



HAND BOOK 2019



Government of India
National Commission for Safai Karamcharis
Ministry of Social Justice & Empowerment

"B" Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi - 110003
Website : <https://ncsk.nic.in>

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PREFACE

Government of India has been putting efforts to ensure safety and dignity of all such personnel engaged in unclean profession of scavenging. One among such efforts is the enactment of Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013. The National Commission for Safai Karamcharis is entrusted with the responsibility to Monitor implementation of the Act and make its recommendations to the Government from time to time, for effective implementation of the same.

The aim of this Act is to ensure the dignity and safety of every individual who is in the unclean profession. In my opinion personnel engaged in unclean profession of manual scavenging deserve great respect just like Soldiers protecting our borders ensuring our security from external forces. Because, these personnel provide us with hygienic conditions at the risk of their own hygiene and safety.

To accomplish the task given, the Commission has formulated “**Rules & Procedure of the National Commission for Safai Karamcharis 2018**” for smooth functioning. The Commission has also taken a lot of initiatives to design the working procedure and redefine the approach such as State visit plans were chalked out for review meeting with the Chief Secretaries and Departmental Heads of the State Governments. One of the focal advantages of these visits was to review implementation status of the Act, register the public grievances, analyze them in terms of policy implications and making appropriate recommendations.

It is satisfying to note that the Governments have set up goals in their organizations in respect to the Safai Karamcharis. This, in turn, has resulted in raising awareness, their rights within these organizations, facilitating speedy and sympathetic redressal of the problems, improving their feel-good-index.

The Commission has also launched Commission's website <https://ncsk.nic.in>. It is reinforcing the Commission's activities and provides a platform to interact with Safai Karamcharis through social media. **It also put forth the latest information about the Commission's performance.**

The Commission expresses its sincere thanks to Hon'ble Prime Minister of India, Shri Narendra Modi, for his vision of integrating all downtrodden and marginalized people into the mainstream of the development process. We are also grateful to Hon'ble Minister, Shri Thaawarchand Gehlot and Secretary, MoSJE for their support and guidance in day to day activities. Lastly, I must acknowledge the efforts of all my colleagues in the Commission for carrying out the works through their untiring efforts.

(MANHAR VALJIBHAI ZALA)
Chairperson

2. INTRODUCTION

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.

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:

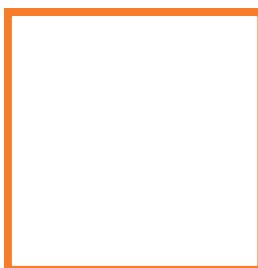
Date of Govt. Resolution	Period for which term of non-statutory NCSK extended
24.02.2004	31.08.2004
09.09.2004	01.09.2004 to 31.12.2007
28.12.2007	01.01.2008 to 31.03.2009
02.03.2009	01.04.2009 to 31.3.2010
30.03.2010	01.04.2010 to 31.03.2013
06.03.2013	01.4.2013 to 31.03.2016
31.03.2016	01.04.2016 to 31.03.2019
27.03.2019	01.04.2019 to 31.03.2022

3. ORGANISATION SETUP

The Central Government appointed the following dignitaries as the Chairperson, Vice Chairman and Members of the present Commission:



Shri Manhar Valjibhai Zala
Chairman (Status of Union Minister of State)



Vacant
Vice-Chairman



Smt. Manju Diler
Member



Sh. Dilip K. Hathibed
Member



**Swami Sadanand
Maharaj**
Member



Sh. Jagadish Hiremani
Member



Sh. Ganga Ram Ghosre
Member



Sh. Narain Dass
Secretary

4. STATE LEVEL SAFAI KARAMCHARIS COMMISSIONS

The National Commission does not have State/regional Offices. However, Section 32 (1) of the M.S. Act, 2013 says that the State Governments may, by notification, designate a State Commission for Safai Karamcharis or any other statutory or other authority as it deems fit to perform within the States, mutatis mutandis, the functions specified for NCSK. Accordingly, some State governments have nominated State Safai Karamcharis Commission in their respective States and some have designated other authorities to perform the functions of the Commission. The list of State Commissions/designated agencies is as under:-

1. Delhi Commission for Safai Karamcharis, New Delhi
2. Madhya Pradesh State Safai Karamchari Commission, Bhopal
3. Rajasthan State Safai Karamchari Commission, Jaipur
4. Maharashtra State Safai Karamchari Commission, Mumbai
5. Karnataka State Safai Karamchari Commission, Bangalore
6. Punjab State Safai Karamchari Welfare Board, Mohali, Punjab
7. Uttarakhand State Commission for Safai Karamcharis, Dehradun, Uttarakhand
8. Haryana State Safai Karamchari Commission

Agencies Designated to look after work of State Safai Karamchari Commission

1. Chhatisgarh State Scheduled Caste Commission, Raipur,
2. Orissa SC & ST Development Finance co-operative corporation ltd., Bhubaneswar
3. Goa State Commission for Scheduled Castes and Scheduled Tribes, Panji, Goa.
4. State Monitoring Committee, Chennai, Tamil Nadu.
5. State SC/ST Commission, Kerala
6. Assam Backward Classes Commission, Dispur
7. Andaman & Nicobar Statutory Authority for Safai Karamcharis

5. WORKING OF THE COMMISSION

The Chairperson and Members of the Commission undertake extensive touring of the country to study the socio-economic and living conditions of Safai Karamcharis and their dependents. During their visits, the members of the Commission interact with the Safai Karamcharis- both individually as well as through their representative associations. The grievances of the Safai Karamcharis are then taken up by the Commission with the concerned local civil and police authorities.

The Commission also holds State level Review Meetings with the Chief Secretaries and senior level officers of State Governments to review the implementation of Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013.

The Commission monitors sewer death cases with extra sensitivity and concern. The Commission takes suo-moto cognizance of sewer death cases reported in electronic/print media and ensures that Rs. 10 lakh compensation is paid to the families of the victims and case under M.S.Act, 2013 .is lodged against those responsible. Complaints about sewer death cases received in the Commission are taken up on priority.

The Commission also receives complaints/petitions from Safai Karamcharis from all over the Country. The Commission calls for the factual reports in connection with these complaints/petitions from the concerned authorities and impress upon them to redress the grievances of the affected Safai Karamcharis.

Based on the information received through print or electronic media, the Commission suo motu takes cognizance of problems of Safai Karamcharis and try to resolve them by playing a proactive role.

Whenever a matter is to be investigated or inquired into or progress of any scheme, programme etc. has to be evaluated or non-implementation of any decision, guidelines, instructions, measures or provisions of any law in relation to Safai Karamcharis etc. has to be looked into, the Commission holds sittings, as often as may be necessary, in any part of the country, for the purpose.

Based on its findings, the Commission give its recommendations for rehabilitation and liberation of Safai Karamcharis from the scourge of manual scavenging to the Ministry of Social Justice and Empowerment from time to time as well as in its Annual Reports.

6. ANNUAL REPORTS OF THE COMMISSION

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.

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
8	Seventh Report (2005-06 & 2006-07)	22.05.2007	31.7.2015	31.7.2015
9	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

S. No.	Reports	Submitted on	Laid in Lok Sabha	Laid in Rajya Sabha
12	Eleventh Report (2011-12)	27.11.2012	31.7.2015	31.7.2015
13	Twelfth 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
16	Fifteenth Report (2015-16)	06.12.2016	14.03.2017	16.03.2017
17	Sixteenth Report* (2016-17)	01.06.2017	05.01.2018	04.01.2018

* As there was no Commission for the entire 2016-17, Annual Report of the Commission for the said period was not prepared. However, Ministry of Social Justice and Empowerment laid a statement of Review by the Government of the working of the National Commission for Safai Karamcharis, New Delhi for the year 2016-17 on the Table of the two Houses.



7. RULES OF PROCEDURE OF THE NATIONAL COMMISSION FOR SAFAI KARAMCHARIS, 2018

Headquarters

The Headquarters of the Commission shall be at New Delhi. In due course, the Commission may, with the approval of the Central Government, establish such number of regional or State-level offices as may be considered expedient.

CHAPTER I

Function/Mandate of the Commission

(A) The mandate of the existing National Commission for Safai Karamcharis as laid down in the last 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 Government;
- (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.

- (B) In addition, 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”. 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 provisions of the Act.
 - (d) To take suo motu notice of matter relating to non-implementation of the Act.
- (C) The Commission monitors the sewer death cases with extra sensitivity and concern. The Hon'ble Supreme Court, in its judgment dated 27.3.2014 in WP(C) NO.583 of 2003 in Safai Karamcharis 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.***

Whenever any incident of sewer death comes to the notice of the Commission either through print/electronic media or through any individual/Association, the Commission calls for a factual report, on suo motu basis, from the Authorities concerned while directing them to ensure payment of compensation of Rs. 10.00 lacs in terms of the Supreme Court judgment to the dependents of the sewer death victims and registration of the case under the appropriate section of “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”. The Chairperson and/or Members of the Commission also visit the site of the accident, wherever required, for making on the spot inquiries into the accident.

In the discharge of its 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.



- (D) The Commission shall, inter-alia, function by holding “meeting” and “sittings” at any place within the country.

CHAPTER II

Division of Responsibilities and allocation of work

2.0 Chairperson

- 2.1 The Chairperson shall be the head of the Commission and shall have powers to decide on all questions and matters pertaining to the Commission.
- 2.2 The Chairperson shall allocate subjects, responsibilities or regions among the Vice-Chairperson and Members of the Commission. The Orders allocating the subjects and responsibilities shall be notified to all concerned by the Secretariat of the Commission.
- 2.3 The Chairperson shall preside over the meetings of the Commission.
- 2.4 All important decisions in the Commission about its functioning shall be taken with the approval of the Chairperson.
- 2.5 The Chairperson may call for any records on any matter which he considers important and may take a decision on it himself or, if he considers it necessary, place it all the meeting of the Commission.
- 2.6 The Chairperson shall be the authority to sanction leave and approve tours of the Vice-Chairperson, Members, Secretary, Joint Secretary and Directors.
- 2.7 All-important administrative matter like appointments, promotions, transfers, posting, deputation and sanction of leave etc. shall be place before the Chairperson wherein he/she may pass general or specific order on such matter.
- 2.8 The Chairperson shall be the authority to approve Annual Report, Special Report, and communication to the Ministries/ Departments of the Govt. of India/ State Governments/ Media.
- 2.9 The Chairperson shall take decision to conduct specific studies in the areas of the safeguards provided to Safai Karamcharis and shall sanction the budget required for such studies.

3.0 Vice-Chairperson

- 3.1 The Vice-Chairperson shall preside over the meetings of the Commission in the absence of the Chairperson.
- 3.2 The Vice-Chairperson shall perform such functions as are entrusted to him by the Chairperson.
- 3.3 All important administrative matter like appointments, promotions, transfers,

posting, deputation and sanction of leave etc. to other than Secretary, Joint Secretary and Directors shall be place before the Vice-Chairperson wherein he/she may pass general specific order on such matter.

4.0 Members

- 4.1 The Members of the Commission shall have collective responsibility and shall function, inter-alia, by participating in the meetings and sittings of the Commission and looking after the subjects/ regions allotted to them. Important actions and decisions of a Member may be brought up at a meeting of the Commission which may review the same.
- 4.2 A member may suggest items for inclusion in the agenda of a meeting and the same shall be so included after obtaining the consent of the Chairperson.
- 4.3 One or more Members may, with the approval of the Chairperson, hold 'Meeting' of the Commission to collect information as considered necessary or expedient for its purpose from the Central Government or any State Government or any authority organization.
- 4.4 Every Member shall have overall responsibility of subjects allotted to him.
- 4.5 The Members shall play the role of advising the State Governments under their jurisdiction on matters of planning and development relating to the welfare of Safai Karamcharis in accordance with the decision taken in the meetings of the Commission/with approval of the Chairperson. The Commission's Secretariat at Headquarters shall assist the Members in keeping them fully informed of the problems and activities of the States and subjects under their respective charge.
- 4.6 The Members shall communicate their tour programme through the Secretariat of the Commission well in advance indicating in details the purpose of the visit and to the State Govt. Department and other concerned for discussions/ inquiry, etc., during the tour/ visit and shall be responsible to submit tour/visit report before commencing within a week/ month of the tour/visit concern.
- 4.7 The Members have a moral duty to explain the activities to Chairperson after undertaken the tour.

5.0 Secretary

- 5.1 The Secretary shall be the administrative head of the Commission and shall report to Chairperson and shall assist the Chairperson/ Commission in the discharge of its functions with the assistance of the officers of the Commission.
- 5.2 All-important administrative matter shall be placed before the Secretary who may pass general or specific orders on such matters with the approval of the Chairperson only.



- 5.3 The Secretary shall be responsible for having the agenda prepared for the meetings of the Commission and for circulating the minutes with prior approval of the Chairperson.
- 5.4 The Secretary shall be responsible to assist and monitor preparation of Annual Report, Special Reports or other reports, and ensure proper liaison with the Ministries/ Departments of GOI/ State Govts./ UTs.
- 5.5 The Secretary may, in his discretion, delegate any of his functions or authority to a sub-ordinate officer in the secretariat.
- 5.6 Work allocation between officers in the Commission would be done by the Secretary with the consent of the Chairperson.

6.0 Leave

- 6.1 The Chairperson shall have authority to sanction leave to Vice-Chairperson, Members, Secretary and Personal Staff attached to him.
- 6.2 The Secretary shall have authority to sanction leave to any officer in the Secretariat sub-ordinate to him except of Personal Staff attached to Chairperson, Vice-Chairperson and Members. Leave to Personal Staff attached to Vice-Chairperson and Members shall be sanctioned by the Vice-Chairperson and concerned Members respectively.
- 6.3 The Secretary shall have authority to sanction leave to Under-Secretary and above officer of the secretariat with the consent of the Chairperson.

7.0 Tours

- 7.1 The Vice- Chairperson, Members and Secretary shall undertake tours with the approval of the Chairperson and shall submit their tour notes to Chairperson immediately on conclusion of the tour.
- 7.2 Tour programmes of one Member of the Personal Staff attached to Chairperson shall be approved by Chairperson. He is permitted to travel with Hon'ble Chairperson on official tours by air. However, the Personal Staffs of Vice-Chairperson and Members are not permitted to accompany them during their official tours.
- 7.3 Tour programmes of all other officers in the Secretariat shall be approved by Secretary with the consent of the Chairperson.

8.0 Appointment

- 8.1 All appointments of staff of the Commission i.e. Consultant, Sub-Staff, Outsourced Staff, MTS, etc. shall be undertaken by the Secretariat who may pass/issue the general orders in the matter with the approval of Chairperson. However, in all such cases the Commission shall follow the guidelines of the DoPT, Ministry of Finance as

the case may be except personal staff of HCP, VC and HMs.

- 8.2 The appointment and termination of personal staff of the Chairperson, Vice-Chairperson and Members on co-terminus basis in the Commission shall be undertaken by the Commission and general orders will be passed/issued with the prior approval/consent of the Chairperson, Vice-Chairperson and Members with prior intimation to the Ministry of Social Justice and Empowerment.

9.0 Meetings

- 9.1 The Commission shall meet at least once in a quarter. The notice of the meeting shall be issued at least 15 days in advance and agenda notes shall be issued at least 7 days in advance.
- 9.2 Emergent meeting of the Commission may also be called by the Chairperson either on his own or at the request of the Vice-Chairperson/ any Member or the Secretary for disposing of important matters requiring urgent consideration by the Commission.
- 9.3 The Chairperson or the Vice-Chairperson and 3 other Members shall form the quorum for holding a meeting of the Commission.
- 9.4 Normally, the place of meeting of the Commission shall be at the Headquarters. The Commission may, at its discretion, hold a meeting at any other place in India.
- 9.5 When a meeting of the Commission is being held at the Headquarters or elsewhere, no Member of the Commission shall undertake separate tour of any other place and except under special circumstances, shall consider it his bounden duty to participate in, and make full-contribution to the deliberations of the meeting.
- 9.6 The Secretary and his Secretariat of the Commission shall be the implementing authority only of the decision of the Commission. The Commission means Chairperson, Vice-Chairperson and Members.

10.0 Sitzings

- 10.1 Whenever a matter is to be investigated or inquired into the progress of any scheme, programme etc. has to be evaluated or non-implementation of any decision, guidelines, instructions, measures or provisions of any law in relation to Safai Karamcharis etc. has to be looked into, one or more Members of the Commission may, with the approval of the Chairperson, hold sittings, as often as may be necessary, in any part of the country, for the purpose.
- 10.2 The programme of sittings, both at headquarters or other places would normally be worked out for each month in advance and duly circulated to all concerned persons/ authorities. In emergent or urgent cases, it shall not be necessary to work out each programmes in advance.



8. THE NATIONAL COMMISSION FOR SAFAI KARAMCHARIS ACT, 1993, NO.64 OF 1993

(4th September, 1993)

An Act to constitute a National Commission for Safai Karamcharis and to provide for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty Fourth Year of the Republic of India as follows:-

Chapter I

PRELIMINARY

1. (1) This Act may be called the National Commission for Safai Karamcharis Act, 1993.
(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.
(4) It shall cease to have effect after the 31st day of March, 1997, except as respects things done or omitted to be done before such cesser, and upon such cesser section 6 of the General Clauses Act, 1897, shall apply as if this Act had then been repealed by a Central Act.
2. In this Act, unless the context otherwise requires:-
 - (a) "Chairperson" means the Chairperson of the Commission;
 - (b) "Commission" means the National Commission for Safai Karamcharis constituted under section 3;
 - (c) "Member" means a Member of the Commission;
 - (d) "prescribed" means prescribed by rules made under this Act;
 - (e) "Safai Karamcharis" means a person engaged in, or employed for, manually carrying human excreta or any sanitation work;
 - (f) "Vice Chairperson" means the Vice-Chairperson of the Commission.

Chapter II

The National Commission for Safai Karamcharis

3. (1) The Central Government shall, by notification in the Official Gazette, constitute a body to be known as the National Commission for Safai Karamcharis to exercise the power conferred on, and to perform the functions assigned to, it under this Act.
- (2) The Commission shall consist of –
- (a) a Chairperson;
 - (b) a Vice-Chairperson;
 - (c) five Members;

To be nominated, from amongst the persons of eminence connected with the socio-economic development and welfare of Safai Karamcharis, by the Central Government.

Provided that at least one of the Members shall be a woman.

4. (1) The Chairperson, Vice-Chairperson and every Member shall hold office for such period not exceeding three years as may be specified by the Central Government in this behalf or upto the 31st day of March, 1997, whichever is earlier.
- (2) The Chairperson, Vice-Chairperson, or a Member may, by notice in writing addressed to the Central Government, resign from the office of Chairperson, Vice-Chairperson, or as the case may be, of the Member at any time.
- (3) The Central Government shall remove a person from the office of Chairperson, Vice-Chairperson or a Member if that person—
- (a) Becomes an undischarged insolvent;
 - (b) Is convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude;
 - (c) Becomes of unsound mind and stands so declared by a competent court;
 - (d) Refuses to act or becomes incapable of acting;
 - (e) Is, without obtaining leave of absence from the Commission, absents from three consecutive meetings of the Commission; or
 - (f) In the opinion of the Central Government has so abused the position of Chairperson, Vice-Chairperson or Member as to render that person's continuance in office detrimental to the public interest;

Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.

- (4) A Vacancy cause under sub-section (2) or sub-section (3) or otherwise shall be filled by fresh nomination and a person so nominated shall hold office for the unexpired period of the term for which his predecessor in office would have held office if such vacancy had not arisen.
- (5) The salaries and allowances payable to, and other terms and conditions of service of, the Chairperson, Vice-Chairperson and Members shall be such as may be prescribed.
5. (1) the Central Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission under this Act.
(2) The salaries and allowances payable to, and other terms and conditions of service of, the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.
6. No act or proceeding of the Commission shall be questioned or shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission.
7. (1) The Commission shall meet as and when necessary and shall meet at such time and place as the Chairperson may think fit.
(2) The Commission shall regulate its own procedure.
(3) All orders and decisions of the Commission shall be authenticated by the Chairperson or any other officer of the Commission duly authorized by the Chairperson in this behalf.

Chapter III

Functions and powers of the Commission

8. (1) The Commission shall perform all or any of the following functions, namely:-
 - (a) recommend to the Central Government specific programmes of action towards elimination of inequalities in status, facilities and opportunities for Safai Karamcharis under a time-bound action plan;
 - (b) study and evaluate the implementation of the programmes and schemes relating to the social and economic rehabilitation of Safai Karamcharis and make recommendations to the Central Government and State Governments

for better co-ordination and implementation of such programmes and schemes;

- (c) investigate specific grievances and take suo moto 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) 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) make periodical reports to the Central and State Government on any matter concerning Safai Karamcharis, taking into account any difficulties or disabilities being encountered by Safai Karamcharis;
 - (e) any other matter which may be referred to it by the Central Government.
- (2) In the discharge of its functions under sub-section (1), the Commission shall have power to call for information with respect to any matter specified in that sub-section from any Government or local or other authority.

Chapter IV

Miscellaneous

- 9. The Chairperson, Vice-Chairperson, Members, Officers and other employees of the Commission shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.
- 10. The Central Government shall consult the Commission on all major policy matters affecting Safai Karamcharis.
- 11. 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 accounts of its activities during the previous financial year and forwards a copy thereof to the Central Government.
- 12. (1) 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 in so far as they relate to the Central Government and the reasons for non-acceptance, if any, of any such recommendation.

- (2) Where the said report or any part thereof relates to any matter with which a State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any such recommendation or part.
13. The Commission may, by general or special order, delegate to the Chairperson, Vice-Chairperson or any Member or to any officer of the Commission subject to such conditions and limitations, if any, as may be specified therein, such of its powers and duties under this Act as it may deem fit.
14. No suit, prosecution or other legal proceeding shall lie against the Central Government, Commission, Chairperson, Vice-Chairperson, Members or any officer or other employee of the Commission for anything which is in good faith done or intended to be done under this Act.
15. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.
- (2) In Particulars; and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-
- (a) salaries and allowances payable to, and the other terms and conditions of service of the Chairperson, Vice-Chairperson and Members under sub-section (5) of section 4 and of officers and other employees of the Commission under sub-section (2) of Section 5;
- (b) the form in, and the time at, which the annual report shall be prepared under section 11.
- (c) any other matter which is required to be, or may be, prescribed.
- (3) Every rule made under this Act 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.

THE GAZZETTE OF INDIA

EXTRAORDINARY

Part II—Section 3 –Sub-Section (ii)

PUBLISHED BY AUTHORITY

NO.403 NEW DELHI, FRIDAY, AUGUST 12,1994

MINISTRY OF WELFARE

NOTIFICATION

NEW DELHI, THE 12TH AUGUST,1994

S.O. 591(E) :- In exercise of the power conferred by sub-section (3) of section 1 of the National Commission for Safai Karamcharis Act,1993 (64 of 1993), the Central Government hereby appoints the 12th day of August, 1994 as the date on which the provisions of the said Act shall come into force.

(No.11023/1/94-SCD.I)
Ganga Das, Jt. Secy.

NOTIFICATION

New Delhi, the 12th August, 1994

S.O. 592(E) – In exercise of the power conferred by Section 3 of the National Commission for Safai Karamcharis Act, 1993 (64 of 1993), the Central Government hereby constitutes the National Commission for Safai Karamcharis consisting of the following persons with effect from the date of publication of the notification:-

- | | |
|---|-------------|
| 1. Shri Mangi Lal Arya,
Ex-Deputy Minister,
8/251, Arya Niketan,
Malviya Nagar, Jaipur | Chairperson |
| 2. Shri I.P.D. Salappa,
Ex-MLA, Karnataka,
78, Jagjivan Ram Nagar,
Bangalore-560018 | Chairperson |
| 3. Shri Vasudeorao Changre,
Ex-MLA, Maharashtra, | Member |



Lal Bahadur Shahstri Marg,
Near Sheetal Talkies, Kurla (W), Bombay-400070

- | | |
|---|--------|
| 4. Shri Mangal Ram Premi,
M.P. (Lok Sabha),
101-103, South Avenue, New Delhi-110011 | Member |
| 5. Smt. Maya Devi, President
All India Safai Mazdoor Congress, (Mahila Cell)
298/4, Railway Colony, Shakur Basti
Rani Bagh, Delhi. | Member |
| 6. Shri Iswar Bhai Patel
Harijan Sewak Sangh,
Sabarmati, Ahmedabad. | Member |
| 7. Dr. Hanuman Prasad,
Ex-Asstt. Professor of Oncology,
Plot No.11, Imali Fathak,
Meena Colony, Jaipur | Member |

(No.11023/1/94-SCD.I)
GANGA DAS, Jt. Secy.

LIST OF TRADES IDENTIFIED FOR THE PURPOSE OF ILLUSTRATION UNDER THE NATIONAL SCHEME OF LIBERATION AND REHABILITATION OF SAFAI KARAMCHARIS AND THEIR DEPENDENTS.

AGRICULTURE AND ALLIED SECTOR

1. Bullocks and carts
2. Coconut plantation
3. Coffee plantation
4. Supply of Diesel pumpsets and pipeline
5. Mango plantation
6. Milch Cattle
7. Piggery
8. Sericulture
9. Cashew processing
10. Manufacture of mats etc.

SMALL INDUSTRIES SECTOR

1. Flour mills
2. Silk power looms
3. Automobile workshops
4. Printing press/book binding
5. Furniture making
6. Wooden cart making
7. Textile products
8. Table moulded bricks
9. Coir products
10. Power looms
11. Handloom weaving
12. Silk Reeling
13. Stone works
14. Tobacco barn
15. Toys and doll making
16. Screen printing

SERVICE SECTOR

1. Photo Studio
2. Repair of radio/TV etc.
3. Repair of Refrigeration /coolers etc.
4. Servicing of two/three wheelers
5. Auto rickshaw
6. Cycle repair shops
7. Pumpset repair
8. Carpentry
9. Plumbing and sanitary
10. Retail dealership
11. Blacksmithy
12. Sheet metal work
13. Tailoring
14. Pan and cigarette shop
15. Juice vendors
16. Fruit and vegetable vending
17. Ice Cream vendors
18. Newspaper and magazine shop
19. Repair of household domestic appliances like pressing iron, toaster, geysers etc.
20. Packing
21. Repair of diesel engines, electric motors etc.
22. Watch repair
23. Painting of walls, doors and windows
24. Masonary
25. Tile laying
26. Glass pane fixing
27. Shorthand and typing
28. Embroidery and Needle work
29. Tyre vulcanising unit
30. Loudspeakers, amplifier, mike etc.
31. Battery charging
32. Transformer manufacturing/repair
33. Cable manufacturing.

BUSINESS SECTOR

1. Electric Store
2. Provision store
3. Tiles and building material shop
4. Tea shops
5. Fish business
6. Fruit/vegetable shop
7. Machine Shop (grinding etc.)
8. Wood Making
9. Furniture making
10. Food and vegetable preservation
11. Small transformers and coil winding
12. Welding
13. Lens grinding and polishing
14. Ceramic/pottery
15. Decoration and glass-wares
16. Cane work and bamboo work
17. Saree printing
18. Utensil fabrication
19. Tempos, buses, trucks
20. Transport related activities
21. Weaving
22. Garment making
23. Steel furniture
24. Washing powder making
25. Cabinet making
26. Plastic mould maker

9. THE GAZETTE NOTIFICATIONS

2

THE GAZETTE OF INDIA : EXTRAORDINARY

[PART I—SEC. 1]

- (घ) सफाई कर्मचारियों द्वारा जिन कठिनाइयों या नियोगताओं 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।
- (ङ) कोई अन्य विषय, जो केन्द्रीय सरकार द्वारा उसे निर्देशित किया जाए।
5. आयोग, केंद्रीय सरकार या किसी राज्य सरकार या किसी प्राधिकारी, संगठन से ऐसी जानकारी अभिप्राप्त कर सकेगा जिसे वह अपने प्रयोजन के लिए आवश्यक या समीचीन समझे।
6. आयोग अध्यक्ष, उपाध्यक्ष और उपयुक्त विशेषज्ञता वाले पांच अन्य सदस्यों से मिलकर बनेगा।
7. आयोग कार्यकरण में अपनी प्रक्रिया अपनाएगा और भारत के किसी भाग में जब भी आवश्यक समझे, जा सकेगा।
8. आयोग अपनी रिपोर्ट छह मास की अवधि के भीतर अर्थात् 31 अगस्त, 2004 को या उसके पूर्व प्रस्तुत करेगा।

पी. नारायण मूर्ति, संयुक्त सचिव

MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

(Scheduled Castes Development Division)

RESOLUTION

New Delhi the 24th February, 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, are 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. And whereas Parliament has been dissolved and it is not possible to further amend the National Commission for Safai Karamcharis' Act, 1993 to enable the Commission to function after 29-2-2004.

4. Now, therefore, the Government of India has resolved to continue the National Commission for Safai Karamcharis for a period of six months beyond 29-2-2004 i.e. upto 31-8-2004.

5. 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-moto 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 concerned authorities or with the Central or State Government.
 - (d) 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.
 - (e) 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 shall consist of a Chairman, Vice-Chairman and five other Members with suitable expertise.
7. The Commission will adopt its own procedure of working and may visit any part of India as and when considered necessary.
8. The Commission shall submit its report within a period of six months i.e. on or before 31st August, 2004.

P.N.MURTHY, Jt. Secy.

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 development needs and rehabilitation of the Safai Karamcharis and Scavengers in Particulars, 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 Nation 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 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 2017.
 - (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 particulars.
 - (c) Investigate specific grievances and to take suo-moto 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 a 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;
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 एल०-33004/99

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

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग I—खण्ड I
PART I—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 383]
No. 383]

नई दिल्ली, शुक्रवार, दिसम्बर 28, 2007/पौष 7, 1929
NEW DELHI, FRIDAY, DECEMBER 28, 2007/PAUSA 7, 1929

सामाजिक न्याय एवं अधिकारिता मंत्रालय
(अनुसूचित जाति विकास प्रभाग)

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
(Scheduled Castes Development Division)

संकल्प

RESOLUTION

नई दिल्ली, 28 दिसम्बर, 2007

New Delhi, the 28th December, 2007

फा. सं. 17015/8/2007-आर.आई. सैल.—संकल्प संख्या 17015/18/2003-एस.सी.डी.-VI दिनांक 9-9-2004 के अनुक्रम में भारत सरकार, मैनुअल स्केवेंजर्स के सामाजिक और आर्थिक पुनर्वास हेतु कार्यक्रमों और योजनाओं के कार्यान्वयन की समीक्षा करने के लिए राष्ट्रीय सफाई कर्मचारी आयोग का कार्यकाल 1-1-2008 से 31-3-2009 तक बढ़ाती है।

No. 17015/8/2007-RI Cell.—In continuation with the Government of India resolution No. 17015/18/2003-SCD VI dated 9-9-2004, the term of the National Commission for Safai Karamcharis is extended for a further period from 01-01-2008 to 31-03-2009 to review the implementation of programmes and schemes meant for social and economic rehabilitation of the manual scavengers.

डी. वी. एस. रंगा, संयुक्त सचिव

D.V.S. RANGA, Jt. Secy.

5118 GL/2007

Printed by the Manager, Govt. of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

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.

P. P. MITRA, Jt. Secy.

रजिस्ट्री सं० डी० एल०-33004/99

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



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग I—खण्ड 1

PART I—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 83]

नई दिल्ली, मंगलवार, मार्च 30, 2010/चैत्र 9, 1932

No. 83]

NEW DELHI, TUESDAY, MARCH 30, 2010/CHAITRA 9, 1932

सामाजिक न्याय और अधिकारिता मंत्रालय

(अनुसूचित जाति विकास प्रभाग)

संकल्प

नई दिल्ली, 30 मार्च, 2010

सं. 17015/17/2008-आर. आई. सैल.—भारत सरकार के दिनांक 2-3-2009 के समसंख्यक संकल्प के अनुक्रम में राष्ट्रीय सफाई कर्मचारी आयोग के कार्यकाल को एतद्द्वारा 3 वर्ष की अवधि अर्थात् दिनांक 1-4-2010 से 31-3-2013 तक के लिए बढ़ाया जाता है।

2. आयोग के विचारार्थ विषय दिनांक 2-3-2009 के उपर्युक्त संकल्प के तहत यथाअधिसूचित विषय ही रहेंगे। आयोग के गठन, इसकी शक्तियाँ, कार्यविधि मामलों और इसकी वार्षिक रिपोर्ट को तैयार करने से संबंधित प्रावधान दिनांक 9-9-2004 के संकल्प संख्या 17015/18/2003-एससीडी-VI के पैरा 3 और 5-7 द्वारा शासित किए जाते रहेंगे।

संजीव कुमार, संयुक्त सचिव

MINISTRY OF SOCIAL JUSTICE AND
EMPOWERMENT

(Scheduled Castes Development Division)

RESOLUTION

New Delhi, the 30th March, 2010

No. 17015/17/2008-RIC.—In continuation of Government of India's Resolution of even number dated 2-3-2009, the term of the National Commission for Safai Karamcharis (NCSK) is hereby extended for a further period of three years, i.e., from 1-4-2010 to 31-3-2013.

2. The terms of reference of the Commission will continue to be the same as notified in the above mentioned Resolution dated 2-3-2009, and provisions regarding its composition, powers, 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.

SANJEEV KUMAR, Jt. Secy.

1156 GI/2010

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रजिस्ट्री सं० डी० एल०-33004/99

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भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग I—खण्ड 1

PART I—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 47]

नई दिल्ली, बुधवार, मार्च 13, 2013/फाल्गुन 22, 1934

No. 47]

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 रहेंगे।

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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and Published by the Controller of Publications, Delhi-110054.

**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.

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT**(Department of Social Justice and Empowerment)****NOTIFICATION**

New Delhi, the 27th March, 2019

No.17015/7/2018-RI Cell.—In continuation of the Government of India Resolution dated 31.03.2016, the term of the National Commission for Safai Karamcharis (NCSK) is hereby extended for a further period of three years i.e. from 01.04.2019 to 31.03.2022.

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 Reports will continue to be governed by paras 3 and 5-7 of the Resolution No. 17015/18/2003-SCD-VI dated 09.09.2004.

YOGITA SWAROOP, Economic Adviser

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

REGISTERED NO. DL—(N)04/0007/2003—13



सत्यमेव जयते

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)
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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

41 of 2006.

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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 engagement 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

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(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.

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THE GAZETTE OF INDIA EXTRAORDINARY

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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.

SEC. 1]

THE GAZETTE OF INDIA EXTRAORDINARY

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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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10. SUPREME COURT JUDGEMENT

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. 583 OF 2003

Safai Karamchari Andolan & Ors.

.... Petitioner (s)

Versus

Union of India & Ors.

Respondent(s)

WITH

CONTEMPT PETITION (C) NO. 132 OF 2012

IN

WRIT PETITION (CIVIL) NO. 583 OF 2003

JUDGMENT

P.Sathasivam, CF.

- 1) The above writ petition has been filed by the petitioners as a Public Interest Litigation under Article 32 of the Constitution of India praying for issuance of a writ of mandamus to the respondent-Union of India, State Governments and Union Territories to strictly enforce the implementation of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (in short 'the Act'), inter alia, seeking for enforcement of fundamental rights guaranteed under Articles 14, 17, 21 and 47 of the Constitution of India.
- 2) **Brief facts:**
 - (i) The inhuman practice of manually removing night soil which involves removal of human excrements from dry toilets with bare hands, brooms or metal scrappers; carrying excrements and baskets to dumping sites for disposal is a practice that is still prevalent in many parts of the country. While the surveys conducted by some of the petitioner-organizations estimate that there are over 12 lakh manual scavengers undertaking the degrading human practice in the country, the official statistics issued by the Ministry of Social Justice and Empowerment for the year

2002-2003 puts the figure of identified manual scavengers at 6,76,009. Of these, over 95% are Dalits (persons belonging to the scheduled castes), who are compelled to undertake this denigrating task under the garb of "traditional occupation". The manual scavengers are considered as untouchables by other mainstream castes and are thrown into a vortex of severe social and economic exploitation.

- (ii) The sub-Committee of the Task Force constituted by the Planning Commission in 1989 estimated that there were 72.05 lakhs dry latrines in the country. These dry latrines have not only continued to exist till date in several States but have increased to 96 lakhs and are still being cleaned manually by scavengers belonging to the Scheduled Castes.
- (iii) National Scheduled Castes and Scheduled Tribes Finance and Development Corporation was set up in February, 1989 as a Government company to provide financial assistance to all the Scheduled Castes and Scheduled Tribes including Safai Karamcharis for their economic development.
- (iv) The Government of India formulated a Scheme known as 'Low Cost Sanitation for Liberation of Scavengers' which is a centrally sponsored Scheme being implemented in 1989-90 for elimination of manual scavenging by converting existing dry latrines into low cost water pour flush latrines and also for construction of new sanitary latrines.
- (v) With a view to eliminate manual scavenging, a Scheme known as 'National Scheme of Liberation and Rehabilitation of Scavengers and their Dependents' was launched in March 1992 for identification, liberation and rehabilitation of scavengers and their dependents by providing alternative employment after giving the requisite training.
- (vi) Based on earlier experience and keeping in view the recommendations of the National Seminar on Rural Sanitation held in September 1992, a new strategy was adopted by the Government of India in March 1993. The emphasis was now on providing sanitary latrines including the construction of individual sanitary latrines for selected houses below the poverty line with subsidy of 80% of the unit cost of Rs.2,500/-.
- (vii) In the year 1993, the Parliament enacted the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 and it received the assent of the President on 5th June, 1993. The long title of the Act describes it as an Act to provide for the prohibition of employment of manual scavengers as well as

construction or continuance of dry latrines and for the regulation of construction and maintenance of water-seal latrines and for matters connected therewith or incidental thereto.

- (viii) The Act, which was enacted in June 1993, remained inoperative for about 31/2 years. It was finally brought into force in the year 1997. In the first instance, the Act applied to the States of Andhra Pradesh, Goa, Karnataka, Maharashtra, Tripura and West Bengal and to all the Union Territories. It was expected that the remaining States would adopt the Act subsequently by passing appropriate resolution under Article 252 of the Constitution. However, as noted by the National Commission for Safai Karamcharis-a statutory body, set up under the National Commission for Safai Karamcharis Act, 1993, in its 3rd and 4th Reports (combined) submitted to the Parliament, noted that the 1993 Act was not being implemented effectively and further noted that the estimated number of dry latrines in the country is 96 lakhs and the estimated number of manual scavengers identified is 5,77,228. It further noted that manual scavengers were being employed in the military engineering works, the army, public sector undertakings, Indian Railways etc.
 - (ix) In 2003, a report was submitted by the Comptroller and Auditor General (CAG) which evaluated the 'National Scheme for Liberation and Rehabilitation of Scavengers and their Dependents'. The conclusion of the report was that this Scheme "has failed to achieve its objectives even after 10 years of implementation involving investment of more than Rs. 600 crores". It further pointed out that although funds were available for implementation of the Scheme, much of it were unspent or underutilized. The Committees set up for monitoring the Scheme were non-functional. It further noted that there was "lack of correspondence between 'liberation' and 'rehabilitation' and that "there was no evidence to suggest if those liberated were in fact rehabilitated". It concluded that "the most serious lapse in the conceptualization and operationalization of the Scheme was its failure to employ the law that prohibited the occupation... the law was rarely used".
 - (x) In December, 2003 the Safai Karamchari Andolan along with six other civil society organizations as well as seven individuals belonging to the community of manual scavengers filed the present writ petition under Article 32 of the Constitution on the ground that the continuation of the practice of manual scavenging as well as of dry latrines is illegal and unconstitutional since it violates the fundamental rights guaranteed under Articles 14, 17, 21 and 23 of the Constitution of India and the 1993 Act.
- 3) We have heard the arguments advanced by learned counsel for the parties and perused the records.

Relief sought for:

- 4) The petitioners have approached this Court by way of writ petition in 2003, inter alia, seeking:
 - (i) to ensure complete eradication of Dry Latrines;
 - (ii) to declare continuance of the practice of manual scavenging and the operation of Dry Latrines violative of Articles 14, 17, 21 and 23 of the Constitution and the 1993 Act;
 - (iii) to direct the respondents to adopt and implement the Act and to formulate detailed plans, on time bound basis, for complete eradication of practice of manual scavenging and rehabilitation of persons engaged in such practice;
 - (iv) to direct Union of India and State Governments to issue necessary directives to various Municipal Corporations, Municipalities and Nagar Panchayats (all local bodies) to strictly implement the provisions of the Act and initiate prosecution against the violators; and
 - (v) to file periodical Compliance Reports pursuant to various directions issued by this Court.

Discussion:

- 5) The practice of untouchability in general and of manual scavenging in particular was deprecated in no uncertain terms by Dr. B.R. Ambedkar, Chairman of the Drafting Committee of the Constitution of India. Accordingly, in Chapter III of the Constitution, Article 17 abolished untouchability which states as follows:

"Abolition of Untouchability: "Untouchability" is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with law."

- 6) Article 17 of the Constitution was initially implemented through the enactment of the Protection of Civil Rights Act, 1955 (formerly known as the Untouchability (Offences) Act, 1955). Section 7A of the said Act provides that whoever compels any person on the ground of untouchability to do any scavenging shall be deemed to have enforced a disability arising out of untouchability which is punishable with imprisonment. While these constitutional and statutory provisions were path breaking in themselves, they were found to be inadequate in addressing the continuation of the obnoxious practice of manual scavenging across the country, a practice squarely rooted in the concept of the caste-system and untouchability.

- 7) Apart from the provisions of the Constitution, there are various international conventions and covenants to which India is a party, which prescribe the inhuman practice of manual scavenging. These are the Universal Declaration of Human Rights (UDHR), Convention on Elimination of Racial Discrimination (CERD) and the Convention for Elimination of all Forms of Discrimination Against Women (CEDAW). The relevant provisions of the UDHR, CERD and CEDAW are hereunder:

"Article 1 of UDHR

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in spirit of brotherhood.

Article 2(1) of UDHR

Everyone is entitled to all the rights and freedom set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 23(3) of UDHR

Everyone who works has a right to just and favourable remuneration enduring for himself and his family an existence worthy of human dignity and supplemented, if necessary, by other means of social protection."

"Article 5(a) of CEDAW

States Parties shall take all appropriate measures

- a) to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

Article 2 of CERD

Article 2(1)(c)

States parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and to this end:

- (c) each State party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;

- (d) each State party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization."

The above provisions of the International Covenants, which have been ratified by India, are binding to the extent that they are not inconsistent with the provisions of the domestic law.

- 8) From 2003 till date, this writ petition was treated as a continuing mandamus. Several orders have been passed by this Court having far reaching implications. The petitioners have brought to focus the non-adoption of the Act by various States which led to ratification of the Act by State Assemblies (including the Delhi Assembly which ratified the Act as late as in 2010). The Union Government, State Governments as well as the petitioners have filed affidavits from time to time as per the directions of this Court and also as to the compliance of those orders.
- 9) This Court has, on several occasions, directed the Union and State Governments to take steps towards the monitoring and implementation of the Act. Various orders have gradually pushed the State Governments to ratify the law and appoint Executive Authorities under the Act. Under the directions of this Court, the States are obligated by law to collect data and monitor the implementation of the Act.
- 10) Due to mounting pressure of this Court, in March, 2013, the Central Government announced a 'Survey of Manual Scavengers'. The survey, however, was confined only to 3546 statutory towns and did not extend to rural areas. Even with this limited mandate, as per the information with Petitioner No. 1, the survey has shown remarkably little progress. State records in the "Progress Report of Survey of Manual Scavengers and their Dependents" dated 27.02.2014 show that they have only been able to identify a miniscule proportion of the number of people actually engaged in manual scavenging. For instance, the petitioners, with their limited resources, have managed to identify 1098 persons in manual scavenging in the State of Bihar. The Progress Report dated 27.02.2014 claims to have identified only 136. In the State of Rajasthan, the petitioners have identified 816 manual scavengers whereas the Progress Report of the State dated 27.02.2014 has identified only 46.
- 11) The aforesaid data collected by the petitioners makes it abundantly clear that the practice of manual scavenging continues unabated. Dry latrines continue to exist notwithstanding the fact that the 1993 Act was in force for nearly two decades. States have acted in denial of the 1993 Act and the constitutional mandate to abolish untouchability.
- 12) For over a decade, this Court issued various directions and sought for compliance from all the States and Union Territories. Due to effective intervention and

directions of this Court, the Government of India brought an Act called "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" for abolition of this evil and for the welfare of manual scavengers. The Act got the assent of the President on 18.09.2013. The enactment of the aforesaid Act, in no way, neither dilutes the constitutional mandate of Article 17 nor does it condone the inaction on the part of Union and State Governments under the 1993 Act. What the 2013 Act does in addition is to expressly acknowledge Article 17 and Article 21 rights of the persons engaged in sewage cleaning and cleaning tanks as well persons cleaning human excreta on railway tracks.

- 13) Learned Additional Solicitor General has brought to our notice various salient features of the Act which are as under:-
 - (i) The above-said Act has been enacted 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.
 - (ii) Chapter I of the Act inter alia provides for the definitions of "hazardous cleaning", "insanitary latrine" and "manual scavenger" as contained in Sections 2(1) (d), (e) and (g) thereof respectively.
 - (iii) Chapter II of the Act contains provisions for Identification of Insanitary latrines. Section 4(1) of the Act reads as under:

"4 - Local authorities to survey insanitary latrines and provide sanitary community latrines

- (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."

- (iv) Chapter III of the Act contains provisions for prohibition of insanitary latrines and employment and engagement as manual scavenger. Sections 5, 6 and 7 of the Act read as under:

"5 - Prohibition of insanitary latrines and employment and engagement of manual scavenger

- (1) Notwithstanding anything inconsistent therewith contained in the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993(46 of 1993), no person, local authority or any agency shall, after the date of commencement of this Act,
- (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 - Contract, agreement, etc., to be void

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

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."

(v) Sections 8 and 9 of the Act provide for penal provisions which read as under:

8 - Penalty for contravention of section 5 or section 6

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.

9 - Penalty for contravention of section 7

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.

- (vi) Chapter IV of the Act contains provisions with respect to identification of manual scavengers in Urban and Rural Areas and also provides for their rehabilitation. Section 13 of the Act reads as under;

"13 - Rehabilitation of persons identified as manual scavengers by a Municipality

- (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."
- (vii) Chapter V of the Act provides for the implementing mechanism. Sections 17 to 20 read as under:

17 - Responsibility of local authorities to ensure elimination of insanitary latrines

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,--

- (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 - Authorities who may be specified for implementing provisions of this Act

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.

19 - Duty of District Magistrate and authorised officers

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,--

- (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.

20 - Appointment of inspectors and their powers

- (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..."

- (viii) Chapter VII of the Act provides for the establishment of Vigilance and Monitoring Committees in the following terms:

"24 - Vigilance Committees

- (1) Every State Government shall, by notification, constitute a Vigilance Committee for each district and each Sub-Division.
- (2) Each Vigilance Committee constituted for a district shall consist of the following members, namely:--
 - (a) the District Magistrate--Chairperson, ex officio;...

25 - Functions of Vigilance Committee

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 - State Monitoring Committee

- (1) Every State Government shall, by notification, constitute a State Monitoring Committee, consisting of the following members, namely:--
 - (a) the Chief Minister of State or a Minister nominated by him--Chairperson, ex officio;...

27 - Functions of the State Monitoring Committee The functions of the State Monitoring Committee shall be--

- (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.

29 - Central Monitoring Committee

- (1) The Central Government shall, by notification, constitute a Central Monitoring Committee in accordance with the provisions of this section.
- (2) The Central Monitoring Committee shall consist of the following members, namely:—
 - (a) The Union Minister for Social Justice and Empowerment--Chairperson, ex officio;...

30 - Functions of the Central Monitoring Committee

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;...

31 - Functions of National Commission for Safai Karamcharis

- (1) The National Commission for Safai Karamcharis shall perform the following functions, namely:--
 - (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.”
- (ix) Chapter VIII of the Act contains miscellaneous provisions. Section 33 of the Act provides for duty of local authorities and other agencies to use modern technology

for cleaning of sewers, etc. Section 36 of the Act provides that the appropriate Government shall, by notification, makes rules for carrying out the provisions of the Act within a period not exceeding three months. Section 37 of the Act provides that the Central Government shall, by notification, publish model rules for the guidance and use of the State Governments.

- 14) 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 Sections 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 safai karamchari 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.
- 15) In the light of various provisions of the Act referred to above and the Rules in addition to various directions issued by this Court, we hereby direct all the State Governments and the Union Territories to fully implement the same and take appropriate action for non-implementation as well as violation of the provisions contained in the 2013 Act. Inasmuch as the Act 2013 occupies the entire field, we are of the view that no further monitoring is required by this Court. However, we once again reiterate that the duty is cast on all the States and the Union Territories to fully implement and to take action against the violators. Henceforth, persons aggrieved are permitted to approach the authorities concerned at the first instance and thereafter the High Court having jurisdiction.
- 16) With the above direction, the writ petition is disposed of. No order is required in the contempt petition.

.....CJI
(P. SATHASIVAM)

.....J
(RANJAN GOGOI)

.....J
(N.V. RAMANA)

NEW DELHI;
MARCH 27, 2014.

11. STATE CHANNELIZING AGENCIES OF NSKFDC

State Channelizing Agencies OF NSKFDC nominated by State Govts./Union Territory Administrations

S.No	State/ Union Territories	Contact Details of Channelizing Agencies
1	Andhra Pradesh	Andhra Pradesh Scheduled Castes, Co-Operative Finance Ltd, 5th Floor, Telgu Samkshema Bhawan, Masab Tank, Hyderabad-500028 (A.P) Te l. No. 040-23315970, 23321141, Fax. No. 040-23301402 E-mail ID- mdapscfcgovin
2	Assam	Assam State Development Corporation for Scheduled Castes, Ltd., Swahid Delip Hozari Path, Sarumotria Dispur, Guwahati- 781006 (Assam) Tele No. 0361-2261796,23321141, Fax No. 0361-2261617
3	Bihar	Bihar State Scheduled Castes, Ltd., Co-Operative Devp. Corp. Malyanil Buddya Colony, Patna-800001 (Bihar) Telefax No. 0612-2525612 E-mail ID- bssccd@yahooom
4	Chandigarh	Chandigarh SCs, BCs, and Minorities Financial & Development Corporation Ltd., Addl. Town Hall Building, Sector-17-C, 3rd Floor, Near D.C. Office, Chandigarh-160017 Tele No. 0172-2700372,2701449, Fax No. 0172-2700105 E-mail ID- socialwelfarerediffmailcom
5	Chattisgarh	Chattisgarh State Coop. Antyavasayae Finance & Development Corporation, B-9, Sector-5, Devendar Nagar, Raipur-492001(Chattisgarh) Tele No. 0771-4248605,4248601, Fax No. 0771-4248617 E-mail ID- tataantyascaarediffmailcom
6	Delhi	Manging Director, Delhi SC, St, OBC, Minorities, Physical Handicapped Fin. and Devp. Corpn, Ambedker Bhawan, Institutional Area, Sector, 16, Rohini- 110085 Tele No. 011-27570627,23378278, Fax No. 27572662,27572706 E-mail ID- secyscstdelhinicin
7	Dadra & Nagar Haveli	Dadra & Nagar Haveli Scs/STs, OBC & Minorities Finance & Dedvelopment Corporation Ltd., 2nd Floor, Right Wing,Old, DIC Office PWD Complex, Silvassa -396230 Tele.Fax NO. 0260-2642044 E-mail ID- dddnhscstrediffmailcom

S.No	State/ Union Territories	Contact Details of Channelizing Agencies
8	Daman & Diu	Daman & Diu SCs/STs/OBCs Minorities Finance & Development Corpn. Ltd., 2nd Floor, Right Wing, Old DIC Office, PWD Complex, Silvassa-396230 Tele Fax No. 0260-2642043
9	Goa	Goa State SCs and Backward Classes Finance & Devp. Corporation, 4th Floor, Patto Center, EDC Complex, Near Kadamba Bus Stand, Panaji-403001 (Goa) Tele No. 0832-2438177, 2438180 Fax No. 2438178 E-mail ID - goaobcgmilcom
10	Gujarat	Gujarat Safai Kamdar Vikas Nigam, Block No.1, 3 rd Floor, Karmayogi Bhavan, Sector-10/A, Gandhinagar - 382 010 (Gujarat) Tel No. 079-23256415, 2326747 Fax No. 079-23259378 E-mail ID- gskvngujaratgovin
11	Haryana	Haryana SC Finance & Development Corporation SCO 2427-28, Sector-22-C, Chandigarh-160022 Tele No. 0172-2700224, 2721874, Fax No. 2541828 E-mail ID- hsfcd24272428gmailcom
12	Himachal Pradesh	Himachal Pradesh Scheduled Castes & Scheduled Tribes Development Corporation, Kalyan Bhawan, Near Mohan Park, Solan-173212 (Himachal Pradesh) Tele No. 01792-223505, 223763, 222045, TeleFax No. 01792-220058 E-mail ID- mdhpscstdcrediffmailcom
13	Jammu & Kashmir	J&K Scheduled Castes & Backward Classes Devp. Corporation, 715-A Last Morh, Gandhi Nagar, Jammu-180004 (J&M) Telefax No. 0191-2433229, 2452009 E-mail ID- contactjkscstdccorpin
14	Jharkhand	Jharkhand State SC Cooperative Development Corporation, Kalyan Complex 3rd Floor, Balihar Road, Morabadi, Ranchi - 834008, Jharkhand Tele No. 0651-2490665, 2490665, Fax No. 0651-2490672 E-mail ID- jsscdcranchiyahooiin
15	Karnataka	Dr. B.R. Ambedkar Development Corporation Ltd., 9th & 10th Floor, Vishweshwariiah Mini Tower, Dr. Ambedkar Veedhi, Bangalore 560001 (Karnataka) Tele No. 080-22868870, 22867097, Fax No. 080-22860396 E-mail ID- mdadcl2011gmailcom

S.No	State/ Union Territories	Contact Details of Channelizing Agencies
16	Kerala	Kerala State Development Corporation for SC & ST Ltd., Town Hall Road, Thrissur-680020, Kerala Tele Fax No. 0487-2331469 E-mail ID- ksdchogmailcom
17	Madhya Pradesh	Madhya Pradesh State Cooperative SC Development Corporation, Rajiv Gandhi Bhawan, 35 Shyamala Hills, Bhopal -462002, Madhya Pradesh Tele No. 0755-2661744, 2661844, Fax No. 0755-2661612 E-mail ID- mpscfcdgmailcom
18	Maharashtra	Mahatma Phule Backward Class Devp. Corp. Ltd., Juhu Superme Shopping Center, Gulmohar Cross Road No. 9, J.V.P.D. Scheme, Juhu, Mumbai-400049, Maharashtra Tele No. 022-26200351, 26702586, Fax No. 022-26705173 E-mail ID- mahatmaphuleyahooiin
19	Manipur	Manipur Tribal Devp. Corp. Ltd., Lamaphelpat, Imphal-795004, Manipur Tele. No. 0385-2451696, Fax. No. 0385-2451696
20	Meghalaya	Meghalaya Urban Devp. Agency, Raitiong Building, Shillong, Meghalaya Tele. No. 0364-2225297, 2224702, Fax No. 0364-2210037 E-mail ID- mudashillongyahoom
21	Mizoram	MInzoram Urban Cooperative Devp. Bank Ltd., Lalsawmliani Buiding, Top Floor, Aizwal- 796001, Mizoram Tela Fax No. 0389-2346508 E-mail ID- mucoaizvlyahoom
22	Nagaland	Nagaland Industrial Devp. Corporation Ltd., IDC House, Dimapur-797112, Nagaland Tele No. 03862-226473, 230574, Fax No. 03862-228209 E-mail ID- ID-nidcnagaingcom
23	Odisha	Orissa Scheduled Castes & Scheduled Tribes Devp. & Finance Coop. Corp. Ltd., Lewis Road, Bhubaneshwar-751014, Orissa Tele No. 0674-2431798, 2430052, Telafax. NO. 0674-2432107 E-mail ID- osfdcorissayahoom
24	Punjab	Punjab SC Land Devp. & Finance Corporation Ltd., SCo No. 101 to 103, 1st Floor, Sector 17-C, Chandigarh-160017 Tele No. 0172-5025092, 5062905, Fax No. 0172-5005907 E-mail ID- edpscfcyahoom

S.No	State/ Union Territories	Contact Details of Channelizing Agencies
25	Puducherry	Puducherry Adi Darivdar Development Corporation Limited, No.30, 2nd Cross, Pon Nagar, Reddiarpalaym, Puducherry-605010 Tele No. 0413-2200372,2200692, Fax No. 2200318 E-mail ID- padcoponnicin
26	Sikkim	Sikkim Scheduled Castes, Scheduled Tribes & Other Backward Classes Devp. Corporation Ltd (SABCCO) BHanupath Road, Gangtok, Sikkim-737101 Telefax No. 03592-229430-205318 E-mail ID- nidupthotmailcom
27	Rajasthan	Rajasthan SC & ST Fianance & Development Cooperative Corporation Ltd., Nehru Sahker Bhawan, Central Block, 3rd Floor, Bhawani Singh Road, Jaipur-302002 Tele No. 0141-2740833,2740544 Fax No. 0.141-2740880 E-mail ID- gmscdchogmailcom
28	Tamil Nadu	Tamil Nadu Adi Dravidar Housing and Development Corporation Ltd., Tamil Nadu Housing Board, Shopping Complex, 2nd Floor, Thirumangalam (Anna Nagar) Chennai-600101, Tamil Nadu Tele No. 044-26152052,26154775, Fax No. 044-26154107 E-mail ID- thdcoheadofficegmailcom
29	Tripura	Tripura Scheduled Castes Cooperative Development Corporation Ltd., Supari Bagan, Krishna Nagar, P.O. Lake Chowmani , West of Tripura, Agartala-799001, Tripura Tele No.0381-2226543,2224134 Fax No. 0391-2327029 E-mail ID- ramalkargmailcom
30	Uttar Pradesh	U.P.Scheduled Castes Finance & Development Corporation, B-912, Sector C, Mahanagar Lucknow -266006 Uttar Pradesh Tele No. 0522-2322085,2335347 Fax No. 0522-2334689 E-mail ID-mdhqupsfdcgmailcom
31	Uttrakhand	Uttrakhand Bahuudeeshiya Vitta Evam Nigam , 161, Nehru Nagar, Old Nehru Colony, Dehradun-248001(Uttranchal) Tele No. 0135-2712061,2669723 Fax No. 0135-2675226 E-mail ID- vikasnigam12gmailcom

S.No	State/ Union Territories	Contact Details of Channelizing Agencies
32	West Bengal	West Bengal Scheduled Castes and Scheduled Tribes Development and Finance Corpn, CF-217/A/1, Sector-I, Salt Lake, Kolkata-700064, West Bengal Tele No. 033-40261500, 40261506, Telefax No. 033-40051233/1234 E-mail ID- wbscstdfcgmailcom
33	Gujarat	WOMEN EMPOWERMENT CORPORATION 607, 6TH FLOOR, ARVED TRANCUBE PLAZA, GSRTC RANIP BUS TERMINAL, RANIP, AHMEDABAD

12. REGIONAL RURAL BANKS/NATIONALIZED BANKS (LEAD BANKS) OF NSK FDC

S. No.	Name of RRBs	Contact Number/E-mail Id	Name of Sponsor Bank	State	Name of the Website of the RRB
1	Purvanchal Gramin Bank (PGB), Buddh Vihar Commercial Scheme, Shivpuri New Colony, Taramandal, Gorakhpur-273016	Telephone:0521- 2230058,2230177, 2230170 Fax : 0551-2200261, 0551-2205258, Email:pgbgkgp@gmailcom pgbplanning@gmailcom	State Bank of India	UTTAR PRADESH	www.pgbgorakhpur.com
2	Kashi Gomti Samyut Gramin Bank, C 19/40, Faatman Road , Sigra Varanasi-221001	Telephone:0542-2220298,0542-2220752 Fax :0542-2220317 Email: kgsbankkgsbankco.in	Union Bank of India	UTTAR PRADESH	www.kgsbank.co.in
3	Vananchal Gramin Bank, Municipal Chowk,H.O. Dumka 814101 Jharkhand	Telephone:06434-222401,06434-226289 Fax :06434-222401,06434-222742 Email: vgbhodomkagmailcom vananchaldumkarediffmailcom	State Bank of India	JHARKHAND	www.vananchalgraminbank.com
4	Allahabad U.P. Gramin Bank, DM Colony, Civil Lines, Banda-210001 (UP)	Telephone:05192-221096, 220109 Fax : 05192-221463 Email: augbhorediffmailcom	Allahabad Bank	UTTAR PRADESH	www.allahabadgraminbank.in
5	Uttarakhand Gramin Bank, 18-New Road, Dehradun-248001	Telephone:0135-2710660, 2710661, 2652682 Fax :0135-2710662	State Bank of India	UTTRAKHAND	www.uttrakhandgraminbank.com
6	Dakshin Bihar Gramin Bank (MBGB), Sri Vishnu Commercial Complex, Nh-30, East Lakshmi Nagar, New Bypass, Near BP Highway Services Petrol Pump, Asochak, Patna - 800016	Telephone. : 0612-2385404,405 Fax : 0612-2205564 Email : enquiryymbgbpatnacom	Punjab National Bank	BIHAR	https://dbgb.in/
7	Maharashtra Gramin Bank, 'JIVANSHREE' Plot No 35 ,SECTOR G, Near hotel Varsha-In,Town Centre, CIDCO New Aurangabd -431005	Telephone :022-25435154, 25344059 Email:mgbhonnndgmailcom	Bank of Maharashtra	MAHARASHTRA	www.mahagramin.in
8	Baroda Uttar Pradesh Gramin Bank, HO: A-1, Civil Lines, Raibareli-229001 (Uttar Pradesh)	Telephone : 0535-2702050, 2703875; Fax : 0535-2700723 Email : bugbbrbbankofbarodacom	Bank of Baroda	UTTAR PRADESH	www.barodagraminbank.com
9	Gramin Bank of Aryavrat Head Office: A-2/46, Vijay Khand, Gomti Nagar, Lucknow-226010	Telephone: 0522-2398874; Fax: 0522-2392986 Email: agbhoyahoomailcom	Bank of India	UTTAR PRADESH	www.aryavart-rrb.com
10	Utkal Gramin Bank Head Office: Club Para, Bolangir - 767001 (Orissa)	Telephone: 06652-232285; Fax: 06652 232874 Email: chairmanugbcoin, chairmanugbsanchanetin	State Bank of India	ORISSA	www.ugb.co.in
11	Madhyanchal Gramin Bank Head Office - Poddar Colony Spleen Road, Sagar (MP.) - 470 001	Telephone: 07582-236599, 236299, 236588 Fax: 07582-236488 Email: mgbgmgmailcom	State Bank of India	MADHYA PRADESH	www.mgbank.co.in
12	Uttar Bihar Gramin Bank Head Office, Kalambag Chowk, Muzaffarpur-842001	Telephone: 0621-2248141 Fax: 0621-2243088, 0621-2240103 Email: ubgbubgb.in	Central Bank of India	BIHAR	www.ubgb.in
13	Karnataka Vikas Gramin Bank Head Office, P.B. No. 111, Belgaum Road, Dharwad-580008	Telephone: 0836-2448328 Fax: +91-836-2796843 Email: kvgbditkvgbankcom ditkvgbankcom	Syndicate Bank	KARNATAKA	www.kvgbank.com
14	Dena Gujarat Gramin Bank Head Office: Balwantray Mehta Bhavan, 'Ch'road, Sector-17, Gandhinagar- 382017	Telephone: 079-23247325 Email: dggbhorediffmailcom	Dena Bank	GUJARAT	www.dggb.co.in
15	Vidharbha Konkan Gramin Bank Head Office,2nd and 3rd floor, "Chandraprastha", Plot No. 6, Deendayal Nagar, Ring Road, Nagpur - 440 022	Telephone: 0712 - 2224319/20/21/22 Fax No.: 0712 - 2224306	Bank Of India	Maharashtra	www.vkgb.co.in
16	Pandyan Grama Bank Administrative Office,2-70-01, Collectorate Complex, Virudhunagar-626002 Tamil Nadu	Telephone:04562-252633/253128 Email: contactpandyangramabank.in	Indian Overseas Bank	Tamil Nadu	www.pandyangramabank.in
17	Kerala Gramin Bank PB No.10, Head Office, KGB Towers, AK Road, uphill Malappuram, Kerala-676505	Telephone:0483-2734269,2734925 Fax No : 0483-2736987 Email: kgbhokeralagbankcom kgbcreditwingmailcom	Canara Bank	Kerala	www.keralagbank.com
18	Narmada Jhabua Gramin Bank 201, Arcade Silver, 2nd Floor, Near 56 Dukaan, New Palasia, Indore 452001	Telephone: 0731-2549053-56 Fax: 0731- 2432432 Email: njgbho01bankofindiaco.in Toll Free : 1800 233 6295	Bank of India	MADHYA PRADESH	www.njgb.in



NATIONAL COMMISSION FOR SAFAI KARAMCHARIS

S. No.	Name of RRBs	Contact Number/E-mail Id	Name of Sponsor Bank	State	Name of the Website of the RRB
19	Pallavan Grama Bank Head Office: No.6, Yercaud Road, Hasthampatty, Salem 636 007	Telephone: 0427-2402903/904 Email: pallavangramabankyahoocon	Indian Bank	Tamil Nadu	www.pallavangramabank.in
20	Prathama Bank Head Office: Prathama Bhawan, Ram Ganga Vihar, Phase-II, Post Box No. 446, Moradabad-244001	Telephone: 0591-2455176/177/178/179/180 Email: infoprathamabankorg; prathamabankyahoocon	Syndicate Bank	UTTAR PRADESH	www.prathamabank.org
21	Sarva U.P. Gramin Bank C-39/5, Jagriti Vihar, Meerut, Uttar Pradesh	Telephone: 0121-2767693/96 Email : gmdkyupgbcom	Punjab National Bank	Uttar Pradesh	www.upgb.com
22	Telangana Grameena Bank, Hyderabad GH.No:2-1-520, 2nd Floor, Vijaya Sri Sai Celestia, Street No.9, Nallakunta, Shankermutt Road, Hyderabad - 500 044	Telephone: 040-27600849, 27603796 Fax 040-27662623	State Bank of Hyderabad	Telangana	www.tgbhyd.in
23	Punjab Gramin Bank, Kapurthala Punjab Gramin Bank, Head Office, Jalandhar Road, Kapurthala Phone: 01822 – 509555	Telephone: 01822 – 509555 Email: punjabgraminbankgmailcom	Punjab National Bank	Punjab	www.pgbo.com
24	S.J. Palace 1st Floor, Dhebar Road, Opposite Andh Mahila Vikas Gruh, Rajkot -360002 Gujarat	Telephone. 0281-2371128/2362608 Fax: 0281-2371127 Email: sgb99rediffmailcom	State Bank of India	Gujarat	sgbrb.org
25	Baroda Gujarat Gramin Bank BARODA GUJARAT GRAMIN BANK HEAD OFFICE, SKY LINE BUILDING, 2ND FLOOR, NEAR SHITAL GUEST HOUSE, BHARUCH-392001	Telephone. 02642-247991-94 Fax-247997 Email ID: hobarodagujaratrrbcoin	Bank of Baroda	Gujarat	www.bggb.in
26	Jharkhand Gramin Bank Head Office: Rajendra Place 5, Main Road, Ranchi – 834 001	Telephone : 0651 - 2202120, 6450374, 6450375 Email id: jgbho_ranrediffmailcom	Bank of India	Jharkhand	jharkhandgraminbank.com
27	Himachal Pradesh Gramin Bank (HPGB), Jail Road (Panjethi), PO – Talyahar, Mandi - 175001	Telephone : 01905-227500-3-20, 227503 Email id: contacthpgbcoin	Punjab National Bank	Himachal Pradesh	https://www.hpgb.in/
28	Assam Gramin Vikash Bank (AGVB), HO: G.S. Road. Bhangagarh, Guwahati - 781005	Telephone : 0361 - 2464107 Email id: agvbankyahoocon	United Bank of India	Assam	www.agvbank.co.in

Nationalised Banks

1	Indian Overseas Bank (Central Office: 763, Anna Salai, Chennai 600 002) Preet Vihar Branch (1305) A – 172 Preet Vihar Delhi - 110092	Telephone: 011-22524928, 011-22521207 Fax : 011-22043882 Email: preetbrdelscoiobnetcoin	DELHI	www.iobnet.co.in
2	Vijaya Bank 41/2, Trinity Circle, M.G. Road, BANGALORE – 560001	Telephone. 080 – 25584066, 25584186 customerrelationcellvijayabankcoin	KARNATAKA	www.vijayabank.com
3	Syndicate Bank Corporate Office, Priority Sector Credit Department, Gandhinagar, Bengaluru – 560 009	Telephone. 080 – 22267545, 22267548, 22266889, 22266256, 22265959 hocomsyndicatebankcoin, hopsrddsyndicatebankcoin copscdsyndicatebankcoin	KARNATAKA	www.syndicatebank.in

13. WHO IS WHO

Si. No.	Name of Officers Shri/Smt./Ms.	Designation	Telephone No.	Mobile No.
1.	Manhar Valjibhai Zala	Chairman	011-24648924 011-24601707 (Fax)	9879155111
2.	Vacant	Vice-Chairman	011-24653804 (Telefax)	
3.	Dilip Kallu Hathibed	Member	01124649357 (Telefax)	9370114909
4.	Manju Diler	Member	011-24649350 (Telefax)	9675699352 9412188058
5.	Swami Sadanand Maharaj	Member	011-24649356 (Telefax)	9870570777
6.	Jagadish Hiremani	Member	011-24648923 (Telefax)	9880026780
7.	Ganga Ram Ghosre	Member	011-24653805 (Telefax)	9174372317
8.	Narain Dass	Secretary	011-24649352 011-24648922 (Fax)	9599330949
9.	Vacant	Dy. Director	011-24649351	
10.	Jatender Singh	Under Secretary	011-24649354	
11.	Yasmin Sultana	Asstt. Director	011-24648921	
12.	Prem Prakash	SO (A)	011-24618119	



Government of India
National Commission for Safai Karamcharis
Ministry of Social Justice & Empowerment

"B" Wing, 4th Floor, Lok Nayak Bhawan, Khan Market, New Delhi - 110003
Website : <https://ncsk.nic.in>