

Highlights of New MGNREGA Guidelines

Proposed by Mihir Shah Committee

1. Strengthening the Demand-driven character of the programme: All previous employment programmes provided work when governments decided to provide work, not when people demanded work. Mahatma Gandhi NREGA is to change that. The old practice of *jab kaam khulega, tab kaam milega* has to be changed to *jab kaam maangege, tab kaam khulega*:

- i) The Gram Panchayat or Programme Officer, as the case may be, shall be bound to accept valid applications and to issue a dated receipt to the applicant.
- ii) **Refusal to accept applications and provide dated receipts will be treated as a contravention under Section 25 of MGNREGA.**
- iii) The provision for submitting **applications for work** must be kept available on a continuous basis **through multiple channels** so designated by Gram Panchayats who may empower ward members, anganwadi workers, school teachers, self-help groups, village-level revenue functionaries, common service centres and Mahatma Gandhi NREGA Labour Groups to receive applications for work and issue dated receipts on their behalf.
- iv) Provision must also be made (wherever feasible) for workers to register applications for work through mobile telephones in addition to the MGNREGA website and this should feed in directly into the MIS. In case of mobile telephones, the system must be made convenient to illiterate workers and may include **Interactive Voice Response System (IVRS)** and voice-enabled interactions. This option must automatically issue dated receipts.
- v) State Governments will ensure that the MGNREGA **MIS will record the demand for work**. It will track (for each GP) the gap between date of application for work and date of opening of work.
- vi) MGNREGA software will automatically generate the pay order for payment of **unemployment allowance** to such wage seekers whose demand for work is not met within 15 days of demand. Reports prepared on this will have to be part of the essential set of reports to be tracked at the State level.

2. Labour Budget: A unique feature of Mahatma Gandhi NREGA is its demand-driven character. But before we begin to record demand we need to make a prior assessment of the quantum of work likely to be demanded as also ascertain the timing of this demand. Concomitantly, we need to prepare a shelf of projects that would allow us to meet this demand. This matching of demand and supply of work is the process of planning under MGNREGA and this is to be achieved through the preparation of a Labour Budget, which has two sides – one, assessment of quantum and timing of demand for work and two, preparing a shelf of projects to meet this demand in a timely manner.

A Labour Budget must, therefore, reflect

- i) anticipated quantum of demand for work
- ii) precise timing of the demand for work, as also
- iii) a plan that outlines the quantum and schedule of work to be provided to those who demand work.

This is the only way work-providers can open work in a manner that is synchronized with the pattern of migration in that area so as to pre-empt distress migration. It must also be incumbent upon work-providers to pro-actively inform

work-demanders well in advance about the schedule of work to be provided so that they do not need to migrate in distress.

3. Strict Time-Schedules: Annual Plans are currently supposed to be presented for approval only at the Gram Sabha on 2nd October each year. This is far too late to prevent distress migration of households because decisions on migration are normally taken in the monsoon season. In the absence of a timely work guarantee, many are likely to migrate after the harvest of the kharif crop. It is important, therefore, for the GP to inform potential workers of available employment and the timing of this employment well in advance of the kharif harvest. **Annual Plans will, therefore, be presented by the Gram Panchayat at a Gram Sabha meeting to be held on 15th of August.**

Date	Action to be taken
15 th August	Gram Sabha to approve GP Annual Plan
2 nd October	Block Panchayat to submit Block Annual Plan to DPC
1 st December	District Panchayat approves District Annual Plan
15 th December	DPC ensures shelf of projects ready for each GP
1 st March	Work for next financial year begins

4. Adequate Human Resources: Provision of requisite human resources at all levels holds the key to success of Mahatma Gandhi NREGA. This is also the missing 'F' (functionaries) which could galvanise PRIs, especially Gram Panchayats, as the bedrock of Indian democracy.

- Each Block must appoint a full-time Programme Officer for Mahatma Gandhi NREGA. It is not good enough for BDOs or other Block officers to be given "additional charge" for the programme.
- Those blocks of the country where either scheduled castes plus scheduled tribes form $\geq 30\%$ of the population or the annual MGNREGA expenditure was more than Rs.12 crores in any year since the programme started, will mandatorily have at least 3 Cluster Facilitation Teams (CFT), each of which will service a Cluster of Gram Panchayats (CGP), being accountable to each GP within their Cluster. Each CGP will cover around 15,000 job cards or an area of about 15,000 ha, broadly corresponding to the boundaries of a milli-watershed and local aquifer. The CFT will comprise a fully dedicated, 3-member professional support team for MGNREGA. The CFT will be a multi-disciplinary team led by an Assistant Programme Officer (APO) and will comprise specialists in earthen engineering, community mobilization, hydrogeology, agriculture/allied livelihoods.

5. Expanded List of Permissible Works: Over the last six years there have been many demands from States for inclusion of new works under MGNREGA. There has also been a demand to create an even stronger positive synergy between MGNREGA and agriculture and allied rural livelihoods. Finally, there has been a demand that a more elaborate, specific and unambiguous list of permissible works be provided. In response to each of these demands, these Guidelines now provide an additional list of permissible works under MGNREGA. Some of these works are new but many of them come within the category of works already permitted under MGNREGA. The list has been provided in response to demands from States for greater clarity on the precise works that could be taken up under the categories currently permissible.

- Among the works listed in Appendix 7.1, those on private lands will be allowed only on the lands of those households who are listed under Schedule I of MGNREGA, viz., Scheduled Castes and Scheduled Tribes, BPL families, beneficiaries of land reforms, beneficiaries under the Indira Awas Yojana of

Government of India or small and marginal farmers as defined in the Agriculture Debt Waiver and Debt Relief Scheme, 2008.

- Each work indicates the unit cost as also the labour:material ratio. It may be noted that these unit cost estimates are indicative and provide a broad order of magnitude. They may vary depending on local conditions and more updated SoRs. However, the labour:material ratio specified for each work must be strictly adhered to. It must also be ensured that the overall labour:material ratio in each Gram Panchayat is maintained at 60:40. Thus, the selection of more material-intensive works and their number must be done within this overall constraint. While taking up works under MGNREGA, the following conditions must be followed:
 - i) Only those works to be taken up that result in creation of durable assets
 - ii) The order of priority of works will be determined within the GP
 - iii) 60:40 ratio for wage:material costs should be maintained at the GP level
 - iv) No contractors/labor-displacing machinery to be used

ADDITIONAL LIST OF PERMISSIBLE WORKS UNDER MGNREGA

A. Watershed Related Works

1. Contour Trench
2. Contour Bund
3. Boulder Check
4. Farm Bunding
5. Gabion Structures
6. Underground Dyke
7. Earthen Dam
8. Dugout Farm Ponds
9. Stop Dam

B. Watershed Related Works in Mountain Regions

10. Springshed Development

C. Agriculture Related Works

11. NADEP Composting
12. Vermi-Composting
13. Liquid Manures
14. Bio-Gas Plant
15. System of Rice Intensification (SRI)

Each farmer (qualifying for support under MGNREGA) willing to try out SRI will be eligible for 8 person-days of work per acre for one-time transplantation, 2 person-

days of work per acre for weeding at 10 to 15 days after transplantation and 2 person-days of work per acre for weeding at 20 to 30 days after transplantation

D. Livestock Related Works

16. Poultry Shelter

17. Goat Shelter

18. Construction of Pucca Floor, Urine Tank And Fodder Trough For Cattle

19. Azolla as Cattle-Feed Supplement

E. Fisheries Related Works

20. Fisheries in Seasonal Water Bodies On Public Land

F. Works in Coastal Areas

21. Fish Drying Yards

22. Artificial Reefs

23. Belt Vegetation

24. Construction of Storm Water Drains for Coastal Protection

G. Rural Drinking Water Related Works

25. Soak Pits

26. Recharge Pits (for Point Recharge)

H. Rural Sanitation Related Works

27. Individual Household Latrines

28. School Toilet Units

29. Anganwadi Toilets

30. Solid and Liquid Waste Management

6. Reducing Delays in Payments

Activity	Day -1	Day -2	Day -3	Day -4	Day -5	Day -6	Day -7	Day -8	Day -9	Day -10	Day -11	Day -12	Day -13	Day -14	Day -15
Executing works															
Making & Checking Measurement															
Data Entry at computer centre															

Pay Order generation & Preparation of cheques															
Handing over cheques to SPO/ Banks															
Conveyance of Cash to paying agency at GP level															
Disbursement of wages by paying agency															

Transaction-based MIS

- i) States must effectively track delays in payment so that effective remedial action can be expeditiously taken when delays are spotted.
- ii) For this States must develop a customized MIS that enables better tracking of delays. The best example before us is the transaction-based MIS along the lines implemented in Andhra Pradesh. The tightly integrated, end-to-end computer network in Andhra Pradesh identifies delay in execution of any work registered online and takes corrective action immediately. The measurement sheets and muster rolls of the week's work are compiled on the sixth day of that week and transmitted to the Mandal (Sub-Block) computer centre. The next day, the muster data is fed into the computer and on the eighth day pay orders generated and cheques prepared. By the 10th day, cheques are deposited into post office accounts of workers. By the 13th day, workers are able to access wages from their accounts. Free availability of payment information facilitates public scrutiny and transparency.
- iii) The following accountability matrix can be used to track the inefficiencies in delay in wage payments and disciplinary/ punitive actions shall be initiated accordingly.

	Enter the designation of personnel/ officer responsible for delay in wage payments & number of days of delay					
Reasons for Delay in Wages	Centre	State	District	Block	GP	Paying Agency
Delay in making available the MGNREGS funds						
Delay in closing of Muster Rolls						
Delay in measurement						
Delay in data-entry/ Generation of Pay Order						
Delay in issuing cheque for wage-payments						
Delay in transfer of cash to sub-agency						
Delay in end-point wage disbursement						

Electronic Fund Management System

- i) An important cause for delay of wage payments is also non-availability of sufficient funds at district/block/GP level. In some districts/blocks/GPs there is shortage of MGNREGS funds, while in others there is a surplus. Once the MGNREGS fund is allotted to a district/block/GP, it is very difficult to perform transfers of the fund across district/block/GP. Fund allocation hence becomes an arduous task in implementation of MGNREGS.
- ii) To tackle this problem, the States can adopt an integrated fund management system called eFMS (Electronic Fund Management System) which ensures that the MGNREGS fund is not excess or deficient at any level. Under eFMS, the MGNREGS fund is a centrally pooled fund managed at state level. The users i.e, GP at village level or Program Officer at Block level or DPC at district level, all-across the state, are the users of this centralized fund and will have access to this pooled fund (with certain restrictions). The users can now undertake only electronic transactions through the centralized fund, for the purpose of wage/material/administrative payments as per the actuals (with certain ceilings). All electronic transfers are realized in a span of 24 hours. Based on this **principle of centralized fund & de-centralized utility**, the eFMS ensures timely availability of funds at all levels and transparent usage of MGNREGS funds. This improves efficiency of the program on the whole and also has a multiplier effect on timely delivery of wage payments.

Interim Wage Payments: If for any reason, measurement and valuation of works cannot be done in time, GPs may be allowed to make an interim release of 75% of the wages due as calculated on the basis of the daily stipulated wage.

Cash Payments: Cash payments may be taken up in districts where the penetration and network of banks and post-offices is weak.

7. Vulnerable Groups:

- i) Persons with disabilities

- ii) Primitive Tribal Groups
- iii) Nomadic Tribal Groups
- iv) De-notified Tribes
- v) Women in special circumstances
- vi) Senior citizens above 65 years of age
- vii) Internally displaced persons

Facilitation: POs may procure the services of resource agencies/CSOs working for the disabled/vulnerable. The resource agencies will be responsible for assisting the Gram Sabha in identifying the disabled and vulnerable persons, IEC, mobilizing disabled persons and ensuring that they get their rights under the Act.

Dedicated Officers: Each State Government should appoint one officer in each District as a Coordinator (Vulnerable Groups) who will exclusively look after the needs and requirements of the special categories and create conditions for their inclusion. The Coordinator (Vulnerable Groups) shall necessarily be an educated, qualified person with disability and only in the event of non-availability of such a qualified person with disability, others could be appointed for the position. Officers with disabilities are more empathetic and sensitive to the issues relating to vulnerable persons.

8. Greater Role for Civil Society: Apart from NIRD, MANAGE, the SIRDs and the WALMIs, the following organisations could be used as resource agencies in various parts of the country for training in different aspects under MGNREGA.

S No	Organizations	States Covered
1)	Accion Freterna/ Rural Development Trust Ecology Center	Andhra Pradesh
2)	Action for Social Advancement	Madhya Pradesh, Bihar
3)	AFARM	Maharashtra
4)	Aga Khan Rural Support Program	Gujarat, Madhya Pradesh, Bihar
5)	Agramee	Odisha
6)	ANANDI	Gujarat
7)	Andhra Pradesh Mahila Samatha Society	Andhra Pradesh
8)	ARAVALI	Rajasthan
9)	Arthik Anusandhan Kendra	Uttar Pradesh
10)	BAIF	Maharashtra, Andhra Pradesh
11)	CARD India	Madhya Pradesh
12)	Centre for Youth and Social Development	Odisha
13)	COSTFORD	Kerala, Tamil Nadu
14)	Development Support Centre	Gujarat, Madhya Pradesh
15)	Dhan Foundation	Tamil Nadu, Andhra Pradesh, Jharkhand
16)	Foundation for Ecological Security	Gujarat, Odisha, Andhra Pradesh, Assam
17)	Grama Vikas	Karnataka
18)	Hind Swaraj Trust	Maharashtra
19)	Jan Vikas Ecology Cell Sahjeevan	Gujarat

S No	Organizations	States Covered
20	Maitri	Kerala
21	MKSS	Rajasthan, Andhra Pradesh
22	MS Swaminathan Foundation	Tamil Nadu, Kerala
23	MYRADA	Tamil Nadu, Andhra Pradesh, Karnataka
24	NM Sadguru Foundation	Gujarat, Rajasthan, Uttar Pradesh, Madhya Pradesh
25	PACE	Uttar Pradesh
26	Parmarth Samaj Sevi Sansthan	Uttar Pradesh
27	People's Science Institute	Uttarakhand, Himachal Pradesh
28	PRADAN	Jharkhand, Madhya Pradesh, Odisha, Chattisgarh, West Bengal
29	Sahabhangi Vikas Abhiyan	Odisha
30	Samaj Pragati Sahayog	Madhya Pradesh, Bihar, Chhattisgarh, Maharashtra, Uttar Pradesh, Odisha
31	SRIJAN	Bihar, Chhattisgarh, Madhya Pradesh, Rajasthan, Karnataka, Odisha
32	Seva Mandir	Rajasthan
33	SPWD	Rajasthan, Jharkhand
34	WASSAN	Andhra Pradesh, Jharkhand, Odisha
35	WOTR	Maharashtra, Andhra Pradesh, Jharkhand

9. Check on Misuse of Funds

a. Strengthening Social Audits, Vigilance and Grievance Redressal

b. The following will be considered offences punishable under Section 25 of the Act:

- Job cards found in the possession of any Panchayat or MGNREGA functionary
- Missing entries or delay in entries in the Job Card
- Refusal to accept applications and provide dated receipts
- Unreasonable delays in measurement of works
- Unreasonable delays in payment of wages
- Failure to dispose of complaints within 7 days

c. Limitations on Administrative Expenses:

- At least two-thirds of the 6% admissible under this head will be spent at the block-level and below
- The following items shall under no condition be booked under the administrative costs of MGNREGA:
 - New vehicles
 - New buildings
 - Air-conditioners
 - Salaries/remuneration/honoraria of functionaries who are not exclusively or wholly dedicated to MGNREGA work