

National Rural Employment Guarantee (Central Council) Rules, 2006

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National Rural Employment Guarantee (Central Council) Rules, 2006

Whereas the draft of certain rules to be called the National Rural Employment Guarantee (Central Council) Rules, 2006 were published, in exercise of the powers conferred by sub-sections (1) read with clauses (a) and (b) of sub-section (2) of section 31 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), vide notification of the Government of India in the Ministry of Rural Development (Department of Rural Development) number G,S.R. 175(E), dated the 21st March, 2006 in the Gazette of-India, Extraordinary, part II, Section 3, Sub-Section (i) dated the 23rd March, 2006 inviting objections and suggestions from persons likely to be affected thereby before the expiry of a period of thirty days "from the date of publication of the said notification in the Official Gazette; And whereas the copies of the Gazette containing the said notification were made available to the public on the 23rd March, 2006; And whereas no objections or suggestions on the said draft rules were received by the Central government; Now, therefore, in exercise of the powers conferred by sub-section (1), read with clauses (a) and (b) of sub-section (2), of Section 31 of the National Rural Employment Guarantee Act, 2005 (42 of 2005), the Central government hereby makes the following rules, namely:-

1. Short title and commencement :-

(1) These rules may be called the National Rural Employment Guarantee (Central Council) Rules, 2006

(2) They shall come into force from the date of their publication in the Official Gazettes.

2. Definitions :-

In these rules, unless the context otherwise requires.

(a) "Act" means the National Rural Employment Guarantee Act, 2005 (42 of 2005);

(b) "Central Council" means the Central Employment Guarantee Council constituted under sub-section (1) of section 10 ;

(c) "Chairperson" means the Chairperson of the Central Council;

(d) "District Panchayat" means an institution (by whatever name called) of self-government constituted under article 243B of the Constitution, for the rural areas at the district levels in accordance with the provisions of Part IX of the Constitution;

(e) "Executive Committee" means the Executive Committee of the Central Council constituted under sub-rule (1) of rule 9;

(f) "Member-Secretary" means the Member-Secretary of the Central Council;

(g) "section" means a section of the Act;

(h) "Scheme" means a scheme notified by a State Government under sub-section (1) of section 4 ;

(i) "Technical Secretariat" means the Technical Secretariat of the Central Council;

(j) words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. The Central Council :-

(1) Subject to the provisions of sub-rule (2), the Central Council constituted under sub-section (1) of section 10 shall consist of the following, namely:-

(a) Union Minister for Rural Development..... Chairperson, ex officio;

(b) (i) Secretary to the Government of India, Department of Rural Development member ex-officio;

(ii) a nominee of the Ministry of Women and Child Development not below the rank of Joint Secretary to the Government of India..... member;

(iii) a nominee of the Ministry of Agriculture not below the rank; of Joint Secretary to the Government of India..... member;

(iv) a nominee of the Ministry of Environment and Forest not below the rank of Joint Secretary to the Government of Indiamember;

(v) a nominee of the Ministry of Statistics and Programme implementation not below the rank of Joint Secretary to the Government of India..... member;

(vi) a nominee of the Ministry of Panchayat Raj not below the rank of Joint Secretary to the Government of India..... member;

(vii) a nominee of the Ministry of Tribal Affairs not below the rank of Joint Secretary to the Government of India member;

(viii) a nominee of the Ministry of Social Justice and Empowerment not below the rank of Joint Secretary to the Government of India member;

(ix) one representative of Planning Commission not below the rank of Advisor in the Planning Commission member;

(c) six representatives of the department of rural development of the State Governments who shall not be below the rank of Secretary to the concerned State Government to be nominated by the Central Government members;

(d) twelve members to be nominated by the Central Government from Panchayat Raj Institutions, organisations of workers and disadvantaged groups, of whom four shall be women, and shall include

(i) two representatives to be nominated by the Central Government from the Scheduled Caste, one representative each from Scheduled Tribes, Other Backward Classes and minorities;

(ii) Chairpersons of two District Panchayats nominated by The Central Government by rotation for a period of one year at a time;

(e) three members representing the States to be nominated by the Central Government of whom-

(i) one shall be an expert in any of the areas of works, such as water conservation, land development, afforestation and plantation and rural engineering, listed or notified under Schedule I of the Act;

(ii) one shall be an expert in social audit; and

(iii) one shall be an expert on wage employment;

(f) Joint Secretary to the Government of India in the Ministry of Rural Development in charge of the National Rural Employment Act, 2005.....Member-Secretary.

(2) Not less than one-third of the total number of non-official members of the Central Council shall be women.

4. Terms and conditions of appointment of Members :-

(1) The members representing the Ministries or Departments of the Government of India shall hold their offices as long as they are serving in their respective Ministries or Departments or till the concerned Ministry or Department nominates any other officer.

(2) The term of office of the official members representing the State Governments shall be for a period of one year.

(3) The term of office of the non-official members nominated under clause (d) of sub-rule (I) of rule 3 shall be appointed for a period of one year.

(4) A non-official member nominated under clause (e) of sub-rule (1) shall be appointed for a period of two years or till any other member is appointed in his place takes charge, whichever is earlier.

(5) The non-official members nominated under clauses (d) and (e) of sub-rule (I) shall be entitled to receive travelling allowance and dearness allowance for attending the meetings of the Central Council or the Executive Committee, as the case may be, at the rates admissible to the Central Government servants of the highest grade,

(6) The non-official members shall also be entitled to receive honorarium at the rate of one thousand rupees per day for the days of the meeting of the Central Council or its Executive Committee or

any other official work for which they attend to at the headquarters at New Delhi or at any other place on invitation by the Central Council.

5. Resignation, etc, of non-official members :-

(1) Any non-official member may,- (a) by writing under his hand addressed to the Chairperson resign his office at any time; (b) be removed from his office in case he incurs any disqualification mentioned in sub- rule (2).

(2) The Central Government may, remove from office a non-official member if he-

(i) has been adjudged as an insolvent; or

(ii) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(iii) has become physically or mentally incapable of acting as a member; or

(iv) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or

(v) has so abused his position as to render his continuance in office prejudicial to the public interest; or

(vi) remains absent for three consecutive meetings of the Central Council except for reasons beyond his control or without permission of the Chairperson.

(3) Any vacancy caused in the Central Council due to resignation, death, removal or otherwise of a non-official member shall be filled from the same category to which such member was representing and the person newly nominated shall hold office so long as the member whose place he fills have been entitled to hold office, if the vacancy had not occurred.

6. Meetings of the Central Council and its quorum :-

(1) The Central Council shall meet at least two times in a year or more frequently as it may consider necessary, at such place and at such time, as may be decided upon by the Chairperson;

Provided that six months shall not intervene between two consecutive meetings of the Central Council.

(2) The Chairperson shall preside at every meeting of the Central Council at which he is present, and in his absence, the Secretary to the Government of India, Department of Rural Development shall preside.

(3) Not less than one-third of the members shall constitute the quorum for the meetings of the Central Council.

7. Procedure of the meeting :-

(1) The Member-Secretary shall give at least fourteen clear days notice for a meeting of the Central Council, giving therein the date, time and place of the meeting

(2) If the quorum in the meeting is not present, the Chairperson may postpone the meeting to another date and the Chairperson and the members present at the postponed meeting shall constitute the quorum.

(3) Every question brought before any meeting of the Central Council shall be decided upon by a majority of the members present and voting at the meeting before which the matter is brought and no member shall be allowed to vote by proxy.

(4) In the case of an equality of votes on any resolution or question, the Chairperson shall have a casting or a second vote.

(5) The Member-Secretary shall, within thirty days of a meeting, circulate the minutes of that meeting duly approved by the Chairperson.

8. Functions of the Central Council :-

(1) The Central Council shall perform the duties and discharge the functions assigned to it under section 11 .

(2) The Central Council may, subject to such control and directions, authorise the Member-Secretary to deal with such financial and administrative matters for the day-to-day functioning.

(3) The Central Council shall lay down the systems and procedures for maintenance of its accounts and other records.

(4) The Member-Secretary shall be responsible for the custody and maintenance of the minutes book and other records of the Central Council and those of the Executive Committee.

9. Executive Committee :-

(1) The Central Council shall constitute a Committee to be called the Executive Committee to assist it to discharge the duties and perform the functions assigned to it.

(2) The Executive Committee constituted under sub-rule (1) shall consist of the following, namely:-

(i) Secretary to the Government of India, Department of President; Rural Development,

(ii) The Financial Advisor, Ministry of Rural Members; Development; representative of the Ministry of Panchayati Raj and two Members who are Secretaries of State Governments nominated by the Chairperson of the Executive Committee,

(iii) Four non-official members of the Central Council to \Members, be nominated by the Chairperson of the Central Council.

(3) The Member-Secretary shall be the Member-Secretary of the Executive Committee.

10. Functions of the Executive Committee :-

(1) Subject to the general superintendence and directions of the Central Council, the Executive Committee shall perform the following duties and functions, namely:-

(a) take steps to give effect to the decisions of the Central Council;

(b) manage the administrative and financial affairs of the Central Council;

(c) sanction expenditure in connection with the affairs of the Central Council;

(d) appoint expert groups for technical support and advice to improve the quality of implementation of the Act;

(e) exercise such powers and performs such functions as may be entrusted to it by the Central Council.

(2) The Executive Committee shall meet at least once in three months or more frequently, if required by the Central Council.

11. Technical Secretariat :-

(1) The Central Council and the Executive Committee shall be assisted by a Technical Secretariat, which may be set up by the Central Government in accordance with these rules to provide

logistic and technical support for the implementation of the provisions of the Act.

(2) The Technical Secretariat shall be headed by the Member-Secretary and persons of professional services enlisted on the basis of procedures, norms and terms decided by the Executive Committee.

(3) The persons of professional services engaged for the Technical Secretariat shall pertain to services in functional areas specified in section 11

12. Funds of the Central Council :-

(1) The Central Council shall meet its expenses in connection with its affairs and the functions entrusted to it under the Act or these rules from the annual grants released to it by the Ministry of Rural Development out of the National Employment Guarantee Fund.

(2) The funds of the Central Council shall be operated through a scheduled bank as approved by the Central Council.