

UTTAR PRADESH SHASAN
GRAMYA VIKAS ANUBHAG-7

In pursuance of the provisions of clause(3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 1981/XXXVIII-7-2014-153NREGA/2012 dated 18-09-2014.

NOTIFICATION
MISCELLANEOUS
No. 1981 /XXXVIII-7-2014-153MGNREGA/2012
Lucknow: Dated: 18-09-2014

Whereas Government notification no. 1172/ XXXVIII-7-2014-153MGNREGA/2012 dated May 21, 2014 was issued for the information of the persons concerned and for inviting objections and suggestions in regard to the THE UTTAR PRADESH NATIONAL RURAL EMPLOYMENT GUARANTEE (UNEMPLOYMENT ALLOWANCE) RULES, 2014 as required under sub-section(1) of section 32 of the said Act.

And whereas no objection or suggestions has been received within the stipulated time;

Now, Therefore, in exercise of the powers under clause(d) of sub-section 32 of aforesaid Act the Governor is pleased to make the following rules.

**THE UTTAR PRADESH NATIONAL RURAL EMPLOYMENT
GUARANTEE(UNEMPLOYMENT ALLOWANCE) RULES, 2014**

Short title

1. (1) These rules may be called as THE UTTAR PRADESH NATIONAL RURAL EMPLOYMENT GUARANTEE(UNEMPLOYMENT ALLOWANCE) Rules, 2014.
(2) They shall come into force with effect from the date of their publication in the Official Gazette.

Definitions

2. In these rules, unless the context otherwise requires:-
 - (a) 'Act' means the National Rural Employment Guarantee Act, 2005 (Act no. 42 of 2005).
 - (b) 'Day' means a working day.
 - (c) 'Financial Years' means: the period of twelve months commencing on the first day of April of a calendar year.

**Eligibility to
receive
Unemployment
Allowance**

- 3.(1) A person who is registered and having a valid job card under the State scheme under sub- section(1) of section 4 of the Act and who has given an

application to Gram Panchayat or the Programme Officer asking for wage employment under the Act and is not provided employment within fifteen days of receipt of the application seeking employment shall be entitled to a daily unemployment allowance at the rate equal to one-fourth of the prevailing wage rate for the first 30 days during the financial year and one half of the prevailing wage rate for the remaining period of financial year.

4. The unemployment allowance payable shall be sanctioned and disbursed by the District Programme Co-ordinator.

5. (a) A person claiming unemployment allowance shall make an application in Form No.1 under these rules to the Gram Panchayat seeking unemployment allowance on the day after he becomes eligible for claiming such allowance
- (b) A copy of the acknowledgement in Form No.5 under the Act received while handling over the application seeking employment in Form.4 under the Act shall be attached to the said application.
- (c) The Gram Panchayat on receipt of the said application shall make necessary enquiries and if satisfied that the applicant is registered under the scheme and has job card and is entitled for payment of unemployment allowance he shall forward within two days the application to the Programme Officer along with his remarks.
- (d) On receipt of the report from the Gram Panchayat clause (c) Programme Officer shall make necessary enquiries and if he is satisfied that applicant is registered for employment under the Scheme and is entitled for payment of unemployment allowance. The Programme officer should submit all the claims to the District Programme Co-ordinator along with a recommendation for payment of unemployment allowance within three days. The responsibility of the verifying officer is unequivocal.
- (e) The District Programme Co-ordinator upon satisfying himself of the legitimacy of the claim and verification done thereof, will issue an order to that effect in Form No.2 under this rule indicating the period for which the unemployment allowance is payable and shall make payment, as per his order, through bank or post office to the account of the applicant in reasonable time.
- (f) The District Programme Co-ordinator shall pay the amount equivalent to one fourth of the prevailing wage rate for the first 30 days during the financial year and one half of the prevailing wage rate for the remaining period of financial year.
- (g) The District Programme Co-ordinator will meet the required expenses from the amount earmarked for the purpose by the State Government.
- (h) If the District Programme Co-ordinator rejects the demand for unemployment allowance, he shall record the reason for rejecting the same and intimate the applicant in Form No.3 under the rules. As far as possible, the Programme Officer shall decide the application for unemployment allowance within ten days of its receipt.

(i) District Programme Co-ordinator shall maintain a separate bank account with Additional District Programme Co-ordinator for unemployment allowance.

(j) The District Programme Co-ordinator making payment of unemployment allowance to eligible applicants shall do so solely through an account payee cheque.

(k) After payment the Programme officer shall make entry in MIS and in the Job Card in respect of payment of unemployment allowance.

(l) A register shall be maintained in Form – 4 by the village Panchayat and Programme officer.

Responsibility of Gram Panchayat

6. (1) The Gram Panchayat shall bring to notice of the Programme Officer, sufficiently in advance, if it is not in a position to provide employment to the applicant within fifteen days of his or her application, so as to enable the Programme Officer to make alternate arrangements.

(2) On receipt of the application for unemployment allowance the Gram Panchayat shall allow the applicant to record his daily attendance in a register or sheet opened for that purpose as evidence of his unemployment.

Procedure on failure of Gram Panchayat to accept application etc

7. (1) An applicant may submit his application to the Programme Officer directly, along with sufficient evidence that the Gram Panchayat has refused to entertain his application for unemployment allowance or not acknowledged his original application for employment under the Act.

(2) On receipt of application under sub-rule(1) the Programme Officer after due enquiry and satisfaction submit his report to the District Programme Co-ordinator notwithstanding the fact that the application has not been routed through the Gram Panchayat.

Cessation of unemployment allowance

8. (1) The liability of the State Government to pay unemployment allowance to a household during any financial year shall cease as soon as -

(a) the applicant is directed by Gram Panchayat or Programme Officer to report for work either by himself or depute at least one adult member of his household; or

(b) the period for which employment is sought comes to an end and no member of the household of the applicant had turned up for employment; or

(c) the adult members of the household of the applicant have received in total at least one hundred days of work within the financial year; or

(d) the household of the applicant has earned as much from the wages and unemployment allowance taken together which is equal to the wages for one hundred days of work during the financial year.

Ineligibility for claiming unemployment allowance

9. (1) If, owing to circumstances beyond human control like rains or unusual natural calamities, the State Government is unable to provide employment (i.e. the Programme Officer being unable to issue the letter directing the employment seeker to a work or the Implementing agency being unable to absorb the persons directed by the Programme Officer or to take up or continue the work) there shall be no liability on the part of the State Government to pay unemployment allowance.

(2) An applicant who-

- (a) does not accept the employment provided to his household under a scheme;
- (b) does not report for the work within 15 days of being notified by the Programme Officer or implementing agency to report for the work;
- (c) continuously remains absent from work, without obtaining a permission from the concerned implementing agency for a period of more than one week or remains absent for a total period of more than one week in a month;
- (d) does not fulfill the eligibility conditions required under this rule to claim the unemployment allowance payable under the Act;

(3) Any person who is found to have claimed and accepted unemployment allowance while already having an employment shall not be entitled to unemployment allowance for a period of 3 months from the last day on which he is so found to have claimed and accepted unemployment allowance;

(4) If village Panchayat is satisfied at any time that a person has registered his/her name by furnishing false information, it may request the Programme officer to direct his name to be deleted after giving due opportunity to explain;

(5) The applicant's claim shall be rejected in case he is found to have received allowance under state unemployment allowance meant for literate unemployed persons;

**Non
disbursement of
Unemployment
Allowance in
certain
circumstances**

10.(1) If the Programme Officer is not in a position to disburse the unemployment allowance in time or at all for any reason beyond his control, he shall report the matter to the State Government and announce such reasons in a notice to be displayed on his, Programme officer's and Gram Panchayat's notice board and other conspicuous places as he may deem necessary.

(2) The District Programme Co-ordinator should report such cases to the State Government and the State Government shall take all measures to make payment of unemployment allowance as expeditiously as possible.

**Responsi-
bility of
District
Programme
Co-ordinator**

11.(1) The District Programme Co-ordinator shall be responsible for disbursement of unemployment allowance at district level.

(2) He/she shall ensure that no applicant should get double benefit under State's different unemployment allowance schemes like unemployment allowance for literate persons etc.

(3) He shall take necessary action against Pradhan under Section 90-G of the Act, Secretary Grame Panchayat and Programme officer in case he satisfied that generation of unemployment allowance was not genuine.

**Annual
Report**

12- The State Government may prescribe the Management Information System(MIS) and the annual report of unemployment allowance and take necessary steps to incorporate unemployment allowance reports in the annual report of the State Employment Guarantee Council.

Singhal
(Arun Singhal)
Principal Secretary

FORM NO. 1
(See Rule 5(a))

**Application for unemployment allowance under the
Employment Guarantee Scheme**

1. Name
2. Address
3. Sex
4. Age
5. Registration No.
6. Date of Registration
7. Date on which application for employment was handed over and to whom it was handed over
8. No. of days for which unemployment allowance is claimed
9. Date of the beginning of the period for which unemployment allowance is claimed.

I..... resident of hereby
declare solemnly that I was not employed anywhere for the
period for which I am claiming unemployment allowance in
this application and hereby undertake to refund to
Government the amount of unemployment allowance
received for the period. If it is proved subsequently that I was
employed during that period or a portion thereof.

Date.....

Signature/Thumb impression of applicant

FORM NO. 2
(See Rule 5(E))

Order of the District Programme Coordinator indicating the period for which the unemployment is payable

No.....

To,

Registering Authority,

Village

Panchayat Samiti.....

Sanction is accorded to the payment of unemployment allowance amounting Rs.....
(Rs.....only) to Shri/Smt /Kumari..... Registration No
Resident of village for the period from to

Signature of Programme Officer

Place

Date

Panchayat Samiti/Tahsil

copy to Shri/Smt./Kumarivillage.....
with reference to his/her application dated
..... for unemployment allowance.

FORM NO. 3
(See Rule 5(h)

**Intimation regarding rejection of application for unemployment
allowance under the Employment Guarantee Scheme**

To,

Shri/Smt./Kumari.....
Registration No,
Village,
Panchayat Samiti

Reference :- Your application dated for
unemployment allowance.

Your claim for unemployment allowance for the period from
..... to is rejected for the
following reason :-

.....
.....
.....

Signature of Programme Officer

Place

Date

Panchayat Samiti/Tahsil.....

FORM NO. 4
(See Rule 5(l))

**Register of disbursement of unemployment allowance under
the Employment Guarantee Scheme**

SI No.	Name of the employment seeker	Registration No.	No and date of order sanction unemployment allowance	Period for which sanctioned	Amount	Date of Payment	Signature of recipient	Name and signature of witness	Signature of Registering Authority
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.

FORM NO. 5
(See Rule-(5)

**Acknowledgement for Unemployment allowance under the
Employment Guarantee Scheme**

An application in form no-1 has been received from Sri s/o
..... village.....for seeking unemployment allowance.

signature of Pradhan/Panchayat Secretary