

GOVERNMENT OF WEST BENGAL
Department of Urban Development & Municipal Affairs
Nagarayan
DF-8, Sector - I, Salt Lake, Kolkata - 700064

No. UDMA-15011(14)/21/2023-LS-MA SEC-Dept. of UDMA/894(128)(law) Date: 17.12.2025

Advisory

Prohibition of Hazardous Cleaning of Sewers and Septic Tanks - Compliance with the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, Hon'ble Court's Orders, and Government Notifications

In pursuance of the provisions of the *Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013*, and in compliance with the orders and directions of the Hon'ble Supreme Court of India in **Writ Petition (Civil) No. 324 of 2020 - Dr. Balram Singh vs. Union of India & Ors.**, the Hon'ble High Court, Calcutta in **W.P.A.(P) 259 of 2021 - Association for Protection of Democratic Rights & Anr. vs. The State of West Bengal & Ors.**, and subsequent notifications issued by the competent authorities, it is hereby advised and directed that:

1. **Absolute Prohibition:** No person, Urban Local Bodies (ULBs), Development Authority, agency, or private/independent contractor, etc. shall, either directly or indirectly, engage or employ any individual for hazardous cleaning of sewers or septic tanks.
2. **Judicial Mandate Compliance:** The Hon'ble Supreme Court in *Dr. Balram Singh vs. Union of India & Ors.* ordered complete eradication of manual scavenging and hazardous cleaning, with enhanced compensation for sewer deaths. The Court further directed a complete ban on unsafe sewer cleaning. The Hon'ble High Court, Calcutta has reiterated that manual scavenging is a grave violation of human rights and mandated compensation for each death caused during sewer



cleaning, as well as compensation for victims suffering disabilities, with minimum compensation where disability is permanent and renders the victim economically helpless (*Dr. Balram Singh vs. Union of India*, 2023 INSC 950). All concerned stakeholders are therefore advised to ensure strict compliance with the mandates and directions issued by the Hon'ble Courts.

3. **Legal Consequences:** Any violation of these provisions shall attract strict penal action under the Act and other applicable laws, including liability for compensation in case of injury or death.
4. **Mechanized Cleaning:** All cleaning operations of sewers and septic tanks must be carried out only through mechanical means and protective devices, as mandated under Section 7 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
5. **Worker Safety:** In circumstances where human entry is unavoidable, adequate safety gear, training, and emergency protocols must be strictly adhered to, in line with statutory requirements.
6. **Awareness, Monitoring & Accountability:** All Urban Local Bodies (ULBs), Development Authorities, and contractors are hereby directed to disseminate this advisory widely, maintain proper compliance records, and institute effective monitoring mechanisms to prevent violations. All Municipal Corporations, Municipalities, Development Authorities, and related offices shall ensure strict adherence to the orders and directions of the Hon'ble Court, statutory provisions and binding judicial orders.
7. **Periodic compliance reports:** Dissemination of this advisory, maintenance of compliance records, and institution of monitoring mechanisms are mandatory. Periodic compliance reports shall be submitted to the State Monitoring Committee and other designated authorities.
8. **Non-compliance:** Failure to adhere to the provisions of the *Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013*,



together with the binding orders and directions of the Hon'ble Courts, shall constitute a violation of statutory provisions and judicial mandates. Such non-compliance may invite **contempt of court proceedings** in addition to **penal action under the Act**.

9. **Strict Compliance:** It is reiterated that all Urban Local Bodies (ULBs), Development Authorities, Municipal Corporations, Municipalities, and contractors must ensure strict compliance with the provisions of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, and the binding directions of the Hon'ble Courts, and Government Notifications.
10. **Nodal & Monitoring Authority:** SUDA is hereby designated as the Nodal Authority as well as the Monitoring Authority for the purpose of implementing and overseeing the directives herein.
11. **Declaration and undertaking:** It is hereby mandated that all Urban Local Bodies (ULBs), Development Authorities, Municipal Corporations, and Municipalities shall submit an undertaking to ensure adherence to the orders of the Hon'ble Courts. A sample format of undertaking is enclosed at **Annexure – A** for ready reference.
12. **Public Interest:** This advisory is issued in the larger public interest to uphold the dignity of labour, protect human life, and ensure strict enforcement of the law.



Principal Secretary
to Government of West Bengal

No. UDMA-15011(14)/21/2023-LS-MA SEC-Dept. of UDMA/894/1(9) Date: 17.12.2025

Copy forwarded for kind information and necessary action to:

1. CEO, KMDA.
2. Director, SUDA.
3. CEO/EO, Development Authority (All).

4. Municipal Commissioner/Commissioner, Corporation (All).
5. Chairman/Chairperson/Administrators,.....Municipalities/NAA(All).
6. Chairperson, Board of Administrators, Municipalities/NAA (All).
7. The Special Law Officer, UD & MA Department.
8. Sr. PS to the Principal Secretary, UD & MA Department.
9. Office copy.

Chandra
17.12.2021

Special Secretary
to Government of West Bengal

Annexure – A

UNDERTAKING (Sample)

To

Director, SUDA

Sub: Submission of Undertaking in Compliance with Directives

I, **[Name of the Officer]**, **[Designation]**, having office at **[Address]**, representing **[Name of ULB / Development Authority / Municipal Corporation / Municipality]**, do hereby submit this Undertaking as required under the advisory issued by Department of Urban Development & Municipal Affairs, GoWB vide **Memo. No..... dated.....**

1. Compliance Assurance

I/We hereby affirm that **[Name of ULB / Development Authority / Municipal Corporation / Municipality]** shall strictly comply with all mandates, instructions, and directions issued by the Hon'ble Courts and the competent authorities from time to time.

2. Implementation Commitment

I/We undertake to implement all measures, actions, and procedures as prescribed under the said directives, within the stipulated timelines, i.e., within DD.MM.YYYY **[Timeline given by the ULB / Development Authority / Municipal Corporation / Municipality]**.

3. Monitoring & Reporting

We further undertake to:

- Ensure continuous monitoring of compliance activities.
- Submit periodic reports, data, and updates as required by SUDA, the Nodal and Monitoring Authority.

- Provide any additional information or clarification sought by the competent authority from time to time.

4. Responsibility Clause

I/We acknowledge that any deviation, non-compliance, or delay may attract action as per applicable laws, rules, and directions of the Hon'ble Courts.

5. Declaration

I/We declare that the information furnished herein is true and correct to the best of my/our knowledge and belief.

Signature: _____

Full Name: _____

Designation: _____

Name of ULB / Authority: _____

Date: _____

Seal of the Office