

The M.P. Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Rules, 1998

MADHYA PRADESH

India

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Rule

THE-M-P-EMPLOYMENT-OF-MANUAL-SCAVENGERS-AND-CONSTRU of 1998

- Published on 17 July 1998
- Commenced on 17 July 1998
- [This is the version of this document from 17 July 1998.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Rules, 1998Published vide Notification No. 35-18-3-98, dated the 17th July, 1998, M.P. Rajpatra, Part 2, dated 31-7-1998In exercise of the powers conferred by sub-sections (1) and (2) of Section 23 of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (No. 46 of 1993), the State Government hereby makes the following rules, namely :-

1. Short tile and commencement.

(1)The rules may be called the Madhya Pradesh Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition), Rules, 1998.(2)These rules shall come into force with effect from the date of their publication in the "Madhya Pradesh Gazette."

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (No. 46 of 1993);(b)"Committee" means a State Co-ordination Committee constituted under sub-section (4) of Section 13;(c)"Member" means a member of the committee and includes its Chairperson and the Member-Secretary;(d)"Section" means a Section of the Act.

3. Composition of the State Co-ordination Committee.

- The State Co-ordination Committee shall consist of the following persons, namely :-

(i) Minister incharge of the Local Government	Chairperson.
(ii) Minister incharge of the Welfare of Scheduled Castes/Scheduled Tribes or Social Welfare	Member
(iii) Two representatives of Non-Governmental Organisations or Social Workers engaged in the upliftment and welfare of Scheduled Castes/Scheduled Tribes.	Member
(iv) Secretary of the Government Social Welfare Department	Member
(v) Secretary of the Government Local Government Department	Member
(vi) Director, Urban Administration	Member Secretary.

4. Functions of the State Co-ordination Committee.

(1) It shall be the function of the State Co-ordination Committee to monitor and review the progress of implementation of the Act and more particularly the schemes for, - (i) conversion of dry latrines into pour flush water seal latrines; (ii) construction and maintenance of water seal latrines; and (iii) the rehabilitation of persons employed for manual scavenging in other gainful occupations. (2) Subject to the generality of sub-rule (1), it shall be the duty of the Committee to, - (i) obtain from each district level committee constituted by the Government, a report of the progress in such form as may be specified by the Committee on the implementation of the Act at such periodic intervals as the Committee may decide; (ii) review the schemes drawn up for the rehabilitation of those engaged as manual scavengers, who have been rendered jobless on the implementation of the Act in the areas notified by the State Government; (iii) give such directions as may be deemed necessary but subject to the guidelines framed by the State Government, for the effective implementation of the Act in the areas notified by the State Government; (iv) assess the financial assistance required for the implementation of the Act, including the financial assistance required for the rehabilitation of the liberated manual scavengers for each town or city and make recommendations to the State Government on the matter in which resources are to be raised and the phasing of expenditure; (v) monitor and ensure that the rehabilitation assistance reaches the needy and the deserving and make recommendations as to the best manner in which the liberated manual scavengers may be provided gainful employment, keeping in view the employment opportunities locally available; (vi) submit to the State Government, through its Member-Secretary, a half-yearly report of its activities and recommendations within two months of the close of the half year periods April to September and October to March each year.

5. Power of the Committee.

- In the discharge of its functions, the Committee shall, - (i) call for such information, report statistical data as it may require from the District Level Committee, Municipality, the Executive Authority or any implementing agency and it shall be duty of the District Level Committee, Executive Authority

or, as the case may be, the Implementing Agency to furnish such information, report and statistical data promptly;(ii)be free to visit any notified area in which the Act is being implemented for the purpose of evaluation or monitoring of implementation;(iii)exercise its powers through its Member-Secretary.

6. Terms and conditions of appointment of members of the State Co-ordination Committee.

(1)The chairperson and the other ex-officio members of a committee shall hold office as such so long as they hold the respective office by virtue of which they have been appointed or nominated to the Committee.(2)The appointment of other members of the Committee shall be for a term of three years.(3)The travelling allowance and daily allowance of members for attending meetings of the Committee and for tours in connection with the work of the Committee shall be as applicable to Ministers, in the case of Ministers appointed as Members and, as applicable to Members of the Legislative Assembly, in the case of the Legislative Assembly, appointed as members.(4)The travelling allowance and daily allowance of the Member-Secretary shall be regulated by rules applicable to such Member-Secretary as a State Government servant. The non-official members shall be treated as State Government servants of the highest grade for purposes, of travelling allowance and daily allowance.

7. Meeting of a Committee.

(1)A Committee shall meet as often as may be necessary to transact its business ;Provided that not more than two months shall elapse between two successive meetings;(2)The meetings of the Committee shall ordinarily be held in the State Capital ;Provided that the Chairperson may with permission of the State Government call for a meeting of the Committee at the headquarters of a district or division for reviewing or monitoring of the schemes implanted in that district or division.(3)The representative of the State and Union territories whose schemes are to be reviewed by the Committee shall be invited to attend and participate in the meeting.(4)The Chairperson of the concerned committee shall preside over to all meetings. In the absence of the Chairperson, the members present shall elect one amongst them to preside at the meeting.

8. Notice of Meeting and list of business.

(1)The Member Secretary of the Committee shall draw up and circulate to the members of the Committee the agenda items and brief notes on agenda items at least seven days before the scheduled date of the meeting.(2)The notice shall specify the place, date and time of the meeting and specify the business proposed to be transacted thereat.(3)No business which is not on the agenda shall be considered at the meeting without the permission of the Chairperson or in his absence the other presiding member, as the case may be.

9. Quorum.

(1)At every meeting of a Committee, one third of its members shall form a quorum.(2)If at any meeting a quorum is not present, the Chairperson or the presiding member as the case may be shall, after waiting for thirty minutes, adjourn the meeting for such hour on the same day or the following day or some other day as he may think fit and the notice of such adjournment shall be given to the members present as well as affixed on the Notice Board of the committee and the business which was to have been brought before the original meeting, had there been a quorum, shall be brought before the adjourned meeting and may be disposed off irrespective of the quorum.

10. Minutes of the meetings.

(1)Immediately after each meeting of a committee the Member-Secretary shall draw up the minutes of the meeting and submit the same to the Chairperson or the other presiding member as the case may be, for his approval for taking further necessary action. The minutes so approved shall be circulated to the members of the committee for inviting comments, if any.(2)The minutes circulated under sub-rule (1) shall be placed before the committee for confirmation and shall be subject to such modification, if any, as the committee may deem fit to be made therein, and the minutes so approved shall be signed by the Chairperson or in his absence, the presiding member as the case may be and be entered in a book to be kept for that purpose.