

Bill No. 44 of 2019

THE MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE
(AMENDMENT) BILL, 2019

By

SHRI N.K. PREMACHANDRAN, M.P.

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BILL

*further to amend the Mahatma Gandhi National Rural Employment Guarantee
Act, 2005.*

BE it enacted by the Parliament in the Seventieth Year of the Republic of India
as follows:—

1. (1) This Act may be called the Mahatma Gandhi National Rural Employment Guarantee
(Amendment) Act, 2019.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification
in the Official Gazette, appoint.

Amendment of section 3.	<p>2. In section 3 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (hereinafter referred to as the principal Act),—</p> <p style="padding-left: 40px;">(a) in sub-section (1), for the words "one hundred days", the words "two hundred days" shall be substituted; and</p> <p style="padding-left: 40px;">(b) for sub-section (2), the following sub-section shall be substituted, namely:—</p> <p style="padding-left: 80px;">"(2) Every person who has done the work given to him shall be entitled to receive wages at the rate of rupees eight hundred or at the wage rate for each day of work, whichever is higher."</p>	42 of 2005 5
Amendment of Schedule II.	<p>3. In the principal Act, in Schedule II, after paragraph 35, the following paragraphs shall be inserted, namely: —</p> <p style="padding-left: 40px;">"36. Every registered person under the Scheme shall be entitled to the benefit of Employees' State Insurance Scheme formulated under Employees State Insurance Act, 1948.</p> <p style="padding-left: 40px;">37. It shall be the duty of the Gram Panchayat to register all registered persons after making such enquiry as it deems fit and to comply all the procedure formalities to issue Employees' State Insurance Scheme card containing such details of members of the household affixing their photographs for extending the benefit of Employees' State Insurance Scheme as may be prescribed by the State Government."</p>	10 34 of 1948 15

STATEMENT OF OBJECTS AND REASONS

The Mahatma Gandhi National Rural Employment Guarantee Act, 2005 is a social security legislation that provides employment for rural population and ensuring minimum number of employment days.

Keeping in view the changing needs of the society, it is essential to amend the law for providing more working days, high wages and health amenities to the registered persons under the Act. The present number of days of employment wages are very less and the registered persons are not able to find out their primary needs depending on the employment and salary as per the scheme formulated under the parent Act. The social security welfare measures provided to the workers are also less. It is highly necessary to increase the number of working days and wages. Moreover, providing health protection to the registered persons under Employees' State Insurance Scheme is also inevitable.

The Bill, therefore, seeks to amend the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 with a view to—

- (a) increase the maximum number of days of employment to the registered persons from hundred days to two hundred days;
- (b) increase the wages per day to a minimum of rupees eight hundred; and
- (c) extend the benefit of Employees' State Insurance Scheme to all the registered persons under the Act.

Hence this Bill.

NEW DELHI;
June 3, 2019.

N.K. PREMACHANDRAN

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for increasing the number of days of employment of the registered persons from one hundred days to two hundred days under the Act. It also provides for ensuring minimum wage of registered persons to rupees eight hundred for each day of work. Clause 3 provides for extending the benefit of Employees' State Insurance Scheme to all the registered persons under the Act. The Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees ten lakh crore per annum is likely to be involved from the Consolidated Fund of India.

No non-recurring expenditure is likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill *vide* proposed paragraph 37 empowers the State Government to prescribe rules for ensuring Employees' State Insurance Scheme benefits to the registered persons. As the rules will relate to matters of detail only, the delegation of legislative powers is of a normal character.

ANNEXURE

EXTRACT FROM THE MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE ACT, 2005
(42 OF 2005)

* * * *

Guarantee of rural employment to household.

3. (1) Save as otherwise provided, the State Government shall, in such rural area in the State as may be notified by the Central Government, provide to every household whose rural adult members volunteer to do unskilled manual work not less than one hundred days of such work in a financial year in accordance with the Scheme made under this Act.

(2) Every person who has done the work given to him under the Scheme shall be entitled to receive wages at the wage rate for each day of work.

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SCHEDULE II

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.

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further to amend the Mahatma Gandhi National Rural Employment Guarantee Act, 2005.

(Shri N.K. Premachandran, M.P.)