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**IRRIGATION & FLOOD CONTROL DEPARTMENT  
GOVERNMENT OF NCT OF DELHI  
L.M. BUND OFFICE COMPLEX, SHASTRI NAGAR, DELHI – 110 031**

No.F.3(2)/2019/GAD(Flood)/

Dated:

**ORDER**

An unfortunate incident of the death of a labour took place during the execution of the work awarded by Civil Division VI for the removal / collection of floating material from the Toe Drain from RD 100M to 3240M. This accident could have been avoided, had the field staff would have been more vigilant and ensured the true compliance of the various safety measures / precautions prescribed under the Prohibition of Employment as Manual Scavengers (PEMS) Act, 2013 by the labour deployed for the above referred purpose by the contractor.

02. Recently, it has also been seen that large number of such fatal accidents are taking place involving various agencies especially in carrying the cleaning of septic tanks / sewerage drains / open drains inviting wide coverage by the media and thereby adversely affecting the image of the department. Nonetheless, fatal accidents results in the loss of human life and cause irreparable mental agony to the kith and kin of the deceased forever.


03. It has been observed that some of the probable causes of accidents are due to not enforcing the mandated safety measures in the execution of various works relating to maintenance of drains. No Standard Operating Procedure (SOP) with regard to the precautionary and safety measures has been prescribed and followed by the technical wing of the department and leaving the precious life of the poor people at the mercy of the contractor. The Executive Engineers are the crucial link in the award / execution of the work between the contractor and the department and therefore, it is the personal responsibility of the Executive Engineers to ensure that before any labour is engaged in any work associated with the maintenance of drains involving probable apprehension of accident, all the safety measures to protect the precious human life should be in place.

04. The matter, accordingly, was placed before the Chief Secretary, Delhi who took a serious view and has directed that henceforth, a comprehensive SOP be devised by the department making it explicitly clear that in the execution of all the works associated with the maintenance of drains, for any mishap of the loss of life, the concerned territorial Executive Engineer shall be personally held responsible and the department shall have to file a criminal proceeding against him / her, as the case may be.





05. Now, it has been decided that while employing the labour by the contractor in the execution of various works being executed by the department, the following steps shall be adhered to by the concerned EEs:

- i) All the safety measures, as provided in the Prohibition of Employment as Manual Scavengers (PEMS) Act, 2013, shall be made an integral part of each and every contract which the department will award henceforth to the contractor for execution irrespective of nature of work. Even in all the ongoing works, it shall be the personal responsibility of all the concerned EEs to invoke the provision of above-said PEMS Act, 2013 and other provision of law enforced relating to safety measures of the workmen in the execution of all the ongoing projects / works.
  - ii) If, any death is caused at site, in the execution of any work, the department shall have to file a criminal FIR against the concerned area Executive Engineer without fail.
  - iii) Besides, criminal proceedings against the territorial Executive Engineer, departmental proceedings shall also be initiated simultaneously.
  - iv) The Executive Engineer shall has to ensure that prominent signage boards are displayed at the site of the work in Hindi and English language indicating the safety measures required to be put into place by the contractor, for educating the public as well as the contractual labour that in the contract department has prescribed the above safety measures and it is their right to refuse the work without being provided the safety equipments.
  - v) The SOP of various safety measures / equipments which the department has put into place to be displayed on the website of the department.
  - vi) A public advertisement in the leading Hindi and English newspapers shall also be given for the information of the common man / public that before engaging themselves in any work which has the probability of the injury / threat to life, the safety norms / equipments are to be made available to them by the hiring agency including the contractor.
  - vii) Each and every Division shall also disclose at the conspicuous and prominent places the signage boards within the territory / complex of the Head Office / site office, the details of the safety equipments which are mandatorily to be provided to the workforce before engaging them in the works relating to maintenance of drains.
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- viii) A weekly meeting shall also be taken by the concerned Superintending Engineer with the contractor by highlighting the necessity of safety measures and the need to preserve the human life at any cost and the responsibilities of the contractor and vicarious liability of the department.
- ix) A similar meeting shall also be taken by the Chief Engineer on fortnightly basis with the contractor and Executive Engineer on the safety measures and equipments and outcome thereof be conveyed to the Secretary without fail.
- x) At Headquarter level, with the help of technical person, a training programme shall be organized by the Chief Engineer to impart necessary education and skill to the contractor with the safety measures / equipment which are required to be put into place.
- xi) A Policy be formulated by the department to motivate and encourage the contractor to come forward for the true compliance of all the preventive and safety measures / norms / equipments so that loss of life could be protected.

This issues with the prior approval of Secretary (I&FC).

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5/12/19  
(BHUPINDER SINGH)  
DEPUTY SECRETARY (GAD FLOOD)

To

1. Chief Engineer (Zone-I & Zone-II), I&FC Department, GNCTD.
2. All SEs, I&FC Department, GNCTD.
3. All Executive Engineers, I&FC Department, GNCTD.

No.F.3(2)/2019/GAD(Flood)/ 1052-77

Dated: 5-2-19

Copy for information to:

1. SO to Chief Secretary, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi-02.
2. Secretary to Secretary (I&FC)-cum-CEO, DJB, Varunalaya, Jhandewalan, New Delhi.

*dy*  
5/12/19  
(BHUPINDER SINGH)  
DEPUTY SECRETARY (GAD FLOOD)