

## National Rural Employment Guarantee Act, 2005

### Chapter IV - Implementing and Monitoring Authorities

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(1) With effect from such date as the Central Government may, by notification specify, there shall be constituted a Council to be called the Central Employment Guarantee Council to discharge the functions, and perform the duties, assigned to it by or under this Act.

(2) The headquarters of the Central Council shall be at Delhi.

(3) The Central Council shall consist of the following members to be appointed by the Central Government, namely:-

(a) a Chairperson;

(b) not more than such number of representatives of the Central Ministries including the Planning Commission not below the rank of Joint Secretary to the Government of India as may be determined by the Central Government;

(c) not more than such number of representatives of the State Governments as may be determined by the Central Government;

(d) not more than fifteen non-official members representing Panchayati Raj Institutions, organisations of workers and disadvantaged groups:

Provided that such non-official members shall include two chairpersons of District Panchayats nominated by the Central Government by rotation for a period of one year at a time:

Provided further that not less than one-third of the non-official members nominated under this clause shall be women:

Provided also that not less than one-third of the non-official members shall be belonging to the Scheduled Castes, the Scheduled Tribes, the other Backward Classes and Minorities;

(e) such number of representatives of the States as the Central Government may, by rule's, determine in this behalf;

(f) a Member-Secretary not below the rank of Joint Secretary to the Government of India.

(3) The terms and conditions subject to which the Chairperson and other members of the Central Council may be appointed and the time, place and procedure of the meetings (including the quorum at such meetings) of the Central Council shall be such as may be prescribed by the Central Government.

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### Section 11 - Functions and duties of Central Council

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(1) The Central Council shall perform and discharge the following functions and duties, namely:-

(a) establish a central evaluation and monitoring system;

(b) advise the Central Government on all matters concerning the implementation of this Act;

(c) review the monitoring and redressal mechanism from time to time and recommend improvements required;

(d) promote the widest possible dissemination of information about the Schemes made under this Act;

(e) monitoring the implementation of this Act;

(f) preparation of annual reports to be laid before Parliament by the Central Government on the implementation of this Act;

(g) any other duty or function as may be assigned to it by the Central Government.

(2) The Central Council shall have the power to undertake evaluation of the various Schemes made under this Act and for that purpose collect or cause to be collected statistics pertaining to the rural economy and the implementation of the Schemes.

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### Section 12 - State Employment Guarantee Council

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(1) For the purposes of regular monitoring and reviewing the implementation of this Act at the State level, every State Government shall constitute a State Council to be known as the ..... (name of the State) State Employment Guarantee Council with a Chairperson and such number of official members as may be determined by the State Government and not more than fifteen non-official members nominated by the State Government from Panchayati Raj institutions, organisations of workers and disadvantaged groups:

Provided that not less than one-third of the non-official members nominated under this clause shall be women:

Provided further that not less than one third of the non-official members shall be belonging to the Scheduled Castes, the Scheduled Tribes, the other Backward Classes and Minorities.

(2) The terms and conditions subject to which the Chairperson and members of the State Council may be appointed and

the time, place and procedure of the meetings (including the quorum at such meetings) of the State Council shall be such as may be prescribed by the State Government.

(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 the implementation of this Act and the Schemes in the State and coordinating such implementation with the Central Council;
- (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.

(3) The State Council shall have the power to undertake an evaluation of the Schemes operating in the State and for that purpose to collect or cause to be collected statistics pertaining to the rural economy and the implementation of the Schemes and Programmes in the State.

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### **Section 13 - Principal authorities for planning and implementation of schemes**

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(1) The Panchayat at district, intermediate and village levels shall be the principal authorities for planning and implementation of the Schemes made under this Act.

(2) The functions of the Panchayats at the district level shall be-

- (a) to finalize and approve blockwise shelf of projects to be taken up under a programme 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 Council, from time to time.

(3) The functions of the Panchayat at intermediate level shall be--

- (a) to approve the Block level Plan for forwarding it to the district Panchayat 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 State Council, from time to time.

(4) The District Programme Coordinator shall assist the Panchayat at the district level in discharging its functions under this Act and any Scheme madethereunder.

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### **Section 14 - District Programme Coordinator**

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(1) The Chief Executive Officer of the District Panchayat or the Collector of the district or any other district level officer of appropriate rank as the State Government may decide shall be designated as the District Programme Coordinator for the implementation of the Scheme in the district.

(2) The District Programme Coordinator shall be responsible for the implementation of the Scheme in the district in accordance with the provisions of this Act and the rules madethereunder.

(3) The functions of the District Programme Coordinator shall be--

- (a) to assist the district Panchayat in discharging its functions under this Act and any scheme madethereunder;
- (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 Officers;
- (f) to conduct periodic inspection of the works in progress; and
- (g) to redress the grievances of the applicants.

(4) The State Government shall delegate such administrative and financial powers to the District Programme Coordinator as may be required to enable him to carry out his functions under this Act.

(5) The Programme Officer appointed under sub-section (1) of section 15 and all other officers of the State Government and local authorities and bodies functioning within the district shall be responsible to assist the District Programme Coordinator in carrying out his functions under this Act and the Schemes madethereunder.

(6) The District Programme Coordinator shall prepare in the month of December every year a labour budget for the next financial year containing the details of anticipated demand for unskilled manual work in the district and the plan for engagement of labourers in the works covered under the Scheme and submit it to the districtpanchayat.

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## Section 15 - Programme Officer

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- (1) At every Panchayat at intermediate level, the State Government shall appoint a person who is not below the rank of Block Development Officer with such qualifications and experience as may be determined by the State Government as Programme Officer at the Panchayat at intermediate level.
- (2) The Programme Officer shall assist the Panchayat at intermediate level in discharging its functions under this Act and any Scheme madethereunder.
- (3) The Programme Officer shall be responsible for matching the demand for employment with the employment opportunities arising from projects in the area under his jurisdiction.
- (4) The Programme Officer shall prepare a plan for the Block under his jurisdiction by consolidating the project proposals prepared by the Gram Panchayats and the proposals received from intermediatepanchayats.
- (5) The functions of the Programme Officer shall include--
  - (a) monitoring of projects taken up by the Gram Panchayats and other implementing agencies within the Block;
  - (b) sanctioning and ensuring payment of unemployment allowance to the eligible households;
  - (c) ensuring prompt and fair payment of wages to all labourers employed under a programme of the Scheme within the Block;
  - (d) ensuring that regular social audits of all works within the jurisdiction of the Gram Panchayat are carried out by the Gram Sabha and that prompt action is taken on the objections raised in the social audit;
  - (e) dealing promptly with all complaints that may arise in connection with the implementation of the Scheme within the Block; and
  - (f) any other work as may be assigned to him by the District Programme Coordinator or the State Government.
- (6) The Programme Officers shall function under the direction, control and superintendence of the District Programme Coordinator.
- (7) The State Government may, by order, direct that all or any of the functions of a Programme Officer shall be discharged by the Gram Panchayat or a local authority.

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## Section 16 - Responsibilities of the Gram Panchayats

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- (1) The Gram Panchayat shall be responsible for identification of the projects in the Gram Panchayat area to be taken up under a Scheme as per the recommendations of the Gram Sabha and the Ward Sabhas and for executing and supervising such works.
- (2) A Gram Panchayat may take up any project under a Scheme within the area of the Gram Panchayat as may be sanctioned by the Programme Officer.
- (3) Every Gram Panchayat shall, after considering the recommendations of the Gram Sabha and the Ward Sabhas, prepare a development plan and maintain a shelf of possible works to be taken up under the Scheme as and when demand for work arises.
- (4) The Gram Panchayat shall forward its proposals for the development projects including the order of priority between different works to the Programme Officer for scrutiny and preliminary approval prior to the commencement of the year in which it is proposed to be executed.
- (5) The Programme Officer shall allot at least fifty per cent of the works in terms of its cost under a Scheme to be implemented through the GramPanchayats.
- (6) The Programme Officer shall supply each Gram Panchayat with--
  - (a) the muster rolls for the works sanctioned to be executed by it; and
  - (b) a list of employment opportunities available elsewhere to the residents of the Gram Panchayat.
- (7) The Gram Panchayat shall allocate employment opportunities among the applicants and ask them to report for work.
- (8) The works taken up by a Gram Panchayat under a Scheme shall meet the required technical standards and measurements.

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## Section 17 - Social audit of work by Gram Sabha

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- (1) The Gram Sabha shall monitor the execution of works within the Gram Panchayat.
- (2) The Gram Sabha shall conduct regular social audits of all the projects under the Scheme taken up within the Gram Panchayat.
- (3) The Gram Panchayat shall make available all relevant documents including the muster rolls, bills, vouchers, measurement books, copies of sanction orders and other connected books of account and papers to the Gram Sabha for the purpose of conducting the social audit.

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## Section 18 - Responsibilities of State Government in implementing Scheme

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The State Government shall make available to the District Programme Coordinator and the Programme Officers necessary staff and technical support as may be necessary for the effective implementation of the Scheme.

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**Section 19 - Grievance redressal mechanism**

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The State Government shall, by rules, determine appropriate grievance redressal mechanisms at the Block level and the district level for dealing with any complaint by any person in respect of implementation of the Scheme and lay down the procedure for disposal of such complaints.

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