

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(Civil) No. 324/2020

DR. BALRAM SINGH

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(ATTORNEY GENERAL FOR INDIA MR. K. PARAMESHWAR, ADVOCATE (AMICUS CURIAE)

IA No. 30602/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 12-04-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE DIPANKAR DATTA

Mr. K. Parameshwar, Adv. (AC)

Mr. M.V. Mukunda, Adv.

Mrs. Arti Gupta, Adv.

For Petitioner(s) Petitioner-in-person

For Respondent(s) Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Ruchi Kohli, Adv.
Ms. Shradha Deshmukh, Adv.
Ms. Swarupama Chaturvedi, Adv.

Mrs. Aishwarya Bhati, A.S.G.
Mr. Amrish Kumar, AOR
Mrs. Ruchi Kohli, Adv.
Mrs. Shradha Deshmukh, Adv.
Mrs. Swarupama Chaturvedi, Adv.
Mr. Purnendu Bajpai, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The Amicus Curiae filed a two-volume compilation. It is pointed out that the States have till date not notified the Committees required of them in terms of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013(hereinafter referred to as "2013 Act"). Learned Amicus has

also drawn the attention of the Court to proviso to Section 2(e) of the 2013 Act and Explanation to Section 2(g), the 2013 Act, even while outlining Manual Scavenging, provides exceptions [by these provisions] with regard to its practice, by the railways and also generally empowers (through Section 36) exemption the application of the Act, wherever protective gear is provided despite toilets falling within the class of "insanitary latrines".

The learned Amicus has handed over a note, and shared it with the learned Additional Solicitor General. In the opinion of the Court, the Secretary, Ministry of Social Justice & Empowerment should convene a Video Conferencing Meeting with the Principal Secretaries of all the States and the Union Territories, In charge of Social Justice, to discuss various important aspects connected with the implementation of the 2013 Act at an early date. The possible discussion points shall be indicated to the Court by learned Amicus and the learned Additional Solicitor General on the next date of hearing.

In view of the above and especially the notifications dated 04.06.2014 and 13.10.2014, as well as observations by the National Commission for Safai Karamcharies with regard to the inaction of Railways in its reports which are part of the compilation presented to the Court by learned Amicus, the railways shall file a specific affidavit dealing with these aspects.

List on 19.04.2023.

(NEETA SAPRA)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)