

S.N. 2

Most Immediate

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. 2020/E(LL)/SCA/5

New Delhi, dated 01.10.2020

The General Managers
All Zonal Railways, Pus and
Metro Railway, Kolkata.

Sub : Recommendations made in the Annual Report 2019-20 by the National Commission of
Safai Karmcharis (NCSK)---Action Taken Report regarding.

Ministry of Social Justice and Empowerment have forwarded a copy of the Recommendations made in the Annual Report 2019-20 by the National Commission of Safai Karmcharis (NCSK) for comments of this Ministry. Recommendation no. 26 (Bullet by Point no.1), *inter alia*, reads as under:

"The Commission recommends that Indian Railways should appoint regular Safai Karmcharis, increase their number and discontinue outsourcing or contractual appointment for sanitation work. Also, the vacant posts of the Indian Railways should be filled up by regular Safai Karmcharis."

2. In view of the above recommendations, the Railways are requested to send the following information in the format given below :

Sanctioned strength of Safai Karmcharis as on 30.9.2020	No. of regular Safai Karmcharis as on 30.9.2020	No. of Safai Karmcharis engaged on contract basis as on 30.9.2020		No. of vacant posts of Safai Karmcharis as on 30.9.2020	Action plan to fill up the vacant posts of Safai Karmcharis
		Directly by the Railway	Through contractor or contracting agencies		

3. The comments of this Ministry are to be sent to Ministry of Social Justice & Empowerment by 16.10.2020 so that the Report could be laid before the Parliament. The Railways are thus, requested to

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send the above information by 09.10.2020 at Fax No. 011-23070939 or email address : jdell@rb.railnet.gov.in so that consolidated comments may be sent to Ministry of Social Justice & Empowerment within the stipulated time period.


(Ms. Manju)
Director Estt. (LL)
Railway Board.



S.No.1

File No.18-26/2020-PD(NCSK)

Government of India
Ministry of Social Justice & Empowerment
Department of Social Justice & Empowerment
(Plan Division)

B-2, Ground Floor,
Pt. Deendayal Antyodaya Bhawan,
CGO Complex, New Delhi-110 002.
Dated the 30th September, 2020

OFFICE MEMORANDUM

Subject: Recommendations made in the Annual Report 2019-20 by the National Commission of Safai Karamcharis (NCSK)- Action Taken Report regarding.

The undersigned is directed to forward herewith a copy of the Recommendations made in the Annual Report 2019-20 submitted by National Commission for Safai Karamcharis (NCSK). All Addresses are requested to send comments on the points pertaining to them by 16.10.2020 to the undersigned, so that the report could be laid before the Parliament at the earliest.



(Manoj Kumar Jha)

Under Secretary to the Government of India
Tel.No.011-24369839
Email: manojk.jha@nic.in

Encls: as above

To

1. Secretary, Ministry of Housing & Urban Affairs, Nirman Bhawan, C - Wing, Dr. Maulana Azad Road, New Delhi - 110011- w.r.t. Sl.No.6,10,13,19 of the recommendations and (iii), (iv), (v), (vii), (viii), (x), (xi), (xii) of other Recommendations at Sl.No.31
2. Secretary, Ministry of Health & Family Welfare, Nirman Bhawan, C-Wing, New Delhi - 110001: w.r.t. Sl.No.21 of the Recommendations.
3. Secretary, Ministry of Railways, Railway Board, New Delhi - w.r.t. Sl.No.26 of the Recommendations
4. Secretary, Ministry of Labour and Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi - 110001- w.r.t. Sl.No.11,17,18 and (i), (ii) & (ix) of other Recommendations at Sl.No.31
5. Secretary, Department of Expenditure, North Block, New Delhi - 110001: w.r.t. Sl.No.30 of the Recommendations and (vii) and (viii) of the other Recommendations at Sl.No.31.

6. Secretary, Ministry of Women and Child Development, Shastri Bhawan, A - Wing, Dr. Rajendra Prasad Road, New Delhi - 110001 - w.r.t. Sl.No.15 of the Recommendations.
7. Secretary, Department of School Education and Literacy, 124-C, Shastri Bhawan, New Delhi - w.r.t. Sl.No.20 and (ii) of other Recommendations at Sl.No.5.
8. GM, NSKFDC, NTSC, 3rd Floor, E-Block, NSIC, Okhla Industrial Estate Phase-III, New Delhi-110020: w.r.t. Sl.No.2,7,14,21,22,23,24,27 and 30 of the Recommendations.
9. Consultant (VN), Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Shastri Bhawan, New Delhi- w.r.t. Sl.No.1, 2,3,4,21,25, and (i) of other recommendation at Sl.No.5 and (xiii) of other recommendations at Sl.No.31.
10. Plan Division, Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Shastri Bhawan, New Delhi- w.r.t. Sl.No.28 and (vi) of other recommendations at Sl.No.31.

During the period 2019-20, this Commission visited to various places in the country to have an eye view on the Sanitation workers' working, living, education and socio-economic status, followed by the discussion/meetings with the competent authorities of the State/UT governments on the issues observed. Based on the suggestions/ observations made by them and taking into account the representations/grievances received from the associations/unions of Safai Karamcharis, the following recommendations are being proposed for consideration–

1. “The Prohibition of Employment of Manual Scavengers and their Rehabilitation Act, 2013”

On September 6, 2013, the Indian Parliament passed “The Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013” (the 2013 Act), committing itself to ending manual scavenging. Seven months later, on March 27, 2014, the Indian Supreme Court held that India’s constitution requires state intervention to end manual scavenging and “rehabilitate” all people engaged in the practice.

However, Manual scavenging practices still exist in many forms and mostly the people belonging to Scheduled Caste communities are engaged in such practices. Persons engaged in manual scavenging, do not have alternative employment to renounce the scavenging practices. The Commission observed that certain provisions of “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” needs to be amended in order to make it more specific and stringent. The Commission recommends the following suggestion to be made in the Act:-

- There should be a provision in the Act to fix the responsibility of the Inspector concerned in case of lapse in the implementation of provisions of the Act in his/her jurisdiction.
- There should be a provision of punitive action in the Act if the construction of sewage system or septic tank is not done in accordance with the specific guidelines pertaining to such construction.

- A Nodal authority in each State/district may be specified for implementation of the Act. A provision should be made in the Act about the accountability of the Nodal Authority with respect to implementing the provisions of this Act in the given jurisdiction. Also, his/her performance to this effect should be included in the Annual performance Appraisal of the officer.
- A provision should be made in the Act for a monitoring mechanism for usage of appropriate technological appliances including protective gears, etc.
- A timeframe of 05 years should be provided in the Act for complete mandatory mechanization of the sewer/septic tank cleaning system. After this Period, Policy of zero tolerance may be adopted and accountability may be fixed.
- A provision should be made in the Act itself about the quantum of the compensation in case of sewer/septic tank death (presently Rs.10 Lakh as per the Hon'ble Supreme Court's judgement, WP (civil) 583 of 2003, Safai Karamchari Andolan and ors vs union of India and ors) which should be enhanced to Rs.25 Lakh. A time frame may be fixed for release of Compensation.
- Limitation of 03 months given in section 10 of the Act for filing complaints seems insufficient. Hence it may be enhanced to at least one year.
- Definitions of "Sewers" and Septic tanks" may be widened to include all tanks containing animal waste, kitchen waste from hotels & restaurants, Poisonous Chemicals and like substances. Imprisonment and fine for engaging manual scavengers may be enhanced to make it exemplary.

2. Data of Manual Scavengers

The data in respect of the number of Manual Scavengers is the first requisite for abolishing the practice of manual scavenging and improving their quality of life. The survey at National level or in all State/UT has not been carried out for the identification of manual scavengers. The Government is still not sure about the number of Male and Female Manual Scavengers as on date in the country. In this regard, it is suggested that office of the RG& census Commissioner of India may be requested to carryout National level census of Manual Scavengers. Once this is available through Census, the Government of India

may have data on Manual Scavengers at one platform in the Country at all administrative levels such as Country, State, District, Urban/Rural, Male/Female, etc.

3. Sewer Death

The Commission has found that Sewer deaths are occurring in most of the States. Most of the workers hired for manual cleaning of sewer/septic tanks are usually hired on daily wages through a contractor. These Safai Karamcharis are neither trained to do the job nor provided with any equipment. The person, has to enter into the sewer/drain, without any mask or safety equipment and remains within it till he cleans it manually or is killed by the poisonous gases. This is the most filthy, in-human and dangerous work as compared to any other sanitation related activity. For sewer cleaning, age is no criteria because old as well as very young boys are sent inside the sewer systems resulting in frequent deaths. The Commission is of the view that due to lack of compassionate approach towards this issue the concerned authorities do not even feel the need to take action for stopping this evil practice.

The guidelines prescribed in the M.S. Rules regarding septic tank/sewer cleaners, are not followed. When the sewer/ gutter cleaner are made to enter into the gutter, even the basic requirement of safety equipment prescribed under the guidelines is not provided. Even the concerned supervisor is not present.

- The Commission recommends that in case manual cleaning is needed due to some emergency a proper mechanism be put in place before taking up any such cleaning. A properly trained worker should be allowed to enter the sewer. Only workers who are above 18 years of age, physically fit for their task, aware of the possible hazards and trained to deal with them and alert shall be employed for emergency situations.
- The government should endeavor for completely mechanized system of sewer cleaning. Proper directives and mandatory guidelines should be issued for adoption of appropriate machines/ new technology as suitable for the respective areas. Provision of sufficient funds for purchase of these machines may also be provided in the guidelines. The Govt. may consider providing

subsidy to States/UTs so that the process of mechanization is not stalled for lack of funds.

- A separate Insurance scheme should be initiated for Safai Karamcharis in case of any sewerage or gutter death.
- Appointment of a family member of the deceased (died while cleaning the sewers/manholes) may be given a govt. job on compassionate grounds on priority basis preferably within a fixed time frame. This appointment may be over and above the 5% ceiling on compassionate appointments.
- Directives should be issued to all the Municipal Corporations/ULBs and other Agencies to reinforce the mandatory security steps and stringent action should be taken in case of failure in complying with any of those.
- This Commission recommends that the Union Ministry of Home Affairs may issue directions to the police authorities in all States to register the cases of sewer deaths under the provisions of M.S Act, 2013 without any fail.
- Govt. may lay a robust sewerage system to do away the need for Private safety tanks. Proper drainage system with modern infrastructure may be developed so that human intervention for sewer cleaning is not required.
- The amount of compensation of sewer death cases may be enhanced and may be fixed at least Rs. 25/-lakh, with a fixed time frame for release of such compensation Nodal authority/department who will bear the expense of such Compensation, may also be clearly specified.

4. Payment of Compensation of Rs.10.00 Lakh to Sewer Death victims

- In a historic judgement in 2014, the Supreme Court had ordered that the families of all those who died during sewer cleaning must be given Rs 10 lakh as compensation.
- As per the information available with this Commission, 928 people have died during sewer cleaning in 20 States since 1993 till 31.03.2020, out of which full compensation of Rs 10 lakh has been granted in only 575 cases. Though the Commission, is pursuing all such cases on a regular basis, it recommends that a direction should be issued by the Central Govt. also to the States to settle the remaining cases and pay compensation of Rs 10.00 lakh in each case.

- The Commission recommends that liability of Principal employer may be specified for grant of compensation, who in turn can make requisite provisions in the contract.

- Keeping in view the larger number of deaths occurs during cleaning of Private Septic tanks, District Administration may take appropriate Steps to deter Private individuals from engaging people for manual cleaning. Penal provisions of MS. Act may be invoked mandatorily in such cases.

5. Self-Employment Scheme for Rehabilitation of Manual Scavengers

- The Commission noticed that in most of the cases, manual scavengers are not interested in taking loans as they are so poor that they cannot repay it. Therefore, they are interested in getting jobs in any form against the existing vacancies in the ULBs of the States/ other government organizations, Banks, Railways, etc.

- Separate residential schools for the children of Safai Karamcharis/Scavengers should be opened.

- As the population of the country has increased, the norms for appointment of Safai Karamcharis/Scavengers should be changed accordingly and more posts need to be created, and filled.

6. Introduction of Mechanization System

- Manual cleaning of Sewer/Septic tanks needs a surgical strike. A mission for total eradication of manual cleaning needs to be set up. The Centre must spell out a detailed, time-bound and transparent action plan for modernization of sanitation system with a monitoring and accountability framework, even if sanitation is a State subject.

- Adoption of New Technological innovations in all sanitation work is the need of the hour. If manual scavenging is to be eradicated completely, mechanized system of cleaning may be made mandatory. The Commission emphasizes to implement latest automatic technology for sewer, drainage, and street cleaning in all parts of the Country and recommends that comprehensive guidelines in this regard may be issued.

- Adequate funds may be earmarked for purchase of cleaning machines in State budgets and Centre may consider providing subsidy for this.

7. State Commission for Safai Karamcharis

The setting up of a State level Safai Karamchari Commission is a statutory requirement under the provisions of "The Prohibition of Employment of Manual Scavengers and their Rehabilitation Act, 2013". Accordingly, this Commission recommends that the Central Government should issue specific directives to the State/UT governments impressing upon them to establish an exclusive State Commission for Safai Karamcharis wherever it has not been established and to make them fully functional wherever they are already in place but the office bearers are to be appointed.

8. Number of Safai Karamcharis

A National Survey, like population enumeration by Census of India, for enumeration of all the Safai Karamcharis in the country, needs to be conducted by every State & UT. Every State should be directed to carry out a survey in respect of Safai Karamcharis. For this a common guideline should be issued by the concerned Central Ministry.

9. Post of Safai Karamcharis

A large number of posts of Safai Karamcharis remain vacant in ULBs and other agencies for a long period. The existing Safai Karamcharis are forced to share extra burden as they have to perform tasks which otherwise was supposed to be done/shared by more number of people.

In most of the establishments, these vacant posts are filled temporarily by engaging daily wagers or temporary/part time workers through out sources basis thereby denying opportunities to the prospective candidates for regular employment.

This Commission recommends that the work load of Safai Karamcharis should be periodically assessed and revised periodically keeping in view the increasing area and population of the city. New posts be created and existing vacancies be filled up in all ULBs. Safai Karamcharis should be suitably compensated for the work on holidays.

10. Garbage Handling

Covered Garbage Bins and small size Garbage Compactor vehicles may be provided by the respective administrative bodies to the sanitation workers in all Municipal Corporation/Municipality and Panchayat for collection and lifting the garbage from the narrow lanes and sub lanes. Besides, Motor trolley, Plastic bags, Belcha, etc. may also be provided.

Arrangement for additional bins, vehicles and more number of Safai Karamcharis should be made for collection of increasing volume of solid waste.

11. Minimum wages

The code on wages, 2019 was introduced on 08.08.2019 by the Union Govt. which extends to the whole of India. The Central Government had envisaged the national floor rate for wages after taking into account the minimum living standards of workers varying across geographical area. As per the code, where existing minimum wages are higher than the floor wages, the same shall be retained. The State government will fix the minimum wages for their region which cannot be lower than the national floor rate wages. The code also provides that there would be a review/revision of minimum wages at intervals not exceeding five years.

The States may be impressed upon to implement the provisions of the Code. A representative of Safai Karamcharis may be included in the Committee/Advisory Board to be set up for fixing of floor rate/minimum wage.

It should be ensured that the Safai Karamcharis are paid in accordance with the Code and all violations are strictly dealt with. Authorities should be asked to check that no Safai Karamchari, appointed as a daily wager through tender on annual contract, is paid lower than the prescribed wages.

All Safai Karamcharis (Regular/Daily Wager/Contractual) working in Municipal Corporation and other local bodies should be paid through electronic transfer along with message on their Mobiles, about the amount credited.

Their salaries should be paid on time and they should also receive their EPF Statements on a regular basis.

12. Regularization and Promotional Avenues

Contractual Safai Karamcharis working in Nagar Nigams, Nagar Palikas, Gram Panchayats, PSUs, for a continuous period of more than 15-20 years should be regularized by creating additional posts.

Educated Scavengers / Safai Karamcharis must be given opportunity for their career development. These scavengers/Safai Karamcharis should be rehabilitated to the appropriate vacant posts under the government. Safai Karamcharis should be given priority in filling up other junior level posts as they belong to the downtrodden section of the society.

Adequate promotional avenues ensuring at least 1 or 2 promotions be created, based on experience, technical or other qualifications acquired at entry or on a later date. This can be ensured by reserving certain percentage of posts in clerical and other cadres and also by introducing time scale promotions after a specified number of years in a particular scale of pay.

13. Sanitation as a Skilled Occupation

The job of cleaning of deep sewers/septic tanks, being hazardous in nature requires specific skills and ability. Moreover, in the Metro cities, this work involves handling of machines and equipments. Therefore, the sanitation workers engaged in hazardous types of cleaning and those requiring expertise/knowledge of operating machines/equipments for this purpose should not be placed at par with those engaged in unskilled employment. The Commission recommends that the Government should notify Scavenger/Safai Karamcharis involving in cleaning of deep sewers/septic tanks as a skilled activity and accordingly the persons engaged in such work should be given enhanced remuneration.

14. Occupational Training for Sanitation

To deal with the day to day problems of sewage management, urban municipalities are acquiring modern machines and equipments like Jetting and Sucking machines. Handling these machines requires specific skills. At present, the Commission has observed that these machines are also being operated by unskilled persons. Mechanization of sanitation work would require skilled manpower. Therefore, the Commission recommends that the course on Sewer Planning & management Operation; and Maintenance of Sanitation equipment

should be introduced for them. Occupational Training Provider should be identified in each district of the country and gradually capacitated to provide quality training in this sector.

15. Women Safai Karamcharis

The Commission received many complaints of sexual harassment of female workers by their employers/contractors. This needs to be viewed seriously by the Government. The Commission also receives complaints by female Safai Karamcharis regarding their postings to places far off from their place of residence. This, besides putting extra financial burden on them in terms of commuting expenditure, also disrupts their family life as they can't give enough time to their children. At their work places, the female Safai Karamcharis are not given the facility of changing/rest room in many cases.

The Commission recommends that there is a need to sensitize employers/contractors about gender issues. The Women Cell in each Department/organization/office should look into the grievances of female Safai Karamcharis with extra care and sensitivity. The work places should be made safer for the female Safai Karamcharis and changing room must be provided to them. Government should frame more woman oriented rehabilitation schemes for liberation of manual scavengers.

16. Compassionate Appointment

The Commission noticed that many cases of compassionate appointment are not disposed off quickly and most of them are rejected due to the restriction of 5% ceiling.

The Commission suggests that the long pending cases of Compassionate appointments should be looked into on priority basis and compassionate appointments should be considered in each and every death case. All the pending cases of appointment on compassionate grounds should be expedited and cleared in a time bound phased manner.

17. Employees Provident Fund and Insurance Scheme

In some cases, the EPF deducted from their salaries was not credited to their respective accounts and they were not issued EPF Statement.

The EPF and terminal benefits should be paid promptly in case of all category of employees.

Therefore, this Commission recommends that the Scavengers/Safai Karamcharis should invariably be covered under Insurance Schemes. Their contribution towards Employees Provident Fund should be mandatory and the fund should be deposited in the personal individual EPF account of the Safai Karamcharis opened in their name. The responsibility of its compliance should be made compulsory for the principal employer.

18. Contract Labour

The Safai Karamcharis are very vulnerable because they are mostly hired on contract basis and are being exploited on many counts. They are not paid the minimum wages, facilities like EPF, and medical reimbursement is also not provided to them. They suffer due to non-payment of minimum wages, insecurity in the job, unable to get any benefit of the Central and State Scheme, work for more than the stipulated work hours as per the Labour Law.

The Commission desires that the sanitation work being perennial in nature, should be kept out of the purview of employment on contract. The middleman in the form of contractor or NGO should be done away with. The Government should directly employ the Safai Karamcharis.

Both Union and State government authorities should discontinue the practice of contractual system and outsourcing in case of sanitation related activities.

19. Housing

The living condition of the bastis of Safai Karamcharis is substandard in almost all the States/UTs. Bastis of Safai Karamcharis lack in basic civic amenities like potable water, electricity, roads, sanitation etc. Houses provided/constructed for Safai Karamcharis are of poor quality, design and lack enough space. In most of the cases, there is no provision for toilets and they have to go to the nearby open areas for this purpose.

The Commission recommends that the standard design should be developed on State/UT basis by the CPWD, State PWDs, the District housing boards/

Urban and Rural Housing development bodies wherein special attention need be paid on all aspects. The latest construction techniques should be used.

The quality of construction should also be good and proper planning for laying of sewer and potable water pipes, electricity poles, presence of green spaces and the location of primary schools within walking distance from home should be included in the basic design itself.

There should be special emphasis on construction and providing of houses to the Safai Karamcharis by the Government, may be by devising another scheme for this purpose on priority basis. Such an initiative will go a long way in upgrading their health conditions and quality of life.

There should be a close coordination at the State and Central Level for various schemes relating to providing of houses to Safai Karamcharis for better implementation.

An Annual Action Plan should be prepared by each State UT government under PMAY and other housing schemes followed by close monitoring, and funds as State share should be separately earmarked for this purpose from their respective State plans.

There is a pressing need for public housing policy which focuses on the most down trodden and embraces the perspective of public health and maintenance of a healthy national housing initiative/programme.

20. Education

As compared to the rest of the population in the country, the literacy rate is still the lowest and the dropout rate is the highest amongst the children of Safai Karamcharis. In most of the cases, they hardly reach beyond primary level and in very few cases at the higher secondary and post matriculation level. The low level of literacy is also one of the main causes of their slow development.

Efforts have been made to educate this community, and a Centrally Sponsored Scheme known as 'Pre-Matric Scholarship for the children of those engaged in unclean occupation' was also launched by the Government of India to assist the children of scavengers, sweepers, etc. to pursue school education.

Promoting education, amongst children whose parents are engaged in unclean occupation, diverts the future generation away from the practice of scavenging.

Education is essential for the smooth rehabilitation of the scavengers after their liberation from this obnoxious trade. It will bring not only their social empowerment but also speed up their economic empowerment. Employment-oriented education and diversified occupational training, which has been recognized as the need of the day, should be given top priority in their respect. Special efforts should be made to vocationalise education. Job-oriented condensed courses need to be accorded priority to extend functionally viable and productive education to these Groups.

Literacy campaign should be started for the adults of this group. Specific modules created earlier as a part of the Total Literacy Campaign for educating the adult members of the community could be used for this purpose.

The Mass Media should be used as a powerful tool to encourage them to literacy. An environment should be created conducive to teaching-learning process. To encourage the female members of this community to be literate, adequate number of Anganbaris should be established in the bastis of the Safai Karamcharis to learn reading and writing during their relaxation time. Flexibility in school timing should be there to accommodate more number of Safai Karamcharis and their family members.

Educational Institutions need to be made accessible by opening sufficient number of Schools in the areas inhabited by Safai Karamcharis/ Scavengers.

The implementation of mid-day meal scheme may be specially checked to ensure that the children of Safai Karamcharis attend school regularly and are not left malnourished. The school authorities should endeavor to check social discrimination against the children of Safai Karamcharis.

The National Council for Education Research and Training should include appropriate material in the school syllabus on history of Manual Scavengers/Safai Karamcharis and the disadvantages faced by them since centuries. This may help in sensitization of general public towards removal of biases.

Appropriate laws and rules may be put in place to prevent the discrimination and harassment faced by the children belonging to Safai Karamcharis/Scavengers (Valmiki) communities in schools.

The vocational and training requirements of the Safai Karamcharis and their families must be suitably identified and catered to under the Skill India.

Keeping in view the poor economic condition of Safai Karamcharis, Government may provide some sort of financial support to the children of Safai Karamcharis for their higher education in the Private Institutions.

21. Health

- Considering the nature of job which involves the health hazards and risk in the Safai work, the Safai Karamcharis must be provided with free health care and complete medical facilities. Free Medical Camps should be organized on regular basis by the local administration with the help of Health Department/NGOs etc. in their bastis for their medical checkups and free medicines should be provided to them. Health care system under ESIC etc. may be made favorable towards their specific health needs.
- Health facilities should also be provided by the local administration to the Safai Karamcharis working in informal/unorganized sector. It should be a mandatory condition in every contract.
- Cashless Medical Card should be mandatorily provided to all sanitation workers.
- The Primary Healthcare Centers in towns and Anganwadis in villages should be made accountable to ensure Maternity care and child-care to these communities along with the nutritional requirements to the mother during pregnancy, during one year after the delivery and to the children particularly the female child until she is three years old.
- Preventive Health checkup at least once in 6 months may be made a norm for all sanitation workers.
- Hygienic public convenience facilities meant especially for these communities, within their settlements should be made available and easily accessible to them to ensure better health.

- Awareness about basic healthcare, maternity and child-care, through ASHA workers may be disseminated among the women folk of this community, as they are largely ignorant about the basics of healthcare and hygiene.
- The schemes under Integrated Child Development Umbrella must be extended to children of these communities on priority basis.
- In case of serious life threatening diseases, referral process to specialist Private Hospital may be made easy and less cumbersome with least paper work.

22. Skill Development for Rehabilitation in alternate occupation

- In order to help this underprivileged section of workers in rehabilitating themselves in alternate occupation, the primary need is to provide them sufficient opportunities through skill development trainings. Depending upon their education qualifications, a Policy intervention to encourage them for engaging in growth oriented sectors is very much required, if their sustainable rehabilitation is the goal. A well-defined strategy for identification of such sectors to which transition may be easy for them, high quality skill development training free of cost and hassle-free and collateral-free credit availability is required, for providing than meaningful employment.
- Skill development by providing training in technologically advanced sewer cleaning machines and other like machines/robots etc. may be included.
- Some soft skill trainings like basic accounting etc. may also to be a part of skill development curriculum.
- The skill development with its linkages to the job market, which may improve their employability and placement prospects may be the key factor in job based policy framing.
- Once they enter the new setup, either self-employment or a new job, it is necessary to provide some hand holding for a fixed period of time so that they don't quit.

23. Effective Rehabilitation Schemes

- It is felt that there is a requirement of proper study as to how a large number of Scavengers can be effectively rehabilitated. Specific skill trainings are required to be designed and implemented on the basis of finding of the study.
- The finding of this study may be used by the National Safai Karamcharis Finance and Development Corporation for guiding the loan seekers.
- It is recommended to increase the amount of One Time Cash Assistance of Rs. 40,000/- to at least Rs. one lakh.
- The procedure involved in obtaining the loan should be simplified and made user friendly.
- Mobile phone based system should be developed to check the interference of middlemen and touts.

24. Publicity/Advertisement of Welfare Schemes for Manual Scavengers/Safai Karamcharis

The Commission has observed that on the awareness front, the Central as well as the State governments have not made adequate efforts. Because of this lacunae, the beneficiaries and even the officials implementing the M.S Act and schemes relating to this category of people lack proper awareness. With the result, they are not able to derive the desired benefits and the Governments initiatives do not achieve their objective. The fervent mass media campaign on the lines of HIV, Pulse Polio, SarvaShikshaAbhiyan is required.

Adequate publicity should be given to the provisions of the M.S. Act 2013 and the welfare schemes applicable to the Scavengers/Safai Karamcharis and proper awareness should be created among the Safai Karamcharis and their families to avail these benefits. For this purpose, all requisite steps e.g advertisements in electronic and print media, publicity campaign, distributing pamphlets, hoardings especially in their Bastis, notice boards in the Govt./PSU Departments etc. should be taken. Periodic orientation programme for the officials implementing MS. Act, 2013 may be made mandatory.

25. Protection of Rights

- The Commission feels the necessity of enhancing awareness and sensitivity of the authorities whether it be civil or police, towards the problems of Safai Karamcharis and their families.
- In this direction, appointing a nodal officer in each police station is recommended. Similarly, there should be a provision of nodal officer for Safai Karamcharis issues at each Block, subdivisions and District level in the country. These nodal officials may be made responsible for providing assistance to the Safai Karamcharis in filing Complaints and pursuing them.

26. Manual Scavenging in Railways

- The Commission recommends that Indian Railways should appoint regular Safai Karamcharis, increase their number and discontinue outsourcing or contractual appointment for sanitation work. Also, the vacant posts of Safai Karamcharis in various zones of the Indian Railways should be filled by recruitment of regular Safai Karamcharis.
- The Commission also recommends that Indian Railway should increase mechanization of cleaning work at the station, Coaches, Platform and railway tracks.
- Bio-toilets should be installed in all passenger coaches without any fail.
- The manual scavenging seen in Railways should be stopped forthwith and no manual cleaning should be allowed.
- While signing MOUs with private partners for running of trains, there should be a specific clause mentioning that manual scavengers will not be involved and if found to be done, provision for adequate penalties should be there.

27. Financial Assistance from NSKFDC

- NSKFDC financial assistance is routed through State Channelizing Agencies and nodal Banks in the States, but it is seen that these banks and SCAs do not disburse the loans and funds are parked with them. Loans are denied due to insignificant procedural lacunae in the loan proposals. NSKFDC may directly supervise the disbursement of loans.

- Awareness about NSKFDC schemes is very low amongst the target group. Financial assistance may be provided by NSKFDC to SCAs/NGOs for conducting awareness programmes at district and State level to propagate its schemes.
- A proactive approach is required on the part of NSKFDC and SCAs to reach out to beneficiaries. Wider publicity may be given to the schemes by conducting awareness camps in colonies of Safai Karamcharis. States may be impressed upon to establish specific State Safai Karamcharis Finance and Development Corporations to ensure more focused approach.
- NSKFDC may extend One Time Settlement (OTS) to SCAs for settlement of overdue issues so that schemes are not stalled and beneficiaries are not made to suffer.
- Those who have undergone skill development training under NSKFDC schemes may be given priority in extending loans for setting up their self-employment projects.

28. Powers of the Commission

Over the years, powers and status of the Commission have been diluted. The Commission lost its statutory status in 2004 and since then it has been functioning as a Non-Statutory Body that is granted extension from time to time. Unlike other statutory Commissions, the National Commission for Safai Karamcharis does not have the powers to summon officers of the establishments concerned and have their oral evidence. It cannot obtain information, documents, receive evidence on affidavit, enforce attendance of a person and examine him on oath or call for public records by issuing notices. As a result, the Commission cannot assert the way it should in providing/giving relief to the aggrieved Safai Karamcharis. The non-permanent status of the Commission is also proving to be a hurdle in attracting and retaining competent and motivated staffs on deputation as generally officers/staff are not interested in working in offices having short tenure.

The Commission should be made a Constitutional/Statutory Commission and be given a Permanent Status with judicial and executive powers. Since the problem of sanitation workers is high, it is high time that the Government

should strengthen the Commission so that it can discharge its duties and functions effectively.

The issues of Safai Karamcharis will always be there. Mechanized systems can only decrease the level of human intervention. But the persons involved in cleaning or sanitation work i.e. Safai Karamcharis require an appropriate organization to take up their issues specifically. It is, therefore, recommended that this Commission should be a permanent Constitutional/Statutory body with powers of a civil court and enhanced administrative powers.

This Commission also recommends that the Central Government should sensitize the State/UT governments to take serious view of the letters /communications issued by this Commission and give due weightage to its recommendations pertaining to the welfare of Safai Karamcharis in the country.

29. Caste Certificate

It had been noticed that the sanitation workers in big cities mostly come from smaller cities and villages of relatively poor States and settle there since generations residing in unauthorized colonies without basic amenities. This section of our society does not have ownership of their houses/land. Hence due to lack of permanent domicile they are not provided Caste/Permanent Residence Certificate by the local authorities, thus depriving them of the benefits of Government Welfare Schemes.

The Commission recommends that Caste Certificates may be issued to all such Safai Karamcharis as one time relaxation. Such affirmative actions are necessary to boost up their morale and to prevent them from suffering due to policy decisions. .

30. Jammu & Kashmir

The Safai Karamcharis of Jammu & Kashmir had been deprived of the benefits of various Central Govt. schemes due to its earlier status under Article 370 of the Constitution. With the change in the status of J&K, it is felt that the Safai Karamcharis/Scavengers of the UT may be given extra assistance to make up for the years of deprivation. It is, therefore, recommended that special

financial package may be extended for the Safai Karamcharis/Scavengers of the UT of Jammu & Kashmir.

31. Other Recommendations

- Wherever formally used, the designation of Safai Karamcharis may be changed to Safai Sewak/Safai Nayak throughout the country to inculcate a sense of self-respect amongst them.
- Keeping in view the risks taken and services provided by the Safai Karamcharis, this Commission recommends putting in place incentive and rewarding system for them at different levels. This should be applicable in both private and public sectors.
- The Commission recommends that the persons, families and communities traditionally involved in scavenging work must be given preference by the government agencies while awarding cleaning contracts.
- It has come to notice of the Commission that in some cases general category persons appointed to the post of Safai Karamcharis do not attend to their work themselves and rather outsource it to Valmikis or other Scheduled Castes, which leads to their exploitation. Adequate provision should be made to avoid such malpractices.
- All Safi Karamcharis should be equipped with and trained to use basic mobile phone facilities to prevent influence of middlemen and touts.
- Awareness should be spread that use of abusive and derogatory language based on the occupation against Safai Karamcharis/Manual Scavengers or their children is not done and in case of violation, should be dealt with strictly.
- Nowadays the Safai Karamcharis are generally hired on contract basis which has opened the door of harassment and exploitation of these poor people at the hands of unscrupulous contractor. The Commission, therefore, recommends that at least the government agencies and Urban/Rural Local bodies should recruit Safai Karamcharis on regular basis as cleaning is a regular work.

- Wherever the posts of Safai Karamcharis' earmarked for general categories could not be filled up due to lack of applicants from the general category candidates, vacant posts should be filled up by recruiting those who are working on temporary basis since many years.
- This Commission has been receiving complaints regarding the denial of minimum wages. The Union Ministry of Labour & Employment has already enacted THE CODE ON WAGES, 2019. The Commission recommends that suitable directives should be issued to the State/UT government that the provisions of The Code on Wages, 2019 and Rules thereunder may be strictly followed in case of Safai Karamcharis.
- Adequate counseling facilities should be made available to the Safai Karamcharis across the States/ UTs to save them from the exploitation by middlemen, touts and moneylenders.
- Keeping in view the increasing work of cleaning required due to rapid urbanization and industrialization, periodic assessment of number of Safai Karamcharis should be done and recruitment done accordingly.
- There should be a provision of Community meeting place/ Community Halls in each Mohallah/Basti of Safai Karamcharis.
- The efforts to abolish manual Scavenging through legislation have not been proved to be totally effective as many sewer deaths are still happening in the country. The Commission feels that the problem should be addressed at the level of town planning and architecture level also and stringent guidelines should be included in the drainage systems being built to discourage the scope of manual scavenging.