RAKSHAK FOUNDATION

Liberation and rehabilitation of manual scavengers

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Preface

Rakshak Foundation was founded in 2006 by a group of concerned citizens from India's elite educational institutions working in USA. It was in the manner of giving back in a small way to United States and India, countries that had provided them so much in terms of opportunities. The Foundation seeks to create an informed society, aware of its rights and duties, and attempts to address barriers to an equitable and just society. Rakshak Foundation has been submitting well researched opinions on various bills being considered for presentation to the Indian Parliament. Rakshak Foundation has been invited by the Parliamentary Committees of the Rajya Sabha three times in the past two years to depose before them and present their views on proposed Bills which would affect the whole nation once they are enacted by the Parliament.

The Intern is First year commerce undergraduate from Lady Shri Ram College for Women, University of Delhi and has keen interest towards corporate social responsibility and sanitation related issues. The given topic is a very relevant subject, especially in Indian Context. The Intern has interest in taking up such topic and had a knowledgeable and learning experience in researching these topics and going into the intricacies of these social Issues.

The Intern has tried to make an effort to bring forth that Issue of Manual Scavenging in front of the general mass.

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Acknowledgements

This research report was not only my contribution, but there were many who assisted me in giving the project its present form. Firstly, I would like to extend my gratitude to Rakshak Foundation for assigning such an interesting topic and for being a constant force of encouragement and motivation. It was with the guidance of my mentor Shri Amit Gupta that I was able to build an idea of how to go about the project and his suggestions proved to be an important highlight throughout. My thanks also go to Shri Bindeshwar Pathak, founder head of Sulabh International Social Service Organisation. His ideas, opinions and visions assisted me to flow my thinking in the right direction. I would also like to thank Shri Ram College of Commerce Enactus team, for giving me a chance to visit village Nekpur, the experience was truly phenomenal and gave me valuable insights of the condition of manual scavengers and how can it be solved.

I would like to thank my parents and friends, particularly Rhea Yadav, Mohit Jindal, Anithasree Athiyaman, Akash Swain, Anuj Chauhan and Ann Varghese, without the support of whom, this project could not have achieved the present status.

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Executive Summary

The research project is based on the existence of manual scavenging in India, how has it been tackled so far, and what has been the impact made to the society.

Manual Scavenging is the practice of cleaning human excreta in dry toilets, insanitary latrines, septic tanks or pits, and is prevalent in our country since ages. Manual Scavenging has its roots in the caste system, hence is a caste born disease. This makes it all the more apt to be inherent in India. The task of cleaning human waste is performed by those people who are considered to be included in 'lowest of lowest' classes. Societal pressure has forced them to be called by this term. They are unfortunately stuck in the vicious cycle of caste and livelihood.

Manual Scavenging is a degrading practice and is a violation to human rights in every aspect. It is against the constitutional guidelines-right to live life with dignity. It suppresses the so called 'lower caste' people and compels them to live an undignified life. These individuals are discriminated in every sphere and circle of life- health, education, societal status, impact on forthcoming generations, and so on. Women account for more than 95% of the manual scavengers engaged in India, and are the worst sufferers of this menace. As a result, they face serious social and health related consequences that make them the most marginalized group in the society.

Then, Indian Railways is the largest employer of manual scavengers, who are required to clean the waste from direct discharge toilets. Being a public enterprise, Indian Railways is the biggest violator of the laws of the country, which is a matter of great shame for India. The project delves into the reality of this fact to find out the reasons behind such behaviour.

Basically, there are two issues that guides any step towards liberation and rehabilitation of manual scavengers- a) Conversion of insanitary latrines, which will automatically end the requirement of services of manual scavengers b) alternative employment opportunities that will encourage them to back out from the practice. Both of them are intertwined under the umbrella of social stigma and the kind of image that the common public has established in their minds about manual scavengers. That is why; it is true that manual scavenging is more of a human rights issue, than a sanitation issue. This is because, even if the toilets are converted and manual scavengers do not clean human excreta, they will be still looked down by the rest of the society and would not be accepted like a common individual. Hence, mere conversion is no solution. Similarly, provision of loan or subsidy or any monetary assistance is a short lived effort, in the long run, what has to change is not the occupation of the individual, but the perception of the society and even the perception of the individual himself. Thus, the important point to be noted here is that the degree of desirability from all sides- scavengers, community

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and government matters a lot; in fact it is the most important factor while solving this problem. Unless this is not realised, any scheme or any act, will not be successful.

Government of India has passed various legislations since 1955, among which Employment of Manual Scavengers and Construction of dry latrines Act, 1993 and The Prohibition of employment as Manual Scavengers and their Rehabilitation Act, 2013 have been discussed in detail. Although the 2013 Act was broader than the previous one, it still has a number of loopholes and has thus attracted various recommendations and suggestions to improve its influence. Further, since 1949, a number of committees were formed for the welfare of manual scavengers. The Government has also initiated numerous schemes to put a full stop to the ghastly profession. The most important and recent scheme of SRMS (Scheme for Rehabilitation of Manual Scavengers) was initiated in 2007 but has not been able to bring out expected results. Also, Census 2011 could only state the number of insanitary latrines and not the number of manual scavengers. Based on this, many other organizations like Rashtriya Garima Abhiyan have carried out surveys in the districts notified by the Census data and have come out with the people involved in the menace.

Again, political will gives strength to the goals of the nation. But sadly, this is the biggest weakness of our country. The Acts are passed, schemes are made and strategies are facilitated, but when it comes to implementation, we lack the execution skills. Most of the loopholes and concerns are centred on this major argument.

On the other hand, there are NGOs and other organisations that have been able to play an impactful role in eradicating manual scavenging, like Sulabh International Social Service Organisation and Navsarjan. With this, there are certain small level organisations like SRCC Enactus which have been able to do their bit for the welfare of the manual scavenging communities .However, the important fact is that these NGOs have not been able to create this impact solely. It was with the support of government assistance that they were able to stop manual scavenging in the country. This is because the government machinery has wider accessibility and large funds.

There should be an appropriate mix of the civil society, legislation and the NGOs, and then only reliable, authentic and true results can be expected.

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1. Introduction

1.1 Background Information

The demeaning work of manual scavenging is prevalent in many under-developed countries. About 62 years of independence have passed, and in these years, we have seen the development phase of India, its transformation and how it is moving towards a world economy. Sadly, what has not changed is the existence of social evils deep rooted into the caste system.

History

In 1901, after the Census results, the commissioner for the then Census- Herbert Hope Risley, classified the castes in 7 categories, on the basis of social and varna affiliation. The states which had manual scavengers were referred by different names like bhangi, mazhabi, chahti, thoti, ghasi, halalkhor, mela, and so on.

It was in the same year, at the Congress meeting in Bengal, when the horrible social and working conditions of the manual scavengers was raised by Mahatma Gandhi but it took us about 100 years to formulate the first ever concrete law(1993 act) to abolish manual scavenging. The issue of manual scavenging has drawn a great amount of attention since many years. Government and NGOs have taken various efforts to curb this practice once and for all. The menace has been discussed actively in parliament as well. These initiatives, however, have been able to influence only a small section of scavenger population.Till today, generations of dalit communities are engaged in the horrendous and gruesome practice of manual scavenging.It is a form of modern day slavery and violates the statutory and constitutional rights of liberty, equality, education and social development.

Features

Manual Scavenging is a hereditary form of occupation and a sub human profession. It is not only bound by the traditional obligations, but also mythological sanctions. This practice is the worst kind of atrocity as the scavengers are required to use their bare hands and carry night soil in buckets. They clean the human excretement and carry them in cane baskets (daliya). Sometimes, during the rainy season, it even leaks on their hair, head and other body parts. In addition to this, they are also expected to dispose dead animals, clean placentas after delivery and perform various funeral related rites.

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This section of the society is widely discriminated on the basis of the basic rights of life. The concept of manual scavenging is against the fundamental right to dignity, mentioned in the constitution. is violation of the basic human right.

The job of manual scavenging is performed by a certain section of dalits and untouchables, which are considered as the 'lowest of lowest' classes. They are even looked down by the lower caste people. However, this is a natural outcome because the manual scavengers clean human excreta, which is a symbol of indignity and disgust. Largely, two types of communities are involved in manual scavenging- Valmikis(Balmikis, under Hindus) and Haila(under muslims). Hailas belong to the OBC (Other backward classes) category while Valmikis come under the SCs/STs(Scheduled castes/tribes) category. These people are among the lowest rung and are considered untouchables within the untouchables.

Manual scavenging is not a voluntary type of profession, it is a **compelled form** of employment. Since this practice has its roots in caste system, it is a hereditary occupation, where it is implied that the child of a scavenger will also perform the same practice.

Manual Scavengers are of two types-

a) Self-employed: a person who practices manual scavenging in a group of households

b) Contract: Hired by contractors/municipal body to scavenge an individual or group of dry latrines and open drains where night soil is disposed.

Manual scavengers are not only prevalent in villages, but also in cities. The municipal authorities hire manual scavengers to clean the blockages in sewer systems, because of unavailability of adequate machinery to do the task. This again exposes them to poisonous gases and chemicals. Due to this, sewage workers suffer from skin rashes, cuts, injuries and irritation in eyes. Many manual scavengers die because of the working conditions. Other challenges include

- lack of adequate equipments
- lack of education and training on using the equipments
- Fear of road accidents, and so on.

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1.2 Key Concepts

According to the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, Government of India Gazette:

1. ***Manual scavenger*** *means a person engaged or employed by an individual or a loca lauthority or a public or private agency, for manually cleaning, carrying, disposing of, orotherwise handling in any manner, human excreta in an insanitary latrine or in an opendrain or pit into which human excreta from insanitary latrines is disposed of, or on arailway track, before the excreta fully decomposes, and the expression "manualscavenging" shall be interpreted accordingly;*

Explanation-

(a) "Engaged or employed" means being engaged or employed on a regular or contract basis;

(b) a person engaged or employed to clean excreta with the help of such devices andusing such protective gear, as the Central Government may notify in is behalf, shallnot be deemed to be a 'manual scavenger'.

2. ***"Insanitary latrine"*** *means a latrine which requires human excreta to be cleaned or otherwise handled manually, either in situ, or in an open drain or pit into which the excreta is discharged or flushed out, before the excreta fully decomposes in such manner as may be prescribed*
3. ***"Sanitary latrine"*** *means a latrine which is not an 'insanitary latrine'*
4. ***"Septic tank"*** *means a water-tight settling tank or chamber, normally located underground, which is used to receive and hold human excreta, allowing it to decompose through bacterial activity.*
5. ***"Sewer"*** *means an underground conduit or pipe for carrying off human excreta, besides other waste matter and drainage wastes.*
6. ***"hazardous cleaning"*** *by an employee, in relation to a sewer or septic tank, means its manual cleaning by such employee without the employer fulfilling his obligations to provide protective gear and other cleaning devices and ensuring observance of safety precautions, as may be prescribed or provided in any other law, for the time being in force or rules made thereunder .*

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1.3 Main Problems, their scope and impact on the society

According to the 1901 Census, castes were classified into 7 main categories based on social affiliation. The lower castes who were supposed to engage in scavenging were bhangi, balmiki, halalkhor and so on.

The practice of manual scavenging is primarily based on the caste system.This system gives rise to **division of labour** that fragments the kind of work an individual is expected to do. Majority population of manual scavengers are from scheduled castes.This category of untouchables lie at the bottom, and are deprived of social, economic and political rights.They are the victims of the enormity associated with untouchability.Manual scavenging is inhuman and degrading, but the people fall prey to the never ending spiral of social stigma and livelihood. As a result, they are compelled to follow this occupation.

The initiatives of the government is based on the assumption that manual scavenging is a kind of labour and the problem can be easily sought out through technological inputs and subsidy-loan assistance(loan for initiating a new employment option and subsidy in the rates of interest on loan). Such an approach do not pays due attention on the rights of the scavengers on social, cultural and political context. It cannot liberate them from the clutches of caste based duties and image that has been set up since decades.As a result, manual scavengers are constantly supressed and isolated from the economic, religious, social and cultural spheres of life.

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1.3.1 Indian Railways: The biggest lavatory

The Indian railways are the biggest violator of the 2013 Act passed by the Government of India, and account for a major portion of manual scavengers employed. The open-hole lavatories gives rise to the railway tracks accumulated with human excreta and other waste. In India, approximately, about 13,000 trains run daily, and there are a total of about 1, 72,000 toilets that are not equipped with the modern mechanism for disposing the waste, due to which about 1.5 lakh km of railway tracks have become open house of human excreta. The indifferent approach towards manual scavenging and very slow advancement in technology has made railway tracks a ubiquitous site.

In 2005, the Supreme Court ordered the Railways to formulate a scheme to tackle the menace of manual scavenging; thereafter the latter has come up with a plan to totally eradicate direct discharge toilets by 2021-22, by bringing in bio toilets in 43,000 coaches used by the passengers. Today, 7 years have passed, and only 436 such coaches have been installed with these toilet systems. The high budget required for the purpose is a major constraint for the target to achieve. (About 1600 crores)

Although the railways claim about the installation of washable aprons in several stations and use of proper protection while cleaning, the reality is obviously not the same. Many workers state the absence of gloves and masks, which are given to them only when an official visits the station. However, the important point to be noted is that, even the usage of such protective equipments does not stop the needs of services of manual scavengers.

Also, the railways have been able to hide the presence of manual scavenging by terming it as ‘safety and maintenance work’ or by outsourcing the services from the contractors. Sadly, even The Ministry of Social Justice and Empowerment has not conducted any surveys concentrating the railways.

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1.3.2 Social and Health Insight

Although the occupation of manual scavenging is just a part of the life of a manual scavenger, it affects the whole life cycle of a manual scavenger in every sphere-education, health, status in the society, etc.Due to these factors the scavengers have very limited access to alternative job opportunities. They are suppressed by the social stigma and are left with no choice but to accept scavenging as the reality of life. Naturally, they face very low level of education and health facilities.Socially, manual scavenger community is segregated from rest of the society.They do not get the privilege to live in decent locations and consistently face discrimination on the basis of caste and the kind of work they do.They are not allowed to enter public places like wells and schools. Even their employers treat them from a distance, and wash the place where they work, in order to remove the 'impurity'.In other words, they are excluded from the normal social and economic life culture.

Women and Children

The major part of the individuals engaged in manual scavenging is women (about 95-98%). As a result, the status of the women is the worst. They are vulnerable for being a dalit, a manual scavenger and a woman. The girl child faces a lot of injustice and is forced to take up this occupation after marriage. Usually, the females are not forced to adopt the practice by their own parents. It is significantly after the marriage that her in laws compel her to do manual scavenging, because of the tradition prevailing in the house since many decades.

The teachers and fellow classmates disregard the children of manual scavenging communities. This denial of dignity creates fear and humiliation among the children, leading to high rate of absenteeism and drop outs.Since most of the workers are women, cases of harassment and molestation are not very uncommon. Also, since women have to take care of both their families and the scavenging work, the status of women is the worst.

Health Issues

Obviously, manual scavengers face a lot of health issues as this practice is a hazardous occupation.Along with the attachment of social image that they carry, comes the health hazards linked with the job.Direct contact with human excreta causes skin diseases, nausea, tuberculosis, etc.Also, there are contacts with harmful gases like hydrogen sulphide and methane.Various other diseases caused are cardiovascular degeneration, intervertebral disc herniation, infections like hepatitis, pulmonary issues and respiratory problems.Moreover, the exposure of

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such waste that is left open until the scavenger cleans it, generates foul smell, and attracts insects and flies, that again becomes a source of numerous diseases.

Since most of the scavengers are women, they face even severe health complications like campylobacter, hand foot and mouth diseases, hepatitis A, meningitis, rotavirus infection, thrush, viral gastroenteritis, worms, salmonella infection, shigella infection, cryptosporidiosis and giardiasis.

Safety equipments like gloves, masks, boots, and brooms have not been provided to protect the scavengers from diseases caused by the contact with human faeces.This is the reason why, chronic skin diseases and lung diseases are very common among women manual scavengers.

Such conditions still exist in the lives of manual scavengers, despite of numerous articles and acts being passed in parliament for the protection and upliftment of the rights of manual scavengers and prevention of their exploitation. Although there have been improvements in scientific and technological methods to replace the dry and inefficient toilet systems, still a significant percentage of people are involved in this ghastly line of work.[1]

[1]Violence against manual scavengers: Dalit Women in India, Rashtriya GarimaAbhiyan

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1.4 Acts and schemes passed by the Government of India: An overview

1.4.1 ACTS:

1. The Protection of Civil Rights Act, 1955

This act abolished manual scavenging. It was amended in 1977, by making the practice of untouchability both a cognizable and non-compoundable offence.

2. The Scheduled Castes and scheduled tribes Act, 1989

This act specified some offences as atrocities. There were stricter penalties and there were special courts for speedy trial. It also mentioned the initiatives to be taken for relief and rehabilitation of the manual scavengers.

3. Employment of Manual Scavengers and Construction of dry latrines Act, 1993

It prohibited the employment as manual scavengers and construction or continuance of dry latrines and provided for construction and maintenance of water latrines. It was applicable to Andhra Pradesh, Goa, Karnataka, Maharashtra, Tripura, West Bengal, Orissa, Punjab, Assam, Haryana, Bihar, Gujarat and Union Territories. In case of failure or contravention of the act, there is maximum fine of Rs.2, 000 or 1 year imprisonment or both. In case of repeated contraventions, fine can be levied to the extent of Rs.100/day for the entire period of contravention

4. The prohibition of employment as Manual scavengers and their rehabilitation Act, 2013

The Bill was introduced in the Lok Sabha by the Minister of Social Justice and Empowerment, Mukul Wasnik on 3rd September, 2012, and was passed by the upper house on 7th September 2013. The Act prohibits the practice of manual scavenging, and hazardous cleaning of insanitary latrines, dry toilets, septic tanks, sewers or pits. It also provides for conversion to sanitary latrines, the cost of which will have to be borne by the occupier himself. Monetary assistance may be provided by the state governments; however, non-assistance from the side of the government will not be excused after 9 months of the law in force. It also mentions the provision of rehabilitation of the manual scavengers through alternative employment initiatives. The welfare of the manual scavengers would be facilitated by scholarship to the children, one-time cash assistance, and training in some other profession, residential plot, and financial assistance for construction of house. Under the Act, every local authority- municipality and panchayat, railway authority

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and cantonment board is required to conduct surveys and publish the list of manual scavengers, within 2 months of enforcement of the law. Also, offences under the bill are cognizable as well as non bailable and in some cases, may be tried summarily.

In all cases, the provisions of the bill will override the 1993 Act and state laws.

1.4.2 Committees formed

Timeline	Name of the Committee	Formulated by	Description
1949	Barve Committee	Government of Bombay	• To enquire about the living conditions of scavengers in Bombay • Suggest ways of improvement of their status • Fixation of minimum wages
1953	Backward Classes Commission	Kaka Kelkar Commission	• Notice to all the state governments by Ministry of Home Affairs • Need to introduce mechanical and up-to-date methods of cleaning latrine system
1956	-	Central Board for Harijan Welfare	• Under the Ministry of Home Affairs • Recommended the government to introduce a centrally sponsored scheme for the welfare of manual scavengers
1957	Scavengers Conditions Enquiry Committee	Malkani Committee	• Improvement of working, living and social conditions of the scavengers
1965	Committee on Customary Rights	Central Department of social welfare	• Eradication of customary rights (a particular scavenger Acquired hereditary right to clean and a customary relationship would establish between the household and the

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			worker)
1968	Pandya Committee	Union Ministry of Labour	• Undertaking a comprehensive legislation for regulation of the working, service and living conditions of the manual scavengers • Provision of adequate inspectorate and enforcement machinery

1.4.3 Schemes Initiated

Timeline	Name of the scheme	Aim	Description
1977-78	Pre Metric Scholarship for the children of those involved in unclean occupations	Financial assistance to children of scavengers for pre-metric population	• Here scavengers includes cleaners of dry latrines, tanners, sweepers and flayers • Covers over 6 lakh students every year • States/UTs are provided with full financial assistance over and above the liabilities incurred to implement this scheme • The scholarships are not been able to be given today because the system has been in a denial mode over their existence. Because of this, their children are not recognised for the scheme.
1978-79	Assistance to State Scheduled Castes Development Corporations (SCDCs)	Mobilisation of finances for SCs living below poverty line	• Centrally sponsored scheme functioning in 26 states and Union territories • Generation of credit from financial institutions • Provision of missing inputs by margin money loans
1981	Integrated Low Cost Sanitation Scheme(ILCSS)	Elimination of practice of physically carrying night soil	• Initiated by Ministry of Home Affairs and later implemented by Ministry of Social Justice and Empowerment • Conversion of dry latrines to low cost two pit toilet system

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			• Operated through the Housing and Urban Development Corporation(HUDCO) • Synchronization of subsidy from Central Government and loan from HUDCO • This scheme was only limited to the urban areas, even though the problem was majorly concentrated in the rural setup.
1992	Pay and Use toilet Scheme	Construction of toilets for footpath and slum dwellers	• Urban Local Bodies(ULBs) availed central assistance through HUDCO • Period of project was 1 year • On submission of utilization certificates, subsidy was payable in four equal instalments
1992	National Scheme for liberation and rehabilitation of scavengers (NSLRS)	Provision of alternate employment opportunities to the scavengers and their dependents	• Stipend of Rs.500/month during the training course • Tool kit allowance of Rs.2000/- • Financial package for rehabilitation- Rs.50,000/- • Issue of guidelines to the states and their Special Central Assistance to form groups of 5 to 25 and initiate production-cum-trading-cum service centre • Focus on wide level of conversion of dry latrines by the provision of sanitary marts • Provision of support of loan by NSKFDC
1997	National SafaiKaramchari Finance and development Corporation (NSKFDC)	All round socio economic development of scavengers and their dependents	• Extend concessional financial assistance as a support to income generating projects • Loan through state channelizing agencies
1999	Total Sanitation Campaign	Abolish Open defecation	• Incentive in the form of nominal subsidy for the construction of toilets
2001	Valmiki Malin Basti Awas Yojana (VAMBAY)	Provision and up gradation of the shelter for people living below	• Preference to women • Government subsidy on 1:1 basis

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		poverty line in slum areas	
2003	Nirmal Gram PuraskarYojana	Full sanitation and eradication of open defecation	• Covers Gram Panchayats, Blocks and districts
2007	SRMS	Focus on remaining number of scavengers who are yet to be provided any form of assistance under any scheme of Central/State Governments (accounts for 3,42,468 scavengers)	• Provision of training, loan and subsidy • NSKFDC or any other identified agency at apex level will provide interest subsidy to the banks(difference between the normal interest charged by the bank and the interest to be charged under the scheme) • Credit system: Bank gives loan to the beneficiaries at a rate specified in the scheme • Finance- i) term loan of maximum 5 lakhs for 5 years ii) Micro financing of maximum Rs.25,000 will be facilitated by scheme/SHGs/NGOs for a period of replacement of 3 years • No provision of capital/interest subsidy if the beneficiaries avail any subsequent loan from the bank • Enhancement of the limited infrastructure of NSKFDC and its SCAs(Special Central Assistance) to implement the scheme • Specific income generating projects have been mentioned along with the indicative cost of project (ranging between Rs.25,000 to 5,00,000 each) • Provision of training required for carrying on new employment projects by the government agencies/institutes • Rs. 7.35 crores have been earmarked for review and evaluation of the scheme • Aadhar Cards should be linked

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			to the rehabilitation schemes[2]

1.5 Facts and Figures

The Census 2011 data released by the Registrar General of India in March 2012 does not provide the data on the number of manual scavengers in the country. It states the number of insanitary latrines in the country-

	Rural	Urban	Total
Number of latrines where night soil is removed by humans	5,86,067	2,08,323	7,94,390
Number of latrines where night soil is disposed in open drains	3,72,009	9,42,643	13,14,652 **Total: 21,09,042**

As stated above in the table, the Census survey conducted in the year 2011 brought out the number of latrines where night soil is removed by humans and where it is disposed in the open drains. The survey could not provide with the number of manual scavengers that clean these toilets.

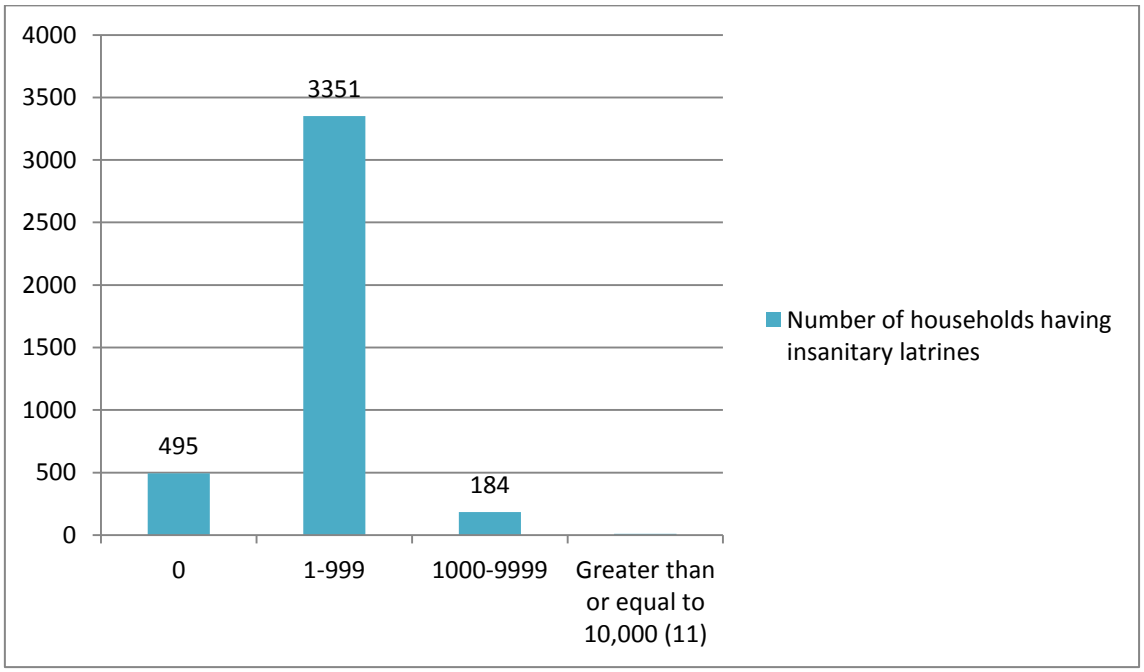
In April 2012, The Ministry of statistics and Programme Implementation, and The Ministry of Social Justice and Empowerment collaborated to recommend for conducting a survey based on the number of the manual scavengers and their dependents previously surveyed in Census 2011. About 3546(4041-495) sample statutory towns were taken where Census had pointed out the number of insanitary latrines.

Number of cities/towns	Number of households having insanitary latrines
495	0
3351	1-999
184	1000-9999
11	Greater than or equal to 10,000
Total: 4041	

[2]Reference Note 18: Manual Scavengers-Welfare and Rehabilitation, Lok Sabha Secetariat, August 2013

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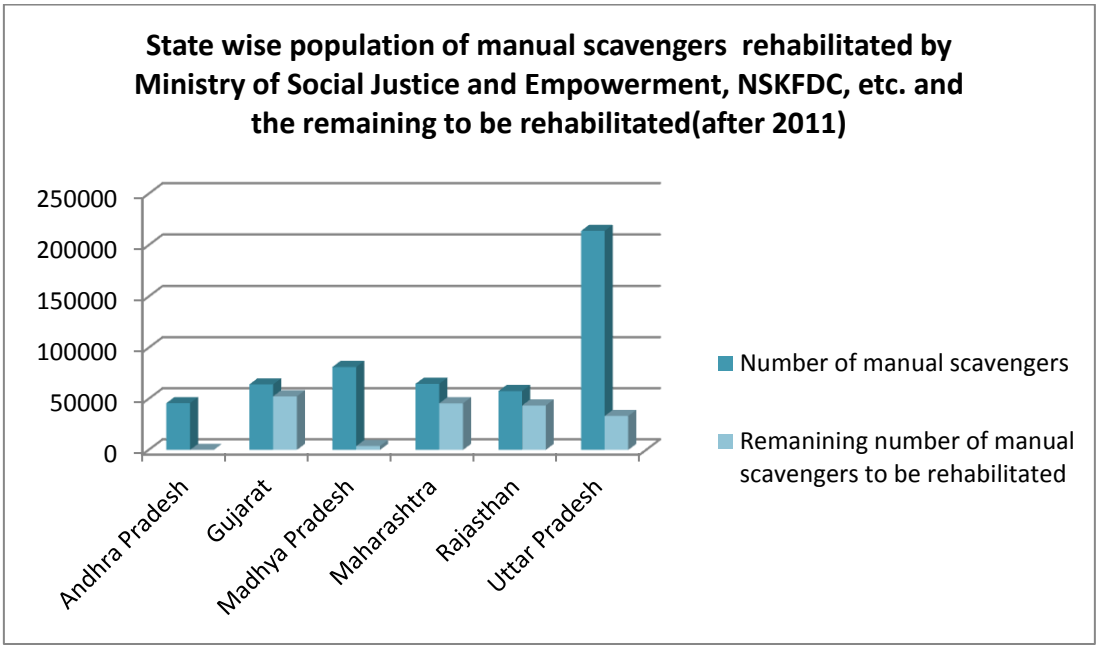


The objective of this survey was to identify the number of manual scavengers- a) who are covered under SRMS(Scheme for Rehabilitation of manual scavengers) and b) who are not covered under SRMS

Also, there was another scheme- **National Scheme for Liberation and rehabilitation of manual scavengers**. During the period of implementation of this scheme (1992-2005), about 7.7 lakhs of manual scavengers and dependents were identified. The SRMS scheme was launched in January 2007 for covering the remaining manual scavengers and their dependents (about 1.18 Lakhs), out of which only 67% were eligible and willing.

[3] Guidelines for survey on manual scavengers in statutory towns, Ministry of Social Justice and Empowerment, Government of India

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The top three states according to the maximum number of manual scavengers are Uttar Pradesh(2, 13,975), Madhya Pradesh(81,307) and Maharashtra(64,785). These three states account for 47% of the total manual scavenger population in India.

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2. Methodology

2.1 **Literature Search:** The topic of the research is a mix of sanitation and social rights issue; however, it is a more of a human rights subject. The intern has done extensive literature research by going through various reports written by Government authorities, research analysts, manual scavengers' activists and professors of eminent institutions. The Reports that the Intern Read in these Weeks have been mentioned in the references.

2.2 **Contacting Organisations:** The intern after acquiring the basic background of the problem contacted the people and organisations to hold meetings and field visits. With the help of another intern from SRCC, the intern was able to contact the SRR Enactus team and request them to accompany the team to the village where they are working. Similarly, mail was sent to Sulabh International, for arrangement of a meeting with ShriBindeshwarPathak .

2.3 **Field Visits:** The intern undertook 3 field visits- one to a village, NGO and Ministry of Social Justice and Empowerment. The description is mentioned in Appendix A.

2.4 **Meetings and Interviews**

There was only one personal meeting with the mentor; there were 3 telephonic conversations that helped the intern to move in the right direction. These are as follows:

Date: 23/05/2014

- **Medium:** Phone

<u>Research Topic</u>

The intern was a bit confused, after getting the topic. So, the objective of the discussion was to specify which direction the intern should follow, in order to start

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the project. The intern proposed on working on the reasons of failure of manual scavengers' welfare schemes and acts, and provide with recommendations on how the condition can be improved. On the other hand, the mentor mentioned the fact that the Badaun Success Model, on which he worked can be used to tackle with any village issue, so the intern could probably work on how can these other issues can be resolved with the help of the model. However, it was felt that the latter topic would deviate from the subject and would be very wide to explore. Hence, the topic proposed by the intern was selected for research

- **Date:** 25/05/2014
  Medium: Phone

This conversation dealt with the elements of the project and how to go about it. The mentor suggested the intern to visit village Badaun for survey. The intern informed him about the SRCC Enactus Initiative-Project 'Azmat' that is running in Village Nekpur, Uttar Pradesh and about the Sulabh International Initiatives in districts like Alwar. Also, the basic project outline was decided.

- **Date:** 31/05/2014
  Medium: Phone

In this discussion, the reasons for not going to Badaun were conveyed to the mentor by the intern. Also, suggestions were asked to include what kind of questions in the questionnaire. Subsequently, a report was sent by the mentor undertaken by Delhi University students that would help the intern forming the questions.

- **Date:** 9/07/14
  Medium: In person

The mentor gave the intern some suggestions on making the final report more forward looking and useful. He advised to include topics of railways, manual scavenging in sewage systems in cities and SRMS (revised), 2013. The intern raised

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many points that were discussed at the office of Ministry of Social Justice and Empowerment.

With Others:

Date	Name	Designation	Institution	Topic of discussion
7th June	**Shri Bindeshwar Pathak**	**Founder, Sulabh International Social Service Organisation**	**Sulabh International**	**Manual Scavengers rehabilitation programme in Alwar and Nekpur**
30th June	**Shri RK Gupta**	**Officer, Ministry of Social Justice and Empowerment**	**Ministry of Social Justice and Empowerment**	**Government role in the liberation, current schemes and surevys**

Please refer Appendix A for details*

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3. NGO and Government efforts

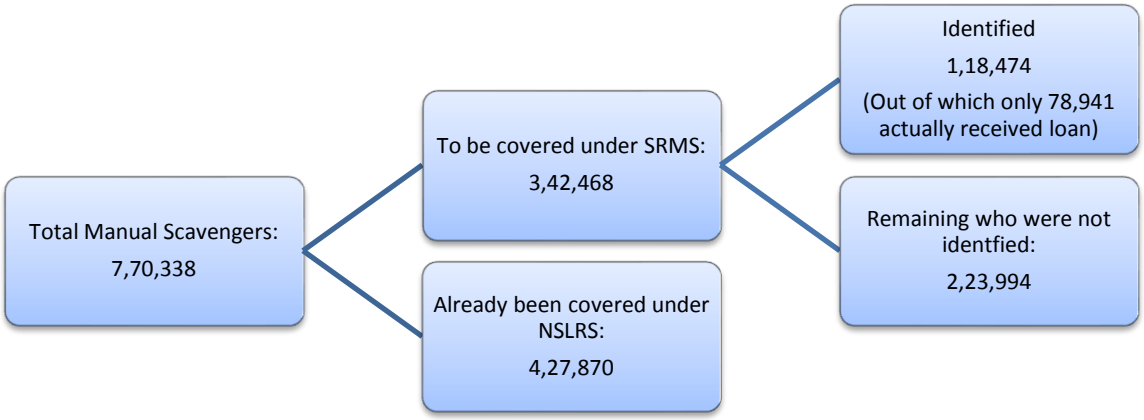
3.1 Scheme for Rehabilitation of manual scavengers, 2007: Case Study

The Scheme for rehabilitation of manual scavengers was passed in 2007 to rehabilitate the remaining manual scavengers and their dependents who could not be covered under the NSLRS (National Scheme for Liberation and Rehabilitation of Manual Scavengers). The target was to shift them in some other area of occupation by March 2009. However, the scheme had to be extended to March 2010, as the scheme could not meet its target by the set deadline.

Also, thereafter the NGOs provided a list of 10,697 manual scavengers discovered by them in 15 states. Out of these, only 628 were found to be eligible for assistance after due verification. All of them were provided assistance under the scheme.

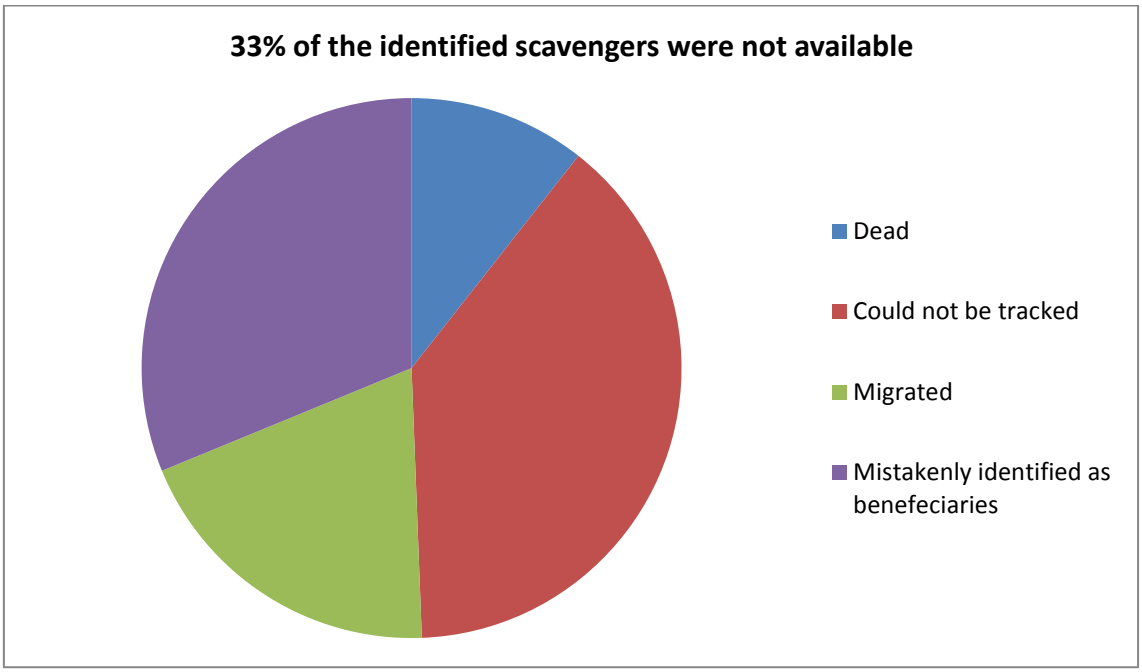
According to the survey reports given by the states, a total of 7, 70,338 manual scavengers were there in India. Out of which 3, 42,468 were to be taken into account under the scheme, since the remaining(4, 27,870) had already been assisted under NSLRS(National Scheme for Liberation and Rehabilitation of Manual Scavengers. A total budget of Rs.731.6 crores was made under the scheme.According to the progress report on scheme by Ministry of Social Justice and Empowerment on 28th April, 2011, only 35% of this(1,18,474) were identified to be covered under SRMS, out of which just 78,941 actually received the loan for alternative employment.

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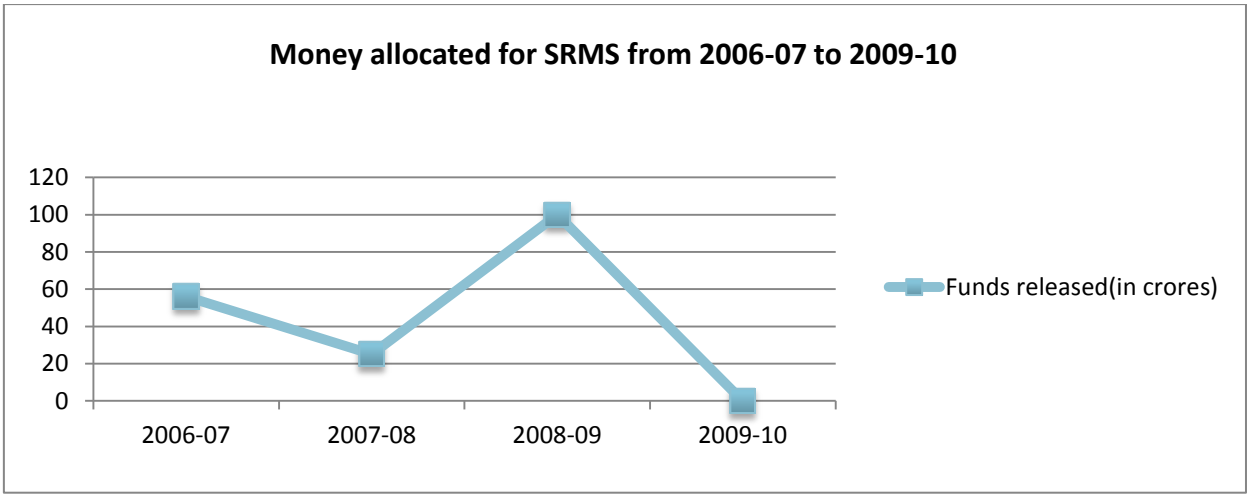
The Ministry states that the remaining 33.36% of the identified scavengers were not available:

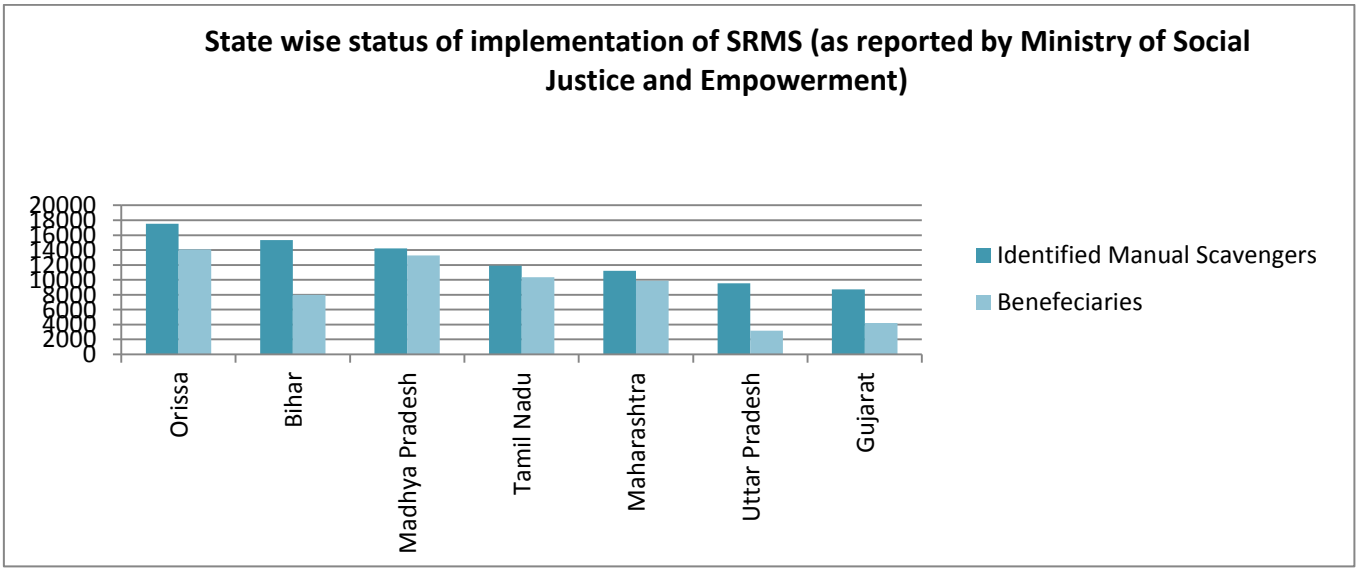
Percentage	Description
3.5%	Dead
12.8%	Could not be tracked
6.4%	Migrated(out of which 3.2% were woman who went to other villages after marriage)
10.3%	Mistakenly identified as beneficiaries
33%	**Total**



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Year	Funds released(Rs. crore)
2006-07	56
2007-08	25
2008-09	100
2009-10	0
Total	231





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Thus, out of the sanctioned Rs.731 crores, only Rs.231 crores have been funded till March 2010.Also, analysing the state wise performance, the top states were Madhya Pradesh,Maharashtra,Tamil Nadu and Orissa, with 93.3%, 88%,87% and 80% of the identified manual scavengers benefitted through loan.On the other hand, with only 22%,28% and 33% of the beneficiaries,Jammu and Kashmir, Uttarakhand and Uttar Pradesh are the worst performers.

Amid the above information, there were numerous cases where there was mishandling of the provisions under the scheme. According to the survey conducted by **Rashtriya Garima Abhiyan**, the following observations are noted:

- Many eligible scavengers were asked to fill a form and open a bank account, but never were they able to know the purpose behind such a process.They were unaware of any amount that was transferred to their accounts. Surpringly, many accounts were accessed to withdraw the amount the same day when they was deposited.Such mismanagement of funds could take place by the cheating middlemen who had contacts with fraudulent bank officials.These middlemen would visit the dalit houses, ask them to fill a form, take signature and a photo, next time they would hand them over 3,000 or 4,000; while many of them did not even know why such an amount is being given to them or what is the exact amount of loan that has been sanctioned in their name.In states of Madhya Pradesh, Uttar Pradesh and Rajasthan, about 68%,63% and 62% of the beneficiaries were taken on a ride by the brokers.
- Additionally, there were cases where the ineligible got the loan amount with the help of connections with the officials,although they were economically better off. According to the survey conducted by Rashtriya Garima Abhiyan in Rajasthan, Madhya Pradesh and Uttar Pradesh, the benefit of SRMS was given to 51% of the men out of which 76% were never engaged in manual scavenging. The rest 24%, whose name was there in the list did not received the full amount they were eligible for.
- Also, the loan utilisation is already difficult because of the untouchability factor. Even if the beneficiaries receive the access to use the amount, they are not able to do so effectively.
- The Muslim communities of Haila and Halalkhor, who were also the victims of this degrading tradition, were never taken to notice under the scheme.
- The scheme was not exercised in 1/4th of the districts, because it was told that there were no manual scavengers present.However, in reality, it was rampant in these locations.
- 85% of the people faced serious issues to avail the benefits under the scheme- like bribe,and misbehaviour, problems related to documents etc.

Reasons

The reasons why the scheme could not bring out expected results were:

1. Most of the provisions were issued to the men, rather than women, who were the majority.

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2. The key provision was based on subsidy and loan, i.e. monetary aspects, which could not work for abolishing the discrimination faced by the manual scavengers in social, economic and political sphere. As such, it is very difficult for the manual scavengers to succeed to a new form of employment with the help of Government loan and subsidy.
3. Around 60% of the scavengers live in rural areas, but the scheme was more concentrated in urban areas.
4. There was large scale mismanagement in the preparation of list made for the surveys.In many cases, the actual number of scavengers was more than the names mentioned in the list, while in other cases, the number of individuals involved in manual scavenging were less than the names mentioned.For instance, in Madhya Pradesh, 165 women are engaged in manual scavenging, but none was mentioned in the list, whereas, in districts having 302 such women, 2186 names were included.[4]

3.2 SRMS (revised), 2013

Objective: Provide assistance to the manual scavengers identified through various surveys for their rehabilitation in various other occupations. All the manual scavengers and their dependents will be eligible for the same irrespective of the level of the income. The salient features of SRMS(revised), 2013 are follows:

- The identified manual scavengers (one from each family) will be eligible to a total cash assistance of Rs. 40,000, which can be withdrawn in monthly cash instalments of Rs. 7,000. Additionally, Capital subsidy, training and interest subsidy will also be given and the stipend rates will be as specified under the scheme. However, the cash assistance will not be given to the dependents of the manual scavengers.
- A maximum loan of Rs. 10 lakhs will be admissible under the scheme. In cases related to sanitation which are very important for the target group and have high success rate as well as income, loan amount of Rs. 15 lakhs may be issued.
- Rate of interest to be charged on the above scheme of loan will be as follows:

a) 5% p.a for projects upto Rs. 25,000 (4% p.a for women beneficiaries)

b) 6% p.a for projects above 25,000

[4] Violence Against Manual Scavenger Dalit Women in India, Rashtriya GarimaAbhiyan

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- Interest subsidy will be given to the extend of difference between the interest rates, when the interest charged by the banks on loans is higher than that mentioned in the scheme. Such subsidy will be given to the banks by the SCAs(State Channelising Agencies).
- If required, the benefeciaries will be allowed to avail second and subsequent loan from the banks. However, in such a case, capital,interest subsidy and other grants under the scheme will not be provided.
- Make a chart for this:
- The scheme will be implemented as follows-

National level- NSKFDC( ) or other identified agencies

State level- State channelising agencies- government and repited NGOs

- For microfinancing schemes, reputed micro finance instituitions and NGOs will be encouraged to be involved through SHGs.
- In order to facilitate timely decisions on important aspects and critical issues, a committee under the chairmanship of Secretary, Ministry of Social Justice and Empowerment will be formed.
- The state level bankers will set the annual targets of each bank as per state wise scheme targets.
- No project will be imposed on the beneficiaries; their choice, interest and experience will be considered for selection of any project that can help them generate viable income.
- In order to infuse new skills and entrepreneurial capabilities, the government agencies/institutes and reputed specialised training agencies will be there to provide the same.
- Under the 'Prohibition and Employment as Manual Scavengers and their Rehabilitation Act, 2013' District level Vigilance Committees will be set up to keep a check on the implementation of the provisions under the scheme and review its status.
- An exclusive and interactive website will be launched to monitor the implementation of the above provisions and data will be uploaded on state as well as national level. This will also make the online submission of application of loan and subsidy possible, thus, ensuring transparency in the system.
- The SCAs may introduce the system of toll free numbers so that the queries of the beneficiaries are addressed instantly.

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- The National Commission for Safai Karamcharies may review the implementation of the schemes. Also, the scheme will be concurrently evaluated by an independent agency and the expenditure for the same will be met under the head ' Miscellaneous and administrative expenses'
- The scheme will also be connected to the programme of conversion of dry latrines under the Ministry of Housing and Urban Poverty alleviation and state/local levels municipal bodies. In order to provide a better assistance experience, efforts will be initiated to converge the benefits with other existing programmes.

3.3 The Prohibition of employment as Manual Scavengers and their Rehabilitation Act, 2013: Analysis

2013 and 1993 Act at a glance

The following features of 2013 Act establish the differences from the previous act:

1. Cleaning of sewers or septic tanks with the use of protective gear does not come under the ambit of hazardous cleaning and is not prohibited.
2. There is provision for the rehabilitation of the manual scavengers
3. The provisions have been extended to cantonment boards and railways
4. The Act provides for a survey of insanitary latrines and manual scavengers, and also the conversion of dry toilets to flush/sanitary latrines
5. Now, the offences are cognizable as well as non bailable
6. The amount of penalty imposed has also increased to an imprisonment of maximum 5 years and fine of Rs. 5 lakh or both. The imprisonment was of maximum 1 year and/or fine of Rs. 2,000 under the 1993 Act.

The existing laws have not been able to fulfil the dual goals of conversion of insanitary latrines and abolishment of manual scavenging. The Government of India has passed various acts in order to accomplish these objectives;the most recent one was passed in 2013.Some important considerations regarding the Act are follows:

1. According to Chapter III, Section5, 2(b), in case the state government does not provide any means of **assistance for construction of sanitary toilet** systems, then, such a reason would not be accepted as the basis for non-conversion, beyond 9 months.Such a time limit will act as a push on the

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occupiers of dry toilets to adhere to the guidelines as soon as possible. However, two points need to be taken in account regarding this point. Firstly, the speed with which government efforts are executed is very slow, hence, 9 months is not an accurate measure in any respect. Also, there may be situations where the poverty stricken conditions of the households, may not allow them to facilitate such conversion. Thus, some exceptions must be specified under this provision. But again, specifying such exceptions is a very complex task and is not possible. Hence, what can be done is that the deadline must be changed to a more realistic time limit for all the users of insanitary latrines whatsoever.

2. According to clause 5, 8, 9; the act does not provide for **compulsory financial assistance**by state or centre for building sanitary latrines and demolishing insanitary latrines. This is in stark contrast to the provisions of ILCSS(Integrated Low Cost Sanitation Scheme, 1981), which states that the owner will bring only 10% of the cost, while 75% will be borne by the centre and 15% by the state. However, going by the provisions of this Act, lack of financial assistance from the side of the government may act as a disincentive for conversion of toilets, thus becoming a constraint to the Act.

3. Going by the definition of hazardous cleaning given in Section 2(1) (d), it allows cleaning with the help of protective gear, not regarded as hazardous cleaning, this will lead to an increase in the number of manhole workers entering the sewers and consequently a rise in the number of deaths. Also, there is ambiguity as to what kind of **protective gear** or devices will be used. The meaning of protective technology is not adequately defined rather, the manhole workers must be specialised with training and only certified professionals should be allowed to do the cleaning task.

4. According to section 2(1)(e), **water flush latrines** used in trains are exempted from the definition of insanitary latrines. However, ultimately the human waste has to be manually treated once it is emitted on the track. Hence, such an exemption given to the railways allows this practice to be continued, rather than abolishing it.

5. According to section 2(1)(g), manual scavenging is associated with insanitary latrine, pit or an open drain. But, in today's increasing urbanisation and lack of appropriate toilets**, open defecation** in on a continuous rise, which again requires the service of a manual scavenger. Hence, the non- inclusion of the factor of open defecation is a matter of concern. Also, ultimately, the drainage systems require manual scavenging. Therefore, it is recommended that concentration should not only be methods of treating insanitary latrines, but also insanitary drainage systems.

6. Section 4(1) of the Act says that every local authority needs to conduct a survey and publish the list of insanitary latrines **within 2 months**. First of all, a period of 2 months is not sufficient to establish the data on insanitary

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latrines. Also, the local authority may not conduct the actual survey and outsource the task to some other agency. The local authority may take responsibility of the survey only on paper.

7. Another concern is that the Act does not specify how and what kind action is to be taken against the **authority** responsible for non-implementation of the guidelines of the schemes and laws

3.4 Challenges faced

There are a number of challenges that has made the total eradication of manual scavenging a humungous and difficult task. Some of them are:

1. **Degree of reliability of Census data**
   The data that is generated by Census is incomplete with respect to the exact number of manual scavengers in the country. It only provides with the number of insanitary latrines where humans clean the night soil. There is a need for a systematic and proper system of conducting surveys in all union territories and states, in order to come out with accurate and authentic data based on ground level. The involvement of civil societies and NGOs can act as a support to overcome the challenge.
2. **Linkage of two different issues**
   The issues of manual scavenging and insanitary latrines are separate but must be related. Both should be dealt with different ways. While manual scavenging is a dignity and human rights issue, the latter is a sanitation subject.
3. **Proactive approach in punishment**
   Not even a single person has been punished under the ambit of 1993 Act passed by law. Even though about 15,000 photographic references have been submitted by the SafaiKaramchariAndolan to the court, there has been no response.
4. **Involvement of all**
   In the process of abolishing this inhuman practice, only NGOs and Government efforts are not sufficient. Along with this the involvement of community and civil society is equally significant. For instance, the community planning practiced in Badaun which engaged the local villagers in the plan of action can be replicated in other parts of India.
5. **Difficulty in shifting to another occupation**
   The after effects of leaving manual scavenging follow, if an alternative employment is adopted. Usually, the common public is apprehensive of taking the services of individuals previously engaged in the degrading task of scavenging.
6. **Penalising the authorities**
   There is absence of any provision that penalises the district collector for non-implementation of rules and regulations.

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7. **Involvement of large scale set ups**
   Support of organisations like UNICEF and UNDP is required for more awareness and debate.
8. **Uni Approach**
   The problem must be addressed via multiple approach,as only employment or education or legislation cannot single handily solve the issue.
9. **Unspecified monitoring**
   The role of monitoring authorities is unclear and not specified. These must come under the ambit of control of a strong official authority person like Chief Minister of State.
10. **Freedom to adopt laws**
    From 1993 to 2010, the states had the autonomy to adopt the act, which hindered the speed of recovery from manual scavenging
11. **Inefficient rehabilitation**
    There was no say by the Ministry of Housing and Urban Poverty alleviation (HUPA) since the 1993 Act, and thus, rehabilitation guidelines were poorly presented and executed thereafter.
12. **Wrong basis**
    The 1993 Act was based on technical aspects rather than the social and dignity aspect. There is no mention of social issues like untouchability and gender discrimination.

Thus, it was mainly because of the loopholes in the 1993 Act, that the whole process of liberation and rehabilitation of manual scavengers was implemented with poor efficiency and effectiveness.[5]

3.5 SUCCESS STORY: VILLAGE NEKPUR

[5]Mr. Bezwada Wilson, National Round Table discussion(organized by UNDP and UN solution Exchange), 21st December, 2012

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Manual Scavenging is an issue that is in need of dire and immediate attention, in order to control the consequences it is creating to the people of the society- both health and social. The menace requires help from government machinery, NGOs as well as reputed international organisations like WHO. However, this does not not overshadow the impact that can be made by small initiatives. Such actions hints that there are small sections of the society who are ready to devote their time and efforts for the well being of the unpriviledged class. The initiative by the students of SRCC is one such example. The Enactus society of the college has Project 'Azmat' running under their program. The project is based in Village Nekpur,, situated in Gaziabad, Uttar Pradesh. around 60 kms away from Delhi.

Project Azmat is an endeavour to liberate the Manual Scavengers by providing them a sustainable source of livelihood through development of a micro-enterprise and to facilitate construction of proper toilet systems.The project follows a multi-faceted approach and aims at providing an alternative source of employment along with conversion of dry toilets to sanitary toilets.

Until 2012, there were more than 100 households having insanitary toilets and about 20 manual scavengers cleaning them.The society came to know about the existence of community of 20 manual scavengers through Safai Karamchari Andolan. The program provides financial assistance, literary training and training in detergent making to the women so that they become self reliant and an aware individual.

It all started with the conversion of dry toilets to two pit toilet system with the help of Sulabh International Social Service Organisation. All the household toilets were converted, so that services of the manual scavengers are not at all required in the first place.

However, for these women, manual scavenging was the only medium of earning and livelihood as their husbands were also jobless, and the earnings were very low even if they were engaged in some work. This was the whole concept of the initiative.

Hence, these women were taught how to manufacture and pack detergent. The raw material was brought by the students of the society from Delhi itself. In turn, the final product was sold in the markets of Delhi and NCR. Recently, the team has also started the marketing to sell the detergent in the village itself.

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In addition, these women visit the Sulabh Office twice in a month to interact with the organisation and discuss about their progress.

IMPACT MADE

Economic:

The earnings of the manual scavengers have increased phenomenally, about 7 times in many cases. This has increased the level of standard of living of the women.

Social:

Earlier, these women were treated as the worst of worst classes and were usually neglected and isolated. They did not get to live in decent locations, and often the places where they used to stand were washed by water to clean the 'impurity'. Rotis and grain were offered to them from a distance. However, after the abolishment of the practice, there is community love and bonding among all the people. These women are treated as the part of the village family and the whole village lives in peace and harmony with no caste or creed issues.

Therefore, the project has been able to alleviate poverty and eradicate the horrendous practice of manual scavenging. It has brought a ray of hope in the lives of the women, towards the path of prosperity and development.

Environmental:

The two pit toilet system uses less water and converts human waste into organic nutrients that can be used as rich manure in agriculture purposes.

The intern interviewed about 15 manual scavengers and recorded their responses, about how their life has transformed after coming up of SRCC project in the village.

The women belonged to varied ages of 20 to 65 years. All the women were Hindu Dalits and came under the Balmiki caste. Some of the noted results are as follows:

1. All the women were married except two, and their husbands were either dead, or working as sweepers at Nagar Nigam or mason or were not working. This highlights the pressure that lies on these women to earn for their families.

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2. Secondly, the practice of manual scavenging was an ages followed lineage at their in-laws house. It was not practiced or encouraged or forced in own parents house. Additinally, it was the daughter in laws who were compelled to do scavenging, while own daughters were never asked to do it.
3. The number of households cleaned daily ranged from 10 to 35.
4. The employer usually did not behaved in cordial manner with the women.
5. The respondents complained of no intervention and involvement from the side of the government. Accroding to them, the officials would visit them, take their photos and signature, but would never execute with what was promised. The basic amenties of tap, roads and sewer systems were not up to the mark.
6. The women are now greately satisfied with the work they are doing. Everyone now respects them and talk to them as normal people. They eat good food and have enrolled their children in schools.
7. They were of the view that those women who are still stuck in this deadly profession should quit it at once, and similar centres like theirs should be built in various villages to support their employment and development.

The intern also discussed the impact of converted toilet system with some households. Some of the relevant points -

- The Village headman (Gram Pradhan) never took any efforts to address the problem of sanitation in the village.
- They were not willing to get their toilets converted because of lack of finance. This was the reason quoted by them for non conversion, however, they do owned motorbike and mobiles. Clearly, using a healthy toilet option was not their priority and they were ready to stake the health complications to prevent the part of finance to be used for the purpose.
- Earlier, they used to face various problems like diseases, flies, foul smell, etc. in the house. The female members had to relieve themselves by going to the jungles, that again put their safety in stake.
- Now, they are more than satisfied with the two pit toilet system.
- Also, they did not know that manual scavenging was prohibited by the Government of India before the project came up.

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Also, it was Ballo Kumari, the beneficiary of the project who helped the intern to visit the houses where manual scavengers used to work earlier. They way the members of the households were interacting with her drew a stark contrast with how she used to be treated earlier.

3.6 Other NGO Initiatives

There are various NGOs and other organisations[4] that are working for the welfare of manual scavengers and helping them to come out from the practice:

1. Sulabh International Social Service Organisation
2. Rights Education Development Centre (READ), Tamil Nadu
3. Navsarjan, Gujarat
4. AathiThamizharPeravai(ATP), Tamil Nadu
5. National Dalit Alliance, Andhra Pradesh
6. Sanghamitra Service Society, Andhra Pradesh
7. ManavGarima, Gujarat
8. Centre of Ecological Economics & Natural resources/institute for Social and Economic Change (ISEC), Karnataka
9. THAMATE, Karnataka
10. Jansahas-rashtriyaGarimaabhiyan (RGA) Madhya Pradesh
11. Utthan Trust, Maharashtra
12. CARDS-Cultural action and rural Development Society, Tamil Nadu
13. Centre for Equity Studies[6]
14. MailaYuktiyatra
15. Rashtriya GarimaAbhiyan

3.6.1 Navsarjan

Navsarjan is a well established NGO based in Gujarat. It aims to eliminate any form of discrimination based on caste or creed and ensure equality for all. The organisation is active in more than 3000 villages and cities and is the largest Dalit organisation in the state. The speciality of the organisation is that it engages the about 80 staff members who are themselves from the target group. This ensures that activities of Navsrajan are complementary to the needs of the under-privileged class.

Navsarjan undertakes a number of programs and campaigns like Women's rights, Human rights value education and eradication of manual scavenging. There are

[6]Annexure, Report of National round table discussion(organized by UNDP and UN Solution Exchange), 21st December, 2012, New Delhi

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about 64,000 manual scavengers in the state, and the organisation is working for their liberation and rehabilitation since 1995.

Navsarjan states numerous objectives under its working. It aims to put pressure on the state to form and implement policies for the rehabilitation of the manual scavengers in other occupations.At the same time it also directly helps them to find alternative ways of employment or self employment. It prevents the children of the manual scavengers to adopt any caste based inheritance like carrying away dead animals.It also works for for encouraging the target group's partcipation and representation at all levels.

To achieve these broad objectives, Navsarjan performs some activities to ensure that these are fulfilled. It performs thorough research and analysis to gain access to the maginitude of the problem.It lodges complaints to the courts by acting as a reprentative of the manual scavengers. The organisation runs life insurance program for those involved in hazardous and dirty occupation.

It is very important that the manual scavengers are aware about their own rights and responsibilities. For this, Navsarjan holds meetings to educate them about the same and thereby also helps to form unions.It is also working for the development of ecologival saniatation that will eradicate the need of the services of the manual scavengers. However, the organisation does not limit itself by bounding it to its own startegies and policies. It also establish connections wth various international and national institutions to come up with new policies and ideas.

Navsarjan has been able to proove itself as a new ray of hope and change for a lot of people. Through its efforts, it has been able to combat the practice. There have been court victories making the Gujarat government accountable for putting a full stop on the practice. As a result, a 'Sanitation Welfare Workers Board' has been established. At the same time, the system of minimum wages has also been brought to light. The insurance claims have been awarded and there has been reduction of caste based divisions.

However, all this could not be done so easily as it seems. The organisation had to face a number of challenges. The government bodies were not all times cooperative with the scavenger unions. The biggest hurdle was that the local panchayats were themselves supporting the practice, making it very difficult to remove the caste based traditions and atrocities. Many a times, the scavenger

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communities were demotivated to indulge in a court case because of the slow process followed by the courts in giving justice. The most basic resistance came from the scavengers themselves, as they feared their survival if they left the job.

3.6.2 Jansahas

Jansahas is an NGO that works for protection of human rights and eimination of all kinds of caste based inhumane practices and atrocities. It aims to promote decent level of livlihood, education, nutrition and health. The organisation started functioning in the year 2000. It targets the excluded communities like dalit, valimiki and tribal with special atention on women and children. The working of Jansahas is primarily based in 10 districts of Madhya Pradesh. However, it is also working 100 other districts of states like Maharashtra and Uttar Pradesh.

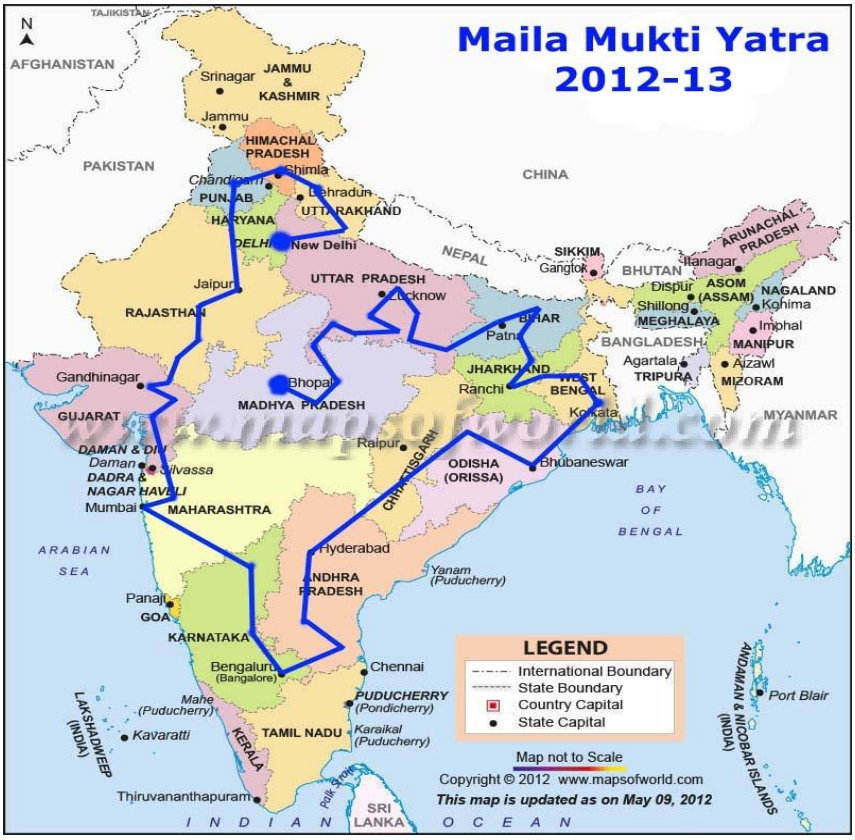
The basic strategy followed by Jansahas is to educate, capacitate and organise that will create empowered communities.The organisation believes in community leadership to bring out the leaders from the target group itself, who will in turn fight for their rights.

The organisation has been working for total eradication of manual scavenging since 2002. The initiatives aim for the holistic development of the target groups and education of their children. Special emphasis is given to the girl child education, as it is largely the female groups who are compelled to take up the unlawful practice. The organisation is actively fighting against the practice in 40 districts of Madhya Pradesh and also in 65 districts of neighbouring states.

3.6.3 Maila Mukti Yatra:

Rashriya Garima Abhiyan is working for the abolition of manual scavenging according to the provisions of the 'Employment of Manual Scavengers and Construction of Dry Latrine (Prohibition and Abolition) Act, 1993'. Many locations of Maharashtra, Uttar Pradesh and Rajasthan have been able to cease themelves from the clutches of manual scavenging because of the efforts of the organisation. In 2009, they organised a national people's march for bringing total eradication to the practice. The march started from Mhow on 6th November and ended at Bhopal on 1st December 2009 and covered 34 districts of 4 states. The yatra was carried by more than 50 social activists and 1400 women engaged in the practice, out of whom 502 left the practice.

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4. Results and Discussions

4.1Findings from the literature

The reports and articles were used to construct a strong base for starting the project. Reference of government issued papers helped to uphold the authenticity of the data used in the project. There are a number of books that have been written on the subject of manual scavenging. Once such was 'Road to Freedom' – by Shri Bindeshwar Pathak, that talks about the NaiDisha scheme of Sulabh International and its level of impact on the manual scavenging community in various areas of the country. However, due to shortage of time, the book could not be completely read. The intern plans to read the rest of the book in the coming month. Also, all this literature and readings gave a fair idea about which places to visit and people to contact

4.2 Finding from the fields and impact on the theoretical focus of the project

The intern went for three field visits, all of which proved to be extremely fruitful and a support system for carrying on the project. The learning's from the conducted field visits have been explained in Appendix A. There was only one personal meeting with the mentor; there were 3 telephonic conversations that helped the intern to move in the right direction. These are as follows:

Date: 23/05/2014

- **Medium:** Phone

Research Topic

The intern was a bit confused, after getting the topic. So, the objective of the discussion was to specify which direction the intern should follow, in order to start the project. The intern proposed on working on the reasons of failure of manual scavengers' welfare schemes and acts, and provide with recommendations on how the condition can be improved. On the other hand, the mentor mentioned the fact that the Badaun Success Model, on which he worked can be used to tackle with any village issue, so the intern could probably work on how can these other issues can be resolved with the help of the model. However, it was felt that the latter topic would deviate from the subject and would be very wide to explore. Hence, the topic proposed by the intern was selected for research.

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- **Date:** 25/05/2014
  Medium: Phone

This conversation dealt with the elements of the project and how to go about it. The mentor suggested the intern to visit village Badaun for survey. The intern informed him about the SRCC Enactus Initiative-Project 'Azmat' that is running in Village Nekpur, Uttar Pradesh and about the Sulabh International Initiatives in districts like Alwar. Also, the basic project outline was decided.

- **Date:** 31/05/2014
  Medium: Phone

In this discussion, the reasons for not going to Badaun were conveyed to the mentor by the intern. Also, suggestions were asked to include what kind of questions in the questionnaire. Subsequently, a report was sent by the mentor undertaken by Delhi University Scheme that would help the intern forming the questions.

- **Date:** 9/07/14
  Medium: In person

The mentor gave the intern some suggestions on making the final report more forward looking and useful. He advised to include topics of railways, manual scavenging in sewage systems in cities and SRMS(revised), 2013. The intern raised many points that were discussed at the office of Ministry of Social Justice and Empowerment.

4.3Gap analysis

Since 1955, a number of schemes and acts have been passed to liberate the sufferers of the ghastly practice of manual scavenging. In 1993, 'Employment of Manual Scavengers and Construction of dry latrines Act' was passed, but it was only after 4 years that this act was actually exercised in states of Andhra Pradesh, Goa, Karnataka, Tripura and West Bengal. Despite the constitutional provisions, manual scavengers are still one of the marginalised sections of our society. On June 2011, at the conference of state minsters of welfare and social justice, the then

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Prime Minister Manmohan Singh mentioned **'manual scavenging as the darkest blot on our development process'**

The federal structure of the government (Centre, State and Local), has been very reclining in adequate implementation and execution of the provisions of the constitution. Lack of initiative by local authorities is very well evident from the surveys and enquiries that have been conducted in various parts of the country.

There are uncountable reasons of why the schemes and Acts passed by the Legislation are not bringing the expected outcomes. Some of them are as follows:-

1. **Monetary assistance**
   Singular support in the form of loans for employment cannot ensure complete rehabilitation.
2. **Lack of motivational and psychological efforts**
   The schemes that have been launched are focused on the financial aspect and monetary assistance for building flush latrines or for shifting to a different line of employment. The initiatives do not take into consideration, the aspects associated with caste based stigma. Hence, instead of following a social approach, amonetary approach is being followed. The problem has not been addressed properly from the social angle due to which manual scavengers are still considered a disrespectful class and as a result are precluded from the society.
3. **Slow conversion**
   Conversion of dry toilets is a crucial step for kick-starting liberation, but it has not been still done in many rural areas.
4. **False assumptions and claims**
   There is an overt denial of the existence of manual scavengers by various state governments in many locations.
5. **Poor focus on female scavengers**
   The rehabilitation and liberation schemes are concentrated on the male workers rather than the female counterpart, which is the majority- more than 95%. Further, certain sections of the manual scavengers like the Muslim communities(halalkhors), have been totally ignored. They are required to perform manual scavenging because it is also followed by the Hindu dalits.
6. **Self-defeating measures**
   According to a government scheme, scholarship will be provided to the children of manual scavengers who are engaged in the profession for a minimum period of 100 days. This scheme further encourages the practice in order to avail the scholarship. In other words, this provision is self-contradictory to the objectives of such initiatives.

Government Performance

Clearly, there has been debasement of government financed programs and mismanagement of funds allocated for this purpose. According to the results of the

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enquiry committees, the local governments have followed a very callous attitude towards the eradication of inhuman practice of manual scavenging.

Top down Approach: The top down approach followed by the central government has not been very successful because of lack of coordination between the government set objectives and the efforts taken by the local government in fulfilling these objectives. In other words, there have been under-resourced efforts from the government's side. The reason behind such an approach is that sanitation comes under the list of local government issues, and hence the centre cannot intervene without the concurrence of atleast two states.

The Government of India always comes up with a deadline and this time limit is extended. Because **of absence of political will**, lakhs of manual scavengers suffer from the disease of manual scavenging. Manual scavenging is more of a social stigma subject, than an employment or livelihood issue. This fact has not been concentrated upon, and that is why most of the schemes focusing on employment factor have failed.

Also, another point that needs to be realised is that here, rehabilitation of manual scavengers is not similar to rehabilitation of some other class of unemployed or under-employed workers. Hence, the schemes and steps that are initiated should be different and suited to the given problem. Apart from the government, the roles of manual scavengers and the employers of manual scavengers is equally important and influential. However, due to various factors, there has been no substantive effort from either of the side.

Degree of desirability

The people who want to get rid of this profession are not able to do so, because of lack of access to opportunities and acceptance in the society. For instance, the balmikis previously engaged in the task of manual scavenging will not be allowed to work as a household sweeper or dish washer(or any other form of work), because the kind of work done by them as a manual scavenger is considered to be impure and disgusting. This is the reason why, they are helpless, and are deliberately forced to continue this job, although they do not wish to. Many a times, there is absence of action from their side, because they accept this dirty occupation as the unfortunate ultimate destiny of their life and thus, do not take adequate efforts to put a full stop to the problem. Also, in many manual scavenger communities, more number of houses which a scavenger cleans is considered as an privilege.

So, basically, there are two sub issues of this problem-

i) the social stigma attached with the work
ii) Lack of scope of alternate employment.

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Hence, if this profession is abolished, it would bring a huge amount of impact in the lives of manual scavengers. Once this problem is addressed, the ways of solving other issues will automatically follow.

On the other side, the people who have dry toilets in their houses and who use the services of manual scavengers are often not ready to build flush toilet systems at their homes, simply because having an adequate toilet system is not their priority. They do not realise the seriousness of the health hazards as well as the victimisation of manual scavengers. Instead, shortage of finance is what they give as a reason for not converting their toilets, even though they may be owning a mobile phone or a motorbike. They do not come to terms with the number of deaths that are occurring because of the influx of diarrhoea and polio, as a consequence of using dry latrines.

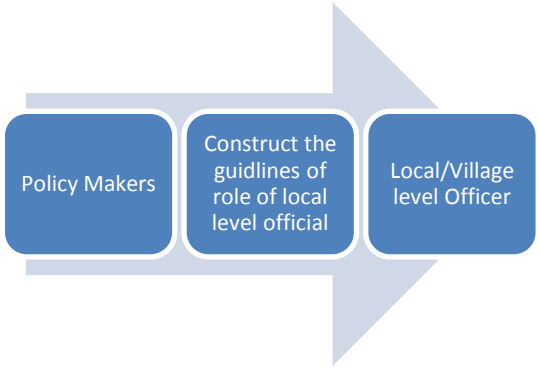
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5. Recommendation & Scope

On the basis of whatever has been studied and understood, the intern proposes some recommendations that can help improve the level of impact the policies can make on the manual scavenging communities:

1. Role of Implementing local authority

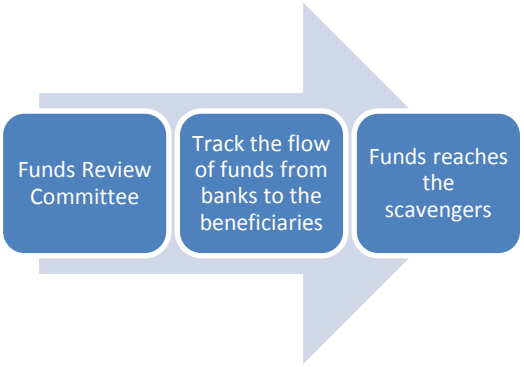
It is the centre that announces the laws, but it is the local level authorities who ensure its implementation. Unfortunately, because of lack of political will, they follow an indifferent approach towards the fulfilling of guidelines and objectives. Thus, what also needs to be altered is the role of executive authorities who are the bottom level and closest to the target beneficiaries. Suitable provisions should be established in order to have a clear specification of what are the set of expectations from a local level official. At the same time, there is also need for provision of penalty and punishment for non- implementation of the laws enacted.



2. Funds Audit

What has been a major issue with regards to the beneficiaries is the allocation of funds. There were numerous cases where the ineligible received the loan amount, and the eligible were completely doubtful of why such amount is being sanctioned, or what the total amount that they can borrow is. This happened because of malpractices by the middlemen who were responsible for the distribution of funds. And because of all such conditions, the whole purpose on which the schemes are based in completely defeated. Thus, it is recommended, that a 'Funds Review Committee' should be set up in order to keep a check on the routes through which the cash is flowing. This will help in preventing corruptive activities on the part of the people having official connections, who use them for personal gains and advantages.

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3. Modification of Role of NGOs

Concentrating on the positive side, there are various NGOs and other organisations in India that have been successfully able to abolish the practice of manual scavenging in various districts and villages. Be it the large scale effort through Nai Disha Scheme under Sulabh International or a small initiative like Project Azmat of SRCC Enactus, the impact made has been phenomenal. Hence, there is no doubt on the implementation strategies followed by these organisations. Therefore, it is recommended that the Government should join hands with them, so that their policies can bring out the expected outcomes. Such an amalgamation will be advantageous for both the sides. However, such a partnership should be thoroughly analysed in order to avoid conflict of interests.

4. Social Campaigns

Lack of awareness is another major factor that has made it very tough for eradicating the practice of manual scavenging. So, there is a need of having social awareness campaigns for-

- Health issues associated with contact with human excreta
- Health issues faced by the households by use of dry latrines
- Social Stigma associated with being a manual scavenger, and how it is necessary to change it.
- Awareness of the schemes and incentives allocated for the mass of manual scavengers, so that they know their rights
- Awareness of the employers of manual scavengers, about the prohibition of manual scavenging by Government of India

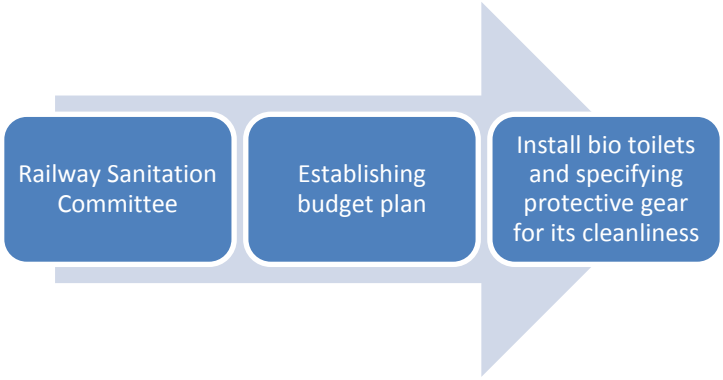
Such campaigns and movements can be undertaken by the government or NGOs or Civil society organisations.

5. Railways

A specialised committee needs to be set up in order to abolish manual scavenging in railways. This involves:

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- Survey of the manual scavengers engaged in cleaning railway tracks
- Constructing a plan of installing bio toilets or toilet systems that do not lead to direct discharge by the trains on the tracks
- Establishing a budget plan for such installation
- Use of appropriate protective gear and devices till such a policy is established.



6. Public Toilets check up

One of the major causes of manual scavenging is the absence of sanitary latrines. Surprisingly, even where flush toilets are present, manual scavenging has not completely vanished. This is because of the shortage and pathetic conditions of public toilets, that force the people to relieve themselves in open, Such practice of open defecation again demands the services of manual scavengers. Thus, the installation of adequate number and quality of public toilets can act as a measure for reducing manual scavenging. There should be regular check-up of the condition of public toilets and cleaners should be appointed.

7. Compulsory education

Education is a self-awareness tool, which makes the individuals of a society realise about their rights and responsibilities. By making it compulsory for the scavengers and their children, they will come to know the hazards and stigma associated with being a manual scavenger. This will trigger them to leave the job and shift to some alternative.

8. Involvement of local people and Community participation

It is the local people who are the most suitable people for ascertaining the prevalence of social evils in the community. They are the everyday witnesses of the kind of conditions that prevail in their society. Hence, involving them by defining their roles can go a long way in serving the goals of the government initiated schemes.

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They share a more comfortable rapport with the manual scavengers and their employers, so, they can be used for convincing them. Moreover, they can act as a reliable source for collecting authentic data during surveys and interviews.

9. Multi faced Approach

Now, it is well known that dealing with manual scavenging is not an easy game, it requires equal concentration on all key aspects that affect the conditions of manual scavengers.

10. Bifurcation of issues

One of the major reasons why the set targets could not have been achieved is because, the two issues of manual scavenging- dignity and sanitation, are consistently linked and dealt with the same approach from the inception. It is recommended that both these issues should be dealt together but approached differently, then only some improvement is expected

11. Technological advancements

Technology is a weapon that can be used to drive away any social menace. In this case, looking from the sanitation angle, what we need is a good technological input that is economical as well as durable. Once such example is the two pit toilet system by Sulabh, which has proved to be a successful measure of conversion. Bio toilets are another option, but it involves high costs, which is what a big hindrance to the process. Hence, it is recommended that the government should hunt for an appropriate system that can help solve the problem.

12. Inclusion in BPL list

Because of the simple denial by the state governments over existence of manual scavengers, the eligible scavenger population is left out from the BPL list. Hence, the inclusion of manual scavengers is strongly recommended. Such an effort will be very beneficial for them as their standard of living will improve.

13. Land Allocation

The people who are engaged in manual scavenging or who have left the practice, face very serious housing issues, hence the housing schemes like IndraAwasYojana should be prioritized towards these people. In addition, land plots must also be assigned to them.

14. Coordination of Ministries

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There are in total 8 ministries that are related to manual scavenging some way or the other because this issue is a mix of health, dignity and sanitation subjects:

a. Ministry of Social Justice and Empowerment
b. Ministry of Drinking Water and sanitation
c. Ministry of Rural development
d. Ministry of Housing and Poverty alleviation
e. Ministry of Urban Development
f. Ministry of Railways
g. Ministry of Women and Child Development
h. Ministry of Labor

All these ministries look forward the issue of manual scavenger from different angles; hence a separate committee should be formed consisting of members from these ministries. This will ensure that the problem is dealt with a multi-faced approach

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6. Future Work

There were a few topics that could not be covered in detailed, but can add to the quality of the research report if carried forward-

1. Manual Scavenging in cities- emphasis on sewage workers, and their conditions of working, by taking a particular city/area in mind like Delhi NCR.
2. Since the SRMS(revised), 2013 was passed recently, the intern could not draw the analysis of the effectiveness of the scheme
3. Manual Scavenging in countries like Africa

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8. Conclusion

Manual Scavenging is a very serious menace and a shame on mankind. Despite so much development and prosperity, India has not been able to alleviate itself with certain social evils. This is because of the caste system that has clutched our society since centuries. Even after so many years, there are communities who are helpless and compelled to perform caste based traditions. Thus, it is necessary that the steps that are taken are strong and influential. Obviously, any scheme or act or law will take time to change the conditions that have existed for decades, but these initiatives must be adequate enough to kick start the process. There is no doubt in the fact that the Government has done a lot in terms of bringing the laws, allocation of funds and social campaigns, what India needs is not a set of new acts or schemes, but good implementation and monitoring. There are various social activists and researchers who have presented suitable recommendations and suggestions. The authorities should pay consideration and discussion on these. That is why the involvement of civil societies and NGOs is so important, because they specialise in field of manual scavenging. Secondly, the causes of overt denial by the state governments over the existence of manual scavenging has to be checked and taken care of.

Manual scavenging is the worst disease India is facing. There has to be efforts taken whether big like the 'DaliyaJalaoAndolan' in Badaun district of Uttar Pradesh or 'Project Azmat, SRCC Enactus; whatever may be the scale of influence, this problem needs to dealt and eradicated from the country forever.

"Rehabilitation is important not only for the Manual Scavengers but for their families, and for the whole community at large"

-Mr.Bejwada Wilson
SafaiKaramchariAndolan

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7. References

I. <u>NGOs visited</u>

- Sulabh International Social Service Organisation

II. People Met in Sulabh:

- ShriBindeshwarPathak
- SmtVineeta

III. Villages

- Nekpur, Ghaziabad, Uttar Pradesh under project Azmat, SRCC Enactus

IV. People met in Ministry of Social Justice and Empowerment

- Shri R.K Gupta, Official

V. Reports Read:

a. 'Violence against Manual Scavenger Dalit Women in India' by UN Special Rapporteur(during her visit to India from 22nd April to 1st May, 2013), submitted by Rashtriya GarimaAbhiyan
b. Government of India Gazette of The Prohibition of employment as Manual scavengers and their Rehabilitation Act, 2013
c. Analysis and Recommendations in the context of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Bill, 2012 ,Rashtriya GarimaAbhiyan (National Campaign for Dignity and Eradication of Manual Scavenging)
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h. Guidelines for Survey on Manual Scavengers in Statutory Towns Government of India Ministry of Social Justice and Empowerment, Department of Social Justice & Empowerment, February 2013
i. Violence against manual scavengers: Dalit women in India, Rashtriya GarimaAbhiyan
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VI. Websites Visited:

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ii. www.sulabhinternational.org/
iii. www.socialjustice.nic.in/
iv. www.mailayukti.org
v. www.tiss.edu/
vi. www.prsindia.org/

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Appendix A

Field Visit and meetings

1. **Place:** Village Nekpur
   Date: 3rd June
   Time: 8:30 AM to 4:30 PM
   Description: The objective of the visit was to have a personal talk with the manual scavengers as well as the households that employed manual scavengers and ascertain the opinions from both sides of respondents after the conversion of dry toilets.
   Village Nekpur is situated in the Moradbad district of Ghaziabad, Uttar Pradesh. The village had more than 100 households using insanitary latrines, and about 20 manual scavengers to clean them, before 2012. It has been 2 years since Sulabh International and SRCC Enactus collaborated to bring about an end to manual scavenging in the village. All the dry toilets were converted to two-pit toilet system, (formularised by Sulabh), then, in order to provide alternate work opportunity, SRCC Enactus came up with Project Azmat to rehabilitate them. Presently, about 18 manual scavengers are the beneficiaries of NaiDisha Scheme and visit Delhi once in a week. They earn their living by manufacturing and packaging of detergent, which is sold in the markets of Delhi. Also, efforts to sell the detergent among village residents have already been initiated.
   The intern interviewed about 15 manual scavengers and recorded their responses, about how their life has transformed after coming up of SRCC project in the village. The visit gave me valuable practical insight of all the readings and reports, the intern had previously read in theory. However, the number of responses was very less and so the intern plans to visit another village in the coming month.

2. **Place:**Sulabh International Social Service Organisation, New Delhi
   Date:7th June, 2014
   Time:11:00 AM to 3:30 PM
   Description: Sulabh International Social Organisation is a reputed NGO working for providing adequate toilet facilities in urban and rural areas. They are also working for the liberation and rehabilitation of manual scavengers. They have also established a Sulabh Public School that

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provides vocational training to the manual scavengers and their dependents to start an alternative occupation. Sulabh has launched NaiDisha scheme in various locations of Rajasthan and Uttar Pradesh. They have made Alwar totally scavenging free.

The intern had a conversation with ShriBindeshwarPathak, founder head of Sulabh International, who explained the importance of liberation of manual scavengers and how Sulabh has been able to achieve the targets. He advised the intern to visit Village Alwar, and conduct a survey there. He also gave the intern a book on manual scavenging written by him- 'Road to freedom', and a lot of literature to go through.

3. **Place:** Ministry of Social Justice and Empowerment, Shastri Bhawan
   Date 30th June, 2014
   Time: 1:10 PM to 1:10 PM
   Description: The intern took an interview to discuss the answers of various questions like a) what is the current scheme running? b) What are the views on the loopholes of the government introduced schemes and acts? c) How much is the tracking of funds important for the success of the scheme? d) Any current survey undertaken by the Ministry e) are NGOs involved with the Government efforts?
   The relevant points that were raised in the discussion are-

- There are various constraints with which the government is working, and that is why the schemes introduced could not bring out the expected results. There are various forces that affect the actions of the government and also govern the success of the initiatives. For instance, many a times the scavengers themselves are not ready to change their occupation because, the more the number of houses they clean, the more is their privilege in their own society. However, such thinking prevails in just a section of the manual scavenger community. So, this reason cannot be entirely accepted.

- The SRMS(revised) is much better and broader in scope than the former scheme. For instance, unlike earlier, now the loan amount would directly reach to the eligible manual scavengers without the interference of the middlemen or dalal, thus not giving any incentive for corruption.
- Also, the Ministry of Railways is undertaking some changes in the protective gear/instruments that have to be used for the cleaning of toilets and railway tracks.
- Ministry of Social Justice and Empowerment is presently conducting a survey in all states, with involvement of several NGOs- Rashtriya Garima Abhiyan, Sulabh International and Safai Karamchari Andolan, in order to have easy reach and access to authentic data. This was one of the recommendation given in the mid term report, which has been already initiated.

- Also, the degree of desirability to take efforts in a particular district depends on the person to person who is there at the implementation level.

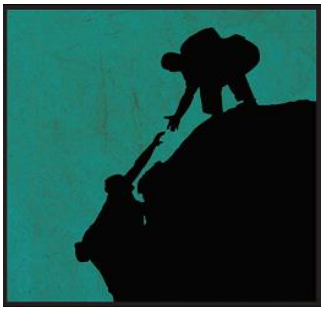
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"The highest measure of democracy is neither the
'extent of freedom' nor the 'extent of equality' but
rather the highest measure of participation."
- A.D. Benoist

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