

## **Maharashtra Employment Guarantee Scheme Unemployment Allowance Rules, 2013.**

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No. UAR 2012/C.R.30/EGS-10.---In exercise of the powers conferred by sub-section (1) of section 17 read with sub section (8) of section 8 of the Maharashtra Employment Guarantee Act,1977 (Mah. XX of 1978) and of all other powers enabling it in this behalf and in supersession of all existing rules, orders or instruments made in this behalf, in so far as they relate to the matters contained herein the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (3) of section 17, as follows namely :-

**1. Short Title:-** These rules may be called as Maharashtra Employment Guarantee Scheme Unemployment Allowance Rules, 2013.

(i) They shall come into force on the date of their publication in the *Official Gazette*.

**2. Definitions:-** In these rules, unless the context otherwise requires;

(i) 'Act' means the Maharashtra Employment Guarantee Act, 1977.

(ii) 'Day' means working day.

(iii) "Form" means a Form appended to these rules.

(iv) "unemployment allowance" means an allowance to be paid to an unemployed person under sub-section (4) of section 8 of the Act.

(v) words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

**3. Entitlement to receive Unemployment Allowance:-** A person who is registered and having a valid job card under the scheme and who has given an application to *Gram Panchayat* or the Programme Officer or Joint Programme Officer asking for wage employment under the Act and is not provided employment within fifteen days of receipt of the application seeking employment then that person shall be entitled to a daily unemployment allowance at such rate and for such days as is specified by the State Government by notification, under sub-section (4) of section 8 of the Act.

**4. Authority for sanctioning and paying the Unemployment Allowance:-** The Unemployment Allowance payable to such unemployed person under rule 3, shall be sanctioned and disbursed by the Programme Officer or Joint Programme Officer.

**5. Procedure for Payment .of Unemployment Allowance:-** (i) 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.

(ii) A copy of the acknowledgement in Form No. 5 under the Act received while handing over the application seeking employment in Form No. 4 under the Act shall be attached to the said application.

(iii) 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 a job card and is entitled for payment of unemployment allowance shall forward within two days from the date of receipt of said application to the Programme Officer or Joint Programme Officer alongwith its remarks.

(iv) On receipt of the report from the *Gram Panchayat* as provided in sub-section 5 (iii) Programme Officer or Joint 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, he shall issue an order to that effect in Form No.2 under the 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 within fifteen days of receipt of application.

(v) The Programme Officer or Joint Programme Officer will meet the required expenses from the State Government share in the account of Mahatma Gandhi National Rural Employment Guarantee Scheme Fund Association (Maharashtra) Society and make entry in MIS. If the Programme Officer or Joint Programme Officer 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 or Joint Programme Officer shall decide the application for unemployment allowance within fifteen days of its receipt.

**6. Responsibility of Gram Panchayat:-** (i) The *Gram Panchayat* shall bring to notice of the Joint Programme Officer or 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 or Joint Programme Officer to make alternate arrangements.

(ii) 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.

(iii) *Gram Panchayat* should maintain register of disbursement of unemployment allowance in form No. 4 under the rules. He should also send monthly statement of disbursement of unemployment allowance under the rules

in form No. 5 to the Programme Officer.

**7. Procedure on failure of Gram Panchayat to accept application etc.:-**

(i) An applicant may submit his application to the Programme Officer or Joint 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.

(ii) On receipt of such application the Programme Officer or Joint Programme Officer after due enquiry and satisfaction pass suitable orders as provided under Rule 5(d) notwithstanding the fact that the application has not been routed through the *Gram Panchayat*.

**8. Cessation of unemployment allowance:-** The liability of the State Government to pay unemployment allowance will cease as soon as:

- (a) The applicant is directed by Gram Panchayat or Programme Officer or Joint Programme Officer to report for work
- (b) The period for which employment is sought come to an end.

**9. Ineligibility for claiming unemployment allowance :-** (i) 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 or Joint 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 Joint 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.

(ii) An applicant who-

- (a) does not accept the employment provided to him.
- (b) does not report for the work within seven days of being notified by the Programme Officer or Joint 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
- (d) remains absent for a total period of more than one week in a month; or
- (e) does not fulfill the eligibility conditions required under this

rule shall not be eligible to claim the unemployment allowance payable under the Act.

(iii) A person who is found to have claimed and accepted unemployment allowance while already having an employment will 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.

**10. Non disbursement of Unemployment Allowance in certain circumstances:-** (i) If the Programme Officer or Joint 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 District Programme Co-ordinator and announce such reasons in a notice to be displayed in the Gram Panchayat notice board and other conspicuous places as he *may* deem necessary.

(ii) The District Programme Co-ordinator shall 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.

**11. Annual Report:-** The State Government may prescribe the format for MIS and the annual report of unemployment allowance and take necessary steps to incorporate unemployment allowance reports in the annual report of Maharashtra Employment Guarantee Council.

FORM No.1

(See Rules 5)

**Application for unemployment allowance under the Maharashtra  
Employment Guarantee Act, 1977**

01. Name of applicant :  
02. Address :  
03. Sex :  
04. Age :  
05. Job Card No. :  
06. Date of Registration :  
07. Date on which application in Form no. 4 under the Act  
for employment was handed over and  
to whom it was handed over  
08. Copy of Form no.4 under the Act given for demand of work and  
Copy of receipt in form No.5 under the Act.  
09. No. of days for which  
Unemployment allowance is claimed.  
10. Date of the beginning of the  
period for which unemployment  
Allowance is claimed.

I.....resident of .....hereby declare  
solemnly that I had demanded for work in Form no.4 on ..... but have not been  
given work. 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 that 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 Rules 5(iv)]

**Order sanctioning unemployment allowance under the  
Maharashtra Employment Guarantee Act, 1977**

No.....

To

The Registering Authority,  
Village .....  
Panchayat Samiti.....

Sanction is accorded to the payment of unemployment allowance amounting  
Rs.....[(in words) Rs. ....only] to Shri/Shrimati/Kumari.....  
Job Card No.....Resident of village .....for the period  
from ..... to .....

This amount is to be deposited into their Bank/Post office account.

Place.....

Date.....

Signature of  
Programme Officer/Joint Programme Officer

Panchayat Samiti/Tahsil.....  
.....

Copy to Shri/Smt./Kumari.....  
Village.....with reference to his/her  
application,.....dated.....for unemployment allowance.

FORM No.3  
[ See Rules 5(v)]

**Intimation regarding rejection of application for unemployment  
Allowance under the Maharashtra Employment Guarantee Act, 1977**

To

Shri/Smt./Kumari.....

Job Card 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 :-

.....  
.....

Place.....

Date.....

Signature of  
Programme Officer/Joint Programme Officer,  
Panchayat Samiti/Tahsil

FORM No. 4

(See Rule 6)

**Register of disbursement of unemployment allowance under the  
Maharashtra Employment Guarantee Act, 1977**

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| Sr.<br>No. | Name<br>Of the<br>Employment<br>seeker | Job<br>Card<br>No. | No. and<br>Date of<br>order<br>sanctioning<br>unemployment<br>allowance | Period<br>for<br>which<br>sanctioned | Amt. | Date of<br>payment | Signature of<br>receipt<br>witness | Name<br>and<br>Signature<br>of<br>witness | Signature<br>of<br>Registering<br>Authority |
|------------|--|--------------------|---|--------------------------------------|------|--------------------|------------------------------------|---|---|
| (1)        | (2)                                    | (3)                | (4)   | (5)                                  | (6)  | (7)                | (8)                                | (9)                                       | (10)  |

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