

h/

W.P(C)No. 583 OF 2003
MITEM No.201

Court No.4

SECTION PIL
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(Civil) No.583/2003

SAFAI KARAMCHARI ANDOLAN AND ORS.

Petitioner (s)

VERSUS

UNION OF INDIA AND ORS.

Respondent (s)

(With Appln(s). for directions, exemption exemption from filing
O.T. and directions)
(For final disposal)

Date : 29/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. S. Muralidhar, Adv.
Mr. Somiran Sharma, Adv.
Mr. Amit Sharma, Adv.
Mr. K.G. Gopalakrishnan, Adv.

For Respondent Nos.Mr. B. Datta, ASG
1-5 UOI Mr. Hemant Sharma, Adv.
Ms. Sandhya Goswami, Adv.
Mr. B.K.Prasad, Adv.

State of A.P.Mr. Manoj Saxena, Adv.
(Res.No.6) Mr.Amit Meharia, Adv.
Mr. Mohan Prasad Meharia, Adv.
Mr. S.K.Mitra, Adv.
Mr. Debojit Borkakati, Adv.

State of AssamMs. Krishna Sarma, Adv.
(Res.No.7)Mr. V.K.Sidharthan, Adv.
Mr. Saroj Kumar Jha, Adv.
Mr. Riku Sarma, Adv. for
M/s. Corporate Law Group

State of BiharMrs. Sumita R. Singh, Adv.
(Res.No.8)Mr. B.B.Singh, Adv.

State of West Bengal Mr. Avijit Bhattacharjee, Adv.
(Res.No.9)Mr. Dibakar Boarah, Adv.

State of J & K
(Res.No.10)Mr. Anis Suhrawardy, Adv.

State of NagalandMr. Upamanyu Hazarika, Adv.
(Res.No.11)Mr. Satya Mitra, Adv.
Ms. Sumita Hazarika, Adv.

State of HaryanaMr. Manjit Singh, Adv.

(Res.No.12)Mrs. Vivekta Singh, Adv.
Mr. Harikesh Singh, Adv.

State of H.P. Mr. J.S. Attri, Addl. Adv. General
(Res.No.13)

State of Manipur Kh. Nobin Singh, Adv.
(Res.No.14)

State of Tripura Mr. Gopal Singh, Adv.
(Res. No.15)Mr. Rituraj, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.
(Res.No.16)

State of Sikkim Mr. A. Mariarputham, Adv.
(Res.No.17)Ms. Aruna Mathur, Adv. for
M/s. Arputham Aruna & Co.

State of Mizoram Ms. Hemantika Wahi, Adv.
(Res.No.18)Mrs. Sadhna Sandhu, Adv.

State of Arunachal Pradesh Mr. Anil Srivastava, Adv.
(Res.No.19)Mr. Saurabh Shrivastava, Adv.

State of Goa Ms. A. Subhashini, Adv.
(Res.No.20)

State of Chhattisgarh Ms. Suparna Srivastava, Adv.
(Res.No.21)Ms. Deepti Singh, Adv.
Mr. Rajesh Srivastava, Adv.

State of Uttaranchal Ms. Rachna Srivastava, Addl. Adv. General
(Res. No.22)Mr. R.K. Jain, Adv.

State of Jharkhand Mr. Gopal Prasad, Adv.
(Res.No. 23)

State of Gujarat Ms. Hemantika Wahi, Adv.
(Res.No.24)

State of Kerala Mr. Ramesh Babu M.R., Adv.
(Res.No.25)

State of M.P. Mr. Satish K. Agnihotri, Adv.
(Res.No.26)Mr. Rohit K. Singh, Adv.
Mr. Amit Mishra, Adv.

State of Tamil Nadu Mr. K. Ramamoorthy, Sr. Adv.
(Res.No.27)Mr. R. Ayyam Perumal, Adv.
Mrs. N. Shoba, Adv.
Mr. Sriram J. Thalpathy, Adv.
Mr. N.K. Arulmuruganandham, Adv.
Mr. S. Vallinayagam, Adv.

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(Res.No.28)Mr. Mukesh K. Giri, Adv.
Mr. Ravindra Keshavrao Adsure, Adv.

State of Karnataka Mr. Sanjay R. Hegde, Adv.
(Res.No. 29)

State of Orissa Mr. Shibashish Misra, Adv.
(Res.No.30)

State of Punjab Mr. R.K. Rathore, AAG, Punjab
(Res.No.31) Mr. S. Krishnaraj, Adv.
Mr. Arun Kumar Sinha, Adv.
Mr. J.K. Bhatia, Adv.

State of Rajasthan Mr. Ansar Ahmed Chaudhary, Adv.
(Res.No.32) Mr. Manish Kumar, Adv.

State of U.P. Ms. Shobha Dikshit, Sr. Adv.
(Res.No.33) Mr. Pradeep Misra, Adv.
Mr. Sandeep Singh, Adv.

State of Delhi Ms. Varuna Bhandari Gugnani, Adv.
(Res.No.34) Mr. S. Wasim A. Qadri, Adv.
Mrs Anil Katiyar, Adv.

U.Ts. Of Andaman & Mr. S. Wasim A. Qadri, Adv.
Nicobar (R-35), Mr. Ajay Sharma, Adv.
Lakshadweep (R-36), Mr. D.S. Mahra, Adv.
Dadar & Nagar Havelli Ms. Varuna Bhandari Gugnani, Adv.
(R-37) & Daman & Diu
(R-40)

U.T. Of Pondicherry Mr. V.G. Pragasam, Adv.
(Res.No.38)

U.T. Of Chandigarh Ms. Kamini Jaiswal, Adv.
(Res.No.39) Ms. Indu Malhotra, Adv.
Mr. Saqib, Adv.

For State of Mr. Manish Kumar, adv.
Rajasthan Mr. Ansar Ahmad Chaudhary, Adv.

For Respondent in Mr. T.V. Ratnam, Adv.
I.A. No.3 Mr. K. Subba Rao, Adv.

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

The Union of India and each State shall ask persons at the higher level in each of its Department and in its Corporation to personally check and then file affidavits in this Court as to whether or not, in their Department or Corporation any Manual Scavenging is still being resorted to. If Manual Scavenging is still being resorted to, then that Department or Corporation to indicate with details what Scheme it has for eliminating it and for rehabilitating the persons concerned and within what time frame. It is clarified that the person who files the affidavit must be a person who is responsible for taking a decision in the matter. The affidavit to be filed on personal information as we propose to hold the person responsible if it is found that at the affidavit does not contain the truth. The Union of India to also state what funds it has so far allocated and under which particular Schemes and what the utilization of these funds has been, Union of India must state how many people have been rehabilitated each year since 1993. Such affidavits to be filed within six months from today. We clarify that this does not mean that in the meantime the Union of India and the States do not continue with their efforts to eliminate this degrading practice.
List on 14th November, 2005.

(K.K. Chawla)
Court Master

(Jasbir Singh)
Court Master