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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL**  
**BACKWARD CLASSES WELFARE DEPARTMENT**  
**ADMINISTRATIVE BUILDING, DJ-4, SECTOR-II, SALT LAKE, KOLKATA-700 091**  
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**NOTIFICATION**

No. 676-BCW/6M (MC)-03/13 (Part. III) – the 19th February, 2015. — In exercise of the powers conferred by section 36 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (25 of 2013), the Governor is pleased hereby to make the following rules, namely:—

**CHAPTER I**

**GENERAL**

1. **Short title and commencement.**— (1) These rules may be called the West Bengal Prohibition of Employment as Manual Scavengers and their Rehabilitation Rules, 2015.

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

2. **Definitions.**— (1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (25 of 2013);
- (b) “cleaning device” means and includes the equipments referred to in rule 5, manually or mechanically propelled and used to—
  - (i) clean or enable the transport or flow of sewage in sewers septage from septic tanks; and
  - (ii) avoid direct manual contact with sewage or material;
- (c) “Chief Executive Officer” means—
  - (i) the Municipal Commissioner or the Commissioner, in case of the Municipal Corporation;

- (ii) the Executive Officer, in case of the Municipalities or notified area authorities or industrial township and in absence of these officers, the officials performing duties of these officers or any other officer of the Municipality concerned, as may be nominated by such officers for the purpose;
- (iii) in respect of *Panchayat* bodies,—
- (A) the *Pradhan*, in case of the *Gram Panchayat*; or
- (B) the Executive Officer in case of the *Panchayat Samiti* or *Zilla Parishad* or *Mahakuma Parishad*; or
- (C) in absence of these officers, the officials performing duties of these officers; or any other officer of the *Gram Panchayat* or *Panchayat Samiti* or *Zilla Parishad* or *Mahakuma Parishad* concerned as may be nominated by the State Government; and
- (iv) in respect of area under Gorkha Territorial Administration (GTA) in the district of Darjeeling, the Principal Secretary of Gorkha Territorial Administration and in absence of this officer, the official performing the duties of this officer or any other officer of Gorkha Territorial Administration to be nominated by the State Government;
- (d) “District Level Survey Committee” means the District Level Survey Committee consisting of —
- |   |                   |
|---|-------------------|
| (1) District Magistrate   | Chairman;         |
| (2) District Level Officer dealing with Scheduled Castes Affairs  | Member-Secretary; |
| (3) District Statistical Officer  | Member;           |
| (4) one representative of <i>Zilla Parishad</i>   | Member;           |
| (5) representatives of two Municipalities/Gram Panchayats to be nominated by the District Magistrate  | Member;           |
| (6) District Level Officer of Municipal Affairs or Panchayat and Rural Development Department   | Member;           |
| (7) one representative of railway authority   | Member;           |
| (8) upto two representatives of Non Governmental Organizations working for Welfare of manual scavengers and <i>Safai Karmacharis</i> to be nominated by the District Magistrate | Member;           |
| (9) upto two community representatives of whom one should be a woman to be nominated by the District magistrate   | Member,           |

for the purpose of discharging the following functions:—

- (i) to monitor and observe the survey process at District level,
- (ii) to distribute materials for awareness campaign to designated place,
- (iii) to arrange publicity through local newspapers etc. about the survey,
- (iv) to distribute translated survey material to designated place under its jurisdiction,
- (v) to approve final list of manual scavengers for all towns cities and villages in the district,
- (vi) to publish final consolidated list of the manual scavengers in the district;
- (e) “enumerator” means any person engaged by a local authority for the purpose of survey or verification of manual scavengers;
- (f) “inspector” means a person appointed as an inspector by the State Government by notification under sub section (1) of section 20 of the Act;
- (g) “overseer” means an officer engaged by a local authority to exercise the powers and perform the duties under these rules;

- (h) "protective gear" means personal safety gear and safety devices that are to be provided, worn or used by *safai karmacharis* or sanitary workers in respect of cleaning of sewers and septic tanks that may be necessary for the specific nature of work to be carried out including and not limited to the materials referred to under rule 4 to, –
- (i) avoid any exposure of human skin to substances which can lead to diseases along with all breathing equipment which prevents inhalation of gases which can lead to disease and also includes any sensory equipment for detection of gases present inside the sewers or septic tanks;
- (ii) avoid any injuries while carrying cleaning work;
- (i) "*Safai Karmachari*" or "Sanitation Worker" means any persons engaged in or employed for any sanitation work other than domestic work;
- (j) "safety precautions" means and includes the precautions referred to in rule 6 and necessary to reduce the risk to the person and to avoid contraction of diseases and injuries by the persons engaged in cleaning of sewers and septic tanks due to exposure to sewage or any other material in any physical state (solid, liquid or gas inside the sewers or septic tanks while entering sewers or septic tanks);
- (k) "State Level Survey Committee" means a State Level Committee consisting of
- |   |           |
|---|-----------|
| (1) Additional Chief Secretary or Principal Secretary, nominated by the State Government  | Chairman; |
| (2) Principal Secretary or Secretary dealing with Scheduled Castes, if the Committee is chaired by the Additional Chief Secretary, or Director, Scheduled Caste Welfare, if Principal Secretary, Scheduled Caste Welfare, is the Chairman | Member;   |
| (3) Director, Economics and Statistics  | Member;   |
| (4) Secretary, Municipal Affairs Department/Panchayat & Rural Development Department  | Member;   |
| (5) Regional Director, Census Operations  | Member;   |
| (6) One representative of railway authority   | Member;   |
| (7) upto two representatives of Non Government Organizations working for Welfare of Manual Scavengers and <i>Safai Karmacharis</i> to be nominated by the State Government  | Member;   |
| (8) upto two community representatives of whom one should be a woman to be nominated by the State Government  | Member;   |

for the purpose of discharging the following functions, namely:–

- (i) to monitor and observe the survey process at state level;
- (ii) to distribute the materials for awareness campaign to designated place;
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- (iv) to distribute translated survey material to designated place under its jurisdiction;
- (v) to approve final list of manual scavengers for all towns cities and villages in the district;
- (vi) to publish final consolidated list of the manual scavengers in the district.

(2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as assigned to them in the Act.

