

THE UTTAR PRADESH SAFAI MAZDOORS

PROTECTION ACT,1976

(U. P. Act No.46 of 1976)

[As passed by the U. P. Legislature, assented to by the Governor on November 19, 1976 and published in U.P. *Gazette Extraordinary* on November 22, 1976]

**AN
ACT**

to prohibit the carriage of nightsoil on head and the employment of children in house scavenging and to provide for matters connected therewith.

IT IS HEREBY enacted in the Twenty-seventh Year of the Republic of India as follows:

**Short title,
and application**

1. (1) This Act may be called the Uttar Pradesh Safai Mazdoors Protection Act, 1976.

(2). It Shall Apply to -

(a) every city as defined in the Uttar Pradesh Nagar Mahapalika Adhiniyam 1959 ;

(b) every municipality as defined in the United Provinces Municipalities Act 1916;

(c) every notified area constituted under the united provinces municipalities Act 1916;and

(d) every town area constituted under the united provinces Town Areas Act 1914;

**prohibition of
scavenging and
carriage of
night-soil**

2. (1) No person shall carry or be engaged or required to carry night-soil in any receptacle on his head or waist.

(2) No person who is not more than eighteen years of age shall be engaged by any person to take up house scavenging .

Explanation - The expression 'house scavenging' shall,for the purpose of sub section (2),mean the removal of fifth,rubbish,ordure or other offensive matter from privy,latrine,urinal,cesspool or other common receptacle for such matter in or pertaining to a building.

Penalties

3. (1)Whoever contravenes the provisions of this Act shall be punishable with a fine which shall not be less than twenty-five rupees and more than two hundred rupees.

(2) No court shall take cognizance of any offence punishable under sub-section(1),except on the complain of an officer authorised by the State Government by a general or special order in that behalf.

STATEMENT OF OBJECTS AND REASONS

The custom of scavengers carrying night-soil on their on their heads is derogatory to their human dignity and requires to be prohibited by law. It is also proposed to prohibit the engagement of minors for house scavenging.

This Bill is being introduced accordingly.