

**GOVERNMENT OF INDIA
MINISTRY OF JAL SHAKTI
DEPARTMENT OF DRINKING WATER & SANITATION**

LOK SABHA
STARRED QUESTION NO.88 (8th Position)
TO BE ANSWERED ON 27.06.2019

Welfare of Safaikaramcharis

***88. SHRI PINAKI MISHRA:**

Will the Minister of **JAL SHAKTI** be pleased to state:

- (a) whether the death of safaikaramcharis deputed to clean the sewage drains is on the rise due to lack of proper safety masks and gears for use by such workers and if so, the details thereof;
- (b) whether the Government is considering for prohibiting the deployment of Safaikaramcharis into the sewage drains without proper masks and other body gears as well as equipments for their safety and if so, the details thereof; and
- (c) whether the Government is considering for awarding stringent punishment including life imprisonment to those employers who depute safaikaramcharis for cleaning of drains without providing them safety masks and gears and if so, the details thereof?

**ANSWER
MINISTER OF JAL SHAKTI
(SHRI GAJENDRA SINGH SHEKHAWAT)**

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

Statement referred to in the reply to Lok Sabha Starred Question No.88 due for reply on 27.06.2019.

(a) to (b) The issue of sewage drains is specific to urban areas. As sanitation is a State subject, the workers for cleaning sewage drains are engaged by the urban local bodies and Works departments. Hazardous cleaning of sewers and septic tanks is prohibited under Section 7 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (MS Act, 2013) which is reproduced below:

“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.”

Hazardous cleaning has been defined under section 2(d) of MS Act, 2013 as under:

“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.

Government have notified Prohibition of Employment as Manual Scavengers and their Rehabilitation Rules, 2013 (MS Rules, 2013) which prescribe the obligation of the employers towards workers engaged for cleaning and sewer/septic tank to provide safety gear and devices and observe safety precautions as detailed in the Rules.

As per reports received from the States, total number of cases of deaths while cleaning sewers and septic tanks are 613.

(c) 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.