



ABSTRACT

Manual Scavengers – Sewer / Septic tank deaths in Rural areas – Sanction of payment of balance compensation of Rs.7.00 lakh each to the dependents of 23 Sewer / Septic tank death victims and sanction of amount of Rs.10.00 lakh each to the Dependents of the 4 Sewer / Septic tank death victims – Orders Issued.

Rural Development and Panchayat Raj (E-5) Department

G.O.(Ms)No.148

Dated: 20.12.2016

Read:

- (1) G.O.(Ms)No.33, Rural Development and Panchayat Raj (PR-1) Department, dated 02.03.2016.
- (2) G.O.(Ms).No.143, Municipal Administration and Water Supply (MA 2) Department, dated 21.10.2016.
- (3) G.O.(Ms).No.144, Municipal Administration and Water Supply (MA 2) Department, dated 21.10.2016.
- (4) From the Director of Rural Development and Panchayat Raj, Letter Rc.No.11320/2016/SBM(G)-2, dated 23.11.2016

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ORDER:

In the reference letter fourth read above, the Director of Rural Development and Panchayat Raj has stated that the Hon'ble Supreme Court of India in its orders dated 27.03.2014 made in W.P.(Civil) No.583/2003, regarding rehabilitation of Manual Scavengers, inter-alia has directed to identify the families of all persons who have died in sewerage works (manhole, septic tanks) since 1993 and award compensation of Rs.10.00 lakh each for such death to the family members depending on them.

2. The Government have issued orders in the order first read above for sanction of Rs.90.00 lakh at the rate of Rs.3.00 lakh each to the probable 30 Sewer / Septic tank death cases pertaining to rural areas from the General fund of Rural Local Bodies and authorized the concerned District Collectors to draw and disburse the ex-gratia of Rs.3.00 lakh each to the dependents of each Sewer / Septic tank death victims from out of the General funds of the Rural Local Bodies after following the prescribed procedures. Accordingly, the District Collectors concerned have disbursed the Ex-gratia amount to 23 death cases out of 30 death cases as ordered in the Government order first read above. The remaining 7 cases reported were either not traceable or death have occurred due to natural circumstances.

3. Accordingly, the Director of Rural Development and Panchayat Raj has also stated that the balance compensation amount upto Rs.7.00 lakh each has to be

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awarded to the following dependents of 23 Sewer / Septic tank death victims relating to rural areas as per the directions of the Hon'ble Supreme Court of India in Order dated 27.03.2014 in W.P.(Civil) No.583/2003, Order of the Hon'ble Supreme Court of India, dated 10.05.2016 in I.A.No.9 of 2016 in W.P.(Civil) No.583 /2003 and Order of the Hon'ble Supreme Court of India, dated 07.09.2016 in Review Petition (Civil) No.3074 of 2016 in I.A.No.9 of 2016 in W.P.(Civil) No.583/2003.

Sl.No	Name of the District	No.of Cases
1.	Virudhunagar	6
2.	Coimbatore	4
3.	Kanchipuram	3
4.	Tiruvallur	2
5.	Thanjavur	2
6.	Ariyalur	2
7.	Sivagangai	2
8.	Thoothukudi	2
	<b>Total</b>	<b>23</b>

4. The Director of Rural Development and Panchayat Raj has also requested the Government to consider the 4 cases reported in Sivagangai and Karur Districts as detailed below:

Sl.No	Name of the District	No.of Persons (Deceased)
1.	Sivagangai	2
2.	Karur	2

The District Collector, Sivagangai in his letter dated. 9.7.2016 has reported that Thiru.Sonai, S/o.Krishnan and Thiru.Raja, S/o.Raman were died while cleaning the Septic tank in the premises of Bishop Edward Francis Home in St.Mary's Higher Secondary School, Rajakambiram Village Panchayat, Manamadurai Panchayat Union in Sivagangai District. The District Collector, Karur District in his letter dated. 9.7.2016 has reported 2 Sewer / Septic Tank Death cases and stated that Thiru.Balakrishnan, S/o.Perumal and Thiru.Sankardayalan, S/o.Sundaraj were died while cleaning the Septic tank in the premises of Abi Plasitics, Shanmuganagar (West), Kadhaparai Village of Karur Panchayat Union. The Wife of deceased Thiru.Balakrishnan has filed W.P (MD) No.3855/2016 requesting the compensation of Rs.10.00 lakhs as per the directions of the Supreme Court.

5. Hence, the Director of Rural Development and Panchayat Raj has requested the Government to sanction balance amount upto Rs.7.00 lakh each to the dependents of 23 Septic tank death victims as already ordered in the Government order first read above and Rs.10.00 lakh each to the dependents of 4 Sewer / Septic tank death victims of Sivagangai and Karur Districts relating to rural

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areas and authorize the concerned District Collectors to draw and disburse the eligible compensation from out of the General funds of the Rural Local Bodies with proper documentation by adopting the following procedure:

- (i) The Collectors concerned should follow due procedures in verification of sewer / Septic Tank death cases, legal-heirship of the deceased etc.,
- (ii) In case of private employers, the paying capacity of the private employer should be verified with reference to their movable and immovable properties as per Revenue Records. In case the private employers are found to lack wherewithal to pay the requisite balance compensation, the same should be sanctioned immediately from out of the general funds of the Rural Local Bodies and thereafter initiate recovery proceedings under Revenue Recovery Act against the private employers as per the rules in force.
- (iii) If the private employer has the capacity to make payment but delays or refuses to do so, in such instance also, the District Collector shall make the balance payment and proceed against the private employer as mentioned above.

6. The Government after careful examination of the proposal of Director of Rural Development and Panchayat Raj sanction balance amount of Rs.7.00 lakh each to the dependents of 23 Septic tank death victims as already ordered in the Government order first read above and an amount upto Rs.10.00 lakh each to the dependents of the 4 Sewer / Septic tank death victims of Sivagangai and Karur Districts as stated at para 4 above, relating to rural areas and authorize the concerned District Collectors to draw and disburse the eligible compensation from out of the General funds of the Rural Local Bodies with proper documentation by adopting the procedure as stated in para 5 above.

(By Order of the Governor)

Hans Raj Verma,  
Principal Secretary to Government.

To  
The Director of Rural Development and Panchayat Raj,  
Chennai -600 015.  
The District Collectors (Concerned).  
(through Director of Rural Development and Panchayat Raj)  
The Director of Treasuries and Accounts, Chennai – 600 015.  
The Accountant General, Chennai – 6 /18 /35.  
The District Treasury Officer. (Concerned).  
The Director of Local Fund Audit, Chennai – 600 108.  
Copy to:  
The Finance Department, Chennai – 600 009.  
Stock File.

//Forwarded by Order//

*N. S. S.*

Section Officer.

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