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ACCESS TO JUSTICE FOR ALL

MODEL FOR COMPENSATION TO SEWER AND SEPTIC TANK SANITATION WORKERS, 2026



NATIONAL LEGAL SERVICES AUTHORITY

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PREAMBLE

This Model seeks to establish a streamlined, time-bound, and victim-centric mechanism for providing compensation to Sewer and Septic Tank Sanitation Workers, persons engaged in hazardous cleaning and to the families of those who have suffered death or disability in the course of such work.

This Model is formulated pursuant to the judgment of the Hon'ble Supreme Court of India in *Dr. Balram Singh vs. Union of India, W.P. (C) No. 324/2020* (judgment dated 20.10.2023), and the clarification order dated 20.01.2026 in IA No. 68327/2025, wherein, inter alia, the following directions were issued:

> *"96. ...*
>
> *(4) The court hereby directs the Union and the States to ensure that the compensation for sewer deaths is increased (given that the previous amount fixed, i.e., ₹10 lakhs) was made applicable from 1993. The current equivalent of that amount is Rs. 30 lakhs. This shall be the amount to be paid, by the concerned agency, i.e., the Union, the Union Territory or the State as the case may be. In other words, compensation for sewer deaths shall be ₹ 30 lakhs. In the event, dependents of any victim have not been paid such amount, the above amount shall be payable to them. Furthermore, this shall be the amount to be hereafter paid, as compensation.*
>
> *(5) Likewise, in the case of sewer victims suffering disabilities, depending upon the severity of disabilities, compensation shall be disbursed. However, the minimum compensation shall not be less than ₹ 10 lakhs. If the disability is permanent, and renders the victim economically helpless, the compensation shall not be less than ₹ 20 lakhs.*
>
> *...*
>
> *(11) The National Legal Services Authority (NALSA) shall also be part of the consultations, toward framing the aforesaid policies. It shall also be involved, in co-ordination with state and district legal services committees, for the planning and implementation of the survey.* ***Furthermore, the NALSA shall frame appropriate models (in the light of its experience in relation to other models for disbursement of compensation to victims of crime) for easy disbursement of compensation.***
>
> *..."*

PART I
PRELIMINARY

1. Short Title, Extent and Scope

(1) This Model shall be called the "Model for Compensation to Sewer and Septic Tank Sanitation Workers, 2026".

(2) It shall come into force on such date as may be directed by the Hon'ble Supreme Court of India.

(3) It shall apply to persons who have died or suffered disability in the course of cleaning of sewers, septic tanks, or any other work involving entry into or cleaning of confined spaces, and to the dependents of such persons.

(4) The provisions of this Model shall be supplementary in nature and shall not supersede, override, or dilute the provisions of the *Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013* (hereinafter referred to as the *"MS Act, 2013"*). All authorities, mechanisms, and committees established under the said Act shall continue to function independently and in accordance with their respective statutory powers.

(5) The role of the Legal Services Institutions under this Model shall be facilitative and coordinative in nature, limited to the provision of legal assistance and access to justice, and shall not be construed as displacing, overriding, or subordinating the powers, functions, or authority of the statutory authorities designated under the MS Act, 2013.

2. Definitions

(1) In this Model, unless the context otherwise requires:-

(a) "Agency" means agency as defined under Section 2(1)(a) of the MS Act, 2013.

(b) "Chief Executive Officer" means the Chief Executive Officer as defined under Section 2(1)(c) of the MS Act, 2013.

(c) "Confined Space" means a fully or partially enclosed space not designed for continuous human occupancy, having limited or restricted means of entry or exit, or a configuration that may hinder first aid, rescue, evacuation, or emergency response, and which poses a risk to health or safety. Such spaces include, but are not limited to, tanks, sewers, pipes, manholes, pump stations, and storage bins.

(d) "Dependent" means the immediate family members, including the spouse, unmarried daughter, minor children (biological or adopted), parents, grandparents, whose relationship shall be determined by the District-Level Committee constituted under this Model.

(e) "District Legal Services Authority" means the District Legal Services Authority (DLSA) constituted under Section 9 of the *Legal Services Authorities Act, 1987* (hereinafter referred to as the *"LSA Act, 1987"*).

(f) "Hazardous cleaning" means hazardous cleaning as defined under Section 2(1)(d) of the MS Act, 2013.

(g) "Local Authority" means local authority as defined under Section 2(1)(f) of the MS Act, 2013.

(h) "NAMASTE Portal" means the *National Action for Mechanised Sanitation Ecosystem* Portal of the Ministry of Social Justice and Empowerment, Government of India, aimed at ensuring safety and dignity of sewer and septic tank sanitation workers.

(i) "NAMASTE Scheme" means the *National Action for Mechanised Sanitation Ecosystem* Scheme (Formerly *Self Employment Scheme for Rehabilitation of Manual Scavengers*) of the Ministry of Social Justice and Empowerment, Government of India, aimed at ensuring safety and dignity of sewer and septic tank sanitation workers.

(j) "Septic tank" means a septic tank as defined under Section 2(1)(p) of the MS Act, 2013.

(k) "Sewer" means a sewer as defined under Section 2(1)(q) of the MS Act, 2013.

(l) "Sewer and Septic Tank Sanitation Worker (SSW)" means a sanitation worker, who is engaged in cleaning and maintenance of sewers including those managing pumping stations, maintenance holes, and sewer lines; and those engaged in septic tank cleaning.

(m) "State Legal Services Authority" means the State Legal Services Authority (SLSA) as defined in Section 6 of the LSA Act, 1987.

(n) "Victim" means any person who has died or suffered disability while engaged in hazardous cleaning activities in sewers, septic tanks, or any other work involving entry into or cleaning of confined spaces.

(2) Words and expressions used but not defined in this Model shall have the same meanings respectively assigned to them under the MS Act, 2013.

PART II
MANDATORY REPORTING MECHANISM

3. Duty to Report Deaths and Disabilities

(1) It shall be mandatory for the following authorities to report every instance of death or disability arising out of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces, to the concerned Police Station and the DLSA, within 24 hours of such incident coming to their knowledge:
- (a) District Magistrate, in their capacity as the Responsible Sanitation Authority (RSA) designated under the NAMASTE Scheme of the Ministry of Social Justice and Empowerment;
- (b) Chief Executive Officer of the concerned Municipality or Panchayat;
- (c) Chief Medical Officer;
- (d) Medical Officers of all government & private hospitals and health facilities;
- (e) Urban Local Bodies, including Municipal Corporations, Municipal Councils, and Nagar Panchayats;
- (f) Rural Local Bodies, including Gram Panchayats, Panchayat Samitis, and Zila Parishads;
- (g) The Concerned Agency; and
- (h) Any Other Concerned Local Authority.

(2) Where the police receive first-hand information of a death or disability, arising out of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces, before any report is made under sub-clause (1), the obligations under sub-clauses (3)

and (4) shall apply immediately upon such receipt, without waiting for a report under sub-clause (1).

(3) Without prejudice to any complaint that may be filed under the MS Act, 2013 in cases involving unlawful engagement of persons for hazardous cleaning, the concerned Police Station shall, upon receipt of any report or information relating to a death or disability, arising out of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces, mandatorily register a First Information Report (FIR) under the appropriate provisions of the Bharatiya Nyaya Sanhita, 2023.

(4) The Station House Officer or the Investigating Officer shall, on the same day as the registration of the FIR or receipt of information relating to such incident, intimate the District-Level Committee through Secretary, DLSA; the District Magistrate; and the Chief Executive Officer of the concerned Municipality or Panchayat.

(5) In cases where an FIR has not been registered despite receipt of information of a death or disability arising out of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces, the Chairperson, DLSA, shall seek an explanation from the concerned police authorities and take appropriate steps to ensure compliance with statutory requirements.

(6) The Chairperson, DLSA shall convene coordination meetings with the District Magistrate, Chief Executive Officer of the concerned Municipality or Panchayat, Chief Medical Officer, Superintendent of Police/Commissioner of Police, as the case may be, to establish and monitor a systematic mechanism for immediate intimation of all incidents relating to deaths & disability arising out of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces.

4. Action by District Legal Services Authority

(1) Upon receipt of an application or information from any of the authorities mentioned in Clause 3(1), police, newspapers, media reports, or any other source, the Secretary, DLSA shall forthwith assign a panel lawyer with expertise in labour law, or a PLV to:
   (a) visit the victim or the dependents of the deceased within 48 hours of receipt of such application or information;
   (b) provide legal assistance, including facilitation of registration of a First Information Report (FIR), where the same has not already been registered;
   (c) submit a detailed report to the Secretary, DLSA;
   (d) coordinate with the District Magistrate or the Chief Executive Officer to ensure that all relevant details of the incident and the victim are promptly uploaded on the NAMASTE Portal.

(2) Nothing in this clause shall preclude the victim or his/her dependents from directly approaching the DLSA at any stage for the purpose of seeking compensation, free legal services, or any other assistance under this Model or applicable law.

PART III
COMPENSATION ENTITLEMENTS

5. Entitlement to Compensation for Deaths

(1) The dependents of a person who has died as a result of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces shall be entitled to compensation of ₹30,00,000 (Rupees Thirty Lakhs) in the following cases:
   (a) where the death occurred on or after 20th October 2023; or
   (b) where the death occurred prior to 20th October 2023, but compensation was either not paid or not finally determined as on that date.

(2) The compensation payable under this Model shall be in addition to, and not in derogation of, any other relief, rehabilitation measure, or benefit available to the victim or the dependents under the MS Act, 2013.

6. Cases where Compensation has already been paid

Where the dependents of a person who died as a result of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces prior to 20th October 2023, have already received compensation of ₹10,00,000 (Rupees Ten Lakhs), such claims shall not be reopened.

7. Entitlement to Compensation for Disabilities

(1) Where a Sewer and Septic Tank Sanitation Worker (SSW) engaged in hazardous cleaning, suffers any disability arising out of or in the course of work in sewers, septic tanks, or any other confined spaces, such worker shall be entitled to compensation having due regard to the extent and nature of the disability suffered.

(2) The extent and nature of disability shall be certified within two days from the receipt of the application by the Chief Medical Officer of the district or by any other competent medical authority duly nominated by the District Magistrate for the said purpose.

(3) The compensation payable in cases of disability shall be determined as follows:
   (a) where the disability is permanent in nature and renders the victim economically helpless, the compensation shall not be less than ₹20,00,000 (Rupees Twenty Lakhs).
   (b) in all other cases of disability, the compensation shall not be less than ₹10,00,000 (Rupees Ten Lakhs).

(4) The District-Level Committee may, on a case-to-case basis, recommend enhanced compensation, having due regard to the extent and nature of the disability suffered.

8. Interim Compensation

(1) In all cases involving death or disability arising out of or in the course of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces, the victim or the dependents, as the case may be, shall be entitled to interim compensation of not less than ₹5,00,000 (Rupees Five Lakhs) to meet urgent and immediate needs, such as funeral expenses, medical treatment, and immediate subsistence support.

(2) The amount disbursed as interim compensation under this clause shall be adjusted against the final compensation payable under this Model.

9. Mode of Compensation Payment

(1) Where the victim has suffered disability, or where the victim is deceased and all dependents are major, the compensation amount shall be disbursed through direct bank transfer to the victim or the dependents, as the case may be.

(2) Where the victim is deceased and one or more dependents are minors, the District-Level Committee shall ensure that:

(a) the share of compensation payable to the major dependents is released directly to them through bank transfer;

(b) in respect of the share payable to each minor dependent, fifty per cent (50%) of such share shall be released for the immediate welfare, maintenance, education, and subsistence needs of the minor dependent(s) through the guardian(s); and

(c) the remaining fifty per cent (50%) of the share of each minor dependent shall be deposited in fixed deposit account(s) in the name of the minor dependent(s), to be released upon attaining the age of majority, or utilized for purposes of education, health, and welfare, as per necessity and subject to furnishing of utilisation certificates. The interest accrued on such fixed deposits shall be periodically released to the minor dependents through the guardian(s) for their welfare, maintenance, and educational needs.

PART IV
APPLICATION & PROCESSING PROCEDURE

10. Filing of Application for Compensation

(1) A Para Legal Volunteer (PLV) of the concerned district or taluk shall, within two days of an incident coming to his/her knowledge, or upon being assigned by the Secretary, DLSA, proactively reach out to the victim or their dependents, provide Form I, and assist in the filling and submission of the application before the DLSA.

Provided that nothing contained in this sub-clause shall preclude the victim or the dependents from directly submitting an application before the DLSA at any stage.

(2) Form I shall also be made available at the office of the DLSA, on the NALSA Legal Services Management System (LSMS) Portal, the SLSAs' website, and the NAMASTE Portal.

(3) Upon receipt of the application, the District-Level Committee shall forthwith call for reports from: (a) the police station where the FIR has been registered; and (b) the Chief Executive Officer of the concerned Municipality or Panchayat.

(4) The application shall be processed only after due identification and verification of the victim, or the dependents, as the case may be, including verification of bank account details.

11. Suo Motu Action by the District-Level Committee

The District-Level Committee may initiate suo motu proceedings and process compensation claims even if no formal application has been filed, provided sufficient information and documentation relating to the incident and the identity of the victim or dependents are available. In such cases, the DLSA shall inform the victim or dependents that they are

eligible for compensation & legal assistance and may approach the DLSA for processing of the application.

12. Constitution of District-Level Committee

(1) Upon receipt of an application for compensation under this Model, the Secretary, DLSA, shall place the matter before the Chairperson, DLSA, within 3 days of such receipt.

(2) The Chairperson, DLSA, shall thereafter convene a meeting of the District-Level Committee on an urgent basis or in any case, within 7 days of receipt of the application for consideration of interim compensation, and within 30 days for consideration of final compensation. The Committee shall comprise the following members:
   (i) Chairperson, DLSA – Chairperson of the Committee;
   (ii) Secretary, DLSA – Member Secretary of the Committee;
   (iii) District Magistrate – Member;
   (iv) Chief Executive Officer of the concerned Municipality or Panchayat nominated by the District Magistrate – Member;
   (v) Superintendent of Police/Commissioner of Police – Member;
   (vi) Chief Medical Officer (CMO) of the district or his/her nominated representative – Member; and
   (vii) Representative of the Social Welfare Department – Member.

(3) In jurisdictions where no post of Chief Executive Officer exists, the position of Chief Executive Officer on the Committee shall be filled by an officer nominated by the District Magistrate.

(4) The presence of not less than four members shall constitute the quorum for consideration and review of applications for compensation.

(5) The Committee may co-opt any other officer or authority as it deems appropriate for the purposes of coordination, monitoring, or determination of compensation.

13. Functions of District-Level Committee

(1) The District-Level Committee shall perform the following functions:
   (a) Examine the application for compensation and verify the facts & circumstances relating to the incident of death or disability arising out of or in the course of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces.
   (b) Review and consider all relevant documents, including medical records, investigation reports, post-mortem reports, etc.
   (c) Determine and verify whether the applicant is a dependent of the victim, as defined under this Model, and is therefore eligible to receive compensation.
   (d) Assess the extent and nature of disability, where applicable, based on the medical reports issued by CMO.
   (e) Determine the quantum of compensation payable in accordance with the provisions of this Model.
   (f) Decide the appropriate mode of disbursement of compensation in terms of this Model.
   (g) Call for reports from the concerned Police Station and the reporting authorities listed under Clause 3(1) where there has been a failure to register an FIR, an

unreasonable delay in registration, or a failure to report the incident to the Committee.

(2) In jurisdictions where no post of Chief Executive Officer exists, the functions of such officer under this Model shall be discharged by an officer nominated by the District Magistrate.

(3) The District-Level Committee constituted under this Model shall have limited jurisdiction, confined solely to the determination and processing of compensation claims under Clauses 10 to 14.

(4) Nothing contained herein shall be construed as displacing, curtailing, or interfering with the statutory functions of the District Magistrate in relation to rehabilitation measures under Sections 13 and 16 of the MS Act, 2013, or the duties of the District Magistrate under the NAMASTE Scheme.

14. Time Limit for Decision

The District-Level Committee shall dispose of the application and pass a reasoned order:

(a) for interim compensation within 7 days of receipt of the application; and
(b) for final compensation within 30 days of receipt of the application.

15. Disbursement of Compensation

(1) Upon issuance of an order by the District-Level Committee, the District Magistrate shall disburse the interim compensation within 7 days and final compensation within 10 days from the date of receipt of such order, to the victim or the dependents, as the case may be.

(2) The District Magistrate shall, within 7 days of such disbursement, submit a compliance report to DLSA confirming that the compensation amount, whether interim or final, has been duly credited to the bank account of the victim or the dependents or has been placed in a fixed deposit, as applicable.

(3) The overall timeline, commencing from the receipt of information of the incident, and culminating in the disbursement of final compensation, shall be within a period of 45 days, save in exceptional circumstances, for reasons to be recorded in writing.

PART V
MONITORING, REVIEW & ACCOUNTABILITY

16. Record Maintenance and Documentation

(1) The office of the DLSA shall maintain a comprehensive record of all cases involving death or disability arising out of or in the course of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces, including applications received & disposed of, proceedings of the District-Level Committee, and compensation ordered & disbursed.

(2) The office of the District Magistrate shall maintain a comprehensive record of all such cases, including the number of deaths and disabilities reported, orders received from the District-Level Committee and compensation disbursed.

(3) All such records shall be digitised and uploaded on the NAMASTE Portal through the District Magistrate, within 7 days of each corresponding action.

17. Review and Monitoring

(1) The Chairperson, DLSA shall conduct monthly review and monitoring meetings at the district level to oversee the implementation of this Model. Such meetings shall involve Secretary, DLSA, District Magistrate/District Collector, Chief Executive Officer of the concerned Municipality or Panchayat nominated by the District Magistrate, Superintendent of Police/Commissioner of Police, Chief Medical Officer, and representatives of other concerned departments, including Social Welfare and local authorities.

(2) During these monthly review and monitoring meetings, it shall be specifically reviewed and ensured that:
   (a) all incidents of death or disability are promptly reported and duly registered with the police station and the District Administration;
   (b) details of such incidents are immediately shared with the concerned DLSA;
   (c) compensation applications are processed within the stipulated timelines; and
   (d) interim and final compensation is smoothly and timely disbursed, notwithstanding the absence of a dedicated compensation fund.

(3) The DLSA shall submit quarterly reports to the SLSA in the prescribed Format I, containing details of incidents, applications received, compensation awarded and disbursed, and challenges faced in implementation.

(4) The DLSA shall coordinate with the Vigilance Committees constituted for each district and sub-division under Section 24 of the MS Act, 2013, and the SLSA shall coordinate with the State Monitoring Committee constituted under Section 26 of the MS Act, 2013. For the purpose of effective coordination, the Secretary, DLSA, may be co-opted as a member of the Vigilance Committee and the Member Secretary, SLSA, may be co-opted as a member of the State Monitoring Committee.

18. Annual Report to NALSA

The SLSA shall, while submitting its annual report to NALSA, furnish comprehensive information collected under this Model, in the prescribed Format II, including details of compensation claims received, processed, & disbursed, case studies, best practices, challenges, and recommendations for improvement.

PART VI
APPEAL

19. Appeal

(1) The victim or the dependents aggrieved by an order of rejection of compensation on the ground of delay or ineligibility of the applicant, or by the quantum of compensation determined, may prefer an appeal before the Member Secretary, State Legal Services Authority, within 30 days from the date of receipt of such order.

(2) Provided that, delay in filing an appeal may be condoned by the Appellate Authority, for reasons to be recorded, in deserving cases, on an application made in this regard

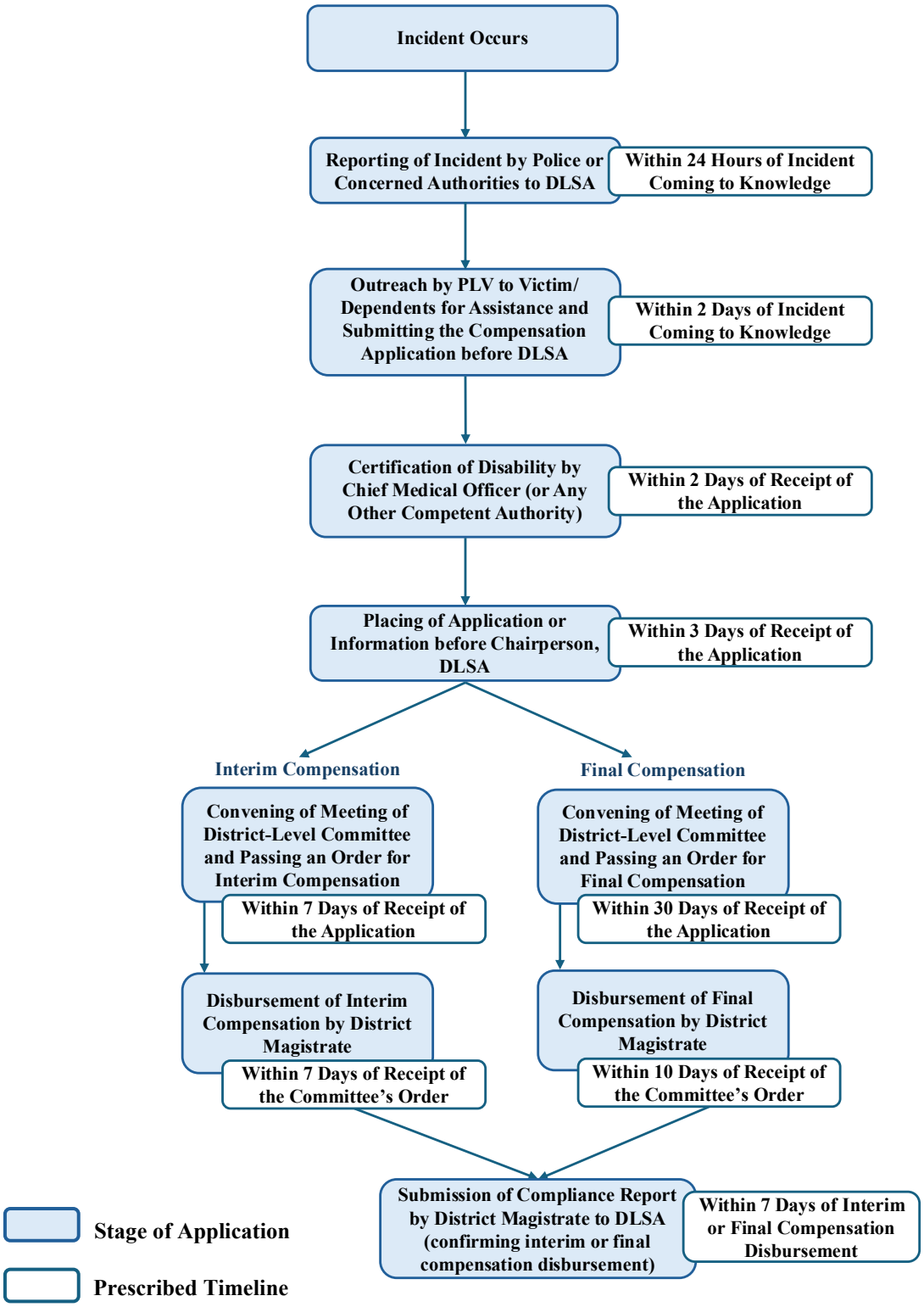
Annexure A

Schedule Applicable for Compensation in Cases of Deaths and Disabilities Arising Out of or in the Course of Hazardous Cleaning Activities in Sewers, Septic Tanks, or Any Other Confined Spaces

S. No.	Nature and Date of Incident	Compensation Amount
1.	Death occurring on or after 20.10.2023	₹30 lakhs
2.	Death occurring prior to 20.10.2023, where compensation not paid/determined	₹30 lakhs
3.	Death occurring prior to 20.10.2023, where ₹10 lakhs has already been paid	No additional compensation
4.	Permanent Disability	Minimum ₹₹20 lakhs
5.	All Other Kinds of Disability	Minimum ₹10 lakhs
6.	Interim Compensation (in cases of death or disability)	Minimum ₹5 lakhs

Annexure B

Timeline for Processing of Compensation Applications



Note: The timelines prescribed are binding on the concerned authorities for the purposes of reporting of incidents and processing of compensation applications. Nothing herein shall be construed to limit the right of the victim or the dependents to submit an application for compensation at any time.

Form I

Application for Award of Compensation

S. No.	Particulars	Details
1.	Name of the Applicant (Victim/Dependent(s))	
2.	Age of the Applicant	
3.	Name and Relationship of Applicant with Victim	
4.	Address of the Applicant	
5.	Proof of Identity of the Victim/ Dependent(s) (Attach a Copy)	
6.	Date and Time of the Incident	
7.	Place of the Incident	
8.	Name of the Agency/Local Authority engaging the Victim	
9.	Employment Details of the Victim	
10.	Cause of Accident/Incident	
11.	Whether protective clothing/equipment/ safety gear was provided by the employer?	
12.	Whether the Victim has suffered Death or Disability? If Disability, specify whether temporary or permanent.	
13.	Amount of Compensation Claimed (in terms of *Dr. Balram Singh v. Union of India*, W.P. (C) No. 324/2020)	
14.	Whether FIR has been lodged? (If yes, mention FIR No., Police Station & Date)	
15.	Whether medical examination has been conducted? (If yes, enclose Medical Report/Death Certificate/Post-mortem Report)	
16.	Whether the applicant has been awarded any compensation by any Court or any Government Authority? (If yes, give details)	
17.	Details of medical or other financial expenditure incurred	

Format I

Format for Quarterly Report by DLSAs to SLSA

Name of DLSA: _____

Reporting Period: _____

S. No.	Particulars	Details	
1.	Number of FIRs received from police relating to death or disability arising out of or in the course of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces	Death	Disability
2.	Number of cases reported by authorities relating to death or disability arising out or in the course of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces	Death	Disability
3.	Number of applications filed for compensation	Death	Disability
4.	Number of applications where interim compensation is granted	Death	Disability
5.	Total amount disbursed as interim compensation	Death	Disability
6.	Number of applications where final compensation is granted	Death	Disability
7.	Total amount disbursed as final compensation	Death	Disability
8.	Number of applications where compensation is rejected	Death	Disability
9.	Reason(s) for rejection of compensation application(s)		
10.	Number of applications pending for compensation	Death	Disability
11.	Reason(s) for pendency of compensation application(s)		
12.	Challenges faced in the implementation of this Model for disbursement of compensation, if any		

Format II

Format for Annual Report by SLSAs to NALSA

Name of SLSA: _____

Reporting Period: _____

S. No.	Particulars	Details	
1.	Number of FIRs received from police relating to death or disability arising out of or in the course of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces	Death	Disability
2.	Number of cases reported by authorities relating to death or disability arising out or in the course of hazardous cleaning activities in sewers, septic tanks, or any other confined spaces	Death	Disability
3.	Number of applications filed for compensation	Death	Disability
4.	Number of applications where interim compensation is granted	Death	Disability
5.	Total amount disbursed as interim compensation	Death	Disability
6.	Number of applications where final compensation is granted	Death	Disability
7.	Total amount disbursed as final compensation	Death	Disability
8.	Number of applications where compensation is rejected	Death	Disability
9.	Reason(s) for rejection of compensation application(s)		
10.	Number of applications pending for compensation	Death	Disability
11.	Reason(s) for pendency of compensation application(s)		
12.	Challenges faced in the implementation of this Model for disbursement of compensation, if any		

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