



GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
(Ministry of Social Justice & Empowerment)
LOK NAYAK BHAWAN, NEW DELHI-110 003

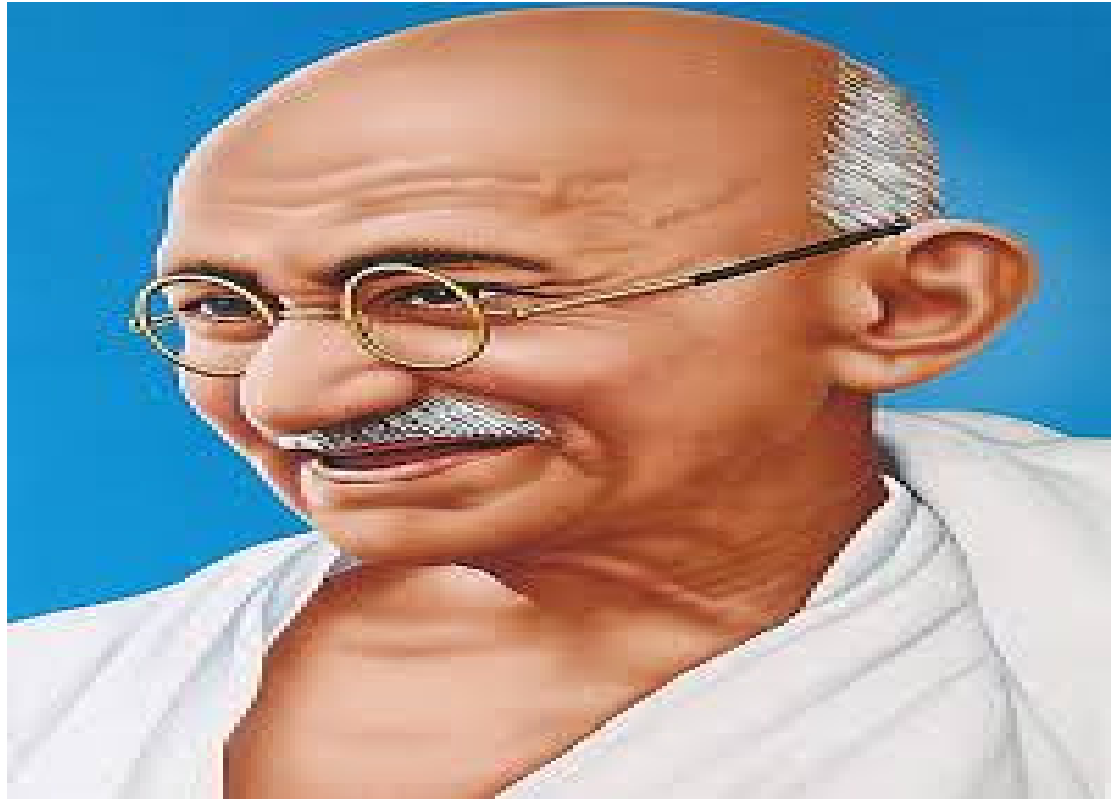
ANNUAL REPORT

2015-16



*Presentation of Annual Report of the Commission for
2014-15 to the Hon'ble Minister of Social Justice &
Empowerment*

“मैला मुक्ति दृढ़ संकल्प”



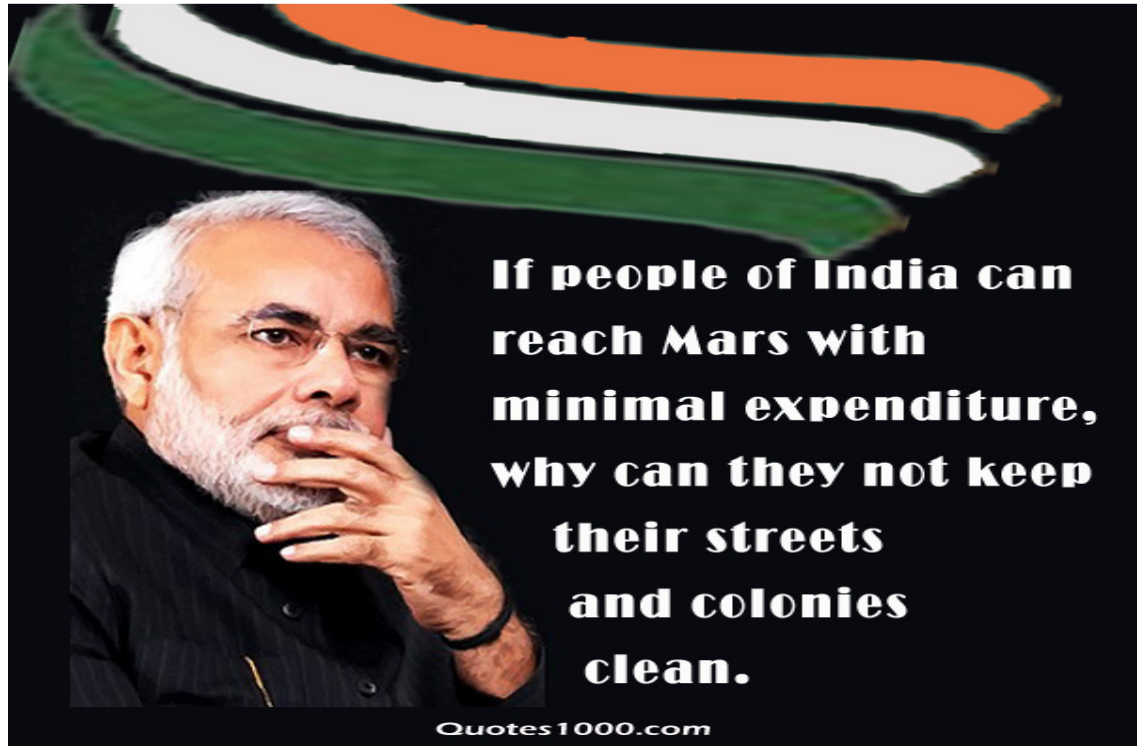
I learnt 35 years ago that a lavatory must be as clean as a drawing-room. I learnt this in the West.

Mahatma Gandhi



Dr. B.R. Ambedkar

“In India, a man is not a scavenger because of his work. He is a scavenger because of his birth irrespective of the question whether he does scavenging or not.”



Hon'ble Prime Minister Sh.Narendra Modi launching the Swachh Bharat Abhiyan on 2nd October, 2014

Extracts of the speech given by the Hon'ble Prime Minister of India Sh. Narendra Modi on 15th August, 2014

भाइयो-बहनो, हम टूरिज्म को बढ़ावा देना चाहते हैं। टूरिज्म से गरीब से गरीब व्यक्ति को रोजगार मिलता है। चना बेचने वाला भी कमाता है। ऑटो-रिक्शा वाला भी कमाता है। पकौड़े बेचने वाला भी कमाता है। और एक चाय बेचने वाला भी कमाता है। जब चाय बेचने वाले की बात आती है तो मुझे ज़रा अपना पन महसूस होता है। टूरिज्म के कारण गरीब से गरीब व्यक्ति को रोजगार मिलता है। लेकिन टूरिज्म के अंदर बढ़ावा देने में भी और एक राष्ट्रीय चरित्र के रूप में भी हमारे सामने सबसे बड़ी रुकावट है। हमारे चारों तरफ दिखाई दे रही गंदगी। क्या आज़ादी के बाद, आज़ादी के इतने सालों के बाद, जब हम 21 वीं सदी के डेढ़ दशक के दरवाजे पर खड़े हैं, तब क्या अब भी हम गंदगी में जीना चाहते हैं? मैंने यहाँ सरकार में आकर पहला काम सफाई का शुरू किया है। लोगों को आश्चर्य हुआ कि क्या यह प्रधानमंत्री का काम है। लोगों को लगता होगा कि यह प्रधानमंत्री के लिए छोटा काम होगा, मेरे लिए बहुत बड़ा काम है। सफाई करना बहुत बड़ा काम है। क्या हमारा देश स्वच्छ नहीं हो सकता है। अगर सवा सौ करोड़ देशवासी तय कर लें कि मैं कभी गंदगी नहीं देखूंगा तो दुनिया की कौन सी ताकत है जो हमारे शहर, गाँव को आकर गंदा कर सके? क्या हम इतना-सा संकल्प नहीं कर सकते हैं?

भाइयो-बहनो, 2019 में महात्मा गाँधी की 150वीं जयंती आ रही है। महात्मा गाँधी की 150वीं जयंती हम कैसे मनाएँ? महात्मा गाँधी, जिन्होंने हमें आज़ादी दी, जिन्होंने इतने बड़े देश को दुनिया के अंदर इतना सम्मान दिलाया, उन महात्मा गाँधी को हम क्या दें? भाइयो-बहनो, महात्मा गाँधी को सबसे प्रिय थी - सफाई, स्वच्छता। क्या हम तय करें कि सन् 2019 में जब हम महात्मा गाँधी की 150वीं जयंती मनाएँगे, तो हमारा गाँव, हमारा शहर, हमारी गली, हमारा मोहल्ला, हमारे स्कूल, हमारे मंदिर, हमारे अस्पताल, सभी क्षेत्रों में हम गंदगी का नामो निशान नहीं रहने देंगे? यह सरकार से नहीं होता है। जन-भागीदारी से होता है। इसलिए यह काम हम सबको मिलकर करना है।

भाइयो-बहनो, हम इक्कीसवीं सदी में जी रहे हैं। क्या कभी हमारे मन को पीड़ा हुई कि आज भी हमारी माताओं और बहनों को खुले में शौच के लिए जाना पड़ता है। डिग्नटी ऑफ विमेन, क्या यह हम सब का दायित्व नहीं है। बेचारी गाँव की माँ-बहनें अंधेरे का इलाज करती हैं, जब तक अंधेरा नहीं आता है। वे शौच के लिए नहीं जा पाती हैं।

उसके शरीर को कितनी पीड़ा होती होगी, कितनी बीमारियों की जड़ें उस में से शुरू होती होंगी! क्या हमारी माँ-बहनों की इज्जत के लिए हम कम-से-कम शौचालय का प्रबन्ध नहीं कर सकते हैं? भाइयो-बहनो, किसी को लगेगा कि 15 अगस्त का इतना बड़ा महोत्सव बहुत बड़ी-बड़ी बातें करने का अवसर होता है भाइयो-बहनो, बड़ी बातों का महत्व है घोषणाओं का भी महत्व है लेकिन कभी-कभी घोषणाएँ एषणाएँ जगाती हैं और जब घोषणाएँ परिपूर्ण नहीं होती हैं, तब समाज निराशा की गर्त में डूब जाता है इसलिए हम उन बातों के ही कहने के पक्षधर हैं, जिनको हम अपने देखते-देखते पूरा कर पाएँ। भाइयो-बहनो, इसलिए मैं कहता हूँ कि आपको लगता होगा कि क्या लाल किले से सफाई की बात करना, लाल किले से टॉयलेट की बात बताना, यह कक्षा प्रधान मंत्री है भाइयो-बहनो, मैं नहीं जानता हूँ कि मेरी कक्षा आलोचना होगी, इसे कैसे लिया जाएगा, लेकिन मैं मन से मानता हूँ। मैं गरीब परिवार से आया हूँ, मैं ने गरीबी देखी है और गरीब को इज्जत मिले, इसकी शुरुआत यही होनी चाहिए इसलिए 'स्वच्छ भारत' का एक अभियान इसी 2 अक्टूबर से मुझे आरम्भ करना है और चार साल के भीतर-भीतर हम इस काम को आगे बढ़ाना चाहते हैं। एक काम तो मैं आज ही शुरू करना चाहता हूँ और वह है हिन्दुस्तान के सभी स्कूलों में टॉयलेट हो, बच्चियों के लिए अलग टॉयलेट हो, तभी तो हमारी बच्चियाँ स्कूल छोड़कर भागेंगी नहीं हमारे साम्राज्य को एमपी लक्ष्मण का उपयोग कर रहे हैं, मैं उनसे आग्रह करता हूँ कि एक साल के लिए आपका धन स्कूलों में टॉयलेट बनाने के लिए खर्च कीजिए। सरकार अपना बजट टॉयलेट बनाने में खर्च करे। मैं देश के कॉरपोरेट सेक्टर का भी आह्वान करना चाहता हूँ कि कॉरपोरेट सोशल रिस्पॉन्सिबिलिटी के तहत आप जो खर्च कर रहे हैं, उसमें आप स्कूलों में टॉयलेट बनाने को प्राथमिकता दीजिए। सरकार के साथ मिलकर, राज्य सरकारों के साथ मिलकर एक साल के भीतर-भीतर यह काम हो जाए और जब हम अगले 15 अगस्त को यहाँ खड़े हों, तब इस विश्वास के साथ खड़े हों कि अब हिन्दुस्तान का ऐसा कोई स्कूल नहीं है जहाँ बच्चे एवम् बच्चियों के लिए अलग टॉयलेट का निर्माण होना बाकी है।

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CHAPTER-1

PREFACE

1. The term social exclusion is of relatively recent origin; however, it encompasses a wide range of social and economic aspects. Different scholars decipher this notion in various contexts. Broadly, it indicates the relative deprivation of any person or group of persons on various predetermined criterion. Caste- based occupational groups in India, like that of manual scavengers, constitute one such socially, economically, psychologically and politically marginalised section of the society. Although manual scavenging was banned thrice (in 1952, 1993 and 2013), this practice still continues in various pockets of the country under different names.

2. The concept of social exclusion, generally in development literature has been defined as an inability to choose or lack of capability to fully participate in the development of a society. In India, social exclusion revolves around some sections of the population, particularly, dalits, adivasis, women and minorities. They are the victims of social exclusion by caste, sex, ethnicity and by religion. In the society, they are isolated, discriminated and deprived of equal access to social and economic opportunities. Therefore, in the Indian context, the core feature of social exclusion is the denial of equal opportunities by certain groups of the society which impose themselves upon others that leads the inability of an individual to participate in the basic political, economic and social functioning of society. Manual scavengers in India, who are caste-based occupational groups, constitute one such socially excluded class.

3. The evil of manual scavenging is directly related to the lack of availability of sanitation facilities. Like food, clothing and shelter, proper sanitation is one of the basic requirements of mankind. Poor sanitary conditions lead to water-borne diseases like diarrhoea, dysentery, etc. While the lack of sanitation facilities affects all individuals, children and women are particularly vulnerable. As per the World Health Report, 1999, only 49% of the urban population (in 1997), and merely 14% of the rural population² (in 2000) have adequate facility for excreta disposal. The problem is more conspicuous in developing countries like India, where practices like the use of dry latrines, manual removal of human excreta, defecating in the open place, etc, exist.

4. Manual scavenging is the removal of excreta (night soil) manually from “dry toilets”, i.e., the toilets without modern flush system. The system of building public toilets and employing people to remove excreta was introduced during British rule in India, when municipalities were constituted. That time, often containers were used in such toilets, that needed to be emptied daily. After the invention of flush type toilets, all other types of toilets disappeared from the western world. However, this inhumane practice continues in many developing countries including India.

5. The socio-cultural and economic realities of modern India reveal a series of paradoxes. While legally manual scavenging is banned, caste apartheid and poverty perpetuate this practice. In India, manual scavenging is a caste-based occupation carried out by dalits. The manual scavengers have different caste names in different parts of the country: Bhangis in Gujarat and Uttar Pradesh, Phakis in Andhra Pradesh and Sikkaliars in Tamil Nadu. These communities are invariably placed at the bottom of the caste hierarchy as well as dalit sub-caste hierarchy. Refusal to perform such manual task leads to physical abuse and a social boycott. Manual scavengers are exposed to the most virulent forms of viral and bacterial infections that affect their skin, eyes, limbs, respiratory and gastro-intestinal systems. Tuberculosis is rife in the community.

6. Given the high prevalence of the illegal practice, the government of India launched a number of national schemes since 1992 for identifying, training and rehabilitating safai karmchari and allotted substantial funds for this purpose. However, it has been noticed that, even though scavengers are trained and assisted for taking up alternative occupations, some of them again come back to manual scavenging. Scavenging does not require any skill and provides some additional income with no competition, investment and risk. These features coupled with the need for cleaning dry latrines and a lack of alternatives, force the scavengers, particularly women, to continue in this occupation. It has also been found that in certain cases, scavengers also face a difficulty in taking up other occupations like running shops due to the prevailing social prejudices.

7. The practice of caste-based exclusion and discrimination thus necessarily involves failure of access and entitlements not only to economic rights, but also to civil, cultural and political rights. It involves what has been described as “living mode exclusion”; exclusion from political participation and exclusion and disadvantage from social and economic opportunities. The caste-untouchability-based exclusion thus reflects the inability of individuals and groups like that of scavengers to interact freely and productively with others and to take part in full economic, social and political life of the community.

8. To improve the living and working condition of manual scavengers all over India, there is a need to set an agenda for their overall transformation. It can be through provision of alternative livelihoods, abolishment of dry toilets and imparting free education to children. There are several possible fields in which former manual scavengers can work and earn an alternative livelihood. It is possible to provide jobs in agricultural sector. With a little training in maths they can also work as vegetable and fruit sellers. They can produce and sell dairy products, if they are provided with cattle. Also if they would be provided with loans and equipment like spice grinding machines and sewing machines, it would be possible for them to set up a new business in producing and selling spices, clothes and handicrafts.

9. Another possible job opportunity would be in the houses of open-minded families as domestic help or housekeeper. Most urgent is the abolishment of dry latrines. By doing this, the basis for the inhumane and existing system of manual scavenging will be removed. At the same time, there is a need to introduce alternative toilet systems like water-seal latrines or even eco-friendly toilets. Eco-friendly toilets are built above the ground with two chambers beneath the pan collecting faecal matter. The urine and wash water are diverted and let out into a home garden. Normally, these toilets do not smell, because faeces are covered with dry ash, soil or lime which dehydrate it.

10. The life of scavengers can be improved, especially of women and children by providing them good quality education through well-trained, open-minded teachers. Such schools should not only implement mid-day meal scheme, but should also provide the evening food to the children of the socially downgraded people, so that their parents will not face any additional burden of nurturing their children. For the adult members of the scavenger community, education is essential to train them for alternative ways of living, for example, women can have training in sewing, packing or to work as anganwadi workers. Furthermore, other sections of the society have to become more sensitive to the needs of the neglected and oppressed dalit community. This can happen through awareness campaigns or training courses in schools.

Chapter-2

INTRODUCTION

2.1 Setting up the National Commission for Safai Karamcharis was a major step in eliminating the curse of manual scavenging in the country. The National Commission for Safai Karamcharis (NCSK) was constituted on 12th August, 1994 as a statutory body by an Act of Parliament viz. 'National Commission for Safai Karamcharis Act, 1993', for a period of three years i.e. up to 31st March, 1997. As per sub-section (4) of Section 1 of the Act, it was to cease to exist after 31.3.1997. However, validity of the Act was extended up to March, 2002, and then up to February, 2004 vide Amendment Acts passed in 1997 and 2001.

2.2 With the lapsing of the "The National Commission for Safai Karamcharis Act, 1993" w.e.f. 29.2.2004, the Commission is acting as a Non-Statutory body of the Ministry of Social Justice and Empowerment whose tenure is extended from time to time through Government Resolutions as per details given below:

Date of Govt. Resolution	Period for which term of non-statutory NCSK extended
24.02.2004	31.08.2004
09.09.2004	01.09.2004 to 31.12.2007
28.12.2007	01.01.2008 to 31.03.2009
02.03.2009	01.04.2009 to 31.3.2010
30.03.2010	01.04.2010 to 31.03.2013
06.03.2013	01.4.2013 to 31.03.2016
31.03.2016	01.04.2016 to 31.03.2019

2.3 As per the Houselisting and Housing Census, 2011 by the Registrar General of India, there are still some 26 lakh insanitary latrines in the country with the following break-up:

- a. Latrines from which nightsoil is disposed into open drain: 13 lakh
- b. Service latrines in which nightsoil is:-
 - (i) Removed by humans 8 lakh
 - (ii) Serviced by animals 5 lakh

However, the number of persons still engaged in manual scavenging is not available. The ongoing Socio Economic Caste Census (SECC), 2011, in rural India is, inter alia, capturing the data about the manual scavengers in rural areas, including the non-statutory towns. The process of a fresh survey of the manual scavengers in the statutory towns, has been completed. During implementation of the National Scheme for Liberation and Rehabilitation of Scavengers, from 1992 to 2005, 7.70 lakh manual scavengers and their dependents were identified by States/UTs. Subsequently, the Self Employment Scheme for Rehabilitation of Manual Scavengers was launched in January, 2007, for covering the remaining manual scavengers and their dependents, under which the States/UTs had identified 1.18 lakh manual scavengers and their dependents, out of which all 79,454 eligible and willing beneficiaries were provided assistance.

2.4 CONSTITUTION OF THE PRESENT COMMISSION

2.4.1 The Commission consists of a Chairperson and four other Members (including one lady Member) as per Govt. Resolution dated 9.9.2004 in 2004. The Central Government appointed the following as the Chairperson and 3 Members of the Commission which demitted office on 31.3.2016:

Sl. No.	Name	Position	Status
1	Sh. M.Shivanna	Chairperson	Minister of State
2	Shri Gopal Krishan Sahotra	Member	Secretary to the Govt. of India
3	Shri Vijay Kumar	Member	-do-
4	Dr. (Smt). Lata Om Prakash Mahato	Member	-do-
5	Shri T.R.Meena	Secretary	Joint Secretary to the Govt. of India

2.4.2 The tenure of the present Commission is upto 31st March, 2019

(ANNEXURE-I).

NATIONAL COMMISSION FOR SAFAI
KARAMCHARIS



Shri M. Shivanna
Chairman



Shri Gopal
Krishan Sahotra
Member



Dr. (Smt.) Lata
Omprakash Mahato
Member



Shri Vijay Kumar
Member



Shri T.R. Meena
Secretary

2.5 MANDATE

2.5.1 The mandate of the existing National Commission for Safai Karamcharis as laid down in the last resolution dated 06.03.2013 read with resolution dated 02.03.2009, is as follows (ANNEXURE-II & III):

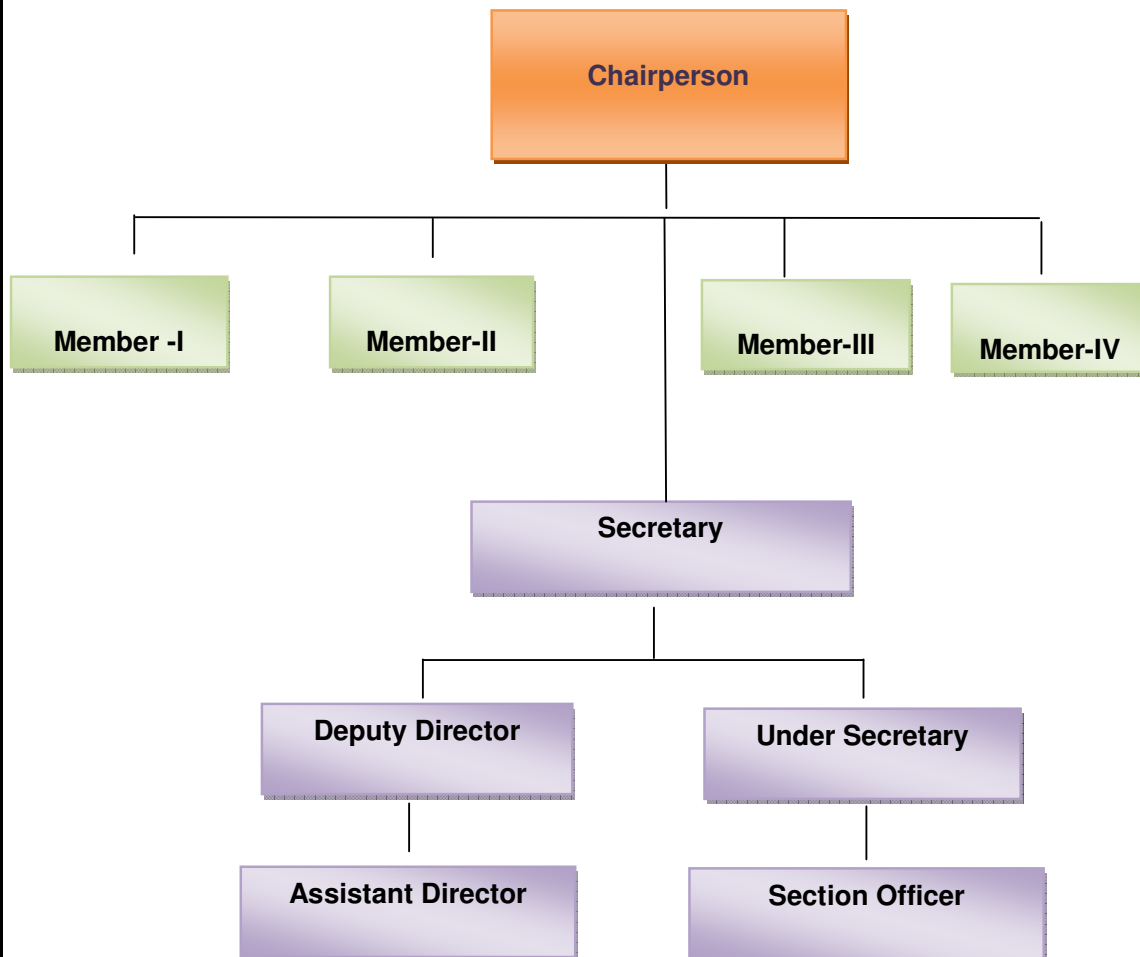
- (a) Recommend to the Central Government specific programmes of action towards elimination of inequalities in status, facilities and opportunities for Safai Karamcharis ;
- (b) Study and evaluate the implementation of the programmes and schemes relating to the social and economic rehabilitation of Safai Karamcharis; and scavengers, in particular;
- (c) Investigate specific grievances and take suo-motu notice of matters relating to non-implementation of: –
 - i) programmes or schemes in respect of any group of Safai Karamcharis;
 - ii) decisions, guidelines or instructions, aimed at mitigating the hardships of Safai Karamcharis;
 - iii) measures for the social and economic upliftment of Safai Karamcharis;
 - iv) the provisions of any law in its application to Safai Karamcharis; and take up such matters with the concerned authorities or with the Central or State Governments;
- (d) To study and monitor the working conditions, including those relating to health, safety and wages of Safai Karamcharis working under various kinds of employers including Government, Municipalities and Panchayats, and to make recommendations in this regard;
- (e) Make reports to the Central or State Governments on any matter concerning Safai Karamcharis, taking into account any difficulties or disabilities being encountered by Safai Karamcharis; and
- (f) Any other matter which may be referred to it by the Central Government.

2.5.2 However, the Commission has also been entrusted with the task of monitoring the implementation of the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013 (**ANNEXURE-IV**). As per Section 31(1) of the said Act, the Commission shall perform the following functions, namely:-

- (a) To monitor the implementation of the Act;
- (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act.
- (d) To take suo motu notice of matter relating to non-implementation of the Act.

In the discharge of its abovementioned functions, the Commission have the powers to call for information with respect to any matter specified above from any Government or local or other authority.

2.6 ORGANISATIONAL SET UP OF NATIONAL COMMISSION FOR SAFAI KARAMCHARIS



Chapter-3

ADMINISTRATIVE SET UP

3.1 ACCOMMODATION

3.1.1 The National Commission for Safai Karamcharis operates from 'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi. It has no State / Subordinate offices. The area of the office accommodation of the Commission is about 5700 sq.ft.

3.2 STRENGTH OF OFFICERS & STAFF

3.2.1 The Ministry of Social Justice & Empowerment has sanctioned 27 posts (excluding Chairperson and Members) for this Commission, which are to be filled through deputation and co-terminus basis except the post of Secretary, which is filled up under Central Staffing Scheme.

3.2.2 The posts of Assistant Director (R&D), PS to Secretary, Assistants (2 Posts), Research Assistants (2 Posts), Senior Hindi Translator, Stenographers Grade 'D' (2 posts), LDCs (4 posts) were laying vacant in the Commission. While Retired Govt. servants are engaged as Consultants against the vacancies of PS to Secretary, Assistants and Research Assistants, the vacancies against LDC are filled up through outsourcing of Data Entry Operators. Efforts are continuously on for getting incumbents against the posts of Assistant Director, Stenographer and Hindi Translator.

3.2.3 Details of sanctioned, filled and vacant posts in various grades of the Commission **as on date (April, 2016)** are as follows:-

Sl.No.	Name of the Post	No. of Posts		
		Sanctioned	Filled	Vacant
1	Secretary (Jt. Secretary-level)	One	One	--
2	Under Secretary (Admn)	One	---	One
3	Deputy Director	One	One	--
4	Principal Private Secretary for Chairperson on co-terminus basis	One	---	One*
5	Assistant Director	One	---	One
6	Section Officer (Admn)	One	One	----
7	Private Secretary for Secretary	One	----	One
8	Private Secretary, One for each Member, on co-terminus basis	Four	---	Four *
9	Personal Assistant, One for each Member, on co-terminus basis	Four	---	Four *
10	Assistant	Two		Two**

Sl.No.	Name of the Post	No. of Posts		
		Sanctioned	Filled	Vacant
11	Research Assistant	Two	One	One**
12	Senior Hindi Translator	One	--	One
13	Steno Grade 'D' for Chairperson on co-terminus basis	One	---	One *
14	Steno Grade 'D'. One each for Under Secretary(Admn) and Dy.Director	Two	--	Two
15	LDC	Four	-	Four***
Total		27 (Including Coterminous posts of 1 PPS, 4 PS, 4 PAs & 1 Steno Gr.D)	11 (Including 3 Consultants & 4 DEOs)	16

*The vacancy is superfluous in view of the fact that there are no incumbents in position as Chairperson/ Members.

** Retired Government Servants are engaged as Consultants against these vacancies.

*** Data Entry Operators have been engaged through outsourcing against these vacancies.

3.2.4 As against 27 sanctioned posts for the Secretariat of the Commission, only 11 persons are in position (i.e. approximately 41% of the total strength) as on date (April, 2016). Even after making rigorous efforts by issuing vacancy circulars and advertisements in Employment News, applications from eligible candidates for most of these posts were not received. Some retired Government personnel have been engaged on contract basis for providing assistance in managing work of vacant posts of Stenographers, Assistants and Research Assistants. The lack of full sanctioned strength in the Commission has a telling effect on its obligation and responsibility, as laid down in its mandate for monitoring, liberation and rehabilitation of manual scavenging and implementation of various welfare and upliftment programmes of the Government of India for Safai Karamcharis.

3.3 FUNDS

3.3.1 Funds to the National Commission for Safai Karamcharis for meeting its expenditure are provided from the Consolidated Fund of India through the Ministry of Social Justice and Empowerment. Budgetary outlay for the NCSK is reflected under the non-plan head in the Ministry's Detailed Demands for Grants under the Minor Head "Direction & Admn". Drawing and Disbursing Officer (DDO) of the NCSK draws money against this allocation. No statutory provisions regarding Accounts & Audit for the Commission existed in the erstwhile NCSK Act, 1993.

3.3.2 The budgetary provisions of the Commission for the last 7 years are as under:-

(Rs. in Lakh)

Financial Year	BE	RE	Actual Expenditure
2010-11	219.00	166.70	152.77
2011-12	234.00	270.00	255.00
2012-13	286.00	271.00	271.00
2013-14	312.00	248.00	245.00
2014-15	339.00	367.00	339.00
2015-16	379.00	379.00	364.68
2016-17	409.00	---	

3.4 COMPUTERIZATION / AUTOMATION/ MODERNIZATION

3.4.1 Two new Photocopiers were purchased in October, 2015 for official use in R&D Section and Administration Section thereby enhancing the efficiency of both these Sections. These are provided in addition to last year's provision of Computers/ Printers for each individual incumbent in the Commission.

3.4.2 With introduction of online submission of Bills through Public Fund Monitoring System (PFMS) for more real time monitoring of billing / expenditure, etc., w.e.f. Sept., 2015, the Commission's Administration has also shifted to the new PFMS procedures successfully even while facing acute shortage of staff and expertise.

3.4.3 The old inverters/ batteries were replaced with new ones in Sept., 2015 so as to ensure continued and uninterrupted power supply in office premises for ensuring smooth functioning of the Commission.

3.4.3 The old inverters/ batteries were replaced with new ones in Sept., 2015 so as to ensure continued and uninterrupted power supply in office premises for ensuring smooth functioning of the Commission.

3.4.4 Old and Dilapidated window frames and outer grills in the Chambers of Hon'ble Chairperson and Hon'ble Members and other Rooms of other Officers were replaced with new ones for improving work environs in the Commission.

3.5 AUDIT OF THE COMMISSION

3.5.1 The accounts of the National Commission for Safai Karamcharis are audited by the Director General of Audit, Central Expenditure. First audit of the Commission for the 5 years 2005-06 to 2009-10 was carried out during May, 2010. Subsequently also audit of the Commission for the 2 years i.e. 2010-11 & 2011-12 was carried out by the Director General of Audit in February-March, 2013. Latest Audit of the Commission for two years i.e. 2012-13 & 2013-14 was carried out in February-March, 2015 by the CAT. During the CAG Audit, previous audit report with 13 Paras pending was also taken up and 9 of them were dropped/ settled while the remaining were taken afresh by the Audit Party.

3.5.2 The Audit Report of CAG for 2012-13 and 2013-14 of the Commission was received in the Commission on 22nd Sept., 2015 with 6 Paras and 7 Test Audit Notes. The Report was dealt with promptly and a reply was sent on 30th Sept., 2015 requesting for dropping of certain observations of the CAG along with due justification. The CAG has accepted the justification submitted by the Commission and dropped 11 Paras/ TANs and kept remaining 2 paras in pending for being verified during next Audit before being dropped.

3.5.3 One among the CAG Audit objections was that there was no Internal Audit in the Commission. This objection was duly taken care of and the FIRST EVER Internal Audit of the Commission was got done through Principal Accounts Office during 15-19 Feb, 2016. While certifying that the Commission has facilitated for smooth conduct of audit, the Internal Audit Unit have submitted their Report with 7 Audit Paras. The observations recorded by Internal Audit Unit are being discussed/ examined and appropriate action is being initiated for removal/ reconciliation of objections in due course.

3.6 INITIATIVES TOWARDS IMPLEMENTATION OF OFFICIAL LANGUAGE POLICY OF THE GOVERNMENT

3.6.1 The Commission is fully aware of its duties and obligations to implement the official language policy of the Central Government and takes all requisite steps in this regard. Despite non-availability of incumbent against the post of Senior Hindi Translator, the Commission is following GoI Instructions regarding working in Hindi for all receipts in Hindi

3.6.2 All complaints received from Safai Karamcharis and their Unions/Associations etc. in Hindi are being attended to in Hindi only. All name plates and stamps are prepared bilingually i.e. in Hindi and English language. Orders and directions issued by the Official Language Department of Government of India are diligently implemented by the Commission. Similarly, the periodical internal meetings of the Commission are conducted in Hindi and proceedings of these meetings are prepared both in Hindi & English.

3.6.3 The Commission has been following certain promotion programmes like organizing Hindi Diwas and Hindi Pakhwara and Hindi Karyashala in accordance with GoI Instructions. Hindi Pakhwara was organized during 7-18 Sept., 2015 wherein various competitions for Noting/ Drafting/ Essay Writing/ Shrut Lekhan, etc., were organized and Winners were given Monetary Prizes as appreciation for their working/ knowledge of Hindi.

3.7 FOREIGN TRAVEL

3.7.1 The Commission understands that some non-traditional and innovative types of sanitation methods are already in use in developed countries or some research is going on in this regard. These sanitation methods are not only cost effective but also eco- friendly. For better understanding of the functioning of these alternative sanitation methods and their relevance in the Indian context, the Chairperson and members of the Commission need to have exposure to the same. Therefore, a need is being felt that the Commission should undertake tours to some developed countries to study the sanitation technologies being used by them for urban and rural sanitation, the living and working conditions of sanitary workers, measures being taken by them for their health and welfare measures and the extent of mechanization for sanitation purposes. However, due to absence of budgetary support for this purpose, the Commission is unable to undertake any foreign visit.

3.8 ADMINISTRATIVE ARRANGEMENTS FOR FIELD VISITS :

3.8.1 As per its mandate, Chairperson and Members of the Commission are required to undertake extensive and frequent tours to various States/UTs to study and evaluate the implementation of the programmes and schemes relating to social and economic rehabilitation of Safai Karamcharis.

3.8.2 Administration Section arranges for necessary Air Ticketing and for issuing necessary communications about Tour Programmes to all concerned officials in the State/ UT Government for facilitating arrangement of accommodation, transportation, security/ protocol, etc., to the visiting dignitary from the Commission. However, it is often observed that sometimes the State Government functionaries fail to extend the requisite protocol to the Chairperson and members of the Commission. Keeping their status in view and to enable them to discharge their duties effectively, all the Chief Secretaries of the States/UTs are repeatedly requested to extend the necessary protocol to the chairperson/members of the Commission during their visits. Reports submitted by concerned authorities as well as those from Chairman/ Members/ Secretary of NCSK are forwarded to R&D Section for compilation and further necessary action..

3.9 ACHIEVEMENTS OF ADMINISTRATION UNIT DURING CURRENT YEAR

3.9.1 The post of PS to Secretary was filled up during June, 2015 after rigorous efforts to circulate the vacancy repeatedly. However, the vacancies AD (R&D)/ Sr. Hindi Translator/ Stenographers could not be filled up. In the meantime, the post of US (Adm) has also fallen vacant w.e.f. 29-12-2015. Action for filling up these vacancies is likely to be initiated after necessary administrative orders for continuation of the posts is received from Ministry of Social Justice & Empowerment.

3.9.2 In September, 2015, considerable quantity of unusable/ irreparable inventory laying in the office premises was cleared through Open Auction. Such an action for clearing old/ unusable furniture and other unusable inventory was of first of its kind in the Commission. The disposal /clearing not only fetched an income of about Rs.82,000/- but also cleared the space of office giving 100% utility to the office premises for the Commission. This too was for the time after its inception in 1994.

Chapter-4

ANNUAL REPORTS OF THE COMMISSION

4.1 Annual Reports of the erstwhile statutory Commission were required to be prepared under the provisions of Chapter IV, Section 11 of the NCSK Act, 1993 which reads- “the Commission shall prepare in such form and at such time for each financial year as may be prescribed its Annual Report giving a full account of its activities during the previous financial year and forward a copy thereof to the Central Government”. As per Section 12(1) of the aforesaid Act “The Central Government shall cause the annual report to be laid before each House of Parliament along with the memorandum explaining the action taken or proposed to be taken on the recommendations contained therein so far as they relate to the Central Government and the reasons for non-acceptance, if any, of any such recommendation.”

4.2 As per the provisions contained in para (7) of Resolution No.17015/18/2003/SCD dt.9.9.2004 read with para (2) of Resolution No.17015/17/200/RI Cell dt. 30.3.2011, the Commission shall prepare in such form and at such time for each financial year as may be prescribed, its annual report giving a full account of its activities during the previous financial year and forwards a copy thereof to the Central Government.

4.3 The details of submission/laying of the Annual Reports of the National Commission for Safai Karamcharis, since its inception, are as under:-

S. No.	Reports	Submitted on	Laid in Lok Sabha	Laid in Rajya Sabha
1.	First Report (1994-95)	21.12.1995	13.03.2000	24.04.2000
2.	Second Report (1995-96)	25.03.1997	13.3.2000	24.04.2000
3.	Third Report (1996-97 & 1997-98)	31.01.2000	23.11.2001	26.11.2001
4.	Fourth Report (1998-99 & 1999-2000)	07.04.2000	23.11.2001	26.11.2001
5.	2000-2001 (Not submitted)			
6.	Fifth Report (2001-02)	07.03.2003	17.12.2012	12.12.2012
7.	Sixth Report (2002-03 & 2003-04)	13.08.2004	06.08.2013	08.05.2013

S. No.	Reports	Submitted on	Laid in Lok Sabha	Laid in Rajya Sabha
8.	Seventh Report (2005-06 & 2006-07)	22.05.2007	31.7.2015	31.7.2015
	Eighth Report (2007-08 & 2008-09)	March,2009	31.7.2015	31.7.2015
10	Ninth Report (May, 2009 – Dec, 2009)	10.02.2010	31.7.2015	31.7.2015
11	Tenth Report (2010-11)	23.9.2011	31.7.2015	31.7.2015
12	Eleventh Report (2011-12)	27.11.2012	31.7.2015	31.7.2015
13	Twelveth Report (2012-13)	26.04.2013	31.7.2015	31.7.2015
14	Thirteenth Report (2013-14)	19.12.2014	31.7.2015	31.7.2015
15	Fourteenth Report (2014-15)	11.12.2015	22.12.2015	22.12.2015



Presentation of fourteenth Annual Report of the Commission for 2014-15 to the Hon'ble Minister for Social Justice and Empowerment Shri Thaawar Chand Gehlot on 11th December, 2015



Presentation of fourteenth Annual Report of the Commission for 2014-15 to the Hon'ble Minister for Social Justice and Empowerment Shri Thaawar Chand Gehlot on 11th December, 2015

Chapter-5

ACTIVITIES OF THE COMMISSION

5.1 MONITORING OF THE ACT ON MANUAL SCAVENGERS “THE PROHIBITION OF EMPLOYMENT AS MANUAL SCAVENGERS AND THEIR REHABILITATION ACT, 2013”

5.1.1 The National Commission for Safai Karamcharis has been entrusted with the task of monitoring the implementation of “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”. As per Section 31(1) of the said Act, the Commission shall perform the following functions, namely:-

- (a) To monitor the implementation of the Act;
- (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act.
- (d) To take suo motu notice of matter relating to non-implementation of the Act.

In the discharge of its abovementioned functions, the Commission have the powers to call for information with respect to any matter specified above from any Government or local or other authority.

5.1.2 The Commission in discharge of its mandate to monitor the implementation of the Act, devised a comprehensive proforma for collecting and compiling the information relating to implementation of the Act and forwarded it to all the States/UTs on 16th January, 2014. This letter was followed by reminders on 18.3.2014, 2.5.2014 and 15.7.2014. Hon’ble Chairman of the Commission also personally wrote letters to the Chief Ministers of all States on 5th September, 2014 in this regard. In order to simplify the furnishing of the information, the Commission devised a new proforma (Check List containing 19 points) and circulated it on 31st October, 2014. This was again forwarded by e-mail in the last week of November, 2014.

5.1.3 Sh. T.R.Meena- Secretary of the Commission wrote D.O. letters to the Chief Secretaries of all the States/UTs to expedite the requisite information on 5th March, 14th May and 8th October, 2015.

5.1.4 The National Commission for Scheduled Castes convened Annual meeting of Chief Secretaries, Director Generals of Police, Home Secretaries (Home) and Principal Secretaries/Secretaries (Social Welfare) of 16 major states on 24.6.2015 at Vigyan Bhawan, New Delhi to monitor the action taken on preventing atrocities on Scheduled Castes, allocation and utilisation of funds under SCSP, representation of SCs in services **and action taken in compliance with MS Act, 2013**. Pursuant to the said meeting, the Secretary of the Commission wrote letters to the Chief Secretaries of these 16 States on 23.12.2015 to expedite the action on the implementation of the MS Act, 2013. The Secretary also wrote letters on 9.2.2016 to the Director General of Police of all the State Governments on the need for sensitising the field level police officers to implement the Act in its true letter and spirit. Another DO letter dated 10.3.2016 was sent to the Chief Secretaries of all the States to furnish the information regarding implementation status of the Act as on 31.3.2016.

5.1.5 The details/copies of correspondence undertaken by the Commission with the State Governments for collecting information on implementation of the Act is enclosed as **Annexure-V**.

5.2 AWARENESS ABOUT MS ACT, 2013

5.2.1 As the level of awareness about “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” and about the Supreme Court Judgement about the sewer death cases among the implementing agencies in the districts is very low, the Commission in association with NSKFDC & Local Bodies organised Awareness Camps from time to time. Some of the Awareness Camps, which were presided over by the Secretary and attended by District Collector & other senior officials of the Districts and Safai Karamcharis are as follows:

- Dausa (Rajasthan) – 28.4.2015
- SwaiMadhopur (Rajasthan) – 21.5.2015
- Tonk (Rajasthan)- 22.5.2015

These camps attracted a lot of attention & appreciation of the representatives of Safai Karamcharis at grass root level.

5.2.2 In order to increase the awareness about the abovementioned Act, the Commission has written letters to the Chief Secretaries and DGPs of all State Governments requesting them to inform and sensitise the field level police establishments about the Act and their role in its implementation. As per information received so far, the State administrations of the following States have passed on appropriate instructions in this regard to the lower formations in the police/civilestabilishments:

- (i) Rajasthan
- (ii) Jharkhand
- (iii) Chhatisgarh
- (iv) Mizoram
- (v) Andhra Pradesh
- (vi) West Bengal
- (vii) Uttar Pradesh

5.3 MONITORING OF THE SUPREME COURT JUDGEMENT ON SEWER DEATH CASES

5.3.1 The Hon'ble Supreme Court vide its judgment dated 27/03/2014 in Writ Petition (Civil) No.583 of 2003 filed by Safai Karamcharis Andolan, on the issue of sewer death cases, has directed as under:

We have already noted various provisions of the 2013 Act and also in the light of various orders of this Court, we issue the following directions:-

- (i) The persons included in the final list of Manual Scavengers under section 11 and 12 of the 2013 Act, Shall be rehabilitated as per the provisions of Part IV of the 2013 Act, in the following manner, namely:-*
 - (a) such initial, one time, cash assistance, as may be prescribed;*
 - (b) their children shall be entitled to scholarship as per the relevant scheme of the Central Government or the State Government or the local authorities, as the case may be;*
 - (c) they shall be allotted a residential plot and financial assistance for house construction, or a ready-built house with financial assistance, subject to eligibility and willingness of the Manual Scavenger as per the provisions of the relevant scheme;*
 - (d) at least one member of their family, shall be given, subject to eligibility and willingness, training in livelihood skill and shall be paid a monthly stipend during such period;*
 - (e) at least one adult member of their family, shall be given, subject to eligibility and willingness, subsidy and concessional loan for taking up an alternative occupation on sustainable basis, as per the provisions of the relevant scheme;*
 - (f) shall be provided such other legal and programmatic assistance, as the Central Government or State Government may notify in this behalf.*

(ii) *If the practice of Manual Scavenging has to be brought to a close and also to prevent future generations from the inhuman practice of Manual Scavenging, rehabilitation of Manual Scavengers will need to include:-*

(a) *Sewer Deaths – entering sewer lines without safety gears should be made a crime even in emergency situations. For each such death, compensation of Rs. 10 lakhs should be given to the family of the deceased.*

(b) *Railways – should take time bound strategy to end Manual Scavenging on the tracks.*

(c) *Persons released from Manual Scavenging should not have to cross hurdles to receive what is their legitimate due under the law.*

(d) *Provide support for dignified livelihood to SafaiKaramchari women in accordance with their choice of livelihood schemes.*

(iii) *Identify the families of all persons who have died in sewerage work (manholes, septic tanks) since 1993 and award compensation of Rs. 10 lakhs for each such death to the family members depending on them.*

(iv) *Rehabilitation must be based on the principles of justice and transformation.*

5.3.2 The Commission vide Secretary's letter dated 30/04/2014 circulated the above mentioned Supreme Court judgment among all the States/UTs for compliance. Thereafter, a reminder letter was sent in this regard on 14/07/2014. The Commission devised a format for furnishing the information regarding sewer death cases and forwarded it to all the States/UTs vide Secretary's D.O. letter dated 27/02/2015 for furnishing the requisite information in the said format. Thereafter, the Secretary-NCSK again took up the matter with Chief Secretaries of all States vide his D.O. letters dated 28/05/2015, 24.7.2015 and 8.3.2016 for furnishing the requisite information. Copies of these letters are enclosed as **Annexure-VI**.

5.3.3 The information so far received in the matter from various States/UTs is as under:

S No	State	Information received
1.	UT of Administration of Dadra & Nagar Haveli, (Social Welfare Department)	Since no Manual Scavenger was identified in this UT by the District Panchayat for rural areas and Silvassa Municipal Council for urban areas, the need for their rehabilitation does not arise. No Sewer Death has been reported in the UT by the District Panchayat or Silvassa Municipal Council.
2.	Govt. of Puducherry (ADI Dravidar Welfare Department)	They have reported that since there is no Manual Scavengers in the UT of Puducherry, the information is Nil.
3.	Govt. of Chhattisgarh (SC Caste Dev. Department, Raipur)	Since no person has died since 1993, the information may be considered as Nil.
4.	Lakshadweep Administration (Department of Social Welfare & Tribal affairs)	They have reported that since there is no Manual Scavengers in the UT of Puducherry, the information is Nil.
5.	Govt. of West Bengal Backward Classes and Welfare Department	Rs. 50 lakh paid to the families of 5 deceased SafaiKaramcharis. In one case, payment is due till date as the legal heir is yet to be ascertained.
6.	Govt. of Madhya Pradesh (Department of Panchayati Raj and Rural Development) Govt. of Madhya Pradesh, Scheduled Caste Welfare Department, Bhopal	Information as Nil. Rs. 10 lakhs each given to families of 4 deceased SafaiKaramcharis.
7.	Govt. of Nagaland (Social Welfare Department)	Information as Nil.
8.	Government of Andhra Pradesh (Social welfare Department SCP)	The matter has been forwarded to Director of Social Welfare AP Hyderabad (under process)
9.	Chief Secretary Office Govt. of Maharashtra	The letter has been forwarded to the Secretary, Urban Development.

S No	State	Information received
10.	Govt. of Assam(Department for Welfare of Plain Tribes & Backward Classes)	Under process
11.	Government of Himachal Pradesh (Department of Social Justice and Empowerment)	The State Government have informed that there is no report from the any of the Urban Local Bodies about persons who died in sewerage work (Manhole, Septic tanks) since 1993. Hence the information may be treated as Nil
12.	Government of Tamil Nadu, Municipal Administration and Water Supply Department, Secretariat, Chennai	1998-1-(Notice issued to the private employer) 2001-1-(Notice issued to the private employer) 2003-2-(Rs.20 lakhs paid) 2004-8-(Rs.70 lakhs paid. Notice issued to the private employer in r/o remaining person) 2005-7-(Notices issued to the private employers) 2006-1-(Rs.10 lakhs paid) 2007-2-(Rs.20 lakhs paid) 2008-4-(Notices issued to the private employers) 2009-4-(Rs.19 lakhs paid. Remaining of Rs.21 lakhs deposited to the Additional Commissioner Labour Deptt., Trichy by the TWAD Board. Legal heirs of the victims are being identified) 2010-7-(Rs.14 lakhs paid and Rs.16 lakhs deposited to the Additional Commissioner, Labour Deptt., Trichy by the TWAD Board. Legal heirs of the victims are being identified. Notices issued to the private employers in r/o other 4 persons) 2011-4-(Rs.10 lakhs paid. Notices issued to the private employer in r/o other 3 persons) 2012-8-(Rs.30 lakhs paid. In view of pending labour court case, payment not made to one individual. Notices issued to the private employer in r/o other 4 persons) 2013-4-(Rs.30 lakhs paid. Notice issued to the private employer in r/o remaining person) 2014-2-(Rs.20 lakhs paid)
13.	Govt of Mizoram, Social Welfare Department	Nil

S No	State	Information received
14.	Govt of Punjab Punjab State Urban Livelihood Mission	Amritsar – 20 lacs. (No. of persons died not mentioned) Ludhiana – 80 lacs. (9 persons died) Patiala – 20 lacs. (2 persons died) Jalandhar – 10 lacs. (1 person died) Firozpur – 10 lacs. (1 persons died) Barnala – (2 persons died) No amount paid as it is yet to be decided whether Municipal Council or PWSSB will pay the amount as the sewer work is maintained by PWSSB in Branala town. (16 families of the deceased person, out of 18, have already been paid compensation amount of 10 lac. each. Soon the remaining 2 persons will also be compensated as per Supreme Court Judgement.
15.	Govt. of Sikkim, Urban Development & Housing Department, Gangtok	Information has Nil.
16.	Govt. of Jharkhand, Social Welfare Department	Under Process
17.	Govt. of NCT of Delhi, office of the Chief Engineer (DEMS) Govt. of NCT of Delhi, Department for the Welfare of SC/ST/OBC/Min.	No person died in Sewerage work since 1993. They informed that no sewer death has been reported by the local bodies i.e. EDMC, SDMC, NDMC, New Delhi Municipal Council and Delhi Jal Board.
18.	Govt. of Rajasthan, Nagarpalika Rawatsar Distt. Hanumangarh. Govt. of Rajasthan, Nagar Palika, Gulabpura, Bilwada	Nil Information. Nil Information.
19.	Govt. of Odisha, ST & SC Development Department	Under Process.

5.4 ORAL EVIDENCE BY THE PARLIAMENTARY COMMITTEE:

5.4.1 The Parliamentary Committee on Papers Laid on the Table of the House took oral evidence of the Secretary-Ministry of Social Justice & Empowerment on 19.5.2015 regarding delay in laying the Annual Reports and Audited Accounts of the Commission for the period 2004-05 to 2013-14 on the Table of the House. Although it was the oral evidence of the Secretary-Ministry of Social Justice & Empowerment, the Secretary of the Commission Sh. T.R.Meena, being more aware about the backgrounds of the subject of oral evidence, gave a detailed power point presentation on not only the circumstances leading to the delay by the Ministry in laying the Annual Reports of the Commission on the Table of the House, but also apprised the Committee members about the functioning and achievements of the Commission. The presentation given by the Secretary was duly appreciated by the Committee members. Thereafter, the Secretary also handled the queries of the Committee members effectively and efficiently to the full satisfaction of the Committee members. At the end of the oral evidence, the Committee was very much convinced of the position explained by the Commission.

5.5 REVIEW MEETING BY THE MINISTER FOR SOCIAL JUSTICE AND EMPOWERMENT:

5.5.1 Hon'ble Minister for Social Justice and Empowerment took first review meeting of the Commission on 26.8.2015 in his chamber on the following issues:

- (i) Status of implementation of the MS Act, 2013.
- (ii) Action being taken for stopping Manual Scavenging.

5.5.2 This Review meeting was attended, inter-alia, by the Minister of State in the Ministry and Secretary-Social Justice. Sh. T.R.Meena, Secretary of the Commission gave an effective power point presentation giving complete details of the functioning of the Commission, its achievements and the challenges before it. The Hon'ble Minister was duly apprised about the non-statutory status of the Commission which is coming in the way of its effective role.

5.6 MEETING BY THE COMMISSION WITH THE HON'BLE LIEUTENANT GOVERNOR OF NCT OF DELHI SH. NAJEEB JUNG

5.6.1 Shri M. Shivanna, Chairman-National Commission for Safai Karamcharis along with Members of the Commission Dr.(Smt) Lata Om Prakash Mahto, Sh. G.K.Sahotra and Shri T.R. Meena, Secretary met the Hon'ble Lieutenant Governor of NCT of Delhi Sh. Najeeb Jung on 4.8.2015 in his office and briefed him about various issues of Safai Karamcharis in Delhi particularly the irregularity in payment of salaries to the Safai Karamcharis in various Corporations of the city. The Commission also discussed about the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" and the Supreme Court judgement regarding payment of compensation to the victims of sewer death cases since 1993. The Hon'ble Lieutenant Governor was very sympathetic and listened patiently to the Chairman, Members and Secretary of the Commission. He also expressed his serious concern about the prevalence of manual scavenging and insanitary latrines in NCT of Delhi.

5.6.2 The copies of the letters written by the Hon'ble Chairman to the Hon'ble Lieutenant Governor and the Chief Minister of Delhi on the problems being faced by the Safai Karamcharis in the city are enclosed as **Annexure VII**.



**COMMISSION CALLING ON THE THE HON'BLE LIEUTENANT
GOVERNOR OF NCT OF DELHI SH. NAJEEB JUNG**

5.7 GIVING PREFERENCE TO VALMIKI COMMUNITY IN RECRUITMENT OF SAFAI KARAMCHARIS BY THE PUBLIC SECTOR BANKS

5.7.1 Ministry of Finance (Department of Financial Services) vide its letter dated 23.9.2013, requested to the Chief Executive Officers of all PSBs/FIs/PSICs and RBI for giving preference to SC candidates for the posts of Safai Karamcharis. The operative part of the Department of Financial Services aforesaid request to the PSBs/FIs/PSICs and RBI, has been reproduced as below:

“It is therefore requested that while making recruitment of Safai Karamcharis, care may be taken that candidates belonging to families who are traditionally doing the work of cleanliness may be given preference over others while making appointment on the posts of Safai Karamcharis.”

5.7.2 The Commission has been receiving lot of representations from the SC employees' Association of the Public Sector Banks regarding denial of preference to the Valmiki community, which is traditionally engaged in the work of cleanliness, in the recruitment to the post of Safai Karamcharis by the Public Sector Banks. The HCP and the Secretary, during their visits to the Headquarters of the various Public Sector Banks, have also found merit in the issue raised by the Associations.

5.7.3 Accordingly, a meeting was held at 11:00 AM on 25.8.2015 in the Conference Room of the Commission to discuss the guidelines/instructions for giving preference to Valmiki community in recruitment of Safai Karamcharis by the Public Sector Banks and converting part-time Safai Karamcharis into full-time. The meeting was chaired by the Chairman of the Commission Sh. M.Shivanna and was attended by the following officers/officials:

- (i) Sh.T.R.Meena-Secretary, NCSK
- (ii) Ms. Archana Verma-Joint Secretary, DoPT
- (iii) Ms. Maulishree Pandey- Director, M/oSJ&E
- (iv) Sh. G.Srinivasan-Deputy Secretary, DoPT
- (v) Sh. Gulab Singh-Deputy Secretary, D/o Financial Services
- (vi) Sh. Vivekanand-Consultant, M/oSJ&E
- (vii) Sh. Varinder Singh-Deputy Director, NCSK

5.7.4 Welcoming the participants, the Secretary-NCSK briefly outlined the agenda for the meeting. The Secretary-NCSK stated that the Commission is receiving complaints/representations from individual Safai Karamcharis as well as their Associations/Unions regarding non-implementation or ineffective implementation of guidelines/instructions for converting part-time Safai Karamcharis into full-time and giving preference to Valmiki community in recruitment of Safai Karamcharis by the Public Sector Banks.

5.7.5 Sh.Gulab Singh-Dy. Secretary, D/o Financial Services (D/oFS) making a reference to their Department's OM dated 13.1.2015, stated that as per these guidelines, the Banks have been given full autonomy by the Government in their working and decision making. However, in this regard, the Secretary-NCSK observed that these guidelines may be relevant/applicable for the core business of the Banks and cannot or should not be stretched to include issues such as recruitment of Safai Karamcharis. The Secretary-NCSK informed the representatives of D/o Financial Services that despite protracted correspondence by the Commission, the Bank authorities are not furnishing the information regarding status of implementation of these guidelines/instructions by them. Therefore, in this regard, the Secretary-NCSK requested that the D/oFS to help furnishing the status report of implementation of the D/oFS guidelines/instructions under mention from all the Public Sector Banks/Financial Institutions/Public Sector Insurance Companies/RBI and send a consolidated report to the Commission which was agreed to by the representatives of D/oFS.

5.7.6 Thereafter, the issue of DoPT's OM dated 2.6.2014 addressed to D/o FS was discussed in detail. As per the aforesaid OM, the DoPT has clarified that having regard to Article 16(2) and 16(4) of the Constitution which guarantees equality of opportunities in the matters of employment under the State, it may not be feasible to reserve all the posts of Safai Karamcharis in favour of Scheduled Castes or any other caste for that matter.

5.7.7 In this regard, Ms. Archana Verma, JS-DoPT acknowledged that the grievance of the Safai Karamcharis is genuine. She further said that after implementation of the 6th Pay Commission's report, there are no Class IV/Group D posts in the Central Government. All the erstwhile posts of Sweepers/Gardeners/Chowkidar/Peons etc. have been clubbed together and given the nomenclature of Multi Tasking Staff (MTS) which has been designated as a Group C post. As a result, there is no separate post of Safai Karamcharis in the Government. Moreover, the work of cleanliness is being generally outsourced by the Central Government offices.

5.7.8 She further observed that in the absence of specific posts of Safai Karamcharis, prima facie the Government's guidelines/instructions for giving preference to candidates belonging to families who are traditionally doing the work of cleanliness may be given preference over others while making appointment on the posts of Safai Karamcharis cannot be enforced. It was suggested by her that this issue can be raised before the 7th CPC which is yet to give its reports/recommendations. She said that if a reference is sent to the DoPT through the administrative Ministry, the same can be taken up with the 7th Central Pay Commission.

5.7.9 Therefore, it was decided that the Commission will make recommendations to its administrative Ministry viz. M/oSJ&E for placing the matter before the 7th CPC through DoPT.

5.7.10 Consequently, the Commission took up the matter with the Department of Financial Services for furnishing the status report of implementation of the D/oFS

guidelines/instructions under mention from all the Public Sector Banks/Financial Institutions/Public Sector Insurance Companies/RBI and with the Ministry of Social Justice and Empowerment for placing the matter before the 7th Central Pay Commission through the Department of Personnel & Training.

5.8 INTERNAL MEETINGS OF THE COMMISSION

5.8.1 During 2015-16, most of the time the Chairman and/or members of the Commission were not available at the Headquarter at the same time due to they being on tours or their other preoccupations. Consequently, the Commission could not hold its Internal Meetings on regular basis due to lack of quorum. However, one Internal Meeting of the Commission was held on 18.6.2015 in which the Secretary briefed the Commission, in detail, about the oral evidence of the Secretary-Ministry of Social Justice and Empowerment by the Parliamentary Committees on Papers Laid on the Table of the House on 19.5.2015 about the delay in laying the Annual Reports of the Commission by the Ministry in the Parliament.

5.8.2 The Secretary informed that there was no delay in submission of the Annual Report of the Commission for the year 2013-14, rather it was submitted well before the prescribed time limit in December-2014. However, some of the reports during the period 1995-96 to 2012-13, some delays were there in some reports. However, a long delay was there on the part of the Ministry in laying the reports on the Table of the House for which the Committee felt unhappy. The Secretary further informed that the Committee was extremely happy with the presentation made by the him for the activities undertaken by the NCSK during the last one year. The Secretary further informed the Commission that the Ministry has sought 50 copies each of the Annual Reports of the Commission since 2002-03 till 2013-14. As the ready stock of these reports was not available with the Commission, the Commission would get these reports printed/Xeroxed on outsourcing basis and forward the same to the Ministry.

5.8.3 Then the issue regarding non-submission of the Annual Report of the Commission for the year 2000-01 was discussed. In this regard, the Secretary drew the attention of the Commission to the letter dated 7th March, 2003 written by the then Chairman, Shri Panna Lal Tambay and members of the Commission to the then Minister for Social Justice & Empowerment Shri SatyanarayanJatia about the reasons for non-submission of the Report of the Commission for the year 2000-01 to the Ministry. The para 2 of the said letter stated as under:

“In this connection, we would like to mention here that due to non-constitution of the Commission during April 2000 to January, 2001, the functioning of the Commission was hampered a lot. The Commission could not submit its Annual Report for the period 2000-01 as there was no Commission during this period. The Commission also suffered a set back when the Chairperson of the

newly constituted Commission, Smt. Anita Arya, Member of Parliament, resigned from the Commission w.e.f. 26.3.2002.”

5.8.4 The Secretary further informed the Commission that the Annual Report of the Commission is mainly centered around the activities of the Commission i.e. tours undertaken by the Chairman/Members, their meetings with officials and representatives of Safai Karamcharis during these tours, their visits to the work place and bastis of the Safai Karamcharis, seminar/conferences attended by them etc. The most important part of the Annual Report is the recommendations made by the Commission with regard to the living and working conditions of the Manual Scavengers/Safai Karamcharis. These recommendations are reflected in their tour reports and are basically based on their actual experience during such tours. The important recommendations/observations made by the Chairman/Members during such tours are compiled as the recommendations of the Commission.

5.8.5 Accordingly, it was felt that in retrospect, it is not feasible to prepare the report and particularly keeping mind that a time lag of 14 years have elapsed. The incumbent Commission cannot put together a factual and authentic report at this stage particularly in view of the fact that following the directions of Central Government, all the old records and files, which were not required, have been destroyed. Hence, it would be a futile exercise to piece together a report which lacks authenticity. Moreover, the present Commission also could not authenticate a report containing activities which took place fifteen years ago.

5.8.6 Therefore, the HCP and the Members unanimously decided that it appears untenable and infeasible for this Commission to prepare the Annual Report for the year 2000-01 at this point of time for the reasons mentioned above and that the same was conveyed to the Ministry.

5.9 Hearing of cases by the Hon'ble Chairman and Secretary, National Commission for Safai Karamcharis during 2015-16

5.9.1 A large number of petitioners/aggrieved persons/parties met the Hon'ble Chairman of the Commission Sh. M.Shivanna in connection with their grievances/complaints. Depending upon the merit of the case(s), the Chairman directed to call for the authorities concerned with the complaint/grievances. After listening to the complainant and the authority concerned, he passed appropriate orders which resulted in resolution of grievances/complaints in large number of cases. The details of hearings held by the Chairman and the Secretary during the period under report are as follows:

Sl. No	Subject	Department /Bank concerned	Date of Hearing	Hearing attended by	Decision taken
1.	Appointment of Shri Raju Raghu as a Safai	South Eastern Railway	11.08.2015	Shri RadheyShyam, General	It was pointed out that the case of the applicant was a very old case and the

	Karamchari in South Eastern Railway on compassionate grounds.			Manager of South Eastern Railway, Shri Manoj Pandey, C.P.O. of South Eastern Railway, Shri Vijay Kumar, Member of N.C.S.K. and Shri B.K. Bhola, PPS to Chairman of N.C.S.K.	candidate had not submitted any papers so far establishing his relationship with deceased Railway employee. Further, as per Railway rules the candidate should apply within 02 years of attaining majority. In this case, he became major on 25.10.2004 as per his date of birth 25.10.1986, but he applied after 10 years. However, the Railway officials Shri RadheyShyam, G.M., South Eastern Railway and Shri Manoj Pandey, C.P.O., S.E. Railway had agreed to consider the case on sympathetic grounds after getting verification of the Educational certificate from Director NIOS.
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Sl. No	Subject	Deptt/Bank concerned	Date of Hearing	Hearing attended by	Decision taken
2.	Complaints against Sanitary Superintendent Shri Hoshiar Singh, LDC Shri Mann of B.C. Rohini Zone who without any office order taken bribe Rs. 60 Thousand each from the Safai Karamcharis and assured them for 4-5 lakh arrear and made 6 crore scam.	N.D.M.C.	22.12.2015	Shri Ravi Lukhad, Member of Department of S.C./S.T./OB C/Minorities Govt. of NCT of Delhi.	Secretary, NCSK held a meeting with Shri Ravi Lukhad on 22.12.2015 along with Shri Ranbir Singh who narrated the various issues. He was asked to produce documentary proof against the accused for which they asked for 10 days' time. However, Shri Lukhad failed to produce the documents.

3	Victimization of Safai Karamcharis in M/s Airport Authority of India, Delhi.	M/s Airport Authority of India	3.11.2015	Shri Anuj Aggarwal, Member (HR), Shri R.N. Srivastav, Executive Director (HR) of Airport Authority of India, Shri J.K. Goel, General Manager (HR) of Airport Authority of India, Shri Data Ram and others of Airport Authority of India S.C. & S.T. Employees Welfare Association.	The Chairman held meeting in his Chambers on 19.02.2015. HCP wanted to know the disparity in the service conditions of Safai Karamcharis and others in so far as working hours was concerned. Making a distinction between operational and non-operation staff, the Member (HR) stated that office premises in the Rajiv Gandhi Bhawan are thoroughly cleaned by machines/scrubbers on Saturdays which is not possible on other working days. The HCP was not convinced with the reply of the Airport Authority of India (AAI) and directed that the management should ensure that there is no discrimination in the working conditions of the Safai Karamcharis vis-à-vis other similar placed employees. He further directed the AAI management to address the problem of the Safai Karamcharis and report back after 15 days. The Member (HR) agreed to it. 2. AAI vide their communication dated 28.05.2015 to this Commission informed that the grievances of Safai Karamcharis working in AAI have been resolved as per their order dated 13.05.2015. Later, AAI Association vide their letter dated 5.10.2015 again represented to this Commission regarding victimization of Safai Karmacharis in AAI. HCP again held a meeting with the Management and the concerned Association on 3.11.2015. HCP directed both the parties to settle the issue once for all to which they agreed.
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5.10 TOURS UNDERTAKEN BY HON'BLE CHAIRMAN & MEMBERS

5.10.1 During the period under report, the Commission undertook extensive tours to different parts of the country to study the socio-economic, living and working conditions of safai karamcharis in general and manual scavengers in particular and monitoring the progress of the schemes and the targets achieved. The details of placed visited by the chairperson/members during 2015-16 are as follows:

**Details of places visited by Hon'ble Chairman Shri M. Shivanna
during the year 2015-16**

S. No.	States Visited	Period of Visit	Place (s) Visited	Name Authority whom meeting/persons who met	of with held	Recommendations made during the tour
1.	Gujarat	15.04.2015 to 17.04.2015	Ahmedabad	Visited Ahmedabad (Gujarat) from 15.04.2015 to 17.04.2015 and held a meeting with DC/SP Municipal Commissioner of Ahmedabad, Rajkot, Jamnagar and Porbandar District and Safai Karamcharis Association and Zonal Banks of Allahabad Bank, Syndicate Bank, Corporation Bank and Vijaya Bank, Indian Bank and Indian Overseas Bank and Gujarat housing Board and EPF Commissioner and Income Tax Department to sort out their grievances.		The Deputy Commissioner has to take special care about providing medical facilities to Safai Karamcharis. The Education Loan which has been offered by the Government of India through the Public Sector Banks at very nominal interest rates. The Associations and the District Headquarter should explain about Schemes to the Safai Karamcharis Children of Safai Karamcharis be provided with education facilities through the district Headquarters, who has issue proper directive to it officers in implementing various schemes of Government. The Deputy Commissioner must hold a regular meeting every month to hear the grievances of Safai Karamcharis and to take steps to redress them.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority with whom meeting/persons who met	Recommendations made during the tour
2.	Punjab	20.04.2015 to 21.04.2015	Jalandhar	Visited Jalandhar (Punjab) from 20.04.2015 to 21.04.2015 and held a meeting with DC/SP Municipal Commissioner of Jalandhar District and Safai Karamcharis Association and Zonal Banks of UCO Bank, PNB, Canara Bank and PSB to sort out their grievances.	Safai Karamcharis i.e. Part Time Sweeper (PTS) in Bank must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc.
3.	Karnataka	22.04.2015 to 27.04.2015	Bangalore, Mysore and Ooty (Tamil Nadu)	Visited Bangalore, Mysore and Ooty from 22.04.2015 to 27.04.2015 and held a meeting with Collector, SP and Municipal official of Ooty and Safai Karamcharis association to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc.
4.	Tamil Nadu	27.04.2015 to 05.05.2015	Chennai (Tamil Nadu) and Mysore (Karnataka)	Visited Chennai (Tamil Nadu) from 27.04.2015 to 05.05.2015 and held a meeting with Commissioner, Chennai Municipal Corporation and District Magistrate of SP, CPCL and BPCL. Visit Railways Station and Meeting with Southern Railways and NICL and UIIC, Andhra Bank Union Bank of India, SBI and Chennai Port Trust to sort out their grievances.	Pre Medical Checkup is to be extended to them at least once in 6 months.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority whom meeting/persons who met	Recommendations made during the tour
5.	Karnataka & Kerala	12.05.2015 to 18.05.2015	Mysore (Karnataka) Kannur (Kerala)	Visited Kannur (Kerala) and held a meeting with District Collector and SP of Kannur and Calicut and Zonal Bank and Safai Karamcharis association to sort out their grievances.	Safai Karamcharis i.e. Part Time Sweeper (PTS) in Bank must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc.
6.	U.P.	21.05.2015 to 22.05.2015	Lucknow	Visited Lucknow from 21.05.2015 to 22.05.2015 held a meeting with Principal Secretary, Social Welfare Deptt. (Govt. of U.P.) and DGP, Lucknow DM and SP Pilibhit and Safai Karamcharis association to sort out their grievances.	The Deputy Commissioner has to take special care about providing medical facilities to Safai Karamcharis. Safai Karamcharis in Municipality must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with Municipal emblem, materials for washing/cleaning etc.
7.	Karnataka & Tamil Nadu	22.05.2015 to 02.06.2015	Chamrajnagar, Mysore (Karnataka) and Satyamangalam (T.N.)	Visited Chamrajnagar (Karnataka), Satyamangalam (T.N.) and Mysore (Karnataka) from 22.05.2015 to 02.06.2015 and held a meeting with DC/SP Municipal Commissioner of Chamrajnagar District and Safai Karamcharis Association and Zonal Banks to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority with whom meeting/persons who met	Recommendations made during the tour
8.	Karnataka	22.06.2015 to 06.07.2015	Mysore, Chamrajnagar (Karnataka) Ooty (T.N.)	Visited Chamrajnagar (Karnataka), Ooty (T.N.) and Mysore (Karnataka) from 22.06.2015 to 06.07.2015 and held a meeting with DC/SP Municipal Commissioner of Chamrajnagar and Ooty District and Safai Karamcharis Association to sort out their grievances.	The Deputy Commissioner has to take special care about providing medical facilities to Safai Karamcharis. The Education Loan which has been offered by the Government of India through the Public Sector Banks at very nominal interest rates. The Associations and the District Headquarter should explain about Schemes to the Safai Karamcharis Children of Safai Karamcharis be provided with education facilities through the district Headquarters, who has issue proper directive to it officers in implementing various schemes of Government. The Deputy Commissioner must hold a regular meeting every month to hear the grievances of Safai Karamcharis and to take steps to redress them.
9.	Haryana	22.07.2015	Gurgaon	Visited Gurgaon (Haryana) from 27.07.2015 held a meeting with Safai Karamcharis association and District Administration and Municipality to sort out their grievances.	The Deputy Commissioner has to take special care about providing medical facilities to Safai Karamcharis. The Education Loan which has been offered by the Government of India through the Public Sector Banks at very nominal interest rates. The Associations and the District Headquarter should explain about Schemes to the Safai Karamcharis

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority whom meeting/persons who met	Recommendations made during the tour
	Haryana Continued.				Children of Safai Karamcharis be provided with education facilities through the district Headquarters, who has issue proper directive to it officers in implementing various schemes of Government. The Deputy Commissioner must hold a regular meeting every month to hear the grievances of Safai Karamcharis and to take steps to redress them.
10.	Karnataka	30.07.2015 to 04.08.2015	Mysore and Bangalore	Visited Mysore, and Bangalore (Karnataka) from 30.07.2015 to 04.08.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.
11.	Karnataka	14.08.2015 to 17.08.2015	Chamrajnagar and Mysore	Visited Chamrajnagar and Mysore (Karnataka) from 14.08.2015 to 17.08.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with Municipality emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority with whom meeting/persons who met	Recommendations made during the tour
12.	Karnataka	25.08.2015 to 31.08.2015	Bangalore, Raichur (Karnataka) and Cochin (Kerala)	Visited Bangalore, Raichur (Karnataka) and Cochin (Kerala) from 25.08.2015 to 31.08.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with Municipality emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.
13.	Karnataka & Kerala	25.08.2015 to 01.09.2015	Bangalore, Raichur (Karnataka) and Cochin (Kerala)	Visited Bangalore, Raichur (Karnataka) and Cochin (Kerala) from 25.08.2015 to 01.09.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality to sort out their grievances.	The Deputy Commissioner has to take special care about providing medical facilities to Safai Karamcharis. The Education Loan which has been offered by the Government of India through the Public Sector Banks at very nominal interest rates. The Associations and the District Headquarters should explain about Schemes to the Safai Karamcharis. Children of Safai Karamcharis be provided with education facilities through the district Headquarters, who has issue proper directive to it officers in implementing various schemes of Government. The Deputy Commissioner must hold a regular meeting every month to hear the grievances of Safai Karamcharis and to take steps to redress them.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority whom meeting/persons who met	Recommendations made during the tour
14.	Jharkhand	02.09.2015 to 05.09.2015	Ranchi	Visited Ranchi from 02.09.2015 to 05.09.2015 and held a meeting with Safai Karamcharis association and District Administration, Municipality and PSU and Zonal Banks to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with Municipality emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.
15.	Haryana	10.09.2015	Palwal	Visited Palwal from 10.09.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality to sort out their grievances.to sort out their grievances.	The Deputy Commissioner has to take special care about providing medical facilities to Safai Karamcharis. The Education Loan which has been offered by the Government of India through the Public Sector Banks at very nominal interest rates. The Associations and the District Headquarter should explain about Schemes to the Safai Karamcharis Children of Safai Karamcharis be provided with education facilities through the district Headquarters, who has issue proper directive to it officers in implementing various schemes of Government. The Deputy Commissioner must hold a regular meeting every month to hear the grievances of Safai Karamcharis and to take steps to redress them.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority with whom held meeting/persons who met	Recommendations made during the tour
16.	West Bengal and Assam	14.09.2015 to 17.09.2015	Kolkatta, Dibrugarh	Visited Kolkatta and Dibrugarh from 14.09.2015 to 17.09.2015 and held a meeting with DC/SP Municipal Commissioner of Dibrugarh District and Safai Karamcharis Association and Zonal Banks to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.
17.	Karnataka	24.09.2015 to 05.10.2015	Mysore	Visited Mysore from 24.09.2015 to 05.10.2015 and held a meeting with Safai Karamcharis Association to sort out their grievances.	Meeting with Safai Karamcharis association to sort out their grievances.
18.	Andhra Pradesh and Karnataka	05.10.2015 to 12.10.2015	Hyderabad and Mysore	Visited Hyderabad and Mysore from 05.10.2015 to 12.10.2015 and held a meeting with Safai Karamcharis association and District Administration, Municipality and Insurance Company and PSUs and Zonal Banks to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.
19.	Karnataka & Tamil Nadu	15.10.2015 to 26.10.2015	Chamrajnagar, Mysore and Coimbatore	Visited Chamrajnagar, Coimbatore and Mysore from 15.10.2015 to 26.10.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality and Zonal Bank to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority whom meeting/persons who met	Recommendations made during the tour
20.	Karnataka	31.10.2015 to 01.11.2015	Mysore	Visited Mysore from 31.10.2015 to 01.11.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.
21.	Karnataka, Kerala and Tamil Nadu	05.11.2015 to 23.11.2015	Mysore, Kanndicow, Thrissur, Thanjavur, Pudukkottai and Tiruchirappalli	Visited Mysore, Thrissur, Kanndicow, Thanjavur, Pudukkottai and Tiruchirappalli from 05.11.2015 to 23.11.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality to sort out their grievances.	The Deputy Commissioner has to take special care about providing medical facilities to Safai Karamcharis. The Education Loan which has been offered by the Government of India through the Public Sector Banks at very nominal interest rates. The Associations and the District Headquarter should explain about Schemes to the Safai Karamcharis Children of Safai Karamcharis be provided with education facilities through the district Headquarters, who has issue proper directive to it officers in implementing various schemes of Government. The Deputy Commissioner must hold a regular meeting every month to hear the grievances of Safai Karamcharis and to take steps to redress them.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority with whom meeting/persons who met	Recommendations made during the tour
22.	Haryana	15.12.2015 to 17.12.2015	Chandigarh	Visited Chandigarh from 15.12.2015 to 17.12.2015 and held a meeting with Safai Karamcharis association and District Administration and Municipality and Zonal Banks to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.
23.	Karnataka	10.01.2016 to 25.01.2016	Bangalore, Mysore, Chamrajnagar and Hassan	Visited Bangalore, Mysore, Chamrajnagar and Hassan from 10.01.2016 to 25.01.2016 and held a meeting with Safai Karamcharis association and District Administration and Municipality and PSU to sort out their grievances.	The Deputy Commissioner has to take special care about providing medical facilities to Safai Karamcharis. The Education Loan which has been offered by the Government of India through the Public Sector Banks at very nominal interest rates. The Associations and the District Headquarter should explain about Schemes to the Safai Karamcharis Children of Safai Karamcharis be provided with education facilities through the district Headquarters, who has issue proper directive to it officers in implementing various schemes of Government. The Deputy Commissioner must hold a regular meeting every month to hear the grievances of Safai Karamcharis and to take steps to redress them.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority whom meeting/persons who met	Recommendations made during the tour
24.	Karnataka	03.02.2016 to 15.02.2016	Bangalore, Mysore, Suttur and Shimoga	Visited Bangalore, Mysore, Suttur and Shimoga from 03.02.2016 to 15.02.2016 and held a meeting with Safai Karamcharis association and District Administration and Municipality and Banks and LIC to sort out their grievances.	Safai Karamcharis must be provided with a safety kit. The items that safety kit must contain Gum Boots, hand gloves, Medicated Mask, apron with bank emblem, materials for washing/cleaning etc. Pre Medical Checkup is to be extended to them at least once in 6 months.
25.	Karnataka	19.02.2016 to 21.02.2016	Chamrajnagar	Visited Chamrajnagar from 19.02.2016 to 21.02.2016 and held a meeting with Safai Karamcharis association.	Meeting with Safai Karamcharis association to sort out their grievances.
26.	Karnataka	22.02.2016 to 23.02.2016	Bangalore	Visited Bangalore from 22.02.2016 to 23.02.2016 and held a meeting with Safai Karamcharis association.	Meeting with Safai Karamcharis association to sort out their grievances.
27.	Karnataka	26.02.2016 to 29.02.2016	Mysore, Satyamalari	Visited Mysore, Satyamalari from 26.02.2016 to 29.02.2016 and held a meeting with Safai Karamcharis association.	Meeting with Safai Karamcharis association to sort out their grievances.
28.	Karnataka	18.03.2016 to 24.03.2016	Mysore,	Visited Mysore, from 18.03.2016 to 24.03.2016 and held a meeting with Safai Karamcharis association.	Meeting with Safai Karamcharis association to sort out their grievances.

Details of places visited by Shri G.K.Sahotra, Member during the year 2015-16.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority with whom held meeting/persons who met
1.	Rajasthan	24.08.2015 to 26.08.2015	Alwar	Visited Alwar on 24.08.2015 and held meeting with Additional Dy. Commissioner/Dy. Superintendent of Police, Safai Karamcharis and representatives of their Association to sort out their grievances.
			Jhunjhunu	Visited Jhunjhunu on 25.08.2015 and held meeting with Distt. Collector, Superintendent of Police, other Sr. officers of the Distt., Safai Karamcharis and representatives of their Association to sort out their grievances.
			Churu	Visited Churu on 26.08.2015 and held meeting with Distt. Collector, Superintendent of Police, other Sr. officers of the Distt., Safai Karamcharis and representatives of their Association to sort out their grievances.
			Hanumangarh	Visited Hanumangarh on 26.08.2015 and held meeting with the Sub.Divisional Magistrate (S.D.M.), Dy. Superintendent of Police, other Sr. officers of the Distt., Safai Karamcharis and representatives of their Association to sort out their grievances.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority with whom held meeting/persons who met
2.	Punjab	13.10.2015 to 17.10.2015	Gurdaspur, Pathankot, Hoshiarpur and Kapurthala	Visited Gurdaspur on 13.10.2015 and held meeting with Dy. Commissioner/Sr. Superintendent of Police, other Sr. officers of the Distt., Safai Karamcharis and representatives of their Association to sort out their grievances.
			Pathankot	Visited Pathankot on 14.10.2015 and held meeting with Addl. Dy. Commissioner/ Sr. Superintendent of Police, Commissioner of Pathankot Municipal Corporation, other Sr. officers of the Distt., Safai Karamcharis and representatives of their Association to sort out their grievances.
			Hoshiarpur	Visited Hoshiarpur on 15.10.2015 and held meeting with Dy. Commissioner, Sr. Superintendent of Police, Dy. Superintendent of Police, Safai Karamcharis and representatives of their Association to sort out their grievances.
			Kapurthala	Visited Kapurthala on 16.10.2015 and held meeting with Dy. Commissioner/Sr. Superintendent of Police, Safai Karamcharis and representatives of their Association to sort out their grievances.

S. No.	States Visited	Period of Visit	Place (s) Visited	Name of Authority with whom held meeting/persons who met
3.	Haryana	18.11.2015 to 20.11.2015	Rohtak	Visited Rohtak on 18.11.2015 and held meeting the Registrar of MahrishiDayanand University and Dy. Suprintendent of Police, other Sr. officers of the Distt. and Safai Karamcharis and representatives of their Association to sort out their grievances.
			Palwal	Visited Palwal on 19.11.2015 and held meeting with Additional Dy. Commissioner/Dy. Suprintendent of Police, other Sr. officers of the Distt. including Lead Bank Officer, Safai Karamcharis working in various Deptt. of the Distt. and representatives of their Association to sort out their grievances.
			Bhiwani	Visited Bhiwani on 20.11.2015 and held meeting with Secretary of the Haryana Education Board, Bhiwani, Safai Karamcharis working there and representatives of their Association to sort out their grievances.
			Panchkula	Visited Panchkula on 09.02.2016 and held meeting with Additional Dy. Commissioner, Commissioner, Panchkula Municipal Corporation, Sr. Superintendent of Police, other Sr. officers of the Distt., Safai Karamcharis working in various Deptt. of the Distt. and representatives of their Association to sort out their grievances
			Yamunanagar	Visited Yamunanagar on 10.02.2016 and held meeting with Commissioner, Yamunanagar Municipal Corporation, other Sr. officers of the Distt., Safai Karamcharis working in various Deptt. of the Distt. and representatives of their Association to sort out their grievances.
			Kurukshetra	Visited Kurukshetra University on 11.02.2016 and held meeting with Vice-Chancellor and Registrar of the University, Safai Karamcharis working there and representatives of their Association to sort out their grievances.
			Karnal	Visited Karnal on 11.02.2016 and held meeting with Executive Officer of the Karnal Municipal Corporation, Safai Karamcharis working there and representatives of their Association to sort out their grievances.

**Details of places visited by Hon'ble Member Shri Vijay Kumar
during the year 2015-16.**

S. No.	States Visited	Period of visit	Place visited (s)	Name of Authority with whom held meeting/ Persons whom met
1.	Uttar Pradesh	27.04.2015 & 20.05.2015	Gautambudh Nagar	Visited bastis in Distt. Gautambudh Nagar (Uttar Pradesh) on 27.04.2015 alongwith the concerned officers' viz., the Distt. Magistrate, S.D.M., C.O. (City), Chief Medical Officer, Chief Development Officer, Distt. Education Officer, Social Welfare Officer, other Senior Officers and representatives of SafaiKaramcharis to sort out their grievances and also in connection with the sewer death case.
2.	Uttar Pradesh	15.06.2015	Muzaffarnagar	Visited Distt. Muzaffarnagar, (Uttar Pradesh) on 15.06.2015 and held meetings with various Senior Officers and representatives of SafaiKaramcharis to sort out their grievances.
3.	Delhi	26.06.2015	Ghazipur (Slaughter House / Market)	Visited Ghazipur Slaughter House / Market on 26.06.2015 and held meeting with the Dy. Commissioner and other concerned officers of the East Delhi Municipal Corporation, SafaiKaramcharis working the Distt.and representatives of their Associations to sort out their grievances.
4.	Madhya Pradesh	03.08.2015 to 07.08.2015	Bhopal, Dewas, Indore & Ujjain	Visited bastis in Distt. Bhopal, Dewas, Indore & Ujjain (Madhya Pradesh) on 03.08.2015 to 07.08.2015 and held meetings with the concerned Distt. Officers, SafaiKaramcharis working the Distts.and representatives of their Associations to sort out their grievances.

S. No.	States Visited	Period of visit	Place visited (s)	Name of Authority with whom held meeting/ Persons whom met
5.	Uttar Pradesh	13.08.2015	Gautambudh Nagar	Visited Distt. GautambudhNagar(Uttar Pradesh) on 13.08.2015 and held meetings with the concerned Distt. Officers, SafaiKaramcharisand representatives of their Associations to sort out their grievances relating to removal of 300 contract SafaiKaramcharis working in Noida Authority.
6.	Gujarat	24.08.2015	Surat	Visited Distt. Surat Municipal Corporation on 24.08.2015 and held meeting with the concerned officers of the Corporation, SafaiKaramcharis and representatives of their Associations to sort out their grievances.
7.	Delhi	09.09.2015	North Delhi Municipal Corporation	Visited North Delhi Municipal Corporation (NDMC), Delhi on 09.09.2015 and held meetings with the Director, Deptt. Of Environment Management Services (DEMS) of the NDMC and other concerned officers, SafaiKaramcharis and representatives of their Associations to sort out their grievances.
8.	Delhi	28.09.2015	Najafgarh Zone, South Delhi Municipal Corporation	Visited South Delhi Municipal Corporation in Nazafgarh Zone area on 28.09.2015 and held meetings with the concerned Deputy Commissioner & other senior Officers of the Corporation, SafaiKaramcharis and representatives of their Associations to sort out their grievances.
9.	Gujarat	15.12.2015 to 18.12.2015	Vadodara, Gandhi Nagar, Ahmedabad,	Visited Vadodra on 16.12.2015.
10.	West Bengal	02.02.2016	Darjeeling	Visited Sub- Division of Kurseong of Distt. Darjeeling on 02.02.2016 and held meeting with the concerned Distt. Officers, SafaiKaramcharisand representatives of their Associations to sort out their grievances.

S. No.	States Visited	Period of visit	Place visited (s)	Name of Authority with whom held meeting/ Persons whom met
11.	West Bengal	04.02.2016	Darjeeling	Visited Sub- Division of Kalimpong of Distt. Darjeeling on 02.02.2016 and held meeting with the concerned Distt. Officers, SafaiKaramcharis and representatives of their Associations to sort out their grievances.
12.	Telangana	01.03.2016 to 04.03.2016	Sikandrabad & Hyderabad	Visited Gandhi Hospital on 01.03.2016 and held meeting with the Superintendent, Dy. Superintendent, Dy. Dir. (Admn.), Health Inspector of the Hospital, SafaiKaramcharis and representatives of their Associations to sort out their grievances. Visited Hyderabad on 02.03.2016 and held meeting with the Director General of Police, Inspector General of Police, SafaiKaramcharis of various Deptts. of the Distt., representatives of their Associations to sort out their grievances. Visited Distt. Rangareddy on 03.03.2016 and held meeting with the concerned officers of the Distt., SafaiKaramcharis and representatives of their Associations to sort out their grievances. Held a meeting on 04.03.2016 with the Chief Secretary and other senior officers of the Telangana state, SafaiKaramcharis working in various State Departments and representatives of their Associations to sort out their grievances.
13.	Gujarat	18.03.2016	Ahmedabad	Visited Bank of Maharashtra, Distt. Ahmedabad and held a meeting with the concerned Bank officers, SafaiKaramcharis and representatives of their Associations to sort out their grievances.

Details of places visited by Sh. T.R.Meena, Secretary during 2015-16

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
1	8.4.2015 Jabalpur Division	Held meeting with the Divisional Commissioner, Jabalpur and District Collectors/CEOs of Zila Parishad of 7 Districts	In the meeting taken by the Commission on 22.1.2015 with State Governments to review the implementation of the MS Act, 2013, the Commission learnt that the State Government of Madhya Pradesh has taken some very good initiatives in providing sanitary latrines and has put in place various mechanisms like State Monitoring Committee, District and Sub-Divisional level Vigilance Committees, conferring powers on Executive Magistrates, appointment of Inspectors etc. However, the Commission understood that the State Government was yet to complete the survey of manual scavengers in the rural areas and action on rehabilitation of manual scavengers and conversion of insanitary latrines into sanitary latrines remains to be completed. The State Government at that point of time has identified only 93 manual scavengers in 5 out of 344 ULBs. During the meeting which was presided over by the Addl Chief Secretary, the Secretary apprised the participants about the role of the various authorities in the implementation of the Act and directed the Division officers to take action on various provisions of the Act as per their given timelines. As the level of awareness about the Act in the Division was found to be very low, the Secretary directed the NSKFDC to hold an Awareness Camp in the Jabalpur Division to spread awareness about the Act among the intended beneficiaries.

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
2	9.4.2015 West Central Railways, Jabalpur	Held meeting with General Manager and other senior officers of West Central Railways, Jabalpur to review the implementation of the MS Act, 2013 by the West Central Railways	In the meeting, the Secretary was apprised about the steps being taken by the West Central Railways to implement the Act. The Secretary directed that a clause on health insurance of Safai Karamcharis should be incorporated in the contract with the Safai Karamcharis. The Secretary was also informed about the status of filling up of vacant posts of Safai Karamcharis by the West Central Railways which was found to be satisfactory. The Secretary informed the Safai Karamcharis that they can send their grievances directly to the Commission. The Secretary also briefed the participants about the main provisions of the MS Act, 2013 and urged the Railway authorities to implement them in their true letter and spirit. The Secretary also inspected the Jabalpur Railways Station along with senior officers of the West Central Railways and expressed his satisfaction at the sanitation level being maintained at the Station. On 10th and 11th April, the Secretary visited Distts. Like Umaria, Dindori and Anantpur and held meetings with the respective Collectors. During the meetings, it was observed that awareness about the MS Act, 2013 was very poor among the officials. Therefore, the Secretary directed that NSKFDC may asked to hold Awareness Camps in the Jabalpur Division.
3	28.4.2015 Awareness Camp at Dausa	At the request of the Commission, the NSKFDC held an Awareness Camp at Dausa (Rajasthan) on 28.4.2015	The Secretary attended the Awareness Camp as the Chief Guest. The participants were informed about various provisions of the MS Act, 2013 and other welfare/rehabilitation schemes for the Safai Karamcharis. The Secretary also made field visits to nearby municipalities like Lalsot, Gangapur city etc on 29.4.2015 and held meetings with senior officials of the Rajasthan SC/ST Finance and Development Corporation.

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
4	Awareness Camps at Tonk and SwaiMadhoPur on 21 and 22 May, 2015	As the awareness about the MS Act, 2013 and other welfare/rehabilitation schemes being run by the GoI for Manual Scavengers/Safai Karamcharis is very low in the State of Rajasthan, it was decided to hold the awareness Camps in associations with the NSKFDC.	The Secretary attended both the Awareness Camps at Tonk and SwaiMadhoPur on 21 and 22 May, 2015 which was attended by large number of beneficiaries who were informed, in detail, about the various provisions of the MS Act, 2013 and rehabilitation package for Manual Scavengers under the Act. The participants were also informed about the steps/procedure for identifying themselves as the Manual Scavengers and availing the benefits under the Rehabilitation package.
5	21 and 22 May, 2015 Tonk and SwaiMadhoPur	Also Held meetings with DC, SP and other senior officers of the Distt. Administration of the two Districts to review the implementation of the MS Act, 2013	In the meeting with District Administration of SwaiMadhoPur on 21.5.2015, the Secretary directed the District administration to take following actions: (i) Survey of insanitary latrines and construction of community latrines within the time frame as stipulated in the Act (ii) Demolition of insanitary latrines (iii) Not forcing any person to do hazardous cleaning of septic tanks (iv) completion of survey of Manual Scavengers in Urban and Rural areas (v) Issuing ID cards to the identified Manual Scavengers and their rehabilitation (vi) Appointment of Inspectors (vii) Constitution of District and sub-district level Vigilance Committees (viii) Use of modern machines for carrying out cleaning of sewers/septic tanks In the meeting with civil and police authorities of Tonk District on 22.5.2015, the Secretary briefly apprised the participants about the various provisions of the MS Act, 2013. During the discussion, the Secretary underlined the need for abolishing guarantee for grant of loan to the Manual Scavengers/Safai Karamcharis under various schemes of NSKFDC as out of 12 Manual Scavengers to be rehabilitated, only one could avail the benefits as the remaining persons could not ensure guarantee.

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
6	11.6.2015 Bhadhoi Distt, Uttar Pradesh	Held meeting with DM/SP of Bhadohi, UP and Sh. Virender Singh, MP. In the meeting, the representatives of the Safai Karamcharis were also present.	During the oral evidence of the Secretary-SJ&E by the Committee on Papers Laid on the Table of the House on 19.5.2015, Sh. Virender Singh, MP-one of the members of the Committee raised the issue of problems being faced by the Safai Karamcharis in Bhadohi Distt. The Commission took up the matter with the State Government of Uttar Pradesh. As neither the DM-Bhadohi nor the SG of UP responded in the matter despite repeated correspondence by the Commission, the Secretary of the Commission decided to hold a personal meeting with the DM and other senior officers of the District in the matter. Accordingly, the Secretary visited Bhadohi on 11.6.2015 and met the DM and other officers. During the meeting, the Secretary directed the District administration to take appropriate action in the light of the various judgements delivered by the Allahabad High Court and resolve the issue at the earliest.
7	12.8.15 to 14.8.2015 visit to Ajmer and Jaipur	Meeting held with DC, SP of Ajmer and Commissioner-Ajmer Development Authority and other senior officers of the District on 13.8.2015 in connection with the death of 3 persons in Pushkar	The Secretary was apprised about the accident in the meeting. The Secretary expressed his grief and sorrow over the death of 3 persons and informed the participants that forcing the Safai Karamcharis to enter into sewer lines without adequate safety gears is an offence under the MS Act, 2013. He further informed the district administration that in terms of the Supreme Court judgement, the family members of the victims of sewer death are to be paid a compensation of Rs. 10.00 lacs. The Secretary directed the Distt. Administration to ensure filing of FIRs against the negligent contractor in the matter. Similarly, he directed the ADA to properly utilize the latest suction machines for carrying out the cleaning of blocked sewers.

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
8	12.8.15 to 15.8.2015 visit to Ajmer and Jaipur	Meeting held with Commissioner, JDA, DCP-Jaipur North, Commissioner- Jaipur Municipal Corporation and other senior officers of the city on 12.8.2015 in connection with the death of 2 persons in Lohamandi Area of the city while cleaning the sewer lines	the meeting, the Secretary was informed that the family members of the victims have been paid Rs. 1.00 lac each by the Contractor in addition to the Rs. 50,000/- being paid from the Chief Minister's Relief Fund. The representatives of the Safai Karamchari Andolan Samiti said that the Safai Karamcharis are not provided the working condition/gadgets as prescribed in "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". Had the Contractor provided the necessary safety gears to the Safai Karamcharis, the accident could have been avoided. After detailed discussions in the meeting, the following decisions were taken: The District authorities as well as the officers of the Jaipur Development Authority should deal with such cases in accordance with "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" and to ensure that the safai Karamcharis are provided all the necessary safety gadgets/equipments, as laid down in the Rules to the aforesaid Act, to carry out their job. The offences under the said Act are cognizable and non-bailable and should be dealt with as such by the Police and Civil District Authorities. The attention of the District authorities were also drawn towards the Supreme Court judgement dated 27.3.2014 according to which the victims of the sewer/septic tank death are to be paid a compensation of Rs. 10.00 lacs and directed accordingly. The Jaipur Municipal Corporation, Jaipur Development Authority and other urban local bodies should purchase Suction and Jetting machines to carry out sewer cleaning work instead of doing the same manually.

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
9	20.8.2015 Dehradun 21.8.2015 Mussourie	Held meeting with the Additional Chief Secretary and other senior officers of the Uttrakhand Govt. to review the implementation of the MS Act, 2013	ailed presentation was made before the Secretary by the State Govt. officials on the implementation of the Act. The Secretary directed the State administration for preparing the list of death cases since 1993 as directed by the Supreme Court and ensure that the concerned authorities/contractors should be made accountable for the deaths of Safai karamcharis as and when they occurred. Since it is a cognizable and non-bailable offences, the concerned authorities should be charge sheeted and are liable to pay Rs.10.00 lacs urgently in addition to booking of criminal cases against them. The meetings of the State Level Monitoring Committee and District and sub-District level Vigilance Committees should be held immediately. Secretary also held meeting with the Executive Officer and Senior Officers of the Nagar Palika Parishad, Mussorie on 21.8.2015 in which it was observed that the Municipality have taken a lot of steps for the welfare and safety of the Safai Karamcharis.
10	28.9.2015 Jodhpur	Held meeting with DCP-Jodhpur West, Commissioner and Dy. Commissioner-Jodhpur Municipal Corporation and Distt. Collector on 28.9.2015 to review the implementation of the MS Act, 2013 and death of a Safai Karamchari on Airport Road.	Secretary briefed the participants about the magnitude of the problem of insanitary latrines and the manual scavengers in the country. The Secretary also informed the participants about various provisions of the MS Act, 2013, role and duties of local municipal bodies in the said Act and the Supreme Court judgement for giving compensation of Rs. 10.00 lacs to the family members of the sewer death victims. The Secretary also stressed the need for filling up the posts of Sanitary Inspectors and issuing Health Cards to the Safai Karamcharis. The District administration briefed the Secretary about the status of survey of insanitary latrines and manual scavengers in Bilada and Pipadshahar municipalities.

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
11	5.12.2015 Jaipur	Meeting held with Commissioner, Jaipur Municipal Corporation and other senior officers of the Corporation	persons had died on 14.9.2015 while cleaning a sewer line near the office of D/o Social Justice and Empowerment, ParivahanMarg,Jaipur. The Commission had called for a report in the matter which was not forthcoming. In the meantime, the Commission was consistently receiving complaints from the family members of the victims and others. Therefore, in order to expedite the matter, the Secretary held a meeting with the Commissioner and other senior officers of the Jaipur Municipal Corporation in which the family members of the victims were also invited. The Secretary directed the Jaipur Municipal Corporation to expedite the payment of compensation to the family members of the victims and for taking appropriate legal against the persons responsible for the accident.
12	Soda Village panchayat, Distt. Tonk on 18.1.2016	Sanpanch/ Secretary of Soda Village panchayat and other officers of the district	The Commission came to know that the Soda Village panchayat is doing good work in the sanitation field as a result of which it has been honoured with the title of Adarsh village.
13	SwaiMadhoPur on 29.12.2015	Meeting held with the Chairman/Secretary and elected representatives of the SwaiMadhopur Municipal Council to (i) review the progress of implementation of the MS Act, 2013 and (ii) to take stock of the action taken by the Council to implement the Swachh Bharat Abhiyan	The Secretary urged the Municipal Commissioner to deploy the requisite number of Safai Karamcharis in proportion to the area to be swept. He also directed the municipal body to provide proper safety gadgets like gloves, mask, gumboot etc to the Safai Karamcharis. He also directed to municipal body to ensure health check up of Safai Karamcharis every 15 days. He also informed the participants about the rehabilitation package for manual scavengers under the MS Act, 2013 and that forcing a person to manually handle the human excreta is an offence under the Act.

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
14	Bharatpur on 1.1.2016	Meeting held with the Chairman/Secretary and elected representatives of the Bharatpur Municipal Council to (i) review the progress of implementation of the MS Act, 2013 and (ii) to take stock of the action taken by the Council to implement the Swachh Bharat Abhiyan	During the meeting, the Secretary informed the participants about the Supreme Court directions for giving a compensation of Rs.10.00 lacs to the family members of the sewer death victims. He also stressed the need for providing safety equipments like face mask, gloves etc. to the Safai karamcharis for carrying out their job. If the employer failed to provide these safety equipments, then the employer/contractor can be booked under the MS Act, 2013. He also urged the employees of the Municipal bodies to be vigilant to ensure that the Safai karamcharis are not exploited by their contractors.
15	Jaipur 14.1.2016 and 23.2.2016	Meeting held with the Commissioner-Jaipur Development Authority Sh. Shikhar Aggarwal on 14.1.2015 and cheques handed over to the family members of the victims on 23.2.2016	Two persons died on 8.8.2015 while cleaning a sewer line in Loha Mandi Area of Jaipur. The Commission vigorously pursued the matter with the concerned authorities for giving Rs.10.00 lacs each to the families of the victims. A meeting was held with the Commissioner-JDA on 14.1.2016 and it was decided that Rs. 10.00 lacs each shall be given urgently to the families of the victims. Accordingly, the JDA invited the Secretary to distribute the cheques to the families of the victims on 23.2.2016. The cheques of Rs.10.00 lacs each were distributed in the office of the Commissioner-JDA by the Secretary-NCSK and the Commissioner-JDA.
16	18.1.2016 Soda Village Panchayat	Held meeting with officials and panchayat representatives of Soda village, Distt. Tonk	The Secretary reviewed the progress of MS Act, 2013 implementation, toilet construction, Swachh Bharat Abhiyan and also visited the Solid Waste management plant. The village is doing a good job in the sanitation field. Due to sustained efforts of the Village sarpanch and his dynamic leadership, the village has been named as the Adarsh village.

S. No.	Date and place of visit	Authorities/offices interacted with	Outcome of the visit/meeting
17	19 and 20 January, 2016 Tonk and Karauli Distts.	Made field visits and held meetings with the Safai Karamcharis in the villages of Tonk and Karauli Distt and took stock of the ongoing sanitation schemes	The Secretary heard the grievances of the Safai Karamcharis in the two districts . The panchayat Presidents and members complained that in the Distt. Of Karauli, they are not getting financial help to construct toilets etc. Accordingly, the Secretary directed for calling for information/details of toilets constructed in the village panchayats/municipalities along with the village and municipality wise details of location, cost and year of construction during the last 3 years.
18	26.3.2016 Lalsot Municipality, Distt. Dausa	Held meeting with the Chairman/Commissioner, all elected members of the Lalsot Municipality and other officers	The Commission has received a complaint from AkhilBhartiya Valmiki Mahasabha regarding alleged irregularities in the disbursement of one-time cash assistance of Rs. 40,000/- to the identified Manual Scavenges in the Lalsot Municipality of the District. In order to examine the issue and make an on the spot assessment, the Secretary of the Commission Sh. T.R.Meena, IAS shall visited the Lalsot Municipality under the Dausa District on 26 th March, 2016 and held meeting with the officials of the Municipality. He also held meeting to review the progress of the implementation of the MS Act, 2013.

Meetings with Public Sector Banks

S. No.	Date and place of visit	Bank Authorities/officers interacted with	Outcome of the visit/meeting
1	22.3.2016 in the Collectorate's office, SwaiMadhoPur	Meeting with District Collector-SwaiMadhoPur as Chairman of the District Level Banking Committee, Heads of all Public Sector banks in the District and Heads of all branches of State Bank of Bikaner and Jaipur operating in the district	The Secretary discussed the issue of Ministry of Finance (D/o Financial Services) guidelines for giving preference to Valmiki community in appointment to the post of Safai Karamcharis. The Secretary said that even while filling up the post of Safai Karamcharis from amongst Scheduled Castes categories, the preference should be given to Valmiki community among the Scheduled Castes as they have been traditionally doing this job. He also stressed the need for doing away with the educational qualification for Safai Karamcharis or keeping it to the minimum. He also directed the bank authorities to provide necessary safety gears like gloves, gum boots, face masks etc. to the Safai Karamcharis for carrying out their job. He also directed the bank authorities to ensure payment of minimum wages to the Safai karamcharis even if they are engaged for few hours daily.
2	24.2.2016 in the PNB Regional Headquarter, Jaipur	Held meeting with General Manager of Punjab National Bank and other senior officers	The meeting was held to review the progress of implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" and the various welfare measures taken by the bank authorities in the entire Rajasthan state. The Secretary found that the PNB have taken a series of appreciable welfare measures for the safaikaramcharis. Like, out of 385 safaikaramcharis, it was informed that around 302 belong to the Valmiki community alone. Secondly, the recruitment process was also found to be transparent and they have not prescribed any educational qualification for safaikaramcharis as well. The bank follows a two-fold on "Thikaana Padati" in which they give preference to the local Valmikis living in that particular operational area of the bank. Thirdly, they take the names from the Local Employment Exchange as well. The bank informed that 128 vacancies at that point of time were to be filled through the above two methods.



स्टेशन परिसर का निरीक्षण करते आयोग के सचिव।

आयोग सचिव मीना ने देखी स्टेशन की सफाई व्यवस्था

जबलपुर। राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टीआर मीना (आईएस) गुरुवार को अचानक दिल्ली से यहां पहुंचे। उन्होंने मुख्य स्टेशन पर सफाई व्यवस्था का बारीकी से निरीक्षण किया और मंडल

बैठक कर
अधिकारियों
को दिए
उचित निर्देश

अधिकारियों के साथ बैठक कर आवश्यक निर्देश दिए। इस दौरान अपर मंडल रेल प्रबंधक जयपाल सिंह, वरिष्ठ मंडल वाणिज्य प्रबंधक राजेश शर्मा, वरिष्ठ मंडल यांत्रिक अभियंता अजय श्रीवास्तव, स्टेशन प्रबंधक एम के गुप्ता समेत स्टेशन का स्टॉफ मौजूद रहा।

24 को आएंगे बोर्ड चेयरमैन

रेलवे बोर्ड के चेयरमैन एके मित्तल 25 अप्रैल को तीन दिन के दौरे पर जबलपुर आ रहे हैं। वे यहां से बांधवगढ़ और कान्हा जाएंगे। हालांकि अभी उनका निर्धारित कार्यक्रम नहीं आया है, लेकिन उनके आने की तैयारियां शुरू हो गई हैं। प्लेटफार्म पर सुविधाओं को दुरुस्त किया जा रहा है।

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रेलवे के चेयरमैन जबलपुर आ रहे हैं। उनका तीन दिन का कार्यक्रम है, लेकिन वो 24 अप्रैल को आएंगे या 25 को अभी इस बारे में कोई जानकारी नहीं मिली है।

- केके दुबे, पीआरओ
जबलपुर रेल मंडल

राष्ट्रीय आयोग सचिव ने जाना स्टेशन का हाल

बैठक में रेल अधिकारियों को सुझाए टिप्स

सराहना की और निर्देश भी दिए



जबलपुर

राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टी.आर.मीना (आई.ए.एस) एक दिवसीय निरीक्षण दौरे पर जबलपुर आए। इस निरीक्षण के अंतर्गत श्री मीना द्वारा जबलपुर स्टेशन की साफ-सफाई व्यवस्था का गहन निरीक्षण किया, तथा

स्टेशन पर हो रही साफ-सफाई की सराहना करते हुये यहाँ की साफ-सफाई व्यवस्था पर संतोष व्यक्त किया। निरीक्षण के दौरान टी.आर.मीना के साथ अपर मंडल रेल प्रबंधक जयपाल सिंह, वरिष्ठ मंडल वाणिज्य प्रबंधक राजेश शर्मा, वरिष्ठ मंडल यांत्रिक अभियन्ता अजय श्रीवास्तव, वरिष्ठ

मंडल संरक्षा अधिकारी एल.एल.मीना, मंडल वाणिज्य प्रबंधक मुकेश कुमार गुप्ता, स्टेशन प्रबंधक (राजपत्रित) एम.के.गुप्ता सहित अन्य अधिकारी एवं कर्मचारी उपस्थित थे। उन्होंने इस निरीक्षण के दौरान जबलपुर स्टेशन के कोने-कोने की सफाई व्यवस्था को बारीकी से देखा।

जबलपुर स्टेशन के निरीक्षण के बाद टी.आर.मीना द्वारा जबलपुर मंडल के सभागृह में साफ-सफाई अभियान के संबंध में आयोजित बैठक में शामिल हुये, उन्होंने मंडल रेल प्रबंधक अजय कुमार सिंह सहित जबलपुर मंडल के शाखा अधिकारियों एवं अन्य अधिकारियों के साथ साफ-सफाई अभियान से संबंधित सुझाव दिये। श्री मीना द्वारा स्क्रेप डिस्पोजल कार्य हेतु मंडल रेल प्रबंधक अजय कुमार सिंह की व्यवहारिक कार्यप्रणाली की अत्यधिक सराहना की। इस बैठक में अपर मंडल रेल प्रबंधक जयपाल सिंह, मुख्य चिकित्सा अधीक्षक डॉ.बी.सी.बारा, वरिष्ठ मंडल वाणिज्य प्रबंधक राजेश शर्मा, वरिष्ठ मंडल कार्मिक अधिकारी दीपक कुमार गुप्ता, वरिष्ठ मंडल परिवालन प्रबंधक नरेन्द्र पवार, वरिष्ठ मंडल यांत्रिक अभियन्ता (समन्वय) अजय श्रीवास्तव, मंडल वाणिज्य प्रबंधक मुकेश कुमार गुप्ता, सीनियर डीडीई विकास त्रिपाठी, जनसंपर्क अधिकारी के.के.दुबे, सहायक वाणिज्य प्रबंधक अजय कुमार पाल सहित अन्य अधिकारी उपस्थित थे।



स्टेशन की सफाई व्यवस्था का निरीक्षण करते श्री मीणा।

स्टेशन साफ है...और बेहतर की जरूरत

» राष्ट्रीय सफाई कर्मचारी आयोग के सचिव ने व्यवस्था का लिया जायजा

भाससे/जबलपुर

रेलवे स्टेशन की साफ-सफाई व्यवस्था का जायजा लेने प्लेटफार्म पर पहुंचे आयोग के सचिव ने सराहना करते हुए कहा कि सफाई तो अच्छी है, लेकिन इसे और बेहतर करने की जरूरत है। एक दिनी दौरे पर आए सचिव टीआर मीणा ने स्टेशन के हर तरफ घूमकर बारीकी से मुआयना किया। निरीक्षण के दौरान स्टेशन की पेपरलैस चार्टिंग और वीडियो आधारित रेल इन्क्वायरी को कैमरे में कैद कर रिकॉर्ड अपने साथ ले गए। राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टीआर मीणा दिल्ली से जबलपुर का निरीक्षण करने पहुंचे। पश्चिम मध्य रेल मुख्यालय के स्टेशन की साफ-सफाई की स्थिति का जायजा लेने आए श्री मीणा ने सुबह साढ़े 9 बजे से प्लेटफार्म

क्रमांक एक की सफाई व्यवस्था देखी। स्टेशन के कोने-कोने पर घूमे सचिव ने वेटिंग रूम, प्लेटफार्म, कैन्टीन और रेल ट्रैक का निरीक्षण किया। आईएस अधिकारी श्री मीणा ने स्टेशन के सफाई कर्मचारियों से बात कर उनके काम करने के तरीके, वहां मौजूद मशीनों के अलावा कर्मियों की ड्रेस पर भी विशेष ध्यान दिया। रेलवे स्टेशन की सफाई देख सचिव ने जमकर इसकी सराहना करते हुए इस साफ-सफाई को और बेहतर कर इसे आगे भी ऐसे ही मेन्टेन रखने के निर्देश दिये। आयोग के सचिव श्री मीणा ने इस संबंध में डीआरएम एके सिंह से भी मुलाकात कर चर्चा की। निरीक्षण के दौरान एडीआरएम जयपाल सिंह, सीनियर डीसीएम राजेश शर्मा, सीनियर डीओएम नरेन्द्र पवार, सीनियर डीएमई अजय श्रीवास्तवा, सीनियर डीपीओ डीके गुप्ता, डीसीएम एमके गुप्ता, एसीएम अजय कुमार पाल, पीआरओ केके दुबे सहित अन्य अधिकारी व कर्मचारी मौजूद रहे। पी-1

यहां-वहां पड़े कचरे की बनी वीडियो फिल्म



राष्ट्रीय सफाई कर्मचारी आयोग का स्टेशन पर दौरा

पीपुल्स संवाददाता • जबलपुर
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राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टी.आर. मीना आईएस और उनकी टीम का एक दिवसीय दौर पर जबलपुर मुख्य स्टेशन पहुंची। स्टेशन में यहां-वहां पड़े मिले कचरे की वीडियो फिल्म भी बनाई गई।

अपने दौर में श्री मीना ने जबलपुर स्टेशन की साफ-सफाई व्यवस्था का नज़र निरीक्षण किया। उन्होंने जबलपुर स्टेशन की सफाई व्यवस्था तथा स्टेशन पर हो रही साफ-सफाई की सराहना भी की और साफ-सफाई व्यवस्था पर संतोष व्यक्त किया।

निरीक्षण के दौरान टीआर मीना के साथ अपर मंडल रेल प्रबंधकी जयपाल सिंह, वरिष्ठ मंडल वाणिज्य प्रबंधक राजेश शर्मा, वरिष्ठ मंडल वाणिज्य अभियन्ता अजय श्रीवास्तव, वरिष्ठ मंडल संरक्षा अधिकारी एल.एल.मीना, मंडल वाणिज्य प्रबंधक मुकेश कुमार गुप्ता, स्टेशन प्रबंधक (राजपत्रित)

एम.के.गुप्ता सहित अन्य अधिकारी एवं कर्मचारी उपस्थित थे। उन्होंने इस निरीक्षण के दौरान जबलपुर स्टेशन के कोने-कोने की सफाई व्यवस्था को बारीकी से देखा।

बैठक भी आयोजित हुई

स्टेशन के निरीक्षण के पश्चात् श्री मीना द्वारा जबलपुर मंडल के सभागृह में साफ-सफाई अभियान के संबंध में आयोजित बैठक में शामिल हुये, जिसमें उन्होंने मंडल रेल प्रबंधक अजय कुमार सिंह सहित जबलपुर मंडल के शाखा अधिकारियों एवं अन्य उपस्थित थे।

स्ट्रेप डिस्पोजल है कठिन

श्री मीना ने स्ट्रेप डिस्पोजल की जटिल प्रक्रिया वाला कार्य बताते हुए कहा कि मंडल रेल प्रबंधक अजय कुमार सिंह ने स्ट्रेप डिस्पोजल के लिए व्यवहारिक कार्यप्रणाली अपनाई है वह सराहनीय है। बैठक में अपर मंडल रेल प्रबंधक जयपाल सिंह, मुख्य चिकित्सा अधिकारी डॉ. बी.सी. बारा, दीपक कुमार गुप्ता, नरेन्द्र पवार, अजय श्रीवास्तव, जनसंपर्क अधिकारी केके दुबे व अन्य उपस्थित थे।

खाली हाथों से न उठाएं गंदगी

श्री मीना ने कहा कि सफाई कर्मचारी कर्मचारी अपने हाथों से गंदगी न उठाएं। इसके लिए उपकरणों का इस्तेमाल करें। इसके अतिरिक्त नाक एवं मुँह पर हेतु मास्क पहनें। रेलवे उक्त सामान उन्हें उपलब्ध कराए। हाथों में दस्ताने जरूर होने चाहिए। उन्होंने रेल अधिकारियों से कहा कि किसी भी सफाई कर्मचारी को बिना सुरक्षा उपकरणों के सेंट्रिक टैंक में उतरने हेतु बाध्य नहीं किया जा सकता एवं नियोजन द्वारा सभी कर्मचारियों का नियमित स्वास्थ्य परीक्षण किया जाना चाहिये।

द हिन्दुवाद 10 APR 2015

Meena inspects Jabalpur Railway Station, expresses satisfaction

■ Staff Reporter

TR Meena (IAS), Secretary National Cleanliness Employees' Commission, who visited Jabalpur under inspection schedule inspected Jabalpur Railway Station and expressed his satisfaction and appreciated the efforts initiated by the West Central Railway (WCR) in adhering to set norms of cleanliness. During his inspection carried out at the Jabalpur station, Meena was accompanied by ADRM Jaipal Singh Sr DCM Rajesh Sharma, Sr DME Ajay Shrivastava and senior officers of Jabalpur division. Later, he called a meeting in the conference hall of DRM office that recorded the presence of DRM AK Singh.

About the cleanliness inspection carried out at Jabalpur station, it is informed that TR Meena



TR Meena (IAS), Secretary National Cleanliness Employees' Commission addressing the meeting.

(IAS) Secretary National Cleanliness Employees' Commission on Thursday visited Jabalpur under his inspection schedule. He carried out comprehensive inspection of various aspects of cleanliness maintained at Jabalpur station. Later, he addressed a meeting to give the message of cleanliness at the conference hall of DRM office. In

course of meeting, he offered valuable suggestions while discussing at length with DRM AK Singh and other officers of Jabalpur division on cleanliness and on MS Act 2013. Expatiating upon the Act, he said no cleanliness worker is allowed to pick up filth and soil with hands. Besides, there is provision to provide mask covering nose and mouth.

सैलानी को पांचवा स्थान मिला।

करोड़ रुपए में।

न्यूज बीफ

दी एम्पलॉयर्स एसोसिएशन के अवार्ड्स आज

जयपुर। दी एम्पलॉयर्स एसोसिएशन ऑफ राजस्थान गुरुवार को बेस्ट एम्पलॉयर 2014 अवार्ड आयोजित कर रहा है। अध्यक्ष एनके जैन के अनुसार समारोह के मुख्य अतिथि तकनीकी व उच्च शिक्षा मंत्री काली चरण सराफ होंगे एवं अध्यक्षता भाजपा प्रदेश अध्यक्ष अशोक परनामी करेंगे। जयपुर नगर निगम के महापौर निर्मल नाहटा समारोह के विशिष्ट अतिथि होंगे।

राष्ट्रीय सफाई कर्मचारी आयोग के सचिव का दौरा

जयपुर। राष्ट्रीय सफाई कर्मचारी आयोग, सामाजिक न्याय व अधिकारिता मंत्रालय, भारत सरकार के सचिव टीआर मीणा ने पंजाब नेशनल बैंक की राजस्थान में स्थित शाखाओं में सफाई कर्मचारियों के कल्याणकारी मामलों पर चर्चा की। पीएनबी की फील्ड महाप्रबंधक कल्पना गुप्ता भी मौजूद थीं।

रील एमडी एके जैन को एचआर अवार्ड



जयपुर। राजस्थान इलेक्ट्रॉनिक्स एंड इन्स्ट्रुमेंट्स लिमिटेड (रील) के प्रबंध निदेशक एके जैन को मुंबई में सीईओ विद एच. आर. ओरिएंटेशन अवार्ड से सम्मानित किया गया। यह पुरस्कार उन्हें 24वीं वर्ल्ड एचआर कांग्रेस में प्रदान किया गया।

सफाई कर्मचारियों को आधुनिक तकनीक से सुदृढ़ करना होगा नगर पालिका को

सफाई कार्य करते समय कार्मिक की मौत पर मिलेगा 10 लाख का मुआवजा

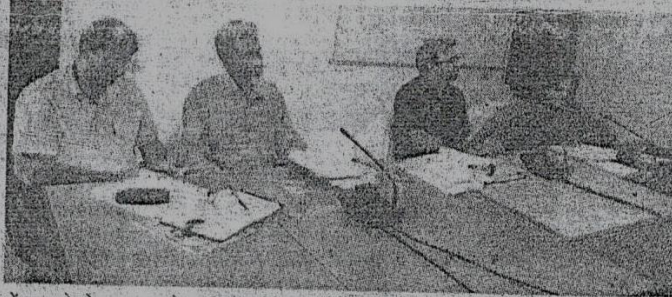
कार्यालय संवाददाता टोंक

राष्ट्रीय सफाई कर्मचारी आयोग नई दिल्ली के सचिव टी.आर.मीना ने कहा कि नगर पालिका अपने सफाई कर्मचारियों को आधुनिक तकनीक से सुसज्जित कर सफाई कार्य करवाएं। उन्होंने कहा कि इसमें किसी भी तरह की कोताही बरती तो उसे बर्दाश्त नहीं किया जाएगा।

सचिव, टी.आर.मीना शुक्रवार को हाथ से मैला ढोने वाले कार्मिकों (मेन्यूअल स्केवेन्जर्स) का प्रतिषेध एवं पुनर्वास अधिनियम की क्रियान्विति एवं निगरानी के सम्बन्ध में कलेक्टर सभागार में सभी नगर पालिका के अधिशासी अधिकारियों एवं नगर परिषद के आयुक्त सहित जिला स्तरीय सम्बन्धित अधिकारियों को संबोधित कर रहे थे।

मैला प्रथा के विरुद्ध आगे आए

मीना ने कहा कि हाथ से मैला ढोने की प्रथा एक बुरी प्रथा है। इसका जिस पर दोषारोपण करने के बजाए ठीक यह रहेगा कि हमें इसके विरुद्ध आगे आना होगा। उन्होंने जिले की सभी नगर पालिकाओं के अधिशासी अधिकारियों एवं नगर परिषद के आयुक्त को निर्देश दिए कि वे अपने कार्यरत कार्मिकों के लिए बूट, मास्क, दस्तानें एवं स्वास्थ्य संबंधी एवं आधुनिकीकरण का कार्य करें ताकि हाथ से मैला ढोने की प्रथा समाप्त हो सके। उन्होंने बताया कि सफाई कर्मिकों को प्रतिभूति के अभाव में बैंक द्वारा ऋण स्वीकृत नहीं किया जाता जो एक गंभीर समस्या है इसके समाधान के लिए उच्च स्तर पर चर्चा की जाएगी, ताकि इससे राहत मिल सके। उन्होंने सीएमएचओ को निर्देश दिए कि वे सफाई कर्मियों को नगर पालिकाओं में नियमित रूप से हेल्थ चेक अप कैप लगाकर कार्मिकों के स्वास्थ्य की जांच करें। इस बारे में मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी के बारे में जानकारी चाहिए तो उनके अनुपस्थिति में मिटिंग में बैठे अतिरिक्त मुख्य चिकित्सा एवं स्वास्थ्य



टोंक, कलेक्टर सभागार में राष्ट्रीय सफाई कर्मचारी आयोग नई दिल्ली के सचिव टी.आर.मीना बैठक को संबोधित करते हुए। मंचासीन कलेक्टर डॉ. रेखा गुप्ता व अन्य अधिकारी।

अधिकारी डॉ. गोपाल जांगिड़ ने इस बारे में अनभिज्ञता प्रकट की। इस पर मीना ने गहरी नाराजगी जाहिर की तथा निर्देश दिए कि सफाई कार्मिकों के स्वास्थ्य के बारे में ध्यान नहीं देना काफी चिंता जनक है।

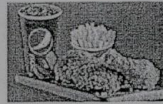
कोताही बर्दाश्त नहीं

उन्होंने निर्देश दिए कि भविष्य में इस प्रकार की कोताही बरती तो उसे किसी भी सूरत में बर्दाश्त नहीं किया जाएगा। सेफ्टी गियर के बिना किसी भी सफाई कार्मिक को सेफ्टी टैंक अथवा नालों में नहीं उतारा जाए। सफाई निरीक्षक इस बात को पूरी तरह से सुनिश्चित कर लें। स्वच्छता आयोग में किसी भी सरकारी अथवा निजी सफाई कर्मचारी द्वारा किसी भी अधिकारी, कर्मचारी, होटल या निजी प्रतिष्ठान के मालिक या घर के स्वामी के विरुद्ध की गई शिकायत को गंभीरता से लिया जाएगा। उन्होंने कहा कि कोई सफाई कार्मिक यदि कार्य स्थल पर सफाई करते हुए किसी भी हादसे वश मृत्यु होने पर उक्त कार्मिक के आश्रितों को माननीय उच्चतम न्यायालय के आदेशों की अनुपालना में बाध्यकारी रूप से 10 लाख रुपए की सहायता अनिवार्य रूप से होगी। उन्होंने बताया कि इस एक्ट सभी नगर पालिकाओं में सफाई कर्मचारियों के हित में

आवश्यक रूप से वितरित की जाए ताकि वे भी अपने अधिकारों के प्रति सजग रह सकें।

सूखा शौचालय पर कार्रवाई

मीना ने सभी अधिशासी अधिकारियों को निर्देश दिए कि वे यह सुनिश्चित कर लें कि उनके नगर पालिका या परिषद क्षेत्र में एक भी सूखा शौचालय नहीं हो रहा हो। यदि संचालित हो रहा है तो उसको विधिक नोटिस भेजे, फिर भी नहीं मानता है तो उसे आगामी 15 दिवस में स्वयं जापते के साथ जाकर आवश्यक रूप से तुड़वाना सुनिश्चित करें तथा की गई कार्रवाई का हर्जाना भी वसूल कर लिया जाए। उन्होंने कहा कि रिक्त पद पर प्राथमिकता के आधार पर वाल्मीकि समाज को भर्ती किया जाए। कलेक्टर डॉ. रेखा गुप्ता ने बताया कि सूखा शौचालय संचालित करना एवं मैला ढोने की प्रथा एक घिनौना कार्य है। उन्होंने कहा कि सूखा शौचालय संचालन करने पर गैर जमानती अपराध माना गया है। बैठक में जिला परिषद के सीईओ गजेन्द्र सिंह राठौड़, राजस्व अपील अधिकारी जयनारायण मीना, सभी नगर पालिका के अधिशासी अधिकारी, एक्सईन नगर परिषद दिनेश चंद्र गोयल, एसीईओ आनन्दी लाल वैष्णव आदि उपस्थित थे।



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सचिव ने.ली बैठक, बताए सफाईकर्मियों के अधिकार

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भरतपुर

राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टी.आर.मीना ने कहा कि सफाई के दौरान यदि किसी सफाई कर्मचारी की मृत्यु होने पर उसके आश्रितों को उच्चतम न्यायालय के निर्देशों के तहत 10 लाख रुपए का मुआवजा सम्बन्धित नियोजता द्वारा दिया जाता है। मीना स्थानीय नगर निगम के सभागार में शुक्रवार को सफाई कर्मचारियों की समस्याओं, विकास, कल्याण, स्वास्थ्य एवं सामाजिक कल्याण की निगरानी के सम्बन्ध में जनप्रतिनिधि, सफाई कर्मचारी संगठनों, एसोसिएशनों की बैठक को सम्बोधित कर रहे थे। उन्होंने कहा कि नगर पालिकाओं द्वारा परम्परागत तरीके से कराए जाने वाले सफाई कार्य भी अपराधिक श्रेणी में आते हैं।



उन्होंने कहा कि उनकी यह जिम्मेदारी है कि वे सफाई कर्मचारियों को सुरक्षा उपकरण मारक, दस्ताने इत्यादि अन्य उपकरण उपलब्ध कराएं जिससे उनके स्वास्थ्य पर बुरा असर न पड़े। उन्होंने कहा कि सफाई कर्मियों से बिना सुरक्षा उपकरणों से सफाई कराना अपराध की श्रेणी में आता है जिसके तहत एफआईआर भी दर्ज कराई जा सकती है। उन्होंने केन्द्र सरकार द्वारा सफाई कर्मचारियों की समस्याओं एवं मैला ढोने के सम्बन्ध में अधिनियम 2014 में पारित किया जिसके तहत उनके स्वास्थ्य सम्बन्धी जांच प्रतिमाह कराई जाने का प्रावधान है तथा उनके पुनर्वास के लिए कौशल विकास कार्यक्रम के तहत एक वर्ष का प्रशिक्षण एवं 3000 रुपए प्रतिमाह दिए जाने का भी प्रावधान है।

रखें निगरानी

उन्होंने जिला प्रशासन, नगर निगम एवं नगरपालिकाओं को निर्देश दिए कि वे संवेदकों द्वारा सफाई कर्मियों के शोषण की निगरानी रखने एवं प्रतिमाह वेतन भुगतान कराया जाना सुनिश्चित करें। उन्होंने वृत्त पर सफाई कार्य करने वाले कर्मचारी की मृत्यु होने पर उसके मुआवजा के सम्बन्ध में रैफरेंस राष्ट्रीय सफाई कर्मचारी आयोग को भिजवाने के निर्देश दिए ताकि इस आवश्यक दिशा निर्देश जारी किए जा सकें।

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य २६ माजुद

बैठक में जिला कलक्टर रवि जैन, नगर निगम के मेयर शिवसिंह भोंट, उपमहापौर इन्द्रपाल सिंह पाले, आयुक्त लक्ष्मीकांत बालीत सहित जिले की नगर पालिकाओं के अधिशासी अधिकारी, निगम के पार्षद इंद्रजीत भारद्वाज, दाउदयाल शर्मा, वीरगती, कुंता देवी आदि मौजूद थे।

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सवाईमाधोपुर।

सफाई कर्मचारी गरिमा के साथ कार्य करें। सफाई कर्मचारियों के उत्थान के लिए सरकार के साथ ही आयोग भी प्रयासरत है। यह बात मंगलवार को राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टी.आर. मीणा ने नगर परिषद सभागार में आयोजित समीक्षा बैठक में कही।

उन्होंने नगर परिषद आयुक्त से नगर परिषद क्षेत्र में कार्यरत सफाईकर्मियों की जानकारी लेते हुए कहा कि क्षेत्र के अनुपात में सफाईकर्मों होने चाहिए। इस दौरान उन्होंने रिक्त पदों के लिए सफाईकर्मियों की भर्ती के लिए प्रस्ताव बनाकर भिजवाने के निर्देश दिए।

उन्होंने आयुक्त को एक सप्ताह में सफाईकर्मियों को ग्लब्स, बेलचा, मास्क, फावड़ा, गमबूट, झाड़ू, दस्ताने आदि उपकरण उपलब्ध कराने के निर्देश दिए। इससे पूर्व सफाईकर्मियों ने अपनी समस्याओं से अवगत कराया। इस बीच सचिव ने पार्षदों व अधिकारियों से फीडबैक भी लिया। बैठक में यूआईटी सचिव ओमप्रकाश जागिंड, नगर परिषद आयुक्त भौमाराम सैनी, नगर परिषद सभापति डॉ. विमला शर्मा, स्वास्थ्य निरीक्षक गजेंद्र सिंह सहित पार्षद उपस्थित थे।

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सचिव ने कहा कि सफाई कर्मचारियों का कार्य के दौरान कई बीमारियां होने की आशंका बनी रहती हैं। ऐसे में प्रत्येक 15 दिन में शिविर आयोजित कर सफाई कर्मचारियों का विशेष स्वास्थ्य परीक्षण किया जाना चाहिए। उन्होंने बताया कि जो लोग सफाई कार्य छोड़कर स्वयं का रोजगार स्थापित करना चाहते हैं, उन्हें 40 हजार रुपए की आर्थिक सहयोग राशि दी जाएगी। साथ ही रोजगार के लिए निःशुल्क प्रशिक्षण भी दिया जाता है।

...तो होगी कार्रवाई

सचिव ने कहा कि मैला ढोना अपराध माना गया है। इसके लिए किसी भी सफाईकर्मों को बाध्य नहीं किया जा सकता। ऐसा किए जाने पर संबंधित ठेकेदार व संबंधित अधिकारी के खिलाफ भी कार्रवाई का प्रावधान है। उन्होंने बताया कि ऐसे में मामलों में प्रदेश में अब तक 60 केस दर्ज किए गए हैं। सचिव ने कहा कि सफाईकर्मों की सफाई कार्य के दौरान मृत्यु होने पर आश्रित को 10 लाख रुपए की राशि दिए जाने का प्रावधान है।

सचिव ने ली बैठक, बताया सफाईकर्मियों के अधिकार

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भरतपुर

राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टी.आर.मीना ने कहा कि सफाई के दौरान यदि किसी सफाई कर्मचारी की मृत्यु होने पर उसके आश्रितों को उच्चतम न्यायालय के निर्देशों के तहत 10 लाख रुपए का मुआवजा सम्बन्धित नियोक्ता द्वारा दिया जाता है। मीना स्थानीय नगर निगम के सभागार में शुक्रवार को सफाई कर्मचारियों की समस्याओं, विकास, कल्याण, स्वास्थ्य एवं सामाजिक कल्याण की निगरानी के सम्बन्ध में जनप्रतिनिधि, सफाई कर्मचारी संगठनों, एसोसिएशनों की बैठक को सम्बोधित कर रहे थे। उन्होंने कहा कि नगर पालिकाओं द्वारा परम्परागत तरीके से कराए जाने वाले सफाई कार्य भी अपराधिक श्रेणी में आते हैं।

उन्होंने कहा कि उनकी यह जिम्मेदारी है कि वे सफाई कर्मचारियों को सुरक्षा उपकरण मास्क, दस्ताने इत्यादि अन्य उपकरण उपलब्ध कराएं जिससे उनके स्वास्थ्य पर बुरा असर न पड़े। उन्होंने कहा कि सफाई कर्मियों से बिना सुरक्षा उपकरणों से सफाई कराना अपराध की श्रेणी में आता है जिसके तहत एफआईआर भी दर्ज कराई जा सकती है। उन्होंने केन्द्र सरकार द्वारा सफाई कर्मचारियों की समस्याओं एवं मैला ढोने के सम्बन्ध में अधिनियम 2014 में पारित किया जिसके तहत उनके स्वास्थ्य सम्बन्धी जांच प्रतिमाह कराई जाने का प्रावधान है तथा उनके पुनर्वास के लिए कौशल विकास कार्यक्रम के तहत एक वर्ष का प्रशिक्षण एवं 3000 रुपए प्रतिमाह दिए जाने का भी प्रावधान है।

रखें निगरानी

उन्होंने जिला प्रशासन, नगर निगम एवं नगरपालिकाओं को निर्देश दिए कि वे संवेदकों द्वारा सफाई कर्मियों के शोषण की निगरानी रखने एवं प्रतिमाह वेतन भुगतान कराया जाना सुनिश्चित करें। उन्होंने वृत्त पर सफाई कार्य करने वाले कर्मचारी की मृत्यु होने पर उसके मुआवजा के सम्बन्ध में रैफरेंस राष्ट्रीय सफाई कर्मचारी आयोग को भिजवाने के निर्देश दिए ताकि इस आवश्यक दिशा निर्देश जारी किए जा सकें।

ये रहे मौजूद

बैठक में जिला कलक्टर रवि जैन, नगर निगम के मेयर शिवसिंह भोंट, उपमहापौर इन्द्रपाल सिंह पाले, आयुक्त लक्ष्मीकांत बालौत सहित जिले की नगर पालिकाओं के अधिशासी अधिकारी, निगम के पार्षद इंद्रजीत भारद्वाज, दाउदयाल शर्मा, वीरमती, कुंता देवी आदि मौजूद थे।

राष्ट्रीय सफाई कर्मचारी आयोग के सचिव ने मदनमहल और मुख्य रेलवे स्टेशन की सफाई व्यवस्था देख

सुरक्षा उपकरणों के साथ करें सफाई

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राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टी.आर.मीना ने गुरुवार को मदनमहल व मुख्य रेलवे स्टेशन की सफाई देखी। रेल अधिकारियों के साथ सफाई अभियान से सम्बंधित एक्ट 2013 के बारे में चर्चा की। उन्होंने बताया कि सफाई कर्मचारी से हाथ से मैला उठाने और बिना किसी औजार के कार्य करना प्रतिबंधित है। सफाई के दौरान उन्हें संसाधन उपलब्ध कराए जाएंगे।

मीना ने वरिष्ठ मंडल प्रबंधक राजेश शर्मा, वरिष्ठ मंडल यांत्रिक अभियंता अजय श्रीवास्तव, एएल बीना, एसएमएम के गुप्ता के साथ मुख्य स्टेशन का निरीक्षण किया।

फिर मीना ने डीआरएम एके सिंह व अन्य अधिकारियों के साथ बैठक की।



रेलवे स्टेशन का निरीक्षण करते राष्ट्रीय सफाई कर्मचारी आयोग के सचिव।

दो घंटे काम ठप : नेताजी सुभाष चंद्र बोस मेमोरियल कॉलेज में गुरुवार सुबह 11 बजे लिफ्टों ने काम बंद कर दिया। लिफ्टों का आरोप था कि स्टूटेंट सेवसन के एक लिफ्ट के साथ अधिकारी ने

अपद्रवता की है। जिसके बाद लिफ्ट डीन कार्यालय के बाहर आ गए और प्रदर्शन करने लगे। बाद में डीन डॉ. रूपलेखा चौहान द्वारा कर्मचारियों से बातचीत का आश्वासन दिया गया। जिसके बाद



नए चीफ टिकट निरीक्षक का सम्मान करते एसके खुलना।

बिचार समाप्त हुआ। अन्य विभाग के कर्मचारी और संगठन भी आगे आ गए थे।

नए चीफ टिकट निरीक्षक का सम्मान : पश्चिम मध्य रेलवे के सीनियर चीफ टिकट निरीक्षक

एसके खुलना ने एससीटीडी गणेश स्वरूप बिरहा व अन्य लोगों को बैच लगाकर सम्मानित किए। जबलपुर मंडल में टिकट चेवि स्टाफ में 71 एससीआई व सीटीआई पद पर पदोन्नति दी गई।



जबलपुर। राष्ट्रीय सफाई कर्मचारी आयोग के सचिव टी.आर.मीना आई.ए.एस. एक दिवसीय निरीक्षण दौरे पर जबलपुर आए। इस निरीक्षण के अंतर्गत मीना द्वारा जबलपुर स्टेशन की साफ-सफाई व्यवस्था का गहन निरीक्षण किया, तथा स्टेशन पर हो रही साफ

-सफाई की सराहना करते हुये यहाँ की साफ-सफाई व्यवस्था पर संतोष व्यक्त किया। निरीक्षण के दौरान टी.आर.मीना के साथ अपर मंडल रेल प्रबंधक जयपाल सिंह, वरिष्ठ मंडल वाणिज्य प्रबंधक राजेश शर्मा, वरिष्ठ मंडल यांत्रिक अभियंता अजय श्रीवास्तव, वरिष्ठ

मंडल संरक्षा अधिकारी एल.एल.मीना, मंडल वाणिज्य प्रबंधक मुकेश कुमार गुप्ता, स्टेशन प्रबंधक राजपति एम.के.गुप्ता सहित अन्य अधिकारी एवं कर्मचारी उपस्थित थे। उन्होंने इस निरीक्षण के दौरान जबलपुर स्टेशन के कोने-कोने की

राष्ट्रीय सफाई कर्मचारी आयोग की साफ-सफाई व्यवस्था पर अधिकारियों से चर्चा

सफाई व्यवस्था को बारीकी से देखा

स्टेशन के निरीक्षण के पश्चात् टी.आर.मीना द्वारा जबलपुर मंडल के सभागृह में साफ-सफाई अभियान के संबंध में आयोजित बैठक में शामिल हुये, जिसमें उन्होंने मंडल रेल प्रबंधक अजय कुमार सिंह सहित जबलपुर मंडल के शाखा अधिकारियों एवं अन्य अधिकारियों के साथ साफ-सफाई अभियान से संबंधित चर्चा करते हुये महत्वपूर्ण सुझाव दिये। एवं सभी अधिकारियों को जबलपुर स्टेशन की उत्तम साफ-सफाई व्यवस्था हेतु बधाई भी दी एवं आशा जताई कि निकट भविष्य में भी बहु इस प्रकार की साफ-सफाई व्यवस्था बनाये रखने में अपना योगदान प्रदान करते रहेंगे।

5.11 MEETINGS/WORKSHOPS/CONFERENCES ATTENDED BY THE COMMISSION

5.11.1 Hon'ble Chairperson, Members and Secretary of the Commission held /attended meetings/conferences/workshops with various Central Government officers/authorities as well as with different State Government authorities, PSUs etc. in connection with matters relating to welfare and rehabilitation of Manual Scavengers /Safai Karamcharis. The details of these meetings/workshops/conferences are as under:

S. No.	Name of the meeting/ workshop/conference	Outcome
1	National Commission for Scheduled Castes held its annual meeting with the Chief Secretaries, Director Generals of Police, Home Secretaries (Home) and Principal Secretaries/Secretaries (Social Welfare) of 16 major states to monitor the action taken on preventing atrocities on Scheduled Castes, allocation and utilisation of funds under SCSP, representation of SCs in services and action taken in compliance with MS Act, 2013 on 24.6.2015 at Vigyan Bhawan, New Delhi.	The meeting was attended by the Secretary of the Commission Sh. T.R.Meena as a panelist in session on Manual Scavenging. He also gave a presentation on the salient features of the MS Act, 2013 and apprised the participants about various provisions of the Act and the role of State level agencies/authorities in implementing the same.
2	The third meeting of the Central Monitoring Committee (CMC) for monitoring the implementation of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 was held on 29 th June, 2015 in Jacaranda Hall, India Habitat Centre, Lodhi Road, New Delhi.	The meeting was attended by Sh. T.R.Meena, Secretary-NCSK. The Secretary apprised the participants about the status of monitoring of the Act by the Commission.

5.12 NEW INITIATIVE TAKEN BY THE COMMISSION TO MONITOR THE COMPLAINTS/SEGREGATION OF THE COMPLAINTS NATURE-WISE/STATE-WISE ETC.

5.12.1 During the year 2015-16, the Commission received a wide range of complaints/ representations from various parts of the country. The complaints includes cases from the Safai Karamcharis, their dependents, Unions, Associations on several issues ranging from nonpayment of minimum wages, delayed payment of pension/gratuity, denial of promotions, denial of compassionate appointments, atrocity, exploitation, harassment, non-regularization of services, loans etc. The commission also took *suo motu* notice of many incidents of violation of rights of safaikaramcharis based on newspaper reports and visits undertaken by its Chairperson, Members. The Commission took up the grievances mentioned in the said complaints/representations with the concerned authorities by calling factual reports/comments from them. There was quite a good response in some cases where either the grievance of the petitioner was redressed or the authority apprised the Commission about their inability to provide the relief sought by the aggrieved party due to the existing rules.

5.12.2 During the year under review, the Commission had received a total of 496 complaints/representations from the Safai Karamcharis, their dependents, Unions, Associations on issues ranging from nonpayment of minimum wages, delayed payment of pension/gratuity, denial of promotions, denial of compassionate appointments, atrocity, exploitation, harassment, non-regularization of services, loans etc. The Commission took up the grievances mentioned in the said complaints/representations with the concerned authorities by calling factual reports/comments from them. The Commission got response from the concerned authorities in large number of such cases where either the grievance of the petitioner was redressed or the authority apprised the Commission about the rule position. There were about 297 such references/responses which were examined by the R&D Section of the Commission and the applicants/petitioners were informed of the same wherever deemed necessary. The remaining complaints/representations received from different States were forwarded to the Member concerned whom that particular State was allotted. However, the members concerned did not provide details of the action taken by them on these complaints/representations.

5.12.3 With effect from 1st January, 2014, the Commission has introduced a system of monthly and weekly analysis of complaints received in it. The complaints are analyzed in terms of nature of complaint i.e. service related matter, atrocity etc. The complaints are further analyzed on the basis of the employers i.e. Banks, Railways, PSUs, State local bodies etc. The details of the complaints received and disposed off from April-2015 to March-2016 is as follows:

Status of Complaints received in the Commission during the year, 2015-2016 (1.04.2015 to 31.03.2016)

S.No.	Month	No. of Complaints Received	No. of Complaints disposed off
1	April	50	12
2	May	40	21
3	June	60	36
4	July	24	46
5	August	73	18
6	September	10	55
7	October	63	23
8	November	24	23
9	December	30	16
10	January	45	27
11	February	41	9
12	March	36	11
	Total	496	297

**Status of Complaints received in the Commission during the year
2015-2016 (1.04.2015 to 31.03.2016)**

S. No.	Month	Complaints Received	No. of Complaints Disposed off (category-wise) during the month			Total No. of Complaints Disposed off during the Month
			Service Matter	Atrocity	Filed (No action required)	
1	April	50	9	2	1	12
2	May	40	11	4	6	21
3	June	60	25	11	0	36
4	July	24	17	14	15	46
5	August	73	12	0	6	18
6	September	10	22	12	21	55
7	October	63	10	12	1	23
8	November	24	11	7	5	23
9	December	30	8	8	0	16
10	January	45	19	6	2	27
11	February	41	5	3	1	9
12	March	36	8	2	1	11
	Total	496	157	81	59	297

5.13 APPLICATIONS/APPEALS UNDER RTI ACT, 2005

5.13.1 During 2015-16, the Commission received 28 applications under Right to Information Act, 2005 which were all replied/disposed off within the stipulated period and to the full satisfaction of the applicants which is evident from the fact that only **one** first appeal was made to the appellate authority which was also appropriately disposed off.

5.14 INFORMATION FURNISHED BY THE COMMISSION IN RESPECT OF PARLIAMENT QUESTIONS

5.14.1 During 2015-16, the Ministry received a number of Parliament Questions relating to Safai Karamcharis/Manual Scavengers and sought information/inputs from the Commission for preparing replies to these questions. In all, the Commission received 7 Lok Sabha and 1 Rajya Sabha question during the period under mention from the Ministry and furnished the information/inputs available with it to the Ministry within the stipulated timelines.

5.15 DETAILS OF SEWER/SEPTIC TANK DEATH CASES BEING MONITORED BY THE COMMISSION

5.15.1 The Commission managed to secure justice/ relief for the aggrieved Safai Karamcharis in large number of sewer death cases. This was mainly due to the perseverance and relentless efforts on the part of the Commission. The following instances/cases are some of the sewer/septic tank deaths which the Commission is pursuing with the authorities concerned:

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
1.	Narela Grains, Mandi, Narela, Delhi	5.12.2013 (3 persons died)	Three persons had become unconscious due to suffocation during the cleaning of sewer near AnajMandi, Narela and were declared dead after being taken to SRHC Hospital.	The Commission took up the matter with the Deputy Commissioner of Police, outer District Delhi and M/s Sulabh International Social Services Organization for furnishing detailed status report vide its letter dated 11 th Dec 2013.	In response to the Commission's letter, Sulabh International replied that they have paid Rs 10 Lakh each to the family members of the three deceased persons. They have also reported to be paying stipend equivalent to the Honorarium they were getting from the organization and taking care of the children's education.

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
2.	Hotel Shell Top Inn, Santa Cruz, Panaji, Goa	15.1.2014 (4 persons died)	Death of four SafaiKaramcharis while cleaning underground sewage treatment plant of Hotel shell Top Inn, Santa Cruz.	A D.O. letter dated 7.03.2014 was send to Chief Secretary, Panaji, Goa requesting him to arrange to send a factual report in a matter. A DO reminder letter was sent on 17.07.2014 to Additional Secretary(Home), Porvorium, Goa requesting him to inform to this Commission whether any compensation has been given to the family of the deceased. A D.O. reminder letter was sent on 12.05.2015 and 5.10.2015.	An FIR was lodged under section 9 of the MS ACT, 2013. A detail report from the State Government with respect to the compensation paid to the victim's families is still awaited.
3.	Unjha town District Mehsana, Gujarat	30.3.2014 (2 persons died)	Two persons died due to suffocation while cleaning a gutter near Unjha town in Mehsana District.	A DO letter 7 th April, 2014 was sent by Secretary NCSK to Chief Secretary, Govt. of Gujarat requiting for furnishing a factual report on the matter. A D.O. reminder letter was sent on 6.05.2014, 23.7.2014 and 12.05.2015.	A copy of the report by Shri RajkumarBeniwal (Collector and District Magistrate) states that a case was registered by Shri Vijay Kumar Solanki residing at harijan Colony, Kamalpura, Palanpur at Unjha Police station vide crReg No F. 56/14 on 30.3.2014 under IPC Section 304 and atro Act 3(1) .The District Backward class Welfare officer Mehsana on 5/4/2014 and 11/4/2014 intimated to SP, Mehsana and requested him to take legal action against the defaulters under IPC Act as the deceased belonged to Scheduled caste and send a report.

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
	Unjha town District Mehsana, Gujarat Continued.				As the case was registered under the Atrocity Act under Section 3(1)6, an amount of 60000 as compensation was sanctioned to the family of deceased. Out of 60000 sanctioned an amount of 15000 was paid to the heirs of each deceased. A proposal for insurance has been made under the SamuhikJuth (Janta Accidental BimaYojana)Rs 1 lakh for rehabilitation help for deceased labourers.
4.	Sewerage system of Bhiwani, Haryana	25.3.2013 (2 persons died)	Carrying out sewer work in Bhiwani Town.	A D.O. letter dated 5.05.2015 was send to Superintendent of Police, Bhiwani requesting him to send an action taken report to this Commission at the earliest. A letter dated 17.06.2015 was send to Deputy Commissioner , Bhiwani requesting him to apprise to this Commission of the action taken in the matter including relief to next kith & kin of the victim.	An FIR No 0194 dated 26-3-2015 was lodged under section 304A-IPC and section & of “the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”.

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
5.	M/s AG Industries at Industrial Area, Bawal District, Rewari, Haryana	23.10.14, (3 persons died)	Death of 3 SafaiKaramcharis due to asphyxiation after inhaling poisonous gas while removing sewage from a tank at M/g AG Industries.	A D.O. letter dated 5.11.2014 was sent to Chief Secretary, Govt. of Haryana and Director General of Police, Haryana requesting them for furnishing of factual report in the matter along with the details of action taken.	The office of the Director General of police had informed that the matter had been enquired through the Inspector General of Police, South Range Rewari. It was further reported that an amount of Rs10.lakhs each to the dependents was given by the employer. Further Rs 10,000 each was given by the SDM and Rs 1 lakh to the three bereaved families was sanctioned by the Deputy Commissions under the Rajiv Gandhi Accidental policy.
6.	Manhole outside the income tax and Central Exise Department quarters, Bengaluru, Karnataka	18.08.15 (2 persons died)	Died of suffocation while trying to clean a manhole in Jaymahal, Bengaluru.	A D.O. letter dated 11.09.2015 was send to the Chief Secretary, Bengaluru, Karnataka requesting him to direct the concerned authorities to furnish a factual report alongwith the action taken to this Commission at the earliest.	Report from the State Government is still awaited.
7.	Private hotel in Mysore, Karnataka	2.3.2014, (1 person died)	Death of Shri Kumar while cleaning a manhole in a private hotel in Mysore and hospital.	A letter dated 19.10.2015 was sent to Secretary, Karnataka State Commission for SafaiKaramcharis, Bengaluru, Karnataka requesting them to send a detail report with photograph to this Commission at the earliest.	It has been informed that a compensation of Rs 3 lakhs has been paid to SmtGeetha wife of the deceased and also a case has been registered under IPC Sec 310,303,401 under the MS Act. Report from the State Government with reference to the Supreme Court Judgement for awarding a compensation of Rs. 10 lakhs each is still awaited.

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
8.	Pushkar Municipality area of Ajmer, Rajasthan	13.07.15 (3 persons died)	3 persons died while cleaning a sewer in Pushkar Municipality area of Ajmer, Rajasthan	Secretary N.C.S.K. made on the spot visit on 13.08.2015 and held meetings with the District Collectors, Superintendent of Police and the Seniors Officers in order to find the facts with regard to the death of SafaiKaramcharis . A letter dated 2.12.2015 was sent to Superintendent of Police, District Collector, Secretary, Ajmer Development Authority, Commissioner and Ajmer Development Authority, Ajmer, Rajasthan requesting them to expedite the action taken in the matter and send an action taken report at the earliest.	During the meeting it was informed that Rs. 5 lac was paid by the contractor to each of the SafaiKaramcharis who died.
9.	Sewer near Kali Mori Railway Station, Alwar, Rajasthan	31.08.2015 (3 persons died)	Died due to suffocation and inhaling poisonous gas.	A letter dated 8.09.2015 was sent to District Magistrate, Alwar requesting him to furnish a factual report/Action Taken in the matter to this commission at the earliest.	Report from the District is still awaited.

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
10.	Cleaning a sewer near the office of the Department of Social Justice & Empowerment, Pariwahan Marg, Jaipur, Rajasthan	14.09.15 (2 persons died)	Death of 2 SafaiKaramchar is due to suffocation.	A letter dated 7.12.2015 was sent to Commissioner, Jaipur Municipal Corporation, Rajasthan requesting him to send a factual report.	Report from the State Government is still awaited.
11.	Lohamandi area of Jaipur, Rajasthan	8.08.2015 (2 persons died)	Cleaning a sewer in Lohamandi area, Jaipur.	Secretary N.C.S.K. made on the spot visit on 12.08.2015 and held meetings with the District Collectors, Superintendent of Police and the Seniors Officers in order to find the facts with regard to the death of SafaiKaramcharis. A D.O. letter dated 1.12.2015 was send to Chief Secretary, Principal Secretary, Government of Rajasthan requesting them to send an action taken report to this Commission at the earliest. A letter dated 2.012.2015 was send to Additional District Magistrate, Jaipur City (South), Deputy Commissioner of Police (North-West), Jaipur, Commissioner, Jaipur Municipal Corporation and Commissioner, Jaipur Development Authority requesting them to expedite the action taken in the matter and send an action taken report at the earliest.	During the meeting, it was informed that Rs 1 lac each has been paid by the contractor in addition to Rs 50 Thousand from the Chief Minister relief fund. Further as reported by Secretary, NCSK, a meeting was held with JDA Commissioner, ShriShikharAgarwal on 14.01.2016 and it was decided that Rs. 10 Lakh each shall be given urgently to the families of the victims. Accordingly the Secretary, NCSK was invited to distribute cheques to the families of the victims on 23.02.2016. The cheques of Rs. 10 lakh was distributed in the office of the Commissioner JDA jointly by the Commissioner Shri Shikhar Agarwal and Secretary, NCSK to the families of the victims.

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
12.	While leveling sewer line near Airport Road, Gaurav Path Police Station, Jodhpur, Rajasthan	18.5.2014 (2 persons died)	Death of 2 Safai Karamcharis while leveling Sewer line near airport Road.	A letter dated 23.05. 2014 was written to the Director General of Police, Government of Rajasthan, Jaipur to furnish a factual report on the matter along with the action taken under the provisions of MS Act 2013. A D.O. letter dated 23.07.2014 was send to Chief Secretary, Jaipur, Rajasthan requesting him to inform to this Commission whether any compensation has been paid to the victim's families. A D.O. reminder letter dated 23.09.2015 was sent to Chief Secretary, Jaipur, Rajasthan requesting him to instruct the District Administration of Jodhpur to furnish a complete action taken report in the matter to the Commission at the earliest.	A report dated 29.10.2015 has been received from Urban Development Department, Govt. of Rajasthan stating that the sewer death does not come under the category of Manual Scavengers since both the laborers died as the result of falling in the manhole. However, the report of Jodhpur Development Authority stated that the death occurred due to the presence of gases in the sewer.

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
13.	Raykabad, Jodhpur, Rajasthan	15.04.15 (1 persons died)	Death of 1 Safai Karamcharis while cleaning a sewer line in Rayakabad, Jodhpur.		A report of Jodhpur Municipal Corporation has been submitted by Ex-Member Smt. Lata Om Prakash stating that a compensation of Rs. 5 Lakhs has been paid to the family members of the deceased. Further, ordinance has been passed for giving employment to the wife of the victim.
14.	Cleaning a drainage at INS Rajali Arakkonam, Vellore, Tamil Nadu	30.04.2015 (1 person died)	Death of 1 Safai Karamcharis while cleaning the drainage at Naval Air Station, INS Rajali, Arakkonam in Vellore District, Tamil Nadu.	A D.O. letter dated 14.09.2015 was sent to Chief Secretary, Chennai, Tamil Nadu requesting him to direct to the District Authorities to send an action taken report to the Commission at the earliest.	Report/Action taken from the State Government in the matter is still awaited.
15.	Veerbhadrar Nagar, Medak, Telangana	5.12.2013	Shri Rahul Lal died after inhaling poisonous gas while cleaning a sewer in Veerbhadrar Nagar.	A letter dated 6.01.2015 was sent to District Magistrate, Medak, Telangana requesting him to take action in the matter. A letter dated 20.02.2015 was sent to Director General & Inspector of Police, Govt. of Telangana requesting him to arrange to furnish a factual report alongwith the details of the action taken under the MS Act.	A writ petition was filed by victim's younger brother. As per the contents of the petition, the Inspector of police Shri S. Anjaneyulu, of Sangareddy town PS, registered a case in Crime no 03/2015, U Sec, 174 CRPC and entrusted the investigation to Shri B. Ramesh, Sub Inspector of police sangareddy town PS. In accordance with the instructions of the Inspector of police Sangareddy town PS, the Sub Inspector of

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
	Veerbhadra Nagar, Medak, Telangana Contd...			A letter dated 19.05.2015 was sent to Director Scheduled Caste Development Department, Govt. of Telangana, Hyderabad requesting them to apprise this Commission on the present status of the case. A D.O. letter dated 17.09.2015 was sent to Chief Secretary, Govt. of Telangana requesting him to instruct the concerned department to send a factual report/action taken in the matter to the Commission without any further delay.	Police took up the investigation of the case. During the course of investigation the SI of Police recorded the statement of the complainant under section 161 crpc. A letter dated 24.3.2015 has been received from Principal Secretary citing that a copy of the report along with enclosures has been sent to Director, Scheduled Caste Development Deptt requesting them to examine the proposal and furnish a factual report alongwith the action taken of any, under the MS Act.
16.	Near ESIC Hospital Noida, Distt. Gautambudh Nagar, Uttar Pradesh	24.02.14 (2 persons died)	2 persons died while cleaning a Sewer under the jurisdiction of Noida Police Station, Gautambudh Nagar.	A letter dated 26.02.2014 was sent to Senior Superintendent of Police, Distt. Gautambudh Nagar, Noida, Uttar Pradesh requesting him to furnish a factual report under the provisions of MS Act. A D.O. letter dt.	An FIR was registered against M/s Vayudoot Maintenance Services and his associate contractors. Further Assistant Labour Commissioner of Noida (U.P) had taken cognizance of the matter and had issued a Show cause notice to the Contractor. A report has been received from DrPinkijewel, Managing Director-

S. No.	Name of State/City or Place of Accident	Date of Accident/ No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
	Near ESIC Hospital Noida, Distt. Gautambudh Nagar, Uttar Pradesh Contd...			23.07.2014 was sent to Chief Secretary, Lucknow, Uttar Pradesh requesting him to inform to this Commission whether any compensation has been paid to the family of the deceased with reference to the Supreme Court Judgement. A reminder D.O. letter was sent on 19.10.2015.	National Scheduled Cast Development and Finance Corporation wherein she has stated that an amount of Rs. 5 lakhs was given under the Farmers Accidental Insurance Scheme at district level. An amount of 30000 was given under national families benefit scheme by the Social Welfare Officer and an amount of 1 lakh was given under CM relief fund. A report whether any compensation has been paid to the victim's families with reference to the Supreme Court Judgement is still awaited from the State Government.
17.	GT Road Chaukaghat , Varanasi, Uttar Pradesh	5.04.14 (1 person died)	Death of 1 SafaiKaramchhari while attending to work engaged by Uttar Pradesh Jal Nigam.	A D.O. letter dated 23.07.2014 was sent to Chief Secretary, Lucknow, Uttar Pradesh requesting him to inform this Commission whether any compensation has been paid to the family of the deceased with reference to the Supreme Court Judgement. A reminder D.O. letter was sent on 19.10.2015.	A reply was received from Commissioner Varanasi on 19.4.2014 intimating that a compensation of Rs 4.00 lakhs was paid to the widow of the deceased. Further report from the State Government with respect to the payment of Compensation of Rs. 10 lakhs is still awaited from the State Government.

S. No.	Name of State/City or Place of Accident	Date of Accident / No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
18.	Karapakkam, Chennai, Tamil Nadu	20.01.16 (4 persons died)	Death of 4 persons while cleaning sewage due to asphyxiation in one of the restaurants on Rajiv Gandhi Salai near Karapakkam on 19.01.2016.	A D.O. letter dated 29.01.2016 was sent to Chief Secretary Tamil Nadu requesting him to direct the officials concerned to take appropriate action in the light of provisions of M.S. Act, 2013.	It been reported that three persons including the manager of the restaurant were arrested and remanded to judicial custody. They were booked under sections 288 (negligent conduct), 336 (endangering life or personal safety of others), 304 (a) (death caused by rash or negligent act) of IPC and Section 8 of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013." A report has been received from Principal Secretary to Government, Municipal Administration and Water Supply Department, Chennai stating that (1) The restaurant closed immediately and FIR No. 62/16 dated 19.01.2016 was registered in this regard by J11 Kannagi Nagar Police Station and 3 persons from restaurant management were arrested. (2) Notice has been issued to the restaurant owner Thiru.D.Nagasamy on 21.01.2016, to issue Rs. 10 Lakhs to the

S. No.	Name of State/City or Place of Accident	Date of Accident / No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
	Karapakkam, Chennai, Tamil Nadu Continued...				legal heirs of each deceased as per the direction of Hon'ble Supreme Court in Contempt Case No. 132/2012 of W.P.No. 583/2003, dated 27.03.2014. (3) Show cause notice has been issued to the restaurant owner Thiru.D.Nagasamy on 23.01.2016 by Revenue Department, Zone XV, Corporation of Chennai under Chennai City Municipal Corporation Act 1919 to cancel the trade license issued to the above restaurant. Compensation of Rs. 10 Lakhs has been paid by the owner of the Restaurant of DindugalThalapakkatti to the dependents of each of the 4 septic tank death victims.
19.	U.T. of Chandigarh	30.05.15 (3 persons died) 21.04.2012 (1 person died) & 21.08.2014 (1 person died)	Death of 5 SafaiKaramcharis who died in a manhole due to sewer gas.	A D.O. letter dated 6.01.2016 was sent to Home Secretary, U.T. of Chandigarh requesting him to direct the concern authorities to take appropriate action in the matter in the light of provisions of MS Act.	

S. No.	Name of State/City or Place of Accident	Date of Accident / No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
20.	Distt. Kozhikode, Kerala	News Clipping dated 27.11.15 (3 persons died)	3 persons died of asphyxiation after inhaling poisonous gas while removing sewage near Jaya Auditorium, in Kozhikode, Kerala.	A D.O. letter dated 22.12.2015 was sent to Commissioner of Police, Collector, Director General of Police and Chief Secretary, Distt. Kozhikode, Kerala requesting them to furnish an action taken report in the matter to this Commission at the earliest.	A Report dated 27.01.2016 has been received Police Department, Kerala. In the report, it has been stated that a case in Cr.No.1525/15 U/s 174 Cr.PC has been registered at Kasaba Police Station Kozhikode City. FIR of this case is submitted before the Hon'ble Sub Divisional Magistrate Court Kozhikode. First investigation of this case was conducted by ShriSajiv, SI of Police, Kasaba and found that the officials of the contractor company committed grave dereliction without taking adequate precautionary security measures and thus casued death of the three persons. Section of this case was altered to 304 IPC and investigation of this case was taken up by Inspector of Police Kasaba. The Hon'ble JFCM III Kozhikode and The Hon'ble court remanded them to the District Jail Kozhikode. The Hon'ble Court granted condition bail to them on 7.12.2015. Investigation of this case is not completed. Inspector of Police Kasaba has to examine the records on the agreement with Kerala Water Authority and Sreeram EPC, Directions issued by the District Labour Office, work records of Sreeram Company and to conduct enquiry at the native place of the deceased.

S. No.	Name of State/City or Place of Accident	Date of Accident / No. of persons died	Cause/ Circumstances leading to Death/ Accident	Follow-up Action taken by the Commission	Action taken/ Response of the Authorities concerned
21.	Udaipur, Rajasthan	News Clipping dated 14.02.16 (2 persons died)	Death of 2 Safai Karamcharis who died due to asphyxiation after inhaling poisonous gas while cleaning a sewage tank in one of the house situated in Amberi Village, Gali No. 2, Udaipur, Rajasthan.	A letter dated 18.02.2016 was send to District Collector, Udaipur, Jaipur, Rajasthan requesting them to furnish an action taken report in the matter to this Commission at the earliest.	

The Commission has managed to secure relief/justice to the victims in the abovementioned cases by relentlessly pursuing the matter with the authorities concerned. The Commission undertook vigorous correspondence with the State Governments by calling for factual/action taken reports in the above mentioned cases. Copies of letters written by the Commission in this regard are enclosed as **Annexure-VIII.**

5.16 SUCCESS STORIES OF THE COMMISSION

5.16.1 Shri Dharamvir S/o Shri Ratan Lal, Distt. Palwal regarding shifting of High Tension line passing over the residential houses at Village Bhanguri.

Brief History of the case: -Shri Dharamvir S/o Shri Ratan Lal was a Safai Karamchari residing in Distt. Palwal, Haryana. He complained that a High Tension 11 KV line was passing through his residential house at village Bhanguri which could lead to fatal accidents. Based on his complaint, this commission wrote to District Magistrate, Palwal requesting him to get the high tension line removed.

Outcome:- In response to this Commission's letter, the Commissioner, Palwal forwarded a copy of the letter of Haryana Bijali Vitran Nigam informing that the 11 KV line passing over the houses of Shri Dharamvir S/o Shri Ratan Lal of Village Bhanguri has been removed.

5.16.2 A Safai Karamchari Shri Banwari Lal working in South Delhi Municipal Corporation committed suicide on the Railway Tracks in South-East Delhi, SaritaVihar on 30.09.2015.

Brief History of the case: -It came to notice through a news report published in the city edition of “Times of India” dated 1.10.2015 that a 45 years old SafaiKaramchari of South Delhi Municipal Corporation allegedly committed suicide on railway track near SaritaVihar. It was alleged that he was depressed as the arrears of his salary were not paid to him for a long time. The Commission vide letter dated 7.10.2015 wrote to the Chief Secretary, Government of NCT of Delhi and Commissioner, South Delhi Municipal Corporation to send a factual report in the matter to the Commission within a week.

Outcome:-A factual was received from Dy. Commissioner of Police, Railway, Delhi. In the report it has been stated that an enquiry into the matter was conducted by ACP/Railways which revealed that on 20.09.2015 an information vide DD No. 9A was received and marked to ASI BanwariLal that “at P. No. 1500/23, near east cabin a person has been run over”. The E.O. reached the place of accident at electric pole No 1500/23 down line, Railway track near SaritaVihar Railway Phatak. The E.O. found that a dead body was lying in between Railway lines. Due to train accident head injuries were found on the body and both legs and hands were also spared from the body. An identity card, diary, pen, a slip were found from the pocket of dead body namely ShriBanwariLal S/o Mannu r/o A-326, J.J. Colony, MadanPurKhadar, New Delhi. On the said slip, it was written that April, May, June, July, four months’ salary not received and it was also written that in place of salary of June 7972/- arrear received 7326/-.

2. The enquiry further revealed that the deceased ShriBanwariLal was serving in MCD South, Delhi Municipal Corporation as a sweeper. The relatives of the deceased were informed. Statements of deceased’s son namely Pinki, Rinku and Pintu were recorded. They deposed that their father was an employee of MCD and on 29.09.2015, an employee of MCD namely Devi Dass informed them about the death of their father due to train accident at SaritaVihar Railway Phatak. They also deposed that their father was a BP patient and used to take medicine of BP. The dead body was identified by them. According to the post-mortem report the cause of death was a combinad effect of crario-cerebral damage, spinal and hemorrhagic shock. After post-mortem, dead body was handed over to their sons. It seemed to be a death due to train accident.A proceedings u/s 174 Cr. PC is being conducted at P.S. – HazratNizamuddin Railway Station. All aspects regarding non-payment of salary has also been enquired and during enquiry from Sanitation Supdt., Deptt. Of Environment Management Services, Central Zone, SDMS, Lajpat Nagar, New Delhi regarding payment of the salary of deceased Banwari, it was found that salary for the month of (Feb, March & April-2014), (May & June-2014) was released to him on 9.04.2015 & 29.09.2015 respectively. Similarly, salary for the month July to Sep.-2014 was released in time.

5.16.3 Implementation of “Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”.

Outcome:-DGP, Lucknow as directed District police Officer to implement the MS Act emphasizing on the following points as mentioned in the Act:-

- i) “Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under it shall be cognizable and non-bailable” as per the section-22 of the MS Act.
- ii) “The employer shall ensure that the assigned person has life insurance policy of at least ten lakh rupees and the premium for which shall be paid by the employer”.
- iii) “Sewer deaths- entering sewer lines without safety gears should be made a crime even in emergency situations. For each such death, compensation of Rs. 10 lakhs should be given to the family of the deceased”.

5.16.4 Implementation of “Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”.

Outcome:-This is regarding the implementation of “The Prohibition of Employment as Manual Scavengers and their Rehabilitation of Act, 2013. In response to various D.O. letters addressed to the D.G. Police of the State Government of Rajasthan by the Secretary, the DG (P) has informed that the senior Police officers have been directed to sensitize all the police officials in the State to implement the MS Act, 2013 in its true letter & spirit. In order to sensitize all the police officers, it has been directed to include the implementation of MS Act, 2013 in the curriculum of Basic Training, Promotion Cadre Course, Specialized Courses etc.

Letters have also been received from D.G. Police of State Governments of **Jharkhand, Chhattisgarh, Mizoram, West Bengal and Andhra Pradesh** wherein the Police officers have been directed to sensitize all the police officials in the States to implement the MS Act, 2013 in its true letter & spirit.

5.16.5 Implementation of “Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”.

Brief History of the case: - A writ petition was filed by Change India-an NGO and the following authorities have been made as the respondents:-

- (i) Govt. of Tamil Nadu through its Chief Secretary
- (ii) The Principal Secretary-Municipal Administration and Water Supply Department, Govt. of Tamil Nadu
- (iii) CMD-Chennai Metro Water Supply and Sewerage Board
- (iv) Joint Secretary, M/SJ&E, GOI
- (v) Secretary-NCSK

The main prayer of the plaintiff was (i) identification of families of all persons who died in sewerage work since 1993 on or before 31st March, 2015; (ii) implementation of all provisions of “the Prohibition of Employment as Manual Scavenger and their Rehabilitation Act, 2013” including payment of Rs. 10.00 lakh as the compensation to the families of persons who died in sewerage work since 1993.

Outcome:-The latest progress report dated 14.03.2016 in W.P. No. 2988 of 2015 was received from Municipal Administration and Water Supply Department, Secretariat, Chennai. As per the said report filed by the Municipal Administration and Water Supply Department, Secretariat, Chennai –“The Hon’ble High Court is respectfully assured that, the Government is committed towards expeditious payment of compensation to the dependents of sewer/septic tank death victims in all eligible cases, as ordered by the Hon’ble Supreme Court of India and by this Hon’ble Court, as well as the implementation of the provisions of “the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”.

5.16.6 Appointment of ShriVeeruTaank S/o late ShriCharan against the vacant post on the demise of his father-request reg.

Brief History of the case: - A representation was received in this Commission by ShriVeeruTaank regarding appointment as SafaiKaramchari against the post vacated by his deceased father, ShriCharan ex-SafaiKaramchari. In his letter, ShriVeeru had requested for his appointment as SafaiKaramchari in Military Veterinary Hospital, Meerut Cantt.

Outcome:-The Commission has been intimated that ShriVeeru Tank S/o late ShriCharan has been considered for compassionate appointment by the board of officers for compassionate appointments. The board proceedings have been forwarded to Competent Authority for perusal and approval.

5.16.7 Writ petition No. 9165/2014 filed before the High Court of Madras on behalf of the Petitioner, Shri J.P. Nagabhushanam, President of Dalit Welfare Trust, Anna Salai, Chennai – regarding.

Brief History of the case: -The Dalit Welfare Trust, Anna Salai, Chennai have been maintaining the public toilets as a licensee under the Chennai Corporation. However, there was an attempt to auction the privilege of maintaining the public toilets under Chennai Corporation. Therefore, the petitioner submitted a representation to the Chennai Corporation on 31.01.2014 to preserve the status-quo and permit its members to continue to maintain the public toilets. Since there was no follow up action by the Chennai Corporation, the petitioner filed a Writ Petition in the Madras High Court. The Hon’ble Court is reported to have directed the Commissioner, Municipal Corporation of Chennai to consider and dispose of the representation dated (18.03.2014) submitted by the petitioner on merits and as per law within a period of eight weeks from the date of receipt of a copy of that order.

Outcome:-In response to our letter dated 19.02.2016, Greater Chennai Corporation has informed that the grievance of Dalit Welfare Trust has been resolved as per directions of the High Court of Madras and the following has been conveyed to the Trust;

- i) Dalit Welfare Trust will be informed while inviting tenders for maintenance of toilets through e-tenders & Newspapers, so that the Trust can participate in the tenders.
- ii) The petitioner may be asked to approach the successful bidder for utilizing their services.

5.16.8 Evacuation of SafaiKaramcharis living in the premises of District Hospital Bedan.

Brief History of the case: -About 25-30 families of SafaiKaramcharis along with their have been residing in the area for more than 100 years. However, officials of Municipal Corporation, Singrauli had been pressurizing them to vacate the place.

Outcome:-With the active intervention of this Commission, the Commissioner, Municipal Corporation, Singrauliinformed that there was no plan of removing the SafaiKaramcharis from the place where they were residing.

CHAPTER-6

OBSERVATIONS & RECOMMENDATIONS OF THE COMMISSION

6.1 POWERS OF THE COMMISSION

6.1.1 The mandate of the National Commission for Safai Karamcharis as laid down in the resolution dated 30.03.2010 read with resolution dated 02.03.2009, is as follows:

- (a) Recommend to the Central Government specific programmes of action towards elimination of inequalities in status, facilities and opportunities for Safai Karamcharis;
- (b) Study and evaluate the implementation of the programmes and schemes relating to the social and economic rehabilitation of Safai Karamcharis; and scavengers, in particular;
- (c) Investigate specific grievances and take *suo-motu* notice of matters relating to non-implementation of: –
 - i. programmes or schemes in respect of any group of Safai Karamcharis;
 - ii. decisions, guidelines or instructions, aimed at mitigating the hardships of Safai Karamcharis;
 - iii. measures for the social and economic upliftment of Safai Karamcharis;
 - iv. the provisions of any law in its application to Safai Karamcharis; and take up such matters with the concerned authorities or with the Central or State Governments;
- (d) To study and monitor the working conditions, including those relating to health, safety and wages of Safai Karamcharis working under various kinds of employers including Government, Municipalities and Panchayats, and to make recommendations in this regard;
- (e) Make reports to the Central or State Governments on any matter concerning Safai Karamcharis, taking into account any difficulties or disabilities being encountered by Safai Karamcharis; and
- (f) Any other matter which may be referred to it by the Central Government.

6.1.2 In addition to the above mandate, the Commission has also been entrusted with the task of monitoring the implementation of the “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” which has come into force with effect from 6th December, 2013. As per Section 31(1) of the said Act, the Commission shall perform the following functions, namely:-

- (a) To monitor the implementation of the Act;
- (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act.
- (d) To take suo motu notice of matter relating to non-implementation of the Act.

6.1.3 In the discharge of its abovementioned functions, the Commission have been given the powers to call for information with respect to any matter specified above from any Government or local or other authority.

6.1.4 While the mandate of the Commission has been enlarged, it has not been vested with corresponding statutory or procedural powers to fulfil its mandate. Over the years, powers and status of the Commission have been diluted. The Commission lost its statutory status in 2004 and since then has been functioning as an non-statutory Body which is granted extension from time to time. Unlike the other statutory Commissions like SC Commission, ST Commission or Minorities Commission, the National Commission for Safai Karamcharis does not have the powers to summon officers of the establishments concerned and have their oral evidence. It cannot obtain information, documents, receive evidence on affidavit, enforce attendance of a person and examine him on oath or call for public records by issuing notices. As a result, the Commission cannot assert the way it should in providing/giving relief to the aggrieved safaikaramcharis. The non-permanent status of the Commission is also proving to be a hurdle in having staff on deputation as generally officers/staff are not interested in working in offices/commissions having short tenure.

RECOMMENDATION

6.1.5 Therefore, the Commission recommends that it should be made a permanent statutory body with powers of a civil court to lend it more credibility. Since the problem of manual scavenging still exists in the country and there are no prospects of it being eradicated from the country in the near future, it would be in the fitness of things if the Commission is made a permanent entity with enhanced administrative powers and staff strength.

6.2 ABOLITION OF CONTRACT SYSTEM

6.2.1 The Commission in its extensive tours to the States and various organizations and also through the grievances received has observed about the deplorable conditions and exploitative employment of Safai Karamcharis working on Contractual basis. Safai Karamcharis employed on contract primarily suffer from inferior status, casual nature of employment, lack of job security and poor economic condition. Due to their precarious stand and the absence of basic education, they have little or no scope for further promotion. In most of the cases, discrimination pervades and the contractual workers are not paid at par with their permanent counterparts, and are also not provided the same working conditions and atmosphere. This practice has led to the mistreatment of these Safai Karamcharis (since they are not directly appointed by the employer). The Contract Labour (Regulation & Abolition) Act, 1970 enacted for eradicating this social evil which was prevalent in Indian society and alleviating the condition of contract workers, was to provide legislative protection to these workers who had no rights to claim what they deserved like basic amenities such as drinking water, rest room, urinals etc. The main objective of the Act was to prevent the oppression of these workers and to abolish this practice. The Act not only confined to private employers but also applies to the Govt. employers.

RECOMMENDATIONS:

6.2.2 While economic factors like cost effectiveness may justify system of contract labour, consideration of social justice calls for its abolition or regulation. Since the Safai work is of perennial nature, contractors should not be encouraged to undertake such work and if at all that is inevitable, every contractor should be made accountable for payment of prescribed minimum wages to each Safai Karamchari employed by him on contract. If a Contractor fails to make the payment of wages within the prescribed period (fully or partially), the principal employer should be made liable to clear up all the remaining dues. The principal employer should be held responsible for non-payment of wages as prescribed under Minimum Wages Act to the Safai Karamcharis working on contract in their organization/office. Similarly, in case of accidental death of a Safai Karamchari, principal employer should be made liable to compensate the victims in case the contractor fails to do the same.

All the benefits like contribution of fund, medical facility, safety equipments, uniforms, gratuity should be provided to the contractual workers and this should be ensured by the Principal employer. The payment of wages to the Safai Karamcharis should be strictly made by CHEQUE/ECS only. The representative of Safai Karamcharis should also be made party in contract/agreement to be executed by Principal Employer and Contractor.

6.3 SURVEY OF MANUAL SCAVENGERS

6.3.1 Elimination of dry latrines and manual scavenging and the rehabilitation of manual scavengers in alternate occupations has been an area of high priority for the Government of India. Despite the concerted efforts made in the past to eliminate the dehumanising practice of manual scavenging, the practice still persists in various parts of the country. This evil is inconsistent with the right to live with dignity which is an essence of the Fundamental Rights guaranteed in Part III of the Constitution. Further, there is a related problem of serious health hazard and safety of the workers employed in the manual cleaning of sewers and septic tanks.

6.3.2 In view of the above, there was a need to make comprehensive and stringent provisions for the prohibition of insanitary latrines and employment of persons as manual scavengers, rehabilitation of manual scavengers and their families and to discontinue the hazardous manual cleaning of sewers and septic tanks by the use of technology and for matters connected therewith. Therefore, “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” which consists of legislatives as well as programmatic interventions was enacted by the Central Government and the said Act has come into force with effect from 6th December, 2013.

6.3.3 The Act entails various time bound activities on the part of the States. These includes framing of Rules under the Act, survey of manual scavengers, their rehabilitation, identification of insanitary latrines, conversion of insanitary latrines in to sanitary latrines, construction of adequate community sanitary latrines, organizing awareness campaign, conferring power of Judicial Magistrate on Executive Magistrate, appointment of Inspectors, constitution of Vigilance Committees for each District and Sub-Division, constitution of State Monitoring Committee, convening of meetings of Vigilance Committees and State Monitoring Committee, designating any State Commission or any other statutory authority to perform functions similar to that of NCSK etc.

6.3.4 Identification of the Manual Scavengers and their subsequent rehabilitation is the soul of the Act. However, despite repeated efforts by the Government of India and the Commission, the figures with regard to the Manual Scavengers are not forthcoming correctly. It is observed that different figures are being quoted by different Government and Non-government agencies. There is no point in denying the fact that manual scavenging exists in various States in different forms. Therefore, it would serve a great cause if we confront this social evil by honestly admitting it. Hiding the problem is not a solution.

RECOMMENDATION:

6.3.5 There are wide discrepancies in the number of Manual Scavengers being reported by various agencies. Householding and Housing Census 2011 data released by the Registrar General of India in March, 2012 shows that there are still some 26 lakh insanitary latrines in the country of which 13.29 lakh are in urban areas and 12.77 lakh in rural areas. However, the number of manual scavengers reported by the States/UTs does not commensurate with the Census 2011 data of insanitary latrines. Similarly, the Socio-Economic Caste Census-2011 (SECC-2011) data released by the Ministry of Rural Development on 3.7.2015 reveals that there are 1,80,657 Manual Scavengers in rural areas.

6.3.6 As identification of the Manual Scavengers is the first step towards their rehabilitation and subsequent elimination of the evil practice of manual scavenging in the country, therefore the Commission recommends that there is a need to have correct and authentic figures about the manual scavengers in the country for which the States/UTs should be directed to carry out resurvey of Manual Scavengers.

6.4 SPREADING AWARENESS ABOUT MANUAL SCAVENGERS ACT, 2013

6.4.1 The Commission, during its field visits observed that the level of awareness about “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” and the Supreme Court Judgement about the sewer death cases among the implementing agencies at the ground level is very low. Therefore, the Commission in association with NSKFDC & Local Bodies organised Awareness Camps from time to time. Some of the Awareness Camps, which were presided over by the Secretary and attended by District Collector & other senior officials of the Districts and Safai Karamcharis are as follows:

- Dausa (Rajasthan) – 28.4.2015
- SwaiMadhopur (Rajasthan) – 21.5.2015
- Tonk (Rajasthan)- 22.5.2015

6.4.2 These camps attracted a lot of attention & appreciation of the representatives of Safai Karamcharis at grass root level. The participants were informed about various provisions of the MS Act, 2013, the Supreme Court judgement about the sewer/septic tank death cases and rehabilitation package for the Manual Scavengers under the Self Employment Scheme for Rehabilitation for Manual Scavengers (SRMS), 2013. The participants were also informed about the authorities to approach or the steps to be taken to avail the benefits of these Schemes/Act. The participants in these camps found the initiative to be very useful.

RECOMMENDATIONS:

6.4.3 As the awareness level about the MS Act, 2013, Supreme Court judgement about the sewer/septic tank death cases and rehabilitation package for the Manual Scavengers under the Self Employment Scheme for Rehabilitation for Manual Scavengers (SRMS), 2013 is very low even among the senior district level functionaries, the Commission recommends that there is a need for organizing Awareness Camps in each and every district of the country.

6.5 MINIMUM WAGES

6.5.1 The Minimum Wages Act was enacted in the year 1948 primarily to safeguard the interest of the workers namely engaged in unorganized section who are vulnerable to exploitation due to illiteracy and lack of bargaining power. Enactment of the statute would always bind the employers to pay the minimum wages to the workers as fixed under the statute and workers get protected against exploitation.

6.5.2 The Government of India, Ministry of Labour and Employment vide CLC(C) letter No. 1/15(6)/2015-LS-II dated 30.9.2015 has revised the Variable Dearness Allowances in respect of the ones engaged in Sweeping and Cleaning excluding activities prohibited under the employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. The Revised Variable Dearness Allowances will thus increase the Minimum wages in the establishments falling under

Government of India. The enhanced Minimum Wages after revision of Variable Dearness Allowances shall be applicable w.e.f. 01.04.2015 as detailed below:

Category of Worker	Rates of wages including V.D.A (in `.) per day								
	'A' Area			'B' Area			'C' Area		
	Basic	DA	Total	Basic	DA	Total	Basic	DA	Total
Unskilled	180	173	353	150	144	294	120	116	236

6.5.3 However the Commission has observed that not only the private employers, but the Government agencies and the local self Governments at grass root level are also not adhering to the statutory provisions of paying minimum wages to their employees. Even after issuing notification on 7.8.2008 by the Ministry of Labour regarding minimum wages to the Safai Karamcharis, the States are showing reluctance in paying the decided rates. On the contrary, they have set minimum wages for the Safai Karamcharis on their own. The minimum wages as notified by the States vary from State to State.

RECOMMENDATIONS:

6.5.4 The Commission feels that the minimum wages as fixed in the Ministry of Labour's Notification dt.7.8.2008 and the VDA as amended from time to time should be adopted by all the States/UTs uniformly. The wages so fixed may also be made mandatory in all the PSUs, Banks, Private Departments, Sulabh Organization, Outsourcing Agencies, Contractors etc. There should be a proper vigil at appropriate level and stern action should be taken against the defaulters. The Principal Employer may be held responsible for ensuring that minimum wages are paid to all the employees whether on contract basis or on outsourcing- working in their organization.

6.6 PREFERENCE TO VALMIKI COMMUNITY IN RECRUITMENT OF SAFAI KARAMCHARIS IN BANKS/FIs/PSICs ETC.

6.6.1 Ministry of Finance (Department of Financial Services), vide their letter dated 23.9.2013 requested the Chief Executive Officers of all PSBs/FIs/PSICs and RBI for giving preference to SC candidates for the posts of Safai Karamcharis. The operative part of the said letter has been reproduced as below:

“It is therefore requested that while making recruitment of Safai Karamcharis, care may be taken that candidates belonging to families who are traditionally doing the work of cleanliness may be given preference over others while making appointment on the posts of Safai Karamcharis.”

6.6.2 The Commission has been receiving lot of representations from the SC employees’ Association of the Public Sector Banks regarding denial of preference to the Valmiki community, which is traditionally engaged in the work of cleanliness, in the recruitment to the post of Safai Karamcharis by the Public Sector Banks. The HCP and the Secretary, during their visits to the Headquarters of the various Public Sector Banks, have also found merit in the issue raised by the Associations.

6.6.3 In this regard, the Commission found out that there is some inconsistency in the Government of India’s instructions in the matter. While the Department of Financial Services aforementioned guidelines requests the PSBs for giving preference to the candidates belonging to families who are traditionally doing the work of cleanliness over others when making appointment on the posts of Safai Karamcharis, the DoPT’s guidelines stipulates that there shall be a reservation of 15 per cent for the members of the Scheduled Castes, 7.5 per cent for the members of the Scheduled Tribes and 27 per cent for the members of the Other Backward Classes in the matter of appointment by direct recruitment to civil posts and civil services on all India basis by open competition.

6.6.4 These guidelines further stipulates that except in Delhi, reservation for the Scheduled Castes and Scheduled Tribes in case of direct recruitment to Group C and Group D posts normally attracting candidates from a locality or a region is generally fixed on the basis of proportion of their population in the respective States/UTs. Reservation for Other Backward Classes in such cases is fixed keeping in view the proportion of their population in the respective States/UTs subject to a limit of 27% and total reservation for SCs, STs and OBCs should not exceed 50%.

6.6.5 During the interactions by the Commission with the Bank authorities in the matter, the Bank managements of invariably all the Banks informed that they are bound by the DoPT's guidelines which are in accordance with the Constitutional provisions and hence are mandatory in nature while D/o Financial Services' letter is an executive order. The Bank authorities admit that as far as possible, they try to give preference to the candidates belonging to families who are traditionally doing the work of cleanliness over others while making appointment on the posts of Safai Karamcharis but due to the overriding nature of the DoPT's guidelines, they cannot ignore or exclude other candidates. They are mandatorily required to consider candidates belonging to the general category, scheduled caste category, scheduled tribe category and the Other Backward Class category candidates in proportion to the reservation quota fixed for each category while making recruitment to the posts of Safai Karamcharis.

RECOMMENDATION

6.6.6 The Commission found merit in the dilemma being faced by the bank authorities. Therefore, the Commission recommends that there is a need to bring clarity in the matter for which the Ministry of Social Justice and Empowerment may take up this issue with the Department of Personnel and Training and Department of Financial Services.

6.7 HEALTH RELATED PROBLEMS

6.7.1 Health is a state of complete physical, mental and social well being. A person's ability to work depends largely on his health. The health of a person helps him to realize his potential and the ability to fight illness and the efficiency of workers depends considerably on their health. Also good health is essential for sustained economic and social development.

6.7.2 Sanitation is a system to increase and maintain healthy life and environment. It is a known fact that lack of sanitation leads to serious health risk and an affront to human dignity. Sanitation is a human right and a key component of primary prevention to ensure better health. There is a need for a comprehensive policy for primary health care of these sections of the society.

6.7.3 The Constitution of India contains specific provisions on occupational safety and health of workers. However, it is experienced during the tours of this Commission that the health condition of the Safai Karamcharis is very deplorable. No proper attention is given to the health of Safai Karamcharis. It is significant to point out that their working conditions (especially entering the sewers, manholes and drains to clean) make them vulnerable to serious health hazards like viral and bacterial infections including rotting of fingers & limbs. Safai Karamcharis are not being provided with necessary equipments and implements and this is one of the major reasons resulting in serious health hazards.

6.7.4 Common health ailments in Safai Karamcharis reported are parasitic infections, gastrointestinal disorders, skin ailments, diminished vision and hearing due to the toxic fumes inhaled by him during the cleaning of septic tanks and manholes. Respiratory diseases like Asthma, Breathlessness and consistent cough are also experienced by them. Communicable diseases such as Dysentery, Typhoid, Jaundice, Malaria and mainly Tuberculosis (TB) are found to be prevalent among Scavengers. However, the cases of TB are rarely revealed, primarily because of the attached social stigma. It is often observed that the Safai Karamcharis/scavengers do not enjoy a full span of life due to lack of periodic medical check up and proper medical treatments in the early stages of their disease.

6.7.5 RECOMMENDATIONS:

- a) Govt. should take every necessary initiative for securing adequate sanitation measures to prevent the spreading of diseases thereby safeguarding lives of these beings.
- b) Free Health Care Camps should be organized at periodical intervals in their colonies for timely diagnosis and treatment of diseases, if any.
- c) Free Insurance cover should be given to all the Safai Karamcharis employed in various departments, local bodies, PSUs, Banks, private sectors throughout the country.
- d) The Public Health Department should organize regular awareness camps for educating the Safai Karamcharis and their families creating a healthy environment by adopting hygienic code of practices.

- e) Polio Eradication Programme, Hepatitis vaccination etc. should be organized in their Bastis on regular basis.
- f) Safai Karamcharis should be given ample opportunities and facilities to live in a healthy environment.
- g) Free Government run dispensaries/mobile dispensaries should be established in their localities.

6.8 HOUSING

6.8.1 If the government intends to rehabilitate the Scavengers and Safai Karamcharis in a meaningful manner, it has to begin with the eradication of unhygienic conditions they live in. Their colonies are secluded and ostracized far away generally in the outskirts of a town/city. Their dwelling places are almost inaccessible and it is unimaginable for a common man to tread through the narrow lanes, running through muddy water and open drains with pungent smell in ubiquity. This neglected segment of the society, whose importance for maintaining cleanliness can hardly be overemphasised, is compelled to lead a neglected life in filthy surroundings and poor housing conditions.

6.8.2 Housing is one of the three basic human needs, next to food and clothing. It is an essential element in the overall socio-economic development of the country and its citizens, and for the satisfaction of social and cultural aspirations of the people. Basic municipal services such as clean drinking water, sanitary latrines, filth disposal, underground sewage, health services, provision of street lighting, pavement on street, cleaning of drains, repair of houses; roads etc. are not within the reach of these people. There is no provision of proper transport facility in the area. Lack of proper housing, unhygienic environment, and poverty etc. is also another major factor for their ill condition.

6.8.3 It has come to the notice of this Commission that the land where the Safai Karamcharis have constructed their huts or houses and are living for years are not even owned by them and are always at the threat of the local Govt. Also in most of the cases, they live in the dilapidated and shabby Government Quarters, putting their lives at risk at all times. The condition of the quarters is such that their roofs can fall

any time, electric fittings are dangerously hanging in air and water seeping through roof and cracked walls. Majority of the places have no sunlight or ventilation.

RECOMMENDATIONS:

6.8.4 The Safai Karamcharis should be allotted/provided low cost residential plots/houses in general colonies with all the basic civic amenities such as electricity, drinking water, sanitation, proper roads, community centres, dispensaries, primary schools, crèches, cremation sites etc. This can only be done with the help of a local municipal body, resources for which need to be specifically allocated. The houses of Safai Karamcharis should not be in secluded areas in the outskirts which is a hindrance to their integration with the society. Govt. should also take necessary step to ensure adequate sanitation in their colonies thereby preventing the outburst of any disease.

6.9 MANUAL SCAVENGING IN RAILWAYS

6.9.1 The Indian Railways (IR) is world's largest railway system under single management and the largest employer in the world with approx. 1.3 million employees. India's railway network encompass a pan-Indian network of almost 40,000 km's. IR carries approx. 23.4 million passengers daily . IR's vast rail network (fourth largest in the world) encompasses 65800 route kilometers covering 8500 stations and served by over 7600 passenger trains.

6.9.2 The Commission found that Railways are the largest employer of Safai Karamcharis. The Commission understands that the number of Safai Karamcharis working on contract basis in the Railways are increasing. There had been a steady increase in the number of trains as well as of passengers over the years. However, the number of sanctioned posts of Safai Karamcharis remains the same.

6.9.3 Indian Railways is the major stakeholder in the implementation of “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”. The problem of manual scavenging is nowhere as acute as it is in the Railways. It is still a common sight to see people defecating in open along the rail tracks.

6.9.4 Although the Ministry of Railways have notified, in pursuance of the abovementioned Act, the protective gears and safety devices to be used/provided to the person engaged to clean water flush sanitary latrines in railway passenger coaches or station area or railway tracks in station area. However, the Commission during its visits to the Stations have observed that not all Safai Karamcharis are being provided the aforesaid protective gears and safety devices.

6.9.5 The Commission understands that the Indian Railways is devising Bio-toilets in technical knowhow with the Defence Research and Development Organisation (DRDO). The advantages of these bio-toilets are (i) there is no bad smell in toilets from bio-tanks (ii) effluent is free from offending odour and solid waste and (iii) bacteria & effluent are non-toxic.

RECOMMENDATIONS:

6.9.6 The Commission recommends that there is a need to modify the norms of fixing the number of Safai Karamcharis in the Railways by undertaking work study. While on one hand, this will increase the efficiency and output, it will also lessen the burden on the existing Safai Karamcharis on the other hand. As far as possible, the Indian Railways should discourage engaging Safai Karamcharis on contract basis. The vacant posts of Safai Karamcharis in various zones of the Indian Railways should be filled up on regular basis at the earliest.

6.9.7 “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” , if implemented in its true letter and spirit, can definitely put the inhuman practice of manual scavenging to an end. However, for this, the Indian Railways should ensure that cleaning work both on the stations and the passenger coaches be mechanized to the maximum extent possible and if at all the human excreta had to be handled manually, then the Safai Karamcharis should be invariably provided with the safety gears and protective devices.

6.9.8 The Indian Railways should speed up the process of retro-fitment of bio-toilets in the existing coaches and stop manufacturing new coaches having direct discharge toilets.

6.10 SEWER DEATHS

6.10.1 Sewer death is a serious and fatal occupational hazards faced by any Safai Karamchari. The Commission has come across many cases of sewer deaths. Many cases of sewer deaths go unreported as these workers mostly work on contractual basis in different ULBs, Defence and other Govt. agencies.

6.10.2 Owing to their work conditions, the sewer and sanitation workers are exposed to dangerous gases such as hydrogen sulfide, methane, carbon dioxide, ammonia etc and a wide variety of microorganisms and decaying organic matter that may lead to rapid loss of consciousness even resulting in death. In addition to carrying human excreta, workers in sewers are made to wade and swim in it as well as in other forms of human, animal and industrial waste in order to unclog the sewerages and remove the blockages in drains.

6.10.3 The Commission takes strong notice of the sewer death cases- be it suo moto or otherwise. The Chairman and/or members make spot visits to such accidents. In a number of sewerage death cases, the Commission has found that the concerned authorities generally show reluctance in taking responsibilities for the mishaps and try to excuse themselves by stating that the deceased person is not employed by them. Resultantly these deaths are not considered by the State Administration while compiling the data of sewer deaths and hence they remain unreported and non-compensated.

6.10.4 The authorities also try to evade paying compensation to the families of victims of sewer deaths on flimsy grounds. One of the major hurdles in giving compensation to the family members of the victims is the multiplicity of agencies operating in the area where such accidents takes place. While disowning the victims, there is a tendency among the authorities to pass on the responsibility to other authorities/agencies. Another problem cited by the authorities in paying the compensation is the paucity of funds or non-earmarking of funds for this special purpose. As a result, the surviving family members of the victims are made to run from pillar to post to get their dues.

RECOMMENDATIONS:

6.10.5 The Commission pursues the sewer death cases with extra sensitivity and concern. Whenever any sewer death case comes to the notice of the Commission, it is taken up at the highest level of civil and police administration in the State. More often than not, either the Chairman and/or member(s) of the Commission also visit the accident site and also meet with the family members of the victims. The Commission calls for the factual reports/ action taken reports in such cases. Wherever required, the Commission also directs the authorities concerned to take action under “The Prohibition of Employment of Manual Scavengers and their Rehabilitation Act, 2013” like filing of FIRs, paying compensation to the family members of the victims.

6.10.6 On such occasions, the Commission have observed that the local authorities need to be sensitized in handling such accidents. The apathetic attitude of the local authorities only adds to the agony and pain of the victims’ families.

6.10.7 The Hon'ble Supreme Court, in its judgement dated 27.3.2014 in WP(C) No. 583 of 2003 *Safai Karamchari Andolan Vs UOI*, has directed as under:

(i) If the practice of manual scavenging has to be brought to a close and also to prevent future generations from the inhuman practice of manual scavenging, rehabilitation of manual scavengers will need to include:-

(a) Sewer deaths- entering sewer lines without safety gears should be made a crime even in emergency situations. For each such death, compensation of Rs. 10.00 lakhs should be given to the family of the deceased.

(ii) Identify the families of all persons who have died in sewerage work (manholes, septic tanks) since 1993 and award compensation of Rs. 10 lakh for each such death to the family members depending on them.

6.10.8 The Commission has been collecting and compiling the data regarding number of sewer deaths since 1993 in terms of the abovementioned Supreme Court judgement. The commission has been repeatedly writing letters to the State Governments/UTs in this regard. However, very few State Governments have responded in the matter so far. Therefore, there is a need to impress upon the State Governments to furnish the requisite information to the Commission at the earliest.

6.10.9 On the issue of which authority will pay the compensation to the family members of the sewer death victims, there is a great deal of confusion among the State Government machinery. In the absence of any clear cut guidelines in this regard, there is a tendency among the authorities to pass on the buck to other authorities. Unless and until, a well defined mechanism for payment of compensation is put in place, the family members of the victims will continue to face harassments for getting the compensation. The State Government should notify the nodal Department/officer in this regard. On receipt of any information or suo motu regarding sewer death anywhere in the State, this Nodal Department/officer will disburse the compensation to the next of kin of the victims. This will save the family members of the victims from undue harassment and delay.

6.10.10 As far as possible, the cleaning of sewers and manholes should be mechanized and human intervention for such work should be kept to the minimum. This will definitely help in preventing such accidents. However, where manual cleaning of sewers/septic tanks is unavoidable, then the authorities should ensure that the provisions laid down in “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Rules, 2013” in this regard are complied with.

6.11 PAYMENT OF COMPENSATION OF RS.10.00 LACS TO SEWER DEATH VICTIMS

6.11.1 During the review and monitoring of “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” (MS Act, 2013) and also during the visits by the Chairman, Members and the Secretary to various States, a question has been raised by the State Government officials/agencies as to who will pay compensation of Rs. 10.00 lacs as ordered by the Supreme Court in the sewer death cases.

6.11.2 The same issues arises if a person dies while cleaning the septic tank/sewer of a private individual/agency. Also it has been noticed that most of the Municipalities/Corporations are outsourcing the cleaning/safai operations to the private contractors. In such cases, neither the Municipalities/Corporations nor the contractors takes the responsibilities.

RECOMMENDATION:

6.11.3 The Commission recommends that a direction should be issued to all the State Governments/Municipalities/Corporations to incorporate a clause in the agreement with the contractor or the agencies that the provision of the MS Act, 2013 shall be applicable and also the directions given by the Supreme Court judgement dated 27.3.2014 with regard to sewer death cases will be complied with by the Contractor/Agency engaging the Safai Karamcharis.

6.11.4 Also the District Collector/District Magistrate and Superintendent of Police should be directed to issue a notification/order with regard to private individuals engaging the Safai Karamcharis for cleaning the Septic Tank/Sewer in their respective Districts that in case of death, the individual(private) shall be liable to pay Rs. 10.00 lacs to the families of the victims as ordered by the Supreme Court.

6.12 RISK ALLOWANCE

6.12.1 Safai Karamcharis are prone to various life threatening diseases. In their day to day working, they handle garbage, night soil, filth and other similar substances which make them vulnerable to several diseases and even death. The risk component in their work is manifold as compared to the workmen in other areas. In lieu of this risk, the Safai Karamcharis should be paid an additional amount as Risk Allowance along with free treatment at the govt. hospitals in case of any mishap. Hence, the Commission is of the view that the Central & the State Governments should make immediate provisions for granting risk allowances to Safai Karamcharis working in all organizations.

6.13 PROTECTION OF RIGHTS

6.13.1 The Manual Scavengers/Safai Karamcharis are the most vulnerable and weakest section of the society. Their plight is further compounded by the fact that even today, untouchability is still practiced by many sections of the society. The Commission receives large number of complaints pertaining to caste based abuse of the Manual Scavengers/Safai Karamcharis. Manual Scavengers/Safai Karamcharis being ousted from their houses/colonies is another common complaint received by the Commission. There are allegations by the Manual Scavengers/Safai Karamcharis that police authorities are either indifferent or don't taken any action on their complaints.

RECOMMENDATIONS:

6.13.2 Commission recommends that all State Governments should be directed to sensitize their civil and police administration towards the complaints of the Manual Scavengers/Safai Karamcharis. There should be a Liaison Officer in each police station who should consider the complaints of the Manual Scavengers/Safai Karamcharis on priority and help them in registering their cases under the relevant sections of the Protection of Civil Rights Act, 1955 and/or the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

6.14 STATE LEVEL COMMISSION FOR SAFAI KARAMCHARIS

6.14.1 The National Commission for Safai Karamchari works at the National Level. Unlike National Commission for Scheduled Castes or National Commission for Scheduled Tribes, it has no field or regional offices. However, the Section 32 (1) of “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” that the State Government may, by notification, designate a State Commission for Safai Karamcharis or a State Commission for the Scheduled Castes or such other statutory or other authority, as it deems fit, to perform, within the State, mutatis mutandis, the functions of the National Commission for Safai Karamcharis within the State.

6.14.2 As per information available with the Commission, State level Safai Karamcharis Commission are in place in the following States only:

S.NO	STATE/UT
1.	Delhi
2.	Madhya Pradesh
3.	Maharashtra
4.	Rajasthan
5.	Uttar Pradesh
6.	Karnataka
7.	Uttrakhand

6.14.3 The Commission understands that most of the abovementioned State Commissions are not working to their full potential as posts of Chairman/Members and/or staff are lying vacant in many State Commission.

6.14.4 Majority of the Safai Karamcharis/Manual Scavengers belong to the Scheduled Caste Community who are largely illiterate and poor. All the complaints and grievances from the Safai Karamcharis across India are directly sent to this Commission & in some cases, the individual (victim) directly comes to Commission's office (in New Delhi) spending his/her money in a hope of getting justice. Their cases are then taken up with the concerned authorities of their State/UT by this Commission and are followed up till their closure. However, the whole process takes a long time. If there are Commissions at the State level, then the Manual Scavengers/Safai Karamcharis can take up their grievances with these Commissions at local level. These Commissions, in turn, can interact with the local employers of the Manual Scavengers/Safai Karamcharis in connection with their complaints in a better and more effective way.

RECOMMENDATIONS:

6.14.5 The Commission recommends the Central Government to issue the appropriate directives to the State Governments to establish, at the earliest, the State Commissions for Safai Karamcharis wherever it has not be established and to make fully functional the State Commissions wherever they are already in place. It is needless to say that this is now a statutory requirement also in view of "The Prohibition of Employment of Manual Scavengers and their Rehabilitation Act, 2013".

6.15 EDUCATION

6.15.1 Education is the key to progress for all sections of society and Safai Karamcharis/Manual Scavengers are no exception in this regard. The Commission has observed that most of the Safai Karamcharis and their dependents are either illiterate or possess basic/primary level education. Owing to their poverty, earning money for them takes precedence over education and hence they end up spending all of their time to earn money for their livelihood. Due to lack of awareness and illiteracy, they do not send their children to schools and instead compel them to follow the hereditary work. Another deterrent in their education is the location of schools which are generally far away from their localities. Also, caste indiscrimination against children is also widely prevalent in the schools as they are forced to sit in the corners away from other students. Untouchability in schools is one of the major reasons for a high drop-out rate and illiteracy levels among children of Manual Scavengers/Safai Karamcharis.

RECOMMENDATIONS:

6.15.2 In this regard, the Commission recommends that:

- a) The government should focus and give emphasis on enrollment of children of Manual Scavengers/Safai Karamcharis in schools under the Right to Education and ensure that drop out rates are kept to the minimum. The govt. schools should be located in a radius of 1 kilometre around their colony.
- b) Strict action should be taken against the teachers who follow or allow the inhuman practices of discrimination and ostracism.
- c) Awareness camps should be held on regular basis, for publicizing the benefits of education with a provision of on-the-spot admission.
- d) There should be an Adult Education Centre in their localities to boost the literacy & confidence levels amongst the elder groups. Only then the elders in the family can highlight the importance of education to the younger generation.
- e) To infuse a fresh spirit of enthusiasm for higher education, govt. should work out a programme under which the children of Manual Scavengers/Safai Karamcharis are given preference in campus recruitment.
- f) There should be reservation for children of Safai Karamcharis in all Govt./Semi Govt./Private Schools/Colleges. In addition to proper education, they should also be given training and incentive in extracurricular activities such as drama, singing, musical instruments, sports, computers etc. to boost up their moral and confidence. Libraries, Community Halls should also be built in their colonies.

6.16 EFFECTIVE FINANCING OF SCHEMES

6.16.1 Manual scavenging is largely concentrated in towns and cities, though it is also practiced in rural areas. There are greater difficulties in providing viable employment on a sustainable basis in urban areas unlike in the rural areas where beneficiaries could be allotted land for cultivation or assisted to take up land related activities like livestock rearing, fisheries, dairies etc. In the urban areas, beneficiaries in the past have been assisted to take up dairy, piggery, garment retailing, cycle/scooter repair, tailoring and cutting, etc. There are serious limitations to providing satisfactory rehabilitation in these vocations. Piggery activities create sanitary problems in urban slums and also create discomfort amongst the residents in a neighborhood. Dairy activities also cannot be

undertaken in such congested localities. Tailoring and cutting, cycle repair, garment shops and such other activities cannot provide sufficient income generation as such activities have low investment and are already saturated. There is also not adequate demand for these services to accommodate such a large number of scavengers as they inevitably are in a segregated urban colony in a target town. Due to the stigma attached with the untouchability, no activity which involves handling of food items is expected to succeed. Most towns in States which have manual scavenging would not have flourishing industries in the vicinity so as to provide scope for wage employment. These are the serious impediments for effective implementation of the schemes meant for uplift Safai Karamcharis/manual scavengers.

RECOMMENDATIONS:

6.16.2 The Commission feels that there is a need to identify activities where such people can be absorbed with assurance of a gainful employment first, before taking up skill development and project formulation. Usually, such intensive pre-survey is not done and too many beneficiaries are sponsored for training and later financing in a limited number of trades without reference to the level of market demand. In today's market driven economy, the entrepreneurs need to have a thorough knowledge of demand and supply before venturing into any business. Therefore, the Commission recommends that the National Safai Karamcharis Finance and Development Corporation, having regard to the local conditions and capability of the entrepreneur, should also guide and assist the intended beneficiary in identifying the occupation/business he/she should venture.

6.16.3 The Commission also receives complaints from Safai Karamchairs/Manual Scavengers in availing schemes of the Government due to red tapism. Therefore, the Commission recommends that no guarantor or security should be insisted upon when Safai Karamcharis are sanctioned loan for their upliftment. Also the cumbersome procedures for obtaining loan should be simplified and loan should be given promptly without using any dilatory tactics through bank account. The government should keep a close watch on the middlemen who very often dupe the gullible Safai Karamcharis/Manual Scavengers.

6.17 SERVICE MATTERS

6.17.1 The maximum number of grievances, received by the Commission, pertains to the service matters/working conditions of the Safai Karamcharis/Manual Scavengers. These complaints range from non-payment of wages/salary on time, denial of minimum wages, denial/late payment of retirement benefits like gratuity, leave encashment, pension etc., harassment in withdrawing money from GP fund, denial of leave, posting/transfer to far off places, over burden by work due to shortage of staff, lack of safety equipment and other gadgets for carrying out their work etc.

RECOMMENDATIONS:

6.17.2 The Commission recommends that Safai Karamcharis should be appointed in adequate number in the Municipal/Local bodies in proportion to the houses/population in that particular area. Sufficient number of posts should be created as per requirement of various offices and appointments on regular basis may be made. Existing ban imposed by the Govt. for fresh recruitment of Safai Karamcharis should be lifted for this purpose. All vacant posts of Safai Karamcharis in different department of the States/Districts should be filled on priority. Safai Karamcharis working in Municipal Corporations, local bodies, Public and Private sector organizations etc. whether on permanent, temporary, daily wage or on contract should be provided with free medical, pension, gratuity, provident fund and insurance facilities. Safai Karamcharis who had been engaged in Safai work continuously for five years or more should be made permanent. Punitive action should be taken by the concerned authorities against the erring officials who are responsible for non-deductions of provident fund, non deposit of insurance/loan amount, non-payment of minimum wages etc. to Safai Karamcharis. Instead of paying them in cash, the salaries to the Safai Karamcharis should be disbursed through banks. This will help in keeping a check on underpayment and exploitation of the Safai Karamcharis.

6.17.3 The employer/contractor should provide all the necessary equipments like broom, basket, apron, uniform etc. to the Safai Karamcharis for carrying out their job. They should also provide safety gadgets like face mask, gum boots, helmets etc. to the Safai Karamcharis.

6.18 ISSUES RELATING TO WOMEN SAFAI KARAMCHARIS

6.18.1 The work of manual scavenging is done mostly by the women members of the scavenger families. In fact, even in families of scavengers where men have liberated themselves from this work by seeking other jobs/vocations, they still permit, rather encourage and coerce, their women members to continue this work for augmenting the income of the family. Thus, a degrading customary practice gets reinforced by pressure of poverty, gender insensitivity and intra-family inequity. They are the most vulnerable section of the society as they face discrimination on the basis of caste and gender in all spheres of life and are subjected to gross violations of their physical integrity, including sexual abuse by dominant castes. The Commission often gets complaints from woman safai Karamcharis, especially working in schools, alleging that they are forced to do the job of night chowkidar also. Apart from double burden on them, the woman safai Karamcharis also find it unsafe to stay at schools/office premises in the night.

RECOMMENDATIONS:

6.18.2 Centrally sponsored programmes should be made for empowerment of women of Safai Karamchari communities. Effective steps should be taken for counselling and insisting them to leave this degraded and shameful act. Alternatively, they should be rehabilitated through self employment in various professions like tailoring, beauty parlour, teaching etc. They should be provided full support and easy loan facilities on simple terms as and when desired by them followed with marketing assistance. Most of the women lack basic education and they should be encouraged for pursue education.

6.18.3 The complaints of sexual harassment of women Safai Karamcharis should be examined with extra care and sensitivity. As far as possible, the women Safai Karamcharis should be deployed under woman Supervisors only. Under no circumstances, a woman safaikaramchari may be asked to do the job of a chowkidar and stay at office premises in the night.

6.19 LACK OF AWARENESS ABOUT THE COMMISSION

6.19.1 The Commission has experienced that the level of awareness about the Commission and its activities for the welfare of Safai Karamcharis is rather very poor due to lack of adequate information and passive attitude of State Govt. towards Commission. Most of the Safai Karamcharis are illiterate and are not aware of the existence of this Commission. They are simply at the mercy of a number of Unions/Associations for their grievances.

RECOMMENDATIONS:

6.19.2 The Commission therefore, recommends that it should be made mandatory in Government departments, Municipal Corporations, ULBs, PSUs, Banks, Local bodies etc. to display a hoarding board with the details such as Names, addresses, telephone numbers etc. of the Hon'ble Chairperson & Members of this Commission in English and in the local language so as to create awareness amongst the Safai Karamcharis so that they come forward with their grievances/complaints without any hesitation and as & when needed.

6.20 FOREIGN TOURS FOR THE COMMISSION

6.20.1 For comparative study of Safai Karamcharis in terms of their working and living condition, their status in the society etc., it is necessary that the Chairman/members of the Commission should have an exposure to the conditions under which the Safai Karamcharis live/work in developed countries. Therefore, Chairperson/Members of the Commission should be allowed to visit one developed country every year to study the methods and techniques being used by these countries for cleaning processes and mitigation of tough working conditions of the Safai Karamcharis. For this purpose sufficient funds should be allocated to the Commission to meet out the expenses for Foreign Tours.

6.21 RENOVATION OF THE COMMISSION

The Commission is in existence for more than twenty years and no major renovation/upgradation of its office premises have been undertaken since then. The ambience and appearance of the office of the Commission needs a facelift. The rooms and furniture of the office present a worn out look. Therefore, the Commission would like to request the Ministry for complete modernization/renovation of the Commission's office on the same lines as National Commission for Scheduled Castes has been renovated recently.

6.22 OTHER RECOMMENDATIONS

6.22.1 Safai Karamcharis and the communities of Scheduled Castes especially Valmikis and other community traditionally involved in scavenging work should be given preference by the ULBs while awarding cleaning contracts.

6. 22.2 Instructions should be issued to the heads of State/District functionaries to carry out special surprise checks (in collaboration with Vigilance Department or Police Department) to ensure that no middle persons, touts or money lenders are exploiting the Safai Karamcharis in any way.

6. 22.3 With the increase in urbanization & industrialization, fresh assessments based on the population and area for cleaning for the number of Safai Karamcharis should be worked out periodically. Recruitments should also be done accordingly.

6.22.4 Instructions should be issued to all concerned authorities for not using the derogatory and abusive language/words in issuing various types of school certificates to the children of Safai Karamcharis/Manual Scavengers.

6.22.4 It is noticed that the contract for cleaning is awarded to person/NGO who are not having adequate funds, skill and experience. As a result, the work is passed on by him to sub-contractor who engage Valmiki community for the work and exploit them by making underpayments. In the event of any mishap, the main contractor refuses to take the responsibility of the incident. Govt. should issue instructions to the States to ensure that this type of exploitation/malpractices are not allowed.

6.22.5 All the pending cases of appointment on compassionate grounds should be expedited and cleared in a time bound phased manner.

-----X-----X-----X-----X-----

Annexure-I

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
(SCHEDULED CASTES DEVELOPMENT DIVISION)

RESOLUTION

New Delhi, 31st March, 2016

No. 17015/18/2015-RIC.—In continuation of the Government of India Resolution dated 06.03.2013, the term of the National Commission for Safai Karamcharis (NCSK) is hereby extended for a further period of three years, i.e. from 01.04.2016 to 31.03.2019.

2. The terms of reference of the Commission will continue to be the same as notified in the Resolution No. 17015/17/2008-RIC dated 02.03.2009. The Commission will continue to perform the functions as mentioned in Section 31(1) of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013. The provisions regarding its composition, power, procedural matters and Annual Report will continue to be governed by paras 3 and 5-7 of the Resolution No. 17015/18/2003-SCD-VI dated 09.09.2004.

B. L. MEENA, Jt. Secy.

1-4-2013 to 31-3-2016

Annex-II

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D.L.-33004/99



भारत का राजपत्र The Gazette of India

असाधारण
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प्राधिकार से प्रकाशित
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नई दिल्ली, बुधवार, मार्च 13, 2013/फाल्गुन 22, 1934

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NEW DELHI, WEDNESDAY, MARCH 13, 2013/PHALGUNA 22, 1934

सामाजिक न्याय और अधिकारिता मंत्रालय

(अनुसूचित जातियाँ विकास प्रभाग)

संकल्प

नई दिल्ली, 6 मार्च, 2013

सं. 17015/1/2012-आरआईसी.—भारत सरकार के समसंख्यक संकल्प के क्रम में, एतद्वारा राष्ट्रीय सफाई कर्मचारी आयोग (एनसीएसके) की अवधि अतिरिक्त तीन वर्षों अर्थात् दिनांक 1-4-2013 से 31-3-2016 तक के लिए बढ़ाई जाती है।

2. आयोग के विचारार्थ विषय दिनांक 2-3-2009 के संकल्प सं. 17015/17/2008-आरआईसी में यथा अधिसूचित समान रहेंगे और इसकी संरचना, शक्तियाँ, कार्यविधि संबंधी मामले और वार्षिक रिपोर्ट से संबंधित प्रावधान दिनांक 9-9-2004 के संकल्प सं. 17015/18/2003-एससीडी-VI के पैरा 3 और 5-7 द्वारा प्रशासित होती रहेंगी।

आदेश

संकल्प को भारत के राजपत्र में प्रकाशित करने का आदेश दिया जाता है।

संजीव कुमार, संयुक्त सचिव

MINISTRY OF SOCIAL JUSTICE AND
EMPOWERMENT

(SCHEDULED CASTES DEVELOPMENT DIVISION)

RESOLUTION

New Delhi, the 6th March, 2013

No. 17015/1/2012-RIC.—In continuation of the Government of India Resolution of even number dated 30-3-2010, the term of the National Commission for Safai Karmacharis (NCSK) is hereby extended for a further period of three years, i.e. from 1-4-2013 to 31-3-2016.

2. The terms of reference of the Commission will continue to be the same as notified in the Resolution No. 17015/17/2008-RIC, dated 2-3-2009 and provisions regarding its composition, power, procedural matters and Annual Report will continue to be governed by paras 3 and 5-7 of the Resolution No. 17015/18/2003-SCD-VI, dated 9-9-2004.

ORDER

Ordered that the Resolution be published in the Gazette of India.

SANJEEV KUMAR, Jt. Secy.

1061 GI/2013

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MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

(Scheduled Castes Development Division)

RESOLUTION

New Delhi, the 2nd March, 2009

No. 17015/17/2008- RI Cell - In continuation of the Government of India Resolutions No. 17015/18/2003-SCD-VI dated 9.9.2004 and No.17015/8/2007-RI Cell dated 28.12.2007, the term of the National Commission for Safai Karamcharis is hereby extended for a further period from 1.4.2009 to 31.3.2010 with the following terms of reference :

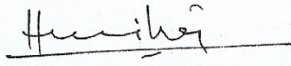
- (a) Recommend to the Central Government specific programmes of action towards elimination of inequalities in status, facilities and opportunities for Safai Karamcharis.
- (b) Study and evaluate the implementation of the programmes and schemes relating to the social and economic rehabilitation of Safai Karamcharis and scavengers in particular
- (c) Investigate specific grievances and to take *suo motu* notice of matters relating to non-implementation of:
 - (i) programmes or schemes in respect of any group of Safai Karamcharis;
 - (ii) decisions, guidelines or instructions aimed at mitigating the hardship of Safai Karamcharis;
 - (iii) the measures for the social and economic upliftment of Safai Karamcharis;
 - (iv) the provisions of any law in its application to Safai Karamcharis; and take up such matters with concerned authorities or with the Central or State Governments;
- (d) To study and monitor the working conditions, including those relating to health, safety and wages, of Safai Karamcharis working under various kinds of employers including Government, Municipalities and Panchayats, and to make recommendations in this regard;

- (e) Make reports to the Central and State Governments on any matter concerning Safai Karamcharis, taking into account any difficulties or disabilities being encountered by Safai Karamcharis; and
- (f) Any other matter which may be referred to it by the Central Government.

2. The composition of the Commission, its powers, procedural matters, and preparation of its Annual Report will continue to be governed by para 3 and 5-7 of the above mentioned Resolution dated 9.9.2004.

ORDER

Ordered that the Resolution be published in the Official Gazette.


P.P.Mitra, Joint Secretary



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग I—खण्ड 1

PART I—Section 1

प्राधिकार से प्रकाशित

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No. 206]

नई दिल्ली, शुक्रवार, सितम्बर 10, 2004/भाद्र 19, 1926

NEW DELHI, FRIDAY, SEPTEMBER 10, 2004/BHADRA 19, 1926

सामाजिक न्याय और अधिकारिता मंत्रालय

(अनुसूचित जाति विकास प्रभाग)

संकल्प

नई दिल्ली, 9 सितम्बर, 2004

सं. 17015/18/2003-एससीडी-VI.—जबकि सफाई कर्मचारियों और विशेषकर स्कैवेंजर्स को वैकल्पिक उपजीविका के लिए विकास संबंधी आवश्यकताएं और उनका पुनर्वास भारत सरकार के विचाराधीन रहा है।

2. और जबकि सरकार ने स्कीमों के आमेलेन के पश्चात् 31 दिसम्बर, 2007 तक सिर पर मैला ढोने की प्रथा (स्कैवेंजिंग) को पूर्णतः समाप्त करने और उनके पुनर्वास में तीव्रता लाने के लिए एक राष्ट्रीय कार्य योजना आरम्भ की है और उसका यह सुविचारित मत है कि लक्ष्य समूह के हित में यह आवश्यक है कि राष्ट्रीय सफाई कर्मचारी आयोग को जारी रखा जाए क्योंकि आयोग को आर्थिक, सामाजिक व शैक्षिक पुनर्वास के कार्य की निगरानी करनी है।

3. अतः अब भारत सरकार ने राष्ट्रीय सफाई कर्मचारी आयोग को 1-9-2004 से 31-12-2007 तक जारी रखने का संकल्प किया है जिसकी संरचना इस प्रकार है :—

- इस राष्ट्रीय सफाई कर्मचारी आयोग में एक अध्यक्ष और 4 सदस्य (एक महिला सदस्य सहित) होंगे;
- अध्यक्ष राज्य मंत्री के रैंक में तथा 4 अन्य सदस्य भारत सरकार के सचिव के रैंक में होंगे;
- राष्ट्रीय सफाई कर्मचारी आयोग के सचिवालय में विद्यमान पदों को 31-12-2007 तक जारी रखना; और
- विद्यमान कार्यालय आवास को बनाए रखना।

4. आयोग के विचारणीय विषय हैं :

- सफाई कर्मचारियों के लिए स्थिति, सुविधाओं और अवसरों में असमानता समाप्त करने के लिए कार्य योजना के अधीन विनिर्दिष्ट कार्यक्रमों की केन्द्रीय सरकार को सिफारिश करना।
- सफाई कर्मचारियों और विशेषकर स्कैवेंजर्स के सामाजिक व आर्थिक पुनर्वास से संबंधित कार्यक्रमों एवं स्कीमों के क्रियान्वयन का अध्ययन व मूल्यांकन करना।

(ग) विनिर्दिष्ट शिकायतों की जांच करना और निम्नलिखित को कार्यान्वित न किए जाने से संबंधित विषयों पर अपनी ओर से ध्यान देना :

- (i) सफाई कर्मचारियों के किसी समूह की बाबत कार्यक्रम या स्कीमें;
- (ii) सफाई कर्मचारियों की कठिनाइयों को कम करने के लिए विनिश्चय, मार्गदर्शन या अनुदेश;
- (iii) सफाई कर्मचारियों के सामाजिक एवं आर्थिक उत्थान के लिए उपाय;
- (iv) सफाई कर्मचारियों को लागू किसी विधि के उपबंध; और ऐसे विषयों को संबंधित प्राधिकारियों अथवा केन्द्रीय या राज्य सरकारों के साथ उठाना।

(घ) 2007 तक सिर पर मैला दोने की प्रथाओं पूर्ण उन्मूलन के लिए राष्ट्रीय कार्य योजना के क्रियान्वयन की बिगरानी करना।

(ङ) सफाई कर्मचारियों को जिन कठिनाइयों या निर्योग्यताओं का सामना करना पड़ रहा है, उनको ध्यान में रखते हुए सफाई कर्मचारियों से संबंधित किसी विषय पर केन्द्रीय और राज्य सरकारों को रिपोर्ट देना।

(च) कोई अन्य विषय, जो केन्द्रीय सरकार द्वारा उसे निर्देशित किए जाए।

5. आयोग, केन्द्रीय सरकार या किसी राज्य सरकार या किसी प्राधिकारी संगठन से, ऐसी जानकारी प्राप्त कर सकेगा जिसे वह अपने प्रयोजन के लिए आवश्यक या समीचीन समझे।

6. आयोग अपनी स्वयं की क्रियाप्रणाली अपनाएगा और भारत के किसी भी भाग में जब भी आवश्यक समझे, जा सकेगा।

7. आयोग प्रत्येक वित्त वर्ष की अपनी वार्षिक रिपोर्ट निर्धारित समय और प्ररूप में तैयार करेगा जिसमें पूर्व वित्त वर्ष के इसके कार्यकलापों का पूरा ब्यौरा होगा और इसकी प्रति केन्द्रीय सरकार को भेजेगा।

पी. नारायण मूर्ति, संयुक्त सचिव

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

(Scheduled Castes Development Division)

RESOLUTION

New Delhi, the 9th September, 2004

No. 17015/18/2003-SCD-VI.—Whereas the Government of India has been seized of the developmental needs and rehabilitation of the Safai Karamcharis and Scavengers in particular, in alternate occupations.

2. And whereas the Government has launched a National Action Plan for the total eradication of manual scavenging after amalgamation of schemes and speeding up the rehabilitation of scavengers by 31-12-2007; the Government is of the considered view that the continuation of the National Commission for Safai Karamcharis is necessary in the interest of the target group as the Commission is required to oversee the economic, social and educational rehabilitation.
3. Now, therefore, the Government of India has resolved to continue the National Commission for Safai Karamcharis for a period from 1-9-2004 to 31-12-2007 with the following Constitution :—
 - (i) a Chairperson and four other Members (including one lady Member).
 - (ii) the Chairperson shall be in the rank of Minister of State and the four other Members shall be in the rank of the Secretary to the Government of India.
 - (iii) the continuation of the existing posts in the Secretariat of National Commission for Safai Karamcharis till the 31st December, 2007.
 - (iv) continuation of the existing office accommodation.
4. The terms of reference of the Commission are given below :
 - (a) Recommend to the Central Government a specific programme of action towards elimination of inequalities in a status, facilities and opportunities for Safai Karamcharis.

- (b) Study and evaluate the implementation of the programmes and schemes relating to the social and economic rehabilitation of Safai Karamcharis and Scavengers particular.
 - (c) Investigate specific grievances and to take *suo-motu* notice of matters relating to non-implementation of:
 - (i) programmes or schemes in respect of any group of Safai Karamcharis;
 - (ii) decisions, guidelines or instructions aimed at mitigating the hardship of Safai Karamcharis;
 - (iii) the measures for social and economic upliftment of Safai Karamcharis;
 - (iv) the provisions of any law in its application to Safai Karamcharis; and take up such matters with concerned authorities or with the Central or State Government;
 - (d) Oversee the implementation of the National Action Plan for total eradication of manual scavenging by 2007.
 - (e) Make reports to the Central and State Governments on any matter concerning Safai Karamcharis, taking into account any difficulties disabilities being encountered by Safai Karamcharis;
 - (f) Any other matter, which may be referred to it by the Central Government.
5. The Commission may obtain such information as considered necessary or expedient for its purpose from the Central Government or any State Government or any authority, organization.
6. The Commission will adopt its own procedure of working and may visit any part of India as and when considered necessary.
7. The Commission shall prepare in such form and at such time for each financial year as may be prescribed its annual report giving a full account of its activities during the previous financial year and forward a copy thereof to the Central Government.

P. N. MURTHY, Jt. Secy.

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—13

REGISTERED NO. DL—(N)04/0007/2003—13



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 35]

नई दिल्ली, बृहस्पतिवार, सितम्बर 19, 2013/ भाद्र 28, 1935 (शक)

No. 35] NEW DELHI, THURSDAY, SEPTEMBER 19, 2013/ BHADRA 28, 1935 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 19th September, 2013/Bhadra 28, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 18th September, 2013, and is hereby published for general information:—

THE PROHIBITION OF EMPLOYMENT AS MANUAL SCAVENGERS AND THEIR REHABILITATION ACT, 2013

No. 25 OF 2013

[18th September, 2013.]

An Act to provide for the prohibition of employment as manual scavengers, rehabilitation of manual scavengers and their families, and for matters connected therewith or incidental thereto.

WHEREAS promoting among the citizens fraternity assuring the dignity of the individual is enshrined as one of the goals in the Preamble to the Constitution;

AND WHEREAS the right to live with dignity is also implicit in the Fundamental Rights guaranteed in Part III of the Constitution;

AND WHEREAS article 46 of the Constitution, *inter alia*, provides that the State shall protect the weaker sections, and, particularly, the Scheduled Castes and the Scheduled Tribes from social injustice and all forms of exploitation;

AND WHEREAS the dehumanising practice of manual scavenging, arising from the continuing existence of insanitary latrines and a highly iniquitous caste system, still persists in various parts of the country, and the existing laws have not proved adequate in eliminating the twin evils of insanitary latrines and manual scavenging;

AND WHEREAS it is necessary to correct the historical injustice and indignity suffered by the manual scavengers, and to rehabilitate them to a life of dignity.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Provided that the date so notified shall not be earlier than sixty days after the date of publication of the notification in the Official Gazette.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) “agency” means any agency, other than a local authority, which may undertake sanitation facilities in an area and includes a contractor or a firm or a company which engages in development and maintenance of real estate;

(b) “appropriate government”, in relation to Cantonment Boards, railway lands, and lands and buildings owned by the Central Government, a Central Public Sector Undertaking or an autonomous body wholly or substantially funded by the Central Government, means the Central Government and in all other cases, the State Government;

(c) “Chief Executive Officer”, in relation to a Municipality or Panchayat, means, its senior-most executive officer, by whatever name called;

(d) “hazardous cleaning” by an employee, in relation to a sewer or septic tank, means its manual cleaning by such employee without the employer fulfilling his obligations to provide protective gear and other cleaning devices and ensuring observance of safety precautions, as may be prescribed or provided in any other law, for the time being in force or rules made thereunder;

(e) “insanitary latrine” means a latrine which requires human excreta to be cleaned or otherwise handled manually, either *in situ*, or in an open drain or pit into which the excreta is discharged or flushed out, before the excreta fully decomposes in such manner as may be prescribed:

Provided that a water flush latrine in a railway passenger coach, when cleaned by an employee with the help of such devices and using such protective gear, as the Central Government may notify in this behalf, shall not be deemed to be an insanitary latrine.

(f) “local authority” means,—

(i) a Municipality or a Panchayat, as defined in clause (e) and clause (f) of article 243P of the Constitution, which is responsible for sanitation in its area of jurisdiction;

(ii) a Cantonment Board constituted under section 10 of the Cantonments Act, 2006; and

(iii) a railway authority;

(g) “manual scavenger” means a person engaged or employed, at the commencement of this Act or at any time thereafter, by an individual or a local authority or an agency or a contractor, for manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit into which the human excreta from the insanitary latrines is disposed of, or on a

railway track or in such other spaces or premises, as the Central Government or a State Government may notify, before the excreta fully decomposes in such manner as may be prescribed, and the expression "manual scavenging" shall be construed accordingly.

Explanation.—For the purpose of this clause,—

(a) "engaged or employed" means being engaged or employed on a regular or contract basis;

(b) a person engaged or employed to clean excreta with the help of such devices and using such protective gear, as the Central Government may notify in this behalf, shall not be deemed to be a 'manual scavenger';

64 of 1993.

(h) "National Commission for Safai Karmacharis" means the National Commission for Safai Karmacharis constituted under section 3 of the National Commission for Safai Karmacharis Act, 1993 and continued by Resolution of the Government of India in the Ministry of Social Justice and Empowerment *vide* No.17015/18/2003-SCD-VI, dated 24th February, 2004 and as amended from time to time;

(i) "notification" means a notification published in the Official Gazette and the expression "notify" shall be construed accordingly;

(j) "occupier", in relation to the premises where an insanitary latrine exists, or someone is employed as a manual scavenger, means the person who, for the time being, is in occupation of such premises;

(k) "owner", in relation to the premises where an insanitary latrine exists or someone is employed as a manual scavenger, means, the person who, for the time being has legal title to such premises;

(l) "prescribed" means prescribed by the rules made under this Act;

(m) "railway authority" means an authority administering railway land, as may be notified by the Central Government in this behalf;

24 of 1989.

(n) "railway land" shall have the meaning assigned to it in clause (32A) of section 2 of the Railways Act, 1989;

(o) "sanitary latrine" means a latrine which is not an 'insanitary latrine';

(p) "septic tank" means a water-tight settling tank or chamber, normally located underground, which is used to receive and hold human excreta, allowing it to decompose through bacterial activity;

(q) "sewer" means an underground conduit or pipe for carrying off human excreta, besides other waste matter and drainage wastes;

(r) "State Government", in relation to a Union territory, means the Administrator thereof appointed under article 239 of the Constitution;

(s) "survey" means a survey of manual scavengers undertaken in pursuance of section 11 or section 14.

41 of 2006.

(2) Words and expressions used and not defined in this Act, but defined in the Cantonments Act, 2006, shall have the same meanings respectively assigned to them in that Act.

(3) The reference to a Municipality under Chapters IV to VIII of this Act shall include a reference to, as the case may be, the Cantonment Board or the railway authority, in respect of areas included within the jurisdiction of the Cantonment Board and the railway land, respectively.

Act to have
overriding
effect.

3. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 or in any other law, or in any instrument having effect by virtue of any other law.

46 of 1993.

CHAPTER II

IDENTIFICATION OF INSANITARY LATRINES

Local
authorities to
survey
insanitary
latrines and
provide
sanitary
community
latrines.

4. (1) Every local authority shall,—

(a) carry out a survey of insanitary latrines existing within its jurisdiction, and publish a list of such insanitary latrines, in such manner as may be prescribed, within a period of two months from the date of commencement of this Act;

(b) give a notice to the occupier, within fifteen days from the date of publication of the list under clause (a), to either demolish the insanitary latrine or convert it into a sanitary latrine, within a period of six months from the date of commencement of this Act:

Provided that the local authority may for sufficient reasons to be recorded in writing extend the said period not exceeding three months;

(c) construct, within a period not exceeding nine months from the date of commencement of this Act, such number of sanitary community latrines as it considers necessary, in the areas where insanitary latrines have been found.

(2) Without prejudice to the provisions contained in sub-section (1), Municipalities, Cantonment Boards and railway authorities shall also construct adequate number of sanitary community latrines, within such period not exceeding three years from the date of commencement of this Act, as the appropriate Government may, by notification, specify, so as to eliminate the practice of open defecation in their jurisdiction.

(3) It shall be the responsibility of local authorities to construct community sanitary latrines as specified in sub-sections (1) and (2), and also to make arrangements for their hygienic upkeep at all times.

Explanation.—For the purposes of this section, “community” in relation to railway authorities means passengers, staff and other authorised users of railways.

CHAPTER III

PROHIBITION OF INSANITARY LATRINES AND EMPLOYMENT AND ENGAGEMENT AS MANUAL SCAVENGER

Prohibition of
insanitary
latrines and
employment
and engage-
ment of
manual
scavenger.

5. (1) Notwithstanding anything inconsistent therewith contained in the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, no person, local authority or any agency shall, after the date of commencement of this Act,—

46 of 1993

(a) construct an insanitary latrine; or

(b) engage or employ, either directly or indirectly, a manual scavenger, and every person so engaged or employed shall stand discharged immediately from any obligation, express or implied, to do manual scavenging.

(2) Every insanitary latrine existing on the date of commencement of this Act, shall either be demolished or be converted into a sanitary latrine, by the occupier at his own cost, before the expiry of the period so specified in clause (b) of sub-section (1) of section 4:

Provided that where there are several occupiers in relation to an insanitary latrine, the liability to demolish or convert it shall lie with,—

(a) the owner of the premises, in case one of the occupiers happens to be the owner; and

(b) all the occupiers, jointly and severally, in all other cases:

Provided that the State Government may give assistance for conversion of insanitary latrines into sanitary latrines to occupiers from such categories of persons and on such scale, as it may, by notification, specify:

Provided further that non-receipt of State assistance shall not be a valid ground to maintain or use an insanitary latrine, beyond the said period of nine months.

(3) If any occupier fails to demolish an insanitary latrine or convert it into a sanitary latrine within the period specified in sub-section (2), the local authority having jurisdiction over the area in which such insanitary latrine is situated, shall, after giving notice of not less than twenty one days to the occupier, either convert such latrine into a sanitary latrine, or demolish such insanitary latrine, and shall be entitled to recover the cost of such conversion or, as the case may be, of demolition, from such occupier in such manner as may be prescribed.

6. (1) Any contract, agreement or other instrument entered into or executed before the date of commencement of this Act, engaging or employing a person for the purpose of manual scavenging shall, on the date of commencement of this Act, be terminated and such contract, agreement or other instrument shall be void and inoperative and no compensation shall be payable therefor.

Contract, agreement, etc., to be void.

(2) Notwithstanding anything contained in sub-section (1), no person employed or engaged as a manual scavenger on a full-time basis shall be retrenched by his employer, but shall be retained, subject to his willingness, in employment on at least the same emoluments, and shall be assigned work other than manual scavenging.

7. No person, local authority or any agency shall, from such date as the State Government may notify, which shall not be later than one year from the date of commencement of this Act, engage or employ, either directly or indirectly, any person for hazardous cleaning of a sewer or a septic tank.

Prohibition of persons from engagement or employment for hazardous cleaning of sewers and septic tanks.

8. Whoever contravenes the provisions of section 5 or section 6 shall for the first contravention be punishable with imprisonment for a term which may extend to one year or with fine which may extend to fifty thousand rupees or with both, and for any subsequent contravention with imprisonment which may extend to two years or with fine which may extend to one lakh rupees, or with both.

Penalty for contravention of section 5 or section 6.

9. Whoever contravenes the provisions of section 7 shall for the first contravention be punishable with imprisonment for a term which may extend to two years or with fine which may extend to two lakh rupees or with both, and for any subsequent contravention with imprisonment which may extend to five years or with fine which may extend to five lakh rupees, or with both.

Penalty for contravention of section 7.

10. No court shall take cognizance of any offence punishable under this Act except upon a complaint thereof is made by a person in this behalf within three months from the date of the occurrence of the alleged commission of the offence.

Limitation of prosecution.

CHAPTER IV

IDENTIFICATION OF MANUAL SCAVENGERS IN URBAN AND RURAL AREAS AND THEIR REHABILITATION

11. (1) If any Municipality has reason to believe that some persons are engaged or employed in manual scavenging within its jurisdiction, the Chief Executive Officer of such Municipality shall cause a survey to be undertaken to identify such persons.

Survey of manual scavengers in urban areas by Municipalities.

(2) The content and methodology of the survey referred to in sub-section (1) shall be such as may be prescribed, and it shall be completed within a period of two months from its commencement in the case of Municipal Corporations, and within a period of one month in the case of other Municipalities.

(3) The Chief Executive Officer of the Municipality, in whose jurisdiction the survey is undertaken, shall be responsible for accurate and timely completion of the survey.

(4) After completion of the survey, the Chief Executive Officer shall cause to be drawn up a provisional list of persons found to be working as manual scavengers within the jurisdiction of his Municipality and fulfilling the eligibility conditions as may be prescribed, shall cause such provisional list to be published for general information in such manner, as may be prescribed, and shall invite objections to the list from the general public.

(5) Any person having any objection, either to the inclusion or exclusion of any name in the provisional list published in pursuance of sub-section (4), shall, within a period of fifteen days from such publication, file an objection, in such form as the Municipality may notify, to the Chief Executive Officer.

(6) All objections received in pursuance of sub-section (5), shall be enquired into, and thereafter a final list of persons found to be working as manual scavengers within the local limits of the municipality, shall be published by it in such manner, as may be prescribed.

(7) As soon as the final list of manual scavengers, referred to in sub-section (6) is published, the persons included in the said list shall, subject to the provisions of sub-section (2) of section 6, stand discharged from any obligation to work as manual scavengers.

Application
by an urban
manual
scavenger for
identification.

12. (1) Any person working as a manual scavenger in an urban area, may, either during the survey undertaken by the Municipality in pursuance of section 11, within whose jurisdiction he works, or at any time thereafter, apply, in such manner, as may be prescribed, to the Chief Executive Officer of the Municipality, or to any other officer authorised by him in this behalf, for being identified as a manual scavenger.

(2) On receipt of an application under sub-section (1), the Chief Executive Officer shall cause it to be enquired into, either as part of the survey undertaken under section 11, or, when no such survey is in progress, within fifteen days of receipt of such application, to ascertain whether the applicant is a manual scavenger.

(3) If an application is received under sub-section (1) when a survey under section 11 is not in progress, and is found to be true after enquiry in accordance with sub-section (2), action shall be taken to add the name of such a person to the final list published under sub-section (6) of section 11, and the consequences mentioned in sub-section (7) thereof shall follow.

Rehabilita-
tion of
persons
identified as
manual
scavengers
by a Muni-
cipality.

13. (1) Any person included in the final list of manual scavengers published in pursuance of sub-section (6) of section 11 or added thereto in pursuance of sub-section (3) of section 12, shall be rehabilitated in the following manner, namely:—

(a) he shall be given, within one month,—

(i) a photo identity card, containing, *inter alia*, details of all members of his family dependent on him, and

(ii) such initial, one time, cash assistance, as may be prescribed;

(b) his children shall be entitled to scholarship as per the relevant scheme of the Central Government or the State Government or the local authorities, as the case may be;

(c) he shall be allotted a residential plot and financial assistance for house construction, or a ready-built house, with financial assistance, subject to eligibility and willingness of the manual scavenger, and the provisions of the relevant scheme of the Central Government or the State Government or the concerned local authority;

(d) he, or at least one adult member of his family, shall be given, subject to eligibility and willingness, training in a livelihood skill, and shall be paid a monthly stipend of not less than three thousand rupees, during the period of such training;

(e) he, or at least one adult member of his family, shall be given, subject to

eligibility and willingness, subsidy and concessional loan for taking up an alternative occupation on a sustainable basis, in such manner as may be stipulated in the relevant scheme of the Central Government or the State Government or the concerned local authority;

(f) he shall be provided such other legal and programmatic assistance, as the Central Government or State Government may notify in this behalf.

(2) The District Magistrate of the district concerned shall be responsible for rehabilitation of each manual scavenger in accordance with the provisions of sub-section (1) and the State Government or the District Magistrate concerned may, in addition, assign responsibilities in his behalf to officers subordinate to the District Magistrate and to officers of the concerned Municipality.

14. If any Panchayat has reason to believe that some persons are engaged in manual scavenging within its jurisdiction, the Chief Executive Officer of such Panchayat shall cause a survey of such manual scavengers to be undertaken, *mutatis mutandis*, in accordance with the provisions of section 11 and section 12, to identify such person.

Survey of manual scavengers in rural areas by Panchayats.

15. (1) Any person working as a manual scavenger, in a rural area, may, either during the survey undertaken by the Panchayat within whose jurisdiction he works, in pursuance of section 14 or at any time thereafter, apply, in such manner, as may be prescribed, to the Chief Executive Officer of the concerned Panchayat, or to any other officer authorised by him in this behalf, for being identified as a manual scavenger.

Application by a rural manual scavenger for identification.

(2) On receipt of an application under sub-section (1), the Chief Executive Officer shall cause it to be enquired into, either as part of the survey undertaken under section 14 or when no such survey is in progress, within fifteen days of receipt of such application, so as to ascertain whether the applicant is a manual scavenger.

16. Any person included in the final list of manual scavengers, published in pursuance of section 14 or added thereto in pursuance of sub-section (2) of section 15 shall be rehabilitated, *mutatis mutandis*, in the manner laid down for urban manual scavengers in section 13.

Rehabilitation of persons identified as manual scavengers by a Panchayat.

CHAPTER V

IMPLEMENTING AUTHORITIES

17. Notwithstanding anything contained in any other law for the time being in force, it shall be the responsibility of every local authority to ensure, through awareness campaign or in such other manner that after the expiry of a period of nine months, from the date of commencement of this Act,—

Responsibility of local authorities to ensure elimination of insanitary latrines.

(i) no insanitary latrine is constructed, maintained or used within its jurisdiction; and

(ii) in case of contravention of clause (i), action is taken against the occupier under sub-section (3) of section 5.

18. The appropriate Government may confer such powers and impose such duties on local authority and District Magistrate as may be necessary to ensure that the provisions of this Act are properly carried out, and a local authority and the District Magistrate may, specify the subordinate officers, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed, and the local limits within which such powers or duties shall be carried out by the officer or officers so specified.

Authorities who may be specified for implementing provisions of this Act.

19. The District Magistrate and the authority authorised under section 18 or any other subordinate officers specified by them under that section shall ensure that, after the expiry of such period as specified for the purpose of this Act,—

Duty of District Magistrate and authorised officers.

(a) no person is engaged or employed as manual scavenger within their jurisdiction;

(b) no one constructs, maintains, uses or makes available for use, an insanitary latrine;

(c) manual scavengers identified under this Act are rehabilitated in accordance with section 13, or as the case may be, section 16;

(d) persons contravening the provisions of section 5 or section 6 or section 7 are investigated and prosecuted under the provisions of this Act; and

(e) all provisions of this Act applicable within his jurisdiction are duly complied with.

Appointment
of inspectors
and their
powers.

20. (1) The appropriate Government may, by notification, appoint such persons as it thinks fit to be inspectors for the purposes of this Act, and define the local limits within which they shall exercise their powers under this Act.

(2) Subject to any rules made in this behalf, an inspector may, within the local limits of his jurisdiction, enter, at all reasonable times, with such assistance as he considers necessary, any premises or place for the purpose of,—

(a) examining and testing any latrine, open drain or pit or for conducting an inspection of any premises or place, where he has reason to believe that an offence under this Act has been or is being or is about to be committed, and to prevent employment of any person as manual scavenger;

(b) examine any person whom he finds in such premises or place and who, he has reasonable cause to believe, is employed as a manual scavenger therein, or is otherwise in a position to furnish information about compliance or non-compliance with the provisions of this Act and the rules made thereunder;

(c) require any person whom he finds on such premises, to give information which is in his power to give, with respect to the names and addresses of persons employed on such premises as manual scavenger and of the persons or agency or contractor employing or engaging them;

(d) seize or take copies of such registers, record of wages or notices or portions thereof as he may consider relevant in respect of an offence under this Act which he has reason to believe has been committed by the principal employer or agency; and

(e) exercise such other powers as may be prescribed.

(3) Any person required to produce any document or thing or to give any information required by an inspector under sub-section (2) shall be deemed to be legally bound to do so within the meaning of section 175 and section 176 of the Indian Penal Code.

45 of 1860.

(4) The provisions of the Code of Criminal Procedure, 1973, shall, so far as may be, apply to any such search or seizure under sub-section (2) as they apply to such search or seizure made under the authority of a warrant issued under section 94 of the said Code.

2 of 1974.

CHAPTER VI

PROCEDURE FOR TRIAL

Offences to
be tried by
Executive
Magistrate.

21. (1) The State Government may confer, on an Executive Magistrate, the powers of a Judicial Magistrate of the first class for the trial of offences under this Act; and, on such conferment of powers, the Executive Magistrate, on whom the powers are so conferred, shall be deemed, for the purposes of the Code of Criminal Procedure, 1973, to be a Judicial Magistrate of the first class.

2 of 1974.

(2) An offence under this Act may be tried summarily.

Offence to be
cognizable
and non-
bailable.

22. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under this Act shall be cognizable and non-bailable.

2 of 1974.

23. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Offences by
companies.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.

CHAPTER VII

VIGILANCE COMMITTEES

24. (1) Every State Government shall, by notification, constitute a Vigilance Committee for each district and each Sub-Division.

Vigilance
Committees.

(2) Each Vigilance Committee constituted for a district shall consist of the following members, namely:—

(a) the District Magistrate—Chairperson, *ex officio*;

(b) all members of the State Legislature belonging to the Scheduled Castes elected from the district—members:

Provided that if a district has no member of the State Legislature belonging to the Scheduled Castes, the State Government may nominate such number of other members of the State Legislature from the district, not exceeding two, as it may deem appropriate.

(c) the district Superintendent of Police— member, *ex officio*;

(d) the Chief Executive Officer of,—

(i) the Panchayat at the district level—member, *ex officio*;

(ii) the Municipality of the district headquarters—member, *ex officio*;

(iii) any other Municipal Corporation constituted in the district—member, *ex officio*;

(iv) Cantonment Board, if any, situated in the district—member, *ex officio*;

(e) one representative be nominated by the railway authority located in the district;

(f) not more than four social workers belonging to organisation working for the prohibition of manual scavenging and rehabilitation of manual scavengers, or, representing the scavenger community, resident in the district, to be nominated by the District Magistrate, two of whom shall be women;

(g) one person to represent the financial and credit institutions in the district, to be nominated by the District Magistrate;

(h) the district-level officer in-charge of the Scheduled Castes Welfare—Member-Secretary, *ex officio*;

(i) district-level officers of Departments and agencies who, in the opinion of the District Magistrate, subject to general orders, if any, of the State Government, have a significant role to play in the implementation of this Act.

(3) Each Vigilance Committee, constituted for a Sub-Division, shall consist of the following members, namely:—

(a) the Sub-Divisional Magistrate—Chairperson, *ex officio*;

(b) the Chairpersons and the Chief Executive Officers of Panchayats at intermediate level of the Sub-Division, and where Panchayats at intermediate level, do not exist, Chairpersons from two Panchayats at Village level to be nominated by the Sub-Divisional Magistrate—member, *ex officio*;

(c) the Sub-Divisional Officer of Police—member, *ex officio*;

(d) Chief Executive Officer of—

(i) the Municipality of the Sub-Divisional headquarters—member, *ex officio*; and

(ii) Cantonment Board, if any, situated in the Sub-Division—member, *ex officio*;

(e) one representative to be nominated by the railway authority located in the Sub-Division—member, *ex officio*;

(f) two social workers belonging to the organisation working for the prohibition of manual scavenging and rehabilitation of the manual scavengers, or representing the scavenger community resident in the Sub-Division, to be nominated by the District Magistrate, one of whom shall be a woman;

(g) one person to represent the financial and credit institutions in the Sub-Division, to be nominated by the Sub-Divisional Magistrate;

(h) the Sub-Divisional level officer in-charge of Scheduled Castes welfare—Member-Secretary, *ex officio*;

(i) Sub-Divisional level officers of Department and agencies who in the opinion of the Sub-Divisional Magistrate, subject to any general orders of the State Government or the District Magistrate, have a significant role to play in the implementation of this Act—member, *ex officio*.

(4) Each Vigilance Committee constituted at district and Sub-Divisional level shall meet at least once in every three months.

(5) No proceeding of a Vigilance Committees shall be invalid merely by reason of any defect in its constitution.

Functions of
Vigilance
Committee.

25. The functions of Vigilance Committee shall be—

(a) to advise the District Magistrate or, as the case may be, the Sub-Divisional Magistrate, on the action which needs to be taken, to ensure that the provisions of this Act or of any rule made thereunder are properly implemented;

(b) to oversee the economic and social rehabilitation of manual scavengers;

(c) to co-ordinate the functions of all concerned agencies with a view to channelise adequate credit for the rehabilitation of manual scavengers;

(d) to monitor the registration of offences under this Act and their investigation and prosecution.

26. (1) Every State Government shall, by notification, constitute a State Monitoring Committee, consisting of the following members, namely:—

State
Monitoring
Committee.

(a) the Chief Minister of State or a Minister nominated by him—Chairperson, *ex officio*;

(b) the Minister-in-charge of the Scheduled Castes Welfare, and such other Department, as the State Government may notify;

(c) Chairperson of the State Commissions for Safai Karamcharis, and Scheduled Castes, if any—member, *ex officio*;

(d) representatives of the National Commission for Scheduled Castes, and Safai Karamcharis—member, *ex officio*;

(e) not less than two members of the State Legislature belonging to the Scheduled Castes, nominated by the State Government:

Provided that if any State Legislature has no member belonging to the Scheduled Castes, the State Government may nominate the members belonging to the Scheduled Tribes;

(f) the Director-General of Police—member, *ex officio*;

(g) Secretaries to the State Government in the Departments of Home, Panchayati Raj, Urban Local Bodies, and such other Departments, as the State Government may notify;

(h) Chief Executive Officer of at least one Municipal Corporation, Panchayat at the district-level, Cantonment Board and railway authority as the State Government may notify;

(i) not more than four social workers belonging to organisation working for the prohibition of manual scavenging and rehabilitation of manual scavengers, or, representing the scavenger community, resident in the State, to be nominated by the State Government, two of whom shall be women;

(j) State-level head of the convener Bank of the State Level Bankers' Committee—member, *ex officio*;

(k) Secretary of the Department of the State Government dealing with development of the Scheduled Castes—Member-Secretary, *ex officio*;

(l) such other representative of Departments of the State Government and such other agencies which, in the opinion of the State Government, are concerned with the implementation of this Act.

(2) The State Monitoring Committee shall meet at least once in every six months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.

27. The functions of the State Monitoring Committee shall be—

Functions of
the State
Monitoring
Committee.

(a) to monitor and advise the State Government and local authorities for effective implementation of this Act;

(b) to co-ordinate the functions of all concerned agencies;

(c) to look into any other matter incidental thereto or connected therewith for implementation of this Act.

28. Every State or Union territory Government and Union territory administration shall send such periodic reports to the Central Government about progress of implementation of this Act, as the Central Government may require.

Duty of
States or
Union
territories to
send periodic
reports to the
Central
Government.

29. (1) The Central Government shall, by notification, constitute a Central Monitoring Committee in accordance with the provisions of this section.

Central
Monitoring
Committee.

(2) The Central Monitoring Committee shall consist of the following members, namely:—

(a) The Union Minister for Social Justice and Empowerment—Chairperson, *ex officio*;

(b) Chairperson of the National Commission for Scheduled Castes—member, *ex officio*;

(c) Minister of State in the Ministry of Social Justice and Empowerment—member, *ex officio*;

(d) Chairperson, National Commission for Safai Karamcharis—member, *ex officio*;

(e) the Member of the Planning Commission dealing with development of the Scheduled Castes—member, *ex officio*;

(f) three elected members of Parliament belonging to Scheduled Castes, two from the Lok Sabha and one from the Rajya Sabha;

(g) Secretaries of the Ministries of,—

(i) Social Justice and Empowerment, Department of Social Justice and Empowerment;

(ii) Urban Development;

(iii) Housing and Urban Poverty Alleviation;

(iv) Drinking Water and Sanitation;

(v) Panchayati Raj;

(vi) Finance, Department of Financial Services; and

(vii) Defence,

members, *ex officio*;

(h) Chairman, Railway Board—member, *ex officio*;

(i) Director-General, Defence Estates—member, *ex officio*;

(j) representatives of not less than six State Governments and one Union territory, as the Central Government may, notify;

(k) not more than six social workers belonging to organisation working for the prohibition of manual scavenging and rehabilitation of manual scavengers, or, representing the scavenger community, resident in the country, to be nominated by the Chairperson, two of whom shall be women;

(l) Joint Secretary, Department of Social Justice and Empowerment in the Ministry of Social Justice and Empowerment, looking after development of Scheduled Castes—Member-Secretary, *ex officio*;

(m) such other representatives of Central Ministries or Departments and agencies which, in the opinion of the Chairperson, are concerned with the implementation of this Act.

(3) The Central Monitoring Committee shall meet at least once in every six months.

30. The functions of the Central Monitoring Committee shall be,—

(a) to monitor and advise the Central Government and State Government for effective implementation of this Act and related laws and programmes;

(b) to co-ordinate the functions of all concerned agencies;

(c) to look into any other matter incidental to or connected with implementation of this Act.

Functions of
the Central
Monitoring
Committee.

31. (1) The National Commission for Safai Karamcharis shall perform the following functions, namely:—

Functions of National Commission for Safai Karamcharis.

(a) to monitor the implementation of this Act;

(b) to enquire into complaints regarding contravention of the provisions of this Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and

(c) to advise the Central and the State Governments for effective implementation of the provisions of this Act.

(d) to take *suo motu* notice of matter relating to non-implementation of this Act.

(2) In the discharge of its functions under sub-section (1), the National Commission shall have the power to call for information with respect to any matter specified in that sub-section from any Government or local or other authority.

32. (1) The State Government may, by notification, designate a State Commission for Safai Karamcharis or a State Commission for the Scheduled Castes or such other statutory or other authority, as it deems fit, to perform, within the State, *mutatis mutandis*, the functions specified in sub-section (1) of section 31.

Power of State Government to designate an appropriate authority to monitor the implementation of this Act.

(2) An authority designated under sub-section (1) shall, within the State, have, *mutatis mutandis*, the powers of the National Commission for Safai Karamcharis as specified in sub-section (2) of section 31.

CHAPTER VIII

MISCELLANEOUS

33. (1) It shall be the duty of every local authority and other agency to use appropriate technological appliances for cleaning of sewers, septic tanks and other spaces within their control with a view to eliminating the need for the manual handling of excreta in the process of their cleaning.

Duty of local authorities and other agencies to use modern technology for cleaning of sewers, etc.

(2) It shall be the duty of the appropriate Government to promote, through financial assistance, incentives and otherwise, the use of modern technology, as mentioned in sub-section (1).

34. No suit, prosecution or other legal proceeding shall lie against an appropriate Government or any officer of the appropriate Government or any member of the Committee for anything which is in good faith done or intended to be done under this Act.

Protection of action taken in good faith.

35. No civil court shall have jurisdiction in respect of any matter to which any provision of this Act applies and no injunction shall be granted by any civil court in respect of anything, which is done or intended to be done, by or under this Act.

Jurisdiction of civil courts barred.

36. (1) The appropriate Government shall, by notification, make rules for carrying out the provisions of this Act, within a period not exceeding three months from the date of commencement of this Act.

Power of appropriate Government to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the obligation of an employer, under clause (d) of sub-section (1) of section 2;

(b) the manner in which the excreta fully decomposes under clauses (e) and (g) of sub-section (1) of section 2;

(c) the manner of carrying out survey of insanitary latrine and publishing list thereof under clause (a) of sub-section (1) of section 4;

(d) procedure of giving notice and recovering cost of demolition of an insanitary latrine under sub-section (3) of section 5;

(e) content and methodology of the survey under sub-section (2) of section 11;

(f) the eligibility conditions for identification of manual scavengers and publication of provisional list of persons found to be working as manual scavengers under sub-section (4) of section 11;

(g) publication of final list of persons found to be working as manual scavengers under sub-section (6) of section 11;

(h) manner of application to be made to the Chief Executive Officer of the municipality, or to an officer authorised by him in this behalf, under sub-section (1) of section 12 or, as the case may be, sub-section (1) of section 15;

(i) provision of initial, one time, cash assistance under sub-clause (ii) of clause (a) of sub-section (1) of section 13;

(j) such other powers of Inspectors under clause (e) of sub-section (2) of section 20; and

(k) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(4) Every rule made under this Act by the State Government shall, as soon as may be after it is made, be laid before each House of State Legislature, where there are two Houses and where there is one House of State Legislature, before that House.

Power of
Central
Government
to make model
rules.

37. (1) Notwithstanding anything contained in section 36 of this Act:—

(a) the Central Government shall, by notification, publish model rules for the guidance and use of State Governments; and

(b) in case the State Government fails to notify the rules under section 36 of this Act within the period of three months specified therein, then the model rules as notified by the Central Government shall be deemed to have come into effect, *mutatis mutandis*, in such State, till such time as the State Government notifies its rules.

(2) The model rules made by the Central Government under this Act shall be laid, as soon as may be after they are made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses make any modification in the rule, the rule shall thereafter have effect only in such modified form; so, however, that any such modification shall be without prejudice to the validity of anything previously done under that rule.

Power to
remove
difficulties.

38. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the difficulty:

Provided that no such order shall be made in relation to a State after the expiration of three years from the commencement of this Act in that State.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

39. (1) The appropriate Government may, by a general or special order published in the Official Gazette, for reasons to be recorded, and subject to such conditions as it may impose, exempt any area, category of buildings or class of persons from any provisions of this Act or from any specified requirement contained in this Act or any rule, order, notification, bye-laws or scheme made thereunder or dispense with the observance of any such requirement in a class or classes of cases, for a period not exceeding six months at a time.

Power to
exempt.

(2) Every general or special order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament or each House of State Legislature, where there are two Houses and where there is one House of State Legislature, before that House.

P.K. MALHOTRA,
Secy. to the Govt. of India.

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GMGIPMRND—2835Social Justice(S3)—24-09-2013.



Annexure IV (66)

भारत सरकार
GOVERNMENT OF INDIA

राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
National Commission for Safai Karamcharis
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

Dated 16th January, 2014

No.11059/07/2013-R&D/6e-86

To

As per list attached

Sir,

As you are aware, the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" notified by the Central Government has come into effect from 6th December, 2013. The Act is aimed at eliminating the twin evils of insanitary latrines and manual scavenging in the country. In exercise of the powers conferred by Section 36 read with Section 37 of the aforesaid Act, the Central Government has also notified the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Rules, 2013" on 12th December, 2013. Both the Act and the Rules made thereunder are available on the website of Ministry of Social Justice and Empowerment viz. www.socialjustice.nic.in under the sub-icon "Policies/Acts/Rules/Codes/Circular" of icon "Scheduled Caste Welfare".

2) The National Commission for Safai Karamcharis has been entrusted with the task of monitoring the implementation of the said Act. As per Section 31(1) of the said Act, the Commission shall perform the following functions, namely:-

- To monitor the implementation of the Act;
- To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- To advise the Central and the State Governments for effective implementation of the provisions of the Act.
- To take suo motu notice of matter relating to non-implementation of the Act.

In the discharge of its abovementioned functions, the Commission has the powers to call for information with respect to any matter specified above from any Government or local or other authority.

3) The Act enjoins upon the State Governments for setting up an elaborate mechanism in a time bound manner for its implementation and the details of which are given in the enclosed proforma. The Commission will shortly be undertaking the task of monitoring the implementation of the Act. However, before that, the Commission would like to know the preparedness and the steps taken by the State Government to put in place the mechanism mentioned in the enclosed proforma. Accordingly, I shall be grateful if you could kindly let this Commission know the status of the implementation of the Act in general and the action being taken with regard to the steps mentioned in the enclosed proforma in particular. An early reply in the matter will be highly appreciated.

Yours sincerely,

(T.R. Meena)
Secretary

16/1/14

"राष्ट्रभाषा का सम्मान, देश का मान"

'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली 110 003
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi 110 003
फोन/Tel.: 24618119, 24648921 फैक्स/Fax: 24648922

टी. आर. मीना, सा.प्र.से.

टी. आर. मीना, IAS
Secretary
दूरभाष / Tel.: 24649352
फैक्स / Fax: 24648622



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 002
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 002

D.O. No.11059/7/2013/R&D/364 के.प्र.

Dated: 18th March, 2014

Dear *MADAM*,

Please refer to this Commission's letter of even no. dated 16th January, 2014 regarding monitoring the implementation of "Prohibition of Employment as Manual Scavengers and their Rehabilitation Rules, 2013 Act". In the aforesaid letter we had requested to let this Commission know about the preparedness and the steps taken by the State Government to put in place the mechanism mentioned as per the prescribed performae. The required information has not been received in this Commission so far.

2. Therefore, you are requested you to kindly arrange for the requisite information at the earliest to enable the Commission to take further necessary action in the matter.

Regards

Yours sincerely,

(Signature)
(T.R. Meena)

Smt. Nillam Sawhney,
Secretary,
Minorities Welfare Deptt,
Govt. of Andhra Pradesh,
'A' Block, Ground Floor,
A.P. Secretariat,
Hyderabad - 500022.

(as per list attached)

18/3/14

शिवान्ना
अध्यक्ष
(स्तर : राज्य मंत्री)
M. SHIVANNA (Ex. M.P.)
CHAIRMAN
(Status : Union Minister of State)



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
National Commission for Safai Karamcharis
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

D. No.: 11059/7/2013-R&D/1278.1319
Dated:- 05th September, 2014

Dear

As you are aware, elimination of dry latrines and manual scavenging and the rehabilitation of manual scavengers in alternate occupations has been an area of high priority for the Government. Despite the concerted efforts made in the past to eliminate the dehumanising practice of manual scavenging, the practice still persist in various parts of the country. Existing laws have not proved adequate in eliminating the twin evils of insanitary latrines and manual scavenging. These evils are inconsistent with the right to live with dignity which is an essence of the Fundamental Rights guaranteed in Part III of the Constitution. Further, there is a related problem of serious health hazard and safety of the workers employed in the manual cleaning of sewers and septic tanks.

2. In view of the above, there was a need to make comprehensive and stringent provisions for the prohibition of insanitary latrines and employment of persons as manual scavengers, rehabilitation of manual scavengers and their families and to discontinue the hazardous manual cleaning of sewers and septic tanks by the use of technology and for matters connected therewith. Therefore, "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" which consists of legislatives as well as programmatic interventions was enacted by the Central Government and the said Act has come into force with effect from 6th December, 2013.

3. The Act entails various time bound activities on the part of the States. These includes framing of Rules under the Act, survey of manual scavengers, their rehabilitation, identification of insanitary latrines, conversion of insanitary latrines in to sanitary latrines, construction of adequate community sanitary latrines, organizing awareness campaign, conferring power of Judicial Magistrate on Executive Magistrate, appointment of Inspectors, constitution of Vigilance Committees for each District and Sub-Division, constitution of State Monitoring Committee, convening of meetings of Vigilance Committees and State Monitoring Committee, designating any State Commission or any other statutory authority to perform functions similar to that of NCSK etc.

Contd.....p/2

जारी किया
ISSUED
28/9/14

'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली 110 003
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, NEW DELHI 110 003
Tel : 011 2464 8924, 2463 4454 Fax : 011-2460 1707

4. The National Commission for Safai Karamcharis have been entrusted with the task of monitoring the implementation of the said Act. As per Section 31(1) of the said Act, the Commission shall perform the following functions, namely (a) to monitor the implementation of the Act; (b) to enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action (c) to advise the Central and the State Governments for effective implementation of the provisions of the Act and (d) to take suo motu notice of matter relating to non-implementation of the Act.

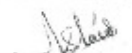
5. We have earlier sent a prescribed proforma for collection of information relating to various provisions of the Act and forwarded it to all the State Governments vide DO letter of even number dated 16.1.2014. This letter was followed by reminders on 18.3.2014, 2.5.2014 and 15.7.2014. However, the requisite information is still awaited from your State.

6. I would like to impress upon you that the Government's focus is now on Swachh Bharat/Clean India and implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" in letter and spirit is extremely important. Therefore, I shall be grateful if you could kindly give suitable directions to the nodal department/officer in your State/UT responsible for implementation of the Act to take necessary actions as prescribed under the above Act & the Rules prescribed. I would also be extremely grateful if you could instruct the concerned Department in this regard and also oblige us by forwarding the information/details as indicated in para 5 above please.

I look forward for your cooperation in this regard.

With kind regards,

Yours sincerely,


(M. Shivanina)

List enclosed

जारी किया
ISSUED
08/09/14

टी. सी. मीना, सचिव
सचिव

T. R. Meena, IAS
Secretary
दूरभाष : Tel: 24649352
फैक्स : Fax: 24648922



सत्यमेव जयते

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
श्री. वि. एन. के. बिल्डिंग, लोक न्याय भवन, खान भवन, नई दिल्ली - 110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O. No.11059/7/2013-R&D/1582-2/1017

Dated the 31st October, 2014.

Dear

Please refer to my DO letter of even number dated 16.1.2014 followed by reminders by the Commission on 18.3.2014, 2.5.2014 and 15.7.2014 seeking information regarding implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013".

The Commission has reviewed the proforma prescribed by it to collect the information with a view to make it easier for the States/UTs to furnish the requisite information. The revised proforma is enclosed herewith. You are requested to furnish the information sought in the proforma to the Commission by 28th November, 2014. While furnishing the said information in the prescribed proforma, you are also requested to furnish the following information:

- (i) number of insanitary latrines identified
- (ii) number of insanitary latrines demolished
- (iii) number of community sanitary latrines constructed
- (iv) number of manual scavengers identified and
- (v) number of manual scavengers rehabilitated.

The Commission, in discharge of its mandate of monitoring the implementation of the abovementioned Act as laid down in its Section 31(1), will review the information so furnished by the States/UTs in a series of meetings to be held with the States/UTs in this regard. The States/UTs are also requested to provide the details of the manual scavengers who have been identified and rehabilitated to enable the Commission to monitor their rehabilitation on sustainable basis.

I shall be grateful if you could ensure that the State Government/UT provide the abovementioned information to the Commission by the stipulated day.

Encl. : As above.

Yours sincerely,


(T.R. Meena)

To

Shri Surendra Kumar *As per list*
Commissioner-cum-Secretary,
SC & ST Development Department,
Government of Orissa,
Secretariat,
Bhubaneswar - 751001.

s/c

सचिव, भारत सरकार
J. R. Misra, IAS
Secretary
दूरभाष (Tel) : 24649382
फैक्स (Fax) : 24649322



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'के' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली - 110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/07/2013-R&D/3A-365

Dated the 5 March, 2015

Dear

The Commission has been entrusted with the task of monitoring the implementation of 'The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013'.

2. In pursuance of the above mandate given to it, the Commission prescribed a proforma for collection of information relating to various provisions of the Act and forwarded it to all the State Governments vide DO letter of even number dated 16.1.2014. This letter was followed by reminders on 18.3.2014, 2.5.2014 and 15.7.2014. The Hon'ble Chairman of the Commission has also written letters personally to the Chief Ministers of all States on 5th September, 2014 in this regard. In order to simplify the furnishing of the information, the Commission devised a new proforma and circulated it on 31st October, 2014. This was again forwarded by e-mail in the last week of November, 2014.

3. The Commission has also held two rounds of meetings on 29th September, 2014 and 22nd January, 2015 with States/UTs to review the progress of the implementation of the Act.

4. While the information furnished by some of the States indicates that they need to do a lot for implementing the Act, some other States have not responded at all. This has been viewed seriously by the Commission.

5. I would like to bring to your kind notice that the Hon'ble Supreme Court also has given strict instructions to the States to implement the above Act in a time bound manner.

6. Therefore, I shall be grateful if you could give urgent instructions to the Department/officials concerned to furnish the requisite information as on 28th February, 2015 to the Commission in the enclosed proforma by 15th March, 2015 positively. It is requested that only consolidated information is furnished strictly in the prescribed proforma. While furnishing the aforesaid information, the following information may also be provided to the Commission:

2/-

- 2 -

- (i) number of insanitary latrines identified
- (ii) number of insanitary latrines demolished
- (iii) number of community sanitary latrines constructed
- (iv) number of manual scavengers identified and
- (v) number of manual scavengers rehabilitated.

I hope the State Government will respond positively and urgently.

Yours sincerely,

(End: Informa)

(T.R. Meena)

To

(As per list enclosed)

Sh. Anthony J. C. Datta
Chief Secretary
Secy to M. P. Durgam

जारी किया
ISSUED
20/3/15

श्री. टी. आर. मीना, आई.एस.
T.R. Meena, IAS
Tel: 24549352
Fax: 24549322



Most Immediate/Reminder
भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
श्री. विंग, चतुर्थ मं. लोकसायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O.No.11059/07/2013-R&D/S66

Dated: 15th May, 2015

Dear Sir,

You may kindly recall my D.O. letter of even number dated 05th March, 2015 seeking information in the prescribed proforma regarding implementation of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". The requisite information was required to be furnished to this Commission by the 15th March, 2015, however the same has not been received by this Commission so far or incomplete information has been furnished.

2. In order to review the progress of the implementation of the Act, the Commission has also held two rounds of meetings on 29th September, 2014 and 22nd January, 2015 with States/UTs. While analyzing the information furnished by some of the States, it has been observed that they need to do a lot for effective implementation of the Act in the right perspective. Whereas, some of the States have not responded at all.

3. In view of the foregoing, I urge upon you to give urgent instructions to the Department/officials concerned to furnish the requisite information as on 31st March, 2015 in the enclosed proforma to the Commission by **29th May, 2015 positively**. While furnishing the consolidated information in the prescribed proforma, the following information may also be provided to the Commission:

- i) number of insanitary latrines identified
- ii) number of insanitary latrines demolished
- iii) number of community sanitary latrines constructed
- iv) number of manual scavengers identified and
- v) number of manual scavengers rehabilitated

I hope the State Government will respond urgently.

With Kind Regards,

Yours sincerely

(T.R. Meena)

Encl.: Proforma

Shri Ramesh Negi,
Chief Secretary,
Govt. of Arunachal Pradesh,
Banquet Hall, Niti Vihar,
Itanagar - 791111

टी. आर. मीना, स.प्र.स.
रा.प्र.
T. R. Meena IAS
Secretary
दूरभाष / Tel: 24649352
फैक्स / Fax: 24649322



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
बी. विंग, 45^{वां} फ्लोर, लोकन्याय भवन, खान भवन, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 45th Floor, Lok Nayak Bhawan, Khana Market, New Delhi-110 003

D.O. No. 11059/17/2015-R&A

Dated the 21st September, 2015

Dear Yashwant

The National Commission for Safai Karamcharis under the Ministry of Social Justice and Empowerment, Government of India has been entrusted with the task of monitoring the implementation of "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" as well as take stock of Swachh Bharat Campaign in various States/Districts.

2. The Commission held a review meeting with the Senior Officers of the State Government of Rajasthan in the month of September, 2014 during which it was found that some of the Districts are yet to give the report as per the check list sent to them for the identification of manual scavengers & insanitary latrines. The Commission had urged the State Government of Rajasthan to speed up the implementation of the Act. It is reported that some of the Municipalities in the District of Jodhpur are still having Manual Scavengers.

3. The Commission is holding review meetings with the Distt. Administration to review the progress of implementation of the Manual Scavengers Act as well as to find out as to what steps are being taken by the District Administration for the rehabilitation/welfare of the Manual Scavengers/Safai Karamcharis in the Municipal areas & others Public/Pvt. Establishments etc.

4. In this regard, I propose to have a review meeting on 28th September, 2015 at 11:00 A.M. in your office. The other senior officers of the District may also be invited for the meeting.

5. The Superintendent of Police & CEO of the Municipal Corporation also may be invited.

6. I shall be grateful if you could make arrangement for the meeting and confirm. I shall reach Jodhpur by train (No.-14705 - DEE BGKT EXP.) in the evening of 27th September, 2015.

Looking forward to see you.

With kind regards

Yours sincerely,

(T.R. Meena)

To

जारी किया
ISSUED
21/9/15

Dr. Pritam B. Yashwant
District Collector,
Jodhpur,
Rajasthan - 342005.

श्री. आर. मीना, स.प्र.स.
T. R. Meena, IAS
Secretary
दुयमि / Tel. 24649362
फैक्स / Fax 24649322



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
समाजिक न्याय एवं अधिकारिता विभाग
श्री. टिनि, पट्टई बल, लोकन्याय भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
R Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O. No. 11059/7/2013-R&D

Dated 6th October, 2015

Dear Sir,

As you are aware, "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" has come into force with effect from 6th December, 2013. This Act is a very comprehensive law which deals not only with ways and means to eliminate the insanitary latrines and manual scavenging but also prescribes a comprehensive rehabilitation package for the manual scavengers.

2. The Commission has been entrusted with the task of monitoring the implementation of the said Act. As per Section 31(1) of the Act, the Commission shall perform the following functions, namely:-

- (a) To monitor the implementation of the Act;
- (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act.
- (d) To take suo motu notice of matter relating to non-implementation of the Act.

3. In the discharge of its above mentioned functions, the Commission have been vested with the powers to call for information with respect to any matter specified above from any Government or local or other authority.

4. The Commission started the process of monitoring the implementation of the said Act by calling for the information relating to various provisions of the Act from all the State Governments vide Commission's letter dated 16.1.2014. This letter was followed by reminders on 18.3.2014, 2.5.2014 and 15.7.2014. In order to sensitize the State machinery, the Chairman of the Commission Sh. M.Shivanna also personally wrote letters to the Chief Ministers of all the States on 5th September, 2014 with the request to advice the officers of the Department concerned with the implementation of the Act to be prompt in furnishing the information sought by the

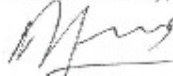
.....2/-

Commission. The Commission also held two rounds of meetings on 29th September 2014 and 22nd January, 2015 with the Nodal Officers of the State Governments responsible for implementing the Act. Thereafter, I also wrote letters to the Chief Secretaries of all the States on 5th March, 2015 and 15th May, 2015 to furnish the requisite information to the Commission in the prescribed proforma which is a Check List containing 19 points.

5. Despite such vigorous efforts by the Commission to collect the information regarding implementation of the Act, as mentioned above, the Commission is yet to receive any information/response from your State. Therefore, while requesting you to expedite the implementation of the Act under mention, I shall be grateful if you could furnish the information, as obtaining on 30th September, 2015, about the status of implementation of the Act in the said Check List.

With Regards

Yours sincerely,



(T.R.Meena)

To

Shri P B O Warjri,
Chief Secretary,
Government of Meghalaya,
Main Secretariat,
Shillong - 793001.

As per list attached

टी. आर. मीना, आई.एस.
सी.एस.

T. R. Meena, IAS
Secretary
दूरभाष / Tel: 24640362
फैक्स / Fax: 24640322



समस्त भारते

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता विभाग
जी. वि.नं., ब्लूटो काल, लोकनायक भवन, खान मरिदा, नई दिल्ली-110 002
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B-1 wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 002

D.O. No. 11059/7/2013-R&D

Dated the 7th October, 2015

Dear Sir,

As you are aware, "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" has come into force with effect from 6th December, 2013. This Act is a very comprehensive law which deals not only with ways and means to eliminate the insanitary latrines and manual scavenging but also prescribes a comprehensive rehabilitation package for the manual scavengers.

2. The Commission has been entrusted with the task of monitoring the implementation of the said Act. As per Section 31(1) of the Act, the Commission shall perform the following functions, namely:

- (a) To monitor the implementation of the Act;
- (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act.
- (d) To take suo motu notice of matter relating to non-implementation of the Act.

3. In the discharge of its above mentioned functions, the Commission have been vested with the powers to call for information with respect to any matter specified above from any Government or local or other authority.

4. The Commission started the process of monitoring the implementation of the said Act by calling for the information relating to various provisions of the Act from all the State Governments vide Commission's letter dated 16.1.2014. This letter was followed by reminders on 18.3.2014, 2.5.2014 and 15.7.2014. In order to sensitize the State machinery, the Chairman of the Commission Sh. M. Shivanna also personally wrote letters to the Chief Ministers of all the States on 5th September, 2014 with the request to advise the officers of the Department concerned with the implementation of the Act to be prompt in furnishing the information sought by the Commission. The Commission also held two rounds of meetings on 29th September, 2014 and 22nd January, 2015 with the Nodal Officers of the State Governments responsible for implementing the Act. Thereafter, I also wrote letters to the Chief Secretaries of all the States on 5th March, 2015 and 15th May, 2015 requesting to issue directions to the concerned Deptt./ officials to furnish the requisite information to the Commission in the prescribed proforma which is a Check List containing 19 points.

5. Despite such vigorous efforts by the Commission to collect the information regarding implementation of the Act, as mentioned above, complete information from

.....2/-

of the States is still awaited. From the partial information furnished by some States, the Commission concludes that States are lagging far behind in achieving the end objective of identifying and rehabilitating the Manual Scavengers and the intermediate steps like constituting State Monitoring Committees, constitution of District and Sub-Division level Vigilance Committees, setting up of State Safai Karmacharis Commission, conferring powers and duties on local authorities and District Magistrates, appointing Inspectors etc.

5. The information available with the Commission with regard to implementation of the MS Act, 2013 by Andhra Pradesh is as follows:-

S.No.	Action	Status
1.	Survey of Insanitary Latrines (Urban & Rural).	No information
2.	Notices to occupiers of Insanitary Latrines.	No information
3.	Construction of Sanitary Latrines in areas having Insanitary Latrines.	No information
4.	Date by which community Sanitary Latrines will be constructed.	No information
5.	Assistance for conversion of Insanitary Latrines to Sanitary Latrines.	No information
6.	Date by which hazardous cleaning will be prohibited.	No information
7.	Survey of Manual Scavengers in urban areas.	No
8.	Survey of Manual Scavengers in rural areas.	No
9.	Action by State Government for rehabilitation of Manual Scavengers.	No information
10.	Organizing Awareness Campaign.	Instructions given to all DCs
11.	Conferring power & duties on local authorities & District Magistrate.	No information
12.	Appointment of Inspector.	Yes
13.	Powers of Judicial Magistrate on Executive Magistrate.	No information
14.	Constitution of Vigilance Committee.	No information
15.	Meetings of Vigilance Committee.	No information
16.	Constitution of State Monitoring Committee.	Yes
17.	Meetings of State Monitoring Committee.	No information
18.	State Commission or other authorities.	No information
19.	Framing of Rules.	No information

..3/-

7. I shall be grateful if you could convene the State Level Monitoring Committee (if constituted) and review the action on the 19 points contained in the Check-list and thereafter direct the concerned Deptt./officials to furnish the information about the status of implementation of the M.S. Act.

With kind regards.

Yours sincerely,

T.R. Meena
(T.R. Meena)

To

Shri I.Y.R. Krishna Rao,
Chief Secretary,
Govt. of Andhra Pradesh,
L-Block, 7th Floor,
A.P. Secretariat,
Hyderabad - 500038.

As per list attached

टी. आर. मीना, सा.प्र.ग.

श.सि.

T. R. Meena, IAS

Secretary

दूरभाष / Tel. : 24649352

फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता विभाग

'बी' विंग, प्रमुख कम, लोकनयक भवन, खान पानिपट, नई दिल्ली-110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

B Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O. No.11059/07/2013-R&D/13-6-1929

Dated: 23rd the December, 2015

DEAR SIR,

Please recall the meeting convened by the National Commission for Scheduled Castes on 24th June, 2015 in the Vigyan Bhawan, New Delhi in which the senior State level functionaries were invited. The meeting was convened to monitor the action taken on preventing atrocities on Scheduled Castes, allocation and utilization of funds under SCSP, representation of SCs in services and action taken in compliance with the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.

2. There was one separate session on implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". In this regard, the following points / observations as contained in the minutes are enclosed herewith:

- (i) Since the time limitations prescribed under the Act to carryout survey and do other tasks have already lapsed, the State Governments should take action as per the provisions of the Act without any further delay.
- (ii) There is a mis-match between the number of insanitary latrines and the number of Manual Scavengers identified as per the surveys carried out. Demolition and construction of sanitary latrines by all the authorities needs to be taken up on a priority basis.
- (iii) Rehabilitation measures are far from satisfactory. States should make sufficient fund provision and take effective steps to rehabilitate the identified Manual Scavengers.

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- (iv) Adequate number of schools should be set up for the children of the persons involved in the unclean profession. Schemes of payment of scholarship to these children should be strictly followed.
- (v) The progress of action taken under this Act should be discussed at the District level in the Vigilance and Monitoring Committees set up under the Atrocity Act.
- (vi) Appropriate sewage and septic tank management measures should be put in place & provision of adequate health care to sanitation workers need to be made.

3. I shall be grateful if you could kindly instruct the nodal Department of the State Government in charge of implementing the MS Act, 2013 to take action on the lines of \ above action and furnish a compliance status report to the Commission at the earliest.

With regards

Yours sincerely,

[Signature]
(Y.R. Meena)

To

(As per list attached)

श्री. आर. सी. मेना, सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
फैक्स / Fax : 24649522



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता विभाग
श्री. वि. भट्ट शर्म, लोकायुक्त भवन, 31/11/11, नई दिल्ली - 110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
31 Wing, 4th Floor, Lok Nayak Bhawan, Khas Market, New Delhi-110 003

D.O. No.11059/07/2013-R&D/179-2.11

Dated: १०th February, 2016

Government of India is committed to eliminate the pernicious evil of "Manual Scavenging" which has been declared a criminal offence. A meeting was convened by the National Commission for Scheduled Castes on 24th June, 2015 in Vigyan Bhawan, New Delhi in which the senior State level functionaries including the Police officers of many States took part. The meeting was convened to review the action taken for preventing atrocities against Scheduled Castes, allocation and utilization of funds under SCSP, representation of SCs in services. Also one of the important agenda in the meeting was to sensitize the Police officials and civil authorities in the States to implement "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013".

2. There was one separate session on implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". As you are aware, the said Act came into force w.e.f. 06.12.2013. The role of the Police authorities are extremely crucial in so far as booking the cases under the Act if violations of the provisions of the Acts do come to their notice. Section 22 under Chapter VI of this Act reads as under:

"Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under it shall be cognizable and non-bailable".

3. However, the Police authorities in the States are either ignorant or reluctant to book the cases against the offenders under the above Act. (M.S. Act, 2013). The Commission is getting complaints regularly about the violations of the provisions of the Act and cases of Sewer deaths. The Commission is extremely concerned in this regard.

4. Even in the serious violations of the Act like sewer death cases, the police prefers to register cases under IPC rather than this Act. Consequently, the family of the victims is denied the insurance money or a compensation of Rs. 10 lakhs as laid down in the Rules to the Act. The said rules under the Act at Chapter-II Para-7 (v) states as under "The employer shall ensure that the assigned person has life insurance policy of at least Ten lakh rupees and the premium for which shall be paid by the employer".

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5. Further the Hon'ble Supreme Court vide it judgement at Chapter VIII para 14 (i) (a) in a Writ Petition (Civil) No. 583 of 2003 dated 27.03.2014 directs as under:-

"Sewer deaths – entering sewer lines without safety gears should be made a crime even in emergency situations. For each such death, compensation of Rs.10 lakhs should be given to the family of the deceased".

6. The copy of the Judgement have already been sent to the State Govts. for compliance. Therefore, I shall be grateful if you could instruct the field and Distt. level police officials to take action as per the M.S. Act, 2013. Also it would be useful if certain steps are taken to create the awareness about the various provisions of the MS Act, 2013 and sensitize the field level police officers. The Commission may be informed about the action.

Yours sincerely,

(T.R. Meena)
Secretary

To

The DGPs of all States/ UTs.
(As per list attached)

जारी किया
ISSUED
09/02/2015

प्रार, मीना, ना प्र.से.
R. Meena, IAS
Secretary
द्वारा / Tel : 24649352
द्वारा / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'चौ' विंग, चतुर्थ तल, लोकनायक भवन, खान मारवाट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O. No. 11059/07/2013-R&D/235-261

Dated the 14th March, 2016

Dear ---

As you are aware, "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" has come into force with effect from 6th December, 2013. This Act is a very comprehensive law which deals not only with ways and means to eliminate the insanitary latrines and manual scavenging but also prescribes a comprehensive rehabilitation package for the manual scavengers.

2. The Commission has been entrusted with the task of monitoring the implementation of the said Act. As per Section 31(1) of the Act, the Commission shall perform the following functions, namely:-

- (a) To monitor the implementation of the Act,
- (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act.
- (d) To take suo motu notice of matter relating to non-implementation of the Act.

3. In the discharge of its above mentioned functions, the Commission have been vested with the powers to call for information with respect to any matter specified above from any Government or local or other authority.

4. The Commission started the process of monitoring the implementation of the said Act by calling for the information relating to various provisions of the Act from all the State Governments vide Commission's letter dated 18.1.2014. This letter was followed by reminders on 18.3.2014, 2.5.2014 and 15.7.2014. In order to sensitize the State machinery, the Chairman of the Commission Shri M.Shivanna also personally wrote letters to the Chief Ministers of all the States on 05.09.2014 with the request to advise the officers of the Department concerned with the implementation of the Act to be prompt in furnishing the information sought by the Commission. The Commission also held two rounds of meetings on 29.09.2014 and 22.01.2015 with the Nodal Officers of the State Governments responsible for implementing the Act. Thereafter, I also wrote d.o. letters to all the Chief Secretaries of all the States on 05.03.2015, 14.05.2015 and 08.10.2015 to furnish the complete information to the Commission in the prescribed proforma which is a Check List containing 19 points.

--2/-

5. Despite such vigorous efforts by the Commission to collect the information regarding implementation of the Act, the Commission is yet to receive complete information in this regard. I shall be grateful if you could kindly look into the matter and direct the concerned Deptt./officers to furnish the consolidated information in the prescribed proforma about the status of implementation of the MS Act 2013 to this Commission **positively by the 31st March, 2016.**

Yours sincerely,

Me
(T.R. Meena)

To

The Chief Secretaries of all the Defaulting States/UTs

जारी किया
ISSUED
10/3/2016

टी. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
फैक्स / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O.No.11060/A.P.-01/2016-R&D

Dated the June, 2016

Dear Sir,

As your goodself may be aware that elimination of dry latrines, manual scavenging and the rehabilitation of manual scavengers in alternate occupations has been an area of high priority for the Government. However, despite concerted efforts made in the past by Govt. of India to eliminate the dehumanizing practice of manual scavenging, the practice still persist in various parts of the country. These evils are inconsistent with the right to live with dignity which is an essence of the Fundamental Rights is guaranteed in Part III of the Constitution. Further, there is a related problem of serious health hazard and safety of the workers employed in the manual cleaning of sewers and septic tanks.

2. Having regard to the above, the Government of India notified "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" which consists of legislatives as well as programmatic interventions for dealing with the twin problems of insanitary latrines and manual scavengers. The said Act has come into force with effect from 6th December, 2013.

3. The National Commission for Safai Karamcharis has been entrusted with the task of monitoring the implementation of the said Act. As per Section 31(1) of the said Act, the Commission shall perform the following functions, namely (a) to monitor the implementation of the Act, 2013; (b) to enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; (c) to advise the Central and the State Governments for effective implementation of the provisions of the Act and (d) to take suo motu notice of matter relating to non-implementation of the Act.

4. The Commission is extremely concerned at the hardships being faced by the Safai Karamcharis in the country every now and then particularly in the context of non-payment/underpayment of their salaries and their other conditions of service particularly the exploitation by contractors in the Municipal Corporations/Councils. We urge the State Government to ensure non-recurrence of such a situation.

5. In this connection, I would like to forward two representations received from Shri Guralla Srinivasulu, President, Safai Karamacharula Hakkula Sadana Sangham (SKHS), Distt. Kurnool, Andhra Pradesh wherein he has submitted a memorandum of demands-

...2/-

..2..

which includes immediate sanction of Rs. 10 lakhs to the family members of deceased Safai Karamcharis / Manual Scavengers as per the judgment of Hon'ble Supreme Court, formation of A.P. State Commission for the Welfare of Safai Karamcharis (Scavengers) in Andhra Pradesh, constitution of Vigilance & Monitoring Committees, provision of 25% seats in the Private Educational Institutions for the children of Safai Karamchari (Manual Scavenger), enhancing the age limit for sanction of loans under different schemes from 45 yrs to 60 yrs etc.

6 I shall be grateful if your goodself could kindly instruct the Officers of the Departments concerned to look into the grievances of Safai Karamacharula Hakkula Sadana Sangham (SKHS), Distt. Kurnool, Andhra Pradesh for redressal of their grievances and send a factual report to this Commission at the earliest.

With Kind Regards.


(T.R. Meena)

Shri I.Y.R.Krishna Rao,
Chief Secretary,
Govt. of Andhra Pradesh,
L-Block, 7th floor, A.P. Secretariat,
Hyderabad-500038

✓/ Encl: As above



Annexure-VI
भारत सरकार

GOVERNMENT OF INDIA

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

National Commission for Safai Karamcharis
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

No.11059/1/2004-R&D | 626 to 661

Dated 30th April, 2014

To

(As per list Attached)

Sir,

Please refer to Writ Petition (Civil) No. 583 of 2003 which was filed by the Safai Karamchari Andolan in the Supreme Court in which Chandigarh was also one of the respondents. The Hon'ble Supreme Court has delivered the judgement in the said petition on 27th March, 2014.

A copy of the judgement is enclosed for ready reference and compliance. Kindly send the compliance report to the Commission as early as possible.

Yours sincerely,

(T.R.Meena)

Secretary

de

जारी किया
ISSUED
30/4/14

“राष्ट्रभाषा का सम्मान, देश का मान”

‘बी’ विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली 110 003

‘B’ Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi 110 003

फोन/Tel.: 24618119, 24648921 फैक्स/Fax: 24648922

टी. आर. मीना, भा.प्र.से.

सचिव

T. R. Meena, IAS

Secretary

दूरभाष / Tel : 24648352

फैक्स / Fax : 24648622



सत्यमेव जयते

भारत सरकार

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

'जी' विंग, कटुब नल, लोकनाटक भवन, खान पार्किट, नई दिल्ली-110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

B' Wing, 4th Floor, Lok Natak Bhawan, Khan Park, New Delhi-110 003

No. 11059/1/2004-R&D/15-7-8-2

Dated the 24 February 2015

Dear

Please refer to my DO letter of even number dated 30th April, 2014 followed by reminder dated 14th July, 2014 regarding implementation of the Supreme Court judgment dated 27.3.2014 in WP(C) No.583 of 2003 Safai Karamcharis Andolan Vs UOI.

2. As you may be aware, the Supreme Court in the abovementioned judgment has, inter-alia, directed for identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding them compensation of Rs. 10 lakhs for each such death to the family members depending on them.

3. The Commission has been entrusted with the task of monitoring 'The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013' and rehabilitation of Manual Scavengers is one of the important objectives of this Act.

4. Therefore, the Commission needs following information, year-wise since 1993, in the light of the abovementioned Supreme Court judgement:

S.No.	Year (1993 and onwards)	Number of persons died in sewerage work	Whether any compensation paid to the victim's family or not. If yes, how much

5. I shall be grateful if you could furnish the abovementioned information to the Commission by 15th March, 2015 positively.

Yours sincerely,

(T.R.Meena)

(As per list enclosed)

जारी किया
ISSUED
23/2/15

37. सीमा, गुरुग्राम
R. Meena, IAS
Secretary
दूरभाष / Tel: 24845352
फैक्स / Fax: 24845322



सत्यमेव जयते

Immediate / By Speed Post
भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
जी. विंग, 4th फ्लोर, लोकनायक भवन, खान भवन, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi 110 003

D.O. No. 11059/01/2014-R&D/635-549

Dated 28th May, 2015

Dear Sir,

A DO letter of even number dated 27th Feb, 2015 regarding implementation of Supreme Court Judgment dated 27.3.2014 in WP(C) No 583 of 2003 Safai Karmchari Andolan Vs UOI wherein The Supreme Court has directed 'for identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding them compensation of Rs 10 lakhs for each such death to the family members depending on them' was sent to the Principal Secretary/Secretary of your state to furnish the information to this Commission by 15th March, 2014. However the same has not been received by this Commission so far.

2. As the matter is serious and the Supreme Court has directed this Commission to monitor the implementation of the above Judgement. Therefore, I would request you to kindly instruct the concerned Principal Secretary, furnish the requisite information year-wise since 1993.

S.No	Year(1993 and onwards)	Number of persons died in sewerage work	Whether any compensation paid to the victim's family, if yes, how much

3. I shall be grateful if abovementioned information is sent to this Commission within 2 Weeks.

With Regards

Yours sincerely,

(R. Meena)

(As per list enclosed)

नारी विंग
ISSUED
28/5/15

टी. आर. मीना, भा.प्र.से.
राज्य
T. R. Meena, IAS
Secretary
दूरभाष / Tel: 24648352
फैक्स / Fax: 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
श्री विंग, कगुर्थ तला, लोकनायक भवन, खान मक़िद, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

DO No. 11059/1/2004-R&D/23

Dated the 24 July, 2015

Dear Shri Kundra,

As you may be aware, the Hon'ble Supreme Court, in its judgment dated 27.3.2014 in WP(C) No. 583 of 2003 in Safai Karamchari Andolan Vs UOI, has directed as under:

(i) *If the practice of manual scavenging has to be brought to a close and also to prevent future generations from the inhuman practice of manual scavenging, rehabilitation of manual scavengers will need to include:-*

(a) *Sewer deaths- entering sewer lines without safety gears should be made a crime even in emergency situations. For each such death, compensation of Rs.10.00 lakhs should be given to the family of the deceased.*

(ii) *Identify the families of all persons who have died in sewerage work (manholes, septic tanks) since 1993 and award compensation of Rs.10 lakh for each such death to the family members depending on them.*

2. In terms of its mandate, the Commission has been monitoring the implementation of the abovementioned Supreme Court judgment. The exercise of monitoring the implementation of the Supreme Court judgment by the Commission began vide my DO letter of even number dated 30.4.2014 whereby a copy of the said judgment was forwarded to all the States/UTs for compliance, followed by another reminder by the Commission on 14.7.2014. The Commission also held two rounds of meetings with the State Governments-first on 29th September, 2014 and then on 22nd January, 2015 to review the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" when this issue was also discussed in detail. The Chairman and members of the Commission expressed their displeasure at the slow pace of progress by the States in this regard. While underlining the importance of the issue particularly after the aforesaid Supreme Court judgment, the Commission, in the said meetings, impressed upon the participants from the States to expedite the process of identifying the sewer death victims since 1993 and awarding them the compensation of Rs. 10.00 lakhs to their families.

3. This Commission has been entrusted with the task of monitoring the implementation of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" which has come into force with effect from 6th December, 2013.

Contd...

4. The issue has been receiving the attention of the Government at the highest level. The Hon'ble Minister for Social Justice and Empowerment has also highlighted the issue in the recently held meeting of the Central Monitoring Committee. Also in the annual meeting with Chief Secretaries, DGPs, Principal Secretaries of Home and Social Welfare Department convened by the National Commission for Scheduled Castes on 24.6.2015, I once again impressed upon the participants to complete the exercise and take action in true spirit of the provisions of the M.S. Act against the offenders. I further stressed the need for vigorously implementing the judgment of the Supreme Court and ensure that the victims of sewer deaths have to be given compensation (Rs.10 lakhs) urgently.

5. As the Commission is monitoring the sewer death cases with extra sensitivity and concern. The Commission is required to submit a report to the Central Government on implementation of the abovementioned Supreme Court order. As the requisite information from your State is still awaited, therefore, I shall be grateful if you could give your personal attention to the issue and instruct the Principal Secretary of the Department concerned to send the information to the Commission at the earliest possible.

6. Finally, I would also urge upon you to hold the State Level Monitoring/Vigilance Committee meetings to review the status of implementation of the above Act as well.

Regards.

Yours sincerely,

(Signature)
(T.R. Meena)

To

Shri Ashish Kundra
Administrator
Daman & Diu Administration
Daman

(As per list attached)

etc

जारी किया
ISSUED
24/7/15

टी. आर. मीना, या.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649359
फैक्स / Fax : 24649322



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
चौ. मं., जमुई ब्लॉक, लोकनायक भवन, खार मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
Wing, 4th Floor, Lok Nayak Bhawan, Khari Market, New Delhi-110 003
Dated 8th March, 2016

D.O. No. 11059/01/2004-R&D

Dear Sir,

Please refer to my D.O. letter of even number dated 30th April, 2014 followed by subsequent reminder dated 14th July, 2014, 27th February, 2015, 28th May, 2015 and 24th July, 2015 regarding implementation of the Supreme Court Judgement dated 27.03.2014 in WP(C) No. 583 of 2003 Safai Karamcharis Andolan Vs UOI.

2. The Supreme Court in the above mentioned judgement has, inter-alia, directed for identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding them compensation of Rs. 10 lakhs for each such death to the family members depending to them. Considering the issue to be serious in nature, this Commission had sought information from the various States to expedite to process of identifying the sewer death victims since 1993 and awarding them the compensation of Rs. 10 lakhs to the family.

3. As the requisite information of your States is still awaited, I shall be grateful, if you could kindly instruct the Principal Secretary of the Department concerned to send the information in the proforma prescribed for this purpose to this Commission by 31st March, 2016 positively.

With Regards

Yours sincerely,

(Signature)
(T.R. Meena)

Shri I.Y.R. Krishna Rao,
Chief Secretary,
Govt. of Andhra Pradesh,
L-Block, 7th Floor,
A.P. Secretariat,
Hyderabad - 500038.

(As per list attached)

आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
फैक्स / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No.11059/7(Delhi)/2013-R&D (Vol.III)/549

Dated the 18th May, 2016

Dear Sir,

As your goodself may be aware that elimination of dry latrines, manual scavenging and the rehabilitation of manual scavengers in alternate occupations has been an area of high priority for the Government. However, despite concerted efforts made in the past by Govt. of India & N.C.S.K. to eliminate the dehumanising practice of manual scavenging, the practice still persist in various parts of the country. These evils are inconsistent with the right to live with dignity which is an essence of the Fundamental Rights guaranteed in Part III of the Constitution. Further, there is a related problem of serious health hazard and safety of the workers employed in the manual cleaning of sewers and septic tanks.

2. Having regard to the above, the Government of India notified "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" which consists of legislatives as well as programmatic interventions for dealing with the twin problems of insanitary latrines and manual scavengers. The said Act has come into force with effect from 6th December, 2013.

3. The National Commission for Safai Karamcharis have been entrusted with the task of monitoring the implementation of the said Act. As per Section 31(1) of the said Act, the Commission shall perform the following functions, namely (a) to monitor the implementation of the Act; (b) to enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action (c) to advise the Central and the State Governments for effective implementation of the provisions of the Act and (d) to take suo motu notice of matter relating to non-implementation of the Act.

4. In connection with the information called for by the Commission from all State Governments pertaining to Rajya Sabha Unstarred Question No.U162 and Lok Sabha Unstarred Question No. 2939 regarding Manual Scavengers, the Govt. of NCT of Delhi, vide its letters dated 24.2.2016 and 15.3.2016 denied the existence of Manual Scavengers in the three Municipal Corporations of the city. However, the report published in "The Times of India" daily edition on 16.5.2016 highlights a different picture of manual scavenging in the city. A copy of the said Report is enclosed herewith for your ready reference.

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5. The Commission had earlier also raised the issue of non-payment of salaries to the Safai Karamcharis in the city. The Chairman of the Commission Sh. M. Shivanna vide his letter dated 29.7.2015 (copy enclosed for ready reference) also desired to call on you to discuss the said issue. However, the said meeting could not be held as there was no response from your end, may be perhaps due to your extremely busy schedule.

6. The Commission is extremely concerned at the hardships being faced by the Safai Karamcharis in the city every now and then particularly in the context of non-payment of their salaries and their other conditions of service and urge the State Government to ensure non-recurrence of such a situation. At the same time, the Commission would also like to know the factual position regarding the existence of manual scavenging as reported in the report as indicated in para 4 above.

7. I shall be grateful if your goodself could kindly instruct the Departments concerned of your Govt. to send a factual report to the Commission at the earliest.

With kind regards,

Yours sincerely,

(Signature)
(T.R.Meena)

Encl. : As above

Shri Arvind Kejriwal,
Hon'ble Chief Minister of NCT of Delhi,
3rd level, Delhi Secretariat,
I.P. Estate, New Delhi-110002.

de

जारी किया
ISSUED
18/5/16

Speed Post

एम. शिवान्ना
अध्यक्ष
(स्तर : राज्य मंत्री)
M. SHIVANNA (Ex. M.P.)
CHAIRMAN
(Status : Union Minister of State)



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
National Commission for Safai Karamcharis
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

No.11059/7(Delhi)/20013-R&D

Dated the 27 July, 2015

His Excellency,

Delhi recently witnessed a prolonged agitation by the Safai Karamcharis of its municipalities. The Safai Karamcharis went on strike as a result of which the cleaning of roads in the city was badly hit. There was garbage/waste strewn all around on the streets of the city, particularly in the East Delhi areas. The city roads were stinking and the people of the city had to unnecessarily faced problems due to this strike.

2. The Commission understands that the reason for the Safai Karamcharis going on strike was non-release of their salaries by the Municipal Corporations of the city for the past 3-4 months. This is indeed a very sorry state of affairs. The Commission can very well imagine the financial hardships the families of these Safai Karamcharis had to undergo during this period.

3. The Commission has been receiving complaints from the Safai Karamcharis working in Delhi on this issue as well as on other issues pertaining to their service/working conditions. The Commission takes up these issues with the respective Municipal Corporations. But in most of the cases, the Commission either doesn't get any response at all or the response received is inadequate.

4. Also as you are aware, the Government of India had notified "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" which has come into force with effect from 6th December, 2013. As per Section 31(1) of the said Act, the Commission has been entrusted with the task of monitoring the implementation of this Act. The Commission has been vigorously monitoring the implementation of this Act through meetings and/or by calling for appropriate reports/returns. The Commission understands that the NCT of Delhi is slow in implementation of the provisions of the Act. The Commission would also like to use this opportunity to discuss the status of implementation of the Act in the NCT of Delhi.

Contd....

बी. विंग, 4^थ फ्लोर, लोकनायक भवन, खान मार्केट, नई दिल्ली 110 002
B Wing 4th Floor Lok Nayak Bhawan Khan Market NEW DELHI 110 002
Tel: 011-2664 8274/8275 Fax: 011-2664 1377

27

: 2 :

5. Therefore, I along with other members of the Commission and the Secretary would like to call on you to discuss the issues mentioned above. Accordingly, I shall be grateful if you could kindly indicate the date, time and venue which is convenient to you as early as possible.

Yours sincerely,



(M. Shivanna)
Chairman

To

Sh. Najeeb Jung,
H.E. the Lieutenant Governor of Delhi
Raj Niwas, Delhi - 110057



जारी किया
ISSUED
29/7/05

एम. शिवान्ना
अध्यक्ष
(स्तर : राज्य मंत्री)
M. SHIVANNA (Ex. M.P.)
CHAIRMAN
(Status : Union Minister of State)



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
National Commission for Safai Karamcharis
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

No.11059/7(Delhi)/20013-R&D/१॥

Dated the 27 July, 2015

Dear Arvindji

Delhi recently witnessed a prolonged agitation by the Safai Karamcharis of its municipalities. The Safai Karamcharis went on strike as a result of which the cleaning of roads in the city was badly hit. There was garbage/waste strewn all around on the streets of the city, particularly in the East Delhi areas. The city roads were stinking and the people of the city had to unnecessarily faced problems due to this strike.

2. The Commission understands that the reason for the Safai Karamcharis going on strike was non-release of their salaries by the Municipal Corporations of the city for the past 3-4 months. This is indeed a very sorry state of affairs. The Commission can very well imagine the financial hardships the families of these Safai Karamcharis had to to undergo during this period.

3. The Commission has been receiving complaints from the Safai Karamcharis working in Delhi on this issue as well as on other issues pertaining to their service/working conditions. The Commission takes up these issues with the respective Municipal Corporations. But in most of the cases, the Commission either doesn't get any reponse at all or the response received is inadequate.

4. Also as you are aware, the Government of India had notified "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" which has come into force with effect from 6th Decembër, 2013. As per Section 31(1) of the said Act, the Commission has been entrusted with the task of monitoring the implementation of this Act. The Commission has been vigorously monitoring the implementation of this Act through meetings and/or by calling for appropriate reports/returns. The Commission undertstands that the NCT of Delhi is slow in implementation of the provisions of the Act. The Commission would also like to use this opportunity to discuss the status of implementation of the Act in the NCT of Delhi.

Comd...

: 2 :

5. Therefore, I along with other members of the Commission and the Secretary would like to call on you to discuss the issues mentioned above. Accordingly, I shall be grateful if you could kindly indicate the date, time and venue which is convenient to you as early as possible.

Yours sincerely,


(M. Shivanna)
Chairman

To

Sh. Arvind Kejariwal,
Chief Minister of Govt. of NCT of Delhi
3rd Level, Delhi Secretariat, I.P. Estate
New Delhi -110002

de

जारी किए
ISSUED
29/7/15

टी. आर. मीना, मा.प्र.से.

T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No.11059/1-Goa/2014 - R&D/115

Dated 17th January, 2014

To

The Chief Secretary,
Government of Goa,
Panaji, Goa.

Sub: Death of 4 Safai Karamcharis in a hotel in Panaji-furnishing factual
report - reg.

Sir,

It has come to the notice of this Commission that four persons died while cleaning a septic tank in a hotel under the jurisdiction of Old Goa Police Station on 15th January, 2014. The Commission has taken cognizance of the above incident and views it seriously, therefore you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules.

The factual report may be furnished to the Commission urgently.

Yours sincerely,

(T.R. Meena)

टी. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'ब्रो' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No.11059/1-Goa/2014 - R&D/111

Dated 17th January, 2014

To

The Director General of Police,
Government of Goa,
Panaji, Goa.

Sub: Death of 4 Safai Karamcharis in a hotel in Panaji-furnishing factual
report - reg.

Sir,

It has come to the notice of this Commission that four persons died while cleaning a septic tank in a hotel under the jurisdiction of Old Goa Police Station on 15th January, 2014. The Commission has taken cognizance of the above incident and views it seriously, therefore you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules.

The factual report may be furnished to the Commission urgently.

Yours sincerely,

(T.R. Meena)

प्राप्त किया
ISSUED
17/1/14

आर. मीना, मा.प्र.से.
सचिव
Meena, IAS
Secretary
दूरभाष / Tel : 24649352
फैक्स / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'डी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

Most Immediate

No. 11059/1-Goa/U.P./2014-R&D/233

Dated: 26th February, 2014

To

The Senior Superintendent of Police,
Sector-14, Noida,
Distt. Gautambudh Nagar,(U.P)
Fax No. (0120- 2444546)

Sub: Death of two Safai Karamcharis in Noida while cleaning the sewer-furnishing of factual report-reg.

Sir,

It has come to the notice of this Commission that two persons died and third was rescued unconscious while cleaning a sewer under the jurisdiction of Noida (U.P) Police Station, Sector-24, Noida on 24.02.2014. The Commission has taken cognizance of the above incident and views it seriously, therefore you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules.

2. The factual report may be furnished to the Commission urgently.

Yours Sincerely,

(T.R. Meena)

26/2/14

टी. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003
Most Immediate

No. 11059/1-Goa/U.P./2014-R&D/236

Dated: 26th February, 2014

To

The District Magistrate,
G-28, Sector-27,
Noida-201301.
Distt. Gautambudh Nagar, (U.P).
Ref. No. (0120-2552552)

Sub: Death of two Safai Karamcharis in Noida while cleaning the sewer-furnishing of factual report-reg.

Sir,

It has come to the notice of this Commission that two persons died and third was rescued unconscious while cleaning a sewer under the jurisdiction of Noida (U.P) Police Station, Sector-24, Noida on 24.02.2014. The Commission has taken cognizance of the above incident and views it seriously, therefore you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules.

2. The factual report may be furnished to the Commission urgently.

Yours Sincerely,

(T.R. Meena)

टी. आर. मीना, भा.प्र.से.

सचिव

T. R. Meena, IAS

Secretary

दूरभाष / Tel : 24649352

फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

Most Immediate

No. 11059/1-Goa/2014-R&D/262

Dated: 7th March, 2014

Dear Shri Vijayan,

I would like to draw your kind attention to my letter of even no. dated 17th January, 2014 regarding the death of four Safai Karamcharis in a hotel in Panaji, in which you were requested to arrange to send a detailed factual report in the matter to this Commission urgently. However, it is still awaited from you.

2 The Commission has taken cognizance of the above incident and views it seriously. I would, therefore request you kindly arrange to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" or any other relevant law/rules.

With kind regards

Yours sincerely,

(T.R. Meena)

Shri B Vijayan,
Chief Secretary,
Government of Goa,
Panaji, Goa.

टी. आर. मीना, आ.प्र.सं.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/1-Goa/2014-R&D/SC2

Dated: 7th April, 2014

To

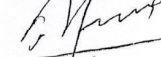
The Director General of Police,
Gujarat State 1st Floor, Police Bhawan,
Sector-18, Gandhinagar-382018.

Sub: Death of 2 Safai Karamcharis in gutter near Unjha town of District Mehsana
- furnishing factual report reg.

Sir,

It has come to the notice of this Commission that two persons died while cleaning a gutter (sewer) near Unjha town of District Mehsana on 30th March, 2014. The Commission has taken cognizance of the above incident and views it seriously. Therefore, you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "Prohibition as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules to the Commission urgently.

Yours sincerely,


(T.R. Meena)

7/4/14

टी. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

URGENT

No. 11059/1-2014-R&D/561

Dated: 7th April, 2014

To

The Chief Secretary,
Government of Gujarat,
Gandhinagar- 382020,
Gujarat.

Sub: Death of 2 Safai Karamcharis in gutter near Unjha town of District Mehsana
- furnishing factual report reg.

Sir,

It has come to the notice of this Commission that two persons died while cleaning a gutter (sewer) near Unjha town of District Mehsana on 30th March, 2014. The Commission has taken cognizance of the above incident and views it seriously. Therefore, you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "Prohibition as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules to the Commission urgently.

Yours sincerely,

(T.R. Meena)

जारी किया
ISSUED
07/04/14

टी. आर. मीना, भा.प्र.से.

T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
फैक्स / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/2014-R&D/745-747

Dated: 23rd May, 2014

To

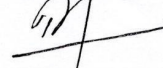
The Director General of Police,
Government of Rajasthan,
Jaipur- 302005.
Rajasthan.

Sub: Death of 2 Safai Karamcharis in Sewer near Airport road, Gaurav Path
Police Post, Jodhpur, Rajasthan - furnishing of factual report reg.

Sir,

It has come to the notice of this Commission that two persons died while leveling Sewer line near Airport Road, Gaurav Path Police Post, Jodhpur on 18th May, 2014. The Commission has taken cognizance of the above incident and views it seriously. Therefore, you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "Prohibition as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules to the Commission urgently.

Yours sincerely,


(T.R. Meena)

Copy to :-

- i) PPS to HCM
- ii) PS to Secretary, NCSK



जारी किया
ISSUED
26/5/14

ज. र. मीना, मा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel.: 24649352
फैक्स / Fax: 24648922



Immediate

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/10/2014-R&D/348-350

Dated: 23rd May, 2014

To

The Chief Secretary,
Government of Rajasthan,
Jaipur- 302005.
Rajasthan.

Sub: Death of 2 Safai Karamcharis in Sewer near Airport road, Gaurav Path
Police Post, Jodhpur, Rajasthan – furnishing of factual report reg.

Sir,

It has come to the notice of this Commission that two persons died while leveling Sewer line near Airport Road, Gaurav Path Police Post, Jodhpur on 18th May, 2014. The Commission has taken cognizance of the above incident and views it seriously. Therefore, you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "Prohibition as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules to the Commission urgently.

Yours sincerely,

(T.R. Meena)

Copy to :-

- i) PPS to HCM
- ii) PS to Secretary, NCSK

जारी किया
ISSUED
24/5/14

टी. आर. मीना, सा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
फैक्स / Fax : 24648922



संयोजक, राष्ट्रीय

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'ब्लू' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 002
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 002

D.O No. 11059/1-2014-R&D/1082

Dated: 17th July, 2014

Dear Shri Gadkar,

Please refer to my letter of even number dated 17th January, 2014 and subsequent reminder dated 07th March, 2014 regarding the death of four Safai Karamcharis in a Hotel in Panaji vide which you were requested to arrange to send a detailed factual Report in the matter to this Commission. Although a detailed report in the matter has since been received in the Commission vide Government of Goa, Deptt. of Home (General)'s letter No. 2/35/2014-HD (G)/1192 dated 11th March, 2014 yet a reply on whether the compensation was paid to their families has not been communicated so far.

2. In this connection, I would like to draw your kind attention to a Writ Petition (Civil) No. 583 of 2003 which was filed by the Safai Karamchari Andolan in the Hon'ble Supreme Court in which all the States/UTs were also respondents. The Hon'ble Supreme Court has delivered the judgement in the said petition on 27th March, 2014 for rehabilitation of manual scavengers on a permanent and sustainable basis in accordance with the provisions of the "Prohibition of Employment As Manual Scavengers And Their Rehabilitation Act, 2013" and identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding of compensation of Rs. 10.00 lakhs for each such death to the family members depending on them. This Commission has already forwarded a copy of that order to all the States/UTs vide this Commission's letter No11059/1/2004-R&D dated 30th April, 2014 for its compliance.

3. It may kindly be informed to the Commission whether any compensation has been given to the family of the deceased. If yes, how much.

Regards

Yours sincerely,

(T.R. Meena)

Shri Sanjiv Gadkar,
Additional Secretary (Home),
Department of Home (General),
Government of Goa,
Secretariat, Porvorium - Goa.

cle

जारी किया
ISSUED
12/7/14

श्री. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O No. 11059/1-2014-R&D/1394

Dated: 23 July, 2014

DEAR Sir,

This Commission had sought a factual report from District Magistrate and Senior Superintendent of Police regarding death of two Safai Karamcharis while cleaning a sewer line under the jurisdiction of Noida Police Station, Sector-24. Although a report / reply dated 08th March, 2014 alongwith the details of action taken under the provisions of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" and other relevant law/rules has been received, yet a reply on whether the compensation was paid to the affected families or not has not been communicated so far. This Commission also came to know about the death of a Safai Karamchari on 05th April, 2014 while attending to the work under the Ganga Pollution Control Division of U.P. Jal Nigam at G.T. Road, near Chokhaghat, Varanasi. In this regard, Municipal Commissioner, Varanasi has informed that the victim, late Shri Vipin Kumar, Safai Karamchari was engaged by M/s E.M.S.Infracon Pvt. Ltd., Raj Nagar, Ghaziabad and a compromise has been made between the victim's wife, Smt. Pinki and M/s E.M.S. Infracon Pvt. Ltd. for an amount of Rs.4.00 lakhs only.

2. In this connection, I would like to draw your kind attention to a Writ Petition (Civil) No. 583 of 2003 which was filed by the Safai Karamchari Andolan in the Hon'ble Supreme Court in which all the (States/UTs) were also respondents. While delivering the judgement in the said petition on 27th March, 2014, the Hon'ble Supreme Court has directed for rehabilitation of manual scavengers on a permanent and sustainable basis in accordance with the provisions of the "Prohibition of Employment As Manual Scavengers And Their Rehabilitation Act, 2013" and identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding a compensation of Rs. 10.00 lakhs for each such death to the family members depending on them. This Commission has already forwarded a copy of that order to all the States/UTs vide this Commission's letter No11059/1/2004-R&D dated 30th April, 2014 for its compliance.

3. It may kindly be informed to the Commission whether any compensation has been given to the family of the deceased in Noida case and whether the compensation in the Varanasi case has been increased to Rs. 10.00 lakh or not.

With kind regards

Yours sincerely,

(T.R. Meena)

Shri Alok Ranjan,
Chief Secretary,
Government of Uttar Pradesh,
Lucknow, Uttar Pradesh

oh

23/7/14

आर. मीना, सा.प्र.सं.
T. R. Meena, IAS
Secretary
दूरभाष / Tel 24649352
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O No. 11059/1-2014-R&D/1055

Dated: 23 July, 2014

DEAR Sir,

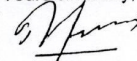
Please refer to my letter of even number dated 23rd May, 2014 regarding the death of two Safai Karamcharis while leveling Sewer line near Airport Road, Gaurav Path Police Post, Jodhpur on 18th May, 2014 vide which you were requested to arrange to send a detailed factual Report in the matter to this Commission. A report / reply from the Deputy Commissioner of Police vide his letter no. P. Police. Dy. Comm. Jodh./2014/8557-59 dated 18/06/2014 has been received on 11-07-2014 in this Commission. However, a reply in the matter alongwith the details of action taken under the provisions of the "Prohibition of Employment as manual Scavengers and their Rehabilitation Act, 2013" or any other relevant law/rules and whether the compensation was paid to the affected families has not been communicated so far by the State Govt.

2. In this connection, I would like to draw your kind attention to a Writ Petition (Civil) No. 583 of 2003 which was filed by the Safai Karamchari Andolan in the Hon'ble Supreme Court in which all the States/UTs were also respondents. The Hon'ble Supreme Court has delivered the judgement in the said petition on 27th March, 2014 for rehabilitation of manual scavengers on a permanent and sustainable basis in accordance with the provisions of the "Prohibition Of Employment As Manual Scavengers And Their Rehabilitation Act, 2013" and identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding a compensation of Rs. 10.00 lakhs for each such death to the family members depending on them. This Commission has already forwarded a copy of that order to all the States/UTs vide this Commission's letter No11059/1/2004-R&D dated 30th April, 2014 for its compliance.

3. It may kindly be informed to the Commission whether any compensation has been given to the family of the deceased. If yes, how much.

With Kind Regards.

Yours sincerely,


(T.R. Meena)

Shri Rajiv Mehrishi,
Chief Secretary,
Government of Rajasthan,
Secretariat, Jaipur,
Rajasthan-302001

RECEIVED
23/7/14

टी. आर. मीना, भा.प्र.से.

सचिव

T. R. Meena, IAS

Secretary

दूरभाष / Tel : 24649352

फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O No. 11059/1/2014-R&D/1093

Dated: 23 July, 2014

Dear Sir,

Please refer to my letter of even number dated 07th April, 2014 and subsequent reminder dated 06th May, 2014 of this Commission regarding the death of two Safai Karamcharis in sewer near Unjha town of District Mehsana vide which you were requested to arrange to send a detailed factual Report in the matter to this Commission. However, a report / reply in the matter alongwith the details of action taken under the provisions of the "Prohibition of Employment as manual Scavengers and their Rehabilitation Act, 2013" or any other relevant law/rules and whether the compensation was paid to the affected families has not been communicated so far.

2. In this connection, I would like to draw your kind attention to a Writ Petition (Civil) No. 583 of 2003 which was filed by the Safai Karamchari Andolan in the Hon'ble Supreme Court in which all the States/UTs were also respondents. The Hon'ble Supreme Court has delivered the judgement in the said petition on 27th March, 2014 for rehabilitation of manual scavengers on a permanent and sustainable basis in accordance with the provisions of the "Prohibition Of Employment As Manual Scavengers And Their Rehabilitation Act, 2013" and identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding compensation of Rs. 10.00 lakhs for each such death to the family members depending on them. This Commission has already forwarded a copy of that order to all the States/UTs vide this Commission's letter No11059/1/2004-R&D dated 30th April, 2014 for its compliance.

3. It may kindly be informed to the Commission whether any compensation has been given to the family of the deceased. If yes, how much.

With Kind Regards

Yours sincerely,

(T.R. Meena)

Shri P.C.Thakur,
Director General of Police,
1st Floor, Police Bhawan, Sector- 18,
Gandhinagar- 382018,
Gujarat.

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20/7/14

पि. आर. मीना, भा.प्र.से.

सचिव

T. R. Meena, IAS

Secretary

दूरभाष / Tel : 24649352

फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान पार्किट, नई दिल्ली-110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O No. 11059/1-2014-R&D/152

Dated: 23 July, 2014

Dear Sir,

Please refer to my letter of even number dated 07th April, 2014 and subsequent reminder dated 06th May, 2014 of this Commission regarding the death of two Safai Karamcharis in sewer near Unjha town of District Mehsana vide which you were requested to arrange to send a detailed factual Report in the matter to this Commission. However, a report / reply in the matter alongwith the details of action taken under the provisions of the "Prohibition of Employment as manual Scavengers and their Rehabilitation Act, 2013" or any other relevant law/rules and whether the compensation was paid to the affected families has not been communicated so far.

2. In this connection, I would like to draw your kind attention to a Writ Petition (Civil) No. 583 of 2003 which was filed by the Safai Karamchari Andolan in the Hon'ble Supreme Court in which all the (States/UTs) were also respondents. The Hon'ble Supreme Court has delivered the judgement in the said petition on 27th March, 2014 for rehabilitation of manual scavengers on a permanent and sustainable basis in accordance with the provisions of the "Prohibition Of Employment As Manual Scavengers And Their Rehabilitation Act, 2013" and identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding compensation of Rs. 10.00 lakhs for each such death to the family members depending on them. This Commission has already forwarded a copy of that order to all the States/UTs vide this Commission's letter No11059/1/2004-R&D dated 30th April, 2014 for its compliance.

3. It may kindly be informed to the Commission whether any compensation has been given to the family of the deceased. If yes, how much.

With kind regards

Yours sincerely,

(T.R. Meena)

Shri Varesh Sinha,
Chief Secretary,
Government of Gujarat,
Gandhinagar-382020
Gujarat

जारी किया
ISSUED
23/7/14

डॉ. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
फैक्स / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/10/2014-R&D/1631

Dated: 5th November, 2014

To

Shri Shriniwas Vashist,
Director General of Police,
Govt. of Haryana
Police Headquarter,
Sector-6, Panchkula,
Haryana.

Sub: Death of 3 Safai Karamcharis due to inhaling poisonous gas in M/s A.G. Industries situated at Industrial Area, Growth Centre, Bawal, District Riwari - furnishing of factual report reg.

Sir,

It has come to the notice of this Commission that 3 Safai Karamcharis have died of asphyxiation after inhaling poisonous gas while removing sewage from a tank at M/s A.G. Industries, Industrial Area, Growth Centre, Bawal, District Riwari on 23.10.2014. The Commission has taken cognizance of the above incident and views it seriously. Therefore, you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "Prohibition as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules to the Commission urgently.

Yours sincerely,

(T.R.Meena)

जारी किया
ISSUED
5/11/14

MOST IMMEDIATE

टी. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
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भारत सरकार
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सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/10/2014-R&D/1632

Dated: 5th November, 2014

To

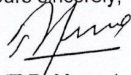
Smt. Shakuntla Jakhu,
Chief Secretary,
Govt. of Haryana
4th Floor, Haryana Civil Secretariat,
Sector-1, Chandigarh.

Sub: Death of 3 Safai Karamcharis due to inhaling poisonous gas in M/s A.G. Industries situated at Industrial Area, Growth Centre, Bawal, District Riwari - furnishing of factual report reg.

Madam,

It has come to the notice of this Commission that 3 Safai Karamcharis have died of asphyxiation after inhaling poisonous gas while removing sewage from a tank at M/s A.G. Industries, Industrial Area, Growth Centre, Bawal, District Riwari on 23.10.2014. The Commission has taken cognizance of the above incident and views it seriously. Therefore, you are requested to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "Prohibition as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules to the Commission urgently.

Yours sincerely,


(T.R. Meena)

नारी किरा
ISSUED
5/11/14

आर. मीना, मा प्र से
सचिव
T. R. Meena, IAS
Secretary
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003
Dated the 4th January, 2015

No.11059/6/2015-R&D

Dear Shri Aggarwal,

As you are aware, the Commission has been entrusted the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". As per section 31(1) of the said Act, the following functions have been assigned to the Commission:-

- (a) To monitor the implementation of the Act;
- (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- (c) To advice the Central and the State Governments for effective implementation of the provisions of the Act.
- (d) To take suo motu notice of matter relating to non-implementation of the Act.

2. In the discharge of its above mentioned functions, the Commission have been vested with the powers to call for information with respect to any matter specified above from any Government or local or other authority.

3. The Commission has also been closely monitoring the implementation of the Supreme Court Judgement dated 27.03.2014 in WP(C) No. 583 of 2003 directing all States/UTs to implement all provisions of the Act effectively and to pay a compensation of Rs. 10.00 lacs in each case of sewer deaths to the family members of the deceased Safai Karamcharis.

4. In this connection it has been informed by the Chandigarh Dalit Welfare Association that five persons namely Shri Dhyan Singh, Shri Prem Pal, Shri Ashrafi, Shri Happy S/o Shri Bahadur Singh and Shri Satvir S/o Shri Om Prakash who died of asphyxiation after inhaling poisonous gas while removing sewage at Chandigarh on 30.05.2015, 21.04.2012 and 21.08.2014 as they were not provided with safety gears by the concerned departments or the contractors during the cleaning of sewer. It has further been informed that despite a written communication from the Executive Engineer Public Health Divisional No-4, MC Chandigarh regarding financial assistance to be given to the family of the deceased as per the judgement and Hon'ble Supreme Court, no compensation has been paid to the families of the victims by the Chandigarh Authorities.

... 2/-

5. I shall be grateful if the Concerned Authorities of Chandigarh are directed to take appropriate action in the matter in the light of the provisions of the Act, viz. taking action against the persons responsible for the accident and providing compensation of Rs. 10.00 lacs to the family members of the deceased Safai Karamchari. I shall also be grateful if the District Authorities are directed to send an action taken report in the matter to the Commission at the earliest.

With Regards

Yours sincerely,


(T.R.Meena)

Shri Anurag Aggarwal,
Home Secretary,
4th Floor, UT Secretariat,
Sector – 9, Chandigarh.

जारी किया
ISSUED
06/01/16

MOST IMMEDIATE

श्री. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
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भारत सरकार
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सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/06/2015-R&D/25

Dated: 26th February, 2015

To

Dr. Rajiv Sharma,
Chief Secretary,
Govt. of Telangana,
Telangana Sectt., Khairatabad,
Hyderabad (Telangana)

Sub: Death of Shri Safai Karamchari due to inhaling poisonous gas while cleaning a sewer in Veerbhadra Nagar near Nagarajuna College, Sangareddy, District Medak - furnishing of factual report req.

Sir,

It has come to the notice of this Commission that a Safai Karamchari, Shri Rahul Lal had died after inhaling poisonous gas while cleaning a sewer in Veerbhadra Nagar near Nagarajuna College, Sangareddy, District Medak of Telangana state. In this connection, Shri Vijay Kumar, Hon'ble Member of this Commission had taken up the matter with Shri Rahul Bojja, District Collector, Distt. Medak vide his letter dated 06.01.2015 and subsequent reminder dated 04.02.2015, copies of which are enclosed for ready reference. However, a reply in the matter is awaited from the State Government.

2 The Commission has taken cognizance of the above incident and views it seriously. Therefore, you are requested to kindly arrange to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "Prohibition as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules to the Commission urgently.

Yours sincerely,

(T R Meena)

Encl.: As above

जारी किया
ISSUED
20/2/15

MOST IMMEDIATE

टै. आर. मीना, भा.प्र.से.
सचिव
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/06/2015-R&D/m

Dated: 7th February, 2015

To

Shri Anurag Sharma,
Director General & Inspector General of Police,
Govt. of Telangana,
Telangana Sectt., Khairatabad,
Hyderabad (Telangana)

Sub: Death of Shri Safai Karamchari due to inhaling poisonous gas while cleaning a sewer in Veerbhadra Nagar near Nagarajuna College, Sangareddy, District Medak - furnishing of factual report reg.

Sir,

It has come to the notice of this Commission that a Safai Karamchari, Shri Rahul Lal had died after inhaling poisonous gas while cleaning a sewer in Veerbhadra Nagar near Nagarajuna College, Sangareddy, District Medak of Telangana state. In this connection, Shri Vijay Kumar, Hon'ble Member of this Commission had taken up the matter with Shri Rahul Bojja, District Collector, Distt. Medak vide his letter dated 06.01.2015 and subsequent reminder dated 04.02.2015, copies of which are enclosed for ready reference. However, a reply in the matter is awaited from the State Government.

2. The Commission has taken cognizance of the above incident and views it seriously. Therefore, you are requested to kindly arrange to furnish a factual report in the matter along with details of the action taken, if any, under the provisions of the "Prohibition as Manual Scavengers and their Rehabilitation Act, 2013 or any other relevant law/rules to the Commission urgently.

Yours sincerely,

(T.R. Meena)

Encl.: As above

जारी किया
ISSUED
26/2/15

आर. मीना, मा.प्र.से.
T. R. Meena, IAS
Secretary
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

DO No. 11059/06/2015-R&D/522

Dated the 5th May 2015.

Dear Shri Rakesh,

As you are aware that 2 Safai Karamcharis died on 25.3.2013 while working in the sewerage system of Bhiwani. The Commission is also monitoring the said accident. In this regard, the Commission understands that the district police authorities have been directed by the District Administration to file an FIR in the matter under "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013".

The Commission would like to know the action taken so far in the matter, including relief to the next of kin of the victims. Accordingly, I shall be grateful if you could let this Commission know the same.

With Regards

Yours sincerely,

(T.R.Meena)

Sh. Rakesh Kumar Arya(IPS),
Superintendent of Police,
Chidiyagarh Road,
Rohtak Gate,
Bhiwani-127021.

जारी किया
ISSUED
25/5/15

टी. आर. मीना, भा.प्र.सं.

T. R. Meena, IAS

Secretary

दूरभाष / Tel : 24649352

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सत्यमेव जयते

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय

'बो' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली- 110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

DO No. 11059/01/2014-R&D/563

Dated 12th May, 2015

Dear Shri Srivastava,

Please refer to this my letter of even number dated 17th July 2014 (copy enclosed for ready reference) regarding death of four Safai Karamcharis, in a Hotel in Panaji vide which you were requested to send a detailed factual Report in the matter to this Commission. Although a detailed factual report in the matter has been received by the Commission vide Government of Goa, Deptt. of Home (General)'s letter No 2/35/2014-HD (G)/1192 dated 11th March 2014, but a reply on whether any compensation as per Supreme Court was paid to their families or not is still awaited

2. Therefore, it will be appreciated, if the requisite information is expedited to this Commission.

With Regards.

Yours sincerely,

(T.R. Meena)

Shri R.K.Srivastava
Chief Secretary,
Government of Goa,
Panji,Goa.

de

किया
ISSUED
12/5/15

टी. आर. मीना, भा.प.से.

सचिव

T. R. Meena, IAS

Secretary

दूरभाष / Tel : 24649352

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सत्यमेव जयते

भारत सरकार

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O. No. 11059/01/2014-R&D/KC

Dated 12th May, 2015

Dear Sir,

Please refer to this Commission's letter. of even number dated 7th April and subsequent reminder dated 6th May, 2014 and 23rd July, 2014 (copy enclosed for ready reference) regarding death of two Safai Karamcharis, in a sewer near Unjha town of District Mehsana on 30.3.2014 vide which you were requested to send a detailed factual Report in the matter to this Commission. However, no reply has been received by this Commission so far.

2. Therefore, it will be appreciated, if the requisite information is expedited to this Commission.

With Kind Regards

Yours sincerely,

(Signature)
(T.R Meena)

Shri D. J. Pandian,
Chief Secretary
Government of Gujarat,
Block - I, 5th Floor,
New Sachivalaya, Gandhinagar,
Gujarat - 382020.

जारी किया
ISSUE
12/5/15

टी. भार. मीना, भा.उ.स.
सा.
T. R. Meena, IAS
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फैक्स / Fax: 24649922



सत्यमेव जयते

MOST IMMEDIATE
भारत सरकार
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सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/06/2015-R&D/1058

Dated: 11th September, 2015

DEAR SIR,

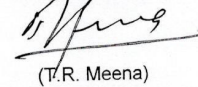
Please refer to my DO letter of even number dated 27th Feb, 2015 and subsequent reminder dated 28th May, 2015 and 24th July, 2015 regarding the implementation of the Supreme court Judgement dated 27.3.2014 in WP(C) No. 583 of 2003 Safai Karmacharis Andolan Vs UOI whereby the Supreme Court has directed for identifying families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding them compensation of Rs 10 lakhs for each such death to the family members depending on them.

2. In pursuance of the Supreme Court Judgement dated 27.03.2014 in WP(C) No. 583 of 2003 in Safai Karmacharis Andolan Vs UOI, the Commission has been collecting and compiling the data in this regard from all the States.

3. The Commission monitors the sewer death cases with extra sensitivity and concern as the issue has been receiving the attention of the Government at the highest level. A similar case has come to the notice of this Commission where two persons namely Shri Prasanna Kumar and Shri Yathi Raj died due to suffocation while cleaning a sewer under the jurisdiction of Jayamahall on 18.08.2015 (a copy of the news clipping is enclosed herewith). The Commission has taken cognizance of the above accident and views it seriously. Therefore you are requested to issue directions to the concerned officials to furnish a factual report along with the action taken, if any under the provisions of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013, or any other relevant law/rules.

With Kind Regards.

Yours sincerely


(T.R. Meena)

Shri Kaushik Mukherjee,
Chief Secretary,
Government of Karnataka,
Room No. 326, 3rd Floor,
Vidhansaudha,
Bengaluru - 560001.

टी. र. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel 24649352
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/6/2015-R&D/1077

Dated the 14th September, 2015.

DEAR SIR,

As you are aware, the Commission has been entrusted the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". As per section 31(1) of the said Act, the following functions have been assigned to the Commission: -

- (a) To monitor the implementation of the Act;
- (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and
- (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act.
- (d) To take suo motu notice of matter relating to non-implementation of the Act.

2. In the discharge of its above mentioned functions, the Commission have been vested with the powers to call for information with respect to any matter specified above from any Government or local or other authority.

3. The Commission has also been closely monitoring the implementation of the Supreme Court judgement dated 27.3.2014 in WP(C) No. 583 of 2003 directing all States/UTs to implement all provisions of the Act effectively and to pay a compensation of Rs. 10.00 lacs in each case of sewer deaths.

4. Sh. Ramdas Athawal, Member of Parliament (RS), vide his letter dated 4.8.2015, has drawn the attention of the Commission to the death of a person named Yakobu while cleaning the drainage at Naval Air Station, INS Rajali, Arakkonam in Vellore District, Tamil Nadu and has requested for payment of compensation of Rs. 10.00 lacs to his family members in terms of the abovementioned Supreme Court judgement. He has also requested for a job to one of his dependant family member in the State/Central Government. A copy of letter by the Hon'ble MP under mention is enclosed herewith for ready reference.

5. I shall be grateful if the District Authorities of Vellore are directed to take appropriate action in the matter in the light of the provisions of the Act. viz. taking action against the persons responsible for the accident and providing compensation of Rs. 10.00 lacs to the

.....contd

family members of the deceased safai karamchari. I shall also be grateful if the District Authorities are directed to send an action taken report in the matter to the Commission at the earliest so as to enable this Commission to send a final reply to the Hon'ble MP.

With Kind Regards -

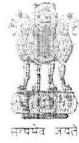
Yours sincerely,



(T.R.Meena)

Thiru K. Gnanadesikan,
Chief Secretary to the Govt. of Tamil Nadu,
Chennai.

टी. आर. मीना, भा.प्र.स.
सचिव
T. R. Meena, IAS
Secretary
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भारत सरकार
राष्ट्रीय सफाई कमिश्नरी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

Do No. 11059/6/2015-R&D/1877

Dated the 17 September, 2015.

Dear Sir,

Kind attention is invited to my DO letter of even number dated 20th February, 2015 (copy enclosed) followed by another letter of even number dated 19th May, 2015 by the Commission addressed to the Director, Scheduled Caste Development Department regarding death of a Safai Karamchari named Rahul on 4th January, 2015 while cleaning a sewer in Veerabhadranagar near Nagarjuna College, Snagareddy of Medak District.

2. As you may be aware, the Commission has been entrusted with the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". The Commission also monitors the cases of sewer deaths with extra sensitivity and care with particular reference to the payment of compensation of Rs. 10.00 lacs as directed by the Hon'ble Supreme Court in its judgement dated 27.3.2014.

3. Taking cognizance of the sewer death as indicated above the Commission had earlier called for a factual report in the matter along with details of the action taken under the Act mentioned above. However, the said factual report is still awaited. Therefore, I shall be grateful if you could kindly instruct the concerned Department to send the requisite factual/ action taken report in the matter to the Commission without any further delay.

With Kind Regards

Yours sincerely,

(Signature)
(T.R.Meena)
Secretary

Dr. Rajiv Sharma- Chief Secretary,
Government of Telangana,
Hyderabad.

किया
ISSUED
21/9/15

टी. सी. मीना, कर्मचारी

T. R. Meena, IAS
Secretary
दूरभाष / Tel 24649352
फैक्स / Fax 24649322



सत्यमेव जयते

राष्ट्रीय सफाई कर्मचारी आयोग

सांसाजिक न्याय एवं अधिकारिता पञ्चालय
वा. विंग, चतुर्थ मल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B Wing, 4th Floor, Lok Nayak Shawan, Khan Market, New Delhi-110 003

No. 11059/1/2014-R&D

Dated the 23rd September, 2015

DEAR SIR,

Please refer to my earlier DO letters of even number dated 23.5.2014 and 23.7.2014 regarding death of two Safai Karamcharis while cleaning the sewer lines near Airport Road, Gaurav Path Police Post, Jodhpur on 18th May, 2014.

2. In this regard, the Commission was informed, vide DCP (Jodhpur East) letter dated 18.6.2014, that the matter was being looked into/investigated. However, the Commission's main concern is the payment of compensation of Rs. 10.00 lacs each to the family members of the victims in view of the Supreme Court judgement dated 27.3.2014 in WP (C) No. 583 of 2003 and booking of case/culprits under "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" as manual scavenging is a cognizable and non-bailable offence under the said Act.

3. The Commission monitors the sewer death cases with extra sensitivity and care. Therefore, I shall be grateful if you could kindly instruct the District Administration of Jodhpur to furnish a complete Action Taken Report in the matter to the Commission at the earliest.

With Kind Regards

Yours sincerely,

(Signature)
(T.R.Meena)
Secretary

Sh. C.S.Rajan,
Chief Secretary,
Government of Rajasthan,
Jaipur.

आर. मीना, या.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel 24649352
फैक्स / Fax 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
ब्लॉक 'बि', चतुर्थ तल, लोकन्यायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O No. 11059/6/2015-R&D/1174

Dated: 1st October, 2015

Dear Shri Pareek,

The Commission understands through press reports that 2 Safai Karamcharis namely Shri Vinod and Shri Rajesh died due to suffocation on 14.09.2015 while cleaning a sewer near the office of Department Social Justice & Empowerment, Parivahan Marg, Jaipur.

2. As you are aware, this Commission has been entrusted with the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". The Commission monitors the cases of sewer deaths with extra sensitivity and care with particular reference to the payment of compensation of Rs. 10.00 lacs as directed by the Hon'ble Supreme Court in its judgement dated 27.3.2014.

3. Therefore, you are requested to investigate the matter under the provisions of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and send a factual report to the Commission at the earliest.

With Regards

Yours sincerely,

(T.R.Meena)
Secretary

Shri Dinesh Pareek,
Commissioner,
Jaipur Municipal Corporation,
Rajasthan.

जारी किया
ISSUED
01/10/15

(sent by Fed (Sd) B1)

आर. मीना, मा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel 24648352
फैक्स / Fax 24648922



सत्यमेव जयते

भारत सरकार URGENT
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O No. 11059/6/2015-R&D/1127

Dated: 1st October, 2015

Dear Shri Rao

The Commission understands through press reports that 2 Safai Karamcharis namely Shri Vinod and Shri Rajesh died due to suffocation on 14.09.2015 while cleaning a sewer near the office of Department Social Justice & Empowerment, Parivahan Marg, Jaipur.

2. As you are aware, this Commission has been entrusted with the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". The Commission monitors the cases of sewer deaths with extra sensitivity and care with particular reference to the payment of compensation of Rs. 10.00 lacs as directed by the Hon'ble Supreme Court in its judgement dated 27.3.2014.

3. Therefore, you are requested to investigate the matter under the provisions of the "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and send a factual report to the Commission at the earliest.

With Regards

Yours sincerely,

(Signature)
(T.R.Meena)
Secretary

Shri Janga Srinivas Rao,
Commissioner of Police,
Jaipur,
Rajasthan - 302001.

Tel. No. 0141-2362100
Fax. - 0141-2362101.

जिरी फाइल
ISS
01/10/15
(सं. 11059/6/2015-R&D/1127)

आर. मीना, मा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel 24649352
फैक्स / Fax 24648922



MOST IMMEDIATE
REMINDER - I
भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O. No. 11059/Goa-01/2014-R&D

Dated: September, 2015

05th October

Dear Shri Srivastava,

Kindly attention is invited to my DO letter of even number dated 17th July, 2014 and subsequent reminder dated 12th May, 2015 (copy enclosed for ready reference) regarding death of four Safai Karamcharis, in a Hotel in Panaji vide which you were requested to send a detailed factual Report to this Commission. Although a report from Police Inspector, Old Goa Police Station was forwarded by Directorate of Social Welfare Government of Goa dated 30.05.2014, but there was no information regarding the compensation paid to the families of the victims has been furnished to this Commission.

2. As you may be aware, the Commission has been entrusted with the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". The Commission monitors the cases of sewer deaths with extra sensitivity and care with particular reference to the payment of compensation of Rs. 10.00 lacs as directed by the Hon'ble Supreme Court in its judgement dated 27.3.2014.

3. I shall be grateful if you can apprise this Commission about the compensation paid to the families of the deceased under the above mentioned Act.

With Regards

Yours sincerely

(T.R. Meena)

Shri R. K. Srivastava,
Chief Secretary,
Government of Goa,
Secretariat Porvorim,
Goa - 403521.



MOST IMMEDIATE

भारत सरकार

GOVERNMENT OF INDIA

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

National Commission for Safai Karamcharis

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

Dated: September, 2015

No. 11059/06/2015-R&D

To

Shri Ramesh Chander Lohini,
General Manager,
Uttarakhand Bahuddeshiya,
Vita Evam Vikas Nigam Limited,
Directorate Tribal Welfare Campus,
Bhagat Singh Colony, Adhoyiwala,
Dehradun.

Sub: - Death of 3 persons in Dehradun while cleaning a septic tank in the premises of Max Hospital, Dehradun.

Sir,

Please refer to your letter dated 9th September, 2015 regarding death of 3 persons who died while cleaning a septic tank in the premises of Max Hospital, Dehradun. In the letter you have requested this Commission to pay the compensation to the families of the victims under the "Prohibition of Employment as Manual Scavengers and their Rehabilitations Act, 2013". However, the undersigned would like to inform you that payment of compensation under the said Act is neither the mandate of this Commission nor there is any budgetary provision to give financial assistance to the sewer death victims. The role of the Commission is that of monitoring the implementation of the MS Act and other welfare/rehabilitation schemes for Manual Scavengers/Safai Karamcharis.

2. In view of the above it is requested that the concerned department may take action at their end.

Yours sincerely

Varinder Singh
(Varinder Singh)

Deputy Director (R&D)
Tel. No. 2464 9351

Copy for information to: - PS to Secretary.

बारी किया
ISSUED
09/09/15

“राष्ट्रभाषा का सम्मान, देश का मान”

‘बी’ विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110003

‘B’ Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003

फोन/Tel.: 24618119, फैक्स/Fax : 24648922

आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel 24649352
फैक्स / Fax 24648922



सत्यमेव जयते

By Speed Post

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/06/2015-R&D/1135

Dated the 7th October, 2015

Dear Sir,

I would like to draw your kind attention to a news report published in the city edition of "The Times of India" dated 1st October, 2015 (copy enclosed) wherein it has been reported that a 45 years old Safai Karamchhari of South Delhi Municipal Corporation allegedly committed suicide on railway track near Sarita Vihar. It is also alleged that he was depressed as the arrears of his salary were not paid to him for a long time.

Therefore, you are requested to send a factual report in the matter to the Commission within a week.

With Regards

(T.R.Meena)

Sh. K.K.Sharma,
Chief Secretary,
Government of NCT of Delhi.
Delhi Secretariat.

de

जारी किया
ISSUED with enclosure
09/10/2015

टी. आर. मीना, भा.प्र.सं.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel 24649352
फैक्स / Fax 24648922



सत्यमेव जयते

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
बो' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/06/2015-R&D/1117

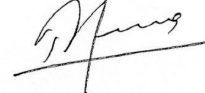
Dated the 7th October, 2015

Dear Dr. Goel,

I would like to draw your kind attention to a news report published in the city edition of "The Times of India" dated 1st October, 2015 (copy enclosed) wherein it has been reported that a 45 years old Safai Karamchari of South Delhi Municipal Corporation allegedly committed suicide on railway track near Sarita Vihar. It is also alleged that he was depressed as the arrears of his salary were not paid to him for a long time.

Therefore, you are requested to send a factual report in the matter to the Commission within a week.

With regards


(T.R.Meena)

Dr. Puneet Kumar Goel.
Commissioner,
South Delhi Municipal Corporation,
Dr. S.P.M. Civic Centre, Minto Road,
New Delhi.

de

जारी किया
10/10/2015 with enclosure.
9/10/2015

डा. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel. 24649352
फैक्स / Fax 24648922



सत्यमेव जयते

By Speed Post

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/06/2015-R&D/1136

Dated the 7th October, 2015

Dear Sir,

I would like to draw your kind attention to a news report published in the city edition of "The Times of India" dated 1st October, 2015 (copy enclosed) wherein it has been reported that a 45 years old Safai Karamchhari of South Delhi Municipal Corporation allegedly committed suicide on railway track near Sarita Vihar. It is also alleged that he was depressed as the arrears of his salary were not paid to him for a long time.

Therefore, you are requested to send a factual report in the matter to the Commission within a week.

With Regards,

(Signature)
(T.R.Meena)

Sh. B.S.Bassi,
Commissioner of Police,
Delhi.

de

ISSUED with enclosure.
02/10/2015

टी. आर. मीना, मा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No. 11059/23/2015-R&D

Dated the 8 October, 2015

DEAR SIR,

The National Commission for Safai Karamcharis have been persistently writing to the State Governments/Union Territories for the last two years since "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" came into force in December, 2013, impressing upon them to take urgent measures for completion of the identification/survey of Manual Scavengers in their respective States and rehabilitate them. However, in some of the States, the exercise is still going on. And there is no clarity/finality about the figures of Manual Scavengers.

2. I am enclosing a press report published on 30th September, 2015 in a daily (Mail Today) giving some state-wise facts and status of the prevailing situation with regard to the Manual Scavengers and the Insanitary Latrines etc. The Commission is extremely concerned about it, therefore, it has been decided to obtain the factual reports from the all the States/UTs.

3. I would be extremely grateful if a detailed report is sent to the Commission with regard to your State in this regard.

With regards.

Yours sincerely,

(T.R. Meena)
Secretary

To

sent with enclosures
जारी किया
ISSUED
08/10/2015

टी. आर. मीना, सा.प्र.से.
T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
फैक्स / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

DO No. 11059/06/2015-R&D/1232

Dated the 19th October, 2015

Dear Sir,

Please refer to my DO letter of even number dated 23rd July, 2014 pursuing the death of two persons while cleaning a sewer line in Sector-24, Noida on 24.2.2014 and that of another person on 5.4.2014 in Varanasi.

The Commission understands that in the case of sewer death in Varanasi, the matter was settled between M/s E.M.S. Infracon Pvt. Ltd., the contractor who hired the victim and the victim's wife by payment of Rs. 4.00 lacs by the contractor to her. However, the Commission is not aware if any monetary or other help was provided to the families of the victims of Noida case.

In this regard, the Commission would like to draw your kind attention to the Writ Petition (Civil) No. 583 of 2003 which was filed by the Safai Karamchari Andolan in the Hon'ble Supreme Court in which all the States/UTs were also respondents. While delivering the judgement in the said petition on 27th March, 2014, the Hon'ble Supreme Court has directed for rehabilitation of manual scavengers on a permanent and sustainable basis in accordance with the provisions of the "Prohibition Of Employment As Manual Scavengers And Their Rehabilitation Act, 2013" and identifying the families of all persons who died in sewerage work (manholes, septic tanks) since 1993 and awarding a compensation of Rs. 10.00 lakhs for each such death to the family members depending on them.

The Commission has been persistently requesting the State Governments to implement this judgement in its true letter and spirit.

As per information available with the Commission as of now, it is understood that the dependent family members of the victims in both the abovementioned cases have not been provided the relief/compensation in terms of the Supreme Court judgement under mention. Therefore, I shall be grateful if you could kindly instruct the authorities concerned in the matter to expedite the process of granting relief/compensation to the family members of the victims and send a compliance/action taken report in this regard to the Commission at the earliest.

With Regards.

Yours sincerely,

(T.R. Meena)

जारी किया
ISSUED
19/10/15

Sh. Abh Rajan
Chief Secretary,
Government of Uttar Pradesh
Lucknow



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA

राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
National Commission for Safai Karamcharis
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

No. 11059/06/2015-R&D/1233

Dated the 1st October, 2015

To

The Secretary,
Karnataka State Commission for Safai Karamcharis,
4th Main Road, 16th Cross,
Sampangiramanagar, Bangaluru.

Subject: Death of a Pura Karmik in Mysore-regd.

Sir,

I am directed to refer to your letter No. KSCSC/CR-62/2013-14/362 dated 4.3.2014 on the subject mentioned and to say that the State Commission was to send a detailed report with photographs of the incident to this Commission. However, the said detailed report and photographs are still awaited. In this regard, I am directed to request you to send a latest consolidated report containing, inter-alia, the details of the action taken by the civil/police authorities in the matter and the compensation paid to the family members of the victims in accordance with the Supreme Court judgement dated 27.3.2014 for awarding a compensation of Rs. 10.00 lakhs for each such death to the family members depending on them.

The abovementioned information/report may be sent to the Commission within seven days of the receipt of this letter.

This issues with the approval of competent authority.

Yours Sincerely,

Varinder Singh
(Varinder Singh)
Dy. Director (R&D)

जारी किया
ISSUED
19/10/15

"राष्ट्रभाषा का सम्मान देश का मान"

डी. विंग, 4th फ्लोर, एन.ए. रोड, नवमंथन, मंगलूर, केरल 695 002
B Wing 4th Floor, N.A. Road, Navamthan, Mangaluru, Kerala 695 002
फोन नं. 0477-2542850 फैक्स नं. 0477-2542852

टी. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel. 24649352
फैक्स / Fax 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
बी० विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi 110 003

No.11059/6/2015-R&D/1841

Dated the 1st December, 2015

Dear Sir,

You may be aware that two persons died on 8.8.2015 while cleaning a sewer line/manhole in Lohamandi area of Jaipur. As the Commission handles/deals the sewer death cases with extra sensitivity and concern, I personally visited Jaipur on 12.8.2015 to have first hand account of the incident.

2. During my meeting with the State officials, I was informed that the family members of the victims have been paid Rs. 1.00 lac each by the Contractor in addition to the Rs. 50,000/- being paid from the Chief Minister's Relief Fund. The representatives of the Safai Karamchari Andolan Samiti said that the Safai Karamcharis are not provided the working condition/gadgets as prescribed in "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". Had the Contractor provided the necessary safety gears to the Safai Karamcharis, the accident could have been avoided.

3. After detailed discussions in the meeting, the following decisions were taken:

(i) The District authorities as well as the officers of the Jaipur Development Authority should deal with such cases in accordance with "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" and to ensure that the safai Karamcharis are provided all the necessary safety gadgets/equipments, as laid down in the Rules to the aforesaid Act, to carry out their job.

(ii) The offences under the said Act are cognizable and non-bailable and should be dealt with as such by the Police and Civil District Authorities.

(iii) The attention of the District authorities were also drawn towards the Supreme Court judgement dated 27.3.2014 according to which the victims of the sewer/septic tank death are to be paid a compensation of Rs. 10.00 lacs and directed accordingly.

(iv) The Jaipur Municipal Corporation, Jaipur Development Authority and other urban local bodies should purchase Suction and Jetting machines to carry out sewer cleaning work instead of doing the same manually.

4. The minutes of the meeting is enclosed herewith for ready reference.

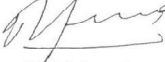
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5. The overall impression of the Commission about the incidents mentioned above is that the District authorities and Jaipur Development Authority have not acted in the cases in accordance with law and the spirit of the Supreme Court judgement. There is a need to sensitize the district authorities to take prompt action in such cases in so far as payment of compensation and filing of cases are concerned as per the provisions of the MS Act, 2013.

6. Therefore, I shall be grateful if you could kindly instruct the Jaipur Development Authority and district civil/police authorities of Jaipur to take urgent action in the matter mentioned above without any further delay. I would be extremely grateful if an Action Taken Report is sent to the Commission at the earliest.

With kind regards

Yours sincerely,


(T.R.Meena)

Sh. Sudershan Sethi,
Principal Secretary,
Social Justice and Empowerment Department,
Government of Rajasthan,
Jaipur.

जारी किया
ISSUED
01/12/15

टी. आर. मीना, सा.प्र.से.
T. R. Meena, IAS
Secretary
दूरभाष / Tel : 24649352
फैक्स / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बो' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003
Dated the 1st December, 2015

No.11059/6/2015-R&D/1842

Dear Sir,

You may be aware that three persons died on 13.7.2015 while cleaning a sewer line/manhole in Pushkar Municipality area of Ajmer. As the Commission handles/deals the sewer death cases with extra sensitivity and concern, I personally visited Ajmer on 13.8.2015 to have first hand account of the incident.

2. During my visit to Ajmer on 13.8.2015, I held a meeting with District Collector and Superintendent of Police of Ajmer which was also attended by other senior officers of the District besides Commissioner and Secretary of the Ajmer Development Authority.

3. The cause of the accident, as informed by the District authorities, was undertaking of work by inexperienced workers, absence of Supervisory staff at the site, lack of safety equipments and misleading of workers etc. I was also informed that the Contractor has paid a sum of Rs. 5.00 lacs each to the families of the victims. I also interacted with the representatives of the Safai Karamcharis. After detailed discussions in the meeting, the following decisions were taken:

(i) In accordance with the provisions of the MS Act, 2013, forcing the Safai Karamcharis to clean the sewerage lines without safety equipments is a punishable offence and delinquent officials may be jailed for upto five years.

(ii) The district authorities should pay a compensation of Rs. 10.00 lac to the family members of each victims and register FIRs/cases against the officials/contractors responsible for the accidents as per the orders of the Hon'ble Supreme Court dated 27.3.2014.

(iii) The district authorities should provide necessary safety gears to the Safai Karamcharis for carrying out their work. The district authorities should also ensure the same for the Safai Karamcharis hired through contractors.

(iv) The ADA should purchase the latest machines for carrying out the hazardous cleaning of sewer lines to minimize the risk element for the Safai Karamcharis.

4. The minutes of the meeting are enclosed herewith for ready reference.

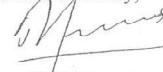
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5. The overall impression of the Commission about the incidents mentioned above is that the Ajmer Development Authority have not acted in these cases in accordance with law and the spirit of the Supreme Court judgement. There is a need to sensitize the district civil/police authorities to take prompt action in such cases in so far as payment of compensation and filing of cases are concerned as per the provisions of the MS Act, 2013.

6. Therefore, I shall be grateful if you could kindly instruct the Ajmer Development Authority and the district civil/police authorities of Ajmer to take urgent action in the matter mentioned above without any further delay. I would be extremely grateful if an Action Taken Report is sent to the Commission at the earliest.

With Kind Regards.

Yours sincerely,


(T.R. Meena)

Sh. C.S.Rajan,
Chief Secretary,
Government of Rajasthan,
Jaipur.

नारी किर्या
ISSUED
०१/१०/१५

टी. आर. मीना, ना.प्र.से.

T. R. Meena, IAS
Secretary
दूरभाष / Tel.: 24649352
फैक्स / Fax: 24648922



सत्यमेव जयते

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली- 110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khajuri Market, New Delhi-110 003
Dated the 1st December, 2015

No.11059/6/2015-R&D/1840

Dear Sir,

You may be aware that three persons died on 13.7.2015 while cleaning a sewer line/manhole in Pushkar Municipality area of Ajmer. As the Commission handles/deals the sewer death cases with extra sensitivity and concern, I personally visited Ajmer on 13.8.2015 to have first hand account of the incident.

2. During my visit to Ajmer on 13.8.2015, I held a meeting with District Collector and Superintendent of Police of Ajmer which was also attended by other senior officers of the District besides Commissioner and Secretary of the Ajmer Development Authority.

3. The cause of the accident, as informed by the District authorities, was undertaking of work by inexperienced workers, absence of Supervisory staff at the site, lack of safety equipments and misleading of workers etc. I was also informed that the Contractor has paid a sum of Rs. 5.00 lacs each to the families of the victims. I also interacted with the representatives of the Safai Karamcharis. After detailed discussions in the meeting, the following decisions were taken:

(i) In accordance with the provisions of the MS Act, 2013, forcing the Safai Karamcharis to clean the sewerage lines without safety equipments is a punishable offence and delinquent officials may be jailed for upto five years.

(ii) The district authorities should pay a compensation of Rs. 10.00 lac to the family members of each victims and register FIRs/cases against the officials/contractors responsible for the accidents as per the orders of the Hon'ble Supreme Court dated 27.3.2014.

(iii) The district authorities should provide necessary safety gears to the Safai Karamcharis for carrying out their work. The district authorities should also ensure the same for the Safai Karamcharis hired through contractors.

(iv) The ADA should purchase the latest machines for carrying out the hazardous cleaning of sewer lines to minimize the risk element for the Safai Karamcharis.

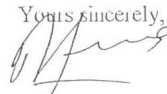
4. The minutes of the meeting are enclosed herewith for ready reference.

.....contd.

5. The overall impression of the Commission about the incidents mentioned above is that the Ajmer Development Authority have not acted in these cases in accordance with law and the spirit of the Supreme Court judgement. There is a need to sensitize the district civil/police authorities to take prompt action in such cases in so far as payment of compensation and filing of cases are concerned as per the provisions of the MS Act, 2013.

6. Therefore, I shall be grateful if you could kindly instruct the Ajmer Development Authority and the district civil/police authorities of Ajmer to take urgent action in the matter mentioned above without any further delay. I would be extremely grateful if an Action Taken Report is sent to the Commission at the earliest.

With kind regards.

Yours sincerely,

(T.R.Meena)

Sh. Sudershan Sethi,
Principal Secretary,
Social Justice and Empowerment Department,
Government of Rajasthan,
Jaipur.

551
10/02/2016
01/XII/IC



भारत सरकार
GOVERNMENT OF INDIA

राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
National Commission for Safai Karamcharis
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

No.11059/6/2015-R&D/1833

Dated: 07th December, 2015

To

Shri Ashutosh A.T. Pednekar (IAS),
Commissioner,
Jaipur Municipal Corporation,
Jaipur, (Rajasthan)-302001.

Sub: Sewer death case of Shri Vinod and Shri Rajesh who died due to suffocation on 14.09.2015.

Sir,

I am directed to refer to this Commission's letter of even no. dated 01.10.2015 which was actually meant for you but addressed to Shri Dinesh Pareek inadvertently on the above mentioned subject. A copy of the same letter is enclosed for further necessary action.

2. I am also directed to invite your kind attention to a meeting taken by Shri T.R. Meena, Secretary, National Commission for Safai Karamcharis with you and other senior officers on 05.12.2015 regarding sewer death of two Safai Karamcharis who died due to suffocation on 14.09.2015 while cleaning a sewer near the office of Department Social Justice & Empowerment, Parivahan Marg, Jaipur and to request you to send the minutes of the aforesaid meeting to this Commission at the earliest.

Yours sincerely,


(Dinesh Kochhar)
Under Secretary (Admn.)
Tel. No. 2464 9354

Encl. as above:

“राष्ट्रभाषा का सम्मान, देश का मान”

‘बी’ विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली 110 003
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi 110 003
फोन/Tel.: 24618119 24648921 फैक्स/Fax 24648922

टी. आर. मीना, भा.प्र.से.

स

T. R. Meena, IAS

Secretary

दूरभाष / Tel. : 24649352

फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार

राष्ट्रीय सफाई कर्मचारी आयोग

सामाजिक न्याय एवं अधिकारिता मंत्रालय

'बो' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली- 110 003

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No.11059/6/2015-R&D/1985

Dated the 27th December, 2015

DEAR SIR,

As you are aware, the Commission has been entrusted the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". As per section 31(1) of the said Act, the following functions have been assigned to the Commission (a) To monitor the implementation of the Act, (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action, (c) To advice the Central and the State Governments for effective implementation of the provisions of the Act, and (d) To take suo motu notice of matter relating to non-implementation of the Act.

2. The Commission has been closely monitoring the implementation of the Supreme Court Judgement dated 27.03.2014 in WP(C) No. 583 of 2003 directing all States/UTs to implement all provisions of the Act effectively and to pay a compensation of Rs. 10.00 lacs in each case of sewer deaths to the family members of the deceased Safai Karamcharis.

3. I am enclosing a press report appeared in a daily dated 27.11.2015 and to bring to your kind notice the sewer death cases of three persons namely Shri Bhaskar, Shri Narsimha and Shri P. Naushad who died of asphyxiation after inhaling poisonous gas while removing sewage near Jaya Auditorium, in Kozhikode, Kerala.

4. I shall be grateful if the District Authorities of Kozhikode are directed to take appropriate action in the matter in the light of the provisions of the Act viz. taking action against the persons responsible for the accident and providing compensation of Rs. 10.00 lacs to the family members of the deceased Safai Karamchari. I shall also be grateful if the District Authorities are directed to send an action taken report in the matter to the Commission at the earliest.

With Kind Regards

Yours sincerely,

(T.R.Meena)

Shri. Jiji Thomson,
Chief Secretary,
Government of Kerala,
Secretariat,
Thiruvananthapuram – 695001.

टी. आर. मीना, मा.प्र.से.
T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No.11059/6/2015-R&D/1803

Dated the 22nd December, 2015

Dear Shri Valsan,

As you are aware, the Commission has been entrusted the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". As per section 31(1) of the said Act, the following functions have been assigned to the Commission (a) To monitor the implementation of the Act, (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action, (c) To advice the Central and the State Governments for effective implementation of the provisions of the Act, and (d) To take suo motu notice of matter relating to non-implementation of the Act.

2. The Commission has been closely monitoring the implementation of the Supreme Court Judgement dated 27.03.2014 in WP(C) No. 583 of 2003 directing all States/UTs to implement all provisions of the Act effectively and to pay a compensation of Rs. 10.00 lacs in each case of sewer deaths to the family members of the deceased Safai Karamcharis.

3. I am enclosing a press report appeared in a daily dated 27.11.2015 and to bring to your kind notice the sewer death cases of three persons namely Shri Bhaskar, Shri Narsimha and Shri P. Naushad who died of asphyxiation after inhaling poisonous gas while removing sewage near Jaya Auditorium, in Kozhikode, Kerala.

4. I shall be grateful if you could take an appropriate action in the matter in the light of the provisions of the Act viz. taking action against the persons responsible for the accident and provide compensation of Rs. 10.00 lacs to the family members of the deceased Safai Karamchari. I shall also be grateful if an action taken report in the matter is sent to the Commission at the earliest.

With Regards.

Yours sincerely,

(T.R.Meena)

Sh. P.A. Valsan,
Commissioner of Police,
Distt. Kozhikode – 673001.
Kerala

टी. आर. मीना, भा.प्र.से.

T. R. Meena, IAS
Secretary

दूरभाष / Tel. : 24649352

फैक्स / Fax : 24648922



भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
'बी' विंग, चतुर्थ तल, लोकनायक भवन, खान मार्केट, नई दिल्ली-110 003
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No.11059/6/2015-R&D/1102

Dated the 27th December, 2015

My dear Prashant,

As you are aware, the Commission has been entrusted the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". As per section 31(1) of the said Act, the following functions have been assigned to the Commission (a) To monitor the implementation of the Act, (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action, (c) To advice the Central and the State Governments for effective implementation of the provisions of the Act, and (d) To take suo motu notice of matter relating to non-implementation of the Act.

2. The Commission has been closely monitoring the implementation of the Supreme Court Judgement dated 27.03.2014 in WP(C) No. 583 of 2003 directing all States/UTs to implement all provisions of the Act effectively and to pay a compensation of Rs. 10.00 lacs in each case of sewer deaths to the family members of the deceased Safai Karamcharis.

3. I am enclosing a press report appeared in a daily dated 27.11.2015 and to bring to your kind notice the sewer death cases of three persons namely Shri Bhaskar, Shri Narsimha and Shri P. Naushad who died of asphyxiation after inhaling poisonous gas while removing sewage near Jaya Auditorium, in Kozhikode, Kerala.

4. I shall be grateful if you could to take an appropriate action in the matter in the light of the provisions of the Act viz. taking action against the persons responsible for the accident and provide compensation of Rs. 10.00 lacs to the family members of the deceased Safai Karamchari. I shall also be grateful if an action taken report in the matter is sent to the Commission at the earliest.

With regards

Yours sincerely,

(T.R.Meena)

Sh. N. Prashant (IAS), Collector,
Collectorate,
Civil Station,
Kozhikode – 673020, Kerala

टी. आर. मीना, मा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
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भारत सरकार
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

No.11059/6/2015-R&D/1804

Dated the 22nd December, 2015

Dear Sir,

As you are aware, the Commission has been entrusted the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". As per section 31(1) of the said Act, the following functions have been assigned to the Commission (a) To monitor the implementation of the Act, (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action, (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act, and (d) To take suo motu notice of matter relating to non-implementation of the Act.

2. The Commission has been closely monitoring the implementation of the Supreme Court judgement dated 27.03.2014 in WP(C) No. 583 of 2003 directing all States/UTs to implement all provisions of the Act effectively and to pay a compensation of Rs. 10.00 lacs in each case of sewer deaths to the family members of the deceased Safai Karamcharis.

3. I am enclosing a press report appeared in a daily dated 27.11.2015 and to bring to your kind notice the sewer death cases of three persons namely Shri Bhaskar, Shri Narsimha and Shri P. Naushad who died of asphyxiation after inhaling poisonous gas while removing sewage near Jaya Auditorium, in Kozhikode, Kerala.

4. I shall be grateful if the District Authorities of Kozhikode are directed to take appropriate action in the matter in the light of the provisions of the Act viz. taking action against the persons responsible for the accident and providing compensation of Rs. 10.00 lacs to the family members of the deceased Safai Karamchari. I shall also be grateful if the District Authorities are directed to send an action taken report in the matter to the Commission at the earliest.

With Regards

Yours sincerely,

(T.R.Meena)

Sh. T.P. Senkumar (IPS),
Director General of Police, Kerala
Police Headquarters,
Trivandrum – 695010, Kerala

टी. आर. मीना, आ.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
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भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O.No.11059/5/2016-R&D/164

Dated the 29th January, 2016

Dear Sir,

As you are aware, the Commission has been entrusted the task of monitoring the implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013". As per section 31(1) of the said Act, the following functions have been assigned to the Commission (a) To monitor the implementation of the Act, (b) To enquire into complaints regarding contravention of the provisions of the Act, and to convey its findings to the concerned authorities with recommendations requiring further action, (c) To advise the Central and the State Governments for effective implementation of the provisions of the Act, and (d) To take suo motu notice of matter relating to non-implementation of the Act.

2. The Commission has been closely monitoring the implementation of the Supreme Court Judgement dated 27.03.2014 in WP(C) No. 583 of 2003 directing all States/UTs to implement all provisions of the Act effectively and to pay a compensation of Rs. 10.00 lacs in each case of sewer deaths to the family members of the deceased Safai Karamcharis.

3. I am enclosing a news clipping which appeared in the Hindustan Times dated 20.01.2016 about the sewer death cases of four persons namely Shri K. Saravanan, his elder brother, Shri K. Kumar, cousin Shri Velmurugan and Shri Rajesh, who was a delivery boy. They died of asphyxiation after inhaling poisonous gas during cleaning a sewage tank in one of the Dindigul Thalappakatti restaurant on Rajiv Gandhi Salai near Karapakkam on 19.01.2016. It has also been reported that three persons including the manager of the restaurant were arrested and remanded to judicial custody. They were booked under sections, 288 (negligent conduct), 336 (endangering life or personal safety of others), 304 (a) (death caused by rash or negligent act) of IPC and Section 8 of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013."

Contd... 2/-

(26 Sahakar)

4. I shall be grateful if you could direct the officials concerned to take appropriate action in the matter in the light of the provisions of the MS Act viz. and also to provide compensation of Rs. 10.00 lacs to the family members of the deceased Safai Karamchari as directed on the Supreme Court in their order dated 27.03.2014. I shall also be grateful if an action taken report in the matter is sent to the Commission at the earliest.

Yours sincerely,

(T.R.Meena)

Shri K. Gnanadesikan,
Chief Secretary,
Govt. of Tamil Nadu,
Fort. St. George,
Chennai – 600009.

9402/2016
ISSUED
24/02/2016

श्री. आर. मीना, भा.प्र.से.
सचिव
T. R. Meena, IAS
Secretary
दूरभाष / Tel. : 24649352
फैक्स / Fax : 24648922



सत्यमेव जयते

भारत सरकार
राष्ट्रीय सफाई कर्मचारी आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SAFAI KARAMCHARIS
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
'B' Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110 003

D.O. No.11059/10/2014-R&D/16

Dated the 4th February, 2016

Dear Sir,

I would like to draw your kind attention to the report No. प. 1(52)नविवि/जोधपुर/2015 dated 29.10.2015 furnished by Urban Development Department, Government of Rajasthan regarding accidental death of two Safai Karamcharis by opening existing manhole at Sansa Colony near Airport Road, Jodhpur on 17.05.2014.

2. In the above report it has been mentioned that the death of Safai Karamcharis do not fall under the category of sewer deaths since the sewer at that point of time was not operational. However, this Commission is of the view that the two labourers died as a result of inhaling poisonous gas from the sewer line and therefore, this has to be considered as a sewer death case.

3. As you are aware, the Commission has been entrusted with the task of monitoring the implementation of "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" and monitors the cases of sewer death with extra sensitivity and care with particular reference to the payment of compensation of Rs. 10 lakhs as directed by the Hon'ble Supreme Court in his Judgement dated 27.03.2004.

4. Accordingly, I would request you to have a relook at the instant case and take appropriate action under the Manual Scavenging Act. Simultaneously, I would also request you to apprise this Commission about the compensation paid if any, to the families of the victims under any other relevant rule/law.

With Regards

Yours sincerely,

(T.R.Meena)

Sh. Ashok Jain,
Add. Chief Secretary,
Urban Development Department,
Government of Rajasthan,
Jaipur.

जारी किया
ISSUED
04/02/16



Sh. M.Shivanna-Chairman of the Commission along with the Members and Sh. T.R.Meena-Secretary of the Commission calling on the Hon'ble Lieutenant Governor of Delhi Sh. Najeeb Jung on 4.8.2015