

GOVERNMENT OF KERALA

Abstract

Local Self Government Department – National Rural Employment Guarantee Act, 2005 – Implementation of the scheme in Forest Areas – Guidelines formulated- Orders issued.

LOCAL SELF GOVERNMENT (DD) DEPARTMENT

GO (Ms) No.126/2007/LSGD

Thiruvananthapuram, Dated 07/05/2007

ORDER

National Rural Employment Guarantee Act is under implementation in Wayanad, Palakkad, Idukki and Kasaragod districts. Since these districts have vast areas of degraded forests, it is necessary to carry out forest development as well as eco restoration activities under the provisions of the Act.

In order to streamline the implementation of the National Rural Employment Guarantee Scheme (NREGS) in forest areas, the following guidelines are issued.

1. Only works in harmony with the approved Working Plan/Management Plan shall be taken up in the forest areas.
2. Works like weeding, pitting, planting, climber cutting, kayyala construction, trenching, gully plugging, bunding, fire tracing, maintaining trek path, nursery works, social forestry, construction/ maintenance of roads, junda construction etc. can be taken up.
3. The Vana Samrakshna Samithis (VSS) and Eco-development Committees (EDC) will prepare the projects/micro plan. The projects/micro plans so prepared will be consolidated and sent to the Village Panchayat through the Forest Range Officer concerned.
4. The Village Panchayat will then place it before the Grama Sabha and after its clearance, will approve it as part of the Annual Action Plan for NREGS.
5. Estimates of all forests works in the micro plan under NREGS will be prepared by the Forest Range Officer and sent to Village Panchayat for issuing Administrative Sanction.
6. The Forest Schedule of Rates (FSR) will be applied for preparation of estimates of forestry works and PWD schedule of rates will be used for civil works
7. The forest areas are classified as *ordinary, difficult and very difficult* areas for the purpose of forestry works. This classification will be applicable to forestry works of NREGS also.

8. The prevailing wage rate for an unskilled Mazdoor under FSR is Rs.146 plus VDA in ordinary area, Rs.154 plus VDA in difficult area and Rs.162 plus VDA in very difficult area.
9. For NREGS works in forest areas, wage rate as notified in the forestry sector will be applicable. As the wage rates for forestry works are higher than the prevailing minimum agricultural wage of Rs.125 per person per day, the Forest Department funds will be dovetailed with NREGS funds to make good the difference between the notified Forest Department wage rate and NREGS wage rate. The payment of wages from NREGS funds will be limited to the minimum agricultural wage which is at present Rs.125 per day.
10. The Village Panchayat will accord Administrative Sanction for individual works based on the estimate prepared by the Forest Department.
11. The District Collectors will constitute Technical Committee for forest works at the District, and Village Panchayat level, in consultation with the Divisional Forest Officers, on the lines of District Level Technical Committee (DLTC) / Block Level Technical Committee (BLTC). The Village Panchayat level Technical Committee for Forest Works will consist of Forest Range Officer (chairman), Forester/Forest Guard in charge of the territory (member convener), 2 VSS members, Agricultural Officer, Tribal Extension Officer, Accredited Engineer of the Village Panchayat as members. Similarly a District Level Technical Committee for Forest Works will be constituted with the Divisional Forest Officer of the forest area where the work is proposed as Chairman, Forest Range Officer as convener, Joint Programme Coordinator, Principal Agriculture Officer, Project Officer, ITDP and Executive Engineer (Local Self Government Department) as members.
12. For the purpose of issuing Technical Sanction, the Committee with the Forest Range Officer as Chairman will have the financial delegation of the BLTC sub committee of works programmes of which Assistant Executive Engineer is the convener. Similarly the District Level Technical Committee for Forest Works with Divisional Forest Officer as Chairman will have the delegation of powers of the DLTC sub committee of works programmes of which Executive Engineer is the convener.
13. Based on delegation of powers, District Level Technical Committee/Village Panchayat Level Technical Committee for Forest Works, as the case may be, will accord Technical Sanction for the estimates prepared by the Range Forest Officer.

14. Orientation training programmes for NREGS will be organized for VSS/EDC members. They will be persuaded to register for employment under NREGS. The Village Panchayat concerned will issue job cards to eligible VSS/EDC members.
15. In order to meet the demand for works, a Shelf of Project based on the micro plans/project proposed by VSS and Eco-Development Committee may be got ready. The Panchayat and Forest Departments shall ensure that Administrative Sanctions and Technical Sanctions are accorded to as many works as possible to meet the full estimated demand for works.
16. The tools and implements required for the work shall be purchased by the Panchayat concerned, based on the requirement furnished by the forest Department and scrutinized by the Panchayat Level Technical Committee for Forest Works. The expenditure for the purchase of tools and implements may be met from the funds for General Purpose Grant, Development Funds or own funds. The tools and implements so purchased shall be handed over to the VSS. VSS would rent out the tools to the workers. The VSS may charge rent at local rates which may be approved by the Village Panchayat. The rent so collected will be separately accounted for. The rent shall be met from the material component of the work. The expenses for repairs and replacement of tools and implements would be met from the rent so collected.
17. The Forest Guard, Forester and Forest Range Officer will be responsible for the immediate supervision of the forestry works. Implementation of individual projects will be supervised and monitored by VSS/EDC also.
18. Vigilance Wing of the Forest Department will inspect the works to ensure that the works are in conformity with Forest Conservation Act, Working Plan etc.
19. Measurements will be recorded by the Forest Department subordinate Officers in the Measurement Book. The M- Book will be handed over to the Village Panchayat for settlement of bills and safe custody. The Forest Guard of the area will record the measurements in the M Book. The Forest Range Officer will check measure the work.
20. The portion of wages for unskilled workers which is over and above the minimum agricultural wage of Rs.125 per day will be initially paid from NREGS funds and got reimbursed by the Forest Department on a fortnightly basis. For this purpose the Secretary of the Village Panchayat will furnish a claim statement to the Forest Range Officer concerned on the 1st and 15th day of every month. The Forest Range Officer, within 7 days of receipt of the claims statement, will release the amount to the Village

- Panchayat by crossed Demand Draft drawn in favour of the Secretary of the Village Panchayat concerned which will be credited to the NREGS account by the Village Panchayat Secretary. Separate account will be maintained for this purpose.
21. Muster Roll for forest works under NREGS will be issued by the Village Panchayat Secretary. The Muster Roll for the work will be maintained by the Forest Guard and certified by the VSS Chairman.
 22. Materials for the works will be purchased by the Village Panchayat. A Purchase Committee will be constituted for the purpose with the President of the Village Panchayat as Chairman, Works Standing Committee Chairperson, Range Forest Officer, Chairman and two members of VSS/EDC known for their integrity as members and Panchayat Secretary as Member Convenor.
 23. The details of estimates of forest works should be exhibited prominently at the Forest Range Office and Village Panchayat.
 24. The VSS shall nominate a volunteer who would be responsible for maintaining the muster roll, ensuring labour out-turn, arrangement of work site facilities, distribution and collection of implements, checking proper stocking and utilization of materials and verifying payments. The volunteer will also liaise with the Village Panchayat and Forest Department and sort out any operational problem. The Volunteer may be paid minimum wages of Rs.125 per day for the days in which he/she actually organizes and supervises the work which should not in any case exceed the actual number of days taken for completion of the work. As far as possible preference would be given to widows, abandoned women and handicapped women in the selection of Volunteers by the VSS. For every new work a new volunteer may be deployed by the VSS.
 25. The VSS shall have the following functions also:
 - i. Facilitating distribution of Job Cards and opening Savings Bank Accounts of workers;
 - ii. Ensuring that maximum women participate in the work;
 - iii. Ensuring that maximum Scheduled Tribes participate in the work;
 - iv. Ensuring local awareness about the work;
 - v. Serving work related notices such as work commencement notices; and
 - vi. Conducting social audit of the expenditure.

26. Work site facilities to be arranged include:

- (i) Drinking Water facilities with pots and glasses;
- (ii) First Aid boxes; and
- (iii) Facilities for children below five years – if the number of children is five or more exclusive Ayah would be nominated by the VSS. Otherwise, the VSS volunteer in charge of the work will perform this task also.

27. The First Aid boxes shall be supplied by Panchayat to the concerned VSS. The VSS shall properly take them into stock and issue to the work site. On completion of the work these should be taken back and reissued to the next work site as required.

28. In the case of injuries suffered by any worker as part of his/her work he/she shall be given first aid and if required, treatment at the hospital may be arranged. If hospitalization is required the cost of medicines shall be met from the non-wage component of the scheme. Also 50 % of the wage rate shall be provided during the period of hospitalization as per the provisions of Clause 25, Schedule – II of NREGA.

29. Since payments have to be made every fortnight, the Panchayat concerned and Forest Department Officers shall ensure proper valuation/measurement of work well in time.

30. Since there is no contract involved there is no need for an agreement and for this reason there is no need to provide any taxes or contributions.

31. Once a forest work is started, the District Programme Coordinator will ensure uninterrupted flow of funds till the completion of the work, as incomplete work may harm the eco-system.

32. Joint efforts will be taken to ensure availability of job card holders for seasonal works. The Village Panchayats will take this factor into account while preparing labour budget for NREGS.

33. Forestry works such as planting, weeding, fire tracing etc are season specific and should be completed within a particular season. As the implementation of these works can not be postponed, the VSS shall have the freedom to employ local labourers if job card holders fail to turn up for work. In such cases the expenditure for the works so executed will be met from Forest Department funds

34. Village Panchayat will give at least three days' advance information to the VSS about the workers who are nominated for a work in the area falling under VSS.

35. The District Programme Co-ordinator, Joint Programme Co-ordinator, Block Programme Officer and Village Panchayat concerned also can inspect NREGS works taken up in forest areas.
36. Forest offenders will not be engaged for jobs in forest area even if they are job card holders.
37. This is issued with the concurrence of Forest Department.

(By Order of the Governor)

S.M. VIJAYANAND
Principal Secretary

To

- The Principal Chief Conservator of Forest
 The Chief Conservator of Forest (Devp)
 The Chief Conservator of Forest (E&TW)
 The Commissioner for Rural Development, Thiruvananthapuram
 The Director of Panchayats, Thiruvananthapuram
 The District Collector, Palakkad/Wayanad/Idukki/Kasaragod
 The Joint Programme Co-ordinator, Palakkad/Wayanad
 The Principal Accountant General (A&E)/Accountant General (Audit) (with C.L.)
 The Project Director, Poverty Alleviation Unit, Palakkad/Wayanad/Idukki/Kasaragod
 The President/Secretary, District Panchayat, Palakkad/Wayanad/Idukki/Kasaragod
 All Block Panchayat /Grama Panchayat Secretaries of
 Palakkad/Wayanad/Idukki/Kasaragod (through CRD)
 Stock File/OC
- Copy to: The Private Secretary to Minister (Local Self-Government)
 The Private Secretary to Minister (Forest)
 PA to Principal Secretary (Local Self-Government)
 PA to Secretary (Forest)
 The Forest Department

Forwarded/By Order

Section Officer