

## Centre/State Acts and Rules on Manual Scavenging

[indiacode.nic.in](http://indiacode.nic.in)

Delhi Commission for Safai Karamcharis Act, 2006 (No. 7 of 2006)

Employment of Manual Scavengers and construction of dry latrines (Prohibition) Act, 1993

(No. 46 of 1993)

Employment of Manual Scavengers and construction of dry latrines (Prohibition) Rules, 1995

National Commission for Safai Karamcharis Act, 1993 (No. 64 of 1993)

[nskfdc.nic.in](http://nskfdc.nic.in)

National Safai Karamcharis Finance Development Corporation

Protection of Civil Rights Act, 1955 (No. 22 of 1955)

Protection of Human Rights Act, 1993 (No. 10 of 1994)

Schedule Castes and the Schedule Tribes Prevention of Atrocities Act, 1989 (No. 33 of 1989)

Schedule Castes and the Schedule Tribes Prevention of Atrocities Rules, 1995,

### **Policies/Schemes**

Housing and Urban Policy in India.

[mhupa.gov.in/policies/index2.htm](http://mhupa.gov.in/policies/index2.htm)

Integrated Low Cost Sanitation Scheme (ILCS)

Revised guidelines, 2008

[mhupa.gov.in/programs/upa/nsdp/ILCS.htm](http://mhupa.gov.in/programs/upa/nsdp/ILCS.htm)

National Commission for Safai Karamcharis

[socialjustice.nic.in/schemespro1.php](http://socialjustice.nic.in/schemespro1.php)

National Safai Karamcharis Finance and Development Corporation (NSKFDC)

[nskfdc.nic.in](http://nskfdc.nic.in)

National Scheme of Liberation and Rehabilitation of Scavengers and their Dependents, 1991

[mhupa.gov.in/programs/upa/nsdp/NSLRS.htm](http://mhupa.gov.in/programs/upa/nsdp/NSLRS.htm)

National Urban Sanitation Policy (Ministry of Urban Development, India)

Planning Commission, National Action Plan for Total Eradication of Manual Scavenging by 2007

[pucl.org/Topics/Dalit-tribal/2004/scavenging.htm](http://pucl.org/Topics/Dalit-tribal/2004/scavenging.htm)

Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS)

## **CONSTITUTION OF INDIA**

**Article 14. Equality before law.**-The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

**Article 15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.**-(1) The State shall not discriminate against any citizen on grounds only of

religion, race, caste, sex, place of birth or any of them.

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to a) access to shops, public restaurants, hotels and places of public entertainment; or

b) the use of wells, tanks, bathing ghats, roads and places of public resorts maintained wholly or partly out of State funds or dedicated to the use of general public.

(3) Nothing in this article shall prevent the State from making any special provision for women and children.

(4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30

**Article 16. Equality of opportunity in matters of public employment.**-(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment.

(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under State.

(4A) Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which, in the opinion of the State, are not adequately

represented in the services under the State.

(4B) Nothing in the article shall prevent the State from making any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or clause (4A) as a separate class of vacancies to be filled up for determining the ceiling of fifty per cent. reservation on total number of vacancies of that year.

(5) Nothing in this article shall affect the operation of any law which provides that incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination.

**Article 17. Abolition of untouchability.**- "Untouchability" is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with law.

**Article 23. Prohibition of traffic in human beings and forced labour.**-(1) Traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

(2) Nothing in this article shall prevent the State from imposing compulsory service for public purposes, and in imposing such service the State shall not make any discrimination on grounds only of religion, race, caste, or class or any of them.

**Article 37. Application of the principles contained in this Part.**-The provisions contained in this Part shall not be enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws.

**Article 38. State to secure a social order for the promotion of welfare of the people.**- (1) The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.

(2) The State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.

**Article 39. Certain principles of policy to followed by the State.-The State shall, in particular, direct its policy towards securing-**

(a) that the citizens, men and women equally, have the right to an adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against moral and material abandonment.

**Article 46. Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.**-The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Casts and the Scheduled Tribes,

and shall protect them from social injustice and all forms of exploitation.

**ELEVENTH SCHEDULE**

**[Article 243G]**

**Entry 23.** Health and sanitation, including hospitals, primary health centres and dispensaries.

**Entry 27.** Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.

**TWELFTH SCHEDULE**

**[Article 243W]**

**Entry 6.** Public health, sanitation conservancy and solid waste management.