

**GOVERNMENT OF INDIA  
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT  
LOK SABHA**

**STARRED QUESTION NO. \*132  
TO BE ANSWERED ON 12.02.2019**

**MANUAL SCAVENGING**

**\*132. SHRI G. HARI:**

**Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:**

- (a) whether the National Commission for Safai Karamcharis has ensured payment of Rs. 10 lakh to 100 families whose members died as a result of manual scavenging;
- (b) if so, the details thereof;
- (c) whether it is true that deaths on account of manual scavenging continue to happen across the country; and
- (d) if so, the steps taken to abolish manual scavenging completely in the country?

**ANSWER**

**MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT  
(SHRI THAAWARCHAND GEHLOT)**

- (a) to (d) A Statement is laid on the Table of the House.

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**Statement referred in reply to part (a) to (d) of the Lok Sabha Starred Question No.132 for answer on 12.02.2019 raised by Shri G. Hari, Hon'ble Member of Parliament regarding manual scavenging.**

- (a) and (b) There have been no reports of death of persons due to manual scavenging. However, the National Commission for Safai Karamchairs (NCSK) vide its letter dated 30.04.2014 had written to all the States and Union Territories to implement the Hon'ble Supreme Court's Judgment dated 27.03.2014 in CWP No. 583 of 2003 regarding identification of cases of sewerage related deaths since 1993 and payment of compensation of Rs. 10 lakh in each case to the family of members of persons who have died while cleaning sewer/septic tank. Details of cases reported by the States to the NCSK regarding payment of compensation of Rs. 10 lakh in terms of Supreme Court Judgment are at **Annexure**.
- (c) There has been no report of cases of death of persons due to manual scavenging. However, cases of death of persons while cleaning sewers and septic tanks are reported in newspapers from time to time and such cases are taken up with the concerned State Government/Union Territory to ensure payment of compensation of Rs. 10 lakh in each case and initiate action against person/agency responsible in accordance with the provisions of "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" (MS Act, 2013).
- (d) Under section 5 of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" (MS Act, 2013) manual scavenging is prohibited with effect from 06.12.2013. Under section 6 of the MS Act, 2013, any contract, agreement or other instrument entered into or executed before the above date, engaging or employing persons for the purpose of manual scavenging shall, on the above date, be terminated and such contract, agreement or other instrument shall be void and inoperative. Accordingly, no person or agency can compel any person for manual scavenging. Under Section 8 of the MS Act, 2013 Whoever contravenes the provisions of section 5 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.

Hazardous cleaning of sewers and septic tanks is also prohibited under MS Act, 2013. Under Section 7 of MS Act, 2013 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. Under Section 9 of the MS Act, 2013 '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.

## ANNEXURE

Annexure referred in reply to Parts (a) and (b) of Lok Sabha Starred Question No. 132 for answer on 12.02.2019 regarding manual scavenging.

S. No.	State/UT	No of cases in which compensation of Rs. 10 lacs Paid in terms of Supreme Court Judgement dated 27.03.2014
1	Andhra Pradesh	9
2	Chandigarh	3
3	Delhi	23
4	Gujarat	33
5	Haryana	28
6	Karnataka	64
7	Madhya Pradesh	6
8	Punjab	23
9	Rajasthan	8
10	Tamil Nadu	155
11	Telangana	2
12	Uttar Pradesh	15
13	West Bengal	6
	<b>Total</b>	<b>375</b>