

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

Writ Petition(s)(Civil) No(s).324/2020

DR. BALRAM SINGH

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[TO BE TAKEN UP AT 2:00 P.M.]ATTORNEY GENERAL FOR INDIA AND
MR. K. PARAMESHWAR, ADVOCATE (AMICUS CURIAE)
IA No. 146249/2023 - APPLICATION FOR PERMISSION
IA No. 136950/2023 - INTERVENTION APPLICATION
IA No. 131385/2023 - INTERVENTION/IMPLEADMENT
IA No. 30602/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

WITH

W.P.(C) No. 823/2025 (X)
FOR ADMISSION

W.P.(C) No. 905/2025 (PIL-W)

IA No. 237098/2025 - EARLY HEARING APPLICATION

IA No. 237094/2025 - EXEMPTION FROM FILING O.T.

Date : 20-01-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Parties : Mr. Manish Tiwari , AOR

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Ms. Simran Singh, Adv.
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Ms. Aradhya Agarwal, Adv.

Petitioner-in-person

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Veda Singh, Adv.
Sai Kaushal, Adv.
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Mr. Shashwat Parihar, Adv.
Mr. Vinayak Sharma, Adv.
Mr. Varun Chugh, Adv.
Mr. Piyush Beriwal, Adv.
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Mr. Saurabh Rohilla, Adv.
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Ms. Simran Singh, Adv.
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Ms. Akhila Wali, Adv.

Mr. Nanda Kumar K B, Adv.

Mr. Abhishekh Singh, Adv.

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

1. We notice that Writ Petition (C) No.368/2025 titled as "Asha Vs. State of Haryana" has been filed before this Court whereunder the prayer has been sought for providing compensation of Rupees Thirty Lakhs in terms of the judgment passed by this Court in the case titled as "*Dr. Balram Singh Vs. Union of India and Ors., reported in 2023 SCC OnLine SC 1386*". This Court in the matter of Writ Petition (C) No.324/2020 titled as "Dr. Balram Vs. Union of India and Ors.", has been considering these aspects and several orders has been passed subsequent to the final order dated 20.10.2023. In that view of the matter, we are of the considered view to avoid any divergent views being expressed, it would be apt and appropriate that the Writ Petition (C) No.368/2025 also to be listed alongwith the present petition.

2. Hence, the Registry may place Writ Petition (C) No.368/2025 before the Hon'ble Chief Justice for listing alongwith Writ Petition (C) No.324/2020 for passing effective orders and to avoid any conflicting orders being passed.

1. This application for clarification has been filed on behalf of Union of India for modification of order dated 29.01.2025. Pursuant to our order dated 20.10.2023, a status report came to be filed dated 28.01.2025 and it was recorded as under:

“Pursuant to the above order, a detailed affidavit has been filed by the Union of India. Ms. Aishwarya Bhati, learned Additional Solicitor General, has apprised this Court that out of 775 Districts in the entire country, there is no manual scavenging and manual sewer cleaning being carried out in 456 Districts.”

2. It is stated in the said affidavit that out of 775 Districts in the Country Survey of Manual Scavangers was carried out in 465 Districts and it was found there are no Manual Scavangers; it is further stated in the said affidavit that as on 22/11/2025, 643 Districts have uploaded their respective certificate reporting NIL Manual Scavangers in the district. Hence, we clarify that our order dated 29.01.2025 to be read as that the affidavit dated 28.01.2025 would only indicate a submission about 465 District having conducted the fresh survey and was found no manual scavangers.

3. It is made clear that the said affidavit does not make any statement about survey of manual sewer cleaning. Accordingly, the application being IA No.105343/2025 filed by the Union of India stands disposed of by modifying the order dated 29.01.2025 to the extent of deleting the words “and manual sewer cleaning”.

1. In the aforesaid Writ Petition disposed of on 20.10.2023, while considering the prayer for enhancement of compensation, this court had issued the following direction:

“(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.”

2. The aforesaid application has been filed by the National Legal Services Authority (“NALSA”) on the premise of divergence of views expressed by different High Courts as to the quantum of compensation payable. In *C. Kannaiyan & Ors. Vs. Deputy Commissioner of Labour & Ors.*, W.P. No.2339/2010, which was disposed of on 17.12.2025 by the Madras High Court by referring to the judgment of this Court in the matter of *Safai Karamchari Andolan Vs. Union of India* reported in 2014 (11) SCC 224 has directed the Chennai Metropolitan Water Supply & Sewerage Board to compensate the family of the persons who lost his life due to manual scavenging with Rupees Ten Lakhs, whereas in the matter of *Rekha & Ors. Vs. Govt. of NCT of Delhi & Ors.* (2024 SCC OnLine Del 3683), the High Court of Delhi relying on this Court’s judgment, namely, paragraph 96(4) enhanced the compensation for sewer death from Rupees Ten Lakhs to Rupees Thirty Lakhs.

3. In the aforesaid background, the applicant - NALSA has

submitted the two possible interpretations arise from the aforementioned judgment in *Dr. Balram Singh Vs. Union of India and Ors.*, reported in 2023 SCC OnLine SC 1386 vide paragraph No.96(4) namely:

"a) That the dependents of a manual scavenger or a person engaged in hazardous cleaning whose death occurred prior to 20 October 2023, and who have already received compensation of Rs. 10 lakhs in terms of the judgment in *Safai Karamchari Andolan v. Union of India* (judgment dated 27 March 2014), shall be entitled to additional compensation of Rs. 20 lakhs in terms of the judgment in *Dr. Balram Singh v. Union of India* (dated 20 October 2023); or

b) That the dependents of a manual scavenger or a person engaged in hazardous cleaning whose death occurred prior to 20 October 2023, and who have already received compensation of Rs.10 lakhs in terms of the judgment in *Safai Karamchari Andolan v. Union of India* (judgment dated 27 March 2014), shall not be entitled to any additional compensation in terms of the judgment in *Dr. Balram Singh v. Union of India* (dated 20 October 2023)."

4. In light of aforesaid clarifications sought, we hereby clarify as under:

(i) It is made clear that insofar as the compensation ordered, determined and paid namely, Rupees Ten Lakhs to the legal representatives of the victim as on date of judgment viz., 20.10.2023, such cases or claims would not be reopened.

(ii) In case, the sewer death having taken place even prior to this Court order dated 20.10.2023 if compensation has not been paid or determined as on the date of the judgment, i.e., 20.10.2023, the concerned States or municipal authorities would be required to pay a sum of Rupees Thirty Lakhs to such of those claimants.

(iii) In the event of compensation having not been determined or paid in respect of deaths having occurred prior to our judgment

dated 20.10.2023, the concerned would be liable and required to pay compensation of Rupees Thirty Lakhs to such of the claimants.

5. Accordingly, the application stands disposed of by way of aforesaid clarifications.

IA No.114186/2025 in W.P. (C) No.324/2020:

1. This application has been filed for highlighting the need for staffing of the National Commission for Safai Karamcharis which was constituted to accomplish the welfare schemes for Safai Karamcharis brought about to achieve the avowed object of the Act. It is in this background this Court had expressed that in the judgment dated 20.10.2023 about non-functioning of the Commission would therefore paralyze the implementation of the Act. This Court has also observed that there was no Chairman, Vice-Chairman and one Member of the National Commission for Safai Karamcharis apart from the State Commission being short staffed.

2. With pain, we notice in a similar Writ Petition which came to be disposed of by the Coordinate Bench on 20.10.2023 in Writ Petition (C) No.739/2023, it has been observed that the counter-affidavit filed by the respondent therein was to the effect that the tenure of the National Commission for Safai Karamchari had been extended till the 31.03.2025. It was informed to this Court by the Union of India that the Chairman, Vice-chairman and one more Member have been appointed for a period till 31.03.2025 and four posts of Members are lying vacant due to absence of suitable candidates. In this background, an observation came to be made by this Court that the competent authority will continue to make an endeavour to find

out suitable members and fill up the vacant posts. Similarly, necessary action for appointment / re-appointment / extension of the office bearers of the National Commission for Safai Karamcharis would be undertaken before the expiry of the term on 31.03.2025.

3. We notice that on 19.11.2025, the learned Solicitor General then present in the Court alongwith the learned Additional Solicitor General had assured the Court that immediate steps will be taken to expedite the process of appointing Chairman and the Committee Members to Safai Karamchari Commission. However, no steps were taken and the learned Additional Solicitor General appearing for the Union of India would submit that steps are being taken to appoint.

4. Even today, the same submission is being made by the learned Additional Solicitor General or in other words, there seems to be no further progress in such appointment. Though, a fervent plea has been made by the learned Additional Solicitor General seeking for four weeks' time, we are not inclined to grant such prayer. At this juncture, the learned Additional Solicitor General would submit an affidavit stipulating the timeline within which the appointments would be made would be filed and as such she seeks for two days' time to file the affidavit. Accordingly, time is granted and we direct this matter to be listed on 27.01.2026 for this limited purpose only. In the event of affidavit not being filed, the Principal Secretary, Ministry of Social Justice and Empowerment shall appear in person.

5. List the matter(s) on 27.01.2026.

IA No.271841/2025 in W.P. (C) No.905/2025:

An application seeking impleadment of the Ministry of Social Justice and Empowerment is allowed as there is no resistance to this application.

Cause-title be amended accordingly.

IA No.271769/2025 in W.P. (C) No.905/2025:

An application seeking deletion of respondent No.2, i.e., the Ministry of Law and Justice from the array of parties is allowed since learned counsel appearing for petitioner has no objection.

Cause-title be amended accordingly.

(NEHA GUPTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)