

Bill No. 212 of 2024

**THE PROTECTION AND WELFARE OF SANITATION
WORKERS BILL, 2024**

By

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A

BILL

to provide regulations for the protection, welfare, and rehabilitation of sanitation workers engaged in the maintenance of public and private spaces, including waste management, disinfection, and sanitization and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Protection and Welfare of Sanitation Workers Act, 2024.

Short title and
commencement.

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

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

Definitions.

(a) “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;

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

(c) “employer” means any person, organization, company, government body, public sector undertaking, private contractor, agency, or institution, or a group of individuals, whether in the public or private sector, that directly or indirectly employs or engages sanitation workers, whether on a regular, contract, daily-wage, or temporary basis;

(d) “employee” means any person engaged in sanitation work, either directly or through a contractor or agency, who performs tasks related to the cleaning, maintenance, hygiene, waste management, and sanitation of public or private spaces, whether employed on a regular, contractual, daily-wage, or temporary basis excluding a domestic workers;

(e) “domestic workers” means a person who works within a residence and performs a variety of household services for an individual or a family, in a domestic setup;

(f) “hazardous manual practices” means any task or activity in the sanitation sector that poses significant health, safety, or life-threatening risks to the sanitation worker due to direct physical exposure to harmful substances, hazardous waste, or dangerous environments including, manual scavenging, cleaning or handling of sewers, septic tanks, or drains, or handling of hazardous chemicals or disinfectants, or any other activity notified by the State Government;

(g) “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 (41 of 2006); and

(iii) a railway authority of that sub-division, district or any such part of India;

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

(i) “railway land” shall have the meaning assigned to it in clause 32A of section 2 of the Railways Act, 1989 (24 of 1989);

(j) “sanitation worker” means any individual engaged in activities related to the maintenance, cleanliness, hygiene, and sanitation of public and private spaces and includes,—

(i) persons involved in the collection, segregation, transportation, and disposal of waste, cleaning of streets, drains, public facilities, and any other forms of waste management, as well as individuals responsible for the disinfection and sanitization of spaces through the application of chemicals, sprays, or other methods to control the spread of diseases, such as mosquito-borne or infectious diseases, employed on a regular or contract basis by the government, or the agency; and

(ii) safai karamcharis, sewer workers, waste pickers, disinfectant spreaders, and any other workers involved in sanitation-related services, whether employed by government bodies, private contractors, or working independently but does not include a domestic worker;

(k) “State Government”, in relation to a Union territory, means the Administrator thereof appointed under article 239 of the Constitution; and

(l) “Survey” means a survey of sanitation workers undertaken in pursuance of this act.

3. (1) The local authority shall conduct a yearly survey for registering details of the sanitation workers within its jurisdiction.

Survey and Registration of Sanitation Workers in urban areas by local authority.

(2) The presiding officer of the local authority, under whose jurisdiction the survey is undertaken, shall be responsible for accurate and timely completion of the survey.

5 (3) After completion of the survey, the presiding officer shall cause to be drawn up a provisional list of persons found to be working as Sanitation workers working within the jurisdiction of his Municipality and fulfilling, the eligibility condition as may be prescribed, shall cause such provisional list to be published, both offline and online, for general information in such manner, as may be prescribed, and shall invite objections to the list from the general public.

(4) 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 local authority may prescribe.

15 4. Any person included in the final list of sanitation workers published in pursuance of sub-section (3) of section 3, shall be entitled to—

Rehabilitation of persons identified as sanitation worker by a Municipality.

(i) a photo identity card;

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

20 (iii) such other legal and financial assistance, as the Central Government may notify in this behalf.

5. (1) It shall be the duty of every local authority and other agency to use appropriate technological appliances for cleaning of sewer, septic tanks, or any other spaces for sanitisation or cleaning within their control with a view to eliminating the need for the hazardous manual handling in that process.

Duty of local authorities and other agencies to use modern technology for any sanitisation workers

25 (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).

30 6. The employer shall ensure that all sanitation workers, whether employed regularly or on a contractual basis, are provided with appropriate and functional personal protective equipment necessary for their work. This includes gloves, masks, helmets, safety shoes, aprons, and any other specialized gear required for protection against exposure to harmful substances, hazardous waste, chemicals, and infectious diseases.

Duty of Employer to provide the Personal Protective Equipment.

35 **7. (1) The appropriate Government, in collaboration with local authorities, municipalities, Panchayats, and recognized Non-Governmental Organizations (NGOs) or, as the case may be, shall organize regular awareness and training programmes for sanitation workers to educate them about their rights, workplace safety standards, hygiene practices, and the benefits available to them under this Act.**

Duty of Employer to organize the awareness and training programmes.

40 (2) These programmes shall include rights of sanitation workers, workers safety and hazard prevention, hygiene and health practices, mental health awareness or any other programmes notified by the State Government.

(3) The training shall be conducted at least once in a year for all sanitation workers, including those employed on a regular, contractual, or temporary basis, and shall be delivered in a language and manner easily understood by the workers.

45 8. (1) Every employer, including government agencies, contractors, or private entities engaging sanitation workers, shall arrange for mandatory periodic health check-ups for all sanitation workers under their employment, whether on a regular, contractual, or temporary basis.

Duty of Employer to conduct Mandatory Health Check-ups for Sanitation Workers.

(2) The health check-ups shall focus on detecting and monitoring occupational diseases, respiratory conditions, skin infections, and injuries that may result from exposure to hazardous waste, chemicals, and other health risks associated with sanitation work.

Duty of Employer to provide health insurance to the Sanitation workers.

9. (1) Every employer, including government agencies, contractors, or private entities engaging sanitation workers, shall ensure that all sanitation workers, whether employed on a regular, contractual, or temporary basis, are covered under a comprehensive health insurance scheme. 5

(2) The health insurance scheme provided to sanitation workers shall include –

(a) coverage for medical expenses arising from illness, injury, or accidents occurring in the course of employment; 10

(b) coverage for hospitalization, outpatient treatments, prescription drugs, and diagnostic services;

(c) coverage for occupational health hazards and diseases specific to sanitation work, including but not limited to respiratory illnesses, skin conditions, infections, and injuries; 15

(d) disability benefits in case of permanent or temporary incapacitation due to work-related injuries or diseases.

(3) Nothing in this section shall prevent the Central or State Government to provide subsidies for the health insurance of the sanitation workers to the including government agencies, contractors, or private entities or any other entity as may be prescribed. 20

Establishment of District Sanitation Worker Protection Vigilance Committee.

10. (1) The appropriate Government shall, by notification in the official Gazette, constitute a District Sanitation Worker Protection Vigilance Committee (DSWPVC) for each district.

(2) Each District Sanitation Worker Protection Vigilance Committee for a district shall consist of the following members, namely – 25

(a) the District Magistrate as the *ex officio* Chairperson;

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

(c) 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*; 30

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

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

(d) the Chief Medical Officer of the district —member, *ex officio*;

(e) Labour Commissioner of the district—member, *ex officio*; 35

(f) District Social Welfare Officer of the district—member, *ex officio*;

(g) the appropriate government shall nominate four persons who are actively working for the benefit of sanitation workers, with one person representing each of the following categories –

(i) Scheduled Caste; 40

(ii) Scheduled Tribe;

(iii) Other Backward Class; and

(iv) General category;

(h) one representative be nominated by the railway authority located in the district—member, *ex officio*;

(i) one female medical officer, to be nominated by the District Magistrate;

5 **(j) One representative be nominated by the State Legal Service Authority from the district;**

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

(l) five social workers belonging to organization working for sanitation workers or labour rights, two of which must be women;

10 **(m) 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 District Sanitation Worker Protection Vigilance Committee constituted at district shall meet at least once in every month.

15 **(4) No proceeding of a District Sanitation Worker Protection Vigilance Committee shall be invalid merely by reason of any defect in its constitution.**

20 **11. (1) Every Sub-Divisional Sanitation Worker Protection Vigilance Committee shall prepare a monthly detailed report which shall contain the funds utilized, services provided, condition of the sanitation workers in district, suggestions, details of the reported violations and reason for the violations under the act, health camps and check-ups, target of next month and every step taken by the committee in one month.**

Progress
Report by
Sub-Divisional
Sanitation
Worker
Protection
Vigilance
Committee.

(2) The monthly report regarding the implementation and progress of sanitation worker protection measures shall be submitted to the District Magistrate, *ex officio* Chairperson of the District Sanitation Worker Protection Vigilance Committee.

25 **(3) The monthly report submitted to the District Magistrate shall be updated and made available online by the District Sanitation Worker Protection Vigilance Committee.**

30 **12. (1) Every District Sanitation Worker Protection Vigilance Committee shall prepare a monthly detailed report which shall contain the funds utilized, services provided, condition of the sanitation workers in district, reported violations and reason for the violations under the act, suggestions, health camps and check-ups, target of next month and every step taken by the committee in one month.**

Progress Report
by District
Sanitation
Worker
Protection
Vigilance
Committee.

(2) The monthly report regarding the implementation and progress of sanitation worker protection measures shall be updated and made available online by the District Sanitation Worker Protection Vigilance Committee.

35 **(3) The compiled monthly reports shall be submitted to the State Monitoring Committee on a quarterly basis, ensuring that the submission reflects the cumulative data and progress over the preceding months.**

40 **13. (1) The appropriate Government shall, by notification, in the official Gazette constitute a State Sanitation Worker Protection Authority, consisting of the following members, namely –**

Establishment of
State Sanitation
Worker
Protection
Authority.

(a) A retired High Court Judge, nominated by the State Government as the *ex officio* Chairperson;

(b) Principal Secretary of the Labour Department—Member, *ex officio*;

(c) Principal Secretary of the Social Welfare Department—member, *ex officio*;

45 **(d) Principal Secretary of the Urban Development Department—member, *ex officio*;**

(e) Director General of Medical and Health Services—member, *ex officio*;

(f) Executive Chairman of the State Legal Services Authority—member, *ex officio*;

(g) one representative to be nominated by the railway authority nominated by the State Government—member, *ex officio*;

(h) the chairperson shall nominate four persons who are actively working for the benefit of sanitation workers, with one person representing each of the following categories – 5

(i) Scheduled Caste;

(ii) Scheduled Tribe;

(iii) Other Backward Class; and 10

(iv) General category;

(i) Three representatives from non-governmental organization specializing in sanitation worker protection, human rights, or labour welfare, with at least one being female, nominated by the State Government;

(j) Two medical experts in occupational health, particularly with knowledge of sanitation worker issues nominated by the chairperson; 15

(k) One legal expert with knowledge of labour laws, nominated by the chairperson.

(l) such other representatives 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. 20

(2) The State Sanitation Worker Protection Authority shall meet at least once in every two months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.

Functions of the
State Sanitation
Worker
Protection
Authority.

14. 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; 25

(b) to create policies for implementation of this Act;

(c) to coordinate the functions of all concerned agencies;

(d) to look into any other matter incidental thereto or connected therewith for implementation of this Act. 30

Accountability
and
Transparency to
be maintained
by the
Committee
or Authority
established
under the Act.

15. (1) Every committee, authority, or body constituted under this Act, including the District Sanitation Worker Protection Vigilance Committees, Sub-Divisional Sanitation Worker Protection Vigilance Committees, and the State Sanitation Worker Protection Authority, shall be deemed to be a public authority as defined under Section 2(h) of the Right to Information Act, 2005 (22 of 2005). 35

(2) All records, decisions, reports, and actions undertaken by such committees, authorities, or bodies shall be made available to the public in accordance with the provisions of the Right to Information Act, 2005 (22 of 2005).

(3) Any citizen shall have the right to request and receive information related to the functioning, decisions, and implementation of the provisions of this Act from the respective committee or authority, as per the procedure laid down under the Right to Information Act, 2005 (22 of 2005). 40

Power to
remove
difficulties.

16. (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 five years from the commencement of this Act in that State.

- 5 **17. (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.

- 10 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
15 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.

18. Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.

STATEMENT OF OBJECTS AND REASONS

Sanitation workers play an essential role in maintaining public health and cleanliness, often working under extremely hazardous conditions without adequate protective measures. They are frequently exposed to severe health risks and unsafe environments, including the handling of harmful waste, cleaning of septic tanks, drains, and working with hazardous chemicals. This results in a high incidence of occupational health issues, injuries, and, in extreme cases, fatalities. Sanitation work also carries a significant social stigma, leading to socio-economic challenges for these workers and limiting their access to alternative employment opportunities. Despite legal safeguards, there remains a pressing need for more robust protective measures to ensure their safety, dignity, and well-being.

The Bill seeks to address these issues by implementing a comprehensive framework that mandates the use of modern technologies, appropriate protective gear, and regular health screenings for sanitation workers. It aims to ensure safer work conditions by prohibiting hazardous manual practices and promoting mechanized methods for high-risk sanitation tasks. Furthermore, the Bill proposes the establishment of dedicated committees and authorities at the district and state levels to monitor the welfare of sanitation workers, ensuring accountability and transparency. These measures are intended to support the socio-economic rehabilitation and dignity of sanitation workers, empowering them to live with respect and security.

The Bill also provides for structured training programmes to educate workers on safety standards, rights, and workplace hygiene practices. Moreover, it mandates comprehensive health insurance coverage to safeguard sanitation workers against occupational diseases, injuries, and other health risks. The proposed framework will support state and local authorities in implementing these provisions effectively, ensuring adherence to the highest standards of worker protection.

Hence this Bill.

NEW DELHI;
November 13, 2024

RAVINDRA DATTARAM WAIKAR

FINANCIAL MEMORANDUM

Clause 5 of the Bill stipulates that the appropriate Government will provide financial assistance to promote modern technology for sanitation workers. Clause 7 provides for organization of awareness and training programmes for sanitation workers by the appropriate Government. Clause 10 provides for establishment of District Sanitation Worker Protection Vigilance Committee by the appropriate Government. Clause 13 provides for establishment of State Sanitation Worker Protection Authority. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of about rupees five hundred crore is likely to be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 17 empowers the appropriate Government to make rules for carrying out the purpose of this Act. As the regulations and rules will relate to matters of detail only, the delegation, therefore, is of a normal character.

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to provide regulations for the protection, welfare, and rehabilitation of sanitation workers engaged in the maintenance of public and private spaces, including waste management, disinfection, and sanitization and for matters connected therewith or incidental thereto.

(Shri Ravindra Dattaram Waikar, M.P.)