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SERIES I No. 17

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

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GOVERNMENT OF GOA

Department of Finance

Debt Management Division

Notification

1/7/2012/Fin(DMU)

Scheme for Constitution and Administration of the Guarantee Redemption Fund of Government of Goa

With effect from June 23, 2014, the nomenclature of Special Ways and Means Advances (Special WMA) to the State Government has been changed as Special Drawing Facility. Consequently, for the words "SPECIAL WAYS AND MEANS ADVANCES OR

"SPECIAL WMA" appearing in proviso to explanation (a) of clause 3 of the Scheme for Constitution and Administration of the Guarantee Redemption Fund of Government of Goa issued vide Notification No. 1/39/2001/Fin(Bud) dated 9-12-2009, the words "SPECIAL DRAWING FACILITY" shall be substituted.

All other provisions of the aforesaid Scheme for Constitution and Administration of the Guarantee Redemption Fund of Government of Goa shall continue to be in full force and effect.

By order and in the name of the Governor of Goa.

Meenakshi S. Gad, Joint Secretary (DMU).

Porvorim, 15th July, 2014.

Notification

1/7/2012/Fin(DMU)

**Scheme for Constitution and Administration
of the Consolidated Sinking Fund of
Government of Goa**

With effect from June 23, 2014, the nomenclature of Special Ways and Means Advances (Special WMA) to the State Government has been changed as Special Drawing Facility. Consequently, for the words "SPECIAL WMA" appearing in proviso to explanation (d) of clause 4 of the Scheme for Constitution and Administration of the Consolidated Sinking Fund of Government of Goa issued vide Notification No. 1/12/99/Fin(Bud-II) dated 9-12-2009, the words "SPECIAL DRAWING FACILITY" shall be substituted.

All other provisions of the aforesaid Scheme for Constitution and Administration of the Consolidated Sinking Fund of Government of Goa shall continue to be in full force and effect.

By order and in the name of the Governor
of Goa.

Meenakshi S. Gad, Joint Secretary (DMU).

Porvorim, 15th July, 2014.



Department of Law & Judiciary

Legal Affairs Division

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Notification

10/3/2014-LA/159

The Delhi Appropriation Act, 2014 (Central Act No. 15 of 2014), which has been passed by Parliament and assented to by the President on 4-3-2014 and published in the Gazette of India, Extraordinary, Part II, Section I, dated

5-3-2014, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary
(Law).

Porvorim, 16th June, 2014.

THE DELHI APPROPRIATION ACT, 2014

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the National Capital Territory of Delhi for the services in respect of the financial year 2013-14.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

1. *Short title.*— (1) This Act may be called the Delhi Appropriation Act, 2014.

2. *Issue of Rs. 363,05,64,000 from and out of the Consolidated Fund of the National Capital Territory of Delhi for the financial year 2013-14.*— From and out of the Consolidated Fund of the National Capital Territory of Delhi, there may be paid and applied further sums not exceeding those specified in column 3 of the Schedule, amounting in the aggregate to the sum of three hundred sixty-three crores five lakh and sixty-four thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2013-14, in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of the National Capital Territory of Delhi by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

No. of Vote/ /Appropriation	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3	3	Rs.
		Rs.	Rs	Rs.
2	General Administration..... Revenue	7,80,19,000	5,37,81,000	13,18,00,000
3	Administration of Justice Revenue	.....	3,54,50,000	3,54,50,000
4	Finance Revenue	7,39,00,000	.....	7,39,00,000
5	Home Revenue	.....	3,37,000	3,37,000
6	Education Revenue	49,41,00,000	.....	49,41,00,000
7	Medical and Public Health Revenue	35,87,50,000	3,50,000	35,91,00,000
8	Social Welfare Revenue	114,65,44,000	.....	114,65,44,000
9	Industries Revenue	5,00,000	14,00,000	19,00,000
10	Development Revenue	14,00,000	1,00,000	15,00,000
	Capital	1,00,000	.....	1,00,000
11	Urban Development and Public Works..... Renenue	22,00,000	.....	22,00,000
	Capital	138,36,33,000	.....	138,36,33,000
TOTAL :		353,91,46,000	9,14,18,000	363,05,64,000

Notification

10/3/2014-LA/160

The Delhi Appropriation (Vote on Account) Act, 2014 (Central Act No. 14 of 2014), which has been passed by Parliament and assented to by the President on 4-3-2014 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 5-3-2014, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 16th June, 2014.

THE DELHI APPROPRIATION (VOTE ON
ACCOUNT) ACT, 2014

AN

ACT

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the National Capital Territory of Delhi for the services for a period of six months of the financial year 2014-15.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

1. *Short title.*— (1) This Act may be called the Delhi Appropriation (Vote on Account) Act, 2014.

2. *Withdrawal of Rs. 18033,00,00,000 from and out of the Consolidated Fund of the National Capital Territory of Delhi for the financial year 2014-15.*— From and out of the Consolidated Fund of the National Capital Territory of Delhi there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of eighteen thousand and thirty-three crores of rupees towards defraying the several charges which will come in course of payment during the financial year 2014-15 in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be withdrawn from and out of the Consolidated Fund of the National Capital Territory of Delhi by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

No. of Vote/ /Appropriation	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	Rs.	Rs	Rs.
1	Legislative Assembly..... Revenue	8,50,00,000	40,50,000	8,90,50,000
2	General Administration Revenue	62,80,50,000	4,61,00,000	67,41,50,000
3	Administration of Justice Revenue	261,07,70,000	81,16,75,000	342,24,45,000
4	Finance Revenue	106,48,25,000	25,000	106,48,50,000
	Capital	15,00,00,000	....	15,00,00,000
5	Home..... Revenue	192,94,00,000	26,00,000	193,20,00,000
6	Education Revenue	2882,02,25,000	15,25,000	2882,17,50,000
	Capital	113,42,50,000	....	113,42,50,000
7	Medical and Public Health..... Revenue	1885,98,75,000	46,25,000	1886,45,00,000
	Capital	7,50,000	....	7,50,000
8	Social Welfare Revenue	1600,08,00,000	....	1600,08,00,000
	Capital	751,88,00,000	....	751,88,00,000
9	Industries Revenue	191,37,25,000	1,75,000	191,39,00,000
	Capital	36,93,50,000	....	36,93,50,000
10	Development Revenue	945,03,95,000	9,10,000	945,13,05,000
	Capital	198,17,50,000	1,50,000	198,19,00,000
11	Urban Development and Public Works Revenue	3502,17,00,000	2,00,000	3502,19,00,000
	Capital	2641,95,00,000	....	2641,95,00,000
	Public Debt Revenue	....	1639,76,50,000	1639,76,50,000
	Capital	....	838,36,50,000	838,36,50,000
12	Loans Capital	1,25,00,000	....	1,25,00,000
13	Pension Revenue	70,50,00,000	....	70,50,00,000
TOTAL :		15467,66,65,000	2565,33,35,000	18033,00,00,000

Notification

10/3/2014-LA/161

The Appropriation Act, 2014 (Central Act No. 13 of 2014), which has been passed by Parliament and assented to by the President on 4-3-2014 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 5-3-2014, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 16th June, 2014.

THE APPROPRIATION ACT, 2014

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2013-14.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

1. *Short title.*— (1) This Act may be called the Appropriation Act, 2014.

2. *Issue of Rs. 46227,57,00,000 out of the Consolidated Fund of India for the financial year 2013-14.*— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of forty-six thousand two hundred twenty-seven crore and fifty-seven lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2013-14, in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

No. of Vote/ /Appropriation	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	Rs.	Rs	Rs.
1	Department of Agriculture and Co-operation Revenue	2,00,000	....	2,00,000
2	Department of Agricultural Research and Education..... Revenue	3,00,000	....	3,00,000
3	Department of Animal Husbandry, Dairying and Fisheries Revenue	3,00,000	....	3,00,000
	Capital	1,00,000	....	1,00,000
4	Atomic Energy Revenue	2,00,000	....	2,00,000
	Capital	4,00,000	10,00,00,000	10,04,00,000
5	Nuclear Power Schemes Revenue	111,72,00,000	....	111,72,00,000
	Capital	12,40,00,000	....	12,40,00,000
9	Ministry of Civil Aviation..... Revenue	103,12,00,000	....	103,12,00,000
	Capital	1000,00,00,000	....	1000,00,00,000
10	Ministry of Coal..... Revenue	1,00,000	....	1,00,000
11	Department of Commerce..... Revenue	4,08,00,000	62,00,000	4,70,00,000
12	Department of Industrial Policy and Promotion Revenue	96,02,00,000	....	96,02,00,000
13	Department of Posts Revenue	....	10,00,000	10,00,000
14	Department of Telecommu- nications Revenue	436,28,00,000	....	436,28,00,000
17	Department of Food and Public Distribution..... Revenue	1917,08,00,000	....	1917,08,00,000
19	Ministry of Culture Revenue	2,00,000	....	2,00,000

1	2	3	Rs.	Rs.	Rs.
20	Ministry of Defence	Revenue	241,49,00,000	22,00,000	241,71,00,000
		Capital	2,00,000	....	2,00,000
21	Defence Pensions	Revenue	996,46,00,000	3,54,00,000	1000,00,00,000
22	Defence Services—Army	Revenue	4711,37,00,000	110,00,00,000	4821,37,00,000
23	Defence Services—Navy	Revenue	949,69,00,000	19,82,00,000	969,51,00,000
24	Defence Services—Air Force.....	Revenue	1032,51,00,000	50,40,00,000	1082,91,00,000
25	Defence Ordnance Factories	Revenue	1363,56,00,000	3,20,00,000	1366,76,00,000
26	Defence Services—Research and Development	Revenue	125,15,00,000	....	125,15,00,000
27	Capital Outlay on Defence Services	Capital	1,00,000	....	1,00,000
30	Ministry of Earth Sciences.....	Revenue	2,00,000	....	2,00,000
		Capital	2,00,000	....	2,00,000
31	Ministry of Environment and Forests	Revenue	2,00,000	....	2,00,000
		Capital	1,00,000	....	1,00,000
32	Ministry of External Affairs	Revenue	1,00,000	....	1,00,000
33	Department of Economic Affairs	Revenue	360,42,00,000	....	360,42,00,000
		Capital	2,00,000	....	2,00,000
34	Department of Financial Services.....	Revenue	2600,00,00,000	....	2600,00,00,000
	<i>CHARGED.—Interest Payments.....</i>	Revenue	....	15500,20,00,000	15500,20,00,000
40	Pensions	Revenue	1766,00,00,000	....	1766,00,00,000
41	Indian Audit and Accounts Department	Revenue	146,05,00,000	....	146,05,00,000
42	Department of Revenue	Revenue	2,00,000	....	2,00,000
43	Direct Taxes	Capital	1,00,000	....	1,00,000
46	Ministry of Food Processing Industries	Revenue	3,00,000	....	3,00,000
47	Department of Health and Family Welfare	Revenue	3,00,000	18,47,00,000	18,50,00,000
		Capital	1,00,000	....	1,00,000
48	Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	Revenue	2,00,000	....	2,00,000
50	Department of AIDS Control	Revenue	12,01,00,000	....	12,01,00,000
51	Department of Heavy Industry.....	Revenue	27,02,00,000	....	27,02,00,000
		Capital	91,61,00,000	....	91,61,00,000
53	Ministry of Home Affairs	Revenue	3,00,000	....	3,00,000
55	Police	Revenue	2,00,000	1,00,000	3,00,000
		Capital	2,00,000	4,59,00,000	4,61,00,000
56	Other Expenditure of the Ministry of Home Affairs	Revenue	2,00,000	....	2,00,000
58	Ministry of Housing and Urban Poverty Alleviation	Revenue	1,00,000	....	1,00,000
59	Department of School Education and Literacy	Revenue	3,00,000	....	3,00,000
60	Department of Higher Education.....	Revenue	4,00,000	....	4,00,000
61	Ministry of Information and Broadcasting	Revenue	1,00,000	....	1,00,000
62	Ministry of Labour and Employment	Revenue	3,00,000	....	3,00,000
64	Law and Justice	Revenue	165,68,00,000	....	165,68,00,000
	<i>CHARGED.—Supreme Court of India...</i>	Revenue	....	6,43,00,000	6,43,00,000

1	2	3	
		Rs.	Rs.
66	Ministry of Micro, Small and Medium Enterprises Revenue	3,00,000	.... 3,00,000
68	Ministry of Minority Affairs Revenue	1,00,000	.... 1,00,000
69	Ministry of New and Renewable Energy Revenue	1030,75,00,000	.... 1030,75,00,000
	Capital	100,00,00,000	.... 100,00,00,000
73	Ministry of Personnel, Public Grievances and Pensions Revenue	1,00,000	.... 1,00,000
74	Ministry of Petroleum and Natural Gas Revenue	10042,72,00,000	.... 10042,72,00,000
75	Ministry of Planning..... Revenue	2,00,000	.... 2,00,000
76	Ministry of Power Capital	15,00,00,000	.... 15,00,00,000
79	Rajya Sabha Revenue	1,00,000	.... 1,00,000
	<i>CHARGED.—Union Public Service Commission..... Revenue</i>	.....	8,72,00,000 8,72,00,000
82	Ministry of Road Transport and Highways Revenue	611,51,00,000	.... 611,51,00,000
	Capital	....	20,00,00,000 20,00,00,000
83	Department of Rural Development.... Revenue	1,00,000	.... 1,00,000
86	Department of Scientific and Industrial Research Revenue	1,00,000	.... 1,00,000
87	Department of Biotechnology Revenue	1,00,000	.... 1,00,000
88	Ministry of Shipping Revenue	299,36,00,000	.... 299,36,00,000
	Capital	2,00,000	.... 2,00,000
89	Ministry of Social Justice and Empowerment Revenue	3,00,000	.... 3,00,000
90	Department of Space Revenue	2,00,000	.... 2,00,000
	Capital	1,00,000	.... 1,00,000
91	Ministry of Statistics and Programme Implementation..... Revenue	13,80,00,000	.... 13,80,00,000
93	Ministry of Textiles Capital	....	55,00,00,000 55,00,00,000
95	Ministry of Tribal Affairs Revenue	2,00,000	.... 2,00,000
96	Andaman and Nicobar Islands Revenue	31,30,00,000	.... 31,30,00,000
	Capital	10,00,000	.... 10,00,000
97	Chandigarh Capital	6,00,000	.... 6,00,000
100	Lakshadweep Revenue	1,00,000	.... 1,00,000
	Capital	1,00,000	.... 1,00,000
101	Department of Urban Development.. Revenue	1,00,000	.... 1,00,000
	Capital	....	1,00,00,000 1,00,00,000
102	Public Works Revenue	1,00,000	.... 1,00,000
	Capital	2,00,000	.... 2,00,000
105	Ministry of Women and Child Development Revenue	1,00,000	.... 1,00,000
106	Ministry of Youth Affairs and Sports Revenue	1,00,000	.... 1,00,000
Total:		30415,25,00,000	15812,32,00,000 46227,57,00,000

Notification

10/3/2013-LA-(Part)/149

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (Central Act No. 25 of 2013), which has been passed by Parliament and assented to by the President on 18-09-2013 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 19-09-2013, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 6th June, 2014.

**THE PROHIBITION OF EMPLOYMENT
AS MANUAL SCAVENGERS AND
THEIR REHABILITATION ACT, 2013**

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THE PROHIBITION OF EMPLOYMENT
AS MANUAL SCAVENGERS AND THEIR
REHABILITATION ACT, 2013

AN

ACT

to provide for the prohibition of employment as manual scavengers, rehabilitation of manual scavengers and their families, and for matters connected therewith or incidental thereto.

Whereas promoting among the citizens fraternity assuring the dignity of the individual is enshrined as one of the goals in the Preamble to the Constitution;

And whereas the right to live with dignity is also implicit in the Fundamental Rights guaranteed in Part III of the Constitution;

And whereas article 46 of the Constitution, *inter alia*, provides that the State shall protect the weaker sections, and, particularly, the Scheduled Castes and the Scheduled Tribes from social injustice and all forms of exploitation;

And whereas the dehumanising practice of manual scavenging, arising from the continuing existence of insanitary latrines and a highly iniquitous caste system, still persists

in various parts of the country, and the existing laws have not proved adequate in eliminating the twin evils of insanitary latrines and manual scavenging;

And whereas it is necessary to correct the historical injustice and indignity suffered by the manual scavengers, and to rehabilitate them to a life of dignity.

Be it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. *Short title, extent and commencement.*—
(1) This Act may be called the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Provided that the date so notified shall not be earlier than sixty days after the date of publication of the notification in the Official Gazette.

2. *Definitions.*—(1) In this Act, unless the context otherwise requires,—

(a) “agency” means any agency, other than a local authority, which may undertake sanitation facilities in an area and includes a contractor or a firm or a company which engages in development and maintenance of real estate;

(b) “appropriate government”, in relation to Cantonment Boards, railway lands, and lands and buildings owned by the Central Government, a Central Public Sector Undertaking or an autonomous body wholly or substantially funded by the Central Government, means the Central Government and in all other cases, the State Government;

(c) “Chief Executive Officer”, in relation to a Municipality or Panchayat, means, its senior-most executive officer, by whatever name called;

(d) “hazardous cleaning” by an employee, in relation to a sewer or septic tank, means its manual cleaning by such employee without the employer fulfilling his obligations to provide protective gear and other cleaning devices and ensuring observance of safety precautions, as may be prescribed or provided in any other law, for the time being in force or rules made thereunder;

(e) “insanitary latrine” means a latrine which requires human excreta to be cleaned or otherwise handled manually, either *in situ*, or in an open drain or pit into which the excreta is discharged or flushed out, before the excreta fully decomposes in such manner as may be prescribed:

Provided that a water flush latrine in a railway passenger coach, when cleaned by an employee with the help of such devices and using such protective gear, as the Central Government may notify in this behalf, shall not be deemed to be an insanitary latrine.

(f) “local authority” means,—

(i) a Municipality or a Panchayat, as defined in clause (e) and clause (f) of article 243P of the Constitution, which is responsible for sanitation in its area of jurisdiction;

(ii) a Cantonment Board constituted under section 10 of the Cantonments Act, 2006; and 41 of 2006.

(iii) a railway authority;

(g) “manual scavenger” means a person engaged or employed, at the commencement of this Act or at any time thereafter, by an individual or a local

authority or an agency or a contractor, for manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit into which the human excreta from the insanitary latrines is disposed of, or on a railway track or in such other spaces or premises, as the Central Government or a State Government may notify, before the excreta fully decomposes in such manner as may be prescribed, and the expression “manual scavenging” shall be construed accordingly.

Explanation.— For the purpose of this clause,—

(a) “engaged or employed” means being engaged or employed on a regular or contract basis;

(b) a person engaged or employed to clean excreta with the help of such devices and using such protective gear, as the Central Government may notify in this behalf, shall not be deemed to be a ‘manual scavenger’;

(h) “National Commission for Safai Karmacharis” means the National Commission for Safai Karmacharis constituted under section 3 of the National Commission for Safai Karmacharis Act, 1993 and continued by 64 of 1993. Resolution of the Government of India in the Ministry of Social Justice and Empowerment vide No. 17015/18/2003-SCD-VI, dated 24th February, 2004 and as amended from time to time;

(i) “notification” means a notification published in the Official Gazette and the expression “notify” shall be construed accordingly;

(j) “occupier”, in relation to the premises where an insanitary latrine exists, or someone is employed as a manual scavenger, means the person who, for the

time being, is in occupation of such premises;

(k) “owner”, in relation to the premises where an insanitary latrine exists or someone is employed as a manual scavenger, means, the person who, for the time being has legal title to such premises;

(l) “prescribed” means prescribed by the rules made under this Act;

(m) “railway authority” means an authority administering railway land, as may be notified by the Central Government in this behalf;

(n) “railway land” shall have the meaning assigned to it in clause (32A) of section 2 of the Railways Act, 1989; 24 of 1989.

(o) “sanitary latrine” means a latrine which is not an ‘insanitary latrine’;

(p) “septic tank” means a water-tight settling tank or chamber, normally located underground, which is used to receive and hold human excreta, allowing it to decompose through bacterial activity;

(q) “sewer” means an underground conduit or pipe for carrying off human excreta, besides other waste matter and drainage wastes;

(r) “State Government”, in relation to a Union territory, means the Administrator thereof appointed under article 239 of the Constitution;

(s) “survey” means a survey of manual scavengers undertaken in pursuance of section 11 or section 14.

(2) Words and expressions used and not defined in this Act, but defined in the Cantonments Act, 2006, shall have the same meanings 41 of 2006.

respectively assigned to them in that Act.

(3) The reference to a Municipality under Chapters IV to VIII of this Act shall include a reference to, as the case may be, the Cantonment Board or the railway authority, in respect of areas included within the jurisdiction of the Cantonment Board and the railway land, respectively.

3. *Act to have overriding effect.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 or in 46 of 1993. any other law, or in any instrument having effect by virtue of any other law.

CHAPTER II

Identification of insanitary latrines

4. *Local authorities to survey insanitary latrines and provide sanitary community latrines.*—(1) Every local authority shall,—

(a) carry out a survey of insanitary latrines existing within its jurisdiction, and publish a list of such insanitary latrines, in such manner as may be prescribed, within a period of two months from the date of commencement of this Act;

(b) give a notice to the occupier, within fifteen days from the date of publication of the list under clause (a), to either demolish the insanitary latrine or convert it into a sanitary latrine, within a period of six months from the date of commencement of this Act:

Provided that the local authority may for sufficient reasons to be recorded in writing extend the said period not exceeding three months;

(c) construct, within a period not exceeding nine months from the date of

commencement of this Act, such number of sanitary community latrines as it considers necessary, in the areas where insanitary latrines have been found.

(2) Without prejudice to the provisions contained in sub-section (1), Municipalities, Cantonment Boards and railway authorities shall also construct adequate number of sanitary community latrines, within such period not exceeding three years from the date of commencement of this Act, as the appropriate Government may, by notification, specify, so as to eliminate the practice of open defecation in their jurisdiction.

(3) It shall be the responsibility of local authorities to construct community sanitary latrines as specified in sub-sections (1) and (2), and also to make arrangements for their hygienic upkeep at all times.

Explanation.—For the purposes of this section, “community” in relation to railway authorities means passengers, staff and other authorised users of railways.

CHAPTER III

Prohibition of insanitary latrines and employment and engagement as manual scavenger

5. *Prohibition of insanitary latrines and employment and engagement of manual scavenger.*—

(1) Notwithstanding anything inconsistent therewith contained in the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, no ^{46 of 1993.} person, local authority or any agency shall, after the date of commencement of this Act,—

(a) construct an insanitary latrine; or

(b) engage or employ, either directly or indirectly, a manual scavenger, and every person so engaged or employed shall stand discharged immediately from any obligation, express or implied, to do manual scavenging.

(2) Every insanitary latrine existing on the date of Commencement of this Act, shall either be demolished or be converted into a sanitary latrine, by the occupier at his own cost, before the expiry of the period so specified in clause (b) of sub-section (1) of section 4:

Provided that where there are several occupiers in relation to an insanitary latrine, the liability to demolish or convert it shall lie with,—

(a) the owner of the premises, in case one of the occupiers happens to be the owner; and

(b) all the occupiers, jointly and severally, in all other cases:

Provided that the State Government may give assistance for conversion of insanitary latrines into sanitary latrines to occupiers from such categories of persons and on such scale, as it may, by notification, specify:

Provided further that non-receipt of State assistance shall not be a valid ground to maintain or use an insanitary latrine, beyond the said period of nine months.

(3) If any occupier fails to demolish an insanitary latrine or convert it into a sanitary latrine within the period specified in sub-section (2), the local authority having jurisdiction over the area in which such insanitary latrine is situated, shall, after giving notice of not less than twenty-one days to the occupier, either convert such latrine into a sanitary latrine, or demolish such insanitary latrine, and shall be entitled to recover the cost of such conversion or, as the case may be, of demolition, from such occupier in such manner as may be prescribed.

6. *Contract, agreement, etc., to be void.*—

(1) Any contract, agreement or other instrument entered into or executed before the date of commencement of this Act, engaging or employing a person for the purpose of manual scavenging shall, on the date of commencement of this Act, be terminated and such contract, agreement or

other instrument shall be void and inoperative and no compensation shall be payable therefor.

(2) Notwithstanding anything contained in sub-section (1), no person employed or engaged as a manual scavenger on a full-time basis shall be retrenched by his employer, but shall be retained, subject to his willingness, in employment on at least the same emoluments, and shall be assigned work other than manual scavenging.

7. *Prohibition of persons from engagement or employment for hazardous cleaning of sewers and septic tanks.*—No person, local authority or any agency shall, from such date as the State Government may notify, which shall not be later than one year from the date of commencement of this Act, engage or employ, either directly or indirectly, any person for hazardous cleaning of a sewer or a septic tank.

8. *Penalty for contravention of section 5 or section 6.*—Whoever contravenes the provisions of section 5 or section 6 shall for the first contravention be punishable with imprisonment for a term which may extend to one year or with fine which may extend to fifty thousand rupees or with both, and for any subsequent contravention with imprisonment which may extend to two years or with fine which may extend to one lakh rupees, or with both.

9. *Penalty for contravention of section 7.*—Whoever contravenes the provisions of section 7 shall for the first contravention be punishable with imprisonment for a term which may extend to two years or with fine which may extend to two lakh rupees or with both, and for any subsequent contravention with imprisonment which may extend to five years or with fine which may extend to five lakh rupees, or with both.

10. *Limitation of prosecution.*—No court shall take cognizance of any offence punishable under this Act except upon a complaint thereof is made by a person in

this behalf within three months from the date of the occurrence of the alleged commission of the offence.

CHAPTER IV

Identification of manual scavengers in urban and rural areas and their rehabilitation

11. *Survey of manual scavengers in urban areas by Municipalities.*— (1) If any Municipality has reason to believe that some persons are engaged or employed in manual scavenging within its jurisdiction, the Chief Executive Officer of such Municipality shall cause a survey to be undertaken to identify such persons.

(2) The content and methodology of the survey referred to in sub-section (1) shall be such as may be prescribed, and it shall be completed within a period of two months from its commencement in the case of Municipal Corporations, and within a period of one month in the case of other Municipalities.

(3) The Chief Executive Officer of the Municipality, in whose jurisdiction the survey is undertaken, shall be responsible for accurate and timely completion of the survey.

(4) After completion of the survey, the Chief Executive Officer shall cause to be drawn up a provisional list of persons found to be working as manual scavengers within the jurisdiction of his Municipality and fulfilling the eligibility conditions as may be prescribed, shall cause such provisional list to be published for general information in such manner, as may be prescribed, and shall invite objections to the list from the general public.

(5) Any person having any objection, either to the inclusion or exclusion of any name in the provisional list published in pursuance of sub-section (4), shall, within a period of fifteen days from such publication, file an objection, in such form as the Municipality may notify, to the Chief Executive Officer.

(6) All objections received in pursuance of sub-section (5), shall be enquired into, and

thereafter a final list of persons found to be working as manual scavengers within the local limits of the municipalities, shall be published by it in such manner, as may be prescribed.

(7) As soon as the final list of manual scavengers, referred to in sub-section (6) is published, the person included in the said list shall, subject to the provisions of sub-section (2) of section 6, stand discharged from any obligation to work as manual scavengers.

12. *Application by an urban manual scavenger for identification.*—(1) Any person working as a manual scavenger in an urban area, may, either during the survey undertaken by the Municipality in pursuance of section 11, within whose jurisdiction he works, or at any time thereafter, apply, in such manner, as may be prescribed, to the Chief Executive Officer of the Municipality, or to any other officer authorised by him in this behalf, for being identified as a manual scavenger.

(2) On receipt of an application under sub-section (1), the Chief Executive Officer shall cause it to be enquired into, either as part of the survey undertaken under section 11, or, when no such survey is in progress, within fifteen days of receipt of such application, to ascertain whether the applicant is a manual scavenger.

(3) If an application is received under sub-section (1) when a survey under section 11 is not in progress, and is found to be true after enquiry in accordance with sub-section (2), action shall be taken to add the name of such a person to the final list published under sub-section (6) of section 11, and the consequences mentioned in sub-section (7) thereof shall follow.

13. *Rehabilitation of persons identified as manual scavengers by a Municipality.*— (1) Any person included in the final list of manual scavengers published in pursuance of sub-section (6) of section 11 or added thereto in pursuance of sub-section (3) of section 12,

shall be rehabilitated in the following manner, namely:—

(a) he shall be given, within one month,—

(i) a photo identity card, containing, *inter alia*, details of all members of his family dependent on him, and

(ii) such initial, one time, cash assistance, as may be prescribed;

(b) his children shall be entitled to scholarship as per the relevant scheme of the Central Government or the State Government or the local authorities, as the case may be;

(c) he shall be allotted a residential plot and financial assistance for house construction, or a ready-built house, with financial assistance, subject to eligibility and willingness of the manual scavenger, and the provisions of the relevant scheme of the Central Government or the State Government or the concerned local authority;

(d) he, or at least one adult member of his family, shall be given, subject to eligibility and willingness, training in a livelihood skill, and shall be paid a monthly stipend of not less than three thousand rupees, during the period of such training;

(e) he, or at least one adult member of his family, shall be given, subject to eligibility and willingness, subsidy and concessional loan for taking up an alternative occupation on a sustainable basis, in such manner as may be stipulated in the relevant scheme of the Central Government or the State Government or the concerned local authority;

(f) he shall be provided such other legal and programmatic assistance, as the Central Government or State Government may notify in this behalf.

(2) The District Magistrate of the district concerned shall be responsible for

rehabilitation of each manual scavenger in accordance with the provisions of sub-section (1) and the State Government or the District Magistrate concerned may, in addition, assign responsibilities in his behalf to officers subordinate to the District Magistrate and to officers of the concerned Municipality.

14. *Survey of manual scavengers in rural areas by Panchayats.*—If any Panchayat has reason to believe that some persons are engaged in manual scavenging within its jurisdiction, the Chief Executive Officer of such Panchayat shall cause a survey of such manual scavengers to be undertaken, *mutatis mutandis*, in accordance with the provisions of section 11 and section 12, to identify such person.

15. *Application by a rural manual scavenger for identification.* — (1) Any person working as a manual scavenger, in a rural area, may, either during the survey undertaken by the Panchayat within whose jurisdiction he works, in pursuance of section 14 or at any time thereafter, apply, in such manner, as may be prescribed, to the Chief Executive Officer of the concerned Panchayat, or to any other officer authorised by him in this behalf, for being identified as a manual scavenger.

(2) On receipt of an application under sub-section (1), the Chief Executive Officer shall cause it to be enquired into, either as part of the survey undertaken under section 14 or when no such survey is in progress, within fifteen days of receipt of such application, so as to ascertain whether the applicant is a manual scavenger.

16. *Rehabilitation of persons identified as manual scavengers by a Panchayat.*—Any person included in the final list of manual scavengers, published in pursuance of section 14 or added thereto in pursuance of sub-section (2) of section 15 shall be rehabilitated, *mutatis mutandis*, in the manner laid down for urban manual scavengers in section 13.

CHAPTER V

Implementing authorities

17. *Responsibility of local authorities to ensure elimination of insanitary latrines.*—Notwithstanding anything contained in any other law for the time being in force, it shall be the responsibility of every local authority to ensure, through awareness campaign or in such other manner that after the expiry of a period of nine months, from the date of commencement of this Act,—

(i) no insanitary latrine is constructed, maintained or used within its jurisdiction; and

(ii) in case of contravention of clause (i), action is taken against the occupier under sub-section (3) of section 5.

18. *Authorities who may be specified for implementing provisions of this Act.*—The appropriate Government may confer such powers and impose such duties on local authority and District Magistrate as may be necessary to ensure that the provisions of this Act are properly carried out, and a local authority and the District Magistrate may, specify the subordinate officers, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed, and the local limits within which such powers or duties shall be carried out by the officer or officers so specified.

19. *Duty of District Magistrate and authorised officers.*—The District Magistrate and the authority authorised under section 18 or any other subordinate officers specified by them under that section shall ensure that, after the expiry of such period as specified for the purpose of this Act,—

(a) no person is engaged or employed as manual scavenger within their jurisdiction;

(b) no one constructs, maintains, uses or makes available for use, an insanitary latrine;

(c) manual scavengers identified under this Act are rehabilitated in accordance with section 13, or as the case may be, section 16;

(d) persons contravening the provisions of section 5 or section 6 or section 7 are investigated and prosecuted under the provisions of this Act; and

(e) all provisions of this Act applicable within his jurisdiction are duly complied with.

20 *Appointment of inspectors and their powers.*— (1) The appropriate Government may, by notification, appoint such persons as it thinks fit to be inspectors for the purposes of this Act, and define the local limits within which they shall exercise their powers under this Act.

(2) Subject to any rules made in their behalf, an inspector may, within the local limits of his jurisdiction, enter, at all reasonable times, with such assistance as he considers necessary, any premises or place for the purpose of,—

(a) examining and testing any latrine, open drain or pit or for conducting an inspection of any premises or place, where he has reason to believe that an offence under this Act has been or is being or is about to be committed, and to prevent employment of any person as manual scavenger;

(b) examine any person whom he finds in such premises or place and who, he has reasonable cause to believe, is employed as a manual scavenger therein, or is otherwise in a position to furnish information about compliance or non-compliance with the provisions of this Act and the rules made thereunder;

(c) require any person whom he finds on such premises, to give information which is in his power to give, with respect to the names and addresses of persons employed on such premises as manual

scavenger and of the persons or agency or contractor employing or engaging them;

(d) seize or take copies of such registers, record of wages or notices or portions thereof as he may consider relevant in respect of an offence under this Act which he has reason to believe has been committed by the principal employer or agency; and

(e) exercise such other powers as may be prescribed.

(3) Any person required to produce any document or thing or to give any information required by an inspector under sub-section (2) shall be deemed to be legally bound to do so within the meaning of section 175 and section 176 of the Indian Penal Code.

45 of 1860.

(4) The provisions of the Code of Criminal Procedure, 1973, shall, so far as may be, apply to any such search or seizure under sub-section (2) as they apply to such search or seizure made under the authority of a warrant issued under section 94 of the said Code.

2 of 1974.

CHAPTER VI

Procedure for trial

21. *Offences to be tried by Executive Magistrate.*— (1) The State Government may confer, on an Executive Magistrate, the powers of a Judicial Magistrate of the first class for the trial of offences under this Act; and, on such conferment of powers, the Executive Magistrate, on whom the powers are so conferred, shall be deemed, for the purposes of the Code of Criminal Procedure, 1973, to be a Judicial Magistrate of the first class.

2 of 1974.

(2) An offence under this Act may be tried summarily.

22. *Offence to be cognizable and non-bailable.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every ²of 1974. offence under this Act shall be cognizable and non-bailable.

23. *Offences by companies.*— (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.

CHAPTER VII

Vigilance committees

24. *Vigilance Committees.*— (1) Every State Government shall, by notification, constitute a Vigilance Committee for each district and each Sub-Division.

(2) Each Vigilance Committee constituted for a district shall consist of the following members, namely:—

(a) the District Magistrate—Chairperson, *ex officio*;

(b) all members of the State Legislature belonging to the Scheduled Castes elected from the district —members:

Provided that if a district has no member of the State Legislature belonging to the Scheduled Castes, the State Government may nominate such number of other members of the State Legislature from the district, not exceeding two, as it may deem appropriate.

(c) the district Superintendent of Police—member, *ex officio*;

(d) the Chief Executive Officer of,—

(i) the Panchayat at the district level—member, *ex officio*;

(ii) the Municipality of the district headquarters—member, *ex officio*;

(iii) any other Municipal Corporation constituted in the district—member, *ex officio*;

(iv) Cantonment Board, if any, situated in the district—member, *ex officio*;

(e) one representative be nominated by the railway authority located in the district;

(f) not more than four social workers belonging to organisation working for the prohibition of manual scavenging and rehabilitation of manual scavengers, or, representing the scavenger community, resident in the district, to be nominated by the District Magistrate, two of whom shall be women;

(g) one person to represent the financial and credit institutions in the district, to be nominated by the District Magistrate;

(h) the district-level officer in-charge of the Scheduled Castes Welfare —Member-Secretary, *ex officio*;

(i) district-level officers of Departments and agencies who, in the opinion of the District Magistrate, subject to general orders, if any, of the State Government, have a significant role to play in the implementation of this Act.

(3) Each Vigilance Committee, constituted for a Sub-Division, shall consist of the following members, namely:—

(a) the Sub-Divisional Magistrate—Chairperson, *ex officio*;

(b) the Chairpersons and the Chief Executive Officers of Panchayats at intermediate level of the Sub-Division, and where Panchayats at intermediate level, do not exist, Chairpersons from two Panchayats at Village level to be nominated by the Sub-Divisional Magistrate—member, *ex officio*;

(c) the Sub-Divisional Officer of Police—member, *ex officio*;

(d) Chief Executive Officer of—

(i) the Municipality of the Sub-Divisional headquarters—member, *ex officio*; and

(ii) Cantonment Board, if any, situated in the Sub-Division—member, *ex officio*;

(e) one representative to be nominated by the railway authority located in the Sub-Division—member, *ex officio*;

(f) two social workers belonging to the organisation working for the prohibition of manual scavenging and rehabilitation of the manual scavengers, or representing the scavenger community resident in the Sub-Division, to be nominated by the District Magistrate, one of whom shall be a woman;

(g) one person to represent the financial and credit institutions in the Sub-Division, to be nominated by the Sub-Divisional Magistrate;

(h) the Sub-Divisional level officer in-charge of Scheduled Castes welfare—Member-Secretary, *ex officio*;

(i) Sub-Divisional level officers of Department and agencies who in the opinion of the Sub-Divisional Magistrate, subject to any general orders of the State Government or the District Magistrate, have a significant role to play in the implementation of this Act—member, *ex officio*.

(4) Each Vigilance Committee constituted at district and Sub-Divisional level shall meet at least once in every three months.

(5) No proceeding of a Vigilance Committees shall be invalid merely by reason of any defect in its constitution.

25. *Functions of Vigilance Committee.*—The functions of Vigilance Committee shall be—

(a) to advise the District Magistrate or, as the case may be, the Sub-Divisional Magistrate, on the action which needs to be taken, to ensure that the provisions of this Act or of any rule made thereunder are properly implemented;

(b) to oversee the economic and social rehabilitation of manual scavengers;

(c) to co-ordinate the functions of all concerned agencies with a view to channelise adequate credit for the rehabilitation of manual scavengers;

(d) to monitor the registration of offences under this Act and their investigation and prosecution.

26. *State Monitoring Committee.*—(1) Every State Government shall, by notification, constitute a State Monitoring Committee, consisting of the following members, namely:—

(a) the Chief Minister of State or a Minister nominated by him—Chairperson, *ex officio*;

(b) the Minister-in-charge of the Scheduled Castes Welfare, and such other Department, as the State Government may notify;

(c) Chairperson of the State Commission for Safai Karamcharis, and Scheduled Castes, if any—member, *ex officio*;

(d) representatives of the National Commission for Scheduled Castes, and Safai Karamcharis—member, *ex officio*;

(e) not less than two members of the State Legislature belonging to the Scheduled Castes, nominated by the State Government.

Provided that if any State Legislature has no member belonging to the Scheduled Castes, the State Government may nominate the members belonging to the Scheduled Tribes;

(f) the Director-General of Police—member, *ex officio*;

(g) Secretaries to the State Government in the Departments of Home, Panchayati Raj, Urban Local Bodies, and such other Departments, as the State Government may notify;

(h) Chief Executive Officer of at least one Municipal Corporation, Panchayat at the district-level, Cantonment Board and railway authority as the State Government may notify;

(i) not more than four social workers belonging to organisation working for the prohibition of manual scavenging and rehabilitation of manual scavengers, or, representing the scavenger community, resident in the State, to be nominated by the State Government, two of whom shall be women;

(j) State-level head of the convener Bank of the State Level Bankers' Committee—member, *ex-officio*;

(k) Secretary of the Department of the State Government dealing with

development of the Scheduled Castes—Member-Secretary, *ex officio*;

(1) such other representative of Departments of the State Government and such other agencies which, in the opinion of the State Government, are concerned with the implementation of this Act.

(2) The State Monitoring Committee shall meet at least once in every six months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.

27. *Functions of the State Monitoring Committee.*— The functions of the State Monitoring Committee shall be—

(a) to monitor and advise the State Government and local authorities for effective implementation of this Act;

(b) to co-ordinate the functions of all concerned agencies;

(c) to look into any other matter incidental thereto or connected therewith for implementation of this Act.

28. *Duty of States or Union territories to send periodic reports to the Central Government.*— Every State or Union territory Government and Union territory administration shall send such periodic reports to the Central Government about progress of implementation of this Act, as the Central Government may require.

29. *Central Monitoring Committee.*— (1) The Central Government shall, by notification, constitute a Central Monitoring Committee in accordance with the provisions of this section.

(2) The Central Monitoring Committee shall consist of the following members, namely:—

(a) The Union Minister for Social Justice and Empowerment—Chairperson, *ex officio*;

(b) Chairperson of the National Commission for Scheduled Castes—member, *ex officio*;

(c) Minister of State in the Ministry of Social Justice and Empowerment—member, *ex officio*;

(d) Chairperson, National Commission for Safai Karamcharis—member, *ex officio*;

(e) the Member of the Planning Commission dealing with development of the Scheduled Castes—member, *ex officio*;

(f) three elected members of Parliament belonging to Scheduled Castes, two from the Lok Sabha and one from the Rajya Sabha;

(g) Secretaries of the Ministries of,—

(i) Social Justice and Empowerment, Department of Social Justice and Empowerment;

(ii) Urban Development;

(iii) Housing and Urban Poverty Alleviation;

(iv) Drinking Water and Sanitation;

(v) Panchayati Raj;

(vi) Finance, Department of Financial Services; and

(vii) Defence,

members, *ex officio*;

(h) Chairman, Railway Board—member, *ex officio*;

(i) Director-General, Defence Estates—member, *ex officio*;

(j) representatives of not less than six State Governments and one Union territory, as the Central Government may, notify;

(k) not more than six social workers belonging to organisation working for the prohibition of manual scavenging and rehabilitation of manual scavengers, or, representing the scavenger community,

resident in the country, to be nominated by the Chairperson, two of whom shall be women;

(l) Joint Secretary, Department of Social Justice and Empowerment in the Ministry of Social Justice and Empowerment, looking after development of Scheduled Castes—Member-Secretary, *ex officio*;

(m) such other representatives of Central Ministries or Departments and agencies which, in the opinion of the Chairperson, are concerned with the implementation of this Act.

(3) The Central Monitoring Committee shall meet at least once in every six months.

30. *Functions of the Central Monitoring Committee.*— The functions of the Central Monitoring Committee shall be,—

(a) to monitor and advise the Central Government and State Government for effective implementation of this Act and related laws and programmes;

(b) to co-ordinate the functions of all concerned agencies;

(c) to look into any other matter incidental to or connected with implementation of this Act.

31. *Functions of National Commission for Safai Karamcharis.*— (1) The National Commission for Safai Karamcharis shall perform the following functions, namely:—

(a) to monitor the implementation of this Act;

(b) to enquire into complaints regarding contravention of the provisions of this Act, and to convey its findings to the concerned authorities with recommendations requiring further action; and

(c) to advise the Central and the State Governments for effective implementation of the provisions of this Act.

(d) to take *suo motu* notice of matter relating to non-implementation of this Act.

(2) In the discharge of its functions under sub-section (1), the National Commission shall have the power to call for information with respect to any matter specified in that sub-section from any Government or local or other authority.

32. *Power of State Government to designate an appropriate authority to monitor the implementation of this Act.*— (1) The State Government may, by notification, designate a State Commission for Safai Karamcharis or a State Commission for the Scheduled Castes or such other statutory or other authority, as it deems fit, to perform, within the State, *mutatis mutandis*, the functions specified in sub-section (1) of section 31.

(2) An authority designated under sub-section (1) shall, within the State, have, *mutatis mutandis*, the powers of the National Commission for Safai Karamcharis as specified in sub-section (2) of section 31.

CHAPTER VIII

Miscellaneous

33. *Duty of local authorities and other agencies to use modern technology for cleaning of sewers, etc.*—(1) It shall be the duty of every local authority and other agency to use appropriate technological appliances for cleaning of sewers, septic tanks and other spaces within their control with a view to eliminating the need for the manual handling of excreta in the process of their cleaning.

(2) It shall be duty of the appropriate Government to promote, through financial assistance, incentives and otherwise, the use of modern technology, as mentioned in sub-section (1).

34. *Protection of action taken in good faith.*— No suit, prosecution or other legal proceeding shall lie against an appropriate Government or any officer of the appropriate Government or any member of the Committee for anything which is in good faith done or intended to be done under this Act.

35. *Jurisdiction of civil courts barred.*— No civil court shall have jurisdiction in respect of any matter to which any provision of this Act applies and no injunction shall be granted by any civil court in respect of anything, which is done or intended to be done, by or under this Act.

36. *Power of appropriate Government to make rules.*— (1) The appropriate Government shall, by notification, make rules for carrying out the provisions of this Act, within a period not exceeding three months from the date of commencement of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the obligation of an employer, under clause (d) of sub-section (1) of section 2;

(b) the manner in which the excreta fully decomposes under clauses (e) and (g) of sub-section (1) of section 2;

(c) the manner of carrying out survey of insanitary latrine and publishing list thereof under clause (a) of sub-section (1) of section 4;

(d) procedure of giving notice and recovering cost of demolition of an insanitary latrine under sub-section (3) of section 5;

(e) content and methodology of the survey under sub-section (2) of section 11;

(f) the eligibility conditions for identification of manual scavengers and publication of provisional list of persons found to be working as manual scavengers under sub-section (4) of section 11;

(g) publication of final list of persons found to be working as manual scavengers under sub-section (6) of section 11;

(h) manner of application to be made to the Chief Executive Officer of the municipality, or to an officer authorised by him in this behalf, under sub-section (1) of section 12 or, as the case may be, sub-section (1) of section 15;

(i) provision of initial, one time, cash assistance under sub-clause (ii) of clause (a) of sub-section (1) of section 13;

(j) such other powers of Inspectors under clause (e) of sub-section (2) of section 20; and

(k) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(4) Every rule made under this Act by the State Government shall, as soon as may be after it is made, be laid before each House of State Legislature, where there are two Houses and where there is one House of State Legislature, before that House.

37. *Power of Central Government to make model rules.*— (1) Notwithstanding anything contained in section 36 of this Act:—

(a) the Central Government shall, by notification, publish model rules for the guidance and use of State Governments; and

(b) in case the State Government fails to notify the rules under section 36 of this Act within the period of three months specified therein, then the model rules as notified by the Central Government shall be deemed to have come into effect, *mutatis mutandis*, in such State, till such time as the State Government notifies its rules.

(2) The model rules made by the Central Government under this Act shall be laid, as soon as may be after they are made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses make any modification in the rule, the rule shall thereafter have effect only in such modified form; so, however, that any such modification shall be without prejudice to the validity of anything previously done under that rule.

38. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the difficulty:

Provided that no such order shall be made in relation to a State after the expiration of three years from the commencement of this Act in that State.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

39. *Power to exempt.*— (1) The appropriate Government may, by a general or special order published in the Official Gazette, for reasons to be recorded, and subject to such conditions as it may impose, exempt any area, category of buildings or class of persons from any provisions of this Act or from any specified requirement contained in this Act or any rule, order, notification, bye-laws or scheme made thereunder or dispense with the observance of any such requirement in a class or classes of cases, for a period not exceeding six months at a time.

(2) Every general or special order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament or each House of State Legislature, where there are two Houses and where there is one House of State Legislature, before that House.

Department of Revenue

Notification

35/5/87-RD(Vol.I)

In exercise of the powers conferred by section 74 of the Indian Stamp Act, 1899 (Act 2 of 1899), the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu Stamps Supply and Sale Rules, 1965, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Stamps Supply and Sale (Amendment) Rules, 2014.

(2) They shall come into force at once.

2. *Amendment of rule 7.*— In sub-rules (1) and (2) of rule 7 of the Goa, Daman and Diu Stamps Supply and Sale Rules, 1965

(hereinafter referred to as the “principal Rules”) for the letters and figures “Rs. 25,000/-”, the letters and figures “Rs. 2.00 lakhs” shall be substituted.

3. *Amendment of rule 10.*— In sub-rule (2) of rule 10 of the principal Rules, for the letters and figures “Rs. 25,000/-”, the letters and figures “Rs. 2.00 lakhs” shall be substituted.

4. *Amendment of rule 16.*— In sub-rules (1), (2) and (3) of rule 16 of the principal Rules, for the letters and figures, “Rs. 25,000/-”, wherever they occur, the letters and figures “Rs. 2.00 lakhs” shall be substituted.

By order and in the name of the Governor of Goa.

Ashutosh Apte, Under Secretary (Revenue-I).

Porvorim, 17th July, 2014.

Department of Vigilance

Directorate of Vigilance

Order

13/38/2013-VIG/1489

Sanction of the Government is hereby conveyed for the creation of additional posts and for the revival of the lapsed posts, as shown below, in the Directorate of Vigilance.

(A) Creation of Additional Posts:

Sr. No.	Name of the posts	No. of Post	Pay Scales
1	2	3	4
1.	Senior Technical Examiner	1	Rs. 15,600-39,100+GP Rs. 7,600
2.	Deputy Superintendent of Police	2	Rs. 15,600-39,100+GP Rs. 5,400
3.	Police Inspector	2	Rs. 9,300-34,800+GP Rs. 4,600
4.	Police Sub-Inspector	2	Rs. 9,300-34,800+GP Rs. 4,200
5.	Head Constable	2	Rs. 5,200-20,200+GP Rs. 2,400
6.	Police Constable	3	Rs. 5,200-20,200+GP Rs. 1,900
7.	Lady Police Constable	1	Rs. 5,200-20,200+GP Rs. 1,900
8.	Vigilance Officer	2	Rs. 9,300-34,800+GP Rs. 4,600
9.	Vigilance Assistant	4	Rs. 9,300-34,800+GP Rs. 4,200
10.	UDC	3	Rs. 5,200-20,200+GP Rs. 2,400
11.	Head Clerk	1	Rs. 9,300-34,800+GP Rs. 4,200
12.	Accountant	1	Rs. 9,300-34,800+GP Rs. 4,200

(B) Revival of Lapsed Posts:

Sr. No.	Name of the posts	No. of Post	Pay Scales
1.	Director of Vigilance	1	Rs. 15,600-39,100+GP Rs. 6,600
2.	Deputy Director of Vigilance	1	Rs. 15,600-39,100+GP Rs. 5,400
3.	Technical Examiner	1	Rs. 15,600-39,100+GP Rs. 5,400
4.	Assistant Technical Examiner	2	Rs. 9,300-34,800+GP Rs. 4,600
5.	Superintendent of Police	1	Rs. 15,600-39,100+GP Rs. 6,600
6.	Police Sub-Inspector	1	Rs. 9,300-34,800+GP Rs. 4,200

The Expenditure towards their pay and allowances is debitable to the Budget Head, 2070—Other Administrative Services; 00—; 104—Vigilance; 01—Directorate of Vigilance; 01—Salaries (Non-Plan); Demand No. 22.

The Administrative Reforms Department, Secretariat, Porvorim, Goa has approved the creation of additional posts and the revival of lapsed posts vide their U. O. No. 468/F dated 28-8-2013 and No. 346/F dated 10-1-2014 and same has also been concurred by Finance Department vide their U. O. No. 1491712 dated 28-3-2014.

The Council of Ministers in the LXIst cabinet meeting held on 29-5-2014 has approved the creation of additional posts and the revival of lapsed posts for the Directorate of Vigilance, Panaji for smooth functioning of the Administration and other related matters.

By order and in the name of the Governor of Goa.

Amarsen Wamanrao Rane, Director & ex officio Additional Secretary (Vigilance).

Panaji, 17th July, 2014.



Department of Women & Child
Development

Directorate of Women & Child Development

Notification

2-280-SL-2012-DWCD/7114

Griha Aadhar Scheme

The Government of Goa hereby notifies the amended Griha Aadhar Scheme.

Objective of the Scheme.— The objective of the scheme is to address the problem of spiralling prices and to provide support to the housewives/homemakers from middle, lower middle and poor section of the society, to maintain a reasonable standard of living for their families. Under this scheme a monthly disbursement of an amount as prescribed under the scheme will be provided every

month directly at the hands of the housewives/homemakers to achieve the objective.

1. *Short title and commencement.*— (a) This amended scheme shall be called “Griha Aadhar Scheme”.

(b) This amended scheme shall replace the existing Scheme and come into force with immediate effect.

2. *Eligibility and other conditions.*— (a) Any married woman above the age of 18 years, who fulfils all of the following conditions is eligible to apply:—

(i) She should be a resident of Goa for the last fifteen years; and

(ii) The gross income of the husband and wife, taken together should not exceed Rs. 3,00,000/- per annum.

Note 1: The term ‘married woman’ includes a widow and a divorcee. In such cases the gross income of the

beneficiary should not exceed Rs. 1,50,000/- per annum.

Note 2: The term 'gross income', means the income receivable by the beneficiary as salary, any sort of remuneration, any sort of earnings from profession, agriculture or business or any other income from any other sources; before computing any other amount accounted towards statutory, essential and other deductions required to be done from the gross income:

Provided, that the beneficiary or the husband should not be in receipt of the benefit under the Dayanand Social Security Scheme (DSSS) of the Directorate of Social Welfare, Government of Goa. However, a widow having a child living, shall be eligible for benefit under this scheme, even though she is a beneficiary of the DSSS till the child attains 18 years of age.

(3) *Financial Assistance.*— The beneficiary under the scheme shall be paid an amount of Rs. 1,200/- per month, as financial assistance w.e.f. payment of June, 2014.

(4) *Application procedure.*— (a) The eligible beneficiary shall apply to the Director of Women and Child Development, Panaji-Goa in the prescribed form (Annexure-A), complete in all respects with the self-certified copies of the following documents:

(i) Aadhar Card,

(ii) Marriage Certificate: In case of non-availability of Marriage Certificate, alternate proof of marriage (like certificate issued by the religious institution where the marriage was solemnised etc.) or Birth Certificate of the child indicating the name of the beneficiary as the mother or any other documentary evidence. All such cases shall be referred to the Committee constituted in terms of clause 6 (a) for decision.

However, Marriage Certificate shall be an essential document in case of beneficiaries who are getting married, on or after the date, this scheme comes into force. In such cases, alternate documents as indicated above shall not be accepted and no relaxation shall be granted. Such cases shall not be referred to the Committee and the application shall be rejected.

(iii) Proof of present residential address (which may include a ration card, Election Photo Identity Card (EPIC), or any such document which establishes the present address);

(iv) 15 years Residence Certificate issued by Mamlatdar of the Taluka concerned. Alternatively, the applicant may submit a certificate in the prescribed form (Annexure-C), issued by a Gazetted Officer of the State Government, certifying that the applicant is a resident of the State of Goa for the last 15 years:

Provided that in case of a married woman who is originally native from outside the State and has married with a person who has been residing in Goa for last fifteen years, the applicant shall submit her certificate of residence in Goa for a minimum period of 3 years along with her birth certificate as a proof that she is native of outside Goa and 15 years Residence Certificate of her husband.

(v) Income Certificate issued by the Competent Authority, which may also include Salary Certificate/Income Certificate, in the prescribed form (Annexure-D) issued by an employer.

In such cases where the employer issues a salary certificate; the unit or firm or establishment of the employer should be registered with the appropriate authorities concerned and the employer should be contributing towards Employees' Provident Fund and/or Employees' State Insurance Scheme and/or any other statutory scheme for its employees.

The applicant is required to submit the Income Certificate/Salary Certificate as follows:

(a) In the case of the applicant being employed, then the Income Certificate/ /Salary Certificate in the prescribed form (Annexure-D) of both the husband and

the applicant shall be submitted. In the event the husband is not able to obtain a Salary Certificate, being unemployed or self-employed or carrying out any other occupation, business, profession or trade; then the individual Income Certificate of the husband, issued by the Competent Authority shall be submitted.

(b) In the case of the applicant being a widow or a divorcee, then the Income Certificate/Salary Certificate in the prescribed form (Annexure-D) of the applicant shall be submitted.

(c) In the case of the applicant being unemployed or self-employed or carrying out any other occupation, business, profession or trade; then the individual Income Certificate, issued by the Competent Authority shall be submitted.

(d) In the event of the applicant being not in a position to obtain the Income Certificate or Salary Certificate as above, then the applicant should submit a Certificate issued by a Gazetted Officer of the State Government, certifying that the applicant is purely a housewife/ /homemaker. Along with this Certificate, the applicant should submit a self-declaration in form (as per Annexure-E) on a non-judicial stamp paper of Rupees twenty only, duly certified and attested before a Gazetted Officer of the State Government, declaring therein that the annual income from all sources does not exceed Rs. 1,50,000/- or Rs. 3,00,000/- as the case be. This self-declaration need not be notarised.

(vi) Attested copy of savings bank account pass book (with IFSC and MICR details); and

(vii) Birth Certificate of the child along with Life Certificate (in case of widow who is DSSS beneficiary).

(a) The applications shall be scrutinised and sanction will be issued by the Director of Women and Child Development. The Director of Women and Child Development shall establish facilitation centres in the taluka level offices for processing the application forms. A maximum number of upto 15000 applications shall be sanctioned in a calendar month.

(b) The financial assistance of Rs. 1,200/- (Rupees one thousand two hundred only) shall be paid every month directly into the savings bank account of the eligible beneficiary by ECS facility subject to other conditions.

5. *Other conditions.*— (a) The beneficiary shall submit a life certificate every year in the month of October in the prescribed form at such place identified by the department for the purpose (Annexure – B). In case of a widow who is a DSSS beneficiary and having a child, the beneficiary shall also submit additionally a life certificate in respect of such child every year:

Provided that for cases sanctioned and receiving disbursements & the cases newly approved and first disbursement is made upto 31st March of the year is required to file this certificate in the month of October and all other cases approved and first disbursement made from 1st April to 31st October period are required to file the certificate during the month of October in the next financial year”:

Further provided that the Government may by notification generally extend the period prescribed hereinabove upto a maximum of 30 days but not more than 15 days extension of period be granted at a time beyond the period prescribed above.

Explanation.— In the event, the beneficiary fails to file the Life Certificate as prescribed, the monthly financial assistance sanctioned

shall be stopped forthwith. On receipt of the Life Certificate, and subject to the fulfillment of other conditions, prescribed from time to time, the monthly financial assistance shall be resumed prospectively from the next month from the date of receipt of the Life Certificate.

(b) The beneficiary shall submit fresh Income Certificate after a duration of three years if the gross annual income is less than Rs. 2,50,000. In case the gross annual income exceeds Rs. 2,50,000, the beneficiary should submit a fresh Income Certificate every year in the month of October. In the event the beneficiary fails to produce the Income Certificate as above, the monthly financial assistance sanctioned shall be stopped forthwith. On receipt of the Income Certificate, and subject to the fulfilment of other conditions, prescribed from time to time, the financial assistance shall be resumed prospectively from the next month from the date of receipt of the Income Certificate:

Provided that for cases sanctioned and receiving disbursements & the cases newly sanctioned and first disbursement is made upto 31st March of the year is required to file this certificate in the month of October and all other cases approved and first disbursement made from 1st April to 31st October period are required to file the certificate during the month of October in the next financial year. Except for income below Rs. 2,50,000/- per year it shall be filed every three years in October:

Further provided that the Government may by notification generally extend the period prescribed hereinabove upto a maximum of 30 days but not more than 15 days extension of period be granted at a time beyond the period prescribed above.

Explanation.— In the event, the beneficiary fails to produce the Income Certificate as prescribed; the monthly financial assistance

sanctioned shall be stopped forthwith. On receipt of the Income Certificate, and subject to the fulfillment of other conditions, prescribed from time to time, the financial assistance shall be resumed prospectively from the next month from the date of receipt of the Income Certificate.

(c) In case the benefits under the scheme are availed by the beneficiary based on wrong/false information or declaration, an action to prosecute shall be initiated and person shall be debarred from getting the benefits under any other schemes of the Government.

6. *Power to remove difficulties.*— (a) For the purpose of removal of any difficulties in the implementation of the Scheme, there shall be a four member committee consisting of the following:

(i) Secretary (Women and Child Development) as Chairperson;

(ii) One social worker to be appointed by the Government as Member;

(iii) Additional/Joint Secretary (Finance) as Member; and

(iv) Director of Women and Child Development as Member-Secretary.

(b) The decision of the committee shall be final and binding on all concerned.

7. *Power to relax.*— The Government shall have the power to amend, modify and cancel any part or whole of the scheme at any time.

This issues with the approval of the Government vide U. O. No. 1495/F dated 7-7-2014 and approval of Finance Department vide U. O. No. 3165/F dated 7-7-2014.

By order and in the name of the Governor of Goa.

Vikas S. N. Gaunekar, Director and ex officio Joint Secretary (W&CD).

Panaji, 16th July, 2014.

Price Rs. 10/-

Serial No.

ANNEXURE - A

Application form for Financial Assistance under Griha Aadhar Scheme

To,
The Director,
Women and Child Development,
Government of Goa,
Panaji-Goa.

Applicant's
photo to be
attested by
any
Gazetted
Officer or
MLA or MP

PART - I

- 1. Name of the applicant (in full):
- 2. Date of Birth (age):
- 3. Residential address (in full):
(Please attach proof)
House No.:
- Street/Road/Building name:
- Ward name/No.:
- City/Village:
- Constituency:
- Taluka:

4. Details of family members:

Sr. No.	Name of the family members including the applicant	Relation	Occupation	Place of work, if any

- 5. Contact details of the applicant: Phone:
e-mail:
- 6. Religion:
- 7. Category:
(Whether SC/ST/OBC/Others)
- 8. Ration card, if any:
(Please attach photocopy)
- 9. Aadhar card, if any:
(Please attach photocopy)
- 10. Annual income (includes husband and wife taken together);
(Please attach proof)

11. Bank Account details: .

(Please attach photocopy of bank pass book)

Name of the Bank:

Branch:

Type of Account:

Account No. :

IFSC code:

MICR code:

12. Whether you or your spouse is a beneficiary under

Dayanand Social Security Scheme:

13. Details of other scheme benefits availing, if any:

DECLARATION

I, the undersigned, w/o, do hereby declare that the information given above is true and correct and nothing is false. That I shall be personally responsible for the correctness of the information. I further declare that for wrong and false information, authorities may be at liberty to take action, as deem fit against me, including filing criminal case.

Place:

Date:

(Signature of the applicant)

PART - II

VERIFICATION

(To be signed by any Gazetted Officer or MLA or MP)

I, Shri/Smt., do hereby certify that I personally know Smt (applicant). I further certify that I have checked the particulars/ /information given in this application and the same is found to be correct.

I recommend Smt. (applicant) for grant of financial assistance under **Griha Aadhar Scheme** as she fulfills all the conditions/criteria.

Signature :
(Name in block letters)

Designation :

Address & :

Seal :

Telephone No. :

Place:

Date:

Note: The application shall be enclosed with the following documents:

1. Self attested copy of Marriage Certificate or any other documentary evidence as defined;
2. Self attested copy of 15 years Residence Certificate issued by Taluka Mamlatdar on Annexure-C;
3. Proof of present residential address (includes a Ration Card; Election Photo Identity Card –EPIC or any such document which establishes the present address);
4. Attested copy of Ration Card, if any;
5. Attested copy of Aadhar Card, if any;
6. Income Certificate issued by the Competent Authority or Salary Certificate issued by the employer or certificate and self-declaration as defined in Annexure-C & Annexure-E;
7. Attested copy of savings bank account pass book (with IFSC & MICR details); and
8. Birth Certificate of the child along with Life Certificate as in Annexure-B (in case of widow who is a DSSS beneficiary).

ANNEXURE – B

LIFE CERTIFICATE

(To be signed by any Gazetted Officer or MLA or MP)

I, Shri/Smt., do hereby certify that I personally know Smt., w/o, r/o, the beneficiary of **Griha Aadhar Scheme** since last years.

I further certify that above said Smt. is alive as on date.

*I further certify that Mast./Ms. is the son/daughter of the above said Smt., and that he/she is below eighteen years of age and is alive as on date.

Signature :
 (Name in block letters)
 Designation :
 Address & :
 seal
 Telephone No. :

Place:

Date:

* Strike out if not applicable.

ANNEXURE – C

CERTIFICATE OF RESIDENCE

(To be issued by a Gazetted Officer of the State Government)

I, Shri/Smt., do hereby certify that I personally know Smt., w/o, r/o, the applicant of **Griha Aadhar Scheme** since last years.

I further certify that above said Smt. is residing atsince the last fifteen years.

* I further certify that above said Smt., is working/self employed at/is a housewife/homemaker.

Signature:
 (Name in block letters)
 Designation:
 Address &:
 seal
 Telephone No. :

Place:

Date:

* Strike out whatever is not applicable.

ANNEXURE - D

CERTIFICATE OF INCOME/SALARY

(To be issued by the employer on his letter head)

1. This is to certify that Ms./Mr., is working in this (name of organisation or unit or firm or establishment); as since (date or month of joining/since working).

2. This is to further certify that she/he has been paid a total gross salary (including all benefits and other perquisites) amounting to Rs./- (in figures) (Rupees..... only) (in words) for the financial year (indicate the appropriate financial year, being the financial year immediately preceding the date of issue).

(A) **Gross Salary** : Rs.

[including the salary (basic pay, dearness allowance, HRA, conveyance allowance, etc.) and any other allowance(s), fringe benefits and other perquisites granted].

(B) **Amount paid as Bonus/incentives** : Rs.

(C) **Amount paid as ex-Gratia** : Rs.

(D) **Total (A+B+C)** : Rs.

(E) **Contribution by the employer towards**

(a) EPF : Rs.

(b) ESI scheme : Rs.

(c) Gratuity : Rs.

(d) Superannuation : Rs.

(e) Any other statutory deductions : Rs.

3. This is to certify that the information provided above is as per this Office records.

4. This certificate is issued as per the request of our employee for the purpose of availing the **Griha Aadhar Scheme** of the Government of Goa.

Signature
Name of the Issuing Authority
Address & Seal

ANNEXURE - E

SELF DECLARATION OF OCCUPATION AND INCOME

(To be certified and attested before a Gazetted Officer of the State Government)

I, Smt., wife/daughter of major of age, resident of do hereby solemnly declare as under:

1. I say and declare that, presently I am working/self-employed as /not working/housewife/ /home-maker (strike out whichever not applicable), and my monthly salary/income is Rs. (Rupees only).

2. I say and declare that my annual income from all sources does not exceed Rs. (Rupees only).

(a) Income from agriculture sources. : Rs.

(b) Income from Bank deposits : Rs.

(c) Income from other sources : Rs.

(d) Income of husband (if applicable) : Rs.

3. I say and declare that the present self-declaration is produced in the Office of Directorate of Women & Child Development, Government of Goa, for availing the financial assistance under the **GRIHA AADHAR SCHEME**.

4. I say and declare that the above contents are true to the best of my knowledge and nothing false has been stated.

5. I say and declare that, in the event of any false declaration, I shall be held responsible and shall be liable for penal action as deemed fit against me including filing criminal case.

Solemnly declared at on this day of the month of of the year

(SIGNATURE OF THE DECLARANT)

Signed before me and attested:

Signature:

Name & Designation

of the Gazetted Officer:

Address:

Seal:

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