

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) NO. 225 of 2016**

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MANAV GARIMA
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR PANKAJ P ZAMPADIA(13484) for the Applicant(s) No. 1
 MR SUBRAMANIAM IYER(2104) for the Applicant(s) No. 1
 MR KAMAL TRIVEDI, ADVOCATE GENERAL with MR
 VINAYBAIRAGARA, ASSISTANT GOVERNMENT PLEADER for the
 Opponent(s) No. 1,4
 HL PATEL ADVOCATES(2034) for the Opponent(s) No. 8
 MR ABHIJIT RATHOD(12976) for the Opponent(s) No. 9
 MR MEHUL H RATHOD(701) for the Opponent(s) No. 9
 MR SIMRANJITSINGH H VIRK(11607) for the Opponent(s) No. 7
 MR G H VIRK(7392) for the Opponent(s) No. 7

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
 SUNITA AGARWAL
 and
 HONOURABLE MR.JUSTICE D.N.RAY**

Date : 13/02/2026

ORAL ORDER
**(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
 SUNITA AGARWAL)**

1. Perused the affidavit of the Commissioner, Office of the Commissioner of Municipalities, Administration dated 22.01.2026 filed in compliance of the order dated 19.12.2026 in the present proceedings.

2. Inviting attention of the Court to the contents of said

affidavit, it is submitted by the learned Advocate General that all local bodies in the State have been instructed to ensure strict implementations of the provisions of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, so as to eradicate the practice of manual scavenging across the State.

3. The contention is that the State has adopted “Zero Manual Scavenging” policy and the office of the Commissioner of Municipalities has initiated necessary actions to equip all municipalities / Urban local bodies in the State with the requisite machineries for operation and maintenance of underground drainage network in the State. A work called “Sustainable Urban Sewerage Management” has been initiated along with obtaining of requisite equipments / machines whereunder the Gujarat Urban Development Company Ltd. (*‘GUDC’ for short*) a Government Company has undertaken the tender process for procuring 39 machines (15 Jetting cum Suction machines of 9000 liters capacity and 24 Desilting machines of 20 liters capacity). The work order dated 23.08.2024 has been issued in favour of the outsourcing Company for procuring the machines, including annual maintenance contract of the said machines for the period of two years from the completion of three years warranty period. The work relating to supply, installation, testing and commissioning of 39 machines has been completed on 12.12.2024 and the machines have been distributed amongst the municipalities of the State, as per their requirements.

4. The submission in the affidavit of the Commissioner of

Municipalities is that ownership of said 39 machines would completely vest with the respective municipalities and they will be operated by the trained staff of the respective local bodies, but, at the same time, the machines shall be maintained by the out-sourced company under the annual maintenance contract.

5. Further steps have been taken for procurement of 209 machines and the tender inquiry for (59 Jetting cum Suction machines of 9000 liters capacity, 133 Desilting machines of 20 liters capacity and 17 Jetting machines of 500 liters capacity) has already been initiated as also the work order, i.e. Notice to proceed have been issued in favour of the out-sourced company in the month of September - October, 2025 with the delivery period of 180 days on the date of issuance of the work order. The submission is that delivery of all 209 machines is expected to be completed by the end of March-April, 2026, though some machines has already been received.

6. As per the tender specification, the ownership of 209 machines would vests in the respective municipality, whereas operation and maintenance of 59 Jetting cum Suction machines and 17 Jetting machines would be undertaken by the private agency selected in the tender inquiry for a period of five years. The remaining 133 Desilting machines would have to be operated by the trained staff of the concerned Urban Local Bodies and maintained by the private agency.

7. With regard to the agreement dated 03.11.2022 with the private agency, it is submitted that hiring of 17 vehicle

mounted suction cum jetting machine with sewage water recycling facility for cleaning / desilting of sewer / drain lines having more than 300 mm diameter is on Design-Build-Finance-Operate-Maintain basis for a period of seven years. These 17 machines are truck-mounted technology having gross vehicle weight of 18.5 tonnes having high capacity suction system vacuum pump with air injection cooling system with sludge tank of 6000 liters capacity and fresh water tank of 1000 liters; coupled with 50-60% capacity of recycling operations. These machines are capable to clean the manhole as well as drainage line having diameter of more than 300 mm.

8. The ownership of these machines would remain with the private agency but as per the agreement, the agency is required to hire trained personnel for cleaning sewerage drainage lines across six regional zones of municipalities. With the help of the dashboard available with the Gujarat Urban Development Mission (GUDM), real time update on the availability of these machines and the task undertaken by them, by having GPS facilities is being monitored.

9. Further to evaluate the areas covered by the agreement dated 03.11.2022, a meeting was convened on 13.01.2026 by the Commissioner of Municipalities Administration with the concerned Officials of GUDM, whereunder it was discussed and deliberated that the functions of these 17 machines procured in the year 2022 would be complementary to 39+209 machines which have been procured by GUDC. It is stated that these 17 machines have so far completed cleaning work of around 3808 kms of drainage line across 6 regional zones,

which have in all, around 1397 kms of drainage lines above 300 mm diameter.

10. Taking note of the above, we post the matter on 24.04.2026 at 12:30 p.m. to file the personal affidavit of the Commissioner of Municipalities Administration to bring the further progress on record, in order to ensure that the “Zero Manual Scavenging” policy adopted by the State is implemented to its fullest and with requisite rigour.

(SUNITA AGARWAL, CJ.)

(D.N.RAY, J.)

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