

Chief Justice's Court

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Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 681 of 2021

Petitioner :- Anupriya Yadav And 7 Others

Respondent :- Union Of India And 5 Others

Counsel for Petitioner :- In Person

Counsel for Respondent :- A.S.G.I., Arun Kumar, C.S.C., Manoj Kumar Singh

Hon'ble Govind Mathur, Chief Justice

Hon'ble Ajai Kumar Srivastava-I, J.

The petitioners, namely, Anupriya Yadav, Vaishali Gupta, Prakriti Agrawal, Prashanti Upadhyay, Ananya Prakash, Shikha Mishra, Aditya Kumar Rai and Divyotsav Singh, all students of Law at various Law Institutes in the country have raised an important issue in this petition for writ with regard to implementation of the provisions of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (hereinafter referred to as “Act, 2013”).

The petitioners before approaching this Court have undertaken a detailed study with regard to objective conditions for scavenging in the city of Prayagraj and other certain areas of the State of Uttar Pradesh. According to the survey made by the petitioners, no adequate safety equipments are provided to the scavengers and they are still working manually which is otherwise prohibited under the Act, 2013. The petitioners after undertaking a systematic survey made following recommendations :-

- *"Technological intervention, like Suction machines should be made available to prevent Manual Scavenging.*
- *Training of local bodies or sanitation inspectors about the act, safety procedure, technical knowhow of cleaning devices, should be imparted effectively.*
- *Proper awareness program regarding the MS Act 2013 and its effective implementation in the ground should also be made priority, and sensitization for the authorities should be done.*
- *Monitoring authorities to ensure compensation for the families and penalizing the implementation agencies in fault.*
- *Comprehensive Rehabilitation of the families should be*

provided. One adult family member of the deceased should be given adequate skill training and an opportunity of employment.

- Allotment of the due amount of scholarship and that there is effective implementation of the scheme for the children whose parent/s engaged in occupation involving cleaning and prone to health hazards.
- Appropriate infliction of penalty on those involved in the offence of employing people for the de-humanizing practice of manual scavenging.
- Adequate budget allocation for the implementation of the Scheme for Rehabilitation of Manual Scavengers (SRMS) should be the urgent need of the authority as the budget has reduced drastically over the years.
- Regulation of sanitation work is needed for – enumeration of sanitation workers, empanelment of private service providers, adoption of standard operating procedures, mechanization of sanitation work, and setting up an Emergency Response Sanitation Unit.”

It is argued before us that whatever recommendations are made by the petitioners are in consonance to the provisions of the Act, 2013 that was enacted to ensure a dignified life to the lowest rung of social hierarchy. It is asserted that the practice of manual scavenging is must to restore human dignity and to abolish dehumanizing practice.

Having considered all relevant facts of the case, we deem it appropriate to call upon State of Uttar Pradesh, Nagar Nigam, Prayagraj and Jal Nigam, Prayagraj to response the contents of the petition for writ at earliest.

Let this petition for writ be listed on 12th April, 2021. The respondents shall positively file the response to the petition for writ on or before 9th April, 2021 after supplying a copy of the same to either petitioner no. 1 or 2 at the address given.

Order Date :- 25.3.2021
Shubham