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**GOVERNMENT OF MANIPUR
SECRETARIAT: RURAL DEVELOPMENT AND PANCHAYATI RAJ
DEPARTMENT**

NOTIFICATION

Imphal, the 24th October, 2012

No.1/3/2007-RD (MC) : Whereas, as required under sub-section (1) read with clause (c) of sub-section (2) of section 32 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, the draft Manipur State Employment Guarantee Council Rules, 2009 has been published in the Manipur Gazette Extraordinary vide No. 73 dated 3rd June, 2009 for information of all persons likely to be affected thereby and notice was given that the said draft rules would be taken into consideration after expiry of a period of 30 (thirty) days from the date of its publication in Official Gazette;

And whereas, no view or suggestions have been received from any person with respect to the said draft rules within the stipulated period of 30 days which expired on 3rd July, 2009.

Now, therefore, in exercise of power conferred under section (1) of section 32 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, the State Government hereby makes the following rules namely:-

1. Short title, extent and commencement :

- (1) These rules may be called the “Manipur State Employment Guarantee Council Rules, 2009.
- (2) They shall come into force from the date of their publication in the Official Gazette.

2. Definition – In these rules, unless the context otherwise requires :-

- (a) “Act” means the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (42 of 2005);
- (b) “Chairpersons” means the Chairperson of the State Council;
- (c) “District Panchayat” means Zilla Parishad of local self government constituted under Article 243B of the Constitution for the rural areas at the districts level in accordance with the provisions of Part IX of the Constitution of India ;

- (d) **“Member-Secretary”** means the Member Secretary of the State Council;
- (e) **“State Employment Guarantee Commissioner”** means the Principal Secretary or Commissioner or Secretary, as the case may be, in charge of the Rural Development and Panchayati Raj Department, Government of Manipur who is designated as the Manipur State Employment Guarantee Commissioner for implementation of the Mahatma Gandhi National Rural Employment Guarantee Scheme under the Act;
- (f) **“Scheme”** means a scheme made and notified by the State Government under sub-section (1) of section 4;
- (g) **“Section”** means a section of the Act;
- (h) **“State Council”** means the Manipur State Employment Guarantee Council constituted under sub-section (1) of section 12;
- (i) **“State Government”** means the State Government of Manipur;
- (j) Words and expressions used but not defined in these rules have the meanings respectively assigned to them in the Act.

3. State Council:

- (1) Subject to the provisions of sub- rule (2) the State Council constituted under sub-section (1) of section 12 shall consist of the following, namely:-
 - (a) Minister in charge of Rural Development & Panchayati Raj, Manipur, ex-officio – Chairperson
 - (b) Principal Secretary or Commissioner or Secretary, as the case may be, in charge of the Finance Department, Government of Manipur or his representative not below the rank of Joint Secretary. – Member
 - (c) Principal Secretary or Commissioner or Secretary, as the case may be, in charge of the Planning Department, Government of Manipur or his representative not below the rank of Joint Secretary. – Member
 - (d) Principal Secretary or Commissioner or Secretary, as the case may be, in charge of the Labour Department, Government of Manipur or his representative not below the rank of Joint Secretary. – Member

- (e) Principal Secretary or Commissioner or Secretary, Secretary as the case may be, in charge of the Rural Department and Panchayati Raj Department, Government of Manipur. – Member Secretary

Non-official members:-

- (f) Five members from among Scheduled Castes or Scheduled Tribes or Other Backward classes or Minorities (two members from ST, one member each from SC, OBC and Minorities to be nominated by the State Government). – Members
- (g) Three members from Panchayati Raj Institutions – Members
- (h) One (1) representative from organisation of workers – Member
- (i) One (1) representative from disadvantaged groups – Member
- (2) Not less than one – third of the total number of non-official members nominated to the State Council shall be women.

4. Terms of appointment, Travelling Allowances, etc., of the non-official members:-

- (1) The members representing the Department of the Government of Manipur shall hold offices as long as they are serving in their respective Department or till the concerned Department nominates any other officer.
- (2) The Non-Official members of the State Council shall hold office for a term of one year from the date on which he/she was appointed as member and shall be eligible for re-appointment for another term.
- (3) The Non- Official members of the State Council shall be entitled travelling allowances as admissible to Grade- I Officer of the State Government and sitting allowances shall be paid at the rate of Rs.500/-(Rupees five hundred) only per sitting.

5. Resignation, removal of non-official members:

- (1) Any non-official member may, by writing under his hand addressed to the Chairperson, resign his/her office at any time. Provided that no resignation shall take effect until it is accepted.

- (2) The State Government may, at any time, remove a non-official member from being a member of the State Council, if he/she-
 - (i) has been adjudged as an insolvent; or
 - (ii) has been convicted of an offence which in the opinion of the State Government involves moral turpitude; or
 - (iii) has become physically or mentally incapable of acting as a member; or
 - (iv) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or
 - (v) has so abused his position as to render his continuance in office prejudicial to the public interest; or
 - (vi) remains absent for three consecutive meetings of the State Council except for reasons beyond his control or without permission of the Chairperson.
- (3) Any vacancy caused in the State Council due to resignation, death, removal or otherwise for a non- official member shall be filled from the same category which such member was representing and the persons newly nominated shall hold office so long as the member whose place he/she would have been entitled to hold office if the vacancy had not occurred.

6. Meeting of the State Council and its quorum:

1. The State Council shall meet at least two times in a year or more frequently as it may consider necessary at such place and at such time to transact its business from time to time as the Chairperson may determine.
2. The Member – Secretary shall give at least ten clear days notice for a meeting of State Council, giving therein the date, time, place and agenda of the meeting.
3. The Chairperson shall preside at every meeting of the State Council, and in his absence, the Principal Secretary or Commissioner or Secretary, as the case may be, in charge of the Rural Development and Panchayati Raj Department, Government of Manipur shall preside over the meeting.
4. Not less than one- third of the members shall constitute the quorum for the meeting of the State Council.

7. Procedure of the meeting:

- (1) The Member Secretary shall give at least ten days clear notice for a meeting of the State Council, giving therein the date, time and place of meeting.

- (2) 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 postponed meeting shall constitute the quorum.
- (3) Every question 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 members shall be allowed to vote by proxy. In case of an equality of votes on any resolution or question, the Chairperson shall have a casting or a second vote.
- (4) The Member Secretary shall within thirty days of a meeting, circulate the minutes of that meeting to the members duly approved by the Chairperson.

8. Duties and the functions of the State Council:-

- (1) The State Council shall perform the duties and discharge the functions assigned to it under section 12.
- (2) The State Council should follow the systems and procedure for maintenance of its records and other records as practiced by the State Government from time to time and as directed by the State Government in that regard.
- (3) The State Council may, subject to such control and directions, authorise the Member Secretary to deal with such financial and administrative matters for its day-to-day functioning.
- (4) The Member Secretary shall be responsible for the custody and maintenance of the minutes book and other records of the State Council.

9. Funds of the State Council:-

- (1) The State Council shall meet its expenses including the salaries and allowances of its staff in connection with its affairs and the functions entrusted to it under the Act and these rules from the annual grants released to it by the Ministry of Rural Development, Government of India out of the Mahatma Gandhi National Employment Guarantee Fund and by the State Government.
- (2) The Fund of the State Council shall be operated through a Scheduled Bank as approved by the State Government.

AMEISING LUIKHAM,
Additional Chief Secretary (RD & PR),
Government of Manipur.