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**Accountability in Implementation of Women Specific
Development Grants**

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Abbreviations

APM: All Party Mechanism

BPFA: Beijing Platform for Action

CACs: Community Awareness Centers

CBO: Community Body Organization

CEDAW: Convention on Elimination of All Forms Of Discrimination Against Women

CIAA: Commission of Investigation Abuse of Authority

DAG: Disadvantage Group

DDC: District Development Committee

DDP: District Development Plan

GESI: Gender Equality and Social Inclusion

GRB: Gender Responsive Budget

IPCC: Integrated Planning Coordination Committee

LBs: Local Bodies

LBFC: Local Body Fiscal Commission

LSGA: Local Self Governance Act

LSGR: Local Self Governance Regulation

MC: Minimum Conditions

MCPM: Minimum Conditions Performance Measures

MDG: Millennium Development Goals

MoFALD: Ministry of Federal and Local Development

NGO: Non- Governmental Organization

VDC: Village Development Committee

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ABSTRACT

This paper, *Accountability in Implementation of Women Specific Development Grant*, addresses issues linked to the implementation of 10% of capital grant allocated to women specific programs by the Ministry of Federal and Local Development (MoFALD). It emphasizes the fact that shortfalls in accountability has led to a failure in ensuring the effective implementation of the allocated funds in needed areas. It not only aims to assess and analyze the level of participation of the desired beneficiaries in women specific development, but also actor- forum accountability relationship in implementation of particular grants. The paper argues that a proper institutional mechanism that is rigorous in establishing checks and balances is essential towards ensuring accountability in implementation of the policy to achieve the desired results.

Despite the existence of relevant guidelines, acts and directives to regulate target specific grants and the presence of accountability mechanisms to hold local government accountable, it is not evident that they are being observed or implemented as directed. The existing accountability framework involves quest for dialogue, set of procedures but does not imply right to impose sanction; an important dimension in accountability framework This paper analyses and assesses the existing accountability framework to implement the Gender Equality and Social Inclusion (GESI) strategy and it also looks at the relationship between institutional mechanisms, implementing agents and role of stakeholders in practice. The argument of the paper is made after extensive review of existing constitutional and legal documents and is evidenced by primary data gathered from the field study. The recommendations provided in the paper are based on the conclusions drawn from the findings.

This paper is a product of the Alliance for Social Dialogue Policy Research Fellowship Program 2013. Policy Research Discussion Papers are also posted on www.asd.org.np. The author may be contacted at sushma_phuyal2002@yahoo.com. Findings and Conclusions expressed in this paper are those of the author and do not necessarily represent the views of ASD.

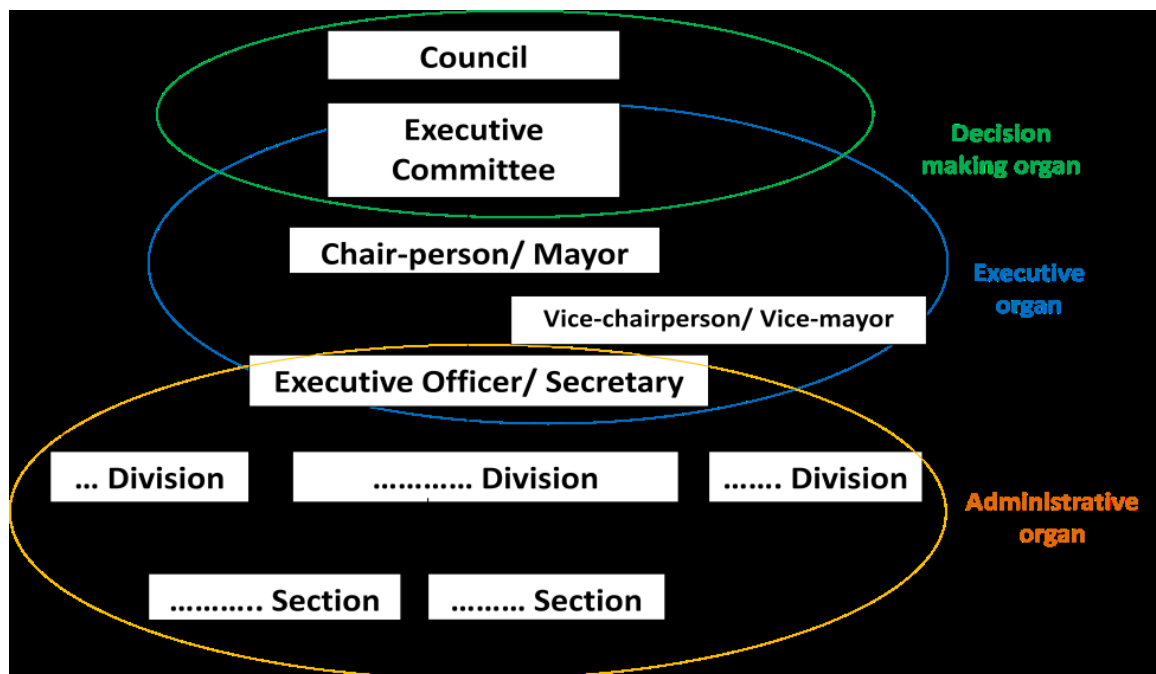
Introduction:

Gender Equality and Social Inclusion (GESI) policy 2009, introduced by the Ministry of Federal and Local Development (MOFALD) provisioned compulsory grant allocation for target specific development programs for women, children and other marginalized groups in Nepal. The intent of the GESI policy (2009) was to empower women, marginalized and disadvantage communities and include them in the development process. Local bodies were delineated with the responsibility to implement the target specific grant.

However, the local bodies of Nepal have remained vacant from elected personnel as the election of the local body has failed to take place since 2002. Authority granted by the Local Self-governance Act to local representatives is now vested in civil servants from the Ministry of Local Development. In this situation, neither the political parties nor civil servants appointed by the MLD hold accountability to local citizens.¹ The government officials or bureaucrats have upward accountability towards their line agencies but the lack of downward accountability towards the public is facilitated by the fact that they are not elected by the public and therefore are not as responsive as elected representatives to public opinion or criticism.

Organizational structure and Political economy of local government:

Figure 1: Organization structure of local government in Nepal



Source: Shiwakoti, (n.d)

¹ Tamang and Malena, n.d

The organizational structure of a local government body is meant to take shape through an election where the people choose the council, the executive committee, the chair person or mayor and the vice chairperson or a vice- mayor through direct voting. But, after the end of the tenure of local elected representatives in 2002 and the failure to conduct election in local bodies, civil servants were authorized to assume all duties of local governments. The All Party Mechanism (APM) was formed as a political consultative body, with an aim to create political participation and consensus on a local level. Its role was to articulate competing needs and priorities and make resource allocation decisions more open and equitable.²

However, the APM was charged with corruption by the Commission of the Investigation Abuse of Authority (CIAA) and as a result it was formally dissolved in 2012. Since then no other alternative mechanism has been created by the government. At the VDC level, VDC secretaries have been instructed to head a three person board with two other line agency staff to delegate the executive authority.³ This executive committee has the authority of a VDC council and theoretically, the final decision rests with this committee.⁴ Although the informal deliberative space for political representatives has been formally dissolved but their informal influences in decision making and resource allocation still remain with local bodies.⁵ Local political representatives are consulted by the executive committee during project formulation and implementation. They are invited by the VDC council in all meetings of the VDC, and user committees consult them for processing grants. Most often APM members are found answering questions in an authoritative manner even after the dissolution of their power, which reflects their continuing influence.

Definition of the policy problem:

Target specific group development program have been developed in line with the GESI strategy to empower women and other marginalized and disadvantaged communities. The GESI policy also puts emphasis in participatory implementation to achieve its policy outcomes, but there are accountability shortfalls to ensuring effective implementation and participation. The absence of elected representatives responsible for implementing specific target group development programs aimed at women has led to lack of budget accountability and fair resource distribution. Proper institutional mechanisms and a rigorous system of checks and balances are essential to ensure accountability in the implementation process and to create a participatory decision making process. But the existence of an institutional mechanism and a system of checks and balances is limited to public discussions and media discourse.

² The Asia Foundation, n.d

³ UNRCHO 2012

⁴ Inlogos 2009

⁵ The Asia Foundation, n.d

This paper aims to study accountability in the context of the implementation of target specific programs. More precisely, it focuses on the practice and implementation of the 10% block grant allocated to women specific programs on the premise that existing accountability processes fail to ensure effective participation and implementation of the policy.

Policy research question:

What are the existing accountability measures in implementing the intended policy and how can they be enhanced for better implementation?

Methodology and limitations of the study:

The study was carried out in three phases. The first phase involved review of literature of legal documents such as acts, directives and guidelines including reports, journals and academic writings. The second phase involved field visits to selected VDCs in Morang and Sunsari districts. Field visits were aimed at gathering qualitative data for the proposed study. And the final phase of the study was data analysis. The two districts were selected through purposive sampling. Field visits were conducted over a period of twenty days to gather relevant data on implementation practices. Altogether, seven focus group discussions (FGD) were organized in four selected VDCs: Bahuni, and Keroun of Morang, and Aourabani and Duhabi of Sunsari. Each FGD comprised of 5 individuals. Key informant interviews were conducted with VDC secretaries, representatives of village assemblies, representatives of gender equality help desks of the respective districts, and NGOs working on gender issues in the respective districts. Depending upon the characteristics of respondents different sets of structured questionnaires were framed for key- informant interviews.

Rationale for Accountability:

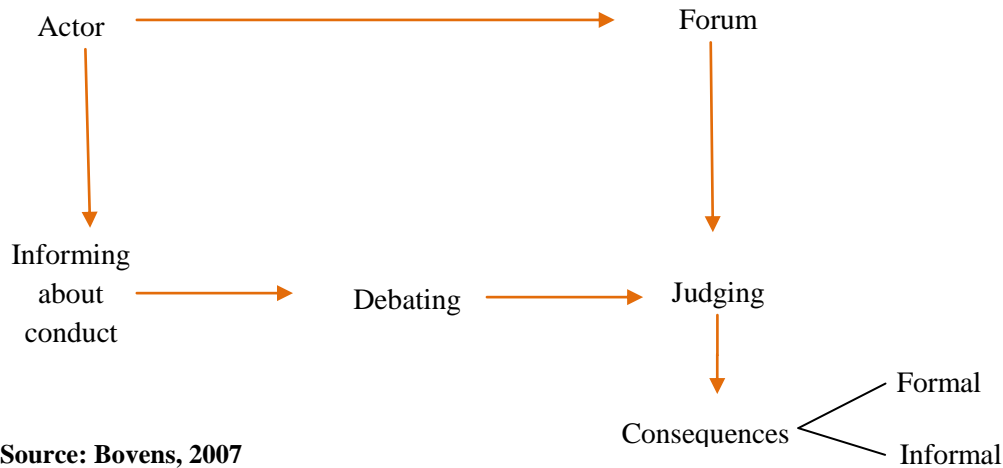
Accountability in today's context is a commonly used term in public and private sectors, amongst right-bearers and duty holders. Being accountable helps minimize corruption, controls abuse of power by state officials, promotes good governance and ensures transparency of resource allocation. It also facilitates equitable distribution of public goods and services.

Bovens defines accountability as "a relationship between actor and the forum where actor has an obligation to explain and justify his or her conduct, the forum can pose questions and pass judgments and the actor may face consequences."⁶ Generally there are four fundamental questions asked in connection to accountability. Who must render account to whom? What shall the actor be accountable for? And why should the actor be rendered accountable?⁷ These questions interconnect the relationship between forum, actor and the type of conduct about which information is to be provided.

⁶ Bovens 2007, 450

⁷ Schedler 1999, 21 -23

Figure 2: Actor- Forum relationship



According to Bovens, for accountability, there should be actors to provide information and a forum to pass judgements and sanctions followed by provision for explanation and justification of conduct. Explanations should be directed at the forum. There must be a possibility and scope for a debate and judgment by the forum, and an optional imposition of informal sanctions but not a monologue without engagement. In the relational sphere of actor and forum, an actor can either be an individual or an organization/agency. Whereas, the accountability forum can be an agency (court, audit office, institutions, parliament, civil society, mass media, etc.) or an individual (general public, journalist, activist, etc.). In the context of this paper, local bodies (VDC), VDC secretaries, village assemblies are actors whereas general public, women activists, non-governmental organizations, women's groups, and mother groups or *Aama Samuhas*; which are non-political groups of mothers in villages dedicated to carrying out development works and livelihood activities with special focus on women empowerment, are accountability forums.

This relationship between actor and forum resembles the relationship of a principal-agent. Under the principal-agent concept, organizations (public or private sector) are hierarchical structures in which principals have the authority to give instructions to agents.⁸ Actors are held accountable by citizens, mass media, civil society organizations, political parties and other power holders. This employs a chain of principal-agent relationship. In a democracy, election is the formal mechanism that holds the actor accountable towards its citizens and other informal means of vertical accountability include mass media, citizen associations, etc. Similarly, legislatures, acts, directives and accountability institutions such as the CIAA, the Office of the Auditor General, the Election Commission, etc, guide the process of overview and exist as the horizontal domain of accountability.

⁸ Fukuyama 2013

Behn in his book *Rethinking accountability*, states four dimensions under which actors are held accountable for their conduct: fairness, finance, performance and abuse of power. According to Behn, accountability for fairness reflects the concerns of what a government does and demands a record of what it did and didn't do under the established expectations, rules, procedures and standards of organization. Similarly, accountability for finance deals with expenditure of public money under the legal norms by state officials. Financial accountability is about "how books are kept and how money is spent."⁹ It informs how resources are allocated and expenditures are incurred.

The force of public voice is imperative in influencing public organizations to be accountable, responsive and efficient in their service provision.¹⁰ Therefore, participation in this paper becomes a crucial area for analysis because it is directly connected to citizens' access to information, citizens' voice, citizen associations and collective action; the key elements of social accountability. In the paper, *Beneficiary, Consumer, Citizen: Perspectives on Participation for Poverty Reduction*, Cornwall mentions that participation and institutional accountability must become grounded in the conception of rights which, in a development context, strengthens the status of citizens from that of beneficiaries of development to its rightful and legitimate claimants.¹¹ Underpinning this approach are three principles: inclusive rights for all people, the right to participation, and the obligations to protect and promote the realization of rights by states and other duty bearers; a concept which links itself to accountability.¹² Rights become real only when citizens are engaged in the decisions and processes which affect their lives¹³; when they influence policy and development programs according to their own priorities; claim assets and services from the government and make local government and service providers accountable to them.¹⁴

Thus, the concept of accountability is an interconnected relationship between actor, forum and the type of conduct. Under the principal- agent framework, an actor qualifies as an *account holder* and forum as an *account holdee*. Based on the nature of obligation, actors are held accountable by the forum for their performance and conduct. Accountability functions well only if there are provisions for information provided by the actor and set of standards and provision for judgment and sanction by the forum.

Problem description:

Women have been excluded or isolated from participating in the public sphere due to existing inequalities. Women rarely participate in decision making processes on a local level. Moreover, their marginalized status has hindered them from gaining access to resources and opportunities.

⁹ Behn 2001

¹⁰ Andrews and Shah, n.d.

¹¹ Gaventa 2002

¹² Ibid.

¹³ DFID 2000

¹⁴ LGDCP and MLD 2009

“Women are more disadvantaged than men when corruption reduces the resources available for social services, infrastructures or national economic development or when it erodes confidence in public institutions. Money destined for women’s development may be more easily pilfered by state agents because women tend to be less aware of their rights and less willing than men to demand that public authorities account for misused funds.”¹⁵

As a response to existing inequalities, in order to safeguard the rights of women, Nepal is a signatory to UN resolutions such as the 1993 General Assembly Declaration on Elimination of Violence Against Women, the Beijing Platform for Action (BFPA) 1995, as well as international treaties on the protection of women’s human rights such as the Convention on Elimination of Discrimination Against Women (CEDAW). Nepal has also shown its commitments towards these international laws through various measures. For the first time, Nepal’s sixth national plan (1980- 1985) adopted women’s issues and concerns in its policy framework. A separate chapter on Women in development (WID) was included in the policy framework which recognized women’s productive role i.e. an efficiency approach towards women’s development.¹⁶ To integrate women in the mainstream development process, women development section (later upgraded to a division) was established in the Ministry of Panchyat and Local Development in 1980, and a plan of action for women’s development was formed in 1982.

After introduction of multi-party democracy, the government continued its efforts in addressing inequalities faced by women by recognizing the need for gender equity and women’s’ participation in local development through the Local Self Governance Act (LSGA) of 1999 AD. This particular Act had provisions for formulating skill- oriented and income generating programs for women in its annual plans to ensure gender equity in local level development.¹⁷ The tenth national plan (2002-2007), also considered as the most comprehensive national plan, shows the shift from welfare concept to concept of rights. This plan adopted several sector and target specific policies to ensure women’s rights and well- being. The Gender Equality and Women Empowerment National Work Plan (2006) was developed following the commitments made during Beijing+5 which advocated for intensification of gender mainstreaming efforts with particular emphasis on government budgets.¹⁸ This resulted in introduction of the Gender Responsive Budget (GRB) by the Ministry of Finance in the fiscal year 2007/2008.

Furthermore, GESI 2009 provisioned for the compulsory grant allocation for target specific programs. Since then, the budget allocated for target specific programs in local bodies has been increasing as shown by the 2009 and 2012 VDC operation directives.

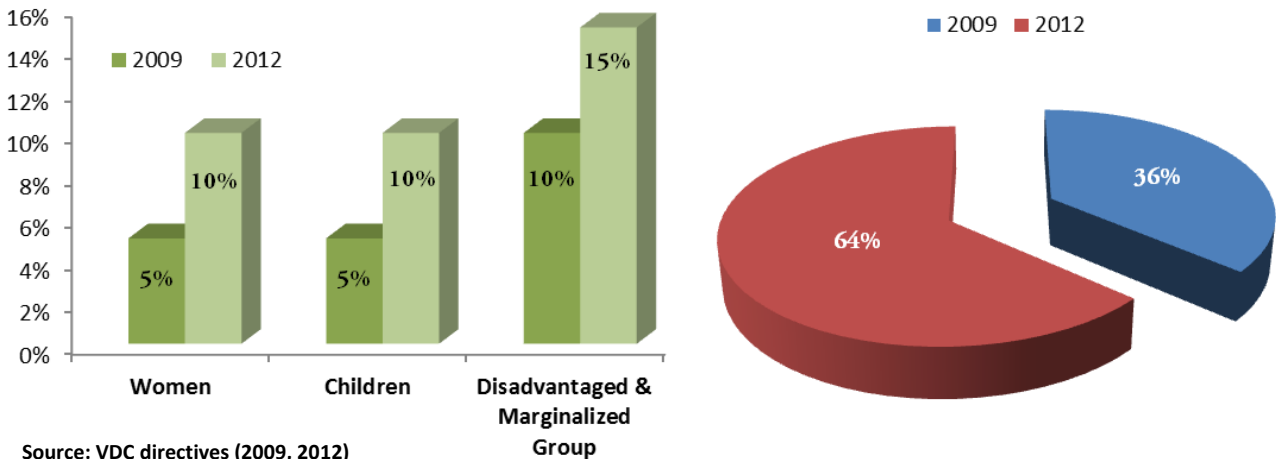
¹⁵ Goetz and Robjenkis (n.d), 162

¹⁶ Bhadra 2001

¹⁷ LSGA 1999, section 43, 111 and 195

¹⁸ MOF2008

Figure 3: Grant allocation for target specific programs in local bodies



Source: VDC directives (2009, 2012)

Despite these directives, barring a few exceptions, local bodies are spending less than 5% of the allocated grants for target specific programs.¹⁹ The tenth national plan states that the women specific target group development program is a demand driven, rights based scheme guaranteed to empower and capacitate women. Such programs have definitely shown efforts to empower women, but their weak implementations have failed to bring substantive and desired outcomes. Statistics show that the expenditure of allocated target specific budgets is being spent for purposes other than the actual targeted programs.²⁰ Budgets allocated for directly benefitting the target group have been spent on infrastructure projects, such as construction of school buildings, sub-health posts, irrigation canals, dams and roads. Despite misallocation of funds, people have claimed that such activities have been helpful towards the empowerment of the target group.²¹

*Local and community development for peace and development in Nepal,*²² a study carried out by V. Mallik in three districts (Doti, Pyuthan and Mahottari) pointed out several malpractices in budget implementation by local bodies. The study revealed that budget ear-marked for disadvantaged persons was spent on workshops and seldom on poverty alleviation programs for the target groups. Women from Mahottari said that they often kept struggling with their VDC council, the VDC secretary and political representatives when trying to access women specific funds, but still political representatives did not help them. Similarly, study by IIDS also showed that participation for need analysis and budget demand was only limited to a few women's groups that had been around for a long time and had the historical advantage of intensive social mobilization.²³

¹⁹ MOFALD 2012

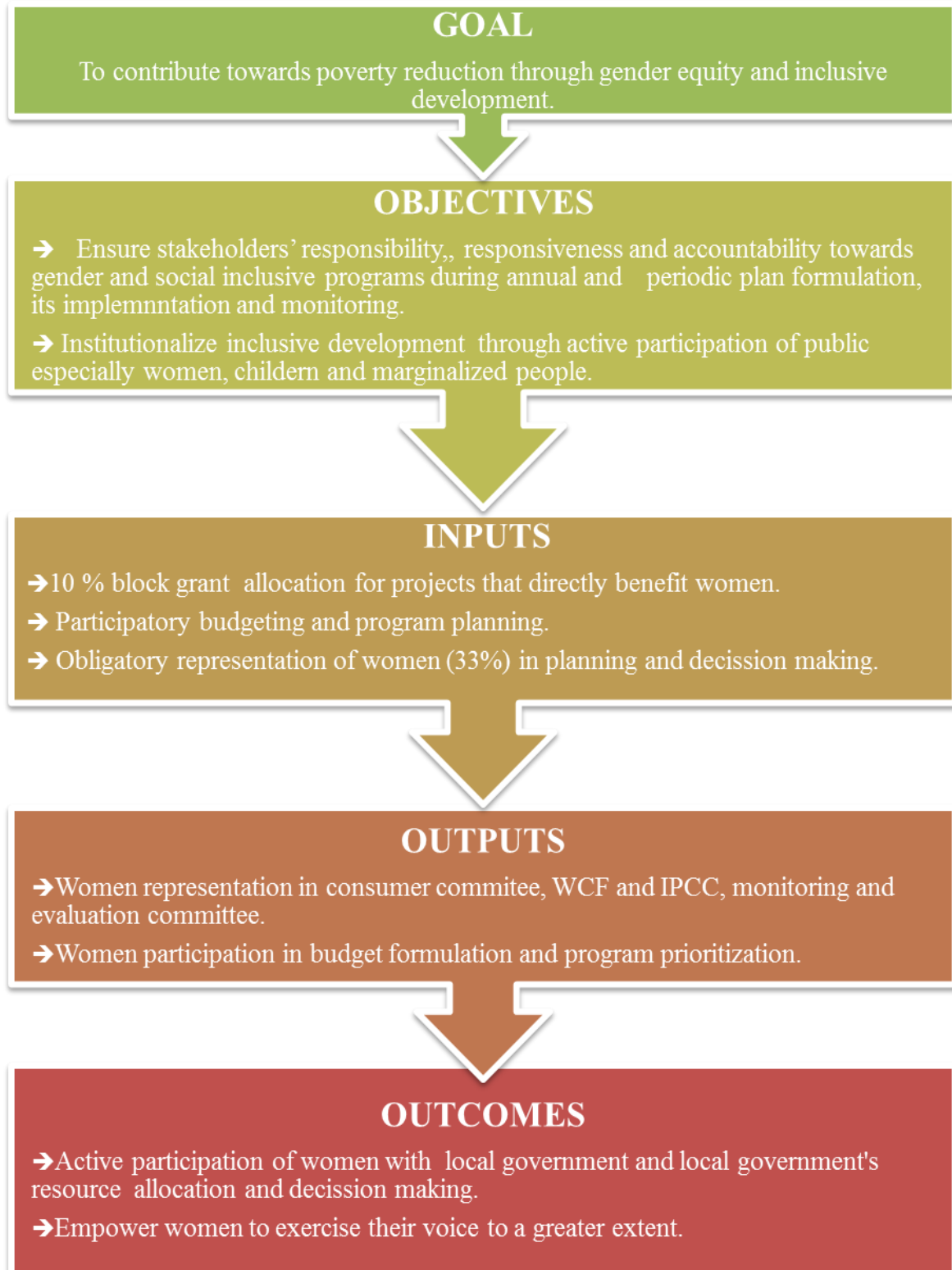
²⁰ MOFALD 2011

²¹ ibid.

²² Mallik 2013

²³ IIDS 2002

Figure 4: Program Objective of the GESI strategy:



Source: Developed in reference to GESI strategy 2009 for Women Specific Development Grant

Actor- Forum relationship in implementation of women specific development grants:

MoFALD, the executing agency of LGCDP, is the central forum for VDCs and actor for other ministries in the accountability relationship between the actor and forum. It demands accountability from local bodies for their performance and is accountable towards other concerned ministries and indirectly with citizens. In the lower tiers of local body, VDC, VDC executive cum VDC council are key actors in the accountability framework in implementation of women specific development grants. Local bodies (LB) are accountable towards their superiors for their performance and then towards citizens. Under the application of LGCDP programs another major actor is individual service provider (National consultants, Local service providers (LSPs) and social mobilizers). These are the contracted staff and are accountable towards their contracting organization, e.g., LSPs are accountable to implement and manage LGCDP social mobilization programs at the grass roots. They are also responsible for recruitment of social mobilizers. LSPs are selected by the District Social Mobilization Committee (DSMC) and are accountable to DSMC for their performance. Social mobilizers are responsible for the grassroots implementation of social mobilization starting from situation analysis phase to capacity building phase and are accountable to their contracting organization.

Accountability mechanisms in local bodies:

At present, on the supply side of accountability relations, public officials appointed by the government are the formal power holders in local bodies. Whereas on the demand side, social accountability methods such as public audits, social audits, public hearings gender audits exist. Similarly, active civic engagement of citizens, media, civil society actors, NGOs and civic associations also contribute to demanding accountability. Demand side accountability emphasizes on civic participation and does not include the element of judgment and sanction into its structure. Local bodies are requested to make public announcement of their budget through local FM radio channels, and a citizen charter is mandatory in each VDC office. However, these are just informative mechanisms and can be considered as monological, which is against the concept of good accountability as discussed earlier in the paper.

The Good Governance Act includes provisions for the Government of Nepal to delineate responsibilities to public officials at local level. It also emphasizes transparency in the public process by including the right to information to enhance accountability of local governments. However, transparency and accountability are limited to providing obligatory information to public, and any contentions or discussions are only brought to light when someone who has a particular interest in the government organization reports it to the public, which in turn triggers a debate.

Minimum Conditions and Performance Measures (MCPM) has been introduced by the government to ensure financial accountability and to enhance performance of local bodies. For effective implementation of programs in local bodies, the Good Governance Act highlights responsibility and responsiveness to ensure accountability during implementation of programs. Despite relevant guidelines, acts and directives, to regulate target specific grants and the presence of accountability mechanisms, the findings from the field study show that they are not being observed or implemented.

Discussion on findings

Standards for implementation of women specific development grants:

Resource Mobilization and Management Guideline 2012 mandates the grant amount to be spent for the development of women belonging to economically backward communities irrespective of their caste, ethnicity and religion identified through baseline survey, poverty mapping and Disadvantage Group (DAG) household mapping. Projects/ programs implemented under this grant must benefit at least seventy percent of the women from economically backward communities. According to GESI 2009, the funds for women specific development grants should be directed towards programs that directly benefit women and fall under the sub-headings shown below. However, during the course of research there were instances where the women specific grant were being spent under a different heading i.e. in Bahuni, the MC passed VDC of Morang, women-specific funds were released to support the program of marginalized and disadvantage groups- against GESI scope .

Areas for allocation of Women Specific Grants

- Infrastructure development directly benefitting women such as smokeless stove, maternity hospitals, training halls for women, rehabilitation centers for disabled and violence affected women, etc. However, infrastructure in this context does not include construction of roads, schools, irrigation canals, etc.
- Social / capacity development
- Economic empowerment
- Institutional development

It is crucial for the public to be aware of their rights to enable them to demand accountability from government officials regarding the use of resources provided for the targeted programs. Community Awareness Centers (CACs) in each VDC are required by LGCDP to create awareness amongst citizens about the issues affecting the village, budget availability in local government, the planning process, etc. Social mobilizers selected and recruited by individual service providers are put to work in VDCs to conduct awareness classes and discussions for disadvantage group (DAG) and other citizens at CACs. But the findings from the field revealed that majority of the women from economically backward communities, who are described as the primary beneficiaries of the policy, are unaware about the 10% block grant provided by the government for women development programs.

5 out of 8 participating groups in the discussion conducted during the research said that they had never heard about this provision from their VDCs. Women representatives and other members of village assembly and female political figures from all four VDCs during the study reported that due to lack of adequate awareness about the objective of women specific development grant, the beneficiaries expect direct monetary benefits, which is against the policy objective.

Observations during the field research pointed out several lapses in VDCs regarding adherence to established mechanisms for the implementation of the policy. For example,

the appointed social mobilizer in Bahuni VDC was found to be working from Biratnagar. In Duhabi VDC, the social mobilizer was on leave without informing the VDC secretary but was reported present in the register book. These examples reflect that the social mobilizers are not working effectively in the respective VDCs and their engagement level with the citizens is minimal. The fact that they are not elected by the citizens but instead selected and recruited by individual service providers makes them accountable towards contracting organizations rather than citizens. Moreover, lack of awareness amongst the citizens about the roles and responsibilities of the appointed personnel makes it difficult for citizens to demand accountability.

Grant implementation

a. Budget allocation:

VDC block grant or budget is provided for the purpose of funding capital development projects as well as for recurrent programs. Of the total budget, excluding the prescribed amount of recurrent grant, i.e. Rs. 4, 20,000; 35% of the development fund must be spent for target specific programs, and 10% percent is provisioned for women specific grant programs. The table below shows that the supply of women specific grants is less than the amount provisioned by the policy.

Table 1: Budget allocation

VDCs	Total development grant received by VDC (Rs)		Budget received by beneficiaries (Rs)		Budget demanded by beneficiaries (Rs)	
	2011/12	2012/13	2011/12	2012/13	2011/12	2012/13
Bahuni	23,82,100	10,80,000	1,20,000	75,000	NA	1,78,000
Keroun	24,20,500	10,80,000	Approx 2,00,000	-	2,03,000	1,61,600
Aourabani	15,43,230	11,00,000	80,000	22,000	1,55,100	1,06,166
Duhabi	17,21,350	17,21,350	1,50,000	1,50,000	1,72,135	1,72,135

Source: Minutes of respective village assembly meetings and field survey

Note: Budget amount in this table excludes the expanded block grant provided by Local government Community development program (LGCDP).

NA= Not Available

Table 2: Programs decided by village assembly/ demanded by women's group:

VDCs	Programs 2011/12	Grant amount 2011/12	Programs 2012/13	Grant allocated 2012/13
Keroun	<ul style="list-style-type: none"> • Training on Sewing and cutting • Livestock rearing (goats, pigs, etc.) 		<ul style="list-style-type: none"> • Declaring VDC open defecation free zone (toilet construction in different wards) • Gift program (goats and pigs) • Training for social health volunteers • Training program in regard to declaring VDC an open defecation free zone 	<p>Rs. 80,000</p> <p>Rs. 40,000</p> <p>Rs. 32,000</p> <p>Rs. 10,000</p>
Bahuni	NA	NA	<ul style="list-style-type: none"> • Exposure Visit • Sewing and Cutting • Teej Celebration • Gaun Ghar Clinic (Ward Mo.3) • Other awareness programs 	<p>Rs. 65,000</p> <p>Rs. 78,000</p> <p>Rs. 10,000</p> <p>Rs. 20,000</p> <p>Rs. 5,000</p>
Aourabani	<ul style="list-style-type: none"> • Maternity building construction (ward no.9) • Ten days sewing and cutting training for 22 females of the VDC • Two days awareness program for twenty five violence affected women 	<p>Rs. 75,000</p> <p>Rs. 40,671</p> <p>Rs. 39,429</p>	<ul style="list-style-type: none"> • Building reconstruction (women's building) • Sewing and cutting • Training program (related to law) • Awareness Program 	<p>Rs. 26,250</p> <p>Rs. 28,000</p> <p>Rs. 21,000</p> <p>Rs. 21,000</p>
Duhabi	NA	NA	Declaration of ODF	NA

Source: Minutes from Village assembly meetings and FGD

The above table shows that programs demanded by women's groups and decided or approved by village assemblies are according to the guidelines of programs directly benefitting women.

b. Demand side implementation:

The field study showed that even though implemented programs fulfilled the requirements in policy mandate, there were reported discrepancies between expectation and practice because of poor demand side mechanism. Implemented Women Specific Development Programs were found to be different and less in number than what were demanded. *Antar Party Mahila Sanjal*, registered in District Development Committee (DDC), is a legitimate representative body of female representatives from seven political parties and is responsible for demanding and implementing women focused development programs. It sets up a mechanism in practice to devise fund flow of Women Specific Development Grant and is responsible for building consensus among various interest groups.

The probability that this coalition can represent real interest of beneficiaries and be accountable towards their demand is minimal because it is not a body elected by target beneficiaries to represent their interests; instead it is built upon political consensus. It is not likely to be involved in consultation with beneficiaries and is more representative of political stakeholders. In practice it was evident that programs implemented with the final decision or consent were not likely to reflect the demands made by the beneficiaries. (Annex III)

c. Fund management:

Women representatives of village assemblies said that the grant funds were not processed in a timely manner. According to VDC secretary, delayed release of funds from the central government affected the fund allocation on the local level. Despite credit system being highly discouraged by the GESI policy to ensure budget is spent properly on the items agreed with the VDC; it cannot be ignored in practice in the grassroots as directed by the policy. It is one of the ways of ensuring accountability not to the VDC but to the people who will be using the funds. So funds are released after a program has been executed. Although discouraging credit system seems a good way to ensure accountability and transparency in use of funds, the question about where and how to secure the funds for the execution of programs still remains. Therefore, people who actually implement the project have to use a credit system.

Factors influencing women specific grant implementation:

Resource Mobilization and Management Guideline 2012 has classified women specific programs into four sub- categories but has not developed specific criteria to qualify for the grant amount under each sub headings. This has led to misappropriate allocation, misconception, and lack in grant prioritization for each sub categories. For example, *Sairam Women's Group* of Aourabani said, "The VDC refuses to allocate grants for awareness programs despite the huge demand by women's groups."

According to Fritz Scharpf, policy formulation and policy implementation are inevitably the result of interactions among separate actors with separate interests, goals and strategies.²⁴ Variations in implementation process are generally created between idealized

²⁴ Hill & Hupe 2002

policy, implementing organization, target group and environmental factors.²⁵The study reports that policy implementers do not understand and follow policy directives as intended by the policy, therefore they are not accountable. For example, during an interaction with the VDC secretary in Duhabi regarding how women specific block grant was being implemented, he said, “The grant has become useless because the government provided the grant without establishing proper framework for its use, and at present the grant is being misused by the beneficiary target group.”

Similarly, from interactions with the gender focal person of the gender equality help desk and the VDC secretaries of the respective districts, it was evident that the centrally allocated 10% grant for women-specific programs was fragmented in the ratio according to the convenience of implementing agent (70: 30 for Sunsari and 60:40 for Morang). In VDCs such as Sunsari 70% of the grant had been spent on infrastructure and the remaining 30% was spent in awareness and income generating programs. The reason behind the heavy leaning towards investment in infrastructure, according to VDC secretaries, is because the investment in infrastructure construction can result in immediate and effective outcome and can benefit the whole community, whereas awareness program is limited to benefitting women. Opinion of gender focal person of the respective districts is also no different. According to one, the heavy allocation in infrastructure reduces the risk of budget freeze.

With limited or no understanding about policy intent, women generally make decisions based on their consideration for the welfare of entire community as opposed to women only, and this affects implementation of the intended policy. Interaction with female political representatives of VDCs and women representatives in village assemblies reflected the opinion that investment in infrastructure, for example, toilet construction results in the welfare of the whole community and not just women. They perceive infrastructure construction to be development work, and therefore they welcome it even though it does not adhere to the objectives of the policy.

Policy framework for participatory implementation:

As stated in the preamble, the principle of LSGA 1999 is to institutionalize the development process through participation of people at the grassroots. The law proposes bottom- up planning process which is participatory and inclusive by involving people at the grassroots level to contribute in the process of devising strategies, programs and development projects. This approach guarantees citizens a meaningful role and a space for engagement in the process of making decisions that directly affect them. The Act encourages participation from wards and communities to formulate plans and programs.²⁶ Section 26 of the act states that it is the function/duty of village council to prepare and implement necessary plans for the upliftment of women within the village development area. Following this, the Social Mobilization Guideline has been developed to ensure participatory planning and bottom up implementation process. In regards to making local bodies more participatory and inclusive, the LGCDP Social Mobilization Guideline mandates active engagement (voice and participation) of citizens in VDCs during stages

²⁵ Smith 1973

LSGA, 1999, article 43 & 5 (b)

of planning and deciding on resource allocation. LGCDP through social mobilization in each VDC is required to carry out DAG mapping to identify the target household to ensure accurate representation of the intended beneficiaries.

The GESI policy has set up institutional networks, like the Integrated Planning and Coordination Committee (IPCC) and Citizen Ward Forums (CWF) to implement participatory program plan. Formulation of these networks gives them mandate to conduct different tiers of consultation during the planning process. The Social Mobilization Guideline compliments the GESI strategy and the direct needs and priorities of citizens are forwarded from individuals to settlement level, from settlement to ward level and from ward to VDC/ municipality level.²⁷ Ministry of Local Development also introduced Citizen Ward Forum and fourteen step budgeting process.

Overview of the Fourteen Step budgeting process:

Overview of the Fourteen Step Budgeting Process

Fourteen step budgeting is a participatory planning process involving series of consultation activities ranging from *toles (settlements)* and wards of VDCs to DDCs. The process begins with the receipt of directives and budget ceilings sent by NPC to the DDCs. Discussion and analysis with the stakeholders takes place in the second, third and fourth step of the planning process. Citizens are expected to participate in the planning process at the ward and VDC level during fifth to eighth step of the planning process followed by the District and *Illaka* Level sectorial planning committee meeting in the ninth & tenth step of the planning process. Sectorial programs identified by the VDC, municipality and *illaka* are prioritized by representatives of DDC, I/NGOs and line agencies. The eleventh step's integrated plan formulation committee meeting assesses and analyzes the prioritized projects of different sectors and submits a draft integrated plan to the DDC. District Development Plan (DDP) is finalized by the DDC in the twelfth step of the planning process followed by planning process involving the formation of DDP in the thirteenth step with implementation being the final or fourteenth step of the planning process.

Source: UNRHCO 2012

Participation in decision making during project implementation:

Consumer committees are formed to ensure the participation of intended beneficiaries and disadvantaged groups in the decision making process and during project implementation. Including real beneficiaries in user groups creates a sense of ownership of the project and promotes transparency and accountability among the beneficiaries. This study has found that the participation of target beneficiaries in decision making during implementation has not been practiced in a fair manner. This is because the

²⁷ Social mobilization guideline 2009

government lacks standardized rules to ensure direct representation of intended beneficiaries in consumer committee as per the definition provided for particular target beneficiary by the Resource Mobilization and Management guideline 2012. Consumer committee mandates seven to eleven members identified from the household directly benefitting from the program with thirty three percent of mandatory women representation in the group. However, it does not take into consideration the definition of women specific target groups. In practice, it was found that women specific programs were being implemented by savings and credit groups (Annex- IV). Saving and credit groups are the informal financial institutions formed by a group of people holding common interests (mother's group, women groups, literacy groups). The basic objective of the group is to provide saving and credit service to its members. Savings and credit groups acting as user group limits participation in decision making to a single organization and also to the few women who are empowered and powerful within that organization.

Participation in budgeting / program planning:

A study by Arnstein showed that there is a prevalent system of one way flow of information from officials to citizens with no channel provided for feedback and no power for negotiation, and citizens are often informed at the last stage in planning.²⁸ This study found that MC passed VDC by-passed participatory consultation with the beneficiaries as the VDC made a last minute announcement to draft the agenda. In the FGD, participants said that consultations on formulating women-specific programs were often done over mobile phones, isolating and excluding the beneficiaries from their participation in budget formulation/ program planning (Annex IV). Such irresponsiveness from VDC regarding information dissemination provides little or no opportunity for beneficiaries to influence decisions made for them.

Female co-coordinators, female members of Citizen Ward Forums and participants of mother groups and women groups of the studied VDCs stated that the participation of women is still treated as a token gesture. "We are just asked to sign the readymade document. Our ideas and opinions are not considered worthy to develop agendas, and the women voice in the Citizen Ward Forum is hardly heard and valued. The ideas and opinions that are considered are those of male members", said Sangita Shrestha and Sworswati Devi Chaudhary, coordinators of the Citizen Ward Forum. This shows that even though women are consulted and invited in decision making processes, decisions are made by responsible male authorities on their behalf.

Implementation of social accountability tools:

Social accountability tools namely, public hearings, social audits, public audits and gender audits are provisioned under Good Governance Act 2008, Local Body Financial Administration Regulation 2007, Village Development Grant Directive 2006, LSGA 1999 AD and LSGR 2000, respectively. These mechanisms with standard implementation procedures are designed to promote citizen participation and financial transparency in local bodies. The responsibility for conducting public hearing is assigned to the chief

²⁸ Arnstein 1969

office holder at the regional, zonal and district level.²⁹ Similarly, public audits and social audits must be implemented by program implementing organizations with support from local bodies, and the gender focal person appointed in the local body is responsible for conducting a gender audit.

Table 3: Social accountability tools in practice:

VDC	Accountability tools					Comments
	Audit	Public hearing	Social audit	Public audit	Gender audit	
Keroun	✓	VDC has not organized public hearing despite being an MC passed VDC	X	✓	X	Absence of Citizen charter in VDC premise despite of being MC passed VDC
Bahuni	✓	Not according to the policy	✓	✓	X	Absence of citizen charter in V.D.C premise despite of MC passed VDC
Aourabani	✓	Not according to the policy	✓	✓	X	VDC premise has the citizen charter
Duhabi	✓	Not according to the policy	✓	✓	X	<ul style="list-style-type: none"> • Audit report of the fiscal year 2011/12 has not yet been signed by the auditor. • VDC premise has the citizen charter

Source: Field Survey

The table above shows weak implementation of social accountability tools in VDCs despite having strong procedural guidelines to effectively implement them. Public hearings that conducted were organized by CBOs and NGOs. Inadequate resources (human and material), frequent transfers and even busy schedule were reported as major stumbling blocks in effective implementation of social accountability tools, according to some VDC secretaries.

Feeble implementation of social accountability tools is the result of weak enforcement. These mechanisms do not provide any space to account for results. General public who

²⁹ Good Governance Act 2008, article 30

are defined as the principals in this accountability chain are not provided with the rights to sanction the agent (public officials) who fail to inform, explain and justify his/ her conduct. Moreover, the Public Audit Guideline clearly states that information obtained from public during public audit process cannot be used as proof or evidence, further limiting the scope for checks and balances.

Internal mechanisms of control

LBs lack sound internal mechanism of control. After the introduction of MCPM, LBFC is authorized to carry out monitoring and evaluation mechanism of MCPM in LBs. However, the situation so far has not improved as there are no well-developed standards to measure the performance of public officials in local bodies. The function of DDC and the upper tier of LBs in regard to VDC's plan/ program implementation are limited to that of a facilitator, mediator, and evaluator whereas monitoring and supervision of LBs rests with MoFALD

Vigilance Center is a watchdog agency at the national level, assigned to control and minimize corruption within public institutions. It holds the right to warn public officials if found involved in corruption and other malpractices. To hold government offices and officials accountable, Vigilance Center has put up complaint boxes in government offices. The citizens are expected to express their grievances, dissatisfactions and their expectations from public officials through these complaint boxes. But the lack of a forum, where these complaints or grievances can be discussed or where public officials can be held accountable, renders it meaningless.

GESI 2009 has also made provisions for monitoring and evaluation unit in every VDC, municipality and district to ensure quality performances in the implementation process. Monitoring and evaluation units can make implementing bodies aware of any cases of malpractices, poor performance or failure in meeting work deadlines but does not have the authority to question or debate with the implementing agency regarding the implementation practices. This means that the monitoring and evaluation unit provisioned under the GESI strategy has almost no authority to question practices of the implementing agency. Hence, the extent to which they can hold LBs accountable regarding the implementation practice is highly limited.

Relationships between institutional mechanism, implementation process and role of stakeholders in practice:

Civil Society organizations (CSO) such as NGOs, CBOs can ensure checks and balances for effective implementation of women specific program, but the fact that the same civil society organizations can enter into public private partnerships with LBs to execute programs, limits the scope of such organizations. The cross- sectorial service delivery arrangements can lead to accountability ambiguities i.e., who should NGOs be more accountable towards -funders of services (government), or service users (citizens). Participating in public private partnership (PPP) with LBs reduces the questioning scope for participating CSOs towards government officials as they turn into business partners of LBs. Such arrangements in the guideline may reduce watch dog function of CSOs towards government officials.

With such ambiguous arrangements in directives, the role of NGOs at present is limited to mediators and facilitators. NGOs working in the surveyed districts and VDCs acknowledged their role as mediators and facilitators between beneficiaries and the implementing body. According to these organizations they play an active role in providing awareness programs, forming co-operatives and groups to inform the public about policy incentives and organize them to hold the local government accountable. However, their enforcement has remained weak as district centered NGOs acknowledge their presence and availability outside of the district has been rare. However, these NGOs have been working with the local actors (VDC, DDC) to get them to be accountable towards the public by organizing workshops and orientation programs related to accountability for public officials.

Another area of concern that was highlighted during the study was the mistrust between implementing organizations and CBOs; the grassroots organizations in VDCs. Local women activists from CBOs have contested with VDC representatives demanding authority in decision making, but they were isolated from formal chain of decision making during the implementation process by VDC representatives, stating that they were donor funded organizations. On the other hand, NGO activists have been vocal about sustaining their programs independently without any dealings with the local VDCs.

“At present we are independent enough to sustain our own projects and do not have any interest in co-operating with VDC in the implementation process”, said Pabitra Gurung of *Chhari Milan Kendra*, Keroun. *Jyoti Mahila Federation* of Aourabani VDC, Sunsari also contested with VDC representatives whilst demanding soft skills program. Multiple groups with varying interests and priorities present at the grassroots level have created chain of informal contestations. Contestations are also prevalent around the issue of fairness in resource distribution. For example *Jagrati Mother Group* of Bahuni expressed their grievances towards their VDC for having favored the Mothers' Group of Ward No.6, when it came to resource allocation, because of strong political backing.

Further discussion:

IMPLEMENTING BODY

During the course of the field study, it was evident that there was a lack of participation of the real beneficiaries in user committees. This is the result of absence in standard procedures to nominate representatives in user committees of women specific development programs adhering to the definition provided for women specific target group in the Resource Mobilization and Management Guideline 2012. In practice, the 33% minimum quota set aside for women participants is monopolized by women who are more privileged than the beneficiaries that the intended policy grant is for. Thus, excluding real beneficiaries from participation in the planning and decision making process.

To overcome women's' misrepresentation in planning and decision making process, standards for representation in project user committees need to be made clearer and more inclusive to target intended beneficiaries.

PERFORMANCE MEASUREMENT:

After the introduction of MCPM by MoFALD, even though VDCs are adhering to grant allocation to target specific group programs, accountability in the implementation of the programs is lacking. This is because although MCPM is linked with four core areas: planning, financial management, good governance and transparent working culture, it does not take into account the participatory aspect of planning process. For example, late announcements made by a surveyed VDC regarding the drafting of annual plan neglected the scope for debate or participation. The instances where consultations and planning was done over mobile phones illustrate the complete disregard for the fifth to eighth step of the participatory planning process. MC as an evaluation and monitoring mechanism solely concentrates on how books are kept but does not have existing checks on how the money is spent. In some of the surveyed VDCs there were discrepancies in book keeping, as it was noted that the amount of expenditure on women specific target group development programs was different from what was recorded in the Village Assembly Book. Similarly in Bahuni, an MC passed VDC, there were examples of expenditure recorded under different headings than what it was actually used for.

Conclusion and Recommendations:

Although performance management mechanisms exist in local bodies to make them more responsive towards service users, the intended outcomes have not been achieved yet. This study carried out in Bahuni and Keroun VDCs of Morang and Aourabani and Duhabi VDCs of Sunsari revealed that there are number of factors impeding accountability in implementation of women specific development grants. On one hand, shortfalls in guidelines such as the failure to qualify grants under each- sub headings of program and the absence of standardized and inclusive guideline to assure representation of target beneficiaries in user committee have allowed implementers to act on will during program implementation. On the other hand, checks and balances mechanisms have failed to fully regulate accountability in local bodies. Neither there are stringent monitoring mechanisms devised by the state to regulate the performance of public officials nor any sophisticated standards to measure their performance.

Civil society organizations (NGOs) can impose strong checks on local bodies for accountable performance, but the cross- sectorial service delivery arrangements between LBs and NGOs has led to accountability ambiguities, i.e., who should NGOs be more accountable to; the funding body (government), or the service users (citizens)? This has weakened the role of NGOs as watchdogs.

Other major factors impeding accountability in implementation of women specific development grants includes upward accountability of actors. The social mobilization program of LGDCP is not an exception because actors in this program are individual service providers, and they are accountable to their own organization, that is their employer and not the citizens. The underdeveloped accountability framework is another major factor as social accountability tools introduced to ensure accountability in LBs in absence of elected representatives, does not have right to impose sanction; an important dimension in accountability framework. In the principle- agent relationship, citizens are the principles, and theoretically they are guaranteed superior authority over those who are being held into account. However, social accountability mechanism; a tool to bridge accountability gap between bureaucrats in LBs and citizens, merely treats citizens as program participants and not as principals. Thus, the citizens are not guaranteed superior authority over those who are being held into account, which further limits the scope for checks and balances.

Policy recommendations:

Based on the findings of the study the following policy recommendations are proposed:

- **Reinforce institutional checks and balances:** It is essential to strengthen the existing institutional checks and balances for effective policy implementation; for example, external credible watchdogs must be assigned to oversee executive agencies of LBs. In the present context, it is also equally essential to develop a mechanism to address the public registered complaints in the complaint boxes at the National Vigilance Center as this will help build public confidence to report irregularities/ authority abuses by public officials and the public will feel that their complaints are being taken seriously by concerned authority.

- **Strong judgement and sanction mechanism:** To enhance fair resource distribution and effective implementation, the accountability mechanism or framework should allow space for debate, judgement and sanction between the actor and the forum. CIAA has the capacity to do these but this institution is highly centralized. Although the institution has recently established its regional and liaison offices these are very limited in number and again are in strategic locations inaccessible for the general public. To maintain the quality of services at the local and bolster the institution there should be a legitimate authority in local bodies that has the independent investigative capacity to monitor and sanction the actor, if found guilty of malpractices.
- **Standards for representation:** To ensure that beneficiaries from the target audience are represented in the user committee, some criteria for selection of such representatives must be established. In absence of specific standards for women's representation in user committees of women specific programs, the representation is limited to women who are in powerful positions or have political influence. To make user committees representative of the target beneficiaries as defined by the policy, it is crucial to develop standards for representation and should be followed.
- **Cross-checking:** Cross-checking during the implementation process is essential to ensure that the fund flow mechanism is appropriate and timely and to monitor the stakeholders and decision makers as well. Therefore, there is an urgent need for the concerned ministry to build cross-checking mechanisms by giving citizen groups the responsibility and the authority to run cross-checks during the process.
- **Clarity in grant allocation under sub-headings:** Grants at the local level have been extensively invested in infrastructure development on the grounds that they directly benefit women. This practice has ignored social capacity development and skill development programs as targeted programs for women. To avoid this, MoFALD and the Local Body Fiscal Commission (LBFC) must clarify the amount of grants that qualify for each category of women specific targeted programs.

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Annex- I: List of Mother Group/ Women Group

V.D.C	Groups/ CBOs/ Federations
Keroun	<ul style="list-style-type: none"> • Ajambari Mahila Samuha • Chhari Milan Kendra
Bahuni	<ul style="list-style-type: none"> • Jagrati Aama Samuha • Samabsehi Mahila Manch
Aourabani	<ul style="list-style-type: none"> • Aarati Mahila Samuha • Jyoti Mahila Federation
Duhabi	<ul style="list-style-type: none"> • Gulaf Mahila Samuha • Makhamali Mahila Samuha

Annex- II: List of District level NGOs

S.N	Name of the organizations
1.	WOREC, Nepal
2.	INSEC
3.	ABC, Nepal
4.	RRN

Annex-III: Women Specific programs Implemented

V.D.Cs	Programs	
	2011/2012	2012/2013
Bahuni	<ul style="list-style-type: none"> • Support for indigenous and ethnic community (Rs. 50,000) • Gaun Ghar Clinic • Construction of Mahila Bhawan 	<ul style="list-style-type: none"> • Capacity development (training for women on law, anchoring) • Declaring V.D.C Open Defecation Free Zone (toilet construction)
Keroun		
Aourabani	Sewing and cutting	Sewing and cutting, toilet construction, drinking water
Duhabi		Declaration of ODF, toilet construction

Source: Field Survey & FGDs

The above table shows that implemented programs fall under the policy mandate but are found to be different and less in number from those demanded(in reference to table no.4).

Annex- IV: Participation in Practice

V.D.C	Program Identification/ Prioritization	Decision Making	Program Implementation	Comments
Keroun	<ul style="list-style-type: none"> In both fiscal year 2068/69 & 2069/70 programs were prioritized through participatory planning process 	<ul style="list-style-type: none"> Village assembly Dominant role: <i>Aaantar Party Mahila Sanjal</i> 	Saving and credit group (<i>Ajambari Mahila Samuha</i>) is a Consumer committee to implement the program.	Women representatives from Citizen Ward Forum representing ward no. 3 were unaware about whole process of participation.
Bahuni	<ul style="list-style-type: none"> In the fiscal year 2068/69 participatory planning process was applied In the fiscal year 2069/70 there was extensive mobilization of cell- phone because V.D.C made last minute announcement to draft the agenda 	<ul style="list-style-type: none"> Village assembly Dominant role: <i>Aantar Party Mahila Sanjal</i> 	Saving and credit group (<i>Samabeshi Mahila Manch</i>) is a consumer committee to implement the program.	Samabeshi mahila Manch (Bahuni) lack the program minute of fiscal year 2011/12 as they neither received nor mobilized the grant by themselves. VDC secretary mobilized their grant.
Aourabani		<ul style="list-style-type: none"> Women are only asked to sign the document and decisions are only made by male members Dominant role: Village assembly 	Consumer Committee	
Duhabi	Participatory planning process was applied, a local CBO moderated the program	<ul style="list-style-type: none"> Village assembly Dominant Role: Aantar Party Mahila Sanjal Dominant 	Antar Party Mahila Sanjal implements the program	

Source: Based on the researcher field study