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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
BACKWARD CLASSES WELFARE DEPARTMENT
ADMINISTRATIVE BUILDING, DJ-4, SECTOR-II, SALT LAKE, KOLKATA-700 091
Website : www.anagrasarkalyan.gov.in

NOTIFICATION

No. 676-BCW/6M (MC)-03/13 (Part. III) – the 19th February, 2015. — In exercise of the powers conferred by section 36 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (25 of 2013), the Governor is pleased hereby to make the following rules, namely:—

CHAPTER I

GENERAL

1. **Short title and commencement.**— (1) These rules may be called the West Bengal Prohibition of Employment as Manual Scavengers and their Rehabilitation Rules, 2015.

(2) It shall come into force on the date of their publication in the *Official Gazette*.

2. **Definitions.**— (1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (25 of 2013);
- (b) “cleaning device” means and includes the equipments referred to in rule 5, manually or mechanically propelled and used to—
 - (i) clean or enable the transport or flow of sewage in sewers septage from septic tanks; and
 - (ii) avoid direct manual contact with sewage or material;
- (c) “Chief Executive Officer” means—
 - (i) the Municipal Commissioner or the Commissioner, in case of the Municipal Corporation;

- (ii) the Executive Officer, in case of the Municipalities or notified area authorities or industrial township and in absence of these officers, the officials performing duties of these officers or any other officer of the Municipality concerned, as may be nominated by such officers for the purpose;
- (iii) in respect of *Panchayat* bodies,—
 - (A) the *Pradhan*, in case of the *Gram Panchayat*; or
 - (B) the Executive Officer in case of the *Panchayat Samiti* or *Zilla Parishad* or *Mahakuma Parishad*; or
 - (C) in absence of these officers, the officials performing duties of these officers; or any other officer of the *Gram Panchayat* or *Panchayat Samiti* or *Zilla Parishad* or *Mahakuma Parishad* concerned as may be nominated by the State Government; and
- (iv) in respect of area under Gorkha Territorial Administration (GTA) in the district of Darjeeling, the Principal Secretary of Gorkha Territorial Administration and in absence of this officer, the official performing the duties of this officer or any other officer of Gorkha Territorial Administration to be nominated by the State Government;
- (d) “District Level Survey Committee” means the District Level Survey Committee consisting of —

(1) District Magistrate	Chairman;
(2) District Level Officer dealing with Scheduled Castes Affairs	Member-Secretary;
(3) District Statistical Officer	Member;
(4) one representative of <i>Zilla Parishad</i>	Member;
(5) representatives of two Municipalities/Gram Panchayats to be nominated by the District Magistrate	Member;
(6) District Level Officer of Municipal Affairs or Panchayat and Rural Development Department	Member;
(7) one representative of railway authority	Member;
(8) upto two representatives of Non Governmental Organizations working for Welfare of manual scavengers and <i>Safai Karmacharis</i> to be nominated by the District Magistrate	Member;
(9) upto two community representatives of whom one should be a woman to be nominated by the District magistrate	Member,

for the purpose of discharging the following functions:—

- (i) to monitor and observe the survey process at District level,
- (ii) to distribute materials for awareness campaign to designated place,
- (iii) to arrange publicity through local newspapers etc. about the survey,
- (iv) to distribute translated survey material to designated place under its jurisdiction,
- (v) to approve final list of manual scavengers for all towns cities and villages in the district,
- (vi) to publish final consolidated list of the manual scavengers in the district;
- (e) “enumerator” means any person engaged by a local authority for the purpose of survey or verification of manual scavengers;
- (f) “inspector” means a person appointed as an inspector by the State Government by notification under sub section (1) of section 20 of the Act;
- (g) “overseer” means an officer engaged by a local authority to exercise the powers and perform the duties under these rules;

- (h) "protective gear" means personal safety gear and safety devices that are to be provided, worn or used by *safai karmacharis* or sanitary workers in respect of cleaning of sewers and septic tanks that may be necessary for the specific nature of work to be carried out including and not limited to the materials referred to under rule 4 to, –
- (i) avoid any exposure of human skin to substances which can lead to diseases along with all breathing equipment which prevents inhalation of gases which can lead to disease and also includes any sensory equipment for detection of gases present inside the sewers or septic tanks;
- (ii) avoid any injuries while carrying cleaning work;
- (i) "*Safai Karmachari*" or "Sanitation Worker" means any persons engaged in or employed for any sanitation work other than domestic work;
- (j) "safety precautions" means and includes the precautions referred to in rule 6 and necessary to reduce the risk to the person and to avoid contraction of diseases and injuries by the persons engaged in cleaning of sewers and septic tanks due to exposure to sewage or any other material in any physical state (solid, liquid or gas inside the sewers or septic tanks while entering sewers or septic tanks);
- (k) "State Level Survey Committee" means a State Level Committee consisting of
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|---|-----------|
| (1) Additional Chief Secretary or Principal Secretary, nominated by the State Government | Chairman; |
| (2) Principal Secretary or Secretary dealing with Scheduled Castes, if the Committee is chaired by the Additional Chief Secretary, or Director, Scheduled Caste Welfare, if Principal Secretary, Scheduled Caste Welfare, is the Chairman | Member; |
| (3) Director, Economics and Statistics | Member; |
| (4) Secretary, Municipal Affairs Department/Panchayat & Rural Development Department | Member; |
| (5) Regional Director, Census Operations | Member; |
| (6) One representative of railway authority | Member; |
| (7) upto two representatives of Non Government Organizations working for Welfare of Manual Scavengers and <i>Safai Karmacharis</i> to be nominated by the State Government | Member; |
| (8) upto two community representatives of whom one should be a woman to be nominated by the State Government | Member; |

for the purpose of discharging the following functions, namely:–

- (i) to monitor and observe the survey process at state level;
- (ii) to distribute the materials for awareness campaign to designated place;
- (iii) to arrange publicity through local newspapers etc. about the survey;
- (iv) to distribute translated survey material to designated place under its jurisdiction;
- (v) to approve final list of manual scavengers for all towns cities and villages in the district;
- (vi) to publish final consolidated list of the manual scavengers in the district.

(2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as assigned to them in the Act.

CHAPTER II**OBLIGATIONS OF EMPLOYER TOWARDS EMPLOYEES ENGAGED IN THE
CLEANING OF SEWER OR SEPTIC TANK**

3. **Obligations of employer towards employees engaged in cleaning of Sewer or Septic Tank.**— (1) No person shall be allowed to clean a sewer manually, without the protective gear and safety devices under these rules except—

- (a) for the removal of concrete or reinforced plastic or damaged manhole door, where mechanical equipments cannot be put into operation;
- (b) for inter-linking the newly laid sewer main with the existing sewer main, in case of sewer of size of more than 300 mm diameter;
- (c) for removal of submersible pump sets fixed at the bottom of the suction wells;
- (d) for the reconstruction of the manhole or rectification of the sewer main;
- (e) for any other circumstances, when it is absolutely necessary to have manual sewage cleaning, after the Chief Executive Officer of the local authority has permitted to do so and after recording in writing the specific valid reasons for allowing such cleaning.

(2) For the purposes of clauses (c) and (d) of sub-rule (1), sewage shall be totally emptied before allowing entry of a person in the sewer.

4. **Employer to provide for safety devices mandatorily.**— Any person engaged to clean a sewer or a septic tank shall be provided by his employer, protective gear and safety devices like—

- (i) air compressor for blower;
- (ii) air line breathing apparatus;
- (iii) air line respirator with manually operated air blower;
- (iv) air purifier gas mask/chin cortege;
- (v) artificial respiration/reticulate;
- (vi) barrier caution tape;
- (vii) barrier cream;
- (viii) barrier cone;
- (ix) blower;
- (x) breath mask;
- (xi) breathing Apparatus;
- (xii) caution board;
- (xiii) chlorine mask;
- (xiv) emergency medical oxygen resuscitator kit;
- (xv) first aid box;
- (xvi) face mask;
- (xvii) gas monitor (4 gases);
- (xviii) guide pipe set;
- (xix) full body wader suit;
- (xx) fishing wader suit attached with boots;
- (xxi) hand gloves;
- (xxii) helmet;
- (xxiv) helmet demolishing;

- (xxv) lead acetate paper;
- (xxvi) life guard pad;
- (xxvii) modular airlines supply trolley system;
- (xxviii) normal face mask;
- (xxix) nylon rope ladder 5 meters;
- (xxx) nylon safety belt;
- (xxxi) pocket book;
- (xxxii) port oxy;
- (xxxiii) raincoat;
- (xxxiv) reflecting jacket;
- (xxxv) safety belt;
- (xxxvi) safety body clothing;
- (xxxvii) safety body harness;
- (xxxviii) safety goggles;
- (xxxix) safety gumboots;
- (xl) safety helmet;
- (xli) safety showers;
- (xlii) safety torch;
- (xliii) safety tripod set;
- (xliv) search light;

5. Obligations of local authority towards employees engaged in cleaning of Sewer or Septic Tank.—The local authority shall ensure that the following cleaning devices are used by persons engaged in cleaning sewer or septic tank which include but not limited to the following:—

- (i) sewer line cleaning bucketing machine;
- (ii) jetting machine;
- (iii) suction machine (gulley emptier) ;
- (iv) combined machine (jetting cum suction) ;
- (v) deep suction combined machine (jetting cum suction machine) ;
- (vi) manual hand operated grab bucket;
- (vii) hydraulic operated trolley mounted grab bucket;
- (viii) truck mounted motor & winch operated grab bucket machine;
- (ix) fixed Structure mounted motor & winch operated grab bucket machine;
- (x) rickshaw mounted winch & motor operated desilting machine for wet well;
- (xi) rickshaw mounted winch & auxiliary engine operated desilting machine for manhole;
- (xii) escort hydra crane mounted hydraulic winch operated grab bucket desilting machine;
- (xiii) manual rods, shovels, spades, drainage cleaning machines and steel scrapers with handles;
- (xiv) hoses and washing instruments;

6. Employer's duty to check the cleaning devices before use.— (1) All protective gear and safety devices under these rules shall be checked every six months and necessary repair or replacements shall be made by the employer who engages a person for cleaning a sewer or a septic tank.

(2) Comfortable bodysuits shall be made available to the worker who has to enter sewers or septic tanks for their cleaning. The employer shall provide full body suits to workers entering manholes of depth more than five feet and alternatively, partial fishing wader body suits to those entering manholes of depth less than five feet.

(3) The employer shall also ensure the following safety precautions before a person is engaged in the cleaning of a sewer or a septic tank, namely:—

- (a) a minimum of three employees shall remain present all the time of whom one shall be a supervisor;
- (b) the atmosphere within the confined space shall be tested for oxygen deficiency and toxic and combustible gases like hydrogen sulphide, carbon monoxide, methane, and gasoline vapours, through detection tests by way of :—
 - (i) lowering a detector lamp into the manhole;
 - (ii) inserting wet lead acetate paper which changes colour in the presence of hazardous gases;
 - (iii) detection of gases through gas detector masks.
- (c) before starting the cleaning under sub-rule (1) the supervisor referred to in clause (a) of sub-rule (3) shall inspect and determine if the sewer serves any industries nearby to anticipate any hazardous atmosphere that may be encountered;
- (d) the condition of metal-run ladders and the side walls of the manhole shall be checked to see if there is any danger of collapse;
- (e) traffic and pedestrian barricades are provided all the times;
- (f) a flagman should be stationed at least 50 feet ahead of a site and should be visible to incoming traffic for at least 500 feet;
- (g) regular medical check-up of sewage workers including the examination of respiratory organs, skin injuries, other occupational diseases and injuries to ensure that sewage workers affiliated with such disease or injuries do not enter sewers for cleaning;
- (h) regular vaccination against respiratory and skin diseases and other occupational diseases to which these workers are prone due to exposure to harmful substances and gases in sewers;
- (i) all employees who are present on site during cleaning work are given adequate training to familiarize with all equipments involved in cleaning work, to avoid injuries or diseases associated with such work and to take necessary steps in case of emergency arising at the place of work and the training shall be conducted every two years and the employees shall be familiarized with any changes in the method and technique with respect to the above. Standard norms set by the manufacturers or any competent authority are to be followed for training and familiarization of the employees with the operating of all such equipments;
- (j) the supervisor possesses and keeps handy the names, addresses and telephone numbers of the nearest hospitals or clinics;
- (k) Cleaning of a sewer or a septic tank shall be done:—
 - (i) only in day-light; and
 - (ii) for a duration not exceeding 90 minutes, at a stretch. There shall be a mandatory interval of 30 minutes between two stretches.
- (l) identity and close-off or re-route any lines that might carry harmful substances to or through the work area;
- (m) ensure that written operating and rescue procedures are displayed at the entry site;
- (n) if the entry is made through a top opening, use a housing device with a harness that suspends a person in an upright position and a mechanical device shall be available to retrieve personnel from vertical spaces more than five feet deep.

- (o) at least one person trained in first-aid and cardio-pulmonary re-suscitation should be made immediately available during any confined space job.
- (p) oxygen content in the manhole must be at least 19.5% in the confined space of the manhole measures at all levels (bottom, middle and top) and no person enters the manhole if oxygen level is below 19.5% and more than 21%;
- (q) ventilate the sewer line by opening at least two or three manholes on both sides where work is to be carried out;
- (r) manhole shall be opened at least one hour before the start of operation;
- (s) the opened manhole shall be properly fenced or barricaded to prevent any person, specially children, from accidentally falling into the sewer. Dummy cover with welded fabric or wire-net may be used;
- (t) all workers use the safety gear and safety devices before entering the sewer line;
- (u) the person entering the manhole or sewer line must be monitored using signal or camera or CCTV etc., through the operation period;
- (v) structural safety of manhole rungs or steps must be tested before entering the manhole;
- (w) portable aluminum ladder is available during the work period where necessary and the portable ladder is properly seated or fixed during use;
- (x) no material or tools are located near the edge which can fall into the manhole and injure the workman;
- (y) equipments used during sewer cleaning are explosion and fire-proof;
- (z) smoking open flames are prohibited inside the manhole as well as in the immediate vicinity of open manholes;
- (za) in the event of a sudden or unpredictable atmospheric change, an emergency escape breathing apparatus with at least a 10 minute air supply is worn.

7. Precautionary measures for a person engaged in cleaning a septic tank etc.— (1) The employer shall ensure the following safety precautions at the time when the person is engaged in the cleaning of a sewer or a septic tank—

- (a) portable fans and air blowers with batteries, in good working condition with a back up capacity of more than the estimated duration of the entry of the person in the sewer shall be carried into sewers for ventilation and a ventilation source shall be installed at the mouth of the man hole;
- (b) flashlights and communication devices such as two-way radios shall be carried into sewers;
- (c) presence of the following rescue equipment at the site—
 - (i) a tripod and harness system, or some other method ensuring maneuvering of an injured worker to the surface;
 - (ii) a basket stretcher, or similar device, shall be available for moving the injured worker to emergency transportation;
 - (iii) trained personnel shall be immediately available and first-aid facilities with instruments as given in a Annexure I, shall be provided in the following manner:—
 - (A) at every work place, there shall be provided and maintained, so as to be easily accessible during working hours, not less than one first-aid box for 150 employees;
 - (B) the first-aid box shall be distinctly marked with a red cross on white back ground and shall contain such equipments as contained in PART A and PART B of Annexure I;
 - (C) Adequate arrangements shall be made for immediate recoupment of the equipments when necessary;
 - (D) The first-aid box shall be kept in charge of a responsible person who shall always be readily available during the working hours of any work place.

- (E) A person-in-charge of the First-aid box shall be a person trained in first-aid treatment in the work places, where the number of employees employed is 150 or more.
- (F) In any work place where the number of employees employed is 500 or more and hospital facilities are not available within easy distance from the work place, first-aid post shall be established and run by a trained compounders and he shall be on duty and shall be available at all hours when the workers are at work.
- (G) Where any work places is situated in a place which is not town or city, a suitable motor transport shall be kept readily available to carry injured person or person suddenly taken ill to the nearest hospital.

(2) The employer shall ensure availability of ambulance and follow-up in close proximity.

(3) The employer shall ensure that the assigned person has life-insurance policy of at least ten lakh rupees and the premium for which shall be paid by the employer.

8. Post cleaning safety precautions.— The employer shall ensure the following post-cleaning safety precautions after a person engaged in the cleaning of a sewer or a septic tank comes out of the sewer or specific tank after a session of cleaning:-

- (a) to provide facilities for removal of contaminated clothing and for wash-up as well as cleaning dry clothing;
- (b) wash-up material including water soaps, hand sanitizers and medically authenticated skin cream for applying on the body for post cleaning safety;
- (c) any cut/bruises on the skin or problems with a respiratory organ suffered on account of cleaning of sewer shall be immediately cured.

CHAPTER III

INSANITARY LATRINES

9. De-composition of human excreta.— Human excreta shall be treated as fully decomposed when it eventually becomes stable material with no unpleasant smell and containing valuable plant nutrients.

10. Survey of insanitary latrines.— (1) Every local authority shall draw a suitable time schedule for carrying out survey of insanitary latrines within its jurisdiction and the publication of their list.

(2) The local authority shall take the assistance of the community leaders and non-governmental organizations working in the area for the welfare of the *Safai Karamcharis* or sanitary workers, on the existence of insanitary latrines in the area under its jurisdiction.

(3) Any complaint filed by any person including a non-governmental organization, regarding the construction, maintenance or use of insanitary latrine, shall be inquired by the local authority within fifteen days of filing the complaint.

(4) The local authority shall constitute a committee under its Chief Executive Officer with at least two members from the community of *Safai Karamcharis* or sanitary worker, one of whom shall be a woman and at least one member from the civil society group.

(5) The Committee referred to in sub-rule (4) shall plan and monitor the survey and ensure that an awareness campaign is carried out simultaneously with the survey that is conducted.

(6) The Chief Executive Officer of the local authority shall prepare an initial list of insanitary latrines existing in his jurisdiction and display the same at the notice-board of the office of the local authority and publish in two local daily newspapers, inviting the objections, specifying the date by which the objections, if any to the list, shall be received.

(7) The local authority shall cause to hold a meeting on the due date as specified to hear the complaints and objections received on the initial list and approve the final list of insanitary latrines.

(8) The final list of insanitary latrines shall be prepared and published by the local authority which shall display the same at the notice board of office of the local authority and publish in two local newspapers one of which shall be in the vernacular language.

(9) Within fifteen days of the final publication of list of insanitary latrines, the local authority shall serve a notice on the occupier of the insanitary latrine to either demolish such insanitary latrine or convert it into a sanitary latrine within a period of six months from the date of commencement of the Act.

(10) A copy of such notice referred to in sub-rule (9) shall be sent to the inspector.

(11) The notice referred to in sub-rule (9) shall include information regarding the schemes of the Central and State Government which entitle the beneficiaries to incentives for the demolition of insanitary latrines or conversion to sanitary latrines and/or other information regarding the eligibility to avail the benefits under those Schemes and the procedure for availing such benefits.

(12) The Committee referred to in sub-rule (4) shall submit the survey report to the District Magistrate, who, or any department designated by him for this purpose, in turn, shall submit the consolidated reports of all local authorities under his jurisdiction to State Level Survey Committee.

(13) The State Level Survey Committee shall furnish the report of the survey to the Central Ministry/Department dealing with the Schemes of conversion of insanitary latrines into sanitary latrines for the urban and rural areas.

(14) The eligible beneficiaries under the relevant Schemes of the Central or State Government may apply for the admissible financial assistance under such schemes.

(15) After the expiry of the period under sub-rule (9), the local authority shall have the premises of the occupier of insanitary latrine inspected.

(16) If the occupier has neither demolished nor converted the insanitary latrine into a sanitary latrine, the local authority shall order for its demolition and recover the cost from the occupier.

CHAPTER IV

SURVEY OF MANUAL SCAVENGERS

11. Identification of the manual scavengers.— (1) The local authority shall ensure that the persons conducting the survey of manual scavengers shall be adequately and appropriately trained by the local authority on the method and manner in which the survey shall be conducted and sensitized on the issue of manual scavenging.

(2) The State Level Survey Committee and the District Level Survey Committee shall carry out adequate campaigns at various levels especially in all such areas where insanitary latrines have been found during the survey.

(3) The local authority shall also associate community leaders or non-governmental organizations working for the welfare of *Safai Karamcharis* or sanitary workers in identification of manual scavengers.

(4) The local authority shall invite manual scavengers through awareness campaigns to declare themselves at the self declaration centre and have their details verified during a period and at places, which shall be notified by the local authority.

(5) The lists of manual scavengers, if provided by the non-governmental organizations or any other persons or agency, shall be fully verified to identify manual scavengers.

(6) In case, there is discrepancy between the data of insanitary latrines or the number of manual scavengers submitted by any person or organization, the local authority shall order a house-to-house survey of insanitary latrines by the enumerators to know the names of manual scavengers servicing those insanitary latrines.

(7) Local authority shall also make efforts to identify manual scavengers by visiting the habitations of concentration of *Safai Karamcharis*, sanitary workers or manual scavengers.

(8) Sample checks of the work done by the enumerators would be carried out by overseers designated for the purpose by the local authority, on the basis of random selection to the extent indicated below:—

- (i) 100% check in villages;
- (ii) 100% check in cities and towns having less than 1000 households with insanitary Latrines;
- (iii) 50% of the declarations, verified by each enumerator shall be checked in towns or cities having 1000 to 9999 households with insanitary latrines;
- (iv) 33% of the declarations, verified by each enumerator, shall be checked in towns/cities having 10000 or more households with insanitary latrines;
- (v) in categories (iii) and (iv), if sample check of the work done by any enumerator reveals an error of greater than 10%, a 100% check of his work shall be carried out by the supervisor.

(9) Any person having objection either to the inclusion or exclusion of any name in the provisional list of manual scavengers in pursuance of the Act, may within a period of fifteen days from the provisional publication, file an objection in the prescribed format specified by the concerned local authority.

(10) The local authorities shall also notify the manner of publication of said list during the survey of manual scavengers carried out under the Act.

(11) The local authority shall get the objections enquired into and hold a meeting, if necessary to finalize the list of manual scavengers in its jurisdiction.

(12) After publication of the final list by the local authority no claim or objection on the list shall be accepted for being included or excluded in the list, provided that the manual scavenger shall be allowed to give self-declaration about his being a manual scavenger.

(13) The District Magistrate shall notify a designated officer not below the rank of a Block Development Officer, for inquiring into the claims and objections received and giving their findings. And the inquiry conducted by the designated authority shall ensure that —

- (i) the claimant or objector is given an adequate opportunity of being heard;
- (ii) the claimant or objector is given not less than seven days' notice about the date of summary hearing as provided under sub-rule (15);
- (iii) the claimant or objector shall be allowed to support his claim with documentary evidence, if any, as provided under sub-rule (14);
- (iv) the claimant or objector shall have the right to be represented by a lawyer, Non governmental organization, or a friend; and
- (v) the claimant or objector shall be given a copy of the order passed by the designated authority as provided under sub-rule (20).

(14) Forms for filing claims and objections under these rules shall be made available to the applicants free of cost, on demand in the designated place, as also through the website of the local authority and the claimant or objector may support his claim with documentary evidence, if any.

(15) Summary hearings shall be conducted by officers designated by the local authority.

(16) The officer designated to verify the claims may order fresh verification, if necessary.

(17) After summary hearing and such further verification (if ordered), the officer would pass a rescued order, accepting or rejecting the claim or objection, as the case may be and a copy of the order would be given to the persons concerned.

(18) After settlement of claims and objections by the designated authority, the local authority shall carry out necessary corrections in the draft list and transmit it to the District Level Survey Committee for its consideration.

(19) The District Level Survey Committee shall cause compilation of lists of manual scavengers received from each local authority, town and prepare a list of manual scavengers for the district and the District Magistrate shall forward it to the State Government.

(20) The State Government shall have the lists of manual scavengers received from various districts, and prepare a consolidated State list of manual scavengers.

(21) Any person working as a manual scavenger, may self declare either during the survey undertaken by the local authority, or any time thereafter, to the Chief Executive Officer of the local authority, or to any other officer authorized by him in this behalf, for being identified as a manual scavenger in the prescribed format at Annexure II.

(22) There shall be no minimum age limit for identification of manual scavenger, and there shall be no restriction regarding the caste or religion or income or gender for being identified as manual scavenger.

(23) For the purposes of sub-rule(22), a person should have been engaged or employed as manual scavenger at the time of commencement of the Act or thereafter and should have worked as such continuously for not less than three months.

(24) A list of identified manual scavengers as verified by the Overseers, shall be published by the concerned local authority in local newspapers and displayed in its own office and at such conspicuous places as deemed fit.

(25) A copy of the provisional list shall be made available to members of the local authority and the non-governmental organizations or community leader of *Safai Karamcharis* or sanitary workers.

(26) While publishing the provisional list, the local authority shall call upon members of the public to file claims and objections, within a period, not less than 15 days, in a prescribed format notified by the local authority.

(27) After the approval of the final list by the District Level Survey Committee, it shall be duly published at the notice boards of concerned offices and the final list shall also be uploaded on the website of the District administration and the State Government.

12. **Cash assistance.**—The identified manual scavengers, one from each family, shall be eligible for receiving cash assistance of Rs. 40,000/- immediately after the identification. The beneficiary shall be allowed to withdraw the amount in monthly instalments of maximum of Rs.7,000/-.

CHAPTER V

POWERS OF THE INSPECTOR

13. **Functions of a Sanitary Inspector.**— If an inspector has reason to believe that an offence under the Act as defined under section 5, sub-section (2) of section 6 or section 7 of the Act is or has taken place, or is likely to take place, he shall conduct inspection, investigation or enquiry in the following manner, namely:—

- (a) if the offence pertains to the construction, maintenance or use of an insanitary latrine, the inspector shall report it to the local authority which shall, thereafter, take action as per the provisions of the Act;
- (b) if the offence pertains to the employment of manual scavengers, the inspector shall send a report to the local authority as well as the District Magistrate;
- (c) if the local authority shall take steps to include the name of a manual scavenger found to be employed in the final list of manual scavengers, whether during survey or any time thereafter and once the name of a manual scavenger is added to the final list, the manual scavengers shall be rehabilitated under the provisions of the Act.
- (d) if it appears to the inspector that hazardous cleaning of sewer or septic tanks is being resorted to, the inspector shall order to stop such hazardous cleaning forthwith and shall report the matter to the local authority;

- (e) when there are reasons to believe that any such premises is being used or has been used or about to be used for hazardous cleaning of sewer or septic tank, the inspector may examine any structure, site, place or premises within his jurisdiction;
- (f) the inspector may take or otherwise evidence of any person which he may consider necessary for the purpose of any examination or enquiry and connected with insanitary latrines or hazardous cleaning of sewer or septic tank provided that such person shall not be compelled to answer any question or give any such evidence tending to incriminate him;
- (g) the inspector may take or cause to be taken any photograph, video clip, sample, record or make any sketch by using any device including electronic device as he may consider necessary for the purpose of any examination or enquiry under these rules;
- (h) on finding that a local authority, person or agency is engaging in or employing a person in hazardous cleaning, the inspector shall instruct such authority, person or agency to stop such undertaking of cleaning immediately and shall serve a notice in writing in this regard in the prescribed form in the Annexure III appended to these rules.

CHAPTER VI

STATE MONITORING COMMITTEE

14. **Powers and functions of State Monitoring Committee.**— (1) The State Monitoring Committee shall meet at least once in six months on such dates and times as may be appointed by the Chairperson.

(2) The meeting shall normally be held at the State headquarters.

(3) Where the Committee finds it necessary to hold the meeting at any other place, for the reasons to be recorded in writing, such meetings may be held at other places, within the State.

(4) Member-Secretary shall cause a notice of minimum ten days to be issued to all the members of the Committee and also send the list of business to be considered during the meeting.

(5) No business, which is not included in the list of business, shall be considered, without the permission of the Chairperson.

(6) The Chairperson shall preside over each meeting at which he is present, and in his absence, members may elect the senior-most member remained present, to be Chairperson for presiding over the meeting.

(7) No business shall be transacted at a meeting unless at least one-third of the total members of the Committee are present:

Provided that if at any meeting, less than one-third of the members are present, the Chairman may adjourn the meeting to a date not less than seven days from the date of the meeting informing the members present and sending registered notice to the other members.

(8) Business at the adjourned meeting shall be disposed irrespective of the quorum.

(9) The proceedings of each meeting shall be circulated to all members present and shall be read out and confirmed at the next meeting of the Committee, and shall be signed by the Chairperson.

(10) The minutes shall be recorded in a minute book which shall be kept as a permanent record.

(11) A copy of the minutes shall be forwarded to the Central Government for the information of the Central Monitoring Committee.

Annexure I**First-Aid-Facilities***[See rule 7]***PART A****First-Aid Box containing equipments for any work place in which number of employees employed does not exceed 50**

1. 6 small sterilized dressings;
2. 3 medium size sterilized dressings;
3. 3 large size sterilized dressings;
4. 3 large sterilized burn dressings;
5. 1(30 ml)bottle containing a two per cent alcoholic solution iodine;
6. (30 ml) bottle containing salvolatile having the dose and mode of administration indicated on the label;
7. 1 snakebite lancet;
8. 1 (30 gms.) bottle of potassium permanganate crystals;
9. 1 pair scissors;
10. 1 copy of the first-aid leaflet issued by the Director General, Factory Advice Service and Labour Institutes, Government of India;
11. 1 bottle containing 100 tablet (each of 5 gms) of Aspirin;
12. Ointment for burns;
13. 1 bottle of suitable surgical antiseptic solution.

PART B**First-Aid Box containing equipments for any work place in which number of employees employed exceed 50**

1. 12 small sterilized dressings;
2. 6 medium size sterilized dressings;
3. 6 large size sterilized dressings;
4. 6 large size sterilized burn dressings;
5. 6 (11 gms.) packets sterilized cotton wool;
6. 1 (60 ml.) bottle containing a two per cent alcoholic solution iodine;
7. 1 (60 ml.) bottle containing salvolatile having the dose and mode of administration mentioned on the label.
8. 1 roll of adhesive plaster;
9. 1 snake bite lancet;
10. 1 (30 gms.) bottle of potassium permanganate crystals;
11. 1 pair scissors;
12. 1 copy of first-aid leaflet issued by the Director General Factory Advice Service and Labour Institutes, Govt. of India;
13. A bottle containing 100 tablets (each of 5 gms.) of aspirin;
14. Ointment for burns;
15. A bottle of suitable surgical antiseptic solution.

Annexure II

[See rule 11(2)]

Self declaration Form**Identification of the persons engaged in manual scavenging**

(Office Use)

- Name of the State :
- District :
- Municipality : _____ Town _____ Ward _____
- Panchayat _____ Village _____

Photo of the
person in manual
scavengingFamily Photo of the person engaged in manual scavenging
(Picture post card size photograph 6" x 4")

1. Name of the person engaged in manual scavenging : _____
2. Name of Father/Mother/Spouse : _____
3. Age : _____
4. Sex : Male Female

5. Educational Status : (Put a ✓ mark in the appropriate box)

(i) (a) Literate ☐ (b) Not Literate ☐

(ii) If literate level of education :-

Studied : Class 1-5 ☐ Class 6-10 ☐ Class 11-12 ☐ Class above 12 ☐

6. Occupation :

(i) Carrying/disposing/cleaning of human excreta manually from insanitary latrine ☐

(ii) Cleaning untreated human excreta manually from

(a) open drain ☐(b) Railway Track ☐(c) Pit Latrine ☐

7. Status of Employment :

I. Employed in :

(a) Private :-

(i) Individual Household ☐(ii) Community/Group of Household ☐(iii) Contractor ☐(iv) Institution like hospital, office etc. ☐

(v) Others (Specify) _____

(b) Central Government ☐(c) State Government ☐(d) Municipal Corporation ☐

II. Employed on :

(a) Permanent basis ☐(b) Temporary basis ☐(c) Contract basis ☐(d) Jajmani ☐

8. How long you have been in this Occupation : _____

9. Social Background :

(a) Whether SC/ST/OBCs/Others ☐(b) Caste ☐(c) Sub Caste ☐(d) Religion ☐10. (a) Have you received any benefit from the Government rehabilitation schemes ?
(Put a ✓ mark in the appropriate box)

No	Yes
☐	☐

(b) If yes, name of the scheme (Put a ✓ mark in the appropriate box)

	Name of the schemes	Rupees
(1)	National Scheme for liberation and rehabilitation of scavengers (NSLRS)	
(2)	Self Employment Scheme for rehabilitation for manual scavengers (SRMS)	
(3)	Any other (Please specify the name of Scheme(s))	

(c) If yes, whether project funded through above scheme is running :

Yes	No	If yes, monthly income (Rs.)

(d) Not known

11. (a) Are you engaged in any occupation other than scavenging ? Yes ☐ No ☐

(b) If yes, specify : _____

12. Any other skills you possess :

(i) Construction ☐

(ii) Carpentry ☐

(iii) Driving ☐

(iv) Cooking ☐

(v) Tailoring ☐

(vi) Any other
(specify) _____

13. Alternative Occupation Proposed (Please specify) : _____

Name and Address of the person engaged in manual scavenging _____

Pin code _____

Contact Telephone/ Mobile No. _____

Signature/Thumb Impression of the person engaged in manual scavenging _____

Signature of Data Entry Operator _____

Name and date (with code No.) _____

Name and date _____

Signature of Enumerator _____

Name and date (with code No.) _____ Signature of Supervisor _____

Name and date (with code No.) _____

Details of Insanitary Latrine:**1. Details of Individual Insanitary Latrine (IIL) :**

Sl. No.	Name of the owner of Insanitary Latrine	Location of the		Monthly Salary/wages of the Manual Scavenger (Rs.)	
		dry latrine	latrine from which excreta is being flushed into open drain	In cash	In food grains etc.

Total Number of the Individual Insanitary Latrines being cleaned by the person engaged in manual scavenging :

(Note: Please give detailed description of the Individual Insanitary Latrine cleaned by the person engaged in manual scavenging. In case you need to write extra information kindly photocopy this page and attach with the survey form)

2. Details of Community Insanitary Latrine (CIL) :

Sl. No.	Name of the owner (Organisation/Agency) of Insanitary Latrine	Location of the		Monthly Salary/wages of the Manual Scavenger (Rs.)	
		dry latrine	latrine from which excreta is being flushed into open drain	In cash	In food grains etc.

3. Detail of Open Drains (OD)/Railway Tracks/other spaces :

Sl. No.	Location of Open Drains/railway Tracks/other spaces in which excreta from the insanitary latrines is being flushed	Salary/wages of the manual scavengers	
		In Cash (Rs.)	In Kind (Rs.)

(Note .- If the number of involved manual scavengers in OD is more than one then please fill up a separate form for each of the person engaged in manual scavenging)

Annexure III

[See rule 13 (8)]

Office of the Inspector u/s 20 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 _____ (Area name)

NOTICE

Under rule 13 (8) of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Rules, 2013.

Ref.

Date

To

Subject: Notice under the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (hereinafter the Act) and the Prohibition of Employment as Manual Scavengers and their Rehabilitation Rules, 2014 (hereinafter the Rules) : Hazardous cleaning of sewers and septic tanks

WHEREAS section 7 of the Act provides that 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;

AND WHEREAS the _____ (name of State) Government has notified the date of enforcement of the provisions of section 7 of the Act as _____ (date of effect);

AND WHEREAS cleaning of sewers and septic tanks is regulated under the provisions of rules 3 to _____ of these rules;

AND WHEREAS you have been noticed to have violated the provisions of section 7, read with section 2(1)(d) of the said Act and the rule _____ (rule number) made thereunder, as per the following details :-

- (i) Place of violation : _____
- (ii) Date of Violation : _____
- (iii) Violation details : _____

-
2. You are requested to show cause as to why action against you under section _____ of the Act be not initiated. You are requested to submit your clarification in writing by _____ (date) or appear in person in my office on _____ at _____
3. In case you fail to submit the necessary clarification or you or your representative fails to appear on the specified day and time, it shall be deemed that you have nothing to say in the matter and the undersigned shall be free to take action in accordance with the provisions of the Act and the rules made thereunder.

Date _____

Name and Designation of the Inspector

Place _____

By order of the Governor,

SANJAY K. THADE,
Pr. Secy. to the Government of West Bengal.