ABSTRACT

Guidelines – The Mahatma Gandhi National Rural Employment Guarantee (Tamil Nadu) Scheme – Delay compensation guidelines (Tamil Nadu), 2022 – Notified.

RURAL DEVELOPMENT AND PANCHAYAT RAJ (CGS.1) DEPARTMENT

G.O.(Ms).No. 25 **Dated: 11.03.2022**
பிலவ, மாசி 27
திருவள்ளுவர் ஆண்டு 2052

Read:

ORDER:

Payment of wages shall be made within 15 days from the date of closure of the Muster Roll and the wage seekers are entitled to receive payment for the delay as per the Mahatma Gandhi National Rural Employment Guarantee Act, 2005. Guidelines on compensation for delayed wages payment shall be notified for information of all concerned.

2. The Appended Notification will be published in an Extraordinary issue of the Tamil Nadu Government Gazette, dated the 11th March, 2022.

(BY ORDER OF THE GOVERNOR)

P. AMUDHA,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Works Manager, Government Central Press,Chennai-600 079.
(for publication of Notificatio in the Extra-ordinary issue of the Tamil Nadu Government Gazette, dated and to supply 100 copies to the Rural Development and Panchayat Raj, Chennai-9)
The Director of Stationery and Printing, Chennai-600 002.
The Director of Rural Development and Panchayat Raj, Chennai-15.
The Director (FAC), Social Audit Society of Tamil Nadu (SASTA), Chennai-15. (thro' DRD&PR, Chennai-15)

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All District Collectors (Except Chennai District)
(thro' DRD & PR, Chennai-15).
All Project Directors, DRDAs, (thro' DRD&PR, Chennai-15).
All Treasury Officers.
All Panchayat Union Commissioners (thro' DRD&PR, Chennai-15).
All ACS/Principal Secretaries / Secretaries to Government, Chennai-09.
The Director of Information and Public Relations, Chennai-9.
The Accountant General, Chennai-6/18/35.
The Commissioner of Treasuries and Accounts, Chennai-15.

Copy to:

The Secretary to Government of India, Ministry of Rural Development,
Department of Rural Development, Krishi Bhavan,
New Delhi – 110 001.
The Hon'ble Chief Minister's Office, Secretariat, Chenai-09.
The Law (RD & PR-Scrutiny) Department, Chennai-09.
The Legislative Assembly Secretariat, Chennai-09.
The Senior Personal Assistant to Hon'ble Minister (Rural
Development), Chennai-9.
The Senior Personal Assistant to Hon'ble Minister (Law),
Chennai-09.
The Private Secretary to Chief Secretary to Govt., Chennai-9.
The Principal Private Secretary to Principal Secretary to Government,
Rural Development and Panchayat Raj Department, Chennai-9.
Stock file / Spare copy.

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Section Officer

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APPENDIX

NOTIFICATION

G.O.(Ms) No.25, Rural Development and Panchayat Raj (CGS.1) Department, dated 11.03.2022

GUIDELINES ON COMPENSATION FOR DELAYED WAGES PAYMENT UNDER MGNREG ACT, 2005.

1. (i) These guidelines may be called " the Mahatma Gandhi National Rural Employment Guarantee Scheme – Delay Compensation Guidelines (Tamil Nadu), 2022-*Delay Compensation, in case wages is not made to MGNREGS workers within 15 days from the date of closure of Muster Roll"*

2. Definitions- In these guidelines, unless the context otherwise requires:-

   (a) "Act" means the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Central Act 42 of 2005);
   (b) "Notification" means a notification published in the Official Gazette;
   (c) "Government" means Government of Tamil Nadu;
   (d) "Scheme" means Mahatma Gandhi National Rural Employment Guarantee Scheme - Tamil Nadu;"
   (e) "State Employment Guarantee Fund" means the fund created to hold all funds received from the Central Government or the State Government for the purpose of implementation of the Scheme;
   (f) "District Programme Coordinator" means an officer of the State Government designated as such under sub-section (1) of section 14 of the Act for implementation of the Scheme in a District. The Collector of the District is designated as the District Programme Coordinator for the implementation of the Scheme in the District.
   (g) "Additional Programme Co-ordinator" means the Project Director, District Rural Development Agency at District level.
   (h) "Programme Officer" means Block Development Officer (Village Panchayat) at the Block level.
   (i) "Job Card" means a key document that records workers entitlements like attendance, number of days worked, wage payments made etc., under MGNREGA.
   (j) "Worksite Supervisor" means one among the workers who is designated for the supervision of worksite and workers.
   (k) "Wage Rate" – Wages as Notified time to time by State, under Mahatma Gandhi National Rural Employment Guarantee Act and Scheme by Government of India / State Government as referred to in Section 6 of Act.

3. **Entitlement to the workers:**

As per Para 29(1) of revised Schedule II of MGNREGA, the wage seeker is henceforth entitled to receive payment of compensation for delay in payment of wages

at the rate of 0.05% of the unpaid wages per day of delay beyond the sixteenth day of closure of Muster Roll from the date of publication of this Notification.

4. Stage-wise Accountability and Time line for Payment of Wages:

As per the Standard Operating Procedure followed in the State, the following timelines with designated person is fixed for the propose of accountability.

Steps	Activity	Designation of the Persons responsible	Time Line
I	Closure of Muster Roll (MR)	Worksite Supervisor	T(Wednesday)
II	Handing Over of Muster Roll to Technical Person (Panchayat Union Overseer/Junior Engineer/ Assistant Engineer)	Village Panchayat Secretary	T+1 (Thursday)
III	Measurement of Works	Union Overseer/ Assistant Engineer	T+3 (Friday & Saturday)
IV	Check Measurement	Assistant Engineer/ Asst. Executive Engineer	T+5 (Sunday & Monday)
V.	MIS entry of Muster Roll	Computer Assistant	T+7 (Monday, Tuesday & Wednesday)
VI	Generation of FTO (1st Signatory)	Deputy Block Development Officer (MGNREGS)	T+8 (Thursday)
VII	Generation of FTO (2nd Signatory)	Block Development Officer (Village Panchayat)	
VIII	Wage Credit into the account of the worker	NIC New Delhi/PFMS New Delhi / Nodal Bank(Indian Bank, Saidapet)	9th to 15th day

Crediting the wage payment into the bank account of the worker involves 2 stages as below:

Stage – I is the responsibility of the State Government within 8 days from the date of closure of Muster Roll as detailed above.

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Stage – II is the responsibility of the Government of India and it's stakeholder viz., NIC/PFMS and Nodal Bank from 9th to 15th day from the date of closure of Muster Roll as detailed above.

5. Calculation of Delay Compensation:

(a) NREGAsoft has a provision to calculate the total compensation payable, after due verification, based on the date of closure of Muster Roll (e-MR) and the date of generation of the Fund Transfer Order for the payment of wages taking into account of,

1. Date of uploading of FTO for the payment of wages into the bank account of wage seeker.
2. Date of closure of Muster Roll
3. The duration of such delay
4. Total wage payable.
5. Rate of compensation (0.05% per day).

(b) The Exceptions when the Compensation is not payable are:

- Natural calamities.
- Insufficient Funds
- Technical Problems in NREGAsoft
- When Muster Roll is freezed due to absentees or malpractice if any.

(c) The State Government (District Programme Coordinator and Programme Officer in Particular) shall be responsible for operationalising the system for payment of compensation for delayed wage payments. The details are to be uploaded on NREGAsoft so that the liability of each functionary/ Agency can be determined in case of a delayed payment.

(d) Any delay in payment of compensation beyond a period of 15 days from the date, it becomes payable, shall be considered in the same manner as the delay in payment of wages.

6. Authority for Sanctioning and payment of Delay Compensation:

The delay compensation shall be Sanctioned and disbursed by the Programme Officer / Block Development Officer (Village Panchayat) of the Block concerned.

7. Accounting for Compensation paid:

(a) The compensation shall be met from the State Employment Guarantee Fund (SEGF) upfront. This must be recovered from the functionaries/ agencies responsible for the delay

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(b) For accounting of the compensation paid, a separate head of account within State Employment Guarantee Fund (SEGF) account of MGNREGA shall be maintained and reflected in the MIS under e-FMS. The amount so recovered from the responsible officers shall be reimbursed into SEGF.

8. Process of Approval of Recovery:

(a) Assistant Project Officer (WE) as a nominee of the Additional District Program Co-ordinator /Project Director shall obtain the details of delayed payment from 'NREGAsoft' available in Government of India website www.nrega.nic.in on a weekly basis. Detailed analysis has to be made and responsibility shall be fixed on the functionary / functionaries responsible for the delay as mentioned in para 5 of this rule. A detailed order indicating the recoveries shall be approved by the Assistant Programme Officer (Wage and Employment) who is authorised by District Programme Co-ordinator/District Collector.

(b) The entire proceedings of either approval for recovery or rejection incertain cases shall be completed within 15 days.

(c) The official on whom recovery for delay compensation is made should be clearly indicated in the recovery order and a maximum of 30 days can be provided for paying the recoverable amount.

(d) Assistant Project Officer (WE) as a nominee of the Additional District Program Co-ordinator /Project Director shall follow the extant recovery procedures to recover the compensation amount so paid under the system from the functionaries/agencies responsible for such delay in payment of wages. The amount so recovered shall be reimbursed into SEGF.

9. Appeal:

In case of any dispute concerning the payment of delay compensation and proceedings of recovery, the Additional District Programme Coordinator as a nominee of District Programme Coordinator/District Collector shall be the appellate authority and the decision of Additional District Programme Coordinator will be the final.

The Director, Rural Development & Panchayat Raj shall be vested with the powers to issue necessary instructions and modification in consultation with Principal Secretary / Additional Chief Secretary, Rural Development and Panchayat Raj dept. and to operationalise these guidelines.

P. AMUDHA
PRINCIPAL SECRETARY TO GOVERNMENT

// TRUE COPY //

SECTION OFFICER.

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