



Standing Committee Report Summary

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Bill, 2012

- The Standing Committee on Social Justice and Empowerment (Chairperson: Hemanand Biswal) presented its report on the Prohibition of Employment as Manual Scavengers and their Rehabilitation Bill, 2012 on March 4, 2013. The Bill was introduced in the Lok Sabha on September 3, 2012 by the Minister of Social Justice and Empowerment, Mukul Wasnik.
- The Bill seeks to eliminate manual scavenging and insanitary latrines. It also aims to provide rehabilitation to manual scavengers and their families.
- The Bill holds local authorities responsible for rehabilitating manual scavengers. The Committee recommended that efforts should be made to suitably employ manual scavengers in municipalities, corporations and other local bodies.
- The Bill establishes a Central Monitoring Committee (CMC) composed of secretaries of various stakeholder ministries to oversee implementation of the Bill. The Committee recommended forming an Inter Ministerial Group, in addition to the CMC, to ensure coordination between ministries.
- The Bill sets up Vigilance and Monitoring Committees. The Committee recommended that women be better represented in both committees. Also, that the Committees should meet frequently and submit six monthly progress reports to Parliament.
- The Bill mentions that the cost of converting an insanitary latrine should be borne by its occupier. It also states that state governments may provide assistance for conversion but non-provision of assistance shall be an invalid ground for using an insanitary latrine. The Committee recommended that the centre cooperate with states to finance the entire cost of conversion to sanitary latrines.
- Current schemes such as Nirmal Bharat Abhiyan in rural areas and the Integrated Low Cost Sanitation Scheme in urban areas extend assistance to BPL and economically weaker section households. The Committee suggested that these schemes be extended to all occupiers of insanitary latrines irrespective of their economic status.
- The Bill penalises the occupier or the owner for employing scavengers and constructing insanitary latrines. The Committee noted that the penalties should be decided after giving due consideration to the financial status of such persons.
- Complaints regarding contravention of the Bill should be registered within three months from the date of occurrence of the offence. The Committee recommended reducing the period to 30 days.
- The Bill specifies a survey to identify manual scavengers. The Committee felt that the survey should mention the number of years a manual scavenger has been working and specify a cut-off date for eligibility to provide benefits to genuine individuals. A penal provision should be included to prevent bogus claims by manual scavengers.
- The Committee recommended that the Bill should specify the duties and responsibilities of officials responsible for implementation of the Act. Penalties and suitable administrative measures should be imposed on them in case of delays in delivering rehabilitation benefits to manual scavengers.
- Under the Bill, the Ministry of Railways is responsible for eliminating manual scavenging on railway tracks. The Committee recommended that the railways seek more funds for the Twelfth Five Year Plan for the conversion of all toilets into bio-toilets and elimination of direct discharge toilets.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.