



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XLIX] MONDAY, NOVEMBER 17, 2008/KARTIKA 26, 1930

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-A

Rule and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts

PANCHAYAT, RURAL HOUSING AND RURAL DEVELOPMENT DEPARTMENT

Notification

Sachivalaya, Gandhinagar, Dated the 17th November, 2008.

NATIONAL RURAL EMPLOYMENT GUARANTEE, ACT, 2005.

No. GVK/NREGA/1411/06/SFS/17/(44)/Kh-2:- WHEREAS draft notification was published as required sub section (1) of section 32 of the National Rural Employment Guarantee Act 2005 (42 of 2005) at pages 80-1 to 80-3 in the *Gujarat Government Gazette*, Extra ordinary, Part IV-A, dated the 18th July, 2008 under the Government Notification, Panchayat, Rural Housing and Rural Development Department No. GVK/NREGA/1411/06/SFS/17/(28)Kh-2, dated the 18th July, 2008 inviting objections or suggestions from all the persons likely to be affected thereby within thirty days from the date of publication of the said notification in the *Official Gazette*.

AND WHEREAS, no objections or suggestions have been received by the Government in respect of the said draft notification;

NOW THEREFORE, in exercise of the powers conferred by clause (c) of sub section (2) of section 32 read with section 12 of the National Rural Employment Guarantee Act 2005 (42 of 2005), the Government of Gujarat hereby makes the following rules, namely:-

1. **Short title and commencement.**- (1) These rules may be called the Gujarat State Employment Guarantee Council Rules, 2008.

(2) They shall come into force on the date of its publication in the *Official Gazette*.

2. **Definitions.**- In these rules, unless the context otherwise requires,-(a) "Act" means the National Rural Employment Guarantee Act, 2005;

(b) " Council" means the Gujarat State Employment Guarantee Council constituted under sub-Section (1) of Section 12;

(c) "district panchayat", "taluka panchayat" and "village panchayat" shall have the same meaning as assigned to them in the Gujarat Panchayats Act, 1993;

(d) "Executive Committee" means the executive committee of the State Council constituted under sub-rule (1) of rule 8;

- (e) "Member Secretary" means the Member Secretary of the Council;
- (f) "Scheme" means the National Rural Employment Guarantee Scheme Gujarat, 2006 notified under sub-section (1) of section 4 of the Act;
- (g) "Year" means the financial year commencing from the 1st April and ending on the 31st March of the following year.
- (h) the words and expressions used in these rules but not defined hereinabove shall have the same meaning as assigned to them in the Act.

3. Terms and conditions of appointment of Members.- (1) The term of office of ex-officio member shall be during the period he holds the office by virtue of which he is the member.

(2) A non-official member shall be appointed for a period of two years or till any other member is appointed in his place takes charge, whichever is earlier.

(3) The non-official members nominated under section 12 of the Act shall be entitled to receive travelling allowance and daily allowance, at the rate as admissible to the Class-I officer of the State Government for the purpose of attending the meetings of the Council or in connection with the functions of the Scheme or for the work in connection with the affairs of the Council.

(4) The non-official members shall be entitled to receive honorarium at the rate of one thousand rupees per day for attending the meeting held by the State Council or its Executive Committee or any other official work at the headquarter of the Council at Gandhinagar.

4. Resignation and removal of the non-official member.-

- (1) Any non-official member may resign from his office by giving his resignation addressed to the Chairperson in his own writing. His resignation shall take effect from the date of its acceptance.
- (2) The State Government may remove any non-official member who -
 - (a) has been adjudged as an insolvent by the competent Court; or
 - (b) has been convicted of an offence which involves moral turpitude; or
 - (c) has become mentally or physically incapable of acting as a member; or
 - (d) has so abused his position as to render his continuation in office prejudicial to the public interest; or
 - (e) remains absent for three consecutive meetings of the council without permission of the Chairperson ; or
 - (f) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member.
- (3) Any vacancy caused in the State Council due to resignation, death, removal or otherwise of a non-official member shall be filled from the same category to which such member was representing and the person newly nominated shall hold office so long as the member whose place he fills would have been entitled to hold office, if the vacancy had not occurred.

5. Meeting of the Council.- (1) The Council shall meet at least two times in a year.

- (2) The Member-Secretary shall communicate the date, time and the place of the meeting by issuing notice, to the members of the council, fifteen days before the date of meeting.

6. Headquarter of the Council.- The Headquarters of the Council shall be at Gandhinagar.

7. Procedure of the meeting.-(1)(a) One-third members of the Council (including the Chairperson) shall form the quorum of the meeting of the Council.

- (b) In case the meeting is adjourned for the want of the quorum, the Chairperson may call the meeting on the same day or on any other day and time; and the member present at the meeting including the Chairperson shall form the quorum when the meeting of Council so adjourned is held again.

- (2) Every question put up for decision of the Council shall be decided by the majority of members present and voting at the meeting. In case of equality of votes, the Chairperson shall have right of casting vote.
- (3) The Member-Secretary shall circulate the minutes of the meeting after obtaining approval of the Chairperson.

8. Executive Committee.-(1) The State Council shall constitute a committee to be called the Executive Committee to assist it to discharge the duties and perform the functions assigned to it.

- (2) The Executive Committee constituted under sub rule (1) shall consist of the following, namely:-
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| (i) Secretary to Government of Gujarat,
Rural Development Department | Chairperson |
| (ii) Financial Advisor,
Rural Development Department, Representative
of Panchayat Department and two members
who are District Programme Co-ordinators
nominated by the Chairperson of
Executive Committee. | Members |
| (iii) Four non-official members of the State
Council to be nominated by the Chairperson
of the State Council. | Members |
- (3) The Member Secretary of the State Council shall be the Member Secretary of Executive Committee.

9. Functions of the Executive Committee.-(1) Subject to the general superintendence and directions of the State Council, the Executive Committee shall perform the following duties and functions, namely: -

- (a) take steps to give effect to the decisions of the State Council;
- (b) manage the administrative and financial affairs of the State Council;
- (c) sanction expenditure in connection with the affairs of the State Council;
- (d) appoint expert groups for technical support and advice to improve the quality of implementation of the Scheme;
- (e) exercise all such powers and perform such functions as may be entrusted to it by the State Council.
- (2) The Executive Committee shall meet at least once in three months or more frequently if required by the State Council.

10. Funds of the State Council.- The State Council shall meet the administrative expenses in connection with the implementation of the provisions of the Act and Scheme made thereunder from the annual grants received by the State Government.

By order and in the name of the Governor of Gujarat,

R. B. RAJGURU,
Deputy Secretary to Government.