



पंचायती राज मंत्रालय

भारत सरकार

11वीं मंजिल, जीवन प्रकाश बिल्डिंग,
25, के.जी. मार्ग, नई दिल्ली - 110 001

MINISTRY OF PANCHAYATI RAJ
GOVERNMENT OF INDIA

11th FLOOR, JEEVAN PRAKASH BUILDING,
25, K.G. MARG, NEW DELHI - 110 001

K S Sethi
Joint Secretary,
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D. O. No. M-11015/260/2017-CB

26th June, 2018

Dear Sir/Madam,

This is regarding the implementation of provisions of Section 18 and Section 19 of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (i.e. MS Act 2013) which mandates local authorities (including PRIs) for following the provisions of the Act such as (i) No one constructs or maintains an insanitary latrine; (ii) No person is employed as a manual scavenger; and (iii) Investigation and prosecution of violation of these provisions etc.

2. It is stated that the status of implementation of these provisions inter alia is reviewed by the Central Monitoring Committee (CMC) constituted under the Chairmanship of Hon'ble Minister, Ministry of Social Justice & Empowerment (M/o SJ&E). Therefore, the Panchayati Raj Departments of all States / UTs were requested vide this Ministry's D. O. letter of even number dated 21.08.2017 (copy of the same alongwith those of the enclosures thereto attached) to (i) to furnish the latest information in the revised proforma using the data already made available to them (ii) to include manual scavenging in the vulnerability assessment and training programme of Elected Representatives, Panchayat Functionaries etc. of PRIs in consultation with their SIRD and (iii) to make efforts to associate representatives of NGOs in the Vulnerability Assessment Survey.

3. Responses from some States/UTs were received inter alia in the revised proforma and based thereon consolidated information (copy enclosed) was sent to the M/o SJ&E on 13.11.2017. As would be seen from the enclosed statement, information from your State / UT was not received till 13.11.2017. Meeting of CMC, as mentioned above, may take place in near future.

4. In view of the above position, I shall be grateful if you could provide the requisite information in respect of your State / UT as requested in Para 3 of my D. O. letter dated 21.08.2017 referred to above in the revised proforma attached with that D. O. letter urgently.

With regards,

Yours sincerely


(K S Sethi) 26/06/2018

Principal Secretary/Secretary,
Panchayati Raj Department
All States/UTs except Andhra Pradesh, Assam, Bihar, Goa, Haryana, Himachal Pradesh,
Karnataka, Sikkim, Uttarakhand and Dadra and Nagar Haveli)



सत्यमेव जयते

पंचायती राज मंत्रालय
भारत सरकार
सरदार पटेल भवन, नई दिल्ली-110001
MINISTRY OF PANCHAYATI RAJ
GOVERNMENT OF INDIA
SARDAR PATEL BHAWAN, NEW DELHI-110001

K S Sethi
Joint Secretary
23747911
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D. O. No. M-11015/260/2017-CB

21st August, 2017

Dear *Principal Secretary / Secretary,*

Sections 18 and 19 of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (i.e. MS Act 2013) mandate local authorities (including PRIs) for following the provisions of the Act such as (i) No one constructs or maintains an insanitary latrine; (ii) No person is employed as a manual scavenger; and (iii) Investigation and prosecution of violation of these provisions etc. On the basis of the Action Taken Reports received from Panchayati Raj Departments of the most of the States, consolidated status report (copy enclosed) giving the details about States, including your State, had been provided to Ministry of Social Justice and Empowerment (M/S&JE) and also to the Central Monitoring Committee (CMC) constituted under the Chairmanship of their Hon'ble Minister.

2. In the 4th meeting of the CMC, the Secretary (SJ&E), referring to the slow pace of survey of Manual Scavengers, pointed out that the States were urged to carry out survey by using the data already made available to them and to include the persons engaged in cleaning open drains and septic tanks as manual scavengers as per the definition of manual scavenging stipulated in the Act. Besides, the Committee also observed that (i) Manual Scavenging may be included in the vulnerability assessment and training programmes and (ii) representatives of NGOs may be associated in the Vulnerability Assessment Survey. The Chairman, National Commission for Scheduled Castes (NCSC) observed that in addition to capacity building, Panchayati Raj has to create awareness among SC members.

3. Therefore, I shall request if you could kindly (i) to furnish the latest information in the revised proforma (copy enclosed) using the data already made available to you, (ii) to include manual scavenging in the vulnerability assessment and training programme of Elected Representatives, Panchayat Functionaries etc. of PRIs in consultation with your SIRD and (iii) to make efforts to associate representatives of NGOs in the Vulnerability Assessment Survey. Besides, awareness about the mandatory provisions of the Act above may be created among Elected Representatives of PRIs. **An urgent reply in the matter is requested please.**


With regards

Yours sincerely

Principal Secretary / Secretary
Panchayati Raj Department of all States / UTs

[Signature]
(K.S Sethi) 21/08/2017

Copy for information and necessary action to DG/Directors of all SIRDs for including an effective and need based module on Manual Scavenging as indicated above in the Capacity Building & Training programme of Elected Representatives, Panchayat Functionaries other stakeholders of Panchayati Raj Departments of the concerned State. This Ministry may also be informed of the action taken.


(K.S/Sethi) 21/08/2017

No.N-11015/32/2012-DPE
Government of India
Ministry of Panchayati Raj


Sardar Patel Bhawan, New Delhi
Dated the 23rd July, 2015

OFFICE MEMORANDUM

Subject: Implementation of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013".

The undersigned is directed to refer to the Ministry of Social Justice & Empowerment's D.O.Letter No.19014/66/2013-SCD-IV, dated 13.2.2014 and their last reminder dated 16.6.2015 on the subject noted above and to inform that this Ministry had requested Panchayati Raj Department of all the States/UTs on 27/2/2014 to give wide publicity about provisions of the Act among the people and for conduct of survey of insanitary latrines and manual scavengers in all the Panchayats. The matter was also discussed with the State Governments during review meetings. Most of the State Governments have submitted action taken reports on the matter and based on their reports, a status report was also sent to the Ministry of Social Justice & Empowerment on 17.2.2015.

Please find enclosed copy of statement containing state-wise details of number of Gram Panchayats which have completed survey of insanitary latrines, number of insanitary latrines and manual scavengers identified, etc. As this Ministry is pursuing with the State Governments, further progress on the matter as soon as received from the States, will be submitted to the Ministry of Social Justice & Empowerment.


(C.Chinnappa)
Director(DPE)

To,
Ministry of Social Justice & Empowerment
(Smt.Aindri Anurag, Joint Secretary)
Shastri Bhawan,
New Delhi.


27/7/15

Status report on implementation of MS Act

Sl. No.	States	Gram Panchayats	No. of Gram Panchayat where survey completed	No. of Households where insanitary latrine identified	No. of Identified MS rehabilitate	Resolution passed in Gram Sabha	Remark
1.	Andhra Pradesh	12905	Yes	166	No info		
2.	Arunachal Pradesh	1779	Yes 2011	NIL	No info	No info	Report pending
3.	Assam	2202	Yes 2011	NIL	No info	No info	Report pending
4.	Odisha	6232		NIL	No info	No info	Secret
5.	Punjab	13080	Survey initiated ?		Instruction to pass resolution in GPs	Instruction to rehabilitate MS identified to all GPS	
6.	Tripura	1118	Yes	1,16,757 identified		No info	As per survey 2012
7.	Uttarakhand	7982	Survey initiated		Instruction to pass resolution in GPs	No info	Report pending
8.	West Bengal	3349	Survey in process		No info	No info	Information

							pending	
9.	Bihar	8402	No information		No info	No info		
10.	Himachal Pradesh	3243	Acc. to census 2011 report is nil. Although further direction issued for resurvey	1792 identified	No info	Instruction to rehabilitate MS identified to all GPs, instruction to SIRD for training and rehabilitation of MS	As per survey	
11.	Jamnu & Kashmir	4128	Act not applicable		No info	No info		
12.	Kerala	978	Yes	Nil	No info	No info		
13.	Maharashtra	27906			No info	No info		
14.	Manipur	161	Only informed NIL report, no other information provided.					
15.	Sikkim	176	Yes	NIL	No info	No info		
16.	Tamil Nadu	12524		NIL	No info	No info	Secret	
17.	Gujarat	13997	Survey initiated		No info	No info	Report pending	
18.	Chhattisgarh	9734		NIL	No info	No info	As per secret	
19.	Haryana	6083	Yes	NIL	No info	No info		
20.	Jharkhand	4423	Yes initiated		No info	No info	Report pending	
21.	Karnataka	5629	Yes		No info	No info	Report pending	
22.	Madhya Pradesh	23006	Yes	18 districts - NIL report	No info	No info	32 districts Report pending	
23.	Rajasthan	9177	Yes		No info	No info	Report pending	

24.	Goa	190	No information		No info	No info	
25.	Uttar Pradesh	51914	Survey initiated		No info	No info	Report pending
26.	Daman & Diu	14	Yes	NIL	No info	No info	
27.	Dadar & Nagar Haveli	11	Yes	NIL Report	No info	No info	
28.	Puducherry	0	No information		No info	No info	
29.	Lakshadweep	10	Yes	NIL	No info	No info	Appointed inspector for Implementation
30.	Chandigarh	17			No info	No info	
31.	Andaman & Nicobar	69	Yes	NIL	No info	No info	
32.	Telangana	8685	NIL Report		No info	No info	
33.	Mizoram	784			State has no MS in State		

By Hand

M-11015/260/2017-CB
Government of India
Ministry of Panchayati Raj

Sardar Patel Bhawan, New Delhi
Dated : 13th November, 2017

OFFICE MEMORANDUM

Subject : Fifth Meeting of the Central Monitoring Committee for monitoring the implementation of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013"

In continuation of this Ministry's OM of even number dated 09.11.2017 and with reference to D. O. letter No. 19014/66/2013-SCD-IV (SRMS) dated 3rd November, 2017 from Ministry of Social Justice & Employment on the above mentioned subject, the undersigned is directed to forward herewith a copy of letter no. F. 4()/PRD/SBM(G)/manual scan/2017-18/7935 dated 9th November, 2017 received from the Panchayati Raj Department of Government of Rajasthan which is self explanatory.

2. In brief, it has been stated therein that there were 266 insanitary latrine in Dholpur district of the State where it is difficult to construct leach pit due to the area being based on hard rocks. Out of these 266 insanitary latrines only 72 remained to be demolished and are under construction which is indicated to be got completed by 15.11.2017. In this connection, it has also been indicated that the State Government discussed this issue with the Government of India and it was proposed to use bio digesters and GoI was requested to provide additional funding which issue has been posed for funding from Ministry of Overseas Indian Affairs. It appears that this issue has been discussed by the State Government with the Ministry of Social Justice & Empowerment.

3. It has also been informed that Manual Scavenging has been included in the training programme of PRI representatives. They are also awaiting complete data sheet of SECC 2011 which covers entire GP/Village Households, so that the GP Administration may easily identify and match their MS data to SECC 2011. The above mentioned information is also being sent to the Ministry of Social Justice & Empowerment by the State Government as indicated in their enclosed reference.

4. This information has also been briefly reflected in the Annexure as sent alongwith the above mentioned OM of this Ministry.

5. As mentioned in this Ministry's OM of even number dated 09.11.2017, it may be noted that the work relating to implementation of provisions of MS Act 2013 in respect of Panchayats has been assigned by some States to the Rural Development Department, Social Welfare Departments of the State. Therefore, the information on this issue in respect of Panchayats can be provided by those Departments only to the Ministry of Social Justice & Empowerment. The details in this regard were reflected in the Annexure to above mentioned OM dated 09.11.2017. The Ministry of Social Justice & Empowerment are, therefore, requested again kindly to ask the counterpart Ministries in Centre of such Departments of States for taking necessary action in the matter.

6. The Ministry of Social Justice & Empowerment may kindly see for their information and necessary action.

Basudeb Das
(Basudeb Das)
Deputy Director
Tel N.:011-2336 9074

The Ministry of Social Justice & Empowerment
(Kind Attention : Ms Aindri Anurag, Joint Secretary)
Shastri Bhawan,
New Delhi

①
13-11-2017
True 12/11/20

AnnexureStatement giving the brief details of the information received from States / UTs about implementation of the Provisions of Manual Scavenger Act 2013 in their Panchayats

Sl. No.	Name of the State / UT	Brief Details / comments about the information received from State /UT
1.	Andhra Pradesh	Survey done in all the 12920 Gram Panchayats. Information on all other points is NIL.
2.	Arunachal Pradesh	Arunachal Community does not practice Manual scavenging. However, it will be authenticated from the surveyed data by them.
3.	Assam	There are 2200 Gram Panchayats and no person has been engaged as manual scavenger for cleaning Open drains or septic tanks.
4.	Bihar	This work is the responsibility of Rural Development / Urban Development and Housing Department. The counterpart Ministry in the Centre may be asked for taking necessary action.
5.	Chhattisgarh	
6.	Goa	This work is the responsibility of Social Welfare Department of the State. The counterpart Ministry in the Centre may be asked for taking necessary action.
7.	Gujarat	
8.	Haryana	Survey completed in all 6205 Gram Panchayats. House hold with insanitary latrine identified numbers 236. Information on other points is NIL.
9.	Himachal Pradesh	This work is the responsibility of Department of Social Justice & Empowerment. The counterpart Ministry in the Centre may be asked for taking necessary action.
10.	Jammu & Kashmir	
11.	Jharkhand	
12.	Karnataka	Complete survey conducted in rural areas. 474 Manual Scavengers identified and details of 429 of them uploaded on web portal of Ministry of Social Justice & Empowerment. Awareness camp for rehabilitation Manual Scavengers in Kolar (149) and Bangalore Urban (101) for two times in each district organised by National Safai Karamchari Development and Finance Corporation (NSKFDC) in collaboration with Dr. Ambedkar Development Corporation. No person is employed as Manual Scavenger.
13.	Kerala	
14.	Madhya Pradesh	Partial information received from the State indicate that the survey has been completed in all the 22822 Gram Panchayats. There were 51003 household where insanitary latrines existed. However, these are also converted into sanitary latrines.
15.	Maharashtra	
16.	Manipur	
17.	Odisha	
18.	Punjab	
19.	Rajasthan	Only 72 insanitary latrines remain to be demolished and constructed in Dholpur district of the State. Additional fund for using bio digesters for this purpose have been indicated to be obtained from Ministry of Overseas Indian Affairs. Manual Scavenging included in training programme of PRI

		representative. All this information sent to Ministry of Social Justice and Empowerment als.
20.	Sikkim	The State has informed that they have achieved ODF status and therefore information in their case may be treated as NIL.
21.	Tamil Nadu	
22.	Telangana	Commissioner, Panchayati Raj has written to Principal Secretary (PR&RD) for providing information available with the Department on the relevant points.
23.	Tripura	
24.	Uttar Pradesh	Survey completed in all 59073 Gram Panchayats. Number of Household with insanitary latrine identified as 155178. Night soil removed by 8898 scavengers. Out of these rehabilitation of 8580 Manual Scavengers got done through Social Welfare Department. As regards remaining 318 persons, it has been reported that either they don't live in the village or left the village or have expired. Confirmation of this data is being got done through 3 rd party namely "Giri Vikas Adhyayan Sansthan, Lucknow".
25.	Uttarakhand	Survey completed in 7956 Panchayats. Information on other points is NIL.
26.	West Bengal	
27.	Andaman & Nicobar	Survey has been done in all 70 Gram Panchayats. Number of Household with an insanitary latrines have been indicated as 670. However, no person is indicated to have been engaged as Manual Scavenger for open drains or septic tanks. No information provided about MS rehabilitated.
28.	Dadra & Nagar Haveli	No insanitary latrine constructed in this UT. Sanitary Latrine with septic tank constructed in UT. No person employed as Manual Scavenger. Prosecution of violation of provisions are made.
29.	Daman & Diu	
30.	Lakshadweep	
31.	Puducherry	