek saath hai toh naa mazbooti hai. Sangathan isiko naa bola jata hai. Sangathan hum sab hai (Sanjay is strong because of us and we are strong because of Sanjay. Our strength comes from being together. Isn't this the meaning of a collective?” comes her measured and reasoned notion of the meaning of a collective. She continued saying “Before, we were alone, now we are in a group - we have solidarity. This for me is the biggest strength of the sangathan. I have a family at SPSS. I now have courage because of the sangathan. In addition, before we used to only get ration for 5 or 6 months in a year, but now because we fight together, we get full 12 months ration. Sangathan is also a source of information and knowledge about our rights and the schemes. We never knew what a PO is or even what a PRS was but through the sangathan we've learned about the rules and laws of various welfare programmes.” Chanari Devi, a mother of 4 girls, was more silent but indicated that NREGA is the only source of survival for her. Adding to what was already said, Kanti Devi chimed in “We don't do *dharna* because it is fun. We have rights and we have to fight for those rights.”

9 Conclusion

9.1 Predictable Patterns

The FFT's objective was to put together verifiable facts and collect testimonies of various parties involved in the 4 FIRs that were filed against Sanjay Sahni and other members of SPSS/MW.

Of the three FIRs that pertain to NREGA functioning, a pattern that seems to emerge is the following: workers and local state actors clash on some issue regarding the implementation of the scheme. The workers are the ones on the right side of the law: for instance,

in the case of the FIR filed on 13th of October, 2014, it is clear that the work receiving slips being distributed by the state were incomplete and that SPSS' format was better at guaranteeing workers' rights. Similarly, the assignment of labourers to a worksite over 15 kilometres away is allowed only in the case when work in their own Panchayat is not available. The fact that in the subsequent months labourers worked in Mahant Maniyari Panchayat on NREGA works indicates that this was clearly not the case.

The clash is followed by discussions, meetings and culminates in an altercation characterised largely by verbal assaults and, rarely, a minor scuffle. In the case of the 31st March, 2017 FIR, the ward member interviewed explicitly said there was no physical contact; Indu Devi, a worker, said she was hit on the stomach by the PRS moving his hands vigorously, who subsequently went on to threaten her. These eyewitness reports are usually consistent across members of SPSS/BMW and other local non-state actors across different FIRs. Furthermore, all accounts seem to suggest that no state actor is physically assaulted. However, a few days after the incident, an FIR is lodged where the aggrieved party claims to have been physically harmed. Often, the accusers have vague or inconsistent testimonies - the block PO dithered before hesitatingly confirming that Sanjay Sahni was at the site on 31st March (when he was, actually, in Ranchi - though, as we discussed, the FIR falsely claimed otherwise), the PRS refused to speak of the incident at all and, in an informal chat, the attendant at the Emergency Ward specifically stated that the PRS was "acting like he was hurt" and was "perfectly fine".

9.2 Concluding Observations

The FFT makes the following observations: One, at least one of the FIRs filed against Sanjay Sahni - the most recent one - is wholly false, since there is incontrovertible evidence to suggest that Sanjay was over 400 kilometres away in Ranchi. The others stand on very weak ground, with the incongruent testimonies of a small set of government officials weighed against consistent accounts of a large number of SPSS workers and other local actors.

Two, the state has failed to engage with organically formed civil society movements as partners in the delivery of welfare for all. In fact, the very opposite happens: agitating citizens - largely Dalit and illiterate women in this context - are seen as impediments to the natural order of things. There is also a tendency for the higher levels of the state to privilege accounts of members of the lower bureaucracy over that of the citizens - this only serves as a means to exacerbate the trust deficit that exists between citizens and the state.

Three, the administrative system engages in acts that stretch, break and surreptitiously circumvent legal safeguards put in place to ensure the protection of workers' and citizens' rights. Furthermore, as the Mahant Maniyari Mukhiya's testimony shows, the local players are unabashed about their involvement in these acts and see them as necessary for smooth functioning of the state.

Four, the local bureaucracy employs FIRs as a strategic tool to quash and silence people's voices and struggles for justice.

SPSS is a unique movement, homegrown and run by largely Dalit and illiterate women. Let alone celebrate this fact and engage positively with SPSS, the state fails to even be lukewarm towards the people's movement. Instead, it engages in a witch-hunt, repeatedly filing false FIRs against members in an attempt to quash local struggles. This is unfortunate and dangerous. Individual members are fearful of more blatant attacks on their person and seek solace in collectiveness. It is time that sympathetic voices within the state took firm stands on these issues and trusted evidence provided by workers and neutral parties. These FIRs also continue to emphasize that civil society movements across the country need to be vigilant and constantly engage in documenting events to take charge of the narrative.