

## **Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Rules, 2000**

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## **Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Rules, 2000**

In exercise of the powers conferred by sub-secs. (1) and (2) of Sec. 23 of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (46 of 1993), the Government of Gujarat hereby makes the following rules, namely.

### **1. Short title :-**

These rules may be called the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Rules, 2000 .

### **2. Definitions :-**

In these rules, unless the context otherwise requires

(a) "the Act" means the Employment of Manual Scavengers and Constructions of Dry Latrines (Prohibition) Act, 1993 ;

(b) "committee" means a committee constituted under sub-sec. (4) of Sec. 13;

(c) "member" means a member of the committee and includes its Chairperson and the Member-Secretary;

(d) "section" means 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 Urban Development Chairperson
- (ii) Minister Incharge of Welfare of Scheduled Caste, Scheduled Tribes or Social Welfare Member
- (iii) Member of the Legislative Assembly nominated by the Speaker Member
- (iv) Two representatives of Non-Governmental organisations or Social workers engaged in the upliftment and welfare of Scheduled Castes and Scheduled Tribes Member
- (v) Secretary to the Government looking after water supply, drainage and sewerage Member
- (vi) Principal Secretary to the Government in-charge of Urban Development and Urban Housing Department Member
- (vii) Director of Municipalities, Gujarat State Member Secretary

#### **4. Functions of the Committee :-**

(1) It shall be the function of the State Co-ordination Committee to monitor and review the progress of implementation of the provisions 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 under clause (b) of sub-sec. (4) of Section 13 , a report of the progress in such form as may be specified by the Committee on the implementation of the provision of the Act at such periodical intervals as the Committee may decide;
- (ii) review the schemes drawn up for the rehabilitation of those persons engaged as manual scavengers, who have been rendered jobless on the implementation of the Act in the areas as specified by notification under sub-sec. (2) of Section 3 of the Act;

(iii) give such directions as may be deemed necessary subject to the guidelines framed by the State Government for the effective implementation of the Act in the areas as specified by notification under sub-sec. (2) of Section 3 of the Act;

(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 i.e. April to September and October to March each year.

## **5. Powers 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, Municipal Corporation and the Executive Authority or any Implementing Agency under the Urban Development and Urban Housing Department and it shall be the duty of the District Level Committee, Municipality, Municipal Corporation, the Executive Authority or, as the case may be, the Implementing Agency under the Urban Development and Urban Housing Department to furnish such information, report and statistical data promptly;

(ii) be free to visit any area as specified by notification under sub-sec.(2) of Section 3 of the Act in which the Act is being implemented, for the purpose of evaluating or monitoring of its implementation;

(iii) exercise its powers through its Member Secretary,

## **6. Terms and Conditions of appointment of members :-**

(1) The chairperson and official 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 term of appointment of ex-officio members of the Committee shall be of three years,

(3) The travelling allowance and daily allowance of members attending meetings of the Committee and for tours in connection with the work of the Committee shall be as admissible to Ministers, in the case of Ministers appointed as Members and as admissible to Members of the Legislative Assembly, in the case of Members of 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 Officer. The non-official members shall be treated as State Government Officer for the purposes of travelling allowance and daily allowance.

## **7. Meetings of the Committee :-**

(1) The meetings of the Committee shall be held as often as may be found necessary by the committee to perform its functions; Provided that the period of not more than two months shall elapse between two successive meetings, of the Committee;

(2) The meetings of the Committee shall ordinarily be held in the State Capital: Provided that the Chairperson may with the permission of the State Government call for a meeting of the committee at the headquarter of a district for reviewing or monitoring of the schemes implemented in that district;

(3) The representatives of the District whose schemes are to be reviewed by the Committee shall be invited to attend and participate in the meeting;

(4) The Chairperson of the committee shall preside over all meetings. In the absence of the chairperson, Minister-in-charge of Social Welfare of the State Government shall preside over 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 atleast seven day 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 therein,

(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 specified in sub-rule (4) of Rule 7 of these rules.

#### **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 formed, the Chairperson or the presiding member specified in sub-rule (4) of Rule 7 of these rules 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 meeting of the committee held thereafter and may be disposed off irrespective of the quorum if formed or not.

#### **10. Minutes of the meetings :-**

(1) Immediately after each meeting of the committee, the Member-Secretary shall draw up the minutes of the meeting and submit the same to the Chairperson or if he did not remain present, to the Minister-in-charge of Social Welfare of the State Government who had presided over such meeting, for his approval and 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 with 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.