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NOTIFICATION

No.B.13016/7/14-RD(MGNREGS), the 20th Mar 2014. In exercise of the powers conferred by sub-section (1) of section 32 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Act. No. 42 of 2005), the Governor of Mizoram is pleased to make the following rules, namely:-

1. Short title, extent and commencement:

- i) These rules may be called the Mizoram Mahatma Gandhi Rural Employment Guarantee Schemes (Compensation for Delay in Payment of Wages) Rules, 2014.
- ii) They shall extend to the rural areas of Mizoram
- iii) They shall come into force on the date of its publication in the official Gazette.

2. Definition:

- i) 'AA' means Account Assistant recruited under the Mahatma Gandhi NREGS posted in the Block and the District for the purpose of the successful implementation of the Act.
- ii) 'Act' means the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (No. 42 of 2005).
- iii) 'DEO' means Data Entry Operator recruited under the Mahatma Gandhi NREGS posted in the Block and the District for the purpose of the successful implementation of the Act.
- iv) 'District Programme Coordinator' means an officer of the State Government designated as such under sub section (1) of section 14 for the implementation of the Scheme in a district.
- v) 'Fund' means sub section (ii) of Section 2 of the Mizoram Mahatma Gandhi Rural Employment Guarantee Fund Rules, 2014.
- vi) 'Rules' means the Mizoram Mahatma Gandhi Rural Employment Guarantee Schemes (Compensation for Delay in Payment of Wages) Rules, 2014.
- vii) 'P.O' means the Block Development Officer, designated as the Programme Officer under the Mahatma Gandhi NREGS for the purpose of the successful implementation of the Act.
- viii) 'Payment Agency' means any agency designated by the Central or State Government to disburse wages of Mahatma Gandhi National Rural Employment Guarantee Schemes workers.
- ix) 'Scheme' means Mahatma Gandhi National Rural Employment Guarantee Schemes implemented by the Mizoram State Government.
- x) 'TA' means Technical Assistant recruited under the Mahatma Gandhi NREGS posted in the Block for the purpose of the successful implementation of the Act.
- xi) 'VEC' means Village Employment Council constituted under the para (1) of Para 7(A) of the Mizoram Rural Employment Guarantee Scheme, 2014.

- xii) 'VLAA' means Village Level Administrative Assistant recruited under the Mahatma Gandhi NREGS posted in the Village/Block for the purpose of the successful implementation of the Act.
- xiii) 'VMC' means Vigilance and Monitoring Committee constituted under Para 13.6.4 of the Operation Guideline of Mahatma Gandhi NREGA, 2013.

3. Objectives:

The main purpose of these Rules is timely payment of wages to the MGNREGS workers after completion of the works. In any case, if the payment of wages is not made within fifteen days from the date of closure of the muster roll, the worker shall be entitled to receive compensation.

4. Timeline for submission of Payment of wages:

- i) Entry of Muster roll - After receipt of the work order.
- ii) Closing of Muster roll by VEC/TA – One to two day after Completion of the work.
- iii) Submission of Muster roll with VMC report to P.O Office – three to four days.
- iv) Entry of Muster rolls into MIS – fifth, sixth and seventh days.
- v) Submission of Pay order to Bank/Post Office – Eight to ten days.
- vi) Transfer of individual account by the Bank/Post office – Eleventh to twelfth days.
- vii) Bank/Post office intimation to P.O office ready to disbursement of wages – Thirteenth day.
- viii) P.O office intimation to collect their wages to VEC - Fourteenth day.
- ix) Entry of disbursement of wages into MIS – Eight - fourteenth day.
- x) The Wage earner can collect their wages – Fifteenth day.

5. Payment of Compensation:

- i) Every Worker under the Schemes shall be paid their wages within fifteen days after completion of the work with closure of muster roll.
- ii) If the Worker shall not be paid their wages as per sub rule (i) of rule 5, they shall be entitled to receive compensation.
- iii) The State government shall pay compensation from the state Fund as per sub rule (ii) of rule 5 within sub rule (5) of rule 4 of this Rule.
- iv) If the delay in payment is committed by Bank or Post Office in contravention to rule 3 of this Rule, compensation is not liable to be paid by Rural Development Department.

6. Rate of Compensation:

The rate of the compensation is 0.05% of the unpaid wages per day of delay beyond the sixteenth day of closure of the muster roll.

Provided, if the State Government had sound financial capacity it may increase the compensation rate or decreased the rate of compensation from time to time.

7. Responsibility:

- i) The State Government shall be responsible to pay the compensation amount for delay after due verification, within the time-limits prescribed in sub rule (i) of rule 5.
- ii) The District Programme Coordinator or Programme Officer shall ensure that compensation, if any, are paid properly according to the rate prescribed under Rule 6.
- iii) For the purpose of ensuring compensation is not paid by State Government, timeline for payment of wages and accountability to various functionaries or agencies, is as shown below:
 - a) Measurement of work – will be completed by VLAA and TA within two days after completion of the work reported by the VEC/VMC.
 - b) Entering the muster rolls and measurements into the National Rural Employment Guarantee Act Soft (NREGASoft) – The DEO shall enter MR and Measurement of Works in the Computer within two days after TA submitted MR and MB.

- c) Generation of wage lists – The Programme Officer shall be responsible for generation of wage list within four days from the completion of works.
- d) Sanction of Fund – The DPC shall release fund within two days from generation of wage list from PO
- e) Uploading Fund Transfer Orders (FTOs) – The PO shall transfer wages to individual accounts of the job card holders within four days from the date of sanction of wages by the DPC. The AA shall ensure that wages of the job card holders whose work are credited in the concerned banks or post offices or to account of Payment Committee, if any, within specified period.
- iv) The NREGASoft or Information Technology System (IT System) shall have a provision to automatically calculate the compensation payable to the wage seeker based on the date of closure of the muster roll and the date of deposit of wages into the accounts of the wage seekers.
- v) The number of days of delay in the payment of wages, compensation entitled to and actually paid shall be reflected in the Monitoring and Information System (MIS) and the Labour Budget.

8. Reports:

Programme Officer shall send report of the payment made under these rules in Form 2 to the District Programme Coordinator and the District Programme Coordinator shall send report to the State Government on quarterly basis in Form 2.

9. Power to Amend Rules:

The State Government may add to, delete from or alter or amend or modify the rules. Such alteration or amendment of the rules shall be notified in the Mizoram Gazette.

R. Lalvena,
Secretary to the Govt. of Mizoram,
Rural Development Department.

FORM 1
[See Rules 5(ii)]

Application for delay payment of wages under the Mizoram Mahatma Gandhi Rural Employment Guarantee Scheme (Payment of Delay Compensation of Wages) Rules, 2014.

| Sl.No | Particulars | Details |
|-------|--|---------|
| 1 | Name of applicant | |
| 2 | Address | |
| 3 | Sex | |
| 4 | Age | |
| 5 | Job Card No | |
| 6 | No. of days for which delay compensation is claimed. | |

I.....resident ofhereby declare solemnly that I have not been paid for my given work for (no of days). I am claiming compensation of delay payment of wage in this application.

Date.....

Signature/Thumb impression of applicant.

cut here*****cut here

Received Application for compensation of delay payment of wages in respect of Mr/Mrs/ Ms.....

Signature of Registering Authority

FORM 2
(See Rules 8)

Quarterly Report Format for Programme Officer & District Programme Officer under the Mizoram Mahatma Gandhi Rural Employment Guarantee Scheme (Payment of Delay Compensation of Wages) Rules, 2014.

| Sl.No | Particulars | Details |
|-------|--|---------|
| 1 | Name of District/Block | |
| 2 | No of Applications Received | |
| 3 | No of Applications Accepted | |
| 4 | No of Application Rejected | |
| 5 | Amount of Delay Compensation Payment paid month-wise | |
| 6 | Grand Total of Delay Compensation paid | |
| 7 | Payment to individuals may be reported in separate sheet | |

Signature of PO/DPC