

**GOVERNMENT OF WEST BENGAL
DEPARTMENT OF PANCHAYATS AND RURAL DEVELOPMENT
JESSOP BUILDING (1ST FLOOR) 63, NS ROAD, KOLKATA. 700001,**

NOTIFICATION

No. 684-RD/NREGA/18S-1/06 dated 02/02/2006.- In exercise of the power conferred by sub-section (1) of section 4 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Governor is pleased hereby to make the following Scheme :-

Scheme

1. Short title and commencement.-

- (1) This Scheme may be called the West Bengal Rural Employment Guarantee Scheme, 2006.
- (2) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions.-

- (1) In this scheme, unless the contract otherwise requires,-
 - a) 'Act' means the National Rural Employment Guarantee Act, 2005;
 - b) 'Panchayat Act' means the West Bengal Panchayat Act, 1973 (West Bengal Act XLI of 1973);
 - c) 'State Programme coordinator' means the officer of the State Government in the Panchayats and Rural Development Department, not below the rank of Joint Secretary, so designated;
 - d) 'District Programme coordinator' means the District Magistrate of the district;
 - e) 'Programme Officer' means the Block Development Officer of the block;
 - f) 'Scheme' means the West Bengal National Rural Employment Guarantee Scheme, 2006;
 - g) 'State Government' means the Government of West Bengal.
- (2) The words and expressions used in this scheme and not defined but defined in the Act or the Panchayat Act shall have the same meanings as respectively assigned to them in the Act or the Panchayat Act.

3. Objectives of the Scheme.-

- (1) To provide not less than one hundred days of guaranteed employment, in a financial year to every household in the rural areas whose adult members, by application, volunteer to do unskilled manual work subject to the conditions laid down by or under the Act and in this Scheme;
- (2) To create durable assets and strengthening the livelihood resource based of the rural poor.

4. Implementation of the Scheme. -

This Scheme shall be implemented as a Centrally Sponsored Scheme on cost sharing basis between the Center and State as provided in the Act.

5. Nodal Agency of the State for the Scheme.-

The Government of West Bengal in the Panchayats and Rural Development Department shall be the Nodal Agency for implementation of the scheme.

6. Strategy of the Scheme.-

(1) The Scheme envisages –

- a) to involve Gram Unnayan Samiti, Gram Sansad, Gram Panchayat, Panchayat Samiti & Zilla Parishad in the identification of the projects and preparation of Perspective Plans and the Annual Action Plans with the participatory planning process;
- b) to implement the scheme primarily through Gram Panchayats, Panchayat Samities and Zilla Parishads. Different Departments of the Government, Central and State Undertakings, Autonomous and Cooperative bodies sponsored by the Different Departments and Local Authorities may also be the Implementing Agencies. The Panchayati Raj Institutions may take assistance of the graded Self Help Groups including cluster of Self Help Groups for implementation of the projects under the Scheme;
- c) to make the District Programme Coordinator and the Programme Officer ultimately responsible for ensuring proper implementation of the Scheme,
- d) to involve the beneficiary committees (Gram Unnayan Samiti or any other committee formed with general or specific approval of the DPC) for monitoring and social audit;
- e) to organise an intensive mass media campaign for creating awareness up to the grass root level for mobilizing demand, inform of the rights and obligations under the Act and the Scheme;
- f) to arrange for intensive training of the Panchayati Raj Institutions' members, office bearers, officials, staff and other functionaries involved in the implementation of this Act and
- g) to design and put in place a Management Information System.

7. Type of Works permissible.-

(1) The following type of works shall be taken up in rural areas under the scheme in their order of priority.

- a) **water conservation and water harvesting** in the form of excavation and construction of tanks, check dams, percolation tanks, underground dykes, ponds, rain water-harvesting structures on public lands and on the lands of Scheduled Castes & Scheduled Tribes, beneficiaries of land reforms, public buildings, Below Poverty Line houses, small and marginal farmers (last in priority);
- b) **drought proofing including** all the components of watershed development, afforestation and tree plantation, labour intensive fencing, nursery raising and other related activities;
- c) **irrigation canals including micro and minor irrigation works** in the form of feeder channels, filed channels, command area development, creation of labour intensive irrigation structures and other durable irrigation assets,
- d) provision of irrigation facility to land owned by households belonging the Scheduled Castes & Scheduled Tribes, beneficiaries of land reforms i.e. pattaholders and recorded bargadars the beneficiaries under the Indira Awaas Yojana and small and marginal farmers (last in priority);
- e) **renovation of traditional water bodies including desilting of tanks** including community drinking water wells, dug wells, bore wells and desilting or excavation of tanks and also including the renovation of water retention capacity of private tanks if the owner is willing to share the increased quantity of retained water for public use ensured through an

- agreement to be executed between Panchayati Raj Institutions or the Water User Association and the owner;
- f) **development** of land owned by households belonging the Scheduled Castes & Scheduled Tribes, beneficiaries of land reforms, the beneficiaries under the Indira Awaas Yojana, and small and marginal farmers (last in priority) including development of lay outs for beneficiaries of rural housing schemes, development of play grounds, development of land for village markets and for creating other durable community assets;
 - g) **flood control and protection works including drainage in water logged areas** including creation of temporary drainage structures during rainy season;
 - h) rural connectivity to provide all-weather access including earthwork on the roads to be covered in the Pradhan Mantri Gram Sadak Yojana and
 - i) any other work, which may be notified by the Central Government in consultation with the State Government.
- (2) For all the works mentioned in clause (a) to clause (i) above the first priority shall be given to works of community benefit and thereafter to the works of individual benefits.
- (3) All the works mentioned in clause (a) to clause (i) above shall also be identified on the watershed approach as far as practicable.

8. **Registration.-**

- (1) The adult member of every household who resides in any rural areas and are willing to do unskilled manual work under the Scheme shall be entitled to apply for registration to the Gram Panchayat in the application form as at **Annexure I**. Two copies of the group/ individual photographs of all the adult members of the family shall be attached with the application form. The Xerox copies of the application form shall be as good.
- (2) The Programme Officer may also organize camps at all the Gram Sansads to mobilize the registrations as well as to communicate the Scheme to the target group and to the general public. These applications for registration may be collected in a special campaign mode for the two weeks after coming into force of this Scheme. The applications for registration shall however, be collected at any time during the working hours at the Gram Panchayat Office or through time to time campaign as conducted by Programme Officer. A photographer may be arranged at all these camps by the Programme Officer. Tie up with a photographer may also be done at the Gram Panchayat level in case any applicant is facing problems in arranging a photograph. In cases of illiterate applicants the Gram Panchayat or the Programme Officer shall organize the assistance in filling up the forms. The requirement of the photograph may be waived by the state government depending on the circumstances.
- (3) A unique registration number in accordance with the coding system, which was used in census up to the Gram Panchayat level and the Ward numbers as the code for the Gram Sansad shall be used. In each Gram Sansad, the code number shall be assigned serial wise for all the applications. The detailed list of codes shall be available at the district level. This may be further ascertained if required. This shall be a unique serial number assigned to each application at the time of receipt.
- (4) Receipt of each application for registration shall be acknowledged in writing in the space provided for in the application form.

- (5) Brief particulars of the household as furnished in the application form shall then be entered in the Register of Application with date of receipt as per **Annexure II**.
- (6) The Gram Panchayat shall within fifteen days of receipt of the applications, verify all such applications in respect of the place of residence and age of the applicant and on satisfaction their names shall be registered. The Electoral roll and Ration cards are a record of the age and residence of people of the area. Hence it may be used for the purpose of quick verification.
- (7) There may be cases where the household applying may not be found eligible for registration. Such registration numbers shall be cancelled and not be used again. The registration number shall become the unique job card number at the time of issue of job card after the verification.
- (8) Gram Panchayat shall enter all the particulars in the Registration-cum-employment Register in the form shown at **Annexure III**. The Gram Panchayat shall send a periodical report on registration to the Programme Officer.

9. **Job Card. -**

- (1) The Gram Panchayat shall issue a job card in the form shown at **Annexure IV** to the registered household after making such enquiry as it deems fit and shall issue a job card within a week after such enquiry is complete.
- (2) The individual members of the household shall be provided with a by-number along with the registration number for their proper identification in the muster rolls and ease of compilation of data of the household later on. The serial number of the individual member on the Registration-cum-employment Register and Job card shall be the same and it shall be used as the by-number. The job card shall be valid for five financial years from the date of issue.
- (3) Applications for additions or deletions shall be submitted in the format given at **Annexure IA**. The Gram Panchayat shall incorporate details of the members eligible to work in the job card after verification.
- (4) The Gram Panchayat shall also undertake an annual updation exercise in the same manner as registration. The number of all the additions and deletions made in the Registration-cum-employment Register shall be reported to the Programme Officer. Duplicate card may be applied for, in case the original card is lost, damaged or mutilated. Duplicate card shall be issued only after due verification.
- (5) If individual members of the household are working on different works only one of the adult members may carry the original job card as the proof of identification. The other members may carry photocopy of the job card or any other identity card as a proof of identity. **All the payments made shall be entered in the original job card only.** No payment shall be made without the job card. For this purpose the payment dates of the different works shall be kept on different dates.
- (6) Copy of the Job Card shall be maintained at the Gram Panchayat in form of the Registration-cum-employment Register.
- (7) If a person has a grievance against non-issuance of job card, he may bring it to the notice of the Programme Officer. If the grievance is against the Programme Officer, he may bring it to the notice of the SDPC or the DPC. All such complaints should be disposed of within 15 days and the applicant duly informed.

10. **Employment.-**

- (1) Any registered adult member of the household may apply for allotment of work in plain paper or in the prescribed form given at **Annexure IVA** to the Gram Panchayat. Single application may be given for different periods during the year. More than one applicants may also submit joint application. The application for work should ordinarily be for at least fourteen days of continuous work. The Gram Panchayat may mobilize advance applications from the registered household for the periods during the year for which the work would be required with the active participation by the Gram Unnayan Samiti, Non Government Organisations, Self Help Groups and Community based organizations. If need be a door-to-door campaign may be taken up for this. The applications for the first year may also be collected at the time of registration.
- (2) The Gram Panchayat shall except in extraordinary circumstances such as high rainfall, floods, water logging and other natural calamities to the extent that earthwork related employment cannot be provided in large quantity, will be responsible for issuing letter informing allotment of work for providing wage employment to the applicants within fifteen days from receipt of the applications seeking employment or from the date of employment sought for in case of advance application. The work shall be allotted from among the shelf of works available at the Gram Panchayat including the works for which Gram Panchayat is not the Implementing Agency and the information about the employment opportunities has been received from the Programme Officer under section 16(6)(b) of the Act. The applicant provided with work shall be intimated in writing and notice shall also be displayed at the office of the Gram Panchayat and Programme Officer. In cases where the application for wage employment has been submitted jointly by a group of registered person, information related to providing wage employment shall be communicated through one of the applicants.
- (3) If a Gram Panchayat is not in a position to provide employment under the shelf of works within the Gram Panchayat and employment needs to be given outside the Gram Panchayat, the Gram Panchayat shall inform the Programme Officer within six days of receiving an application for providing work. Upon receiving this intimation from the Gram Panchayat, the Programme Officer shall issue the letter informing allotment of work under other available projects within his jurisdiction that may include inter- Gram Panchayat works. If some persons have to be provided employment beyond five Kms persons older in age and women shall be given preference to work on worksites nearer to their residence. If Programme Officer also can not provide work he shall inform the District Programme Coordinator, within eleven days of the application being received at the Gram Panchayat, who shall arrange to provide the work within the district as far as possible in the near by blocks. In such case the implementing agency shall make the makeshift staying arrangements.
- (4) While, providing employment, priority should be given to women so that at least one-third of the beneficiaries shall be women, who have registered and requested for work.
- (5) If a rural disabled person applies for work then works suitable to his ability and qualification shall have to be given as far as possible.
- (6) As far as possible, employment shall be provided within the radius of five kilometers of the village where the applicant resides. In case the employment is provided outside such radius, it must be provided within the block area and the applicants shall be paid ten per cent of the wage extra as additional wages to

meet additional transportation expenses. The period of employment shall ordinarily be for at least fourteen days with not more than six days in a week and work shall be offered normally on first come first serve basis.

- (7) The Gram Panchayat shall inform the Programme Officer of the employment allotment made in the proforma as in **Annexure IV B**.
- (8) Every person making payment of wages must pay the wages through muster roll in the form at **Annexure VI** and record without fail the amount paid and the number of days for which the payment has been made on the relevant column of the Job Card.
- (9) All the Implementing Agencies including the Gram Panchayats shall send a monthly report containing details as per proforma in **Annexure V** to Programme Officer. If employment is provided by any Implementing Agency other than the Gram Panchayat, that Implementing Agency shall also send a copy of the muster roll of every work along with a report containing details thereof as per proforma in **Annexure V** to the Gram Panchayat from which the workers are employed. To insure this, the Implementing Agencies have to prepare the muster rolls as per the residence of the workers Gram Panchayat wise.
- (10) The Gram Panchayats will consolidate the employment data household wise and enter in the Registration cum Employment register. The responsibility of coordination of employment data shall lie with the Gram Panchayats at the Gram Panchayat level and with Programme Officer at the Block level. The employment record is an essential document to ascertain whether a household has been provided with one hundred days of employment and to issue duplicate job card if demanded. The registers may also be used for doing field checks about the genuinity of payments made etc.

11. Unemployment Allowances.-

- (1) If an applicant for employment is not provided employment, in accordance with the provisions of this Scheme, within fifteen days of receipt of his application seeking employment or from the date on which employment has been sought in case of an advance application, whichever is later, he shall be entitled to a daily unemployment allowance at such rate as may be prescribed.
- (2) The applicant shall have to apply to the Programme Officer for this purpose. The applicant may apply through the Gram Panchayat also. The Gram Panchayat shall forward the application to the Programme Officer with its comments. The Program officer shall sanction or reject the application after due enquiry.
- (3) The unemployment allowance payable shall be paid to the applicant of a household subject to entitlement of the household provided that no such rate shall be less than one-fourth of the wage rate for the first thirty days during the financial year and not less than half of the wage rate for the remaining period of the financial year. Till the rate of allowance is prescribed, it shall be equal to Rupees seventeen for the first thirty days and Rupees thirty four thereafter.
- (4) All payments of unemployment allowance shall be made through an acquittance register and recorded in the respective Job Card and also in the Registration-cum-employment Register.
- (5) In all cases where unemployment allowance is due to be paid, the Programme Officer shall inform the District Programme Coordinator in writing the reasons why it was not possible to provide employment to the applicant within eleven days of receiving application. The District Programme Coordinator shall in turn

bring this to the notice of the State Government along with the reasons. The State Government would then examine this and if the reasons are not satisfactory the State Government may initiate suitable action against the defaulters.

- (6) The District Programme Coordinator shall also inform the State Council through annual report indicating the reasons for not providing employment within the stipulated period.
- (7) The Programme Officer appointed under section 15 of the Act may direct any person who applied for employment under the scheme to do work of any type permissible under the Scheme
- (8) Liability to pay unemployment allowance shall cease as soon as,----
 - a) in case of extraordinary circumstances, as mentioned in sub-para (2) of para 10 of the Scheme, are prevalent in the area; or
 - b) the applicant is directed by the Gram Panchayat or the Programme Officer to report for work either by himself or to depute at least one adult member of the household; or
 - c) if more than one members of the household apply for work and one member has been provided with work; or
 - d) the period for which employment is sought comes to an end; or
 - e) no member of the household of the applicant turned up for employment; or
 - f) 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
 - g) 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 work during the financial year.
- (9) An applicant shall not be eligible to claim the unemployment allowance for a period of three months if he –
 - a) does not accept the employment provided under the Scheme or
 - b) does not report for the work within fifteen days of allotment of the work or
 - c) continuously remains absent from work without obtaining 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 a month.
- (10) Every payment of unemployment allowance shall be made or offered not later than fifteen days from the date on which it becomes due for payment.

12. PLANNING.-

- (1) Well coordinated planning in advance is key to successful implementation of the Scheme. While timely provision of employment within fifteen days of demand is of utmost importance it should also be ensured that the design and selection of work are such that good quality assets are created.
- (2) **Perspective Plan.-**
 - a) each district will prepare a *Five-year* Perspective Plan that attempts to estimate the need for employment and the kind of works that can be taken up to meet the need through a participatory process of planning that has the Gram Sansad as its basic unit. The planning shall be based on the watershed approach as far as practicable.
 - b) The Perspective Plan shall take into consideration the availability of the resources in the district from other Schemes and Programmes. The Perspective Plan shall also have the benchmarking and key indicators of success.

- c) if the Perspective Plan has been made under National Food for Work Programme it shall be revisited so that it serves the purposes of the Act. For this purpose, the draft plan shall be discussed and be approved of with modifications, if need be, by the Gram Sansads, Gram Panchayats, Panchayat Samities and Zilla Parishads.
- d) the new districts that get notified under the Act but have not been covered under National Food For Work Programme shall also have to develop Perspective Plans and may engage a Consultant Agency for professional services to help develop a good quality Perspective Plan.
- e) at the village level, effort should be made to ensure participation of the villagers likely to seek work under the Scheme. Their demand for work as well as their preference for nature and time of work shall be elicited so that the Perspective Plan becomes, in fact, an instrument to give them employment according to their need. The Perspective Plan shall serve as a framework of long term planning, *but* it shall be flexible enough to respond to the new emerging needs of the area, the experience of implementation and the new areas of works approved by Central Government.
- f) The participatory planning process involving the Gram Sansads and the community including the workers would definitely take some time to emerge. But this has to be the foundation of the work identification under this Scheme and the time required shall be allowed. This shall also need capacity building at all levels up to the Gram Sansad. The capacity building should be planned immediately and implemented. After capacity building informal/special Gram Sansad meetings shall be held as many times as required, so that participatory and need based Perspective Plans may emerge as early as possible. For the year 2005-06, the existing Food For Work Programme or Sampurna Gramin Rojgar Yojana works shall be executed and the registered workers provided employment in these works.

(3) Annual Plan.-

- a) as required under section 16(4) of the Act the Gram Panchayats are to forward proposal of development project to the Programme Officer. Further the District Programme Coordinator is required to prepared the labour budget for the financial year containing the details of the anticipated demand for unskilled manual work in the districts and the plan for engagement of labourers in the works covered under the scheme and submitted to the Zilla Parishad. The Programme Officer is responsible for matching the demand for employment with the employment opportunities arising from the projects. Thus the Annual Action Plan would be necessary which must flow out of the five-year Perspective Plan keeping in view the demand for employment.
- b) since the preparation of the Perspective Plan may take some time the existing Perspective Plan of the National Food For Work Programme may be adopted for the National Food For Work Programme districts and an Annual Action Plan for the financial year 2006-07 prepared. For the non-National Food For Work Programme districts the Annual Action Plans need to be prepared immediately. The special meetings of the Gram Panchayats should be called for this purpose and Annual Action Plan be prepared by 15th day of March with due approval from the Zilla Parishad. The Gram Panchayats would follow the spirit of the planning as detailed for the

financial year 2007-08 and prepare the plan consulting the public as widely as possible.

- c) for the purpose of identification of sufficient quantity of works the likely estimation of the demand is essential. This shall be done on the basis of the Below Poverty Line population, number of Marginal Agricultural Labourers, Migration figures and other parameters as may be decided by the district for each Gram Panchayat. These estimations shall be sample tested in the field to moderate them and make them realistic.
- d) for the Annual Action Plan 2007-08 onward, every year the Gram Unnayan Samiti, through participatory planning process shall, in the meeting of the Gram Sansads in the month of November, prepare the list of works with prioritization to be taken up in the next financial year for meeting 150% of the estimated demand. Gram Unnayan Samities may start the participatory planning process well in advance so that the final plan for approval may be placed before the Gram Sansad in their meeting in November.
- e) the Gram Unnayan Samiti shall forward the prioritised proposals of the Gram Sansads to the Gram Panchayat. The Gram Panchayats shall be guided by the works selected in the Gram Sansad meeting. The Gram Panchayat shall consolidate the proposals of all the Gram Sansads with priority of works and forward the consolidated proposal within the month of January. The choice of works shall be based on the works identified in the perspective plan and the priority proposed by the Gram Sansads shall be maintained. The Annual Action Plan should clearly indicate the existing demand for work, the demand in the previous year, the works taken up in the previous year, works on going and works proposed for the next year, likely costs, and proposed implementing agencies. The Gram Panchayat shall also identify at least 50% of the works in its area that it may wish to take up. The projects identified at the Gram Panchayat shall be assigned a unique serial number as per the instructions. This code shall be provided at the level of the Programme Officer, if not possible at the Gram Panchayat level.
- f) the Programme Officer shall scrutinize the Annual Plan for its technical feasibility. He shall satisfy himself that it meets the likely demand for employment based on the registrations and previous experience. If the Programme Officer feels that the list is insufficient to meet the likely demand, he shall ask for a supplementary list. The Programme Officer shall not reject a proposal received from the Gram Panchayat, the proposal is within the parameters of the Act, it appears technically and feasible, the Programme Officer shall record his observations on the proposal and then submit a consolidated statement of proposals to the Panchayat Samiti. The Panchayat Samiti shall not reject a work proposed by the Gram Panchayat, if it is within the parameters of the Act. If it is outside the parameters of the Act, then it shall be returned to the Gram Panchayat for it to replace it with a valid proposal.
- g) the Panchayat Samiti shall maintain the priority indicated by the Gram Panchayat. It is possible that there may be a need for works that involve more than one Gram Panchayat; the Panchayat Samiti may include such works. In identifying such works the suggestions of elected public representatives of that area, Non Government Organisations who have been working in that area for rural development and of Line Departments may be considered by the Panchayat Samiti. The proposals from the

Implementing Agencies at this level should be broken up Gram Panchayat wise as far as possible, so that the Gram Panchayat may be informed of the employment opportunities in its area for making allotment of works to the registered applicants. On the basis of these discussions, the Plan for the area of the Panchayat Samiti will be approved by the Panchayat Samiti and forwarded to the District Programme Coordinator. Panchayat Samities shall take a decision on a proposal placed by the Programme Officer within fifteen days. These activities shall be completed within the third week of February.

- h) the District Programme Coordinator shall scrutinize the plan proposals of all the Panchayat Samitis, examining the appropriateness and adequacy of works in terms of likely demand as well as their technical and financial feasibility. He shall also invite and examine work proposals from other Implementing Agencies (The proposals from the Implementing Agencies at this level should be broken up Gram Panchayat wise and Block wise as far as possible, so that the Blocks and the Gram Panchayats may be informed of the employment opportunities in its area for making allotment of works to the registered applicants), but in doing so, the priorities of the Gram Panchayat and the priorities of inter-Gram Panchayat works as indicated in the Block Plan by the Panchayat Samiti will be retained. He shall consolidate all these proposals into a District Plan proposal to be discussed and approved by the Zilla Parishad. The time frame for each project must be specified in the Annual Plan. The District Plan shall comprise Block-wise shelf of projects. The Block wise shelf of projects will be arranged Gram Panchayat wise. If required the Zilla Parishad may include works that may involve more than one panchayat Samiti. The Zilla Parishad will then approve the district plan. The Zilla Parishad shall take a decision on a proposal submitted by the District Programme Coordinator within fifteen days. This activity shall be completed within the 15th day of March.
- i) if any of the Panchayati Raj Institutions fails to complete the process of approval of the respective Action Plan within the stipulated period above without sufficient reason to be communicated to the District Programme Coordinator or Programme Officer as the case may be it shall be presumed that the respective Panchayati Raj Institution has no objection to the Action Plan sent to them for approval and same will be taken as approved by the District Programme Coordinator or Programme Officer.
- j) the projects identified at other levels shall also be assigned an unique serial number as per the instructions. The projects shall be compiled in a format to be prescribed. The works approved shall be widely publicized.

(4) Preparation of Plan and Estimates.-

- a) the District Programme Coordinator shall coordinate the preparation of detailed technical plan and estimates through the Programme Officer. The work of preparation of estimates shall be done by the executing agency if they have the requisite expertise or from any other technical authority specified/outsourced with the general or specific approval of the State Government. The project report of each project shall contain all details as may be specified in the technical/works manual of the State Government and also the outcomes like person days, specifications of the physical asset (like length of road, size of a tank) and enduring outcomes like area irrigated, village connected, division of unskilled, semi-skilled and skilled

wages and material component. The competent authorities shall vet these estimates and the District Programme Coordinator or the Programme Officer shall issue administrative and financial sanctions as the case may be.

- b) the District Programme Coordinator shall communicate the sanctioned Plan to the Programme Officer. The Programme Officer shall forward a copy of the Block Plan with the shelf of projects to be executed in that Gram Panchayat as well as projects that may be inter Gram Panchayat (related to that Gram Panchayat) along with cost, time-frame, man days to be generated and executing agency to every Gram Panchayat. This process must be completed by third week of March of the preceding year. Gram Panchayats shall in turn inform the Gram Unnayan Samitis the shelf of projects to be executed in that Gram Sansad along with cost, time frame, man-days to be generated and executing agency. The Gram Unnayan Samitis shall place these records in the Gram Sansad meetings as and when organized.

13. Beneficiary Committees.-

- a) The Gram Unnayan Samitis will generally function as the beneficiary committee for the works. Depending on the circumstances other Beneficiary Committees may also be formed with the general and specific approval of the District Programme Coordinator.
- b) These Committees shall function in accordance with the instructions to be issued in this regard. But the demand of the employment or execution of the work shall not be kept pending for the nonfunctioning or malfunctioning of these committees.

14. Provision for facilities at Work Site.-

- (1) Arrangements for providing facilities like drinking water, rest shed for workers, crèche for children accompanying the working mother, first-aid box with adequate materials for emergency treatment and other health hazards connected with the works shall be made available at each work site. The cost of worksite facilities as indicated in the Act shall be included as part of programme cost and therefore has to be included in the cost estimate for each project.
- (2) If any personal injury is caused to any person employed under the project under the Scheme, by accident arising out of and in the course of his employment, he shall be entitled to, free of charge, medical treatment at the Government hospitals.
- (3) Where hospitalisation of the injured worker is necessary, it shall be arranged by the Programme Officer, including accommodation, treatment, medicines and payment of daily allowance at the rate of Rupees thirty four per day.
- (4) If a person employed under the project under the Scheme, dies or becomes permanently disabled by accident arising out of and in the course of employment, he shall be paid by the implementing agency an exgratia payment at the rate of twenty-five thousand rupees or such amount as may be notified by the Central Government, and the amount shall be paid to the legal heirs of the deceased or the disabled, as the case may be.

15. Administrative and Technical Powers.-

- (1) Enhanced technical powers have already been delegated to the Technical Officers right from the Nirman Sahayak /Job Assistant at the Gram Panchayat level, to Sub-Assistant Engineer/Junior Engineer / Assistant Engineer at the intermediate level and Executive Engineer / District Engineer at the Zilla Parishad level for the technical vetting.
- (2) The works taken up under the Scheme shall meet the required technical standards and measurements specified in the Schedule of works. Separate technical norms and Schedule of Rates shall be worked out exclusively for the implementation of the scheme. Till such time these are worked out the existing schedule of rates and standards shall be followed.
- (3) The power to issue the Administrative sanctions are delegated to the Programme Officer for the schemes within the financial limits of vetting power of the Junior Engineers and to the District Programme Coordinator above that financial limit.
- (4) Since the works identified in the Annual Action Plan may require specialized skills of the engineering and technical staff of other line departments, the services of the various line departments may be used by the District Programme Coordinator. On direction from the District Programme Coordinator the district level officers of various Departments shall render all assistance as directed as has also been detailed in the section 14(5) of the Act. Failure to do so shall be considered to be a contravention of the provision of the Act and liable to be prosecuted under section 25 of the Act.
- (5) The District Programme Coordinator may also form a Panel of Engineers at the District and Block level for preparation of plans and estimates, doing the vetting and supervising different works. The services of the panel of engineers will be used by the Gram Panchayats and Programme Officers against job wise payment as decided by the District Programme Coordinator on approval of the State Government.

16. Maintenance of assets created.-

- (1) The Government of India guidelines framed for the Act shall specify appropriate arrangements for proper maintenance of the public assets created under this Scheme. The principle of community ownership and maintenance shall be applied for the community-based assets. Appropriate arrangements for having an agreement with the owner of the land would have to be made by the Panchayati Raj Institutions or other bodies.

17. Wages to be paid.-

- (1) Wages paid to the unskilled labourers shall be as per section 6 of the Act.
- (2) For the time being and till its revision the daily wages shall be: Rupes sixty eight per day.
- (3) However, the labourers shall be expected to turnout the quantity of work required as per the existing schedule of rates. The skilled /semi Skilled workers shall be paid wages as per schedule of rates fixed by the State Government. Till schedule of rates are revised current Sampurna Gramin Rojgar Yojana or National Food For Work Programme schedules shall be followed.

18. More work -more wage.-

When the quantity of work turned out by the labourers /group of labourers is more than the quantity of work calculated as per the minimum wages payable to

them, then the wages shall be directly linked with the quantity of work done, calculated as per the schedule of rates and the higher wages shall be paid accordingly. Similarly lower quantum of work will lead to payment of proportionately lower wage.

19. Equal wages.-

Men and women labourers shall be paid equal wages under the Scheme.

20. Material Cost.-

- (1) The cost of material component of projects including the wages of the skilled or semi-skilled workers shall not exceed forty per cent of the total project costs for a district as a whole and shall be so, to the extent possible, for each block.

21. Procurement of Materials.-

- (1) The current procedures adopted for Sampurna Gramin Rojgar Yojana only shall be followed, till further order is issued in this regard.

22. Disbursement of wages.-

- (1) The disbursement of wages shall be made in public in presence of the representative of the Gram Unnayan Samiti / beneficiary committee on a weekly basis or in any case not later than a fortnight after the date on which such work was done.
- (2) The wages shall be paid to the individual and not to the group.
- (3) In case the payment of wages is not made within this time the workers shall be entitled to receive a compensation as per the provisions of the 'Payment of Wages Act 1936'.
- (4) All payment of wages shall be recorded in the applicant's copy of the Job Card at the time of payment. It shall also be entered in the respective copy of the Job Card maintained at the Gram Panchayat in form of the Registration-cum-employment Register.
- (5) Wherever possible, wages may be credited to the bank account of the worker. For this purpose, the Programme Officer and Gram Panchayat may persuade the workers to open accounts in the nearest Bank branch/Post Office.
- (6) Wages through muster roll (in the prescribed format) shall be disbursed only by the employees of Government or Panchayats. For ensuring this, the Programme Officer may depute sufficient number of Government employees from the block level offices. On direction from the Programme Officer the block level officers of various Departments shall render all assistance as directed. Failure to do so shall be considered to be a contravention of the provision of the Act and liable to be prosecuted under section 25 of the Act.
- (7) In case where sufficient employees are not available the wages may also be disbursed with the help of Self Help Groups, who have passed Grade-I level with the approval of the District Programme Coordinator. In such case the Self Help Group will be provided wages through their bank account. The Self Help Group will be paid wage at the rate of Rupees one hundred two for payment and preparation of muster roll for twenty five number of worker-days.
- (8) **In no case the private individuals be engaged as the paymasters.**

23. Ban on contractors.-

- (1) No contractor shall be engaged in implementation of the projects under the Scheme. The Panchayat members and the officers concerned shall be liable for suitable action against them, including removal from office, if contractors are found to be engaged in the implementation of the Scheme.

24. State Employment Guarantee Council.-

- (1) For the purpose of regular monitoring and reviewing the implementation of the Act at the State Level, there shall be a State Council known as the West Bengal State Employment Guarantee Council with a Chairperson and ten official members and not more than fifteen non-official members to be nominated by the Panchayats & Rural Development Department of the State Government from amongst the Panchayat functionaries, Non Government Organisations, Women Groups and Disadvantaged Groups with due representations from Scheduled Castes/ Scheduled Tribes and Other Backward Classes including minority groups, provided that not less than one-third of the non-official members nominated shall be women. Provided further that not less than one-third of the non-official members shall belong to Scheduled Castes/ Scheduled Tribes / Other Backward Classes and minorities. The State Programme Coordinator shall be the Member-Secretary of the State Employment Guarantee Council.
- (2) The tenure of the Chairperson and members (non-official) of the State Council shall be two years and the State Government shall have the power to renew or extend the tenure up to five years. Same person can be re-nominated even after five years. For the official members of the State Council, the tenure shall be for the period of their holding the post of their respective Departments.
- (3) The duties and functions of the State Council shall include.-
 - a) advising the State Government on all matters concerning the scheme and its implementation in the State,
 - b) determining the preferred works,
 - c) reviewing the monitoring and redressal mechanisms from time to time and recommending improvements,
 - d) promoting the widest possible dissemination of information about this Act and the Schemes under it,
 - e) monitoring implementation of this Act in the State and coordinating such implementation with the Central Council through the State Government,
 - f) preparing the annual report to be laid before the State Legislature by the State Government,
 - g) any other duty or function as may be assigned to it by the Central Council or the State Government.

25. Functions of the Panchayats at districts, intermediate and village levels.-

- (1) The Zilla Parishad at the district level, Panchayat Samiti at the Block level and Gram Panchayat at the lowest level shall be the principal authorities for planning and implementation of the Scheme.
- (2) The functions of the Zilla Parishad at the district level shall be, -
 - a) to finalise and approve block-wise shelf of projects to be taken up under the Scheme;
 - b) to supervise and monitor the projects taken up at the block level and district level; and
 - c) to carry out such other functions as may be assigned to it by the State Government or the State Employment Guarantee Council, from time to time.

- (3) The functions of the Panchayat Samiti at intermediate level shall be,—
- a) to approve the Block level plan for forwarding it to the Zilla Parishad at the district level for final approval;
 - b) to supervise and monitor the projects taken up at the Gram Panchayat and Block Level; and
 - c) to carry out such other functions as may be assigned to it by the Zilla Parishad, State Government or the State Employment Guarantee Council, from time to time;
- (4) The functions of the Gram Panchayat at village level shall be, -
- a) to prepare the Gram Panchayat level annual plan on the basis of the proposal for shelf of schemes taken up by the Gram Sansads within the Gram Panchayat area and forward it to the Programme Officer for preparation of consolidated plan for the Panchayat Samiti;
 - b) to execute different works under the Scheme as may be assigned to them by the Programme Officer who shall allot at least fifty per cent of the works in terms of its cost under the Scheme to be implemented through the Gram Panchayats;
 - c) to carry out such functions as assigned to them by the Panchayat Samiti, Zilla Parishad, State Government or the State Employment Guarantee Council;

26. District Programme Coordinator.-

- (1) At the district level the District Magistrate will be the District Programme Coordinator and shall be assisted by an Additional District Programme Coordinator (ADPC), an officer in the rank of an Additional District Magistrate, and a Nodal Officer (NO), a WBCS (Ex) officer of the rank of Deputy Project Director of District Rural Development Cell, for regular monitoring and reviewing the implementation of the works under the Scheme. The DPC may delegate some or all of his powers to the ADPC and SDPC.
- (2) The functions of the District Programme Coordinator shall be.-
- a) to assist the Zilla Parishad in discharging its functions under this Act and any Scheme made there-under;
 - b) to consolidate the plans prepared by the Blocks and project proposals received from other implementing agencies for inclusion in the shelf of projects to be approved by the Panchayat at district level;
 - c) to accord necessary sanction and administrative clearance, wherever necessary;
 - d) to coordinate with the Programme Officers functioning within his jurisdiction and the implementing agencies to ensure that the applicants are provided employment as per their entitlements under this Act;
 - e) to review, monitor and supervise the performance of the Programme Officer; as well as other officers entrusted to assist the Programme Officer in implementation of the Act.
 - f) to conduct periodic inspection of the works in progress; and
 - g) to redress the grievances of the applicants;
 - h) to prepare in the month of December every year a labour budget for the next financial year containing details of anticipated demand for unskilled manual work for the district and the plan for engagement of the workers in the works covered under the Scheme and submit it to the Zilla Parishad.
 - i) The District Programme Coordinator shall be ultimately responsible to ensure that the applicants are provided work within due time so that the

burden of unemployment allowance does not come on the State Government. For ensuring this the District Programme Coordinator shall have the emergency powers of starting a work permissible under the Act through any Implementing Agency/Panchayat Samiti /Gram Panchayat and all the Implementing Agency /Panchayat Samiti /Gram Panchayats shall be bound to carry out the instructions of the District Programme Coordinator.

- j) any other work as may be assigned to him by the State Government.
- (3) The District Programme Coordinator shall have the powers to draft the services of any officer of the State Government and local authorities or bodies functioning within the district to assist the District Programme Coordinator /Programme Officer in carrying out their functions under the Act and the Scheme. On direction from the District Programme Coordinator the district level officers of various departments shall render all assistance as directed as has also been detailed in the section 14(5) of the Act. Failure to do so would be considered to be a contravention of the provision of the Act and liable to be prosecuted under section 25 of the Act.

27. Sub-Divisional Programme Coordinator.-

- (1) Sub-Divisional Officers (SDOs) of the Sub-Division shall be Sub-Divisional Programme Coordinator, within their respective jurisdiction.
 - a) They will assist the District Programme Coordinator and Additional District Programme Coordinator for ensuring proper implementation of the Scheme.
 - b) The Sub-Divisional Programme Coordinator shall exercise the control over the Programme Officers on behalf of the District Programme Coordinator, make inspections to ensure the quality of work, over see the grievance redressal mechanism and do other works as may be assigned by the State Government or the District Programme Coordinator from time to time.

28. Programme Officer.-

- (1) There shall be a Programme Officer at the Panchayat Samiti level who shall be responsible to assist the District Programme Coordinator in carrying out functions under the Scheme.
- (2) The Block Development Officer of each block, who happens to be the Executive Officer of the Panchayat Samiti, shall work as Programme Officer at each Panchayat Samiti.
- (3) To assist the Programme Officer for the effective monitoring and reviewing the progress of the work, Joint Block Development Officer of the Block, would be designated as Joint Programme Officer. Joint Programme Officer will work under the control and supervision of the Programme Officer.
- (4) There shall be one full time Assistant Programme Officer (APO) for smooth implementation.
- (5) The Livelihood Development Officer of the Block will also be associated with the Scheme and shall assist the Programme Officer.
- (6) The APOs may be recruited on contract, if required on the general and specific approval of the State Government.
- (7) The PO may delegate any or all of its functions to the Joint PO or Assistant PO.
- (8) The functions of the Programme Officer shall include, -
 - a) assisting the Panchayat Samiti in discharging its function under this Scheme.
 - b) matching the demand for employment with the employment opportunities arising from the approved plans and ensuring that every applicant has been

provided with unskilled work within stipulated time in accordance with this scheme in their respective area under his jurisdiction.

- c) monitoring of projects taken up by the Gram Panchayats and other Implementing Agencies within his jurisdiction;
 - d) sanctioning and ensuring payment of unemployment allowance to the eligible households;
 - e) ensuring prompt and fair payment of wages to all labourers employed under a programme of the Scheme within his jurisdiction;
 - f) ensuring that regular social audits of all works within the jurisdiction of the Gram Panchayat are carried out by the Gram Sansad and that prompt action is taken on the issues raised in the social audit;
 - g) dealing promptly with all complaints that may arise in connection with the implementation of the Scheme within the Block; and
 - h) to directly instruct the Gram Panchayat level staff and officials to carry out an activity for implementation of the Act and the Scheme in case the Gram Panchayat is unable to discharge its duties;
 - i) any other work as may be assigned to him by the District Programme Coordinator or the State Government.
- (9) The Block Development Officer while functioning as Programme Officer shall be at liberty to utilize the services of any official of his office or of the office of the Panchayat Samiti and Gram Panchayat for effective monitoring and implementation of the Scheme; and for this purpose any official asked to perform any duty connected with the Scheme shall be legally bound to do the work.
- (10) The Executive Assistant, Nirman Sahayak/Job Assistant, Secretary of the Gram Panchayat and other staff shall perform all such duty as may be assigned to them by the Programme Officer from time to time.

29. Failure to perform duties under the Scheme. –

If any Implementing Agency fails to perform the duties assigned to them under the Scheme by the District Programme Coordinator or Programme Officer at any stage the District Programme Coordinator or the Programme Officer on approval of the District Programme Coordinator may either take over and perform such functions themselves or assign the task to some other Implementing Agencies and recover the damages from such Implementing Agency.

30. Use of machines:

- (1) As far as practicable, tasks under this scheme shall be performed by using manual labour and not machines. When it is not possible to perform a task manually and use of machines is inevitable, permission of the District Programme Coordinator shall be taken by the implementing agency in writing, after giving proper justification for using such machines at the time of preparation of the estimates. The District Programme Coordinator shall satisfy himself of the inevitability of use of machines and accord permission detailing the reasons for giving such permission.

31. Ensuring Transparency:

- (1) all Implementing Agencies shall maintain absolute transparency in planning and implementation of the scheme. In this regard following steps should be taken, -

- a) maintain the proceedings of Gram Sansad and Panchayats concerning the discussions held on the Scheme or the Act and widely disseminate various aspects of the same through those meetings.
 - b) the copies of proceedings, estimates, action plans, muster rolls, employment register, bills, vouchers and all records relating to the schemes shall be made available for public scrutiny. And copy and extracts thereof shall be provided on demand on payment of copying charges as per the provisions of the Right to Information Act, 2005,
 - c) display on a board, at the beginning of every work, on the spot, details of the work estimate, starting date and number of man days likely to be generated. If possible, number of workers deployed shall be displayed every day. At the end of the work total expenditure incurred physical achievement and employment generated shall be displayed on a permanent board,
- (2) Implementing Officers/Agency shall provide whatever oral information can be provided as and when asked by the people of the village, media persons, Non Government Organisations peoples representative or any one who is interested in the Scheme.

32. Muster Roll.-

- (1) All muster rolls as specified in **Annexure VI** duly numbered will be issued by the Programme Officer to the Gram Panchayats and all Implementing Agencies.
- (2) Gram Panchayats and all Implementing Agencies shall maintain such muster rolls for every work in which name of the person on work, his job card number/by-number, days of work, payment made shall be entered. Signature or thumb impression of the payees shall be obtained on the muster roll. Payment made and number of days of work shall be entered in the job card every work. The person making and payment shall put his/her signature on the job card.
- (3) The original muster roll shall form part of the expenditure record of the executing agency. A photocopy of the muster roll shall be sent to concerned Gram Panchayat for making entry in the employment register. To insure this the Implementing Agencies have to prepare the Muster Rolls registering Gram Panchayat wise for the workers.
- (4) Any muster roll, which has not been issued from the office of the Programme Officer, shall be considered unauthorized. The Implementing Agency or the Gram Panchayat using unauthorized muster roll shall be proceeded against.
- (5) Muster roll stock register shall be maintained by the muster roll issuing authority i.e. Programme Officer, Muster roll stock register shall also be maintained by the Gram Panchayats and implementing agencies on the proforma specified in **Annexure VII, VIIA& VIIB** respectively. The Gram Panchayat shall also maintain a record of copies of muster rolls received from the other implementing agencies in the relevant column of proforma given in **Annexure VIIA** and use them for updation of RE register.

33. Measurement Books and Measurement Sheets.-

- (1) In a similar procedure the Programme Officer shall also supply the numbered Measurement books and measurement sheets to all the Implementing Agencies. The stock register at the end of Programme Officer and Implementing Agencies shall be maintained as per **Annexure VIII and VIIIA**

34. Asset Register.-

- (1) All works sanctioned, executed and completed will be maintained in the Asset Register at the level of Implementing Agencies in **Annexure IX**. The information in the register will be reported by the Gram Panchayat and all other implementing agencies to the Programme Officer on the same proforma.
- (2) The Programme Officer shall compile the data in the computer and supply a copy to the District Programme Coordinator. The District Programme Coordinator shall compile the data received from Programme officers who have reported the data of assets falling within the jurisdiction of more than one Programme Officer and shall generate monthly and annual reports in the proforma given at **Annexure X and XI** and send it to the State Programme Coordinator and the Ministry of Rural Development through an electronic copy, e- mailed or online reported and a hard copy duly signed through the State Programme Coordinator.

35. Audit of Works.-

- (1) Both physical and financial audit of the works under the Scheme shall be carried out at the end of the each financial year by each district through engaging a Chartered Accountants Firm from a panel to be prepared for that purpose. There shall be a provision for audit by Local Examiner of Accounts, Accountant-General (Accounts & Entitlements), West Bengal also.
- (2) The District internal audit Cell comprising of Parishad Accounts and Audit Officer and the Samiti Audit and Accounts Officers of Zilla Parishads and Panchayat Samities respectively shall conduct internal audit regularly as per the directions of the District Programme Coordinator. This cell shall also scrutinize the reports of the Beneficiary Committees, Gram Sansad and send compiled report to the District Programme Coordinator. Cases of gross irregularities shall be brought to the notice of the State Government by the District Programme Coordinator.

36. Complaint Register.-

A complaint register as specified in Annexure XII will be maintained at the Gram Panchayat and in the offices of the Programme Officer and the District Programme Coordinator.

37. Social Audit and Vigilance. -

Every work sanctioned under this Scheme shall be monitored by the Gram Unnayan Samiti or the beneficiary committee formed, if any, for this purpose. The Gram Panchayats/Implementing Agencies shall apprise the Gram Unnayan Samiti or Beneficiary Committees of all the details of the work – the estimate, time frame, list of workers, quality parameters and all other relevant details. Report of the Gram Unnayan Samiti /Beneficiary Committee, if prepared for any work, will be attached to the completion certificate of the work and shall also be placed in the next meeting of the Gram Sansad or at appropriate forums if decided by the District Programme Coordinator. Copies of the report shall also be sent to the Programme Officer / District Programme Coordinator.

38. Monitoring and Inspection.-

- (1) For effective implementation of this Scheme, it has be to ensured that the State, District, Sub-division and Block level officers and other supervisory functionaries closely monitor the programme at every stage of implementation

including registration of household, issuance of the job cards, allotment of employment, payment of wages and unemployment allowance if necessary and progress of works through field visit.

- (2) Each district shall draw up a schedule of inspection to ensure that district level and sub-divisional level officers together inspect at least ten per cent of the works separately. Copy of the inspection schedule so drawn shall be sent to the State Council and Panchayats & Rural Development Department.

39. Reports and Returns. -

Monthly financial and physical progress report as per form at **Annexure X and Annexure XI** shall be sent to the State Government by each district within 10th day of the following month.

40. Fund Flow Mechanism. -

The State Government shall arrange to ensure necessary flow of its share of fund for implementation of the Act to the Implementing Agencies and shall also arrange flow of fund to be received from the Government of India for the same purpose.

41. Convergence or Dovetailing with other programmes. -

- (1) The Convergence of Employment Guarantee Scheme with funds from other sources shall be permissible to create durable assets
- (2) Hence the Funds available with the Panchayati Raj Institutions from other sources such as National Finance Commission, State Finance Commission, State Departments, other Central and Centrally Sponsored Schemes like Swarnjayanti Gram Swarozgar Yojana, Drought Prone Areas Programmes / Rashtriya Sam Vikas Yojana , etc., shall be dovetailed, as far as practicable, for construction of durable community assets/works permissible under the Act.

(3) Convergence with social sector programmes. -

- a) Social sector programmes like literacy and public health must be converged with this Scheme to provide benefits of those programmes to the beneficiaries of Employment Guarantee Scheme.

42. Power to issue clarifications of the State Government: The State government shall have power to issue supplementary notifications, executive instructions and clarifications in conformity with the provisions of the Act for smooth implementation of the Scheme.