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NOTIFICATION

No.B.13016/3/14-RD(MGNREGS), the 28th February, 2014. In exercise of powers conferred by sub-section (1) of section 32 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (42 of 2005), the Governor of Mizoram is pleased to make the following Rules to carry out the provisions of this Act, namely :-

1. Short title, extent and Commencement -

- i) These rules may be called the Mizoram Mahatma Gandhi Rural Employment Guarantee Rules, 2014.
- ii) They shall extent to the rural areas of Mizoram.
- iii) They shall come into force on the date of notification of the same in the Mizoram Gazette.

2. Definitions:

In these rules, unless the context otherwise requires,

- i) "Act" means the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (42 of 2005);
- ii) "Block" means Rural Development Block under Rural Development Department, Government of Mizoram;
- iii) "Central Rules" means the rules and guidelines framed by the Government of India under the Act;
- iv) "Chairperson" means the Chairperson of the State Council;
- v) "District Programme Coordinator" means an Officer of the State Government designated as such under sub-section (1) of section 14 of the MGNREGA 2005 for implementation of the Scheme in a district;
- vi) "Executive Committee" means the Executive Committee of the State Council constituted under sub-rule (i) of rule 9;
- vii) "Programme Officer" means an Officer appointed under sub-section(1) of section 15 of the MGNREGA 2005 for implementing the Scheme;
- viii) "Scheme" means the Mizoram Mahatma Gandhi Rural Employment Guarantee Schemes 2014;
- ix) "Section" means a section of the MGNREGA 2005;
- x) "State Council" means the Mizoram Mahatma Gandhi Rural Employment Guarantee Council (herein after referred as State Council or SEGC) constituted under sub-section (1) of section 12 of the MGNREGA 2005;
- xi) "Village Council" means the Village Council elected from time to time under the relevant Acts and Rules of the State Government and the three Autonomous District Council of Mara, Lai and Chakma.

Words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. The Mizoram Mahatma Gandhi Rural Employment Guarantee Council:

- i) Subject to the provisions of sub-rule (e) of Rule 3, for the purpose of regular monitoring and reviewing the implementation of the Act, there shall be constituted a Council to be known as the Mizoram Mahatma Gandhi Rural Employment Guarantee Council which shall consist of the following namely :-
- a) Chairman : Minister, RD Department
- b) Vice Chairman : Chief Secretary, Government of Mizoram
- c) Members : Secretary, Planning Deptt
Secretary, Finance Deptt
Secretary, Agriculture Deptt
Secretary, Environment Forest Deptt
Secretary, Public Works Deptt
Secretary, PHE Deptt
Secretary, Horticulture Deptt
Secretary, Soil & Water Conservation Deptt
Secretary, Fisheries Deptt
Secretary, Sports & Youth Services Deptt
Secretary, Social Welfare Deptt
Secretary, Sericulture Deptt
Director, Rural Development Deptt
District Programme Coordinator, MGNREGA
- d) Two members each to be nominated by the State Government from the Village Councils of Mizoram and Autonomous District Councils, Organisation of workers and disadvantaged groups, of whom one third shall be women;
- e) Not less than one-third of the total number of non-official members of the State Council shall be women.
- f) Member Secretary: Secretary, Rural Development Deptt
- g) Invitees : Executive Member, RD Deptt, MADC
Executive Member, RD Deptt, LADC
Executive Member, RD Deptt, CADC
Director, Agriculture & Crop Hbry Deptt
Engineer-in-Chief, Public Works Deptt
Engineer-in-Chief, PHE Deptt
Director, Horticulture Deptt
Director, Soil & Water Conservation Deptt
Director, Fisheries Deptt
Director, Sports & Youth Services Deptt
Secretary, Mizoram State Sports Council
Director, Social Welfare Deptt
Director, Sericulture Deptt
Project Directors, DRDA of the Districts

4. Functions of the Mizoram Mahatma Gandhi Rural Employment Guarantee Council:

- i) The Council shall perform the duties and discharge of the functions assigned to it under sub-section (3) of Section 12 of the MGNREGA Act 2005
- ii) It may, subject to prior approval of State Government, authorize the Executive Committee or any of the Committees constituted by it or to the Chairperson or Member-Secretary to deal with such financial and administrative matters for its day to day functioning.

- iii) It shall lay down the systems and procedures for maintenance of its accounts and other records.
- iv) Submit proposals to the Government of India for release of funds
- v) To receive funds from the Ministry of Rural Development, Government of India and State Government and allocate the funds among different districts as per their needs and performances.
- vi) To operate and administer the State Fund towards implementation of MGNREGA in the State on behalf of the State Government and arrange its audit from time to time.
- vii) It shall oversee utilization of the funds by various implementing agencies and help in inter-sectoral convergences.
- viii) To perform such additional functions and to carry out such duties as may be assigned to it by the Central and State Governments.
- ix) The member Secretary shall be responsible for the custody and maintenance of the minute book and other records of the Mizoram Mahatma Gandhi Rural Employment Guarantee Council and the Executive Committee.

5. Terms and conditions of appointment of members –

- i) The members representing the Departments shall hold their offices as long as they are serving in their respective Departments or till the concerned Department nominates any other officer.
- ii) The term of office of the non-official members nominated under sub rule (i) of clause (d) and (e) of rule 3 shall be for a period of one year;
- iii) The non-official members nominated as above shall be entitled to receive travelling allowance and dearness allowance for attending the meetings of the State Council or the Executive Committee, as the case may be, at the rate admissible to the Group 'A' Officer of Entry Grade of the State Government.
- iv) The officials and non-official members shall also be entitled to receive honorarium at the rate of five hundred rupees per day for the days of the meetings of the State Council or its Executive Committee or any other official work for which they attend to at the headquarters at Aizawl on invitation by the State Council or Executive Committee, as the case may be.

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

- i) Any non-official member may by writing under his hand addressed to the Chairperson resign his office at any time or be removed from his office in case he incurs any disqualification if he/she :-
 - a) has been adjudged as an insolvent; or
 - b) has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
 - c) has become physically or mentally incapable of acting as a member; or
 - d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or
 - e) has so abused his position as to render his continuance in office prejudicial to the public interest; or
 - f) remains absent for three consecutive meetings of the State Council except for reasons beyond his control or without permission of the Chairperson;
- ii) Any vacancy caused in the State 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 would have been entitled to hold office, if the vacancy had not occurred.

7. Procedure of the meeting and Quorum

- i) The Member-Secretary shall give at least fourteen days notice for a meetings of the State Council, giving therein the date, time and place of the meeting.

- ii) Not less than two-third of the members shall constitute the quorum for the meetings of the State Council
- iii) 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 postpone meeting shall constitute the quorum.
- iv) Every question brought before any meeting of the State 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.
- v) In the case of an equality of votes on any resolution or question, the Chairperson shall have a casting or a second vote.
- vi) The Member-Secretary shall, within thirty days of a meeting, circulate the minutes of that meeting duly approved by the Chairperson.
- vii) The State Council shall meet as often as may be necessary, but not less than once in a year.
- viii) Urgent meeting can be called by Member Secretary as and when required giving notice of the meeting, date, time and place of the meeting.

8. Executive Committee :-

- i) The State Council shall constitute a Committee to be called the Executive Committee to assist the Council to discharge its duties and perform the functions assigned to it.
- ii) The Executive Committee constituted under sub-rule (i) shall consist of the following namely;

Chairman	:	Chief Secretary, Government of Mizoram
Members	:	1. Addl. Secretary/Joint Secretary, RD Department
		2. All District Programme Coordinators
		3. Director, Rural Development Department
		4. All Addl District Programme Coordinators
		5. Director, SIRD
		6. Project Director, SLMC & IAC
		7. Deputy Secretary, Rural Development Deptt
		8. The Chairman may co-opt individuals or Officials who are expert in the field as member of the Executive Committee;
Member Secretary:		Secretary, Rural Development Department

9. Functions of the Executive Committee –

- i) Subject to the general superintendence and directions of the State Council, the Executive Committee shall perform the following duties and functions, namely :-
 - a) take steps to give effect to the decision of the State Council;
 - b) manage the administrative and financial affairs of the State Council;
 - c) sanction expenditure in connection with the affairs of the State Council;
 - d) appoint expert groups for technical support and advice to improve the quality of implementation of the Act;
 - e) exercise all such powers and perform such functions as may be entrusted to it by the State Council.
- ii) The Executive Committee shall meet at least once in three months or more frequently, if required by the State Council.

10. Accounts of the State Council:

There shall be an account established or opened for the State Council, which shall be expensed for the purpose of implementing the Scheme, which shall include administrative expenses of the State Council, payment of unemployment allowance, and any other expenditure as prescribed by the Government of India and as may be determined by the State Government from time to time.

11. Management of the Account:

- i) The Account of the State Council shall be maintained and administered by the Secretary to the Government of Mizoram, Rural Development.
- ii) No sums from the Account shall be paid or applied, except for the purposes that are approved by the Secretary to the Government of Mizoram, Rural Development Department or by any officer authorized by him on his behalf.
- iii) As per provision under sub-section(4) of section 14 of the MGNREGA 2005, the State Government shall delegate such financial powers to the District Programme Coordinator as may be required to enable him to carry out his functions under the Act.

12. 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.

13. Repeal & Saving:

On and from the commencement of these Rules, the Mizoram Rural Employment Guarantee Rules, 2007 with its subsequent amendments shall stand repealed.

Provided that any order made or anything done or any action taken under the rules so repealed, or under general orders ancillary thereto shall be deemed to have been done or taken under the corresponding provisions of these rules.

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