

# MANUAL CLEANING OF SEWERS AND SEPTIC TANKS: WHAT DOES THE LAW SAY?

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## SUMMARY

In December 2013, the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act ("the Act") was notified by the Central Government. The Act is a Parliamentary law, binding on all states. While an earlier 1993 law prohibited the employment of manual scavengers and construction of dry latrines, the strength of the new Act is that it brings hazardous cleaning of sewers and septic tanks under its ambit. This brief focuses on the legal environment for manual cleaning of sewers and septic tanks, a practice that has led to many deaths, most recently in Delhi, the national capital. Drawing on the Act and associated Rules, it examines the existing legal framework, and poses the following questions:

- What are the circumstances in which manual cleaning of sewers and septic tanks is permissible?
- How is manual cleaning of sewers and septic tanks to be carried out safely?
- What are the penal consequences of hazardous cleaning of sewers and septic tanks?
- Who is responsible for enforcement of the Act?

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## INTRODUCTION

According to the 2011 Census, 46.9% households in India have access to toilets. Of these, 9.8% individual household latrines (IHHLs) in statutory urban areas are connected to sewers,<sup>1</sup> and 10% to septic tanks.<sup>2</sup> In rural areas,<sup>3</sup> a mere 2.2% of IHHLs are connected to sewers, 12.2% to septic tanks and 10.3% are connected to other on-site sanitation systems. Figure a shows how households with septic tanks and sewer connections are distributed across urban and rural areas. There are almost twice as many septic tanks as sewer connections. *While there are more septic tanks in rural areas, where they account for 85% of connections, they comprise more than half the connections in urban areas, mostly in small and mid-size towns. Within urban areas, as shown in Figure b, the large million-plus cities, which have more developed sewer networks, account for less than one in five septic tanks (and 65% of sewer connections).* The cleaning of septic tanks is a household responsibility, and the high prevalence of septic tanks in rural areas and smaller urban areas poses a particular challenge in that much of this cleaning will be done by small and often informal service providers, contracted by households.

Figure a: Share of Urban and Rural Households with Septic Tanks and Sewer connections 2011

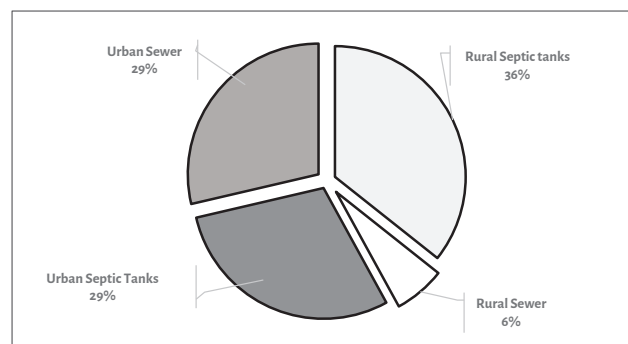
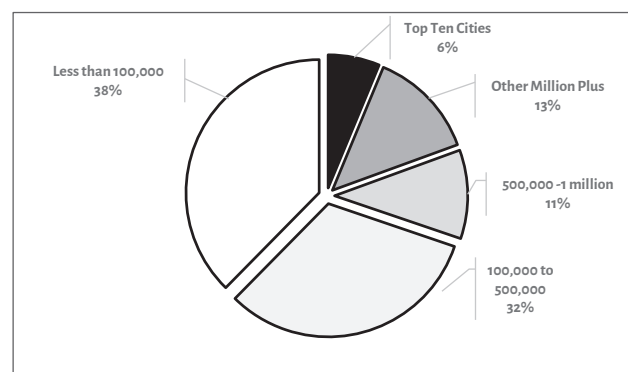


Figure b: Share of Septic Tank connections by Size of Urban Area 2011



**Source:** Authors' calculations from data in Census 2011. The top ten cities are Mumbai, Delhi, Kolkata, Bengaluru, Chennai, Hyderabad, Pune, Ahmedabad, Surat and Jaipur.

Conversely, operation and maintenance of sewers is a public responsibility. The recent deaths of sewer workers in Delhi illustrate that unfortunately, even the national capital appears ill-equipped to perform this task in a safe manner, despite relatively better institutional capacity and availability of funds.<sup>4</sup> The Atal Mission for Rejuvenation and Urban Transformation (AMRUT)<sup>5</sup> recognises sewerage and septage management as key components and provides funding for augmentation of sewer networks and faecal sludge management. However, it excludes over 3,500 small towns of less than 100,000 in population, which have 38% of the septic tanks. The question then is whether attention is being paid to the safe cleaning, transportation and treatment of waste. If not, the consequences for workers who unclog manholes, empty septic tanks, and clean pits connected to latrines, may continue to be fatal.

In this context, the Central Government notified the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act ("the Act") and its associated rules ("the Rules") in December 2013. The Act is a Parliamentary law, binding on all states. While the earlier 1993 law prohibited the employment of manual scavengers and construction of dry latrines, this Act also brings hazardous cleaning of sewers and septic tanks under its ambit. The Act, while recognising the link between the dehumanising practice of manual scavenging arising from the continuing existence of insanitary latrines and an inherently inequitable caste system, is also cognisant of the fact that manual cleaning of sewers and septic tanks places workers at risk of death and serious injury. It places restrictions on such activities in order to protect workers involved in them. Non-compliance with these restrictions is viewed as an offence defined as 'hazardous cleaning' (discussed in detail later) in the Act. With increasing numbers of septic tanks and sewer coverage as part of the government's policy push for improved sanitation and replacement of insanitary latrines<sup>6</sup> under the Swachh Bharat Mission (SBM)<sup>7</sup> and AMRUT, the problem of hazardous cleaning and death of workers involved in these tasks is likely to exacerbate, if the Act is not implemented in letter and spirit. Drawing on the Act and the Rules, it examines the existing legal framework, and poses the following questions:

- *What are the circumstances in which manual cleaning of sewers and septic tanks is permissible?*
- *How is manual cleaning of sewers and septic tanks to be carried out safely?*
- *What are the penal consequences of hazardous cleaning of sewers and septic tanks?*
- *Who is responsible for enforcement of the Act?*

## WHAT ARE THE CIRCUMSTANCES IN WHICH MANUAL CLEANING OF SEWERS AND SEPTIC TANKS IS PERMISSIBLE?

*The Act envisages that sewers be cleaned mechanically in the ordinary course, with manual cleaning permitted only in exceptional circumstances, with protective gear and safety devices.* These circumstances are specified in Rule 3. The first four: (a) removal of manhole doors where mechanical equipment cannot be put into operation; (b) inter-linking the newly laid sewer mains with existing sewer mains, in case of sewer size of more than 300 mm diameter; (c) removal of submersible pump sets fixed at the bottom of suction wells; (d) construction of manholes or rectification of sewer mains; are when it is technically difficult to use mechanical equipment. The last and fifth exception is the most pertinent, viz. "any other circumstance, when it is absolutely necessary to have manual sewage cleaning". This can only be permitted by the CEO of the local authority after recording in writing the specific reasons for allowing such cleaning. Most incidences of manual cleaning take place under this exception. *No such restrictions are placed on septic tanks, which would appear to indicate that manual cleaning with safety equipment is generally permitted.* This difference is indicative of the fact that sewers are generally public facilities that are maintained by local authorities or agencies, and septic tanks are private facilities maintained by their owners or occupiers, and therefore a higher burden of mechanisation is placed on public authorities under section 33 of the Act.

## HOW IS MANUAL CLEANING OF SEWERS AND SEPTIC TANKS TO BE CARRIED OUT SAFELY?

The law places an obligation on every employer of any person cleaning a sewer or septic tank to provide protective gear and cleaning equipment. The details of protective gear and safety precautions are prescribed in the Rules. These can be broadly divided into two heads.

### Obligations of employers to provide safety gear and cleaning equipment

Rule 4 prescribes a list of forty-four protective gear and safety devices (see Annexure 2) that the employer has to provide to any person engaged to clean a sewer or a septic tank. In addition, local authorities are mandated to ensure that appropriate cleaning devices, some of which are listed in Rule 5, are used by persons engaged in cleaning sewers or septic tanks. Under Rule 6, all protective gear and cleaning devices are required to be checked every six months and repaired or replaced, as necessary. The employer is obligated to provide comfortable full body suits to workers entering manholes of depth more than five feet, and partial fishing wader body suits to those entering manholes with lesser depths.

### **Safety precautions to be followed by the employer for cleaning sewer or septic tank:**

**Before cleaning:** Employers must ensure safety precautions before manual cleaning of a sewer or a septic tank. There are twenty-seven of these detailed in the Rules (see Annexure 1), such as having a minimum of three employees present all the time, one of whom shall be a supervisor. Cleaning of a sewer or a septic tank may be done only in daylight; and for a duration not exceeding 90 minutes at a stretch, with a mandatory interval of 30 minutes between two stretches. Prior to cleaning, the atmosphere within the confined space is required to be tested for oxygen deficiency and the absence of toxic and combustible gases.

Further, to avoid injuries, the employer is required to ensure that all employees who are present on-site during cleaning work are trained and familiar with the knowledge to operate all equipment involved in cleaning work; and that they use safety gear and safety devices before entering a sewer line. The Rules provide for training to be conducted every two years, regular medical check-up of workers, and regular vaccination against respiratory, skin and other occupational diseases to which they are prone, due to exposure to harmful substances and gases in sewers. The employer is also required to ensure that every worker engaged in cleaning has a life insurance policy of at least ten lakh rupees, the premium for which shall be paid by the employer.

**During and after cleaning:** The employer is required to ensure that adequate safety precautions are taken at the time when workers are engaged in the cleaning of a sewer or a septic tank. Some of these include presence of rescue equipment such as a tripod and harness system for manoeuvring an injured worker to the surface, a basket stretcher or similar device for moving the injured worker to emergency transportation, first aid equipment, an ambulance in close proximity, etc.

Post-cleaning safety precautions have to be ensured by the employer when the worker comes out of the sewer or septic tank after a session of cleaning. These include provision of facilities for removal of contaminated clothing and for wash-up as well as cleaning, dry clothing, and immediate treatment for any cuts/bruises on the skin or problems with a respiratory organ suffered on account of cleaning.

### **WHAT ARE THE PENAL CONSEQUENCES OF HAZARDOUS CLEANING OF SEWERS AND SEPTIC TANKS?**

Section 2(1)(d) of the Act defines “hazardous cleaning” as the manual cleaning of a sewer or a septic tank without the protective gear, cleaning equipment, and observance of safety precautions prescribed under the Rules (See Annexures 1 & 2). Under section 7 of the Act, it is an offence to directly or indirectly

employ or engage any person for hazardous cleaning. Thus, *violation of the aforementioned safety precautions is a criminal offence under the Act, even in cases when hazardous cleaning does not result in death or serious injuries.* This prohibition applies to individual persons as well as local authorities and agencies. Section 8 of the Act prescribes a maximum punishment of two years’ imprisonment and fine of rupees two lakh for the first offence, and five years’ imprisonment and fine of rupees five lakh for subsequent offences.

#### **Procedure**

The offence under section 8 is made cognisable and non-bailable under section 22 of the Act, which means that *any person coming across an instance of hazardous cleaning of a sewer or septic tank can give this information to the police, who are then required to file an FIR.* The police can subsequently arrest the accused without warrant, and the accused will be required to approach a Court for bail. Further, under section 21 of the Act, the offence may be tried summarily and before a Judicial Magistrate of the first class. This results in simpler process for trial and conviction, without the requirement of framing a formal charge.

#### **Evidence**

Proving the offence under section 8 of the Act only requires evidence of hazardous cleaning (i.e. manual cleaning without following the prescribed safety measures indicated in the preceding section) being carried out by a worker in direct or indirect engagement or employment with the person being prosecuted. For instance, if an officer of a local authority is found to be engaging workers for manual cleaning of a sewer without the written permission of the CEO, the lack of such permission could provide evidence of the offence being committed. Similarly, a photograph or video of a worker cleaning a septic tank without prescribed safety equipment, can constitute evidence of an offence by the person engaging or employing such worker. *The offence under section 8 of the Act could thus provide a fast and efficacious way to ensure that persons responsible for the dangerous practice of hazardous cleaning are brought to justice.*

### **WHO IS RESPONSIBLE FOR ENFORCEMENT OF THE ACT?**

A number of authorities are tasked by the Act with functions related to vigilance and follow-up to prevent hazardous cleaning of sewers and septic tanks, and ensure action in case of the activity being carried out illegally.

#### **District Magistrate**

Under section 19 of the Act, the District Magistrate (DM) has the mandate of ensuring that all provisions of the Act are duly complied with, within their district. In particular, the DM is required to ensure that no person is engaged or employed as a manual scavenger within their jurisdiction; and that persons

contravening the provisions of section 7 are investigated and prosecuted. The State Government may confer such powers on the DM under section 18 as are necessary to carry out these functions. *Thus, the Act makes the DM the apex authority in the district for taking action in cases of hazardous cleaning of sewers and septic tanks.*

### Local Authorities

Section 33 of the Act places a duty on every local authority or agency to use appropriate technological appliances for cleaning of sewers and septic tanks under their control, with a view to eliminate the manual handling of excreta. *“Local authorities” under the Act include both municipalities and panchayats, which means that mechanised cleaning is as much an imperative in rural areas as it is in urban areas.* Similarly, “agency” includes bodies other than local authorities, and would cover para-statal organisations that carry out sanitation work in many states. Under Rule 3, the CEO of the local authority is given the responsibility of granting permission for manual cleaning in exceptional circumstances, after recording in writing the specific reasons therefor.

### Inspectors

Section 20 of the Act empowers the State Government to appoint inspectors for the purposes of the Act. Inspectors, within the local limits of their jurisdiction, have the power to conduct inspection, investigation and enquiry, where there is reason to believe that an offence under the Act has been or is being or is about to be committed. Under Rule 13, the inspector may examine premises where there is reason to believe that hazardous cleaning of a sewer or septic tank is being carried out, and has the power to stop any hazardous cleaning found in the course of an inspection, along with issuing a notice to the local authority, person or agency involved. Inspectors also have general powers of entry without a warrant, search and seizure in respect of any premises where an offence under the Act has been committed, and to question persons found on such premises.

### Vigilance Committee

Section 24 of the Act requires the State Government to notify a Vigilance Committee in every district, headed by the DM and comprising, among others, MLAs from the district, the Superintendent of Police, heads of local authorities, representatives of manual scavengers, and district-level officers (see Annexure 3). The Vigilance Committee's functions include advising the DM on action which needs to be taken to ensure that the provisions of the Act and Rules are properly implemented, and in particular, monitoring the registration of offences under the Act and their investigation and prosecution. Thus, the Vigilance Committee plays an important role in supervising the DM's functions and monitoring penal proceedings in cases of hazardous cleaning.

### Monitoring Committee

At the State level, a Monitoring Committee headed by the Chief Minister (see Annexure 4) is to be established to monitor and advise the State Government and local authorities for effective implementation of the Act, and co-ordinate the functions of all concerned agencies. The Monitoring Committee's coordination role is important since there may be multiple agencies involved in cases of hazardous cleaning.

### National Commission for Safai Karamcharis (NCSK)

Under section 31 of the Act, the National Commission for Safai Karamcharis (NCSK) is tasked with a number of functions, in particular, enquiring into complaints regarding contravention of the provisions of this Act and conveying its findings to the concerned authorities with recommendations requiring further action; and taking suo motu notice of matter relating to non-implementation of the Act. For this purpose, it has the power to call for information with respect to any of the preceding matters from any Government or local or other authority. The NCSK thus provides an alternate forum for redress in case complaints relating to cases of hazardous cleaning are not addressed by the appropriate authorities listed above.

### CONCLUSION

As this brief clearly outlines, there is a substantive and detailed process in place for undertaking manual cleaning of sewers and septic tanks where necessary. However, the capacity and associated institutions for implementing this process appear to be lacking even in the national capital, as evidenced by the recent series of deaths.

This raises concerns about the nature of preparedness of public authorities and also service providers and individual households in the smaller towns and indeed the rural areas, which account for a majority of septic tanks and where they are expected to grow rapidly. Both policy and the law appear to be cognisant of this problem. ‘Eradication of Manual Scavenging’ is one of the key mission objectives of SBM (Urban).<sup>8</sup> In AMRUT which focuses on cities above 100,000 in population, septage management is a key component. It emphasises the mechanical cleaning of septic tanks and sewers, including a sophisticated monitoring protocol.<sup>9</sup> In 2016, the Ministry of Urban Development included implementation of city-wide FSM in 131 cities as a part of SBM.<sup>10</sup> These designated cities will be the torch bearers of FSM in the country.

The challenge, however, is to build an institutional structure for delivery. *To begin with, the establishment of the District Level Vigilance Committees and State-Level Monitoring Committees*

*in every district and state must be expedited.* These committees would then oversee the implementation of the following further actions:

- Ensuring that the prescribed safety devices in Annexure 2 are procured by the relevant public authorities and private service providers.

This may not be as easy as it seems, since the distribution networks for such devices in smaller towns and villages may be lacking and competitive procurement may be difficult and time-consuming.

- Ensuring provision on training on use of these safety devices and on the safety protocols in Annexure 1.

Adopting the legally mandated practices at city-level requires significant capacity building. This is immediately needed in the public institutions responsible for sewerage networks (whether state departments, agencies or urban local bodies). It is equally necessary for private providers who provide septic tank cleaning services to households. Given the existing responsibilities of the DM, the officer responsible for implementing the Act, this may need institutional support, which could be provided under capacity building support budgets of existing urban schemes like AMRUT and NULM. Corresponding solutions are needed for rural areas with high coverage of septic tanks. The experience of states like Kerala, where many panchayats already provide services for on-site sanitation systems, could prove instructive.

The Committees could also consider registering workers involved in cleaning sewers and septic tanks under the Unorganised Workers Social Security Act, 2008. This would help easily identify sanitation workers for targeted interventions such as periodic safety training, and facilitate their access to social security benefits through notified schemes, such as the Rashtriya Swasthya Bima Yojana (RSBY).

Stringent implementation of conditions and safety norms prescribed under the Act and Rules would go a long way in reducing avoidable mortalities in septic tanks and especially sewers maintained by local authorities and public agencies. It is important to accept institutional responsibilities clearly delineated in the law, and fix accountability for such deaths in line with the provisions of the Act.

## NOTES

1. Under the Act, a “sewer” is defined as an underground conduit or pipe for carrying off human excreta, besides other waste matter and drainage wastes.
2. Under the Act, a “septic tank” is defined as a water-tight settling tank or chamber, normally located underground, which is used to receive and hold human excreta, allowing it to decompose through bacterial activity.
3. In this note, a rural area means an area administered by a panchayat, specifically, it includes census towns, which are otherwise defined as urban by the Census.
4. See, for instance: <http://timesofindia.indiatimes.com/city/delhi/39-dead-in-100-days-while-cleaning-sewers-wilson/articleshow/59613603.cms>
5. AMRUT guidelines are available from <http://amrut.gov.in/writereaddata/amrut%20guidelines%20.pdf>
6. An “insanitary latrine” is defined as a latrine which requires human excreta to be cleaned or otherwise handled manually, either in situ, or in an open drain or pit into which the excreta is discharged or flushed out, before the excreta fully decomposes in such manner as may be prescribed. A “latrine” is a place set apart for defecation together with the structure comprising such place, the receptacle therein for collection of human excreta and the fittings and apparatus, if any, connected therewith.
7. SBM is a centrally sponsored scheme, pushing for eradication of open defecation through large-scale construction of IHHL, community toilets and public toilets, both in urban and rural areas and generation of awareness, as well as better solid waste management. The Guidelines for the Swachh Bharat Mission (Urban) and Swachh Bharat Mission (Gramin) are respectively available from [http://www.swachhbharaturban.in:8080/sbm/content/writereaddata/SBM\\_Guideline.pdf](http://www.swachhbharaturban.in:8080/sbm/content/writereaddata/SBM_Guideline.pdf) and <http://www.mdws.gov.in/sites/default/files/SwachBharatGuidlines.pdf>
8. Although SBM (Rural) does not specifically state ‘eradication of manual scavenging’ as a goal, it clearly points out that the construction of insanitary latrines as defined under the Act will not be permitted in rural areas.
9. For the component on sewerage and drainage system, the mission puts forward four smart solutions: (a) monitoring sewerage level in manholes at strategic locations in the sewer pipe network; (b) raising alarms in the Central Monitoring station when the level in manholes exceeds the present limit value; (c) ensuring daily, weekly and monthly reports for all the mentioned parameters, and (d) developing an ultrasonic level sensor with integrated GSM modem. These are intended to provide an additional level of safety and monitoring in sewers.
10. Ministry of Urban development. D.O. 20/3/2016-SBM-2 dated 22nd August, 2016 on “Faecal Sludge Management (FSM)” - Rapid Assessment Tool.

**ANNEXURE 1: SAFETY PRECAUTIONS TO BE ENSURED BY THE EMPLOYER BEFORE A PERSON IS ENGAGED IN THE CLEANING OF A SEWER OR A SEPTIC TANK (RULE 6)**

- a. There shall be a minimum of three employees present all the time, one of whom shall be a supervisor;
- b. The atmosphere within the confined space shall be tested for oxygen deficiency and toxic and combustible gases including but not limited to poisonous gases like Hydrogen Sulphide, Carbon Monoxide, Methane, and gasoline vapours, through detection tests including the following: -
  - lowering a detector lamp into the manhole,
  - inserting wet lead acetate paper which changes colour in the presence of hazardous gases,
  - detection of gases through gas detector masks.
- c. Before starting the cleaning (...) the supervisor referred to in clause (a) (...) has inspected and determined if the sewer serves any industries nearby to anticipate any hazardous atmosphere that may be encountered.
- d. The condition of metal-rung 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 flag man 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 which shall include the examination of respiratory organs, skin injuries, and other occupational diseases and injuries for their treatment to ensure that sewage workers afflicted with such diseases 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 training and adequately familiarised with the knowledge to operate 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 familiarised with any changes in method and technique with respect to the above.
- 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:-
  - only in day-light; and
  - for a duration not exceeding 90 minutes, at a stretch. There shall be a mandatory interval of 30 minutes between two stretches.
- l. Identify and close off or reroute 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 cardiopulmonary resuscitation should be 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., throughout the operation period.
- v. Structural safety of manhole rungs or steps must be tested before entering the manhole.
- w. Portable aluminium 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.
- aa. In the event of a sudden or unpredictable atmospheric change, an emergency escape breathing apparatus with atleast a 10 minute air supply is worn.

## ANNEXURE 2: LIST OF PRESCRIBED SAFETY DEVICES (RULE 4)

1. Air compressor for blower
2. Air line breathing apparatus
3. Air line respirator with manually operated air blower
4. Air Purifier Gas mask/chin cortege
5. Artificial respiration/Reticulate
6. Barrier caution tape
7. Barrier cream
8. Barrier cone
9. Blower
10. Breath mask
11. Breathing Apparatus
12. Caution board
13. Chlorine mask
14. Emergency medical oxygen resuscitator Kit
15. First Aid Box
16. Face Mask
17. Gas Monitor (4 gases)
18. Guide Pipe Set
19. Full body wader suit
20. Fishing wader suit attached with boots
21. Hand gloves
22. Head Lamp
23. Helmet
24. Helmet demolishing
25. Lead acetate paper
26. Life guard pad
27. Modular Airlines Supply Trolley System
28. Normal face mask
29. Nylon rope ladder 5 metres
30. Nylon safety belt
31. Pocket book
32. Port oxy
33. Raincoat
34. Reflecting Jacket
35. Safety belt
36. Safety body clothing
37. Safety body harness
38. Safety goggles
39. Safety Gumboots
40. Safety helmet
41. Safety showers
42. Safety Torch
43. Safety Tripod Set
44. Search light

## ANNEXURE 3: COMPOSITION OF DISTRICT-LEVEL VIGILANCE COMMITTEE (SECTION 24)

- the District Magistrate—Chairperson, ex officio;
- all members of the State Legislature belonging to the Scheduled Castes elected from the district—members: Provided that if a district has no member of the State Legislature belonging to the Scheduled Castes, the State Government may nominate such number of other members of the State Legislature from the district, not exceeding two, as it may deem appropriate.
- the district Superintendent of Police— member, ex officio;
- the Chief Executive Officer of,—
  - the Panchayat at the district level—member, ex officio;
  - the Municipality of the district headquarters—member, ex officio;
  - any other Municipal Corporation constituted in the district—member, ex officio;
  - a Cantonment Board, if any, situated in the district— member, ex officio;
- one representative be nominated by the railway authority located in the district;
- not more than four social workers belonging to organisation working for the prohibition of manual scavenging and rehabilitation of manual scavengers, or, representing the scavenger community, resident in the district, to be nominated by the District Magistrate, two of whom shall be women;
- one person to represent the financial and credit institutions in the district, to be nominated by the District Magistrate;
- the district-level officer in-charge of the Scheduled Castes Welfare—Member-Secretary, ex officio;
- 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.

#### ANNEXURE 4: COMPOSITION OF STATE-LEVEL MONITORING COMMITTEE (SECTION 26)

- the Chief Minister of State or a Minister nominated by him—Chairperson, ex officio;
- the Minister-in-charge of the Scheduled Castes Welfare, and such other Department, as the State Government may notify;
- the Chairpersons of the State Commissions for Safai Karamcharis, and Scheduled Castes, if any— member, ex officio;
- representatives of the National Commission for Scheduled Castes, and Safai Karamcharis—member, ex officio;
- not less than two members of the State Legislature belonging to the Scheduled Castes, nominated by the State Government: Provided that if any State Legislature has no member belonging to the Scheduled Castes, the State Government may nominate the members belonging to the Scheduled Tribes;
- the Director-General of Police— member, ex officio;
- Secretaries to the State Government in the Departments of Home, Panchayati Raj, Urban Local Bodies, and such other Departments, as the State Government may notify;
- the Chief Executive Officers of at least one Municipal Corporation, Panchayat at the district-level, Cantonment Board and railway authority as the State Government may notify;
- not more than four social workers belonging to organisation working for the prohibition of manual scavenging and rehabilitation of manual scavengers, or, representing the scavenger community, resident in the State, to be nominated by the State Government, two of whom shall be women;
- State-level head of the convener Bank of the State Level Bankers' Committee—member, ex officio;
- Secretary of the Department of the State Government dealing with development of the Scheduled Castes— Member-Secretary, ex officio;
- such other representative 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.

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#### SCALING CITY INSTITUTIONS FOR INDIA: SANITATION (SCI-FI: SANITATION)

This brief has been produced by the Scaling City Institutions For India: Sanitation (SCI-FI: Sanitation) research programme at the Centre for Policy Research (CPR) which focuses on inclusive and sustainable urban sanitation. The programme seeks to understand the reasons for poor sanitation, and to examine how these might be related to technology and service delivery models, institutions, governance and financial issues, and socio-economic dimensions. It also seeks to support national, state and city authorities develop policies and programmes for intervention with the goal of increasing access to safe and sustainable sanitation in urban areas.