

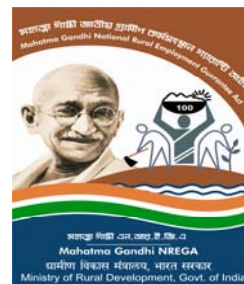


सत्यमेव जयते

**GOVT. OF WEST BENGAL
OFFICE OF THE D.P.C.(MGNREGS)
&
DISTRICT MAGISTRATE, JALPAIGURI
(MGNREGS CELL AT ROOM NO- 05, 2nd FLOOR
COLLECTORATE BUILDING, JALPAIGURI)**

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Memo No. 327(23)/MGNREGS

Date: - 06-03-2013

To: The PO & BDO
Sadar / Rajganj / Maynaguri / Dhupguri / Mal / Matiali / Nagrakata / Falakata /
Alipurduar I / Alipurduar II / Kalchini / Kumargram / Madarihat Birpara Block.
&
The (All Line Department)

Sub: - List of works not permissible under MGNREGS

**Ref: - Memo No. 1521(19)-RD/NREGA/18S-05/07 dated 04-03-2013 of the
Commissioner, P&RD, Govt. of WB.**

Please find enclosed copy of the memo in reference on the captioned subject which is self - explicit.

Also find enclosed the Negative List of work under MGNREGS as notified in the Para 7.3 of the MGNREGA Operational Guideline, 2013 which is self - explicit.

This is for your kind information & necessary compliance.

Encl: As above.

**District Nodal Officer
MGNREGS - WB
Jalpaiguri**

GOVERNMENT OF WEST BENGAL
Panchayats & Rural Development Department
63, N.S. Road, Kolkata – 700 001

Memo. No. 1521(19)-RD/P/NREGA/18S-05/07

Dated: 04/03/2013

From: Dibyendu Sarkar
Commissioner, MGNREGS
&
Joint Secretary

To: District Magistrate & District Programme Coordinator (All Districts)
Principal Secretary, GTA and District Magistrate, Darjeeling

Sub.: the list of works not permissible under MGNREGS

Madam / Sir,

Kindly note that the new guideline under MGNREGS circulated by the Ministry contains (in Para 7.3) a negative list of works that cannot be undertaken under MGNREGS. As it could be seen from the list, agriculture operations of any nature are not permitted to be taken up under MGNREGA for food grain crops, vegetables, floriculture etc. The material costs for these activities, naturally will not be covered under MGNREGA. Under the circumstances, I would request you to issue a specific instruction to all the POs and PIAs not to take up any scheme pertaining to direct food grains cultivation, cultivation of vegetables including kitchen garden and floriculture. We would however refer horticulture schemes in small pieces of land owned by individual job card holders eligible for support in the IBS sector.

Yours faithfully,



(Dibyendu Sarkar)

Commissioner, MGNREGS

&

Joint Secretary

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7.3 NEGATIVE LIST

7.3.1 Works like **boulder**, pebble or shrub removal, **silt** application and similar activities are not permissible as stand alone activities except when they are part of tasks in projects for converting uncultivable and barren / fallow lands into cultivable lands through one time land development and wherever land development is taken up, it may follow an area approach preferable a micro-watershed and not confined to a few individual holdings.

7.3.2 Normal agriculture operations such as land preparation, **ploughing**, sowing, weed removal, turning the soil, watering, harvesting, pruning and such similar operations are not permissible in MGNREGA.

7.3.3 Agriculture operations of any nature are not permitted to be taken up under MGNREGA for food grain crops, vegetables, floriculture etc. The material cost for these of inputs (seeds, fertilizers, pesticide) would also not be covered under MGNREGA.

7.3.4 Removal of weeds and watering may be considered for payment under MGNREGA only for forestry plantations and horticulture limited for a duration of 2-3 years. It is envisaged that at the end of this period, the horticulture plants would become fruit bearing and thereafter, weeding, watering etc would become a part of normal operations. Likewise, at the end of the 2-3 years, it is envisaged that the agro forestry plantation would attain sufficient height and should be able to survive with protection from grazing to be provided by ditch cum mound bunds along the periphery or other forms of physical structures. The State Agriculture / Horticulture/ Forest department would prescribe norms in respect of the duration and persondays for which removal of weeds and watering etc for horticulture and forestry may be included as cost of MGNREGA work. However, these norms should be the same as applicable to works taken up under their own departmental programme either from state funds or as part of a CSS.

7.3.5 Expenditure on works in the negative list would not be admissible and will be recovered from person(s) responsible for approving and executing the work.

7.3.6 Pilots using MGNREGA funds should be taken up only upon approval of the Ministry and should be restricted to a few panchayats. Any decision on scaling up the pilots should also be taken only with due approval of the Ministry.

7.3.7 The maintenance of assets should generally be undertaken only for those works and assets that have been created under MGNREGA. In case MGNREGA funds are to be used to rehabilitate assets created from schemes other than MGNREGA, the full details of previous work done along with date, copy of estimate and measurement book should be placed as part of the MGNREGA work record before administrative approval is granted. It will be the duty of the agency that has executed these assets to provide all required details and documents to the GP . PO will ensure that an entry to this effect is made against each such work in the list of works placed before the GS. S/he will ensure that copies of documents are also made available to the DPC before administrative approval is accorded and details are made available to the implementing agency along with the work order.

7.3.8 MGNREGA funds cannot be used for land acquisition. Land belonging to all categories mentioned under paragraph 1C of Schedule 1 cannot be acquired for works

under the MGNREGA. In case land is being donated for MGNREGA works, DPC should ensure donation is entirely voluntary and not under due pressure.

7.3.9 A major activity that has been widely undertaken under MGNREGA is the construction of wells. However, it has been observed that on many occasions, this has been done in an indiscriminate manner without reference to the prevailing hydro-geological conditions and the possible impact on the already receding, water table and water quality. Groundwater is a common pool resource. Extraction of groundwater through individual sources such as wells and tubewells can sometimes threaten the quantity (depth) and quality of the resource.

The following conditions are, therefore, being prescribed for undertaking digging of wells under MGNREGA:

- i) Bore wells and tube wells will NOT be considered as a permissible activity under MGNREGA, under any circumstances.
- ii) Digging of private wells will not be a permissible activity under MGNREGA in areas which have been classified as semi-critical or critical or over exploited according to Central Government Water Board's (CGWB) latest assessment.
- iii) In areas which have been classified as semi-critical or critical or over exploited according to CGWB's latest assessment, only "group wells" will be allowed where a group of farmers agrees to share the water from such a "group well". Each such group will comprise at least 3 farmers.
- iv) There should be a formal agreement (on Stamp Paper) between farmers for water sharing from a group well. Verification of the agreement within this group will be through the GP.
- v) Only one member from one family can be the member of the group. He/she cannot be members of more than one group.
- vi) A Group Well should be registered as a Group Irrigation Well in revenue records.
- vii) In areas classified as "safe" by the CGWB, individual wells may be considered. Depth and diameter of such wells and well to well spacing must conform to the hydrogeology of the area. In hard rock areas, diameters must be kept within 8m. For softer rock and alluvial areas, well diameter must be less than 6m.

7.3.10 States must seek clearance from the Ministry whenever there is any doubt about an activity being permissible or not under MGNREGA.