

THE EMPLOYMENT OF MANUAL SCAVENGERS AND CONSTRUCTION OF DRY LATRINES
(PROHIBITION)

(CENTRAL) RULES, 1997

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THE EMPLOYMENT OF MANUAL SCAVENGERS AND CONSTRUCTION OF DRY LATRINES
(PROHIBITION)

(CENTRAL) RULES, 1997

G.S.R. 265, dated 6th June, 1997¹.-In exercise of the powers conferred by sub-sections (1) and (2) of Sec. 22 of the Employment of Manual Scavengers and Construction of Dry Latrines Prohibition) Act, 1993 (46 of 1993), the Central Government makes the following rules, namely:-

1. Published in the Gazette of India, Pt. II, Sec. 3 (i), dated 21st June, 1997.

1. Short title and commencement.-

(1) These rules may be called the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) (Central) Rules, 1997.

(2) They shall come into force ² on the date of their publication in the Official Gazette.

2. Enforced w.ef. 21st June, 1997

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 (46 of 1993);

(b) “Committee” means a committee constituted under sub-section (1) of Sec. 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 Project Committee.-The Project Committee which may be constituted by the Central Government under Cl. (a) of sub-section (1) of Sec. 13 shall consist of the following persons, namely:-

- | | | |
|-------|--|------------------|
| (i) | Adviser, Central Public Health Environmental Engineering Organisation, Department of Urban Development | Chairperson |
| (ii) | A representative of Ministry of Urban Affairs and Employment (Department of Urban Development) not below the rank of a Deputy Secretary to the Government of India | Member |
| (iii) | An officer of the Ministry of Welfare not below the rank of a Deputy Secretary to the Government of India to be nominated by the Secretary to the Government in that Ministry. | Member |
| (iv) | An officer of National Environmental Engineering Research Institute, Nagpur not below the rank of a Deputy Director, to be nominated by the Director of that Institute. | Member |
| (v) | An officer of the HUDCO not lower in rank than an Executive Member Director/Chief (Projects) to be nominated by the Chairman and Managing Director, HUDCO. | |
| (vi) | Deputy Adviser-in-charge of Low Cost Sanitation in the Central Public Health Environmental Engineering Organisation, Department of Urban Development. | Member-Secretary |

4. Composition of the Monitoring Committee.-The Monitoring Committee which may be constituted by the Central Government under Cl. (b) of sub-section (1) of Sec. 13 shall consist of the following persons namely-

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|-----|---|--------|
| (i) | Adviser, Central Public Health Environment Engineering Organisation, Department of Urban Development. | Member |
|-----|---|--------|

- | | | |
|-------|--|------------------|
| (ii) | A representative of the Ministry of Urban Affairs and Employment (Department of Urban Development), not below the rank of a Deputy Secretary to the Government of India. | Member |
| (iii) | An officer of the Ministry of Welfare not below the rank of a Deputy Secretary to the Government of India to be nominated by the Secretary to the Government in that Ministry. | Member |
| (iv) | An officer of the National Environmental Engineering Research Institute, Nagpur not below the rank of a Deputy Director, to be nominated by the Director of that | Member |
| (v) | An officer of the HUDCO not lower in rank than an Executive Director/Chief (Projects) to be nominated by the Chairman and Managing Director of HUDCO. | Member |
| (vi) | Deputy Advisor-in-charge of Low Cost Sanitation in the Central Public Health Environmental Engineering Organisation, Department of Urban Development | Member-Secretary |

5. Functions and powers of the Project Committee.-The Project Committee shall-

- (a) Conduct technical assessment of the schemes formulated by the State Government and Union Territory Administrations with a view to assessing the economic viability of such schemes and recommend such modifications as would result in cost reduction and greater coverage, taking into account the topography, customs of the inhabitants, availability of materials and other related aspects.
- (b) Submit the report prepared by it to Central Government in the Department of Urban Development by

the 30th June and the 31st December every year, first report starting from 1997.

6. Functions and powers of the Monitoring Committee.-The Monitoring Committee shall-

- (a) Review periodically the progress of schemes for conversion of dry latrines into water seal latrines and prepare a status report indicating the States and Union Territories where special efforts are needed to implement the Act;
- (b) Submit the report prepared by it to the Central Government in the Department of Urban Development by the 30th June and the 31st December every year, the first report starting from 1997.

7. Terms and conditions of appointment of members.-

- (1) The term of appointment of a member of a committee other than its Chairperson and the Member-Secretary, shall be for a period of three
- (2) A Member, other than the Chairperson and the Member-Secretary of a Committee may be re-appointed to the Committee subject to condition that the aggregate of his term appointment at no time shall exceed six years.
- (3) The travelling allowance and daily allowance of the members for attending the meetings of a committee and for tours in connection with the work of the Committee shall be regulated by the rules as applicable to them in their parent office represented by them and such expenses shall be borne by such parent office.

8. Meetings of a Committee.-

- (1) A committee shall meet as often as may be necessary to transact its business:

Provided that not more than three months shall elapse between two successive meetings.

- (2) The meetings of the Committee shall ordinarily be held in Delhi.

(3) The representative of the States 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 at all meetings. In the absence of the Chairperson, the members shall elect one amongst them to preside at the meeting.

9. Notice of meetings 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 such items at least ten days before the scheduled date of the meeting.

(2) The notice shall state 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.

10. 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 of irrespective of the quorum.

11. 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.