CHAPTER – IV

NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME:
STRUCTURE AND ITS FUNCTIONS
National Rural Employment Guarantee Scheme:
Structure and Its Functions

NREGA Programme Objectives and Process

The Parliament passed *NREGA* in August 2005. The Act was notified on 7 September 2005 and came into effect from 2nd February 2006. The Act is an important step towards the realization of the right to work & live with dignity and to enhance people’s livelihoods in Rural Areas with an aim at giving at least 100 days of wage employment to the rural households. More importantly, the Act aims at eradication of extreme poverty and at making villages self-sustaining through productive assets creation (such as water tanks, soil conservation works, afforestation etc). This is meant to regenerate the rural natural resource base, which in turn will result in sustainable livelihoods for rural populace. The Act puts Panchayati Raj Institutions (the third tier of government in India i.e the village level) at the helm of affairs - beginning with identifying the eligible households to plan the works to be undertaken. The government has referred to it as an “Act of the people, by the people, and for the people”. The act has enforced since February 2006 in 200 district of the country in the first phase. Then it has extended to other 130 districts from April 2007 since April 2008, it is being implemented in all the districts of India.

Programme Design

NREGS belongs to a long history of wage employment programmes. The most significant features of the Mahatma Gandhi NREGS are that it creates a rights-based framework and that it is a law. Its main instruments for articulating a rights-based approach are:
(i) documents like job cards that are the workers’ documents for asserting her rights;
(ii) exercise of choice by workers;
(iii) time-limits on the government for fulfilling guarantees;
(iv) social audits; and
(v) compensation / penalties.

The process of application for work is the basic premise for the assertion of rights. Wage seekers have the right to apply for registration in their local body or Gram Panchayat (GP) if they want to be eligible for employment under the Act. Following registration, the applicants are entitled to receive job cards. The job card is the basic physical instrument that enables an applicant to demand work and also the worker’s record of rights. For availing employment under Mahatma Gandhi NREGS, the job card holder has to submit a written application for employment to the GP or to the Programme Officer (PO) at the block level, specifying the period for which employment is being sought.

This right to demand employment as and when needed is acknowledged through a dated receipt issued by the GP or the PO. This initiates the guarantee process in response to the demand. The right to receive employment is guaranteed through timelines: 15 days to allocate employment, 15 days to make payments. Correlated guarantees relate to violation of these rights: an unemployment allowance to the job card holder who has demanded employment, in case of delay in employment allocation, to be paid by the respective state government, and INR 1,000 (US$ 22)
as fine on those who violate the Act. Rights under the Act are further safeguarded though social audits and proactive disclosure.

The rights-based design of Mahatma Gandhi NREGS has a genesis in preceding wage employment programmes. This is shown in Annexures I, II and III. Mahatma Gandhi NREGS harked back to a much earlier Employment Assurance Scheme (EAS). Implemented in all the rural blocks of the country the EAS shared primary features with Mahatma Gandhi NREGA including demand for work, the provision of 100 days employment, and the nature of works. The implementation of EAS put forth certain challenges as reported by the Programme Evaluation Organisation of the Planning Commission.

These related to planning, record maintenance, monitoring, fund release and utilisation. The physical and financial performance of EAS indicated inconsistent fund utilisation from one financial year to the next. The factors responsible for this inconsistency, according to the Planning Commission, included non availability of timely funds from the state non-disbursal of funds according to entitlement from the districts to blocks, and non-receipt of utilisation certificates. Some of these limitations were addressed in the Mahatma Gandhi NREGS, for instance, by involving potential wage seekers and users of assets in the planning of projects. Gram Sabah’s (GS) were vested with the task of preparing a shelf of projects. Social audits and proactive disclosures were introduced as legal provisions. Mahatma Gandhi NREGA made the demand factor a conscious strategy as a right to obtain employment. Financial obligations of both the central and the state governments are part of the legal framework.
The Mahatma Gandhi NREG guidelines also detail operational and administrative modalities of implementation seeking to address the limitations of the earlier wage employment programmes, placing great emphasis, for example, on planning processes, and Management Information System (MIS) for improving data management. The earlier Maharashtra Employment Guarantee Scheme (MEGS) is also a forerunner of Mahatma Gandhi NREGS. Beginning as a programme in 1965, MEGS became a state law in 1979. The MEGS guaranteed that every adult who wanted a job in rural areas would be given one, provided that the person was willing to do unskilled manual work on a piece-rate basis.

The piece-rates were fixed so that an average person working diligently for seven hours a day would earn a wage equal to the minimum wage prescribed for agricultural labour for the concerned zone, under the Minimum Wages Act. To obtain employment under the scheme, individuals had to register with the local village authority, and submit a ‘demand for work’. The local MEGS officer, tahsildar, (a local revenue officer) was then obliged to provide work within 15 days of receiving the demand. Failure to provide employment within this period entitled the person to an unemployment allowance.

**Goals**

i) social protection for the most vulnerable people living in rural India

ii) livelihood security for the poor through creation of durable assets, improved water security, soil conservation and higher land productivity

iii) drought-proofing and flood management in rural India
iv) empowerment of the socially disadvantaged, especially women, scheduled castes and schedules tribes, through the processes of a rights-based legislation

v) strengthening decentralised, participatory planning through convergence of various anti-poverty and livelihoods initiatives

vi) deepening democracy at the grass-roots by strengthening Panchayati Raj Institutions

vii) effecting greater transparency and accountability in governance

Thus, Mahatma Gandhi NREGS is a powerful instrument for inclusive growth in rural India through its impact on social protection, livelihood security and democratic empowerment.

Coverage

The Act was notified in 200 districts in the first phase with effect from February 2\textsuperscript{nd} 2006 and then extended to an additional 130 districts in the financial year 2007-2008 (113 districts were notified with effect from April 1\textsuperscript{st} 2007, and 17 districts in UP were notified with effect from May 15\textsuperscript{th} 2007). The remaining districts have been notified under Mahatma Gandhi NREGS with effect from April 1, 2008. Thus, the Mahatma Gandhi NREGS covers the entire country with the exception of districts that have a hundred percent urban population.

Paradigm Shift

i) The Mahatma Gandhi NREGS has given rise to the largest employment programme in human history and is unlike any other in its scale, architecture
and thrust. Its bottom-up, people-centred, demand-driven, self-selecting, rights-based design is new and unprecedented.

ii) The Mahatma Gandhi NREGS provides a legal guarantee of wage employment.

iii) It is a demand-driven programme where provision of work is triggered by the demand for work by wage-seekers.

iv) There are legal provisions for allowances and compensation both in cases of failure to provide work on demand and delays in payment of work undertaken.


vi) The Act incentivises States to provide employment as 100% percent of the unskilled labour cost and 75% of the material cost of the programme is borne by the Centre.

vii) Unlike the earlier wage employment programmes that were allocation-based, Mahatma Gandhi NREGS is demand-driven and resource transfer from Centre to States is based on the demand for employment in each State. This provides an additional incentive for States to leverage the Act to meet the employment needs of the poor.

viii) There is also a concomitant disincentive for failing to provide work on time, as the States then bear the cost of the unemployment allowance.

ix) Gram Panchayats are to implement at least 50 per cent of the works.

x) This order of devolution of financial resources to Gram Panchayats is unprecedented.

xi) Plans and decisions regarding the nature and choice of works to be undertaken, the order in which each work is to be triggered, site selection etc,
are all to be made in open assemblies of the Gram Sabha and ratified by the Gram Panchayat. Works that are inserted at Intermediate Panchayat and District Panchayat level have to be approved and assigned a priority by the Gram Sabha before administrative approval can be given. The Gram Sabha may accept, amend or reject them.

xii) These decisions cannot be overturned by higher authorities, except to the extent of ensuring conformity with the provisions of the Act and its Operational Guidelines.

xiii) This bottom-up, people-centred, demand-driven architecture also means that a great share of the responsibility for the success of the Mahatma Gandhi NREGS lies with wage-seekers, Gram Sabhas and Gram Panchayats.

xiv) Mahatma Gandhi NREGS also marks a break from the relief programmes of the past towards an integrated natural resource management and livelihoods generation perspective.

xv) Social audit is a new feature that is an integral part of Mahatma Gandhi NREGS. Potentially, this creates unprecedented accountability of performance, especially towards immediate stakeholders.

xvi) An Annual Report on the outcomes of Mahatma Gandhi NREGS is presented annually by the Central Government to Parliament and to State Legislatures by the State Governments, facilitating oversight by elected representatives.

xvii) Given the radically new character of the programme, very innovative approaches are required for the effective implementation of Mahatma Gandhi NREGS so that the novel elements of the Act can be properly realised on the ground at the cutting-edge level of implementation. These Operational Guidelines have been issued to facilitate this compliance.
Formulation of employment guarantee schemes

Under Section 4 of the Act the Scheme to be formulated by the State Government conform to the legally non-negotiable parameters laid down in Schedules I and II of the Act. In addition, the Schemes will conform to the operational parameters delineated in these Guidelines. The Scheme so formulated will be called the Mahatma Gandhi National Rural Employment Guarantee Scheme (Mahatma Gandhi NREGS), followed by the name of the State. The National level name and logo is mandatory. This logo will be used for all IEC materials and activities. The Scheme will be implemented as a Centrally Sponsored Scheme on a cost-sharing basis between the Centre and the States as determined by the Act.

key stakeholders

Implementation of the Mahatma Gandhi NREGS involves roles and responsibilities of a large number of stakeholders from the village to the national level. The key stakeholders are:

i) Wage seekers
ii) Gram Sabha
iii) PRIs, specially the Gram Panchayat
iv) Programme Officer at the Block level
v) District Programme Coordinator
vi) State Government
vii) Ministry of Rural Development
viii) Civil Society
ix) Other stakeholders
Village level

Wage Seekers:

The wage seekers are the primary stakeholders of the Act. Their exercise of rights and demand for work are the main trigger of key processes. The rights of the wage seekers are:

i) Application for registration
ii) Obtaining a Job Card
iii) Application for work
iv) Choice of time and duration of the work applied for
v) Getting work within fifteen days of application
vi) Facilities of crèche, drinking water, first aid etc on work site
vii) Right to check their Muster Rolls and to get all the information regarding their employment entered in their job cards
viii) Receipt of wages within fifteen days of work done
ix) Right to get unemployment allowance in case employment is not provided within fifteen days of submitting the application or from the date when work is sought.

Gram Sabha

The Gram Sabha is the principal forum for wage seekers to raise their voices and make demands. The Gram Sabha has the following rights and responsibilities under the Act:

i) It recommends works to be taken up and is the final authority to determine the order of priority in which works will be initiated under Mahatma Gandhi NREGS.
ii) It is the primary forum for conduct of social audits
iii) In addition, it is suggested that the Gram Sabha will proactively disclose following information related with the implementation of the scheme:

a. Names of work both completed and on going with wages paid and material component.

b. Names of persons, preferably with Job Card No. who have worked, days worked and wages paid to each of them. c. Quantity and price of materials purchased for each project along with name of agency which supplied the material.

**Ward Sabha**

The Ward Sabhas (wherever in practice) have similar functions as the Gram Sabha.

**Gram Panchayat (GP)**

The Gram Panchayat is the pivotal body for implementation. Where Part Nine of the Constitution does not apply, local councils/authorities as mandated by the State concerned will be invested with corresponding responsibilities. At least 50% of the works in terms of cost will be allotted to Gram Panchayats for implementation.

The Gram Panchayat is responsible for the following activities:

i) Receiving applications for registration

ii) Verifying registration applications

iii) Registering households

iv) Issuing Job Cards

v) Receiving applications for work

vi) Issuing dated receipts for these applications for work

vii) Allotting work within fifteen days of application

viii) Conducting surveys to develop Labour Budget
ix) Planning of works and developing Shelf of Projects to be forwarded to Programme Officer for scrutiny and preliminary approval

x) Executing works

xi) Maintaining records

xii) Providing utilization certificates

xiii) Convening the Gram Sabha for planning and social audit

xiv) Monitoring implementation at the village level

xv) Pro-actively disclosing following information:

a. Details of works both completed and on-going (including wages paid and material component).

b. Names of persons (with Job Card numbers) who have worked, days worked and wages paid to them.

c. Quantity and price of materials purchased for each project along with name of agency which supplied the material. The Mukhiya/Pradhan/Sarpanch and the Gram Rozgar Sahayak will be liable for action under the provisions of Rule 25 of the Act for not carrying out any of these responsibilities.

**BLOCK LEVEL**

**Intermediate Panchayat**

The Intermediate Panchayat is responsible for i) consolidation of plans of Gram Panchayats within the Block into a Block Plan and forwarding the same to the District Panchayat for scrutiny and approval ii) monitoring and supervision of works at the Block level.
**Programme Officer (PO)**

Each Block must appoint a full-time Programme Officer for Mahatma Gandhi NREGS. It is not good enough for BDOs or other Block officers to be given “additional charge” for the programme. These Programme Officers cannot also be asked to perform duties not directly related to Mahatma Gandhi NREGS. In cases where deviation to this rule is detected, twice the salary payable to the Programme Officer for the period s/he performed non-Mahatma Gandhi NREGS duties will be payable into the Mahatma Gandhi NREGS State Fund by the concerned State Government. The Programme Officer essentially acts as a coordinator for Mahatma Gandhi NREGS at the Block level. The chief responsibility of the Programme Officer is to ensure that anyone who applies for work gets employment within 15 days.

Other important functions of the Programme Officer are:

i) Setting up Cluster-Level Facilitation Teams (CFTs) to provide technical support to Gram Panchayats within each Cluster of GPs

ii) Facilitating this technical support to Gram Panchayats by CFTs

iii) Scrutinizing the annual development plan proposed by the GPs

iv) Scrutinizing the proposals of the Intermediate Panchayat

iv) Consolidating all proposals into the Block Plan and submitting it to the District Panchayat for scrutiny and consolidation

vi) Matching employment opportunities arising from works within the Block Plan with the demand for work at each of the GPs in the Block

v) Ensure baseline survey to assess work demand and compilation of labour demand along with preparation of Block Annual Plan and forwarding it to the DPC.

viii) Monitoring and supervising implementation within the Block
ix) Ensuring prompt and fair payment of wages to all labourers

x) Maintaining proper accounts of the resources received, released and utilized

xi) Grievance Redressal within the Block. Shall enter every complaint in a complaint register and issue dated and numbered acknowledgement.

Complaints that fall within the jurisdiction of the Programme Officer, including any complaints concerning the implementation of the Act by a Gram Panchayat shall be disposed of by the Programme Officer within 7 days, as prescribed under Section 23(6) of the Act. In case a compliant relates to a matter to be resolved by any other authority, the Programme Officer shall conduct a preliminary enquiry and refer the matter to such authority within 7 days under intimation to the complainant.

xii) Ensuring conduct of social audits within Gram Sabhas and the Block and following up on them

xiii) Payment of unemployment allowance in case employment is not provided on time.

The Programme Officer is accountable to the District Programme Coordinator. The Programme Officer should in no case become an implementation agency of works as this conflicts with his/her role as a vigilance supervisor. The Programme Officers and staff under them will be held responsible for not carrying out their responsibilities and will be liable for action under the provisions of Rule 25 of the Act.

District Level

District Panchayat

District Panchayats are responsible for
i) consolidation of Annual Block Plans within the District into a District Plan

ii) adding any inter-block work that according to them will be a good source of employment

iii) monitoring and supervision of the Employment Guarantee Scheme in the District

District Programme Coordinator (DPC)

The State Government designates a District Programme Coordinator, who can be either the Chief Executive Officer of the District Panchayat, or the District Collector, or any other District-level officer of appropriate rank. The overall responsibility for ensuring that the Scheme is implemented according to the Act is of the District Programme Coordinator (DPC). The DPC will:

i) assist the District Panchayat in discharging its functions as listed above

ii) prepare in the month of December every year a District Labour Budget for the next financial year containing the details of anticipated demand for unskilled manual work in the District and the consolidated shelf of projects for engagement of labourers and submit it to the District Panchayat for onward submission to the State Government

iii) accord timely technical and administrative sanction to shelf of projects

iv) ensure that projects added at block and district level are presented again for ratification and fixing priority by concerned Gram Sabha(s) before administrative approval is accorded to them.

v) ensure timely release and utilization of funds

vi) ensure wage-seekers are provided work as per their entitlements under this Act.
vii) review, monitor and supervise the performance of the Programme Officers.

viii) conduct and cause to be conducted periodic inspection of the works in progress and verification of muster rolls

ix) appoint Project Implementation Agencies (PIAs) throughout the district, keeping in mind that at least 50% PIAs need to be Gram Panchayats

x) carry out responsibilities related to grievance redressal

xi) coordinate an IEC campaign for Mahatma Gandhi NREGS within the district

xii) develop annual plans for training and capacity building of various stakeholders within the district

xiii) submit Monthly Progress Reports to the State Government

The District Programme Coordinators and staff under them will be held responsible for not carrying out their responsibilities and will be liable for action under the provisions of Rule 25 of the Act.

State Level

State Employment Guarantee Council

A State Employment Guarantee Council (or ‘State Council’) is to be set up by every State Government under Section 12 of Mahatma Gandhi NREGS. The SEGC has the following roles and responsibilities:

i) advise the State Government on the implementation of the Scheme

ii) evaluate and monitor the Scheme within the State

iii) recommend the proposals of works to be submitted to the Central Government under Schedule I Section 1 (ix) of the Act.

iv) promote widest possible dissemination of information about this Act and the Schemes under it
v) prepare the annual report to be laid before the State Legislature by the State Government

**State Government**

Responsibilities of the State Government include:

i) Make Rules on matters pertaining to state responsibilities under the Act(32(1))

ii) Develop and notify the Rural Employment Guarantee Scheme for the State

iii) Set up the SEGC

iv) Set up a State level Mahatma Gandhi NREGS implementation agency/mission with adequate number of high calibre professionals

v) Set up a State level Mahatma Gandhi NREGS social audit agency/directorate with adequate number of people with ability and demonstrated commitment to social audit.

vi) Establish a State Employment Guarantee Fund

vii) Ensure that the State share of the Mahatma Gandhi NREGS budget is provisioned for and released on time

viii) Ensure that full time dedicated personnel are in place for implementing Mahatma Gandhi NREGS, specially the Employment Guarantee Assistant (Gram Rozgar Sahayak), the Programme Officer and the staff at district and CFT level

ix) Delegate financial and administrative powers to the District Programme Coordinator and the Programme Officer, as is deemed necessary for the effective implementation of the Scheme

x) Establish a network of professional agencies for training, technical support and for quality-control measures
xi) Regular review, research, monitoring and evaluation of Mahatma Gandhi NREGS processes and outcomes

xii) Ensure accountability and transparency in the Scheme at all levels

xiii) generate widest possible awareness about Mahatma Gandhi NREGS across the State

**Central Level**

**Central Employment Guarantee Council**

The Central Employment Guarantee Council (or ‘Central Council’) has been set up under the Chairmanship of the Union Minister of Rural Development. The roles and responsibilities of the CEGC are to:

i) Advise the Central Government on all matters concerning the implementation of this Act.

ii) Establish a central monitoring and evaluation system.

iii) Review the monitoring and redressal mechanisms from time to time and recommend improvements required.

iv) Promote the widest possible dissemination of information about the Schemes made under this Act.

v) Monitor the implementation of this Act.

vi) Prepare annual reports to be presented in Parliament by the Central Government on the implementation of this Act.
Ministry of Rural Development (MoRD)

The Ministry of Rural Development is the nodal Ministry for the implementation of Mahatma Gandhi NREGS. The roles and responsibilities of the MoRD are:

i) Make Rules under the Act

ii) Issue Operational Guidelines for the effective implementation of the Act

iii) Review list of permissible works under Mahatma Gandhi NREGS in response to demands of State Governments

iv) Set up Central Employment Guarantee Council

v) Set up Central Employment Guarantee Fund

vi) Set up National Management Team (NMT) within the Department of Rural Development to perform the national-level functions under MGNREGS

vii) Budget Provision for and timely release of Central share

viii) Maintain and operate the MIS to capture and track data on critical aspects of implementation, and assess the utilization of resources through a set of performance indicators

ix) Support and facilitate use of Information Technology (IT) to increase the efficiency and transparency in implementation of the Act

x) Facilitate technical support and capacity building to improve outcomes

xi) Support innovations that help in improving processes towards the achievement of the objectives of the Act

xii) Monitoring, Evaluation and Research on the performance of Mahatma Gandhi NREGS
Civil society

Civil Society Organisations (CSOs) working at the grass-roots can play a very significant role in awareness generation among wage-seekers and in supporting and building capacities of Gram Panchayats and State Governments in planning, implementation and social audit of Mahatma Gandhi NREGS. SHGs can play a direct role in spreading awareness, organizing work, accessing entitlements and ensuring social accountability. Chapter 9 describes the framework for engagement of CSOs in these tasks.

Other stakeholders

Other important stakeholders include:

i) Members of Social Audit Fora, Vigilance and Monitoring Committees

ii) Technical Staff of implementing agencies

iii) Departments which stand to benefit from MGNREGS like Agriculture, Water Resources/Irrigation, Forest etc. Careful attention needs to be paid to the roles and responsibilities of these stakeholders also. Some of these are described in Chapter 4 on Human Resources.

Job cards, demand for work and unemployment allowance

The single most important distinguishing feature of Mahatma Gandhi NREGS from employment programmes of the past is that provision of work is triggered by the demand for work by wage-seekers and provided as their legal right. All previous employment programmes provided work when governments decided to provide work, not when people demanded work. Mahatma Gandhi NREGS is to change that. The old practice of *jab kaam khulega, tab kaam milega* has to be changed to *jab
kaam maangege, tab kaam khulega. This requires that we pay very close attention to generating awareness among potential wageseekers and set up systems that facilitate and rigorously record registration for work, issuance of job cards and application for work.

**THE JOB CARDS PROCESS**

The Job Card is the key document recording workers’ entitlements under Mahatma Gandhi NREGS. The Job Card is the registered household’s legal instrument for applying for work, which also ensures transparency and protects workers against fraud. The process of issuing job cards involves the following steps:

**Prior Preparation**

i) A Gram Sabha shall be convened to explain the provisions of the Act, mobilize applications for registration and conduct verifications.

ii) A door-to-door survey will also be undertaken to identify persons willing to register under the Act. Assistance may be taken from credible, local grass-roots NGOs in the conduct of the survey. The survey team should include Gram Panchayat members, SC/ST members and women residents, a village-level Government functionary and the Panchayat secretary. SHG leaders, Anganwadi workers, ASHAs etc. could also be involved. The team members may be given orientation at the Block/District level.

iii) Special efforts will have to be made to reach out to disadvantaged groups like destitute /widows, differently-abled, Primitive Tribal Groups, Nomadic Tribal Groups, senior citizens, Scheduled Castes and Scheduled Tribes. Volunteers
should not only get them registered and facilitate obtaining job cards but also enable them to actually get suitable work.

iv) To allow maximum opportunities to families that may migrate, registration will be open throughout the year at the Gram Panchayat office during working hours.

**Application for Registration**

i) All adult members of households may apply for registration

ii) "Adult" means a person who has completed eighteen years of age

iii) To register, they have to:

   a. be local residents: ‘Local’ implies residing within 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; and

   c. apply as a household at the local Gram Panchayat.

iv) "Household" means the members of a family related to each other by blood, marriage or adoption and normally residing together and sharing meals or holding a common ration card. Household means a nuclear family comprising mother, father, and their children, and may include any person wholly or substantially dependent on the head of the family. Household will also mean a single-member family, including single women-headed households.

v) The application for registration may be given on plain paper to the local Gram Panchayat.
vi) It should 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 SC/ST status.

viii) The State Government may make a printed form available, but a printed form will not be insisted upon.

ix) An individual may appear personally and make an oral request for registration.

**Verification**

i) The GP will verify
   a. local residence in the Gram Panchayat concerned
   b. whether the household is really an entity as stated in the application
   c. whether applicants are adult members of the household.

ii) The process of verification shall be completed as early as possible, and in any case not later than a fortnight after the receipt of the application in the Gram Panchayat.

**Registration**

i) After verification, the Gram Panchayat will enter all particulars in the Registration Register in the Gram Panchayat.

ii) Every registered household will 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 and State Governments for the BPL Census 2002.
iii) The registration shall be for a period not less than five years, and may be renewed from time to time.

iv) Copies of the registration will be sent to the Programme Officer for the purpose of reporting to the Intermediate Panchayat and District Panchayat for further planning, tracking and recording. This must be done immediately, so that the Programme Officer has a consolidated record of likely demand to enable him to organize resources accordingly.

v) A Gram/Ward Sabha of registered workers must be held. This workers’ Gram/Ward Sabha must serve the purpose of voicing collectively the periodspecific demand for work by MGNREGS workers.

vi) If a person who applies for registration turns out to have submitted incorrect information regarding his/her name, residence or adult status, he/she will become ineligible. In such cases, the Gram Panchayat will refer the matter to the Programme Officer. The Programme Officer, after independent verification of facts and giving the concerned person an opportunity to be heard, may direct the Gram Panchayat to cancel such registration and job card. Such cancellation lists will have to be made public and should be presented to the Gram Sabha.

**Job Cards**

i) The Gram Panchayat will issue job cards to every registered household.

ii) The job card should be issued immediately after verification, i.e. within a fortnight of the application for registration.

iii) Job cards should be handed over to the applicant in the presence of the local community.
iv) Photographs of adult members who are applicants have to be attached to the job cards.

v) No photograph, name or details of any person other than that of the registered adult members of the household, to whom that job card belongs, shall be affixed or recorded in the job cards.

vi) The identity portion of the job card may be laminated.

vii) The cost of the job cards, including that of the photographs, will be borne as part of the programme cost.

viii) To ensure transparency and accountability, it must be ensured that the Job Card is always in the custody of the household to whom it is issued. If for any reason i.e., updation of record it is taken by implementing agencies it should be returned on the same day after the updates.

ix) A copy of all job cards will be maintained at the Gram Panchayat.

x) Details of all job card will be made available over the internet for public viewing.

xi) The job card shall be valid for a period of five years and will have provision for the addition/deletion of members eligible to work. Deletions in any household on account of demise, or permanent change of residence of a member, are to be reported immediately by the household concerned. Additions desired may be applied for by the household.

xii) 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 workforce.
xiii) All additions and deletions made in the Registration Register will be read out in the Gram Sabha. The Gram Panchayat will send a list of additions/deletions to the Programme Officer.

xiv). The proforma of the job card should be such that it contains permanent information regarding the household as well as the employment details for five years. These include Job Card number, particulars (such as age and sex) of all adult members of the family who are willing to work, household member-wise work demand and allocation, description of work done, dates and days worked, muster roll numbers by which wages have been paid, amount of wages paid and unemployment allowance if any paid. It may also include the postal account/bank account No., insurance policy No. and EPIC No. (voter ID).

xv) Missing entries or delay in entries in the Job Card will be considered a violation, punishable under Section 25 of the Act.

xvi) The entitlements of MGNREGS workers and the other basic features of the Act may be printed on the reverse of the job cards to promote wider awareness of the Act.

xvii) Individual identity slips may be given to each registered applicant of the family. The identity slip should contain the information given in the identity portion of the job card, including the registration number of the household.

xviii) All entries in the Job Card should be duly authenticated by means of signature of an authorized officer.

xix) Job cards found in the possession of any Panchayat or MGNREGS functionary will be considered an offence punishable under Section 25 of the Act.
xx) The MIS should include the mobile number of job card holders and SMS alerts should be automatically sent to the job card holders, in times of critical events, in the local language. This is to ensure that the workers are proactively informed of the details of the implementation cycle.

xxi) A cardholder may apply for a duplicate job card if the original card is lost or damaged. The application will be given to the Gram Panchayat and shall be processed in the manner of a new application, with the difference being that the particulars may also be verified using the duplicate copy of the job card maintained by the Panchayat.

xxii) If a person has a grievance against the non-issuance of a job card, he/she may bring the matter to the notice of the Programme Officer. If the grievance is against the Programme Officer, he/she may bring it to the notice of the District Programme Coordinator or the designated grievance-redressal authority at the Block or District level. All such complaints shall be disposed off within 15 days.

xxiii) In the event of national calamities in the nature of flood, cyclone, tsunami, earthquake etc resulting in mass dislocation of rural population, the adult members of rural households of the areas so affected maya. Seek registration and get job card issued by Gram Panchayat or Programme Officer of the area of temporary location; b. Submit written or oral application for work to the Programme Officer or the Gram Panchayat of the area of temporary relocation

xxiv) In the event of restoration of normalcy, the job card so issued shall be re-endorsed at the original place of habitation and shall be clubbed with the original job card.
xxv) The number of days of employment so provided shall be counted while computing 100 days of guaranteed employment per household.

**Application for work and recording of demand**

i) Applications for work should generally be submitted to the Gram Panchayat. But they may also be submitted to the Programme Officer but this should be treated as a ‘fallback’ option only.

ii) Applications should be given in writing stating:
    a. the registration number of the job card;
    b. the date from which employment is required; and
    c. the number of days of employment required.

iii) Application for work may be on plain paper or it may be in a printed proforma that will be made available free of cost at the Gram Panchayat.

iv) Every adult member of a registered household whose name appears in the job card shall be entitled to apply for unskilled manual work.

v) There shall be no limit on the number of days of employment for which a registered person may apply, or on the number of days of employment actually provided to him/her subject to a maximum of one hundred days per household in a given financial year.

vi) Provision shall be made for advance applications, that is, applications which may be submitted in advance of the date from which employment is sought.

vii) Provision shall also be made for submission of multiple applications by the same person provided that the corresponding periods for which employment is sought do not overlap.
viii) A single application may be given for a number of days in different periods during the year for which employment is required.

ix) Joint applications may also be submitted by several applicants.

x) The Gram Panchayat or Programme Officer, as the case may be, shall be bound to accept valid applications and to issue a dated receipt to the applicant.

xi) Refusal to accept applications and provide dated receipts will be treated as a contravention under Section 25 of MGNREGA.

xii) Ideally, the Application Form for work should have a counterfoil receipt on which the date can be entered and the dated receipt can then be issued immediately upon the submission of the application for work.

xiii) The provision for submitting applications for work must be kept available on a continuous basis through multiple channels so designated by Gram Panchayats who may empower ward members, anganwadi workers, school teachers, self-help groups, village-level revenue functionaries, common service centres and Mahatma Gandhi NREGS Labour Groups to receive applications for work and issue dated receipts on their behalf.

xiv) Workers may also present themselves at the GP office or at the worksite to indicate willingness to work. This will be recorded by Gram Rozgar Sahayak in the prescribed application form and employment register.

xv) Provision must also be made (wherever feasible) for workers to register applications for work through mobile telephones in addition to the MGNREGS website and this should feed in directly into the MIS. In case of mobile telephones, the system must be made convenient to illiterate workers and may include Interactive Voice Response System (IVRS) and voice-enabled
interactions. This option must automatically issue dated receipts. Such applications for work must be reported back to the relevant GP without loss of time. IT vendors to develop this system may be appointed by the State Government.

xvi) Applicants who are provided with work shall be so intimated in writing, by means of a letter/SMS sent at the address/mobile phone number given in the job card and by a public notice displayed at the office of the Panchayats at the district, intermediate or village level.

xvii) Information on new applications for work and the number of work-days demanded shall be conveyed at least once a week by the Gram Panchayat to the Programme Officer. At the same time, the Gram Panchayat shall specify how many of the applicants are being employed in that Gram Panchayat (and for how long), and how many cannot be employed, with reasons. The Programme Officer will ensure that employment is provided to such households (who cannot be employed within a particular GP) in neighbouring panchayat/s.

xviii) State Governments will ensure that the MGNREGS Management Information System (MIS) will record the demand for work. It will track (for each GP) the gap between date of application for work and date of opening of work. MGNREGS software will automatically generate the pay order for payment of unemployment allowance to such wage seekers whose demand for work is not met within 15 days of demand. Reports prepared on this will have to be part of the essential set of reports to be tracked at the State level.

xix) A separate fund with a corpus of Rs. 1000/- per panchayat should be created by the state government for reimbursing the state fund from which
unemployment allowance is to be paid automatically. This fund should be replenished constantly so that the minimum balance is never less than Rs. 500/- per panchayat. This will be a condition for all future releases of central share to states/districts.

**EMPLOYMENT GUARANTEE DAY (ROZGAR DIWAS)**

i) It is mandated that every Gram Panchayat (GP) organise a Rozgar Diwas at least once every month. At this event the GP should pro-actively invite applications for work from potential workers for the current as well as subsequent quarters. Dated receipts will be issued to the applicants at this event. The ‘employment guarantee day’ should be earmarked for processing work applications and related activities such as disclosure of information, allocation of work, payment of wages and payment of unemployment allowances.

ii) However, these activities should not be restricted to ‘employment guarantee day’. In particular, applications for work should be accepted at any time.

iii) The President of the Gram Panchayat and any staff appointed with the Gram Panchayat (Gram Rozgar Sevak) to assist with MGNREGS should be present on ‘employment guarantee day’.

**Timely allocation of work**

i) Schedule I, Section 10 of Mahatma Gandhi NREGS states that it shall be open to the Programme Officer and the Gram Panchayat to direct any person who has applied for employment to do work of any type permissible under the Act.
ii) The State Government shall delineate clear coordination mechanisms so that data on work requested and allotted by the Programme Officer and the Gram Panchayat are properly maintained. This information should be recorded on the Job Card and the Employment Register. Gram Panchayat and Block Officers should share information on employment allotted and works opened.

iii) Women (especially single women) and older persons should be given preference to work on worksites nearer to their residence. If some applicants have to be directed to report for work beyond 5 km of their residence, the state must pay an additional allowance to MGNREGS workers towards conveyance charges.

iv) The work entitlement of 100 days per household per year may be shared between different adult members of the same household. If several members of a household who share the same job card are employed simultaneously under the Scheme, they should be allowed to work on the same worksite. If unusual circumstances arise whereby members of the same household have to be allocated work on different worksites, the Gram Panchayat should ensure that the job card is duly processed at both worksites.

v) If a request for work is made to the Gram Panchayat, it should offer employment on the works executed by it. If, under any circumstances, this is not possible, the Gram Panchayat must inform the Programme Officer. The Programme Officer will issue directives for the execution of work to an implementing agency competent to execute it and also ensure that the funds needed for that work are released.
vi) If the Gram Panchayat decides that employment cannot be given under its own shelf of works, and that employment needs to be given outside the Gram Panchayat, it will inform the Programme Officer.

vii) Upon receiving this intimation from the Gram Panchayat, the Programme Officer will allot work. Such work will be selected from the shelf of projects that include inter Gram Panchayat works. The Programme Officer will intimate the Gram Panchayat concerned about the employment allotted so that the employment data is consolidated in the Employment Register at the Gram Panchayat.

viii) If a request for employment is made to the Programme Officer and the Programme Officer allots work, he must inform the Gram Panchayat so that the data on works and employment are coordinated at each level. The Gram Panchayat will also inform the Programme Officer of the employment allotments made. This information sharing should be done on a prescribed proforma on a weekly basis.

ix) Applicants who are provided work shall be intimated by the Gram Panchayat/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.

x) 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. (Mahatma Gandhi NREGS, Schedule II, Section 6).
xi) Schedule II, Section 6 vests the Programme Officer with the responsibility of ensuring that every applicant is provided unskilled manual work. Thus, the overall responsibility of coordination and resource support to the Gram Panchayat and other Implementing Agencies will vest with the Programme Officer. To ensure that every applicant has work according to the legal entitlement, the Programme Officer shall have the power to 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 will ensure that the applicants for work are not aggrieved and make arrangements for their employment, while also reporting the matter to the District Programme Coordinator for appropriate action.

**UNEMPLOYMENT ALLOWANCE**

i) The Gram Panchayat/Programme Officer shall be responsible for providing wage employment to the applicant within 15 days of the date of receipt of the application in the case of advance applications, employment will be provided from the date that employment has been sought, or within 15 days of the date of application, whichever is later.

ii) If a Gram Panchayat is unable to provide employment within 15 days, it will be the responsibility of the Programme Officer to do so. The employment allotted by the Programme Officer will be intimated to the Gram Panchayat and vice versa.

iii) If upon receiving a request for work, an Implementing Agency directed by the Programme Officer does not start work on time, or does not employ the
persons directed to it for work by the Gram Panchayat, the Programme Officer will make alternative arrangements to ensure employment for those applicants.

iv) According to Section 14(d) of the Act, the District Programme Coordinator will coordinate with the Programme Officers and the Implementing Agencies to ensure that applicants are provided employment as per their entitlements. If a Programme Officer fails to provide employment, the District Programme Coordinator will intervene to make appropriate arrangements for employment.

v) If an applicant is not provided employment within fifteen days of receipt of his/her application seeking employment, s/he shall be entitled to a daily unemployment allowance.

vi) The unemployment allowance will not be less than one-fourth of the wage rate for the first thirty days and not less than one-half of the wage rate for the remaining period of the financial year.

vii) The unemployment allowance payable to the household shall be sanctioned and disbursed by the Programme Officer or by the Gram, Block or District Panchayats as the State Government may authorise

viii) Ideally, unemployment allowances should be paid at the Gram Panchayat level, on ‘employment guarantee day’.

ix) Every payment of unemployment allowance shall be made or offered within 15 days from when it becomes due

x) In the event of any delay, the recipients shall be entitled to compensation based on the same principles as wage compensation under the Payment of Wages Act, 1936.
xi) According to Section 8(2) of Mahatma Gandhi NREGS, every case of non-payment or delayed payment of unemployment allowance shall be reported in the Annual Report submitted by the District Programme Coordinator to the State Government along with the reasons for such non-payment or delayed payment.

xii) Section 8(3) of Mahatma Gandhi NREGS states that the State Government shall take all measures to make the payment of unemployment allowance to the concerned household as expeditiously as possible.

xiii) Initiative may be taken to develop software that makes MGNREGS MIS automatically generate the pay order for payment of unemployment allowance to such wage seekers whose demand for work has not been met within 15 days of demand for work. Reports prepared on this will have to be part of the essential set of reports to be tracked at the State level.

xiv) The liability of the State Government to pay unemployment allowance to a household during any financial year shall cease as soon as

a. the applicant is directed by the Gram Panchayat or the Programme Officer to report for work or depute at least one adult member of their household; or

b. the period for which employment is sought comes to an end and no member of the household of the applicant had turned up for employment; or

c. the adult members of the household of the applicant have received in total at least one hundred days of work within the financial year; or
d. the household of the applicant has earned as much from the wages and unemployment allowance taken together which is equal to the wages for one hundred days of work during the financial year.

xv) An applicant who;
   a. does not accept the employment provided to his/her household; or
   b. does not report for work within fifteen days of being notified by the Programme Officer or the implementing agency to report for the work; or
   c. continuously remains absent from work, without obtaining a permission from the concerned implementing agency for a period of more than one week or remains absent for a total period of more than one week in any month. shall not be eligible to claim the unemployment allowance payable under this Act for a period of three months but shall be eligible to seek employment under the Scheme at any time.

INSTITUTIONAL ARCHITECTURE AND HUMAN RESOURCES

Provision of requisite human resources at all levels holds the key to success of Mahatma Gandhi NREGS. This is also the missing ‘F’ (functionaries) which could galvanise PRIs, especially Gram Panchayats, as the bedrock of Indian democracy. The Act makes it mandatory for State Governments to put in place the District Programme Coordinator and Programme Officer, along with staff and technical support as may be necessary for the effective implementation of the scheme. According to the provisions of the Act, staff could also be engaged on a contractual basis to provide professional services at the national as well as at the state level (Rule Number 11). These human resources will be deployed within an institutional
architecture dedicated to successful implementation of MGNREGS. This will be at five levels, namely, (i) Gram Panchayat; (ii) Cluster/sub-district/Block; (iii) District; (iv) State; and (v) Centre.

**GRAM PANCHAYAT Level**

**Gram Rozgar Sahayak or Employment Guarantee Assistant**

i) Gram Rozgar Sahayak (GRS) will assist the Gram Panchayat (GP) in conducting MGNREGS works at GP level. The GRS should be engaged exclusively for MGNREGS.

ii) The function of Gram Rozgar Sahayak (GRS) and the Panchayat Secretary should be clearly distinguished. GRS is a dedicated staff under Mahatma Gandhi NREGS. The cost of GRS is the first charge on the administrative expenses under MGNREGS.

iii) The state will ensure that at least one GRS is deployed in every GP except in periurban or other panchayats where demand for work under MGNAREGS is almost nonexistent. More than one GRS may be deployed in GPs that have high labour potential and GPs with scattered habitations and tribal areas.

iv) The responsibilities of the Gram Rozgar Sahayak are as follows:

a. Overseeing the process of registration, distribution of job cards, provision of dated receipts against job applications, allocation of work to applicants etc.;

b. Ensuring that the requisite Gram Sabha meetings and social audit are held;
c. Recording attendance of labour every day either himself/ herself or through the mate in the prescribed Muster rolls at worksite.

d. Ensuring that Group mark outs are given at work site for every labour group so as to ensure minimum wages every day

e. Attending all review meeting called upon by Programme Officer.

f. Ensuring that all Mates attend worksites on time and take roll calls/ attendance in prescribed muster roll at worksite only.

g. Ensuring worksite facilities at all worksites by engaging a person for drinking water and a person for Aaya services wherever required and by arranging a first aid box and shade at work site.

h. Updating the job cards regularly.

i. Maintaining all MGNREGS-related registers at the Gram Panchayat level, including prescribed accounts, and ensuring that these documents are conveniently available for public scrutiny;

v) The GRS should be adequately trained in work-site management and measurement of works.

vi) Appropriate performance incentive-disincentive system has to be worked out for salary of GRS. The salary of GRS can be based on fixed pay or on performance basis.

**Mates**

A mate is required for each work-site. At least one mate should be present for every fifty workers.

i) Criteria for Selection of Mates: A mate should be literate and should have worked
in MGNREGS for a reasonable period of time. Mates should be selected on the basis of transparent criteria which are well-publicised and preference should be given to the most deserving families in terms of need. Priority should be given to women and the differently-abled.

ii) All mates should be trained and their skills enhanced in a phased manner so that they can function as certified barefoot engineers capable of an initial measurement of works.

iii) A person working as a mate should not also be a worker on an MGNREGS site. iv) The remuneration of mates should be based on person days of his/her work, calculated at a wage rate equal to that of semi-skilled labour.

v) Responsibilities of Mates are as follows.
   a. Supervise work-sites
   b. Capture attendance in muster roll
   c. Give daily mark-outs to labour groups and record weekly measurements
   d. Facilitate applications for job-cards and submit them to the Gram Panchayat
   e. Facilitate demand for work from individual workers or labour groups, submit them to Gram Panchayat and obtain dated receipt as acknowledgement.
   f. Facilitate participatory identification of works in the GP
   g. Ensure there is no free-riding within his/her group of workers
   h. Ensure timely attendance of workers
   i. Record daily attendance in Muster Rolls
   j. Record weekly measurements of his/her groups
k. Submit filled out muster rolls to Gram Rozgar Sevak
l. Provide first aid. Keep first aid box, for same.
m. Help illiterate labourers in his group to learn to sign and to calculate wages earned.
n. Create awareness about rights and entitlements under the Mahatma Gandhi NREGS.

**CLUSTER OF GRAM PANCHAYATS/SUB-DISTRICT/BLOCK**

Human resources at this level, led by the Programme Officer, will consist of Technical Assistant, Computer Operator-cum-Accounts Clerk, Voluntary Technical Corps and the Cluster Facilitation Team.

**Technical Assistant**

i) The Technical Assistant (TA) will assist the GP in identifying and conducting measurement of works

ii) TA should be appointed for a cluster of villages, depending on the potential labour demand.

iii) TA should be a generalist with an understanding of various MGNREGS works, who should be trained in estimating and measuring works ranging from watershed development, natural resource management, agriculture, horticulture and so on.

iv) TA will report to the Gram Panchayat, CFT and Programme Officer.

v) The following will be the important responsibilities of a TA:

a. Identification of works as per the Gram Sabha resolution on works
b. Preparation of estimates for works up to Rs 5 lakh in standard templates.
c. Capturing measurements on a weekly basis for all the works taken up within three days after muster rolls are closed.
d. Mentoring Mates and GRSs on measurement and quality of works.
e. Building technical capacities of Mates and GRSs.
f. Be responsible for work quality.
g. Maintenance of measurement books

**Computer Operators-cum-Accounts Clerk**

i) The Computer Operator-cum-Accounts Clerk can operate at GP level or Block level depending on the location of Computer Centre.

ii) She/He should assist the GP or PO exclusively in data entry work and maintenance of MGNREGS accounts.

iii) State should ensure that at least 3 Computer Operators are deployed at the Block

Computer Centre (1 per cluster)

iv) The Computer Operator cum Accounts Clerk operating at GP level should report to Gram Panchayat and Programme Officer. The Computer Operator cum Accounts Clerk operating at Block level should report to Programme Officer.

v) The important responsibilities of a Computer Operator cum Accounts Clerk are:

a. Data entry and generation of Job Cards, work demand (registered), technical estimates, Work commencement letters, etc.
b. Generation of pay orders and preparing necessary cheques.

c. Maintenance of Accounts, Registers, Files and other MGNREGS related correspondence.

d. Generation of MIS and other review reports for Programme Officer

**Cluster Facilitation Teams**

Those blocks of the country where

- either scheduled castes plus scheduled tribes form >=30% of the population or

- the annual MGNREGS expenditure was more than Rs.12 crores in any year since the programme started, such blocks will mandatorily have at least 3 Cluster Facilitation Teams (CFT), each of which will service a Cluster of Gram Panchayats (CGP), being accountable to each GP within their Cluster. Each CGP will cover around 15,000 job cards or an area of about 15,000 ha, broadly corresponding to the boundaries of a milli-watershed and local aquifer. The CFT will comprise a fully dedicated, 3-member professional support team for MGNREGS. The CFT will be a multi-disciplinary team led by an Assistant Programme Officer (APO) and will comprise specialists in earthen engineering, community mobilization, hydrogeology, agriculture/allied livelihoods. The CFT will work under the overall supervision of the PO but will also be jointly accountable to the GPs within their cluster. The CFT will be located in the PO's office at the block level and will draw its expenses from this office. i) At least one CFT team member should have at least three years of experience in rural development or an MSW or Post graduate degree in rural development or rural management with at least two years of experience in community mobilization. Two other members should have a technical educational
background. Where diploma holders in civil engineering are not available, diploma or degree holders in other engineering disciplines, graduates or postgraduates in disciplines like agricultural sciences, soil and water conservation, geology, natural sciences may be considered.

ii) The CFT will work with GPs within their cluster for (i) mobilization and raising awareness among potential job seekers about their entitlements and procedures under MGNREGS;

(ii) surveying, planning, designing and costing of works;

(iii) facilitating smooth implementation of plans;

(iv) monitoring and measurement; and

(iv) payment, accounts and MIS keeping. At the GP level, the CFT would be assisted by Gram Rozgar Sahayaks and Panchayat Secretaries.

iii) The CFT will prepare the Annual Plan each year for every GP within the cluster resulting in a shelf of works and annual labour and material budget.

iv) CFT will train and provide technical guidance to elected representatives and functionaries such as Community Resource Persons (barefoot professionals), Gram Rozgar Sahayaks, GP members and GP Secretaries

v) The CFT will also conduct random checks of the measurements taken by the Technical Assistants.

**Dedicated Engineer**

To ensure the timely measurement of work and adherence to technical standards in the execution of work, all States have been directed to deploy 2 engineers per 6000 population of rural households. In North Eastern states and hill
states (J&K, Himachal Pradesh and Uttaranchal), 2 engineers may be deployed per 3000 population of rural households.

**Panchayat Development Officer (PDO) and Junior Engineer (JE)**

To give a greater focus to and ensure adequate human and technical support to sub-district levels for implementing Mahatma Gandhi NREGS in the left-wing extremism affected districts where the Integrated Action Plan is in operation, the Central Government has proposed to the concerned State Governments to deploy one Panchayat Development Officer (PDO) and Junior Engineer (JE-works) at the Gram Panchayat level. These PDOs and JEs belong to District/Gram Panchayat cadre and are directly accountable to the Gram Panchayats of posting. Recruitment to posts under Panchayat Service is on tenure basis. PDOs will perform all duties as may be entrusted to them by the Panchayat, supervise other functionaries, perform such other duties as the Intermediate Panchayat, District Panchayat or the State Government may direct, assist Panchayats in decentralized/ convergent planning under Mahatma Gandhi NREGS by taking up participatory planning approach, assist Panchayats in planning, implementation and monitoring of Mahatma Gandhi NREGA. JE (works) may be responsible for preparation of work estimates for construction/civil works under Mahatma Gandhi NREGS, obtain necessary technical and administrative approval, monitor execution of work as per the prescribed procedure after administrative and technical approval, technical supervision and monitoring of the works.
**Programme Officer**

i) The Programme Officer is the overall in-charge of all MGNREGS works in the lock.

ii) The Programme Officer can be taken on deputation basis or recruited afresh. The Programme Officer will not be below the rank of the Block Development Officer.

iii) In case of absence of such exclusive officers, the BDO can be the PO and an Additional PO, exclusively for MGNREGS, assisting the BDO must be deployed, on contractual basis or otherwise.

iv) The Programme Officer reports to DPC and Additional DPC of the district.

v) The responsibilities of Programme Officers are as below:

a. Provide wage employment to all the households who make a demand for unskilled manual work.

b. Ensure that the rights and entitlements detailed out in the Act such as issue of Job cards, providing 100 days of work, weekly payments, work site facilities, medical and *ex gratia* related rights etc are delivered to wage seekers.

c. Ensure the payment of unemployment allowance as per the provisions of the Act after due enquiry into the evidences leading to such payment.

d. Prepare the Annual Labour Budget and maintain sufficient shelf of projects to match the labour demand.

e. Assist the Block Panchayat in discharging its functions under the scheme.

f. Receive GP plans, scrutinize and consolidate the plans.
g. Ensure regular social audits and take follow up actions on findings / recommendations of Social Audit.

h. Liaison between the GPs and the Block as also between Block and District for all purposes of correspondence and communication.

i. Monitor and review implementation of the scheme

j. Inspect works and worksites at regular intervals and ensure that all workers have access to the scheme.

k. Ensure timely payment and fair payment of wages to all labourers employed under the scheme.

l. Ensure transparency in implementation of the Scheme by strictly following provisions and the Right to Information Act viz.,

j. Displaying paid muster rolls on the notice board of the GP.

k. Reading out muster rolls at the time of closure of work

l. Sharing the information such as copies of Sanctioned works, work commencement letters, paid muster rolls, Pay orders etc with GPs.

m. Liaison with Banks and Post Offices in opening of new accounts and making timely payments to labour regularly.

n. Collect Complaints/ grievances and redress the same.

**Block Resource Centre (BRC)**

A BRC will be set up as a resource and facilitation centre for knowledge inputs, capacity building and facilitation of convergence. Existing resource organizations from the voluntary sector could be identified as BRC. The BRC will perform the following functions:
i) Provide technical inputs for planning, including those sourced from a wider network of resource persons/ institutions.

ii) Maintain data bases on local natural resource endowment (such as groundwater, rainfall, soils, etc.) needed for planning. The BRC will also access maps/ topo-sheets of each habitation and supply the same to CFTs.

iii) Ensure convergence between MGNREGS and other production-oriented schemes of government so that assets created under MGNREGS are productively used by poor people to enhance their incomes.

**DISTRICT**

*Additional District Programme Coordinator (Addl DPC)*

i) A full-time Addl DPC exclusively appointed for MGNREGS should specifically look into day-to-day operations of MGNREGS and provide leadership in programme implementation at the district level.


iii) The Addl DPC should be given technical support from specialists in civil engineering, Agriculture/ horticulture, MIS, capacity building and social mobilization. The responsibilities of the Addl. DPC are:

a. Preparation of District Labour budget

b. Managing MGNREGS Funds, Finance and Accounts.

c. Planning of sufficient Shelf of works for the district

d. Ensure opening of works to meet the labour demand.

e. Ensure timely payments.
f. Ensure quality of works.

g. Ensure proper management of Muster rolls.

h. Attend to complaints and redressal of grievances.

i. Regular reviews with BDO / Programme Officers, Block Officers and other implementing agencies.

j. Regular monitoring and inspection of work sites

k. Social Audit and Social Audit follow-up actions.

l. Conduct training & Capacity building of all MGNREGS field staff in the district

m. HR Policy, transfers and punishments etc.,

n. Attend the social audit public hearing meetings and preside over the meetings and take necessary decisions.

o. Ensure Transparency and Accountability.

**District Program Coordinator (DPC)**

i) The District Collector or Chief Executive Officer, Zilla Parishad is designated as District Programme Coordinator MGNREGS. The DPC shall be responsible for the overall coordination and implementation of the Scheme in the District in accordance with the provisions of the Act and guidelines issued by Government from time to time. The DPC shall establish an exclusive EGS unit at District level.

ii) The District EGS Unit would be headed by an Additional District Programme Coordinator and comprises of functional wings such as Works, Finance and Accounts, Quality Control and Vigilance, Social Audit, MIS, Horticulture, Natural resource management (NRM), Capacity Building etc

iii) The important responsibilities of the DPC are:
a. Supervise and monitor the functioning of Block units and the line departments in the implementation of the Scheme.

b. Manage the MGNREGS funds and ensure proper accounting and auditing of the funds.

c. Ensure transparency, accountability and quality control in the execution of the scheme.

d. Coordinate with PRI bodies in the planning and implementation.

e. Receive the Block Panchayat plans from the Programme Officer and consolidate them along with project proposals received from other executing agencies for inclusion in the District Plan for approval by the District Panchayats.

f. Prepare a labour budget of anticipated demand for unskilled manual work and plan for sufficient shelf of projects so that the anticipated labour demand is met.

g. Appoint Project Implementing Agencies (PIAs) across the district, making sure that at least 50% of the PIAs are GPs.

h. Grant administrative sanctions for all the works included in the District MGNREGS Plan and assign executing responsibilities to various agencies like panchayats, line departments etc.

i. Redress grievances of applicants.

j. Ensure that social audits are done in all the villages once in six months.

k. Ensure follow up actions on social audit reports are taken. Initiate disciplinary action on those involved in violation of the Act/these Guidelines and misappropriation of MGNREGS funds.
**District-level Technical Committee**

A District-level Technical Committee (DTC) will be set up to guide the implementation of the Act. The Technical Committee must comprise district officers from the relevant technical departments, representatives of NGOs and the academic community. The Committee will examine GP and Block Perspective Plans on the basis of technical considerations of district level priorities.

Additionally, the functions of the Technical Committee will include

i) Examining the shelf of projects submitted by the PIAs and recommending the grant of technical sanction to the DPC;

ii) Preparation of district specific schedule of rates for common tasks under MGNREGA;

iii) Determination of rates, quality parameters and list of suppliers for the district for the material component. This list should be reviewed at least once in six months;

iv) Revision of district specific SoR whenever there is a revision of wage and material rates;

vi) Assisting DPC in the *suo moto* revision of financial estimates for shelf of projects, upon a revision of wage and material rates. The District level TC must meet at least twice in a year. State Governments may devise procedures to ensure that the District Technical Committee is active and contributes to the DPC’s role in implementing MGNREGS.
**District Co-ordinator (Vulnerable Groups)**

Each State Government should appoint one officer in each District as a Coordinator (Vulnerable Groups) who will exclusively look after the needs and requirements of the special categories and create conditions for their inclusion. Full details of the roles and responsibilities of this officer are described in Chapter 10.

**Voluntary Technical Corps (VTC)**

VTCs may be set up at the Cluster and District level drawing specialist volunteers from within and outside government in areas like earthen engineering, natural resource management, social mobilization, monitoring etc. The VTCs could supplement the CFTs/BRCs/DLTCs and carry out tasks assigned by the DPC/ADPC.

**STATE**

**State Employment Guarantee Mission and Management Team**

State governments will establish State Employment Guarantee Mission (SEGM) with operational flexibility and autonomy. The State Mission will provide support to the Panchayati Raj Institutions and other implementing agencies. i) SEGM will be headed by a senior IAS officer (Secretary and Commissioner MGNREGS) as Chief Executive Officer (CEO).

ii) SEGM will have a Chief Operating Officer (COO). The COO may be recruited from the open market.

iii) State Management Team (SMT). SEGM will have adequate operational flexibility, including fixing of compensation at market rates so as to attract the
best talent, and a sensitive and impartial HR policy to recruit and retain a team of committed experts.

The composition of such a state management team (SMT) may change over time in response to evolving needs. The following is an indicative list of fields where thematic experts may be required.

a. Rights and entitlements:
b. Participatory planning process for livelihoods and convergence;
c. NRM, livelihoods, Quality Standardization and Assurance;
d. Technical Works & Measurement
e. Wage payment;
f. Information and communication technology (ICT);
g. MIS;
h. Strategy & Planning
i. Monitoring & evaluation
j. Social Inclusion
k. Capacity building: Training of field staff at the block, cluster and Gram Panchayats;
l. Human resource management: Developing a sensitive human resource management policy for contract staff and/or permanent staff;
m. Social audit and grievance redressal;
n. Vigilance;
o. Knowledge Management & learning including research
p. External communication
The thematic experts will play their roles in such a manner as to provide oversight, build capacity, solve problems and monitor quality of implementation at the district, cluster and GP levels.

**CENTRE**

A National Management Team (NMT) will be set up within the Department of Rural Development to perform the national-level functions under MGNREGS. These functions would be handled by the following divisions of the NMT:

i) Programme Management  
ii) Human Resource Development and Capacity Building  
iii) Monitoring and Evaluation  
iv) Information Technology  
v) Social Audit, Vigilance and Grievance Redressal

The NMT will be headed by the Additional Secretary (MGNREGS). The responsibility each of these divisions will be divided among the Additional Secretary and the 2 Joint Secretaries (MGNREGS).

One of the key roles of Programme Management Division will be to extend need based technical assistance to States on a regular basis. It has to overcome inertia and resistance to change, implying intensive and frequent support from the NMT. Therefore, getting professionals who have been practicing in similar programme/mission in different states will add value to the services delivered by NMT. The functions of the Programme Management Division will include:

i) Follow up on advisories issued by Ministry and coordination with states  
ii) Follow up with state governments and flagging issues during review meetings
iii) Coordination with different Ministries for establishing linkages with MGNREGA outcomes

iv) Coordination with state team and district team

v) Sharing of good practice models

The Human Resource Development and Capacity Building Division's primary responsibilities will include:

i) to work out standards for human resources recruited for MGNREGS implementation,

ii) to work out recruitment processes, human resource policies, performance evaluation criteria and so on

iii) to assess gaps, (including region-specific gaps) in human resource deployment and availability and to work out short-term responses and medium-term and long-term mechanisms for ensuring a steady source of human resources for MGNREGS

iv) to widely promote a gender-sensitive, pro-poor and pro-active work culture down the line.

v) to work out a system of certification for human resources, which all implementation structures have to comply with,

vi) to identify and set standards for identifying training institutions across the country who can discharge the responsibilities of capacity building for MGNREGS

vii) to work out syllabi for training courses and certification that MGNREGS personnel should go through,

viii) to arrange for trainings for these personnel
ix) to network with professional and technical institutions, Civil Society Organizations, subject matter specialists and experts to create the necessary human resource infrastructure for effective capacity building

x) to assess training material available, to ensure its wide dissemination across the country and to promote the production and dissemination of high quality resource material (print and electronic) for MGNREGS

The IT Division will,

i) assess IT needs, in terms of both hardware and software, for providing a proper IT backbone for NREGS implementation and come up with a blueprint for effective IT deployment for NREGS which caters to information needs vis-à-vis transparency, monitoring and grievance redressals

ii) deploy the best possible expertise available in the country to advise it on IT deployments

iii) ensure IT deployment across the country, conforming to the best standards anywhere in the world

iv) ensure that states are complying with the IT requirements of data returns and updation

v) ensure that latest developments in IT which are potentially beneficial for use in NREGS implementation and monitoring are screened, piloted, developed further and disseminated

vi) pro-actively set up a coordination mechanism with other major IT-centred initiatives of the government such as the UIDAI

vii) NREGS implementation personnel are trained in use of IT

The Monitoring and Evaluation Division will be responsible for concurrent monitoring of work and establishing and refining systems of monitoring the
work under MGNREGS. It will also be responsible for mounting independent evaluations through a carefully selected panel of experts and consultants from across the country. Each Division will have teams of one senior and two junior programme persons (one L1 and two L2 professionals).

RECRUITMENT POLICY

i) The recruitment of MGNREGS staff at all levels shall be undertaken by a competent authority as notified by the state governments or national government, as the case may be.

ii) In the recruitment process, the reservation policy of the state should be strictly followed. The MGNREGS staff should be adequately represented by women, SCs, STs, disabled etc.

iii) The salaries of all staff should be met from the funds provided by the Central government for administrative expenses possibly supplemented with additional contributions from state government.

WORKS AND THEIR EXECUTION

PERMISSIBLE WORKS

As per Schedule I of the Act, the focus of the Mahatma Gandhi NREGS shall be on the following categories of works:

i) water conservation and water harvesting;

ii) drought proofing, including afforestation and tree plantation;

iii) irrigation canals, including micro and minor irrigation works;

iv) provision of irrigation facility, horticulture plantation and land development facilities to land owned by households belonging to the Scheduled Castes and
scheduled Tribes or below poverty line families or to beneficiaries of land reforms or to the beneficiaries under the Indira Awas Yojana of Government of India or that of the small farmers or marginal farmers as defined in the Agriculture Debt Waiver and Debt Relief Scheme, 2008 or to the beneficiaries under the Scheduled Tribes and Other Traditional Forest dwellers(Recognition of Forest Rights) Act, 2006.

v) renovation of traditional water bodies, including de-silting of tanks;

vi) land development;

vii) flood-control and protection works, including drainage in waterlogged areas;

viii) rural connectivity to provide all-weather access. The construction of roads may include culverts where necessary, and within the village area may be taken up along with drains;

ix) construction of Bharat Nirman Rajiv Gandhi Sewa Kendra as Village Knowledge Resource Centre and Gram Panchayat Bhawan at Gram Panchayat level.

x) any other work that may be notified by the Central Government in consultation with the State Government.

- Over the last six years there have been many demands from States for inclusion of new works under MGNREGS. There has also been a demand to create an even stronger positive synergy between MGNREGS and agriculture and allied rural livelihoods. Finally, there has been a demand that a more elaborate, specific and unambiguous list of permissible works be provided.

- In response to each of these demands, these Guidelines now provide an additional list of permissible works under MGNREGS. Some of these works are new but many of them come within the category of works already
permitted under MGNREGS. The list has been provided in response to demands from States for greater clarity on the precise works that could be taken up under the categories currently permissible.

- Among the works listed in Appendix 7.1, those on private lands will be allowed only on the lands of those households who are listed under Schedule I of MGNREGS, viz., Scheduled Castes and Scheduled Tribes, BPL families, beneficiaries of land reforms, beneficiaries under the Indira Awas Yojana of Government of India or small and marginal farmers as defined in the Agriculture Debt Waiver and Debt Relief Scheme, 2008 or to the beneficiaries under the Scheduled Tribes and Other Traditional Forest dwellers (Recognition of Forest Rights) Act, 2006.

- Each work indicates the unit cost as also the labour:material ratio. It may be noted that these unit cost estimates are indicative and provide a broad order of magnitude. They may vary depending on local conditions and more updated SoRs. However, the labour:material ratio specified for each work must be strictly adhered to. It must also be ensured that the overall labour:material ratio in each Gram Panchayat is maintained at 60:40. Thus, the selection of more material-intensive works and their number must be done within this overall constraint.

- While taking up works under MGNREGS, the following conditions must be followed:

  i) Only those works can be taken up which result in creation of durable assets

  ii) The order of priority of works will be determined within the GP and will be reflected in the Annual Plan ratified by the Gram Sabha on 15th August
iii) The 60:40 ratio for wage and material costs should be maintained at the Gram Panchayat level

INTRODUCING NEW WORKS UNDER MGNREGS

- In some circumstances, locations or seasons, it may be difficult to guarantee employment within this list of permissible works. In such circumstances, the State Governments may make use of Section 1(ix) of Schedule I, whereby new categories of work may be added to the list on the basis of consultations between the State Governments and the Central Government.
- The following procedure should be followed to obtain approval of any new work to be henceforth added in the Schedule:
- If the State Government believes that the current list of permissible works is not proving adequate to generate sufficient employment under the MGNREGS and it believes that there are works that may not be currently permissible but would generate additional employment, lead to the creation of durable assets and strengthen the livelihood resource base of the rural poor, then the State Government should draw up a proposal to be sent to the Union Ministry of Rural Development for examination and approval.

The proposal of the State Government should contain the following:

a) Justification for the work
b) Areas of the State where this work would be undertaken
c) Numbers of people likely to be employed (employment potential)
d) Nature of durable asset likely to be created
e) How this work will strengthen the livelihood base of the rural poor
f) Other benefits that may accrue such as continued employment opportunities, strengthening of the local economy and improving the quality of lives of people.

iii) These proposals should contain a model project which outlines:

a) The unit cost of each work
b) The labour component of each work
c) The material component of each work
d) Skilled and semi-skilled component of each work
e) The transparency and accountability mechanisms and how this project will comply with the transparency and accountability provision of the MGNREGS
f) The expected final outcome (asset) that will be created
g) The benefit to the livelihood base of the rural poor
h) Any other benefit likely to accrue

iv) There should also be an indication of the overall scope of this kind of project to generate work across the State, indicating potential numbers.

v) There should be an indication whether this will require convergence with any other scheme/programme running in the State, and the nature of that convergence.

vi) There should also be an account of how this work has functioned, in case there are any existing examples of this kind of work within the State (This could include such works having been taken up by individual Panchayat or NGOs).

vii) This proposal will be examined by the Ministry, including through sanctioning of pilots if necessary, to examine the feasibility and outcomes of such a proposal, ordinarily within 3 months, but no later than 6 months.
viii) In case a favourable decision is indicated for making this a permissible work, the Ministry will formulate the requisite guidelines and send the approval to the concerned State Government.

ix) In case it finds that this is a work of value, the Ministry may suggest that such works be approved for a larger number of States, or on an all India basis.

x) However, in case it is found that the outcome of the work has not been in conformity with the objectives of the MGNREGS, it may suggest amendments in the guidelines or suggest withdrawal of the approval of the work as a permissible work.

**NEGATIVE LIST**

Rule 2 of Schedule I mandates that creation of durable assets is an important objective of the Scheme. This implies that assets created should be tangible and measurable in nature. Works like boulder, pebble or shrub removal, silt application and similar activities which are non-tangible in nature are not permissible as stand-alone activities except when they are part of tasks in projects for strengthening the livelihood resource base of rural poor.

The maintenance of assets should generally be undertaken only for those works and assets created under MGNREGS. In case MGNREGS funds are to be used to rehabilitate assets created in the last 5 years using funds from schemes other than MGNREGS, the full details of previous work done along with date, copy of estimate and measurement book should be placed as part of the MGNREGS work
record before administrative approval is granted. It will be the duty of the head of the panchayats to find out on the basis of local enquiry whether work was done in the previous 5 years on all work sites. Programme Officer will ensure that an entry to this effect is made against each scheme in the list of schemes placed before the gram sabha on the basis of statement of the head of the panchayats. S/he will ensure that copies of documents are made available to the District Programme Coordinator before administrative approval is accorded and details are made available to the implementing agency along with the work order.

Mahatma Gandhi NREGS resources should not be used for land acquisition. Land belonging to small and marginal farmers or SC/ST landowners cannot be acquired or donated for works under the programme.

A major activity that has been widely undertaken under MGNREGS is the construction of wells. However, it has been observed that on many occasions, this has been done in an indiscriminate manner without reference to the prevailing hydrogeological conditions and the possible impact on the water table and water quality, which have both been falling in many parts of the country. Specific guidelines are, therefore, now being issued for well construction under MGNREGS. Groundwater is a common pool resource. Extraction of groundwater through individual sources such as wells and tubewells can sometimes threaten the quantity (depth) and quality of the resource. The following conditions are, therefore, being prescribed for undertaking digging of wells under MGNREGS:
i) Bore wells and tube wells will NOT be considered as a permissible activity under MGNREGS, under any circumstances. ii) Digging of private wells will not be a permissible activity under MGNREGS in areas which have been classified as semi-critical or critical or overexploited according to CGWB’s latest assessment.

iii) In areas which have been classified as semi-critical or critical or overexploited according to CGWB’s latest assessment, only “group wells” will be allowed where a group of farmers agrees to share the water from such a “group well”. Each such group will comprise at least 3 farmers;

iv) There should be a formal agreement (on Stamp Paper) between farmers for water sharing from a group well. Verification of the agreement within this group will be through the Gram Panchayat.

v) Only one member from one family can be the member of the group. He/she cannot be members of more than one group.

vi) A Group Well should be registered as a Group Irrigation Well in revenue records.

vii) In areas classified as “safe” by the CGWB, individual wells may be considered. Depth and diameter of such wells must conform to the hydrogeology of the area. In hard-rock areas, diameters must be kept within 8m. For softer rock and alluvial areas, well diameter must be less than 6m.
THE WAGE–MATERIAL RATIO

The ratio of wage costs to material costs should be no less than the minimum norm of 60:40 stipulated in the Act. This ratio must be maintained at the level of each Gram Panchayat.

To ensure procurement of material in an efficient and prudent manner, the following principles and procedures may be adopted:

i) The specifications in terms of quality, type etc as also quantity of goods to be procured, should be clearly spelt out keeping in view the specific needs of the procuring organizations. The specifications so worked out should meet the basic needs of the implementing agencies and strictly exclude unwarranted, superfluous and non-essential elements, which may result in needless inventory carrying costs. ii) Offers should be invited following a fair, transparent and reasonable procedure.

iii) The implementing agency should be satisfied that the selected offer adequately meets the requirements in all aspects.

iv) The implementing agency should satisfy itself that the price of the selected offer is reasonable and consistent with the quality required.

v) At each stage of procurement, the concerned implementing agency must place on record, in precise terms, the considerations which weighed with it while taking the procurement decision.

All procurement made should be posted in the MIS for monitoring, including details of quality procured, total amount spent, the scheme for which the material was procured, date of delivery of material etc.
IMPLEMENTING AGENCIES

The Gram Panchayat is the single most important agency for executing MGNREGS works as the Act mandates earmarking a minimum of 50 per cent of the works, in terms of costs, to be executed by the Gram Panchayat. The other implementing agencies can be line departments of the Government, Public Sector Undertakings of the Central and state Governments, Cooperative Societies with a majority shareholding by the Central and State Governments, and reputed NGOs having a proven track record of performance. CBOs such as federations of Self-Help Group with proven track records may also be considered as Implementing Agencies. All the implementing agencies converge at Gram Panchayat and the GPs will act as the single window for implementation of MGNREGS works at the village level. As GPs are the custodian of shelf of works, all works proposed by other PIAs working in the same GP have to ensure that their proposals are passed in the Gram Sabha and included in the Annual Development Plan of the GP. In the case of proposals that cover over more than one panchayat, it will require the approval of the Gram Sabhas of all concerned panchayats. PIAs will be appointed throughout the district by the District Programme Coordinator.

The selection of the Implementing Agency, other than the Gram Panchayat that has a mandatory responsibility for work execution, will be based on technical expertise, capacity to handle work within the given time frame, and proven track record for work, and the overall interests of beneficiaries. The selection of the Implementing Agency will have to be indicated in the Development Plan. A panel of agencies approved, in order of priority, may be considered to ensure that alternative options are available in the event where an agency fails to execute the work. This
will ensure that works do not suffer because of individual agency failure, and that work seekers get employment on time.

The responsibility for not being able to execute works in the time indicated by them in the labour budget and the Annual Plan will lie squarely with the PIAs. If any Implementing Agency (including a Gram Panchayat) is unable to execute the works allotted within 15 days, it will immediately inform the Programme Officer, who will entrust it to another agency, chosen from a panel of agencies approved project-wise for that Block in the Development Plan for the District. If a Gram Panchayat does not execute a work within 15 days, the Programme Officer will direct the applicants to a work being executed by another Implementing Agency. The time for various activities must be fixed according to the needs of workers, particularly migrant workers.

The role of the Line Department is to give technical support in providing estimates, measurement and supervision of the works executed. No overhead charge will be given to any line department for this as stated in the Act (Schedule I), contractors cannot be engaged in any manner in the execution of works.

This chapter revealed systematically the structure and functions of NREGS/MGNREGS to study the hierarchal level from national level to field or local level.