

NOTIFICATION
Panchayat, Rural Housing and
Rural Development Department
Sachivalaya, Gandhinagar
Dated the 1st August , 2006.

**National Rural
Employment
Guarantee Act,
2005.**

No. GVK / NREGA / 06 / SFS / 28 / (21) / Kh - 2 : In exercise of the powers conferred by sub-section (1) of section 4 of the National Rural Employment Guarantee Act, 2005, the Government of Gujarat hereby notifies the scheme to be called Gujarat Rural Employment Guarantee Scheme as follows, namely: - 42 of 2005.

1. Name of the Scheme :-

(1) This scheme shall be called the Gujarat Rural Employment Guarantee Scheme, 2006.

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

(3) Definitions :-

(1) In this Scheme , unless it requires context,

(a) “Act” means the National Rural Employment Guarantee Act, 2005;

(b) “District Panchayat”, “Taluka Panchayat” and “Gram Panchayat” shall have the same meaning as defined in the Gujarat Panchayats Act, 1993.

(2) The words and expressions used but not defined in this Scheme shall have the same meaning as they have assigned in the Act.

2. Area of Implementation of the Scheme :-

This Scheme shall be implemented in rural areas of Dangs, Dahod, Narmada, Panchmahals, Sabarkantha and Banaskantha districts of the state and it shall be implemented in future in areas that may be identified under the National Rural Employment Guarantee Act, 2005 by the Central Government.

3. Purpose of Scheme:-

The purpose of scheme is to provide not less than one hundred days of guaranteed wage employment in a financial year in rural areas to every household whose adult members are willing to do unskilled manual work.

4. Eligibility :-

Every household whose adult members are willing to do unskilled manual work and who are in need of wage employment in rural areas of the notified districts shall form the target group under this scheme. This scheme is self targeted and demand based.

5. Funding Pattern :-

The scheme shall be implemented as a centrally sponsored scheme on cost sharing basis between the Centre and the State as provided in the Act.

(A) The Central Government shall bear the following cost, namely :-

- (1) The amount of wages required for payment for unskilled manual workers under the scheme;
- (2) seventy five per cent of the material cost and payment of wages to skilled and semi-skilled workers;
- (3) administrative expenses which shall include, inter alia, the salary and allowances of Programme Officers and their supporting staff and work site facilities;
- (4) administrative expenses of the Central Employment Guarantee Council.

(B) The State Government shall bear the following cost, namely :-

- (1) twenty five per cent of the material cost and payment of wages to skilled and semi-skilled workers under the scheme;
- (2) unemployment allowance shall be payable in case the State Government cannot provide wage employment within fifteen days of application;
- (3) administrative expenses of the State Employment Guarantee Council.

6. State Employment Guarantee Fund :-

There shall be the "Gujarat State Employment Guarantee Fund" established under sub-section (1) of section 21 of the Act.

7. Principal Implementing Authority and Agencies :-

For planning and implementation of this scheme, the District Panchayat, the Taluka Panchayat and Gram Panchayat

will be the Principal Implementing Authorities at District, Taluka and Gram levels respectively :-

- (1) the State Government shall provide adequate administrative and technical assistance to the District Programme Co-ordinator and the implementing agencies;
- (2) works under the scheme shall be implemented by the Gram Panchayat, the Taluka Panchayat and the District Panchayat, line departments of the Government (such as Roads and Buildings Department, Irrigation Department, Forest Department etc.), Public Sectors of the State and the Central Government, eminent NGOs and self help groups with proven track record and experience in implementing these works;
- (3) the District Development Officer shall be the Programme Co-ordinator (DPC) at the District level, who shall be responsible for overall planning, implementation, co-ordination and monitoring of the scheme;
- (4) the District Rural Development Agency (DRDA) may carry out the functions assigned to it by the State Government and the District Programme Co-ordinator with regard to planning, implementation, co-ordination and monitoring of the scheme;
- (5) an officer not below the rank of the Taluka Development Officer shall be the Programme Officer at the taluka level, who shall be responsible for overall planning, implementation, co-ordination and monitoring of the scheme;
- (6) selection of Implementing Agency shall be based on technical expertise and resources, capacity to handle work

within the given time frame, reputation for work and overall interests of beneficiaries;

- (7) The Sarpanch and Talati-Cum-Mantri shall be responsible for overall planning, implementation, co-ordination and monitoring of the scheme at the Gram Panchayat level.

8. Training :-

Training shall be imparted to all the employees of District Panchayat, Taluka Panchayat and Gram Panchayat and all other persons involved with the scheme in order to ensure effective planning, implementation and monitoring of the scheme. A portion as specified by the State Government from the total project cost shall be allocated to training institutes for this purpose. Training may also be outsourced.

It shall be necessary to make following arrangement with regard to providing training on Right to Information Act, 2005 and Social Audit. For this purpose, State Government shall -

- (1) Arrange for literature for giving effective training to Government officials / staff and non-official members of Panchayati Raj Institutions.
- (2) Make arrangement for Training of Trainers (TOT).
- (3) Organize Orientation Training Programmes that may prove useful to the Government functionaries and people's representatives in exercising their right to information and social auditing.
- (4) Set-up a mechanism with the help of individuals and groups that may help the State Government and the people in planning, implementing and monitoring the scheme with people's participation.

9. Information, Education and Communication (IEC) :-

In order to create awareness about this scheme and provide them necessary information, the State Government shall undertake Information, Education and Communication activities in a campaign mode with the help of multi media and mass media. The Information, Education and Communication activities shall include organizing local cultural programmes, discussions and seminars to disseminate information about provisions of the Act, roles and responsibilities of different agencies e.g. roles and responsibilities of local bodies of self government and local people. The District Programme Co-ordinator shall formulate a district level scheme for Information, Education and Communication activities.

10. (1) Permissible Works :-

The following employment oriented works shall be taken up in rural areas under the scheme to provide employment :-

- (a). Water conservation and water harvesting;
- (b). Drought proofing, including afforestation and tree plantation;
- (c). Irrigation canals, including micro and minor irrigation works;
- (d). Provision of irrigation facility to land owned by households belonging to the Scheduled Castes and Scheduled Tribes or to land of beneficiaries of land reforms or that of the beneficiaries under the Indira Awas Yojana of the Government of India. Priority should be given to the poorest of the poor;
- (e). Renovation of traditional water bodies, including desilting of tanks;
- (f). Land development;

- (g). Flood-control and protection works including drainage in water logged areas;
- (h). Rural connectivity to provide all weather access. The construction of roads may include culverts where necessary, along with drains within the village area;
- (i). Any other work that may be notified by the Central Government in consultation with the State Government.

For the works to be covered under clause (i) above, the State Government shall have to prepare necessary project looking to the local felt need and forward it to the Government of India with recommendations of the State Employment Guarantee Council. For works other than those mentioned above, the Government of India shall not provide any fund. Keeping this in view, only such works that have been approved under the scheme will be included in the Perspective Plan and the Annual Plan.

For the purpose of clause (i), the ratio for wages of employment and material cost shall be 60:40 at all levels.

(2) Implementation of Work :-

- (a) At least fifty percent of the works in terms of cost shall be allocated to the Gram Panchayat for execution. twenty five percent of work in terms of cost may be allocated to taluka level and twenty five percent of works in terms of cost at district level. The Panchayat at the relevant level shall take decision in consultation with the Programme Officer in this regard.
- (b) When the Gram Panchayat is the implementing authority, it may start works from the "Shelf of Projects" and if necessary, gives instructions to the implementing agency to

start the approved work and intimate the Programme Officer. The Programme Officer shall ascertain whether necessary fund is available for the given work and whether it has actually started or not.

(c) If any Implementing Agency (including a Gram Panchayat) is unable to execute the allotted works within fifteen days, it shall inform the Programme Officer immediately, who shall entrust it to another agency, from a panel of agencies approved for the project sanctioned for that Block or in the Annual Plan for the District. If a Gram Panchayat does not execute a work within fifteen days, the Programme Officer shall direct the applicants to work on other work which is being executed by another Implementing Agency. The time for various activities shall be fixed according to the needs of migrant workers.

(d) The Gram Panchayat shall be responsible for providing wage employment to the adult applicant of the registered family within fifteen days of the date of receipt of the application. If the Gram Panchayat is unable to provide employment within fifteen days, the person who applied for work shall be paid Unemployment Allowance. The Gram Panchayat shall take necessary care to meet the time limit prescribed for providing employment. In case Gram Panchayat fails to provide employment, legal action may be initiated against it under the Gujarat Panchayat Act.

11. Registration of Employment seekers and Eligibility for Employment :-

(1) The Gujarat Rural Employment Guarantee Scheme shall be open to all rural households residing in rural areas in notified districts. The entitlement of minimum one hundred days of

guaranteed wage employment in a financial year is in terms of a household. Registered adult members of a household may apply for employment. Dissemination of information regarding the provisions of this scheme shall be done through Gram Sabha .

(2) Eligibility for registration :-

(a) The applicant shall be local residents: 'Local' implies residing within local area of the Gram Panchayat. This includes migrant families of that area, including those that may have migrated some time ago but may return.

(b) Be willing to do unskilled manual work.

(c) Apply as a household at the local Gram Panchayat.

(3) Application For Registration :-

The application for registration may be given on plain paper to the local Gram Panchayat. It shall contain the names of those adult members of the household who are willing to do unskilled manual work and particulars such as age, sex and Scheduled Castes or Scheduled Tribes status. The State Government may make a printed form available, but a printed form will not be insisted upon. An individual may appear personally and make an oral request for registration.

(4) The Gram Panchayat shall scrutinize applications keeping in view following documents. (1) Ration card (2) Electoral Photo Identity card issued by the Government of India or evidence showing that the person is eligible to vote from the concerned areas of Gram Panchayat (3) Photo- copy of pass-book of the bank account (4) Proof of agricultural land-holding (5) proof of non-agricultural land holding assessed by the Gram Panchayat :

Provided that no person shall be registered in more than one household and no household shall be registered more than once.

- (5) (a) The Gram Panchayat shall verify whether the person is the same who has applied for employment and whether he is adult or not. Entire list of persons registered as members of households shall be sanctioned by the Gram Sabha.
- (b) After scrutiny of the application, the Gram Panchayat shall enter all the details in the Application Register. Every registered household shall be assigned a unique registration number. The registration number shall be assigned in accordance with a coding system similar to that prescribed by the Central or the State Government for BPL census.
- (c) Copies of the registration shall be sent to the Programme Officer for the purpose of reporting to the Taluka Panchayat and the District Panchayat for further planning and recording.
- (d) In case of false registration, the Programme Officer shall cancel the registration only after an opportunity is given to the applicant to be heard in the presence of two independent witnesses, such cancellation lists shall be placed before the Gram Sabha.
- (e) In case of migration of families, the registration shall be open throughout the year at the Gram Panchayat office during working hours.
- (f) A Gram Sabha of the registered labourers must be convened.

12. Maintenance of Job card :-

- (1) The Gram Panchayat shall issue a laminated job cards with photographs to the registered household within week after making required verification. The job card shall be maintained at the Gram Panchayat.

- (2) The job card shall be valid for a period of five years and shall have provision for the addition or deletion of members eligible to work. Deletion in any household on account of demise, or permanent change of residence, are to be reported by the household concerned. Additions desired may be applied for by the household. The Gram Panchayat will also undertake an annual updating exercise in the same manner as registration, the time for which should be fixed keeping in mind the work and migration season of the local work force. All additions or deletions made in Job card Register shall be read out in the Gram Sabha. The Gram Sabha shall send a list of additions or deletions to the Programme Officer in the month of October every year and the Programme Officer shall send it to the District Programme Co-ordinator.
- (3) The job card should contain permanent information such as Registration code number of the household, names of applicant and members of the family who are willing to work, their age, sex and relation with the head of family.

In case of loss or damage of the job card, the card holder may apply to the Gram Panchayat for duplicate card and the Gram Panchayat shall process the application. It shall obtain necessary information from the duplicate job card maintained at the Gram Panchayat and issue the duplicate job card within seven days of the receipt of such application.

If a person has a grievance against non-issuance of a job card, he may bring the matter to the notice of the Programme Officer. If the grievance is against the Programme Officer, he may bring it to the notice of the District Programme Co-ordinator or the Designated Grievance Redressal Authority. All such complaints shall be disposed off within fifteen days.

(4) Identity Slip :-

Individual Identity Slip may be given to each registered applicant on demand. The Identity slip shall contain the details given in the job card.

13. Application for work :-

- (1) Application for work should be submitted to the Gram Panchayat or to the Programme Officer. The application must seek employment of minimum fourteen consecutive days.
- (2) Applications shall be given in writing on plain paper stating the registration number of the job card, the date from which employment is required and the number of days of employment required. A single application may be given for a number of days in different periods during the year for which employment is required. Joint applications may also be submitted by applicants.
- (3) The Programme Officer shall make necessary note in the register and send them to the Gram Panchayat for further process.
- (4) Applicant may apply well in advance of the date from which he actually seeks employment. He may send more than one applications but the period of employment should not overlap.
- (5) In case of non-receiving the job card, the Gram Panchayat shall accept the application for employment and issue job card within seven days if he is found eligible; and give employment to the applicant and intimate the Programme Officer.

14. Allocation of Employment :-

- (1) Employment shall be given in accordance with the provision of schedule II appended to the Act.
- (2) Powers to give employment have been conferred on both Programme Officer and Gram Panchayat under the Act.
- (3) Responsibility to provide opportunity of employment shall rest on the Gram Panchayat. The Programme Officer and the Gram Panchayat shall direct any person who has applied for employment to do any permissible work. The State Government shall delineate clear co-ordination mechanism for information regarding registration, demand for employment and allocation of work.
- (4) The Gram Panchayat may direct the Implementing Agency or communicate through the Programme Officer to start work from among those sanctioned under the Annual Plan and may give employment on the works implemented through such agency. The Implementing Agency shall work as directed. The Programme Officer shall allocate necessary funds for such works.
- (5) If the Gram Panchayat decides that employment cannot be given under the Annual Plan and the employment needs to be given outside the Gram Panchayat, it shall inform the Programme Officer accordingly.
- (6) On receiving this information from the Gram Panchayat, the Programme Officer shall provide employment by starting works from the Shelf of Projects meant for inter Gram Panchayats. The Programme Officer shall intimate the Gram Panchayat concerned about the employment provided. The Gram Panchayat shall make necessary entry in the Employment Register as well as in Job Card.

- (7) Applicants who are provided work shall be intimated by the Gram Panchayat or the Programme Officer by means of a letter sent to them at the address given in the job card and also by a public notice displayed at the offices of the Gram Panchayat and the Programme Officer.
- (8) Normally, the employment shall be given within the limit of five kilometers from the residence of a household mentioned in the job card. In case employment is given at a place located more than five kilometers away from the residence of a household, additional ten percent wage should be paid towards conveyance expenses and pocket-expenses. If some applicants have to be directed to report for work beyond five kilometer of their residence, women and older persons should be given preference to work on the worksites nearer to their residence.
- (9) While providing employment, priority shall be given to women in such a way that at least one-third of the beneficiaries shall be women who have registered and requested for work under the Scheme.
- (10) If a rural disabled person applies for work, suitable work shall be given according to the provisions of the Persons with Disabilities Act, 1995.
- (11) List of the employed households shall be displayed at the office of the Gram Panchayat, at office of the Programme Officer and also at the place found suitable by the Programme Officer. Such list shall be made available for scrutiny to the Government and the stake holders. Details provided by the Gram Panchayat regarding employment shall be sent to the Programme Officer every week .

(12) The Programme Officer shall be responsible for ensuring that every applicant is provided unskilled manual work and overall co-ordination with the Gram Panchayat and other Implementing Agencies shall vest with the Programme Officer. If the Gram Panchayat informs the Programme Officer, it becomes his responsibility to allot employment to ensure that every applicant has work according to the legal entitlement. The Programme Officer shall supervise and direct the Gram Panchayats and the other Implementing Agencies to discharge their responsibilities. If any Implementing Agency fails to do so, the Programme Officer shall ensure that the applicants on work are not aggrieved and make arrangements for their employment, and also report the matter to the District Programme Co-ordinator for appropriate action.

15. Record of Employment :-

- (1) A copy of the muster roll of every work shall be sent by the Implementing Agency to those Gram Panchayats from which the households are employed and in whose jurisdiction the work is executed. The Gram Panchayat shall consolidate household- wise employment data in the Employment Register.
- (2) If the Implementing Agency fails to send copies of muster rolls to the Gram Pachayat within seven days after making weekly payment, the District Programme Co-ordinator shall fix responsibility of the Implementing Officer of such work.
- (3) The responsibility for co-ordination of employment data shall lie with the Gram Panchayat at the Gram Panachayat level and with the Programme Officer at the

Taluka level. Therefore, a mechanism for timely sharing of information between these two levels has to be ensured. The Programme Officer shall be responsible for ensuring that this coordination mechanism is functional. Any problems in this regard will be addressed or sorted out immediately by the District Programme Co-ordinator.

16. Measurement of work :-

- (1) The State Government shall appoint qualified engineers for taking measurement at the works.
- (2) All tasks or works shall be identified clearly and nothing shall remain unmeasured and unpaid.
- (3) Schedule of Rates shall be fixed reasonably and carefully for different work and shall be paid accordingly so that the question of under payment does not arise. The schedule of rates shall be revised every three year based on time and motion studies.
- (4) Productivity norms shall be devised for all the tasks keeping in view different local conditions of soil, slope and geology types in such a way that normal work of seven hours results in earning at least equal to the minimum wage. Measurement norms, time lag between execution and measurement etc. should also be devised in order to eliminate scope of corruption and under payment.
- (5) Each work undertaken under the scheme shall be measured at the end of every week

17. Payment of Wages :-

- (1) Every person working under the Scheme shall be paid wages at the minimum wage rate fixed by the State Government or the Competent Authority concerned for agricultural labourers under the Minimum Wages Act, 1948, unless the wages have been notified by the Central Government under sub-section (1) of section 6 of the Act.
- (2) However, the laborers shall be expected to turnout the quantity of work required as per the existing Schedule of Rates.
- (3) Wages shall be paid on weekly basis and in any case not later than a fortnight.
- (4) If the Household availing benefit of employment desires to have an account in the Nationalized Bank or Post Office in the village, he may open an account in the Nationalized Bank or the Post Office.
- (5) If the worker so desires, such payment or part thereof may be deposited in the account through account payee cheque.
- (6) Equal wages shall be paid to both men and women workers in accordance with the provisions of Equal Remuneration Act, 1976.
- (7) Wages are to be linked with proportion of work. The State Government shall decide Schedule of Rates (SOR) based on Time and Motion studies in such a way that the worker normally may get at least minimum wage for the work of seven hours. Such Schedule of Rates may differ depending up on different geographical conditions of the districts.

- (8) Where it is necessary to assign work to more than one person, a group or a team, wages shall be paid keeping in view the total mandays of work on the basis of the measurement of work. All the persons of the group or team shall be paid on prorata basis.
- (9) The minimum wage and task based rates shall be widely published in simple language and by means easily accessible to the local community and wage rates shall be displayed prominently at every worksite.
- (10) The District Programme Co-ordinator shall bring to the notice of the State Council, the district wise average wages earned on task basis and paid to men and women in form of Annual Report.

18. Unemployment Allowance:-

If a worker who has applied for work is not provided employment within fifteen days from the date of his application, the unemployment allowance shall be paid under the provisions of section 7, 8 and 9 of the Act.

19. Time Bound Employment :-

The Gram Panchayat or the Programme Officer shall be responsible for providing wage employment to the applicant within fifteen days of the receipt of the application. If a Gram Panchayat is unable to provide employment within fifteen days, it shall be the responsibility of the Programme Officer to do so. If the Implementing Agency directed by the Gram Panchayat does not employ or is unable to employ persons within the prescribed time limit, the Programme Officer shall start works

from sanctioned "Annual Plan" of the district and make arrangement to ensure employment for those applicants.

20. Maintenance of Muster Rolls :-

(1) Muster Rolls, each with unique identity number, shall be issued by the Programme Officer to the Gram Panchayat and all Implementing Agencies. Separate Muster Rolls shall be maintained by the Gram Panchayat and the Implementing Agency for each work undertaken by them and the Muster roll must contain inter alia name of the person on work, his job card number, days worked and days absent and wages paid. The payment made and the number of days worked shall be entered by the Gram Panchayat in the job card of every worker. Signature or thumb impression of the payee shall be obtained in the muster roll.

The original Muster roll shall form part of the expenditure record of the Implementing Agency. A photocopy of the Muster roll shall be kept for public inspection in every Gram Panchayat and in the office of the Programme Officer and a copy thereof shall be made available on demand after charging the fee. Any muster roll that is not issued from the office of the Programme Officer shall be considered unauthorized.

(2) The Programme Officer, i.e. the competent Authority issuing muster roll shall maintain the Muster Roll issue register. The Gram Panchayat and the Implementing Agency shall maintain a muster rolls receipt register. Details of muster rolls received from other Implementing Agencies shall be entered in to the relevant column for the purpose of maintaining record. As an alternative to

muster roll, an attendance register based on bio metric system may also be maintained.

- (3) The District Programme Co-ordinator or Programme Officer and the Gram Panchayat implementing the scheme shall prepare Annual Report, which shall contain details and statistical data of the progress of work achieved in their jurisdiction and its record of accounts and this data and record shall be made available to the public on request after charging the fee.

21. Generating demand for work and work out its estimate :-

This is a demand based scheme and it is the special characteristic of the Employment Guarantee Scheme. Therefore, it is necessary to generate demand for work in order to know requirement of employment and make necessary planning. Planning shall be made in such a way that may enable needy people to come forward for demand of employment. Both, the planning as well as the Implementing Agency, shall play positive roles. Priority must be accorded to people who have to migrate in search of work and those who fall victim to epidemic due to poverty.

Planning is critical to the successful implementation of the Rural Employment Guarantee Scheme. For this, it is important to make long term, middle term and short term planning and that too in advance.

22. Preparation of Perspective / Development Plan :-

- (1) Every Gram Panchayat shall prepare a "Shelf of Projects", as laid down in the Act, to offer employment on demand.
- (2) The Gram Panchayats shall prepare a priority list of works included in The National Rural Employment Guarantee Act and send it to the Programme Officer for scrutiny and

preliminary approval, prior to the commencement of the year in which these projects are to be executed. Thus, the Programme Officer shall consolidate the plans sent by the Gram Panchayats and prepare an integrated plan at the Taluka level. Before finalizing the plan, consultation shall be held with the Roads and Buildings Department, Irrigation Department, Forest Department and then, the finalized plan should be got sanctioned by the Taluka Panchayat.

- (3) Based on the plan received from the Taluka Panchayat and the proposals submitted by other Implementing Agencies, an integrated plan for the district will be prepared and sanctioned by the District Panchayat.
- (4) The District Programme Co-ordinator shall prepare a "Labour Budget" every year and submit it to the District Panchayat for sanction.
- (5) In order to ensure that durable assets are created under the scheme and also to ensure optimum use of the fund, funds of other schemes may be dovetailed with this scheme. However, it shall be ascertained that funds earmarked for this scheme is not diverted to other schemes because basic intention of this scheme is to generate employment and this would not be possible if employment provided under ongoing works is not covered under this scheme.

Funds earmarked for other works that could be taken up under this scheme may be dovetailed with the fund of this scheme but funds allocated for this scheme cannot be dovetailed with the funds allocated for works to be taken up under other schemes.

Works meant to be taken up under the Prime Minister's Rural Road Scheme should not be taken up under this

scheme to avoid over lapping. However, any area that has not been covered under any other scheme may be covered under this scheme. This should be kept in mind while preparing the Perspective Plan.

- (6) Every district shall prepare a District Perspective Plan which shall be of five years. Based on the demand made by local people for employment and experience of previous years, the need for employment generation should be assessed and accordingly Perspective Plan should be prepared through people's participation at the village level. At the village level, efforts should be made to ensure participation of those who are in need of work. Their demand for works as well as their preference for the nature and time of work should be elicited, so that employment may be provided according to their requirement. The Perspective Plan is a structure on which long term planning for development could be based. Therefore, it should benchmark the incremental improvement keeping in view the fresh demand for employment, past experience of implementing the scheme and works sanctioned by the Central Government.

Social sector schemes such as Literacy Campaign and health related schemes should be dovetailed with this scheme so that beneficiaries of the Employment Guarantee Scheme may avail benefit of the social sector schemes. However, expenditure incurred for the purpose of the social sector scheme cannot be drawn from the fund earmarked for this scheme.

23. Preparation of Annual Plan :-

Based on the Perspective Plan, an Annual Plan shall be prepared as follows:-

- (1) Size of the Annual Plan should be decided keeping in view the demand for employment and the priority of works.
- (2) Every year, the Gram Panchayat shall convene a meeting of the Gram Sabha to estimate the demand for labour and to propose the number and priority of works to be taken up in the next financial year. The timing of the meeting may take into consideration the work season and the migration time, in case the workforce in that area tends to migrate for work. Participation of likely beneficiaries should be ensured in the Gram Sabha so that their priorities and needs shape the Annual Plan.
- (3) The place for meeting should be near the residential area of the employment seekers belonging to Scheduled Castes and Scheduled Tribes. The Annual Plan should indicate clearly the existing demand for work, the demand in the previous year, the works taken up in the previous year, ongoing works and works proposed for the next year, likely costs and the proposed Implementing Agencies.
- (4) The Programme Officer shall scrutinize the Annual Plan for its technical feasibility. He shall satisfy himself that it meets the likely demand for employment based on the registrations and previous experience. He shall ascertain that the employment opportunities arising from the projects in the area under his jurisdiction match the demand for employment. If the Programme Officer feels that the list is insufficient to meet the likely demand, he should ask for a supplementary list.
- (5) Works that involve more than one Gram Panchayat may be included by the Taluka Panchayat. For taking decision regarding such works, opinion of people's representative,

voluntary organizations who are involved with works of rural development in the relevant area and the line department shall be taken into consideration. On the basis of these discussions, the plan for the area of the Taluka Panchayat shall be approved by the Taluka Panchayat and forwarded to the District Programme Coordinator. Both these tasks should be completed within fifteen days by the Taluka Panchayat.

- (6) The District Programme Coordinator shall scrutinize the plan proposals of all the intermediate Panchayats, examining the appropriateness and adequacy of works in terms of likely demand as well as their technical and financial feasibility. He shall also invite and examine work proposals from other Implementing Agencies. He shall consolidate all these proposals into a District Plan proposal to be discussed and approved by the District Panchayat. Executive Committee of the District Panchayat must sanction the Annual Plan within fifteen days from the date of its receipt.
- (7) The time frame for each project shall be specified in the Annual Plan. The District Programme Coordinator shall coordinate the preparation of detailed technical estimates and sanctions. The project report of each approved work should contain all details specified in the technical and works manual of the State Government. It shall also clarify the expected outcomes such as person days of employment, specifications of the physical assets (e.g. length of road, size of a tank) and enduring outcomes (e.g. area irrigated, village connected).

- (8) The District Programme Coordinator shall communicate the sanctioned plan to the Programme Officer. The Programme Officer shall forward a copy of the Taluka Plan with the shelf of Projects to be executed in each Gram Panchayat as well as projects that may be inter Gram Panchayat. These shall carry full project cost, time frame, person days to be generated and the name of the Implementing Agency. This process must be completed by December of the preceding year.
- (9) In case the work is being implemented in the Gram Panchayat area by any other agency it shall submit details regarding the estimates of the work, person days, time frame and main criteria for the work. The Gram Panchayat shall have the powers to monitor the implementation of such works. The agency shall make the muster roll available to the Gram Panchayat after completion of the work. Approved work should be widely publicized.

24. Worksite facilities :-

Worksite facilities are to be ensured by the Implementing Agency. Medical aid, drinking water, shade and crèche, if there are more than five children below the age of six years shall have to be provided. Person looking after such children shall be engaged as daily wager.

25. Relief admissible at worksite in case of an accident :-

- (1) During the work hours or while working, if the worker suffers any injury due to an accident, he shall be provided specified medical treatment without cost.
- (2) If the injured person is required to be admitted in a hospital, the State Government shall pay for his lodging, boarding and medicines and also pay employment

allowance at the rate of fifty per cent for the wage rate of the work he has been assigned.

- (3) If a person engaged for a work dies or becomes permanently handicapped due to injuries suffered in an accident while working, the Implementing agency shall pay Rs. 25000/- or the amount specified by the Central Government to the legal heir of the deceased or the handicapped. Amount paid by the Implementing Agency in such cases shall be treated as part of the scheme.
- (4) If children of the worker suffer any injury owing to any accident while they are with their parent during the work hours, they shall be provided medical treatment free of cost and in case of death of such children, the worker shall be paid ex gratia amount as specified by the State Government.
- (5) If the worker so desires, the State Government may consider about making arrangement for their social security from the wages paid to them. Under this scheme, a definite portion of the wages paid to the worker may be set-aside with the consent of the worker to be used for providing benefits like health insurance, accident insurance, pension benefit, maternity benefit and other social security. A procedure shall be laid down in order to ensure transparent and responsible utilization of such fund and release of the state contribution. The state council shall review these matters regularly. The arrangement for social security is absolutely voluntary. Contribution for this purpose should not be collected without the consent of the worker.

26. Management of Data and Maintenance of Records:-

Employment under this scheme is to be given under the law. For this reason, it is important to maintain accurate records of all aspects of implementation at the state, district, taluka and village levels. This is also required by the Right to Information Act-2005. The maintenance and timely updating of information shall require computerized Monitoring and Information system (MIS). The State Government. shall develop a suitable additions to the core MIS to be developed by the Center.

27. Maintenance of Record :-

- (1) Application Registration Register : Every Gram Panchayat shall maintain a register of applications (or requests) received for registration. This should contain the name of each applicant, the date of receipt of application or request, and the date on which the job card is issued.
- (2) Job Card Register: Every Gram Panchayat shall maintain a job Card Register. A duplicate copy of this register may be maintained in computerized form at the office of the Programme Officer.
- (3) Employment Register : Every Gram Panchayat shall maintain a register that records (a) employment demanded (b) employment allotted and (c) employment actually taken up.
- (4) Every Programme Officer shall maintain a register of applications, for employment received by him. All such applications shall be recorded in the register and forwarded to the concerned Gram Panchayat. Copies of the application shall be retained at the office of the Programme Officer. Monthly details regarding disposal and pending

application may be worked out and signed by the Programme Officer.

28. Assets Register :-

Every Gram Panchayat and every Implementing Agency shall maintain a register of all works sanctioned, executed and completed. The information maintained in the register shall be reported by the Gram Panchayat and all other Implementing Agencies to the Programme Officer. The Programme Officer shall compile the data in computerized form and supply a copy to the District Programme Co-ordinator. The Implementing Agencies that are executing works within the jurisdiction of more than one Programme Officer shall send the data to the District Programme Co-ordinator.

Assets created through works taken up under this scheme shall be maintained by the concerned Gram Panchayat, Taluka Panchayat and District Panchayat. Keeping in view the local requirement of these assets, necessary provision should be made for their maintenance.

29. Grievance Redressal Organisation :-

(1) The Programme Officer shall be the Grievance Redressal Officer at the Taluka level and the District Programme Co-ordinator at the District level. To ensure disposal of grievance at the proper level, Gram Sabha shall be the forum for public hearing.

(2) Appeal against Gram Panchayat shall be made to the Programme Officer, appeal against the Programme Officer, to the District Programme Co-ordinator and appeal against the District Programme Co-ordinator to the authority specified by the Government. If the Gram Panchayat has any complaint against the Programme

Officer it shall make appeal to the District Programme Co-ordinator .

- (3) A Help Line may be setup for grievance redressal.
- (4) The State Government shall prepare a "Citizens' Charter" to ensure entitlement of the workers and transparency in implementation under this scheme and widely publicize it.
- (5) Action taken on the complaints received by the Programme Officer and the District Programme Co-ordinator shall be placed before the meetings of the Taluka Panchayats and the District Panchayats respectively.

30. Complaint Register:-

The Programme Officer shall maintain a Complaint Register. The Programme Officer may also keep a complaint box at a conspicuous place at his office and personally open it at regular intervals. The complaints received in such boxes should be entered into the complaint register.

31. Time Schedule for inspection of work:-

- (1) Inspection and supervision of the works shall be carried out on regular basis and at every level in order to ensure that quality of the work is satisfactory and payment made against the employment is proportionate.
- (2) For effective implementation of the programme, State Government shall ensure that Officers at the level of district and taluka visit the worksites in remote areas and closely monitor all the aspects of the Programme. State Government shall prepare a schedule for inspection wherein it may prescribe minimum number of field visits an officer / employee should make for monitoring. The schedule for inspection should be strictly observed. Apart from this, State Government would also advise District

Officers and Taluka Officers to carry out inspection of certain works during their field visits.

- (3) Officers stationed at the head quarters and involved with the functioning of this scheme may regularly visit the relevant district and ascertain whether works are being implemented satisfactorily or not and whether they are being carried out according to the prescribed procedure and specifications. The State Government may designate an Area Officer for each district and ensure that he makes field visits.
- (4) If the Officer finds any irregularity during his inspection, he shall report it to the District Programme Co-ordinator, Programme Officer and other concerned offices for further action.

32. Monitoring:-

- (1) The Gram Sabha shall monitor all the works at the village level as well as the employment provided to each person who has applied for work. It shall also monitor the registration and issue of job cards and timely payment of wages.
- (2) The Gram Panchayat shall monitor works executed by other Implementing Agencies, muster rolls maintained by them at worksites, and the payments made.
- (3) The Taluka Panchayat and the Programme Officer shall monitor the registration of households, employment provided to each applicant, unemployment allowances paid, social audits, flow of funds, timely and correct payment of wages and progress and quality of works.
- (4) The District Panchayat and the District Programme Co-ordinator shall monitor all aspects of implementation,

including registration, employment, unemployment allowances, social audits, flow of funds, progress and quality of works, qualitative aspects of implementation, timely and correct payment of wages and unemployment allowances.

- (5) The Programme Officer shall be responsible to send all the reports and statements to the District Programme Co-ordinator who shall send all the reports to the State and the Central Government.
- (6) The State Government shall monitor the performance of implementation works at Districts level, on the quality and pace laid down in the National Monitoring System and State Rural Employment Guarantee Scheme and the directives of the State Employment Guarantee Council.

33. Evaluation and Research :-

- (1) The Programme Officer shall send all the Progress Reports to the concerned District Programme Co-ordinator and the District Programme Co-ordinator shall send the reports to the State and the Central Government.
- (2) The State Government shall send consolidated reports and returns to the Central Government.
- (3) Verification and quality audit at the district, state and central level must be taken up by external monitors.
- (4) Progress of implementation at the state and the district level may be monitored through comprehensive monitoring system. This may be in addition to submission of the progress report and returns as directed in the guidelines. The programme shall also be monitored by the Ministry of Rural Development through the monitoring system laid down by the Central Employment Guarantee Council.

- (5) Regular evaluation and scrutiny with regard to implantation of the scheme should be conducted. The "National Employment Guarantee Council" and the "State Employment Guarantee Council" may commission evaluation studies from time to time. These studies may be given to efficient and eminent agencies and organizations. The Central Government and the State Government may also conduct such evaluation studies. A copy of the Evaluation study conducted by the State Government shall have to be communicated to the Central Government.
- (6) The State Government shall take necessary remedial action with regard to observations made in the evaluation reports.
- (7) The District Panchayat may also conduct evaluation studies from time to time and communicate the observations contained therein to the State and the Central Government from time to time.

34. Annual Reports :-

The Gujarat State Employment Guarantee Council shall prepare Annual Report with regard to implementation of the Act and put it before the State Legislative Assembly.

35. Transparency and Accountability :-

Audit : Financial and physical Audit for the works taken up under this scheme is mandatory.

- (1) This must be carried out at the end of the financial year by each District. The audit shall be done either by Local Fund Auditors or by the Chartered Accountants appointed by the Government. A copy of the Audit Note shall be sent to the Government.
- (2) The Accountant General shall also conduct the Audit of Accounts of National Rural Employment Guarantee Act in

addition to the audit conducted by the Chartered Accountants. The audit team of the Accountant General shall be supplied with a copy of the audit conducted by the Chartered Accountants. Remarks made in the Audit Report should be properly explained and complied with.

- (3) A District Internal Audit Cell in the office of the District Programme Co-ordinator shall be constituted to scrutinize the reports of the Gram Sabha and conduct a special audit, if necessary. A Report shall be sent to the District Programme Co-ordinator, the State Programme Co-ordinator and the State Government. These authorities shall initiate action to address serious irregularities and also take appropriate preventive action.

36. Transparency through Social Audit :-

- (1) The objective is to make the process of planning, implementation and evaluation more participatory, transparent and accountable through effective implementation of the Right to Information Act, 2005. Under this scheme, Talati Cum Mantri at the village level, Deputy chitins at the Taluka level and Additional District Programme Co-ordinator at the District level shall perform as the Public Information Officer for the purpose of implementing of Right to Information Act. The concerned Deputy chitins shall be the Appellate Authority at the village level and the concerned Programme Officer shall be the Appellate Authority at the Taluka level whereas the District Programme Co-ordinator shall be the Appellate Authority at the district level.

- (2) A Social Audit is an ongoing process through which the potential beneficiaries are involved directly to ensure vigilance and complete transparency. It should be ensured at every stage of the programme through Social Audit that entitlement guaranteed to the beneficiaries under the Act are properly delivered.

37. Structure for conducting Social Audit:-

- (1) For every work sanctioned under the scheme, there shall be a local Vigilance and Monitoring Committee, composed of members of the locality or village where the work is undertaken, to monitor the progress and quality of work while it is in progress. The Committee shall be constituted of five to nine members and one of them as a Chairman of Committee. The Gram Sabha shall decide the members of this committee, in which (1) social workers (2) retired civil and defence officials (3) Officials from private sector (4) retired persons like teachers, head master etc. shall be included, and also ensure that Scheduled Castes and Scheduled Tribes and women are represented on it. Apart from this, at least two members in the committee shall be included from the beneficiaries. The Implementing Agency should apprise this Committee regarding estimates of the work, time frame and quality parameters. The final report of the Committee should be attached along with Completion Certificate of the work and should be placed at the next meeting of the Gram Sabha in the Panchayat where work has been executed. A copy of the report shall also be sent to the Programme Officer and the District Programme Co-ordinator.

- (2) It should be ensured that important record and information at every level are made available to the public. Record with regard to applications received, registered, number of job cards issued to the applicants, list showing whether employment has been provided to the applicants, fund received and spent, payments made, works sanctioned, work commissioned, estimate of work and expenditure incurred on it, duration of work, person days generated, report of local committee, latest copy of muster roll must be displayed at the office of the Implementing Agency. Gram Panchayat shall place these details before the Gram Sabha on quarterly basis and summary of the muster roll must be read out.
- (3) Information should be widely publicized at the local level. A village based website should be prepared. It should be ensured that monthly details are displayed on the board at the office of the Panchayat, the Programme Officer and the District Programme Coordinator. Performa in this regard shall be prepared by the District Programme Co-ordinator.
- (4) People must be informed as to whom they should apply for obtaining information and record. Time limit should be prescribed for providing the information. For this, names and addresses of key persons must be made available to the people by the District Programme Co-ordinator.
- (5) All the details should be made available on the website.
- (6) Information in respect of local work, employment and funds should be displayed outside the offices of the Gram Panchayat, the Taluka Panchayat and the District Panchayat by the Gram Panchayat, the Programme Officer and the District Programme Co-ordinator respectively.

(7) Person seeking information may be charged for the photocopy. However no amount shall be charged for inspection of the document.

38. Actions to be taken up by the State Government towards Audit Report (Including the Social Audit) :-

Copies of Audit Report in respect of the audit carried out by Chartered Accountant, Local Fund Auditor, Internal Audit Cell, Accountant General and Comptroller and Auditor General shall be sent to the State Government along with the copy of the Social Audit Report. In case of any financial misappropriation, fraud, wrong measurement, false entry in the muster roll and any other irregularity or malpractice that may result into wasteful expenditure of Government / Public Exchequer and obstruction of the workers in availing their entitlement, the Government shall promptly take action against the concerned Government / Non Government representatives, office bearers and also take necessary steps to prevent such irregularity.

39. Quality Control - "State Technical Resource Group" :-

Rural Employment Guarantee Scheme is a multifaceted task requiring the concerted efforts by many agencies. Ensuring quality at every stages of its implementation is the key concern. The Government may consider setting up Technical Resource Support Groups at the State and District levels to assist in the planning, designing, monitoring, evaluation and quality audit of various initiatives. A panel of institutions / agencies for technical resource support may be prepared, which may constitute a Technical Resources Network. Functions of the identified institutions may be specified by Government.

40. The State Government shall place the Schedule of Rates on the website and publicizes them through other mediums also.

41. District level Technical Agencies :-

A "Technical Advisory Cell" may be constituted for every district if necessary. The Cell shall provide necessary technical guidance at the District level in coordination with the "State Technical Resource Network Group".

42. Internal Quality Control :-

An Internal Quality Control Mechanism shall be specified and made operational at the state and the district level. It may include high level technical staff who may carry out technical inspection of the works and ensure necessary follow-up with regard to the Inspection Reports.

43. Expenditure in respect of Quality Control :-

Expenditure on Quality Control shall be incurred according to the norms for administrative grant prescribed by the Central Government from time to time.

44. Ban on Contract System :-

Works taken up under this scheme cannot be carried out or accomplished through contracts or with the help of any middle man. As far as possible, works under this scheme may be taken up with physical labour. Use of machine is prohibited.

45. Formation of "Gujarat State Employment Guarantee Council":-

The State Government shall issue a notification to constitute "Gujarat State Employment Guarantee Council" under section 12(1) of the said Act for monitoring the implementation of the Act and to give necessary advice to the State Government.

46. Staff specified by the Government of India and provision for their appointment :-

For effective implementation of this scheme, establishment shall be set up at the state, district, taluka, village level

according to the requirement at the relevant time under the instructions issued by the Government from time to time. Appointment of officers / employees in this regard shall be made on deputation or on contract basis, as may be decided by the Government, keeping in view the qualification and experience of the officer and employee.

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

(R. B. Rajguru)
Deputy Secretary to Government

To,
The Manager,
Government Central Press,
Gandhinagar

.....With a request to publish this notification in the Extraordinary Government Gazette dated 01.08.2006 Part IV-A and distribute the printed copies as under:

1. The Panchayat Rural Housing and Rural Development Department, Sachivalaya Gandhinagar.....100 Copies
2. The Commissioner of Rural Development, Gujarat State, Gandhinagar..... 400 Copies
3. The Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar.... 10 Copies

**No. K/NREGA/06/SFS/28/(21)/4/kH.2/
Commissionerate of Rural Development
Gandhinagar
Date: 3rd August, 2006**

Copy forwarded with compliments to:

- The Personal Secretary to Governor of Gujarat, Rajbhavan, Gandhinagar
- The Principal Secretary to the Chief Minister
- The Personal Secretary to all Ministers / Minister of State
- The Personal Secretary to the Leader of Opposition, Gujarat Legislative Assembly, Gandhinagar
- The Under Secretary to Chief Secretary, Gandhinagar
- All Additional Chief Secretary / Principal Secretary / Secretary
- All Secretariat Departments, Sachivalaya, Gandhinagar
- The Commissioner of Rural Development , Dr. Jivaraj Mehta Bhavan, Gandhinagar
- The Development Commissioner, Gujarat State, Gandhinagar
- All Collectors
- All District Development Officers
- All Directors, District Rural Development Agency
- All District Programme Co-ordinators
- The Director of Information, Gujarat State, Dr. Jivaraj Mehta Bhavan, Gandhinagar with a request to issue a suitable press note.
- The Legislative and Parliamentary Affairs Department with a request to publish a Gujarati version of this notification in the official Gazette and send five hundred copies to this department.
- The Accountant General , Ahmedabad / Rajkot
- The Pay and Accounts Officer , Ahmedabad / Gandhinagar

- All Officers of the Panchayat Rural Housing and Rural Development Department
- The Branch / Dy. S.O. select file