

Bill No. 26 of 2017

THE PROHIBITION OF EMPLOYMENT AS MANUAL SCAVENGERS
AND THEIR REHABILITATION (AMENDMENT) BILL, 2017

By

DR. Udit RAJ, M.P.

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BILL

*further to amend the Prohibition of Employment as Manual Scavengers and their
Rehabilitation Act, 2013.*

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prohibition of Employment as Manual Scavengers and their Rehabilitation (Amendment) Act, 2017.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment
of section 31.

2. In section 31 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013,—

(i) In sub-section (1) —

(a) in clause (b), for the words “enquire into complaints”, the words “investigate into complaints” shall be substituted; and

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(b) after clause (d), the following clause shall be inserted, namely:—

“(e) to impose fine on a person, if found guilty, after investigation under clause (b), of contravening the provisions of this Act.”

(ii) for sub-section (2), the following sub-section (1), the following sub-section shall be substituted, namely:—

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“(2) In the discharge of its functions under sub-section (1), the National Commission shall have the power to —

(a) call for information with respect to any matter specified in that sub-section from any Government or local or other authority; and

(b) summon and enforce the attendance of any person from any part of India and examine him on oath”.

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STATEMENT OF OBJECTS AND REASONS

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 was enacted to prohibit employment as manual scavengers, rehabilitation of manual scavengers and their families. The National Commission for Safai Karamcharis is empowered to monitor and enquire the complaints regarding the contravention of the Provisions of this Act, but no one has been punished even if accused is found guilty by the Commission due to inherent lacuna in the Act. It is, therefore, necessary that the National Commission for Safai Karamcharis be empowered to summon the accused, investigate into the complaints, and impose fine on the accused, if found guilty on completion of investigation in the matter.

Hence this Bill.

NEW DELHI;

UDIT RAJ

July 8, 2016.

ANNEXURE

EXTRACT FROM THE PROHIBITION OF EMPLOYMENT AS MANUAL SCAVENGERS AND THEIR
REHABILITATION ACT, 2013

(ACT NO. 25 OF 2013)

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Function of
National
Commission
for Safai
Karamcharis.

31. The National Commission for Safai Karamcharis shall perform the following functions,
namely:—

(a) to monitor the implementation of this Act;

(b) to enquire into complaints regarding contravention of the provisions of this
act, and to convey its findings to the concerned authorities with recommendations
requiring further action;

(c) to advise the Central and the State Governments for effective implementation
of the provisions of this Act; and

(d) to take *suo motu* notice of matter relating to non-implementation of this Act.

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further to amend the Prohibition of Employment as Manual Scavengers and their
Rehabilitation Act, 2013.

(Dr. Udit Raj, M.P.)