

Bill No. XIII of 2010

THE MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT
GUARANTEE (AMENDMENT) BILL, 2010

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BILL

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

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Mahatma Gandhi National Rural Employment Guarantee (Amendment) Act, 2010. Short title and commencement.

(2) It shall come into force with immediate effect.

42 of 2005.

2. In the long title of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (hereinafter referred to as the principal Act) for the words “one hundred days”, the words “two hundred days” shall be substituted. Amendment of Long title.

3. In the principal Act, in section 3, in sub-section (1) for the words “one hundred days”, the words “two hundred days” shall be substituted. Amendment of section 3.

- 4. In the principal Act, in section 4, in sub-section (1) for the words “one hundred days”, the words “two hundred days” shall be substituted.** Amendment of section 4.
- 5.** In the principal Act, in section 6, in sub-section (1) for the words “the wage rate for the purposes of this Act”, the words “the wage rate calculated in accordance with the current price index for the purposes of this Act” shall be substituted. Amendment of section 6.
- 6.** In the principal Act, in section 7,— Amendment of section 7.
- (1) in sub-section (3), in clause (c) for the words “one hundred days”, the words “two hundred days” shall be substituted.
- (2) in sub-section (3), in clause (d) for the words “one hundred days”, the words “two hundred days” shall be substituted.
- 7.** In the Second Schedule of the principal Act ,in serial No. 5 for the words “one hundred days”, the words “two hundred days” shall be substituted. Amendment of the Second Schedule.

STATEMENT OF OBJECTS AND REASONS

The Mahatma Gandhi National Rural Employment Guarantee Act (NREGA) aims at enhancing the livelihood security of people in rural areas. However, the provision of one hundred days' guaranteed employment is too meagre to meet the basic needs of most households. Since the scheme envisages reaching the poorest of the poor in such rural areas, where employment avenues are scarce, one hundred days' wages for unskilled manual work cannot feed an average family of four or five members. For the scheme to be successful, the number of days of guaranteed employment must be raised to two hundred days, and the wages must be fixed in accordance with the price indexation.

Hence this Bill.

PRAKASH JAVADEKAR

FINANCIAL MEMORANDUM

Clauses 3 and 4 of the Bill propose that guaranteed work not less than two hundred days shall be provided to every household member under the Mahatma Gandhi National Rural Employment Guarantee Act. The Bill, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that an additional annual recurring expenditure of rupees twenty thousand crore from the Consolidated Fund of India.

ANNEXURE

EXTRACTS FROM THE NATIONAL RURAL EMPLOYMENT GUARANTEE ACT, 2005

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3. Guarantee of rural employment to households.—(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 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)*** **

4. Employment Guarantee Schemes for rural areas.—(1) For the purposes of giving effect to the provisions of section 3, every State Government shall, within six months from the date of commencement of this Act, by notification, make a Scheme, for providing not less than one hundred days of guaranteed employment in a financial year to every household in the rural areas covered under the Scheme and whose adult members, by application, volunteer to do unskilled manual work subject to the conditions laid down by or under this Act and in the Scheme:

Provided that until any such Scheme is notified by the State Government, the Annual Action Plan or Perspective Plan for the Sampoorna Grameen Rozgar Yojana (SGRY) or the National Food for Work Programme (NFFWP) whichever is in force in the concerned area immediately before such notification shall be deemed to be the action plan for the Scheme for the purposes of this Act.

(2)*** **

6. Wage rate.—(1) Notwithstanding anything contained in the Minimum Wages Act, 1948 (11 of 1948), the Central Government may, by notification, specify the wage rate for the purposes of this Act:

Provided that different rates of wages may be specified for different areas:

Provided further that the wage rate specified from time to time under any such notification shall not be at a rate less than sixty rupees per day.

(2)*** **

7. Payment of unemployment allowance.—(1)*** **

(3) The liability of the State Government to pay unemployment allowance to a household during any financial year shall cease as soon as—

(a) the applicant is directed by the Gram Panchayat or the Programme Officer to report for work either by himself or depute at least one adult member of his household; or

(b) the period for which employment is sought comes to an end and no member of the household of the applicant had turned up for employment; or

(c) the adult members of the household of the applicant have received in total at least one hundred days of work within the financial year; or

(d) the household of the applicant has earned as much from the wages and unemployment allowance taken together which is equal to the wages for one hundred days of work during the financial year.

(4)*** **

SCHEDULE II
(See section 5)

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

1.*** *** *** ***

5. All registered persons belonging to a household shall be entitled to employment in accordance with the Scheme made under the provisions of this Act, for as many days as each applicant may request, subject to a maximum of one hundred days per household in a given financial year.

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RAJYA SABHA

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BILL

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

(Shri Prakash Javadekar, M.P.)