

## **About MGNREGA**

The National Rural Employment Guarantee Act (Mahatma Gandhi NREGA) notified on September 7, 2005, aims at enhancing livelihood security of households in rural areas of the country by providing at least one hundred days of guaranteed wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work. The Act covers all rural districts of the country.

### **As per the Para 3 of Schedule-I, MGNREGA**

#### **The core objectives of the Schemes are:**

- i) Providing not less than one hundred days of unskilled manual work as a guaranteed employment in a financial year to every household in rural areas as per demand, resulting in creation of productive assets of prescribed quality and durability
- ii) Strengthening the livelihood resources base of the poor
- iii) Proactively ensuring social inclusion and
- iv) Strengthening Panchayat Raj Institution.

## **1.2. LIST OF WORKS PERMITTED UNDER THE ACT:**

**At para 4. (1) of Schedule – I, Mahatma Gandhi NREGA, it is mentioned that, “The focus of the scheme shall be on the following works as categorized below”**

### **I. Category A: Public works relating to natural resources management:**

- i) **Water conservation** and water harvesting structures to augment and improve groundwater like underground dykes, earthen dams, stop dams, check dams with special focus on recharging ground water including drinking water sources
- ii) **Watershed management** works such as contour trenches, terracing, contour bunds, boulder checks, gabion structures and spring shed development resulting in a comprehensive treatment of a watershed
- iii) Micro and minor irrigation works and creation, renovation and maintenance of irrigation canals and drains
- iv) Renovation of **traditional water bodies** including desilting of irrigation tanks and other

water bodies

v) **Afforestation**, tree plantation and horticulture in common and forest lands, road margins, canal bunds, tank foreshores and coastal belts duly providing right to usufruct to the households covered in Paragraph 5; and

vi) Land development works in common land.

## **II. Category B: Community assets or individual assets for vulnerable sections (only for households in paragraph 5):**

i) **Improving productivity of lands** of households specified in Paragraph 5 through land development and by providing suitable infrastructure for irrigation including dug wells, farm ponds and other water harvesting structures;

ii) **Improving livelihoods** through horticulture, sericulture, plantation, and farm forestry;

iii) **Development of fallow or waste lands** of households defined in Paragraph 5 to bring it under cultivation;

iv) Unskilled wage component in **construction of houses** sanctioned under the Indira Awas Yojana or such other State or Central Government Scheme;

v) Creating infrastructure for **promotion of livestock** such as, poultry shelter, goat shelter, piggery shelter, cattle shelter and fodder troughs for cattle; and

vi) Creating infrastructure for **promotion of fisheries** such as, fish drying yards, storage facilities, and promotion of fisheries in seasonal water bodies on public land;

## **III. Category C: common infrastructure including for NRLM compliant self-help groups:**

i) Works for promoting **agricultural productivity** by creating durable infrastructure required for biofertilizers and post-harvest facilities including pucca storage facilities for agricultural produce;

ii) Common work-sheds for livelihood activities of self-help groups.

## **IV. Category D: Rural infrastructure:**

i) **Rural sanitation** related works, such as, individual household latrines, school toilet units, Anganwadi toilets either independently or in convergence with schemes of other Government Departments to achieve 'open defecation free' status. and solid and liquid

waste management as per prescribed norms.

- ii) Providing all-weather rural **road connectivity** to unconnected villages and to connect identified rural production centers to the existing pucca road network; and construction of pucca internal **roads** or **streets** including side drains and culverts within a village;
- iii) Construction of **play fields**;
- iv) Works for improving **disaster preparedness or restoration** of roads or restoration of other essential public infrastructure including flood control and protection works, providing drainage in water logged areas, deepening and repairing of flood channels, chaur renovation, construction of storm water drains for coastal protection;
- v) Construction of **buildings** for Gram Panchayats, women self-help groups' federations, cyclone shelters, Anganwadi centers, village haats and crematoria at the village or block level.
- vi) Construction of **Food Grain Storage Structures** for implementing the provisions of The National Food Security Act 2013 (20 of 2013);
- vii) Production of building material required for construction works under the Act as a part of the estimate of such construction works.

**viii) Maintenance** of rural public assets created under the Act;

**4. (2)** The order of priority of works shall be determined by each Gram Panchayat in the meeting of the Gram Sabha keeping in view potential of the local area, its needs, local resources and in accordance with the provisions of Paragraph 9, provided that the District Programme Coordinator shall ensure that at least 60% of works to be taken up in a district in terms of cost shall be for creation of productive assets directly linked to agriculture and allied activities through development of land, water & trees.

4.(3) Works which are non-tangible, not measurable, repetitive such as, removing grass, pebbles, agricultural operations, shall not be taken up

**5.** Works creating **individual assets** shall be prioritised on land or homestead owned by households belonging to the:

- a) Scheduled Castes
- b) Scheduled Tribes
- c) nomadic tribes

- d) de-notified tribes
- e) other families below the poverty line
- f) women-headed households
- g) physically handicapped headed households
- h) beneficiaries of land reforms
- i) the beneficiaries under the Indira Awaas Yojana
- j) beneficiaries under the Scheduled Tribes and Other Traditional Forest Dwellers

(Recognition of Forest Rights) Act, 2006 (2 of 2007) and after exhausting the eligible beneficiaries under the above categories, on lands of the small or marginal farmers as defined in the Agriculture Debt Waiver and Debt Relief Scheme, 2008 subject to the condition that such households shall have a job card with at least one member willing to work on the project undertaken on their land or homestead.

**6.** The State Government shall take concrete steps to achieve effective inter-departmental convergence till the last mile implementation level of the works under the Scheme with other Government Schemes/ programmes so as to improve the quality and productivity of assets, and bring in synergy to holistically address the multiple dimensions of poverty in a sustainable manner.

**7.** There shall be a systematic, participatory planning exercise at each tier of Panchayat, conducted between August to December month of every year, as per a detailed methodology laid down by the State Government. All works to be executed by the Gram Panchayats shall be identified and placed before the Gram Sabha and such works which are to be executed by the intermediate Panchayats or other implementing agencies shall be placed before the intermediate or District Panchayats, along with the expected outcomes.

**8.** (1) Adequate shelf of works shall be maintained by every Gram Panchayat to meet the expected demand for work in such a way that at least one labour intensive public work with at least one work which is suitable for Particularly Vulnerable Groups especially the aged and the disabled which shall be kept open at all times to provide work as per demand.

(2) The details of the said work(s) shall be prominently displayed through writings on the walls of the village.

**9. While opening works in the public works category, it shall be ensured that the ongoing or incomplete works should be completed first.**

10. Work shall be provided within fifteen days, from the date of registration of the demand for work or the date from which work has been demanded in case of advance applications, whichever is later.

11. (1) In case work could not be provided as per demand within the specified time limit, unemployment allowance shall be paid, as calculated automatically by the computer system or the Management Information System and as provided under the Act. The programme officer can reject the unemployment allowance only on grounds of force majeure.

(2) In cases where unemployment allowance is paid, or due to be paid, the Programme Officer shall inform the concerned District Programme Coordinator in writing the reasons for not providing employment to the applicants.

(3) The District Programme Coordinator shall, in his Annual Report to the State Council explain as to why employment could not be provided in cases where payment of unemployment allowances is involved

**12.** Every work under the Scheme shall have a technical estimate duly sanctioned by an authority authorised by the State Government. While sanctioning the estimates, the following are required to be considered:

- a) For all works involving construction, cost effective, labour intensive technologies and usage of local materials shall be employed as far as possible;
- b) The Bill of quantities (used in the estimate) is stated in common terminology for easy understanding of all stakeholders;
- c) Each work shall have a summary of the estimate, design and a technical note that indicate the expected outcomes from implementing the work.

**13.** The works finalised at the Gram Panchayat level and consolidated at the Block or District level shall be given Block-wise administrative or financial sanction by the competent authority

within thirty days from the date of finalisation of the works at the Gram Panchayat level only after confirming that the shelf of works in any Gram Panchayat is not less than two times the labour budget approved for that Gram Panchayat.

14. Payment shall only be made based on the measurements taken at the worksite by the authorised personnel within three days of closure of the muster roll. The State Government shall ensure that adequate technical personnel are deployed to complete this work within the stipulated period. Suitable persons from the families of workers may be trained or skilled and deployed as barefoot engineers with appropriate delegation of technical powers and paid wages as skilled workers.

15. The State Government shall link the wages, without any gender bias, with the quantity of work done and it shall be paid according to the rural schedule of rates fixed after time and motion studies for different types of work and different seasons and revised periodically.

16. A separate Schedule of rates shall be finalised for women, the elderly, people with disabilities and people with debilitating ailments so to improve their participation through productive work.

17. (a) The schedule of rates of wages for various unskilled labourers shall be fixed up so that an adult person worked for eight hours which include an hour of rest will earn a wage which is equal to the stipulated wage rate;

(b) The working hours of an adult worker shall be flexible but shall not spread over more than twelve hours on any day.

18. For all works taken up by the Gram Panchayats, the cost of the material component including the wages of the skilled and semi-skilled workers shall not exceed forty per cent at the Gram Panchayat level. For works taken up by the implementing agencies other than Gram Panchayats, the overall material component including the wages of the skilled and semi-skilled workers shall not exceed forty percent at the **District level**.

19. The works executed shall be done without engaging any contractor. Implementing agencies under the Scheme shall execute the works in conformity with the processes specified under the Act and after complying with the mandatory proactive disclosures and social audit.

20. As far as practicable, works executed by the programme implementation agencies shall be performed by using manual labour and no labour displacing machines shall be used.

21. All material required for the works shall be procured by the Gram Panchayat or the

implementing agency using a transparent tender process as specified by the State Government.

22. Out of the administrative costs allowed under the Scheme, at least one third (1/3rd) shall be utilized at the Gram Panchayat level to employ and pay the Gram Rozgar Sahayak, other technical personnel as per the work done and for other administrative expenses.

#### **IMPOTANT INSTRUCTIONS ISSUED ON MGNREGA WORKS FROM THE MINISTRY:**

- i) The Sub Para (1) of Paragraph 4 of Schedule 1, MGNREGA modified as on 21st July, 2014, lays down that “Provided that the District Programme Coordinator shall ensure that **at least 60% of the works to be taken up in a district in terms of cost shall be for creation of productive asset directly linked to agriculture and allied activities through development of land, water and trees**”.

To clarify on MGNREGA works, directly linked to agriculture and allied activities through development of land, water and trees, the clarification vide Ministry letter No. J-11017/41/2012-MGNREGA (UN) (Pt-II), dated 17th September, 2014 has been issued that all works of category A, all works of category B & C, except one type of work in each category and work at Para (vi) of category D are directly linked to agriculture and allied activities through development of land, water and trees.

- ii) **The Paragraph 22 of Schedule 1 MGNREGA lays down that “As far as practicable, works executed by the programme implementation agencies shall be performed by using manual labour and no labour displacing machines shall be used”.**

With this, there was confusion that machines cannot be used. In this regard, vide Ministry letter No. J-11011/09/2014-RE-I, dated 25th August, 2014 clarification & a suggestive list of such task and type of machines which can be used under MGNREGA have been issued.

- iii) **Vide Notification dated 3rd January 2014, Ministry of Rural Development, Government of India has expanded the scope of works listed in Schedule 1, Para 4 (i) of MGNREGA and included number of material intensive works such as construction of rural buildings, infrastructure for promotion of Livestock & agriculture productivity etc., whereas, as per Para 20 of Schedule I, of MGNREGA, the 60:40 ratio for wage and material costs is required to be maintained at GP level for all works to be taken up by GP and for works to**

be taken up by all other agencies it has to be maintained at the District level.

To increase labour component in construction of buildings & other infrastructures, production of building material required in execution of MGNREGA works, as one of the activities under MGNREGA has been included in schedule-1, MGNREGA at Para 4.(1) (iv) (vii). In pursuant to this, the guidelines for production of building material has been issued vide Ministry letter No. J-11017/26/2008-MGNREGA (UN) dated 13th January, 2014.

- iv) Para 13. Of Schedule-1, MGNREGA, 2005 provides that each work proposed to be taken up under MGNREGA shall have a summary of the estimate, design and a technical note that indicate the expected outcomes from implementing the work. Therefore, in this regard Ministry has further issued instructions on outcome orientation in works under MGNREGA vide Ministry letter No. J-11011/02/2010-MGNREGA (Policy) (10093), dated 5th August, 2014.
- v) Many other important instructions issued on MGNREGA works, time to time from the ministry have been referred in respective chapters of this manual.