



## RSTV SUMMARY: BIG PICTURE: Stop manual scavenging

GS-II: Effect of Policies & Politics of Countries on India's Interests; India and its Neighborhood

### Introduction:

- With an aim of eliminating human entry into septic tanks and drains for cleaning, the ministry of housing and urban affairs launched a 'technology challenge' seeking suitable solutions from individuals and NGOs.
- This initiative is in line with the vision of Prime Minister, who recently expressed a desire for a challenge to promote latest technologies to avoid human intervention in cleaning of sewers and septic tanks in the country.
- Identification of technological as well as business innovations are among the objectives that have been flagged.
- Manual scavenging was banned 25 years ago with the passing of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, but it continues to find practitioners.
- In spite of a well-funded programme such as the Swachh Bharat Abhiyan in operation, little attention is devoted to requirements of worker safety and provision of safety gear for rare instances when human intervention is unavoidable are often ignored.



### Who is a 'manual scavenger'?

- Any person who has been employed to handle undecomposed human waste from an insanitary latrine, open drain or pit or railway track is a manual scavenger under this law.
- The person could have been employed by any one - say, someone from their village or by an agency or contractor.
- It does not matter if she was given regular employment or engaged on contract basis. Despite stringent provisions in the law, manual scavenging continues unabated in India.



### What is manual scavenging?

- Manual scavenging is defined as “the removal of human excrement from public streets and dry latrines, cleaning septic tanks, gutters and sewers”.
- The practice is driven by caste, class and income divides.

### Present situation:

- The number of people killed while cleaning sewers and septic tanks has increased over the last few years.
- 2019, saw the highest number of manual scavenging deaths in the past five years around 110 workers were killed while cleaning sewers and septic tanks.
- This is a 61% increase as compared to 2018, which saw 68 cases of such similar deaths.
- According to a national survey conducted in 18 States, a total of 48,345 manual scavengers have been identified till January 31, 2020.
- As per data collected in 2018, 29,923 people are engaged in manual scavenging in Uttar Pradesh, making it the highest in any State in India.

### Issues and Challenges:

- Manual scavenging is a social reality despite its abolition through the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013; and government itself, directly or indirectly, employs manual scavengers.
- The poor implementation of the act may have been because States and Union Territories have been slow in identifying insanitary latrines and manual scavengers.
- Rehabilitation of manual scavengers has been slow because they are mostly illiterate and have no exposure to any work other than sanitation-related activities.
- Many of them are old. They also do not have opportunities to avail of any skill development training.
- A lack of opportunities has also resulted in hesitation on the part of manual scavengers to come out into the open and demand jobs, making them a silent, suffering population in the country.
- There are structural problems as well, which force people to enter septic tanks. “Septic tanks are designed badly. They have engineering defects which means that after a point, a machine cannot clean it”.
- Central, state and local sanitation programmes do not take up faecal sludge management as a priority, the onus shift to the lowest rung of the society to clean millions of dry toilets built with tearing hurry.
- Many cities do not have sewerage that covers the whole city. Sometimes, sewage lines are connected to storm water drains, which get clogged and demand human intervention.
- Behavioral issues as improper disposal of condoms, sanitary napkins and diapers clog the drains, which machines cannot clear.
- Manual scavenging is not only a caste-based but also a gender-based occupation with 90 per cent of them being women. Households with dry latrines prefer women to clean the excreta instead of men as they are located inside the house

### Measure taken so far:

- In 2013, the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act put an end to the practice of any form of manual cleaning, carrying, disposing or handling of human waste.  
The act had endeavoured to
  - eliminate not only dry latrines but also “insanitary latrines”;
  - prohibit the employment of manual scavengers for the hazardous manual cleaning of sewers and septic tanks;
  - conduct a time-bound survey; and
  - take measures for the rehabilitation of manual scavengers.

The act called for the setting up of vigilance/monitoring committee at sub-division, district, State and Central levels.

The National Commission for Safai Karamcharis was given the responsibility of implementation.



## Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

Government of India has accorded 'National Priority' to elimination of manual scavenging. As an urgent step, the Parliament has recently enacted the 'Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013'. The Act shall come into force w.e.f. today, i.e. 6th December, 2013 in whole of the country, except Jammu & Kashmir.

### HIGHLIGHTS

#### Prohibition of insanitary latrines and employment or engagement as Manual Scavengers

##### Offences

- To construct or maintain an insanitary latrine; or
- Engage or employ a person to work as Manual Scavenger.

##### Penalty for contravention

- First contravention is punishable with imprisonment up to one year or with fine up to rupees fifty thousand or with both.
- Any subsequent contravention is punishable with imprisonment up to two years or with fine up to rupees one lakh or with both.

#### Prohibition of persons from engagement or employment for hazardous cleaning of a sewer or a septic tank

##### Penalty for contravention

- First contravention is punishable with imprisonment up to two years or with fine up to rupees 2 lakh or with both.
- Any subsequent contravention is punishable with imprisonment up to five years or with fine up to rupees five lakh or with both.

#### Offences under the Act are cognizable and non-bailable

#### Survey of Manual Scavengers in urban and rural areas

#### Comprehensive Rehabilitation of the Manual Scavengers within a time bound framework

- Photo identity card to the Manual Scavengers.
- Initial cash assistance.
- Scholarship to the children of Manual Scavengers.
- Allotment of residential plot with financial assistance for construction of house or a ready built house, within the framework of relevant Scheme.
- Training in livelihood skill.
- Concessional loan with subsidy for taking up alternative occupation.
- Any other legal or programmatic assistance.

#### Monitoring Mechanism

- Vigilance/Monitoring Committee**

Level	Chairperson
<b>Vigilance Committees</b>	
District	District Magistrate
Sub-Division	Sub Divisional Magistrate
<b>Monitoring Committees</b>	
State	Chief Minister
Centre	Minister of Social Justice and Empowerment
- National Commission for Safai Karamcharis (NCSK)**

Construction of adequate number of sanitary community latrines in urban areas, within three years from the date of commencement of this Act to eliminate the practice of open defecation.

- Introduction of mechanized systems for sewage cleaning.
- Manual scavengers are provided with some government rehabilitation - onetime cash assistance of Rs. 40,000, loans upto Rs. 15, 00,000 at concessional rate of interest and scholarship schemes for their children.

#### Way forward:

- In the absence of political will and social pressure, more lives could be lost because more tanks are being built in rural and urban areas as part of the drive to construct toilets.
- Experts feel one-time measures are not enough? There is a need of more community-centric model should be taken, where the entire community is given more opportunities to help them come out of this practice.
- If the law on manual scavenging is to be effective, the penalties must be uniformly and visibly enforced.
- It is equally important for State governments to address the lack of adequate machinery to clean septic tanks.
- Adopting technology can help to end and eliminate manual scavenging. For ex.
  - Hyderabad Metropolitan Water Supply and Sewerage Board is using 70 mini jetting machines that can access narrow lanes and smaller colonies to clear the choked sewer pipes.
  - In Thiruvananthapuram, a group of engineers has designed a spider-shaped robot that cleans manholes and sewers with precision.
- As it is a social and gender issue and can be eradicated by sensitizing people about its ills. Need to make women more aware of their right to live with dignity and assure them of 'sustainable freedom'

<https://www.thehindu.com/news/national/indias-manual-scavenging-problem/article30834545.ece>

<https://www.thehindu.com/opinion/op-ed/silent-and-suffering/article25194296.ece>

<https://www.downtoearth.org.in/news/waste/manual-scavenging-a-stinking-legacy-of-suffocation-and-stigma-61586>

<https://vikaspedia.in/social-welfare/social-awareness/legal-awareness/law-against-manual-scavenging>