

- (a) whether it is a fact that the eligibility criteria for Economically Weaker Sections (EWS) quota is tougher than OBC creamy layer;
- (b) if so, the details thereof;
- (c) whether it is also a fact that creamy layer rollout put one section of Mandal class at par with upper castes; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI KRISHAN PAL): (a) and (b) No Sir. The prescribed Eligibility criteria for EWS is different from criteria of OBC creamy layer. There is no comparison between them.

(c) and (d) No, Sir. The Government has implemented the 'creamy layer' concept in pursuance of the Hon'ble Supreme Court's order in the case of Indra Sawhney and others etc. vs. Union of India and others [(Civil) No. 930/1990]. Persons belonging to creamy layer cannot be stated to be at par the upper castes because the economic /social status of such persons can change over period of time.

#### **Eradication of manual scavenging**

1112. DR. BANDA PRAKASH: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) the details of States that are implementing the 'Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013' (MS Act, 2013) in letter and spirit;
- (b) the State/UT-wise details of manual scavengers identified thereof;
- (c) the details of beneficiaries identified and sanctioned under Self-Employment Scheme for the rehabilitation of identified manual scavengers;
- (d) whether the Task Force constituted for carrying out a National Survey of manual scavengers has submitted its report; and
- (e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI RAMDAS ATHAWALE): (a) Prohibition of Employment as

Manual Scavengers and their Rehabilitation Act, 2013 (MS Act, 2013) has come into effect from 06.12.2013 in all States and Union Territories except the State of Jammu and Kashmir. After reorganization of the State of Jammu and Kashmir, into Union Territories of Jammu and Kashmir and Ladakh this Act has been extended to these Union Territories also.

(b) and (c) Details of manual scavengers identified as per the provision of the MS Act, 2013 and the National Survey of manual scavengers and the rehabilitation benefits provided to the identified manual scavengers are given in the Statement (*See below*).

(d) and (e) The Task Force was constituted to formulate the terms of reference of the survey, recommend the guidelines, coordinate with State Governments and local bodies and to monitor the progress of the survey. Accordingly, the Task Force after discussions with the Ministry of Housing and Urban Affairs, Department of Drinking Water and Sanitation, Ministry of Rural Development and Social Organizations recommended a National Survey in 170 districts of 18 States through National Safai Karamcharis Finance and Development Corporation. The survey was carried out in camp mode through survey teams consisting of a district nodal officer appointed by the concerned State Government and district coordinator nominated by the social organizations working for the manual scavengers. The survey has been completed in all the districts and the details of manual scavengers identified in the national Survey and rehabilitation benefits provided are given in the Statement.

**Statement***The details of manual scavengers identified in national survey and the rehabilitation benefits provided*

Sl. No.	Name of State/ UT	No. of identified Manual Scavengers			Rehabilitation of manual scavengers upto 15.11.2019		
		As per MS Act, 2013 Survey*	As per National Survey 2018**	Total	Onetime Cash assistance	Skill Development Training	Capital Subsidy
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	78	1982	2060	1464	104	0
2.	Assam	154	542	696	688	95	0
3.	Bihar	137	0	137	131	18	0
4.	Chhattisgarh	3	0	3	3	0	0
5.	Gujarat	0	108	108	105	19	0
6.	Jharkhand	0	201	201	108	24	0
7.	Karnataka	732	1721	2453	1605	200	190
8.	Kerala	0	600	600	510	161	0
9.	Madhya Pradesh	36	562	598	341	178	0
10.	Maharashtra	0	7378	7378	5484	117	0

1	2	3	4	5	6	7	8
11.	Odisha	237	0	237	218	66	83
12.	Punjab	91	142	233	219	62	36
13.	Rajasthan	338	2590	2928	2372	383	0
14.	Tamil Nadu	363	62	425	383	29	75
15.	Uttar Pradesh	12402	23070	35472	24081	6347	506
16.	Uttarakhand	137	6033	6170	1993	364	74
17.	West Bengal	104	637	741	678	132	97
TOTAL		14812	45628	60440	40383	8299	1061

\* Although 2013 survey was done in all States, only 13 States viz. Andhra Pradesh, Assam, Bihar, Chhattisgarh, Karnataka, Madhya Pradesh, Odisha, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and West Bengal reported identification of manual scavenger.

\*\* National Survey of Manual Scavengers 2018 was conducted in 18 States viz. Andhra Pradesh, Assam, Gujarat, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and West Bengal but States of Bihar, Haryana, J&K, and Telangana reported 'NIL' manual scavenge` National Survey was not conducted in Chhattisgarh and Odisha.