

SCHEDULE II

(See section 5)

CONDITIONS FOR GUARANTEED RURAL EMPLOYMENT UNDER A SCHEME AND MINIMUM ENTITLEMENTS OF LABOURERS

Job cards:—

1. The adult member of every household residing in any rural area and willing to do unskilled manual work may submit the names, age and the address of the household to the Gram Panchayat at the village level, in whose jurisdiction they reside, for registration of their household for issuance of a job card. If the job seeker is a single woman or disabled person or aged person or released bonded labour or belonging to Particularly Vulnerable Tribal Group, they must be given a special job card of a distinct colour which will ensure them a special protection in providing work, work evaluation and work site facilities, as the case may be.

2. It shall be the duty of the Gram Panchayat, after making such enquiry, as it deems fit, to issue a job card within fifteen days from the date of receipt of such application, containing therein a unique job card number with details of the registered adult members of the household, their photos, Bank or Post office account number, insurance policy number and the Aadhaar numbers if any.

3. The job card issued shall be valid for at least five years after which, it may be renewed after due verification.

4. No job card can be cancelled except where it is found to be a duplicate, or if the entire household has permanently migrated to a place outside the Gram Panchayat and no longer lives in the village.

5. The State Government shall make arrangements for updating the following details in the job card regularly while mentioning the key entitlements under the Act are clearly listed as follows:—

(i) number of days for which work was demanded;

(ii) number of days of work allocated;

(iii) description of the work allocated along with the muster roll number;

(iv) measurement details;

(v) unemployment allowance, if any, paid;

(vi) dates and number of days worked;

(vii) date-wise amount of wages paid;

(viii) delay compensation paid if any.

Demand for work:—

6. Every adult member of a registered household whose name appears in the job card shall be entitled to apply for unskilled manual work under the Scheme; and every such application shall be compulsorily registered, and a receipt issued with the date, which shall be entered in the computer system.

7. The State shall proactively verify the requirements of the Vulnerable Groups and provide them work.

8. Application for work can be oral or written and made to the Ward member or to the Gram Panchayat or to the Programme Officer or any person authorised by the State Government or through a telephone or mobile or Interactive Voice Response System or through a call center or through web site or through a kiosk set up for this purpose or through any other means authorised by the State Government.

9. Applications for work can be filed individually or for a group together.

10. There shall be no limit on the number of days of employment for which a person may apply, or on the number of days of employment actually provided to him subject to the aggregate entitlement of the household.

11. Normally, applications for work must be for at least fourteen days of continuous work, other than the works relating to access to sanitation facilities, for which application for work shall be for at least six days of continuous work.

12. Provision shall be made in the Scheme for advance application, that is, application which may be submitted earlier than the date from which employment is sought.

13. Provision shall be made in the Scheme for submission of multiple applications by the same person provided that the corresponding periods for which employment is sought do not overlap.

Allocation of work:—

14. The Gram Panchayat and Programme Officer shall ensure that every applicant shall be provided unskilled manual work in accordance with the provisions of the Scheme within fifteen days of receipt of an application or the date from which he seeks work in case of advance application, whichever is later.

15. Priority shall be given to women in such a way that at least one third of the beneficiaries shall be women who have registered and requested for work. Efforts to increase participation of single women and the disabled shall be made.

16. Applicants who are provided with work shall be so intimated in writing, by means of a letter sent to him at the address given in the job card or by a public notice displayed at the office of the Panchayats at district, intermediate or village level.

17. A list of persons who are provided with the work shall be displayed on the notice board of the Gram Panchayat and at the office of the Programme Officer and at such other place as the Programme Officer may deem necessary and the list shall be open for inspection by the State Government and any interested person.

18. As far as possible, the employment shall be provided within a radius of five kilometers of the village where the applicant resides at the time of applying.

19. A new work under the Scheme can be commenced if at least ten labourers become available for work, provided that this condition shall not be applicable for new works, as determined by the State Government, in hilly areas and in respect of afforestation works.

20. In case the employment is provided outside the radius specified in Paragraph 18, it shall be provided within the Block, and the labourers shall be paid ten percent of the wage rate as extra wages to meet additional transportation and expenses for living.

21. A period of employment shall be for at least fourteen days continuously with not more than six days in a week.

Work site management:—

22. For the purpose of transparency at the work site, the following shall be ensured:—

(i) there shall be a project initiation meeting in which various provisions of the work shall be explained to the workers;

(ii) a copy of the sanction work order shall be available for public inspection at the worksite;

(iii) measurement record of each work and details of the workers shall be available for public inspection;

(iv) a Citizens' Information Board shall be put up at every worksite and updated regularly in the manner specified by the Central Government;

(v) The vigilance and Monitoring Committee setup according to the instructions of the Central Government may check all works and its evaluation report will be recorded in the Works Register in the format specified by the Central Government and submitted to the Gram Sabha during the Social Audit.

23. The facilities of safe drinking water, shade for children and periods of rest, first aid box with adequate material for emergency treatment for minor injuries and other health hazards connected with the work being performed shall be provided at the work site.

24. In case the number of children below the age of five years accompanying the women working at any site is five or more, provisions shall be made to depute one of such women workers to look after such children. The person so deputed shall be paid wage rate. The most marginalized women in the locality, women in exploitative conditions or bonded labour or those vulnerable to being trafficked or liberated manual scavengers should be employed for providing child care services.

Welfare:—

25. If any personal injury is caused to any person employed under the Scheme by any accident arising out of and in the course of his employment, he shall be entitled to such medical treatment as required, free of cost.

26. Where hospitalisation of the injured worker is necessary, the State Government shall arrange for such hospitalisation including accommodation, treatment, medicines and payment of daily allowance which is not less than half of the wage rate.

¹[27. If a person employed under the Scheme meets with death or becomes permanently disabled by accident arising out of and in the course of employment, he or his legal heirs, as the case may be, shall be paid by the implementing agency an ex-gratia as per entitlement under the *Pradhan Mantri Suraksha Bima Yojana* or as may be notified by the Central Government.]

28. If any personal injury is caused by accident to a child accompanying a person who is employed under the Scheme, such person shall be entitled to medical treatment free of cost; and in case of death or disablement of the child due to the said accident, ex gratia shall be paid to the legal guardians as determined by the State Government.

Wage payment : —

29. (1) In case the payment of wages is not made within fifteen days from the date of closure of the muster roll, the wage seekers shall be entitled to receive payment of compensation for the delay, at the rate of 0.05% of the unpaid wages per day of delay beyond the sixteenth day of closure of muster roll.

(a) Any delay in payment of compensation beyond a period of fifteen days from the date it becomes payable, shall be considered in the same manner as the delay in payment of wages.

1. Subs. by Notification S.O. No. 2309(E), dated 13-7-2020.

(b) For the purpose of ensuring accountability in payment of wages and to calculate culpability of various functionaries or agencies, the States shall divide the processes leading to determination and payment of wages into various stages such as—

- i. measurement of work;
- ii. computerising the muster rolls;
- iii. computerising the measurements;
- iv. generation of wage lists; and
- v. uploading Fund Transfer Orders (FTOs),

and specify stage-wise maximum time limits along with the functionary or agency which is responsible for discharging the specific function.

(c) The computer system shall have a provision to automatically calculate the compensation payable based on the date of closure of the muster roll and the date of deposit of wages in the accounts of the wage seekers.

(d) The State Government shall pay the compensation upfront after due verification within the time limits as specified above and recover the compensation amount from the functionaries or agencies who is responsible for the delay in payment.

(e) It shall be the duty of the District Programme Coordinator or Programme Officer to ensure that the system is operationalised.

(f) The number of days of delay, the compensation payable and actually paid shall be reflected in the Monitoring and Information System and the Labour Budget.

(2) Effective implementation of sub-paragraph (1) shall be considered necessary for the purposes of the Section 27 of the Act.

30. The payment of wages shall, unless so exempted by the Central Government, be made through the individual savings accounts of the workers in the relevant Banks or Post Offices.

31. In case of employment provided under the Scheme, there shall be no discrimination solely on the ground of gender and the provisions of the Equal Remuneration Act, 1976 (25 of 1976), shall be complied with.

Record maintenance and grievance redressal system:—

32. The Gram Panchayat shall prepare and maintain or cause to be prepared and maintained such registers, vouchers and other documents in such form and in such manner as may be specified in the

Scheme containing particulars of job cards and pass books issued, name, age and address of the head of the household and the adult members of the households registered with the Gram Panchayat.

33. The Gram Panchayat shall send such list or lists of the names and addresses of households and their adult members registered with it and supply such other information to the concerned Programme Officer at such periods and in such form as may be specified in the Scheme.

34. (1) Notwithstanding anything contained in this Schedule, in the event of any national calamity such as flood, cyclone, tsunami and earthquake resulting in mass dislocation of rural population, the adult members of rural households of areas so affected may—

(a) seek for registration and get job card issued by the Gram Panchayat or Programme Officer of the area of temporary relocation;

(b) submit written or oral applications for work to the Programme Officer or the Gram Panchayat of the area of temporary relocation; and

(c) apply for re-registration and re-issuance of job card in the event of any loss or destruction.

(2) The details of such job cards shall be intimated to the District Programme Coordinator.

(3) In the event of restoration of normalcy, the job card so issued shall be re-endorsed at original place of habitation and clubbed with the original job card on being retrieved.

(4) The number of days of employment so provided shall be counted while computing 100 days of guaranteed employment per household.

35. Every worker shall have an opportunity of being heard and register any grievance either orally or in writing, at all implementation levels for disposal as per the provisions of the Grievance Redressal Mechanism under the Scheme.]