

EXTENT AND REHABILITATION CONDITION OF MANUAL SCAVENGERS IN INDIA: AN OVERVIEW

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Abstract

It has been more than five years when the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act was passed in the Parliament of India in 2013. The “Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013” clearly defines “manual scavenger” as a person engaged or employed, at the commencement of this Act or at any time thereafter, by an individual or a local authority or an agency or a contractor, for manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit. No wonder, this act failed to prohibit the scavenging in the country but the prohibition on the lives and deaths of these scavengers can surely be experienced. Despite of that, every year, more scavengers are added into the work of scavenging. This degraded and horrendous form of work violates Human Rights Act and Article 46 of Constitution of India. In the urban areas, the sewage workers (comes under manual scavenging) are the life line of these cities. Sewers, the lifelines of modern cities are proving to be death lines for the sewer workers. How much more slaying it will take for the Government, to declare it a national emergency? It is not only the question of human lives but also of human self-respect. There is a need of movement that transcends caste and social structure and may emancipate the sewage workers from such menial jobs. In this paper, we tried to assess the extent of manual scavengers in India and their rehabilitation.

Keywords: manual scavenging, sewer workers, rehabilitation

1. Introduction

Since ages, caste pyramidal structure of India has been pushing marginalized communities (the lower castes) into serving the upper castes through menial occupations such as sweeping, cleaning and sanitation work. Right from Vedic ages till today, manual scavenging has been done by the socially outcast people from the lowest strata (SCs & OBCs) of the society. Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 defines manual scavenger as a person engaged or employed for manual cleaning of human excreta in an insanitary latrine or in an open drain or on railway tracks etc. This most degraded and horrendous form of work is wholly done by the lowest strata of scheduled castes, which also violates Human Rights Act and Article 46ⁱ of Constitution of India.

Not only in colonial India but also in post-colonial India, this dreadful activity of manual scavenging is practiced in our country, due to continuing existence of dry latrinesⁱⁱ and caste based work. India is still not able to eradicate these twin problems of practice of manual scavenging and existence of insanitary latrines. In 2015, Government of India launched the ‘Swachh Bharat Abhiyaan’ which was publicized among the masses and also charges 0.5 percent Swachh Bharat Cess (SBC) from the public for maintaining the cleanliness. The SBC accounted for Rs. 16,400 Crore collectively during FY 2015-16 and 2016-17 (Kaushik Chandrasekhar and Suneel Pandey,

2018)[1]. According to the report of Comptroller and Auditor General (CAG), 25 percent of total fund collected through 'Swachh Bharat Cess' did not reach to the dedicated fund.

Gupta (2015)[2] studied the rehabilitation and legal provisions and regarding the manual scavenging in India. The study showed the violation of many laws which are made for the development of scavengers. People treat them as an untouchable which is prohibited under Article 17 of the Constitution of India. The government has also failed to protect this weaker section of the society under Article 46 of the Constitution of India. There is a complete failure of public policy for the rehabilitation of manual scavengers. Prasad and Ray (2018)[3] observed the working of septic tank cleaners (Scavengers) in the city Bengaluru and studied the challenges of these people along with unhygienic disposal of the human excreta by these Septic Tank Cleaning service providers. The author found the high level of comprise with the health of these scavengers and carelessness on the part of the employers of these scavengers for cleaning human body waste. Gautam et.al (2017)[4] studied the various types of wastes that are handled by the scavengers in India. The study used Interview and Questionnaire method for the analysis of working and living conditions of scavengers. Study recommended the need of urgent changes in the laws for scavengers working informally in the country. Salve et.al (2017) [5] studied the scavenger community in Greater Mumbai, India. They studied the factors which force Safai- Karamcharis in Greater Mumbai to remain in this occupation. The study recommended the promotion of financial literacy, restriction on caste based recruitment, provision of medical benefits for Safai-karamcharis, education and holistic development for the children of the community. Chandra (1999)[6] investigated the status of rehabilitation of scavengers in India after the nationwide policy on the rehabilitation of scavengers on 1991-92. According to the study, out of the total of 736114 scavengers in India in 1996 only 25.74 percent scavengers were rehabilitated and only 13.29 percent of scavengers were trained. This showed the unsatisfactory performance of the states in the process of rehabilitation of scavengers. The study advised the serious efforts from the Government on the issue of rehabilitation of scavengers, while taking care of all the aspects of the lifestyle of scavengers. Tripathi (2015)[7] examined the old age relation between caste and occupation in India. The author analysed the change in caste based occupational pattern in Uttar Pradesh. She found the weakening of link between caste and occupation as apart from Scheduled Castes, other backward castes and even some higher castes people also applying for the job of sanitation worker in Uttar Pradesh. The author examined the political motives behind employment policies for Sanitation workers as they comprise a decent share of their Vote Bank. Tripathi (2015) shows a different picture of scavenging job where not only scheduled caste but also the upper classes also eyeing to acquire the jobs in Uttar Pradesh. The paper revealed that UP government opened job vacancies for the specific caste to raise their vote bank only. The actual scavengers failed to get the Government jobs, whereas the non - scheduled caste non- scavenger person got those jobs. The study found that behind providing jobs and schemes for manual scavengers there is more political motive of Government rather than social or economic welfare motive behind these schemes.

2. Extent of Manual Scavenging in India

The work of manual scavenging is one of the most heinous of all the works. There are numerous people from lower strata of the class structure who are engaged in this work. Socio-Economic Caste Census (SECC) shows that there are only 1,68,066 manual scavengers in India, which is quite low number given the fact there are 7,94,390 dry latrines in India and 13,14,652 toilets where human excreta is flushed into open drains. All this have to be cleaned by manual scavengers. Apart from that, whatever may be the number of total scavengers in India; this does not give the liberty to hire the manual scavengers for cleaning the human excreta. According to SECC, 2011, Maharashtra has the highest number of scavengers (40.56%) followed by Madhya Pradesh (13.75%), Uttar Pradesh (10.35%), Karnataka (9.15%) and Punjab (7.11%). More than 80% of the manual scavengers are in these five states only.

Table No.1 State Wise List of Number of Manual Scavengers							
Sr. No.	States/ UTs Name	Number of Manual Scavengers	% of Total Manual Scavengers	Sr. No.	States/ UTs Name	Number of Manual Scavengers	% of Total Manual Scavengers
1	JAMMU & KASHMIR	2904	1.73	19	UTTAR PRADESH	17390	10.35
2	HIMACHAL PRADESH	11	0.01	20	CHHATTISGARH	3	0.00
3	PUNJAB	11951	7.11	21	MADHYA PRADESH	23105	13.75
4	HARYANA	42	0.02	22	SIKKIM	51	0.03
5	BIHAR	7268	4.32	23	ARUNACHAL PRADESH	1286	0.77
6	WEST BENGAL	2526	1.50	24	NAGALAND	274	0.16
7	JHARKHAND	4153	2.47	25	MANIPUR	1	0.00
8	ODISHA	886	0.53	26	MIZORAM	1025	0.61
9	RAJASTHAN	3498	2.08	27	TRIPURA	21	0.01
10	GUJARAT	2	0.00	28	MEGHALAYA	113	0.07
11	MAHARASHTRA	68163	40.56	29	ASSAM	0	0.00
12	GOA	0	0.00	30	CHANDIGARH	0	0.00
13	ANDHRA PRADESH	388	0.23	31	NCT OF DELHI	0	0.00
14	KARNATAKA	15375	9.15	32	DAMAN AND DIU	6277	3.73
15	KERALA	100	0.06	33	DADRA & NAGAR HAVELI	142	0.08
16	TAMILNADU	334	0.20	34	LAKSHADWEEP	1	0.00
17	TELANGANA	165	0.10	35	PUDUCHERRY	66	0.04
18	UTTARAKHAND	483	0.29	36	ANDAMAN & NICOBAR ISLANDS	62	0.04

Source: Socio-Economic Caste Census, SECC, 2011

Apart from the social atrocities that these workers face, they are exposed to certain health problems by virtue of their occupation. These health hazards include exposure to harmful gases such as methane and hydrogen sulfide etc. Women working unprotected are in grave danger of contacting countless diseases through their daily and close contact with human waste. Most of the Municipalities in India are not equipped with the latest machines to clean the sewage system and therefore, sewage workers employed under compulsion to enter the underground sewerage lines through the manholes and cleanse them wherever the lines are clogged for whatever reason. The job of the sewer worker is to inspect and maintain the underground network pipes that make up sewerage system. Sewage workers have to remove solid substance wastes which responsible for blockage of flow of fluid waste in sewage system. For that sewage workers regularly entered into manholes which contain very poisonous gases. The deaths of workers due to asphyxiation by inhaling toxic gases when entering sewers, tanks and open drains for cleaning them are often recorded as deaths caused by negligence or accidental deaths, and never adequately compensated (Tandon and Basu, 2016)[8]. The other issue is of housing and civic amenities of these scavengers. Most of the scavengers live in the polluted outskirts of cities or in the slums. The water and sanitation facilities are almost invisible in these areas. So, in case of any disease, these scavengers neither have access to any health centre or clinic in their area nor they have that much money for a check-up from doctor. Mostly, the family of a scavenger is indulged in the same work or remains unemployed due to illiteracy or caste barriers.

3. Rehabilitation of Manual Scavengers- Government Initiatives

The government has started many development and rehabilitation programs for the rehabilitation of these Safai-karamcharis. Despite these efforts from the government very less success is achieved. In the below table we can see the grant disbursed by the government for various states on the basis of number of scavengers in respective state. Uttar-Pradesh got the highest amount of 153.13 lac. for the rehabilitation of scavengers followed by Maharashtra, Tamilnadu and Bihar, still the amount is not sufficient for the rehabilitation of scavengers. Moreover, the situation of scavengers has worsened in the past.

In many cases, government give them some financial assistance for starting new work or to sell vegetables or fruits, even then they are not able to earn much because of social structure of our society, no other caste person buy anything from them due to the information of his/her caste. Eventually, these scavengers have to return to their previous work of manual scavenging.

According to the report of *National Commission for Safai Karamcharis* in 2016, only 496 complaints were received to commission by scavengers. Out of that, 297 complaints were disposed of by them. Though these numbers may not show the true picture of the situation yet there are evidences of social defaming brutality on scavengers on India. There are total 157 numbers of cases for Service matters and 81 complaints for atrocities on scavengers. This shows how the scavenging community is being mistreated in our country. The irony is that despite the law 'The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993' and 'The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013' for the manual scavenging in the country, no action has been taken against the employers of the manual scavengers. This is a matter of shame that since 1993, there has not been a single case prosecuting those hiring people to do the work of manual scavenging, even while many government bodies, the largest of them being the Indian Railways, continue to do so.

Table No. 2 Status of Rehabilitation of Manual Scavengers									
Sr.No	State/UT	Details of One Time Cash Assistance Provided							
		2013-14		2014-15		2015-16		Total	
		Amount Rs. (in lac.)	Beneficiaries (Numbers)	Amount Rs. (in lac.)	Beneficiaries (Numbers)	Amount Rs. (in lac.)	Beneficiaries (Numbers)	Amount Rs. (in lac.)	Beneficiaries (Numbers)
1	Andhra Pradesh	0	0	18	45	0	0	18	45
2	Bihar	0	0	0	0	52.4	131	52.4	131
3	Chhattisgarh	1.2	3	0	0	0	0	1.2	3
4	Karnataka	50	125	7.2	18	28.4	71	85.60	214
5	Madhya Pradesh	0	0	0	0	14.4	36	14.4	36
6	Odisha	0	0	0	0	57.6	144	57.6	144
7	Punjab	0	0	0	0	28.8	72	28.8	72
8	Rajasthan	0	0	0	0	56.4	141	56.4	141
9	Tamilnadu	0	0	0	0	68	170	68	170
10	Uttar Pradesh	14	35	433.2	1083	2108	5270	2555.20	6388
11	Uttarakhand	0	0	0	0	53.6	134	53.6	134
12	West Bengal	0	0	38	95	0	0	38	95
	Total	65.2	163	496.4	1241	2467.6	6169	3029.2	7573

Source: Ministry of Social Justice and Empowerment, GOI

The Self Employment Scheme for the Rehabilitation of Manual Scavengers (SRMS) has been revised in accordance with the provision of “Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013” (MS Act, 2013) to provide the following benefits to the identified manual scavengers and their dependants.

- (i) Onetime cash assistance of Rs.40000/- to identified manual scavengers.
- (ii) Loans for project cost up to Rs. 15.00 lacs. on concessional rates of interest.
- (iii) Credit linked back-end capital subsidy up to Rs. 3, 25,000/-.
- (iv) Skill Development Training up to two years with stipend of Rs.3000/- per month.

Surprisingly, till 2015-16 only 7,573 manual scavengers were benefitted with one time cash assistance by the government. Enough funds are collected for the cleanliness of the country but little is spend on the cleanliness of the workers who clean the country. The rehabilitation policy should be frame in such a way which will ensure the maximum reach to these sewer workers. One time cash assistance should be given to the real beneficiaries who really need the amount.

In nutshell, these people exist in the system but they do not belong to it, they live in the society but they do not have share of life in the public spaces and they work for the society but the society never does anything for them. Still, the work is being done by these sewage workers deaths are occurring in the pit holes and the system is counting their number. There is dire need of taking some steps forward on the issues of sewer workers. It's a high time now to make the world a better place to live for those sewage workers who make the world a better and clean place for us.

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ⁱ Article 46 of the Constitution, inter alia, provides that the State shall protect the weaker sections, and, particularly, the Scheduled Castes and the Scheduled Tribes from social injustice and all forms of exploitation.

ⁱⁱ Dry latrine: these are those toilets that require daily manual cleaning.