



हरियाणा शहरी विकास प्राधिकरण

Haryana Shehri Vikas Pradhikaran

Tel : 01722575038
Toll Free : 1800180-3030
Website : www.hsvphry.org.in
E-mail id : cencrhuda@gmail.com

Address : C-3 HSVP Sector-6
Panchkula

From

The Chief Administrator,
HSVP, Panchkula.

To

1. All the Superintending Engineers of HSVP, *PUU*
(in the State).
2. All the Executive Engineers of HSVP,
(in the State).

Memo No.CA-HSVP/CE-I&II/SE(HQ)/EE(M)/Dy.Suptd./2024/ 19819
Dated: 25/01/2024

Sub.: Directions of Hon'ble Supreme Court of India passed on 20th October 2023 in Writ Petition(Civil) No. 324/2020 titled as Dr. Balram Singh Vs Union of India & Ors.

Please refer to this office letter No.15957-60 dated 23.01.2019, No. 189881-917 dated 22.10.2019 vide which you were requested to ensure the safety measures & safety equipments for operation and maintenance staff employed and also directed vide this office letter No. 52029/037-045/054-085 dated 17.03.2020 to incorporate the relevant conditions in DNIT for all the works for engaging sewermen/cleaning of sewerlines and operation & mtc. of STPs at stations where sewerage system is being maintained by contractual agency on behalf of HSVP.

It is intimated that Hon'ble Supreme Court vide its judgment dated 20th October 2023 in Writ Petition(Civil) No. 324 of 2020 titled as Dr. Balram Singh Vs Union of India & Ors. has passed the directions on implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" (M.S. Act 2013), received from the State Nodal Department -cum- Public Health Engineering Department, Haryana, Panchkula vide his letter No.100-172-PHED/ Urban dated 01.01.2024 (copy enclosed).

Therefore, you are hereby directed to ensure strict compliance of these directions in respect of M.S. Act 2013 and to follow the Advisory on protection of Human Right of person engaged in Manual Scavenging or Hazardous cleaning, in view to eliminate manual scavenging in the State and accordingly, directed to incorporate following conditions at Sr.No.(ii) (letter dated 17.03.2020) in all DNITs framed for engaging sewermen/cleaning of sewerlines & operation & mtc. of STPs/CETP etc. at stations where sewerage system is being maintained by the contractual agency on behalf of HSVP:

- (a) (i) the bidders shall furnish an affidavit at the time of submission of bid that he shall get all the sewermen, to be deployed by him, insured within two days from date of allotment of work, for a sum of Rs.30Lakh each, in case of sewer deaths. (ii) In the case of sewer victims suffering



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Haryana Shehri Vikas Pradhikaran

Tel : 0172-2575038
Toll Free : 1800-180-3030
Website : www.hsvphry.org
E-mail id : cencrhuda@gmail.com

Address : C-3 HSVP Sector-6
Panchkula

permanent disabilities, depending upon severity of disabilities, the compensation shall be disbursed. However, the minimum compensation shall not be less than Rs.10Lakh and if the disability is permanent and renders victim economically helpless, the compensation shall not be less than Rs.20Lakh.

(b) In case, any untoward incidence happens at site in these two days, contractual agency shall be liable to pay a minimum compensation amounting to Rs.10Lakh upto Rs. 30Lakh (as the case may be) to the deceased's family. Further, if contractual agency fails to furnish the affidavit within the stipulated time of two days, his contract agreement shall automatically stand cancelled and he shall be liable to be blacklisted for all types of works in HSVP for a period of two years.

(c) It shall be the responsibility of the contractual agency to ensure that in such event, dependants of sewer victim get compensation amount (as the case may be) either from the insurance company or from the contractual agency.

(d) Contractual agency shall ensure that only trained manpower be engaged as sewer men for cleaning of sewerlines and operation & mtc. of STPs at various stations where sewerage system is being maintained by contractual agency on behalf of HSVP.

(e) No sewer man shall be allowed to enter sewerline/septic tank under any circumstances. In case, any incidence of the manual scavenging is noticed, the contract agreement shall stand terminated automatically and the contractual agency shall be blacklisted for all type of works in HSVP for a period of two years.

(f) In case, the sewer victim is an employee of HSVP, the above compensation shall be paid by HSVP & concerned Junior Engineer is liable to be held responsible for the lapse and disciplinary action is liable to be taken against him as per provision in service rules.

These instructions shall be complied strictly in 'letter & spirit'. Any laxity shall be viewed seriously and, strictly disciplinary action be initiated in case of any lapse.

DA/- As above


Executive Engineer (M)
for **Chief Administrator, HSVP**
Panchkula
A/25/01



हरियाणा शहरी विकास प्राधिकरण

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Address : C-3 HSVP Sector-6
Panchkula

Endst. No.

Dated:

A copy of the above is forwarded to the following of information and necessary action please;

1. The District Attorney O/o Chief Secretary to Govt. Haryana.
2. The Engineer-in-Chief, State Nodal Department -cum- Public Health Engineering Department, Haryana, Sector-4, Panchkula.
3. The Senior Environmental Engineer, Haryana State Pollution Control Board (HQ), C-11, Sector-6, Panchkula.

Executive Engineer(M)
for Chief Administrator, HSVP
Panchkula

HARYANA GOVERNMENT
SOCIAL JUSTICE, EMPOWERMENT, WELFARE OF SCHEDULED CASTES
AND BACKWARD CLASSES AND ANTYODAYA (SEWA) DEPARTMENT
ORDER

The Governor of Haryana is pleased to order the Public Health Engineering Department as Nodal Department for implementation of "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" (MS Act, 2013) and the Engineer-in-Chief, Public Health Engineering Department, Haryana is hereby designated as Nodal Officer for the implementation of National Action for Mechanized Sanitation Ecosystem (NAMASTE) Scheme.

This issues with the concurrence of Chief Secretary to Government Haryana conveyed vide their U.O. No. 6/12/2023-1SII, dated 16.05.2023.

Dated Chandigarh,
the 18th May, 2023

VIJAYENDRA KUMAR
Principal Secretary to Government, Haryana
Social Justice, Empowerment, Welfare of Scheduled Castes &
Backward Classes and Antyodaya Department.

Endst. No. 40/7/2023-1SW

Dated Chandigarh, the 01st June, 2023.

A copy is forwarded to all the Administrative Secretaries to Government Haryana for necessary information.

Superintendent Social Welfare
for Principal Secretary to Government, Haryana
Social Justice, Empowerment, Welfare of Scheduled Castes &
Backward Classes and Antyodaya Department.

Endst No. 40/7/2023-1SW

Dated Chandigarh, the 01st June, 2023.

A copy is forwarded to the following for information and necessary action:-

1. Hon'ble Chairman, National Commission for Safai Karamcharis, New Delhi.
2. The Secretary, Ministry of Social Justice & Empowerment, New Delhi.
3. The Additional Chief Secretary to Government Haryana, Development and Panchayats Department.
4. The Additional Chief Secretary to Government Haryana, Public Health Engineering Department.
5. The Additional Chief Secretary to Government Haryana, Town & Country Planning and Urban Estates Department.
6. The Commissioner & Secretary to Government Haryana, Urban Local Bodies Department.
7. The Secretary to Government Haryana, Energy Department.
8. The Chief Administrator, Haryana Shehri Vikas Pradhikaran, Panchkula.
9. The Managing Director, Haryana State Industrial & Infrastructure Development Corporation.
10. All Deputy Commissioners of Haryana.
11. The Secretary, Haryana State Commission for Safai Karamcharis.
12. All District Welfare Officers.
13. PS/CPSCM, PS/PSCM, PS/CS, PS/PS-SEWA, PA/DG-SEWA

Manita Rani
Superintendent Social Welfare
for Principal Secretary to Government, Haryana
Social Justice, Empowerment, Welfare of Scheduled Castes &
Backward Classes and Antyodaya Department.



जनस्वास्थ्य अभियाँ
PUBLIC HEALTH ENGINEER

Bays No. 13-18, Sector-4, Panchkula-134112
Ph. 0172-2561672, Website: <https://phedharyana.gov.in>
SNK Toll Free No. 1800-180-5678

हरियाणा
DEPARTMENT, HARYANA

PHED
Haryana

1629
03/01/2024

From

The Engineer-in-Chief, Haryana,
Public Health Engineering Department,
Panchkula.

Chief Engineer

To

✓ The Chief Administrator,
Haryana Shehri Vikas Pradhikaran,
Sector 6, Panchkula.

The Chief Executive Officer,
Gurugram Metropolitan Development Authority,
3, Sector-44, Gurugram-122003.

The Chief Executive Officer,
Faridabad Metropolitan Development Authority,
HSI IDC Building, IMT, Sector 69,
Faridabad-121109.

ER	3225	4/01/2024
C.E. DIARY NO.		
RE (1)		
RE (2)		
RE (3)		
RE (4)		
SUPD. E/FT.		
		CHIEF ENGINEER (H.C.)

The Managing Director,
Haryana Scheduled Caste,
Finance & Development Corporation,
Bays No. 53-54, Sector-2,
Panchkula.

The Director General,
Social Justice, Empowerment,
Welfare of Scheduled Caste & Backward Classes
and Antyodaya (SEWA) Department, Haryana,
Bay No. 53-54, Sector-2, Panchkula.

The Director General,
Development & Panchayat Department,
Plot No. 3, Sector 28,
Chandigarh.

The Managing Director,
Haryana State Industrial and Infrastructure Development Corporation,
Sector-6, Panchkula.

The Director,
Urban Local Bodies Department,
Sector-4, Panchkula.

1629



जनस्वास्थ्य अभियांत्रिकी विभाग, हरियाणा
PUBLIC HEALTH ENGINEERING DEPARTMENT, HARYANA

PHED
Haryana

Bays No. 13-18, Sector-4, Panchkula-134112
Ph. 0172-2561672, Website: <https://phedharyana.gov.in>
SNK Toll Free No. 1800-180-5678

The Director,
Rural Development Department,
Haryana, 3rd Floor, 30 Bays Building,
Sector 17-C, Chandigarh.

The Chairman,
Haryana State Commission for Safai Karamcharis,
Bays 1-2, Second Floor,
Sector 4, Panchkula.

All Superintending Engineers,
Public Health Engineering Circles,
In Haryana State.

All Executive Engineer,
Public Health Engineering Divisions,
In Haryana State.

Memo No. 100-172

-PHED/ Urban dated: 01/01/2024

Subject:- Writ Petition (Civil) No. 324/2020 – Dr. Balram Singh Vs Union of India and ors.

Kindly refer to the subject noted above.

It is intimated that the Hon'ble Supreme Court vide Judgement dated 20.10.2023 in Writ Petition (Civil) No. 324 of 2020 filed by Dr. Balram Singh Vs Union of India and ors has given some directions for compliance. Further, Deputy Secretary to Govt. of India, Department of Social Justice & Empowerment, Ministry of Social Justice & Empowerment, New Delhi vide letter No. U-12021/1/2023-PLAN dated 14.11.2023 addressed to the Chief Secretaries of the all the States/ UTs vide which it is informed that the above said case is listed on 01.02.2024 in Hon'ble Supreme Court and requested to compliance of the following observations:-

- MS Act, 2013; MS Rules 2013 and guidelines framed by the Union are embodied in States/ UTs guidelines and directions are applicable to all municipalities and local bodies [para 96 (2)]; i.e. **All States and Union Territories are likewise, directed to ensure that all departments, agencies, corporations and other agencies (by whatever name called) ensure that guidelines and directions framed by the Union are embodied in their own guidelines and directions; the states are**

New General August 2023



specifically directed to ensure that such directions are applicable to all municipalities, and local bodies functioning within their territories

- Full rehabilitation (including employment to the next of kin, education to the wards, and skill training) of sewage workers, and those who die [para 96 (3)]; i.e. ***The Union, State and Union Territories are directed to ensure that full rehabilitation (including employment to the next of kin, education to the wards, and skill training) measures are taken in respect of sewage workers, and those who die;***
- Payment of compensation with increased amount i.e. Rs. 30 lakhs for sewer deaths. In the event, dependants of any victim have not been paid such amount, the above amount shall be payable to them, hereafter as compensation [Para 96 (4)]; i.e. ***The court hereby directs the Union and the States to ensure that the compensation for sewer deaths is increased (given that the previous amount fixed, i.e., 10 lakhs) was made applicable from 1993. The current equivalent of that amount is Rs. 30 lakhs. This shall be the amount to be paid, by the concerned agency, i.e., the Union, the Union Territory or the State as the case may be. In other words, compensation for sewer deaths shall be 30 lakhs. In the event, dependents of any victim have not been paid such amount, the above amount shall be payable to them. Furthermore, this shall be the amount to be thereafter paid, as compensation.***
- Payment of compensation of Rs. 20 lakhs, in the case of sewer victims suffering disabilities, depending upon the severity of disabilities. Minimum compensation shall not be less than Rs. 10 lakhs [para 96 (5)]; i.e. ***Likewise, in the case of sewer victims suffering disabilities, depending upon the severity of disabilities, compensation shall be disbursed. However, the minimum compensation shall not be less than Rs. 10 lakhs. If the disability is permanent, and renders the victim economically helpless, the compensation shall not be less than Rs. 20 lakhs.***
- Devise suitable mechanism to ensure accountability, especially wherever sewer deaths occur in the course of contractual or "outsourced" work [para 96 (6)]; i.e. ***The appropriate government (i.e., the Union, State or Union Territories) shall devise a suitable mechanism to ensure accountability,***



especially wherever sewer deaths occur in the course of contractual or "outsourced" work. This accountability shall be in the form of cancellation of contract, forthwith, and imposition of monetary liability, aimed at deterring the practice.

- Set up scholarships to ensure that the dependants of sewer victims, (who have died or might have suffered disabilities) are given meaningful education [para 96 (10)]; i.e. *The Union shall device a model contract, to be used wherever contracts are to be awarded, by it or its agencies and corporations, in the concerned enactment, such as the Contract Labour (Prohibition and Regulation Act), 1970, or any other law, which mandates the standards – in conformity with the 2013 Act, and rules, are strictly followed, and in the event of any mishap, the agency would lose its contract, and possibly blacklisting. This model shall also be used by all States and Union Territories.*
- Ensure establishment of State Commission for Safai Karamcharis and all committees mentioned in MS Act, 2013 and MS Rules 2013 including State Monitoring Committee. State Level Survey Committee, District Vigilance Committee and District Level Survey Committee by 30.11.2023 [para 96 (12)]; i.e. *The Union, State and Union Territories are hereby directed to ensure coordination with all the commissions (NCSK, NCSC, NCST) for setting up of state level, district level committees and commissions, in a time bound manner. Furthermore, constant monitoring of the existence of vacancies and their filling up shall take place.*

I have been directed to request you to take necessary actions on the issues concerned with your department and also issue the necessary directions to the field functionaries for compliance of the judgment dated 20.10.2023 of in Writ Petition (Civil) No. 324 of 2020 filed by Dr. Balram Singh Vs Union of India and ors. Further, it is also requested to submit the status of implementation of the judgment of Hon'ble Supreme Court order dated 20.10.2023 so that compliance report may be submitted to the quarter concerned.

This may be treated as most urgent please.



जनस्वास्थ्य अभियांत्रिकी विभाग, हरियाणा
PUBLIC HEALTH ENGINEERING DEPARTMENT, HARYANA



Bays No. 13-18, Sector-4, Panchkula- 134112
Ph. 0172-2561672, Website: <https://phedharyana.gov.in>
SNK Toll Free No. 1800-180-5678

DA/ As above

[Signature]
Executive Engineer (U)
For Engineer-in-Chief, Haryana,
PHED, Panchkula

Endst. No. 179-185

-PHED/ Urban/ dated: 01/01/2024

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Secretary to Govt. Haryana, 4th Floor, Haryana Civil Secretariat, Sector-1, Chandigarh.
2. The Additional Chief Secretary to Govt. Haryana, Public Health Engineering Department, 3rd Floor, Haryana New Civil Secretariat, Sector-17, Chandigarh.
3. The Deputy Secretary to Govt. of India, Department of Social Justice & Empowerment, Ministry of Social Justice & Empowerment, B-2, Ground floor, Pandit Deendayal Antyodaya Bhawan, CGO Complex, New Delhi-110003 w.r.t. your office letter No. U-12021/1/2023-PLAN dated 14.11.2023.
4. The Chief Engineers (Urban/ Works/ Project) in Head Office.
5. PS to Engineer-in-Chief, Public Health Engineering Department Haryana for apprising the same to W/EICPHE please..

[Signature]
Executive Engineer (U)
For Engineer-in-Chief, Haryana,
PHED, Panchkula



-6-

Directorate of Social Justice, Empowerment, Welfare of Scheduled Castes &
Backward Classes and Antyodaya (SEWA), Haryana
निदेशालय, सामाजिक न्याय, अधिकारिता, अनुसूचित जातियां एवं पिछड़े वर्ग कल्याण व
अन्तयोदय (एसईओडब्ल्यूओएओ), हरियाणा बेंज न०- 53-54, सेक्टर-2, पंचकुला
E-mail ID-planningwscbc@gmail.com



To

The Engineer-in-Chief,
Public Health Engineering Department,
Bays 13-18, Sector-4, Panchkula, Haryana.

No. 11/2023-2P/31806


Dated: 30/11/2023

Subject: WP(C) No. 324/2020- Dr. Balram Singh Vs Union of India and ors.
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R/Sir,

Kindly refer to the subject cited above.

2. A copy of the letter no. U-12021/1/2023-PLAN dated 14.11.2023 received from the Ministry of Social Justice and Empowerment, New Delhi and CFMS No. 149711 dated 14.11.2023 received from the Chief Secretary to Government Haryana is being sent to you for further necessary action.



Research Officer,

for: Director General, Social Justice, Empowerment,
Welfare of Scheduled Castes & Backward Classes
and Antyodaya Department, Haryana.

Endst.No.11/2023-2P/31807

Dated: 30/11/2023

A copy is forwarded to the office of the Chief Secretary to Government Haryana w.r.t. CFMS No. 149711 dated 14.11.2023 for kind information.



Research Officer,

for: Director General, Social Justice, Empowerment,
Welfare of Scheduled Castes & Backward Classes and
Antyodaya Department, Haryana.

Endst.No. 11/2023-2P/31808

Dated: 30/11/2023

A copy is forwarded to the Deputy Secretary to GOI, Ministry of Social Justice and Empowerment, B-2 Ground Floor, Pt. Deendayal Antyodaya Bhawan, CGO Complex, New Delhi-110003 w.r.t letter no. U-12021/1/2023-PLAN dated 14.11.2023 for kind information.


Research Officer,

for: Director General, Social Justice, Empowerment,
Welfare of Scheduled Castes & Backward Classes and
Antyodaya Department, Haryana.