

# Burden of Inheritance

Can we stop manual scavenging? Yes, but first we need to accept it exists





WaterAid's mission is to overcome poverty by enabling the world's poorest people gain access to safe water, sanitation and hygiene education

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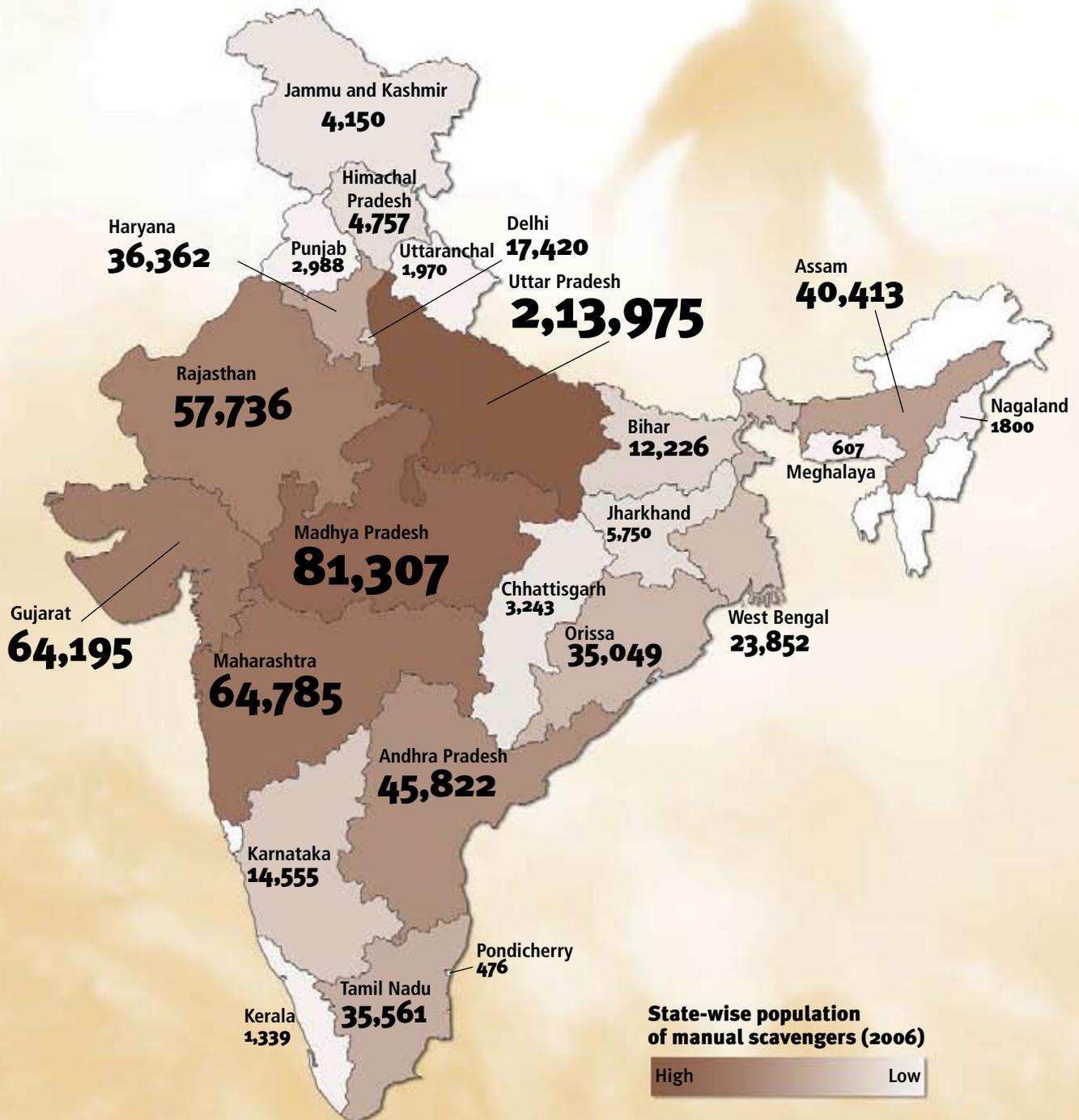
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# “We soil ourselves, so that others can look clean”

- Kotamma, Chirala  
A manual scavenger



Source: Data from Ministry of Social Justice and Empowerment, Delhi, 2006 <http://socialjustice.nic.in/schedule/srmsapp.htm>

# THE CONSTITUTION OF INDIA

## Preamble

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

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# Preface

The issue of manual scavenging in India evokes reactions ranging from disbelief and disgust to despair. It is widely believed to be a social practice rather than an occupation, which has its roots in the caste system of India. Almost all scavengers are Dalit and most of them are women<sup>1</sup>. They are forced into this practice from an early age. Their untouchability and loathsome occupation forces them into living a life of indignity.

In 2006, according to government records, approximately 3.42 lakh of the 7.2 lakh scavengers remained to be rehabilitated. In 1993, the Indian Parliament enacted a law prohibiting employment of manual scavengers and construction of dry latrines. Following it, the government introduced several schemes for rehabilitation of those engaged in this work. In April 2007 the Self-Employment Scheme for Rehabilitation of Manual Scavengers (SRMS) was introduced as a two-year scheme with a budget allocation of Rs. 736 crore<sup>2</sup>. Ironically, most state governments deny the existence of manual scavengers in their respective states though they take funds under this scheme. Most of the victims of this practice are unaware of these schemes and/or demand permanent jobs.

The National Human Rights Commission (NHRC) has taken a serious note of the continued prevalence of this practice. It has termed manual scavenging as one of the worst violation of human rights. Its recommendations include conducting a survey to arrive at the actual number of scavengers present in the country and differentiation of manual scavengers from sanitation workers. It has also directed the State Human Rights Commissions to start monitoring elimination of manual

scavenging and consequent rehabilitation of manual scavengers.

There are several civil society organisations working towards eradication of this practice. They maintain that caste prejudices, lack of acceptability as equal members in society and lack of awareness of government rehabilitation programmes are mainly responsible for people continuing with this work, though better remunerative livelihood alternatives are available to them. There is a need to link and guide these citizens to avail government funds to adopt a new livelihood and live a dignified life. Some have, with grit and determination, crossed the line and are living with dignity.

In order to bring out the remaining scavengers from their plight it is imperative that the existing dry latrines are dismantled and those guilty of employing scavengers be brought to book. Notably, besides owners of private dry toilets, panchayats, municipalities and railways employ them. A change of mindset is not only required on the part of the indifferent state governments, but also from civil society as to how it views manual scavengers. Manual scavenging violates the fundamental right to earn and live a life with liberty and dignity.

WaterAid's engagement with the issue of manual scavenging began in February 2008 at a South Asia regional meeting of WaterAid, wherein the need to address the same was felt. There is a commitment to extend continued support to the campaign against manual scavenging in the country. In addition, some of WaterAid's regional offices will start working on this issue.

**Lourdes Baptista**  
Chief Executive, [WaterAid India](#)

<sup>1</sup> Dalit is a self-designation for South-Asian group of people traditionally regarded as untouchables (outcastes) or of low castes. As per the wikipedia <http://en.wikipedia.org/wiki/Dalit>.

<sup>2</sup> 1 crore=10,000,000

# Executive summary

## Let's stop the stink

It is very hard not to feel less human while talking about manual scavenging. More than three lakh people, mostly women, are consigned to this inhuman occupation in India. In India it is illegal to employ or to indulge in manual scavenging. But in practice, it is very much present across the country irrespective of states' performance on social and economic development parameters.

Why have we not been able to eradicate manual scavenging? This report – [Burden of Inheritance](#) – tries to seek answers to this question. To get to the bottom of this scourge, the report has first explored the question: [why are people continuing in this occupation despite availability of other dignified livelihood sources? Why is manual scavenging in practice in towns and cities where other cleaner options for survival exist?](#) When there are feasible and viable technological alternatives to dry toilets, one of the drivers of this occupation, why does the practice continue?

The report uncovers a complex socio-economic web that has trapped the community into this practice. Socially, we need to treat the manual scavengers as humans first, ensuring the fundamental human rights to them. The Indian caste system may be dying out in public perception but for the manual scavengers its grip is as strong as it used to be in the distant past. The report finds convincingly that this single attitude change will trigger a sequence

of desirable outcomes for betterment of the community. There must be serious efforts to encourage and make available alternative employment opportunities for the manual scavengers. Examples cited in this report do point out that wherever such efforts have been made, there have been positive changes.

In many places, reportedly, dry toilets have been done away with. But the new toilets, usually diverting human wastes to a tank, still require manual cleaning. So this has kept alive the need for manual scavengers. Most of India's booming towns and cities don't have proper sewage lines and disposal systems that contributes to continuance of manual scavenging. Here comes the technological aspect of disposal of human waste. Right technology for sanitation is thus of critical importance to eradicating this practice.

The report has delved into many initiatives that have stopped manual scavenging, followed by successful rehabilitation plans. There are instances where people have for the first time broken away from the clutches of caste-driven occupations. These examples set the roadmap for a manual scavenging-free India. However, for that journey to come to its logical end, we have to adopt a charter of change as has been deliberated in this report. India has postponed its deadline for eradication of manual scavenging for the fourth time to March 2009. A meeting was held in Delhi on March 31, 2009 to mark this deadline and to underscore that the practice still continues.



# 1. A civilisational curse

*To deprive a man of his natural liberty and to deny to him the ordinary amenities of life is worse than starving the body; it is starvation of the soul, the dweller in the body.*

*- Mahatma Gandhi*

India takes pride in a Constitution which guarantees a free and dignified existence to all its citizens. However, this vibrant face of India has an ugly stain – the practice of manual scavenging. The fate of a manual scavenger has barely changed. *She/he continues to be chained to the inhuman practice of manual scavenging that is still prevalent across states in the country.* A section of Indians continue to be forced to work and live in stinking sub-human conditions by a centuries old decadent practice. Caste discrimination and social taboos perpetuate this ugly stain. It renders the community invisible and powerless.

Manual scavengers have an absurd existence. Officially, they don't exist but in reality they do. There has been controversy regarding the actual number of people currently engaged in this occupation. Government data and figures provided by other sources do not concur. *According to government estimates there are around 3.42 lakh manual scavengers remaining to be rehabilitated out of the total 7.73 lakh that existed in 2006<sup>3</sup>* (refer table 1). In 1993, through the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, India prohibited employment of manual scavengers and construction of dry latrines. Denial followed. Many states denied existence of manual scavenging and thus they did not notify the Act.

## An ugly identity

*Manual scavenger means a person engaged in or employed for manually carrying human excreta, as per the 1993 Act. Manual scavenging is carried out in toilets built for public and private use.* There are two ways in which this is done:

- By scavenging manually from the dry toilets with the help of broom, tin plate, stone, bamboo or tin basket, plastic bucket, tin boxes and disposing it off in a safe place designated for this purpose.
- The other way is to clean the sewage pits of the toilets manually. Mostly men do the work of cleaning sewage pits in the night or early morning. Women clean the dry toilets individually in homes and public places.

This deplorable practice continues almost all over the country in varied forms as it evolved according to local needs and trends. For example:

- Public toilets (dry toilets), especially those in south and west India, are mostly maintained by panchayats and municipalities. In Northern states though one finds water-flush toilets in public places, they often lack water and eventually function as dry toilets.
- In some states the practice persists because of a feudal and discriminatory mind set based on caste prejudices while in others it is due to unavailability of sewer lines and the indifference of policy makers towards providing wet toilets (See Box: Dry or wet, what's the difference?).

<sup>3</sup> As per the 11<sup>th</sup> Five Year Plan (2007-08 to 2011-2012) as well as the Ministry of Social Justice and Empowerment (2006).

**Table 1: Nowhere people**

As of 2006, government claims that it has rehabilitated 4.27 lakh manual scavengers<sup>4</sup>.

No.	States	Population of Scavengers	Addition (Resurvey)	Total	Total Scavengers Rehabilitated and Ineligible	Remaining Scavengers to be Rehabilitated
1	Andhra Pradesh	30,921	14,901	45,822	45,822	0
2	Assam	40,413		40,413	1,594	38,819
3	Bihar	12,226		12,226	285	11,941
4	Delhi	17,420		17,420	2,941	14,479
5	Gujarat	64,195		64,195	11,653	52,542
6	Haryana	36,362		36,362	15,558	20,804
7	Himachal Pradesh	4,757		4,757	2,023	2,734
8	Jammu & Kashmir	4,150		4,150	211	3,939
9	Karnataka	14,555		14,555	12,597	1,958
10	Kerala	1,339		1,339	141	1,198
11	Madhya Pradesh	80,072	1,235	81,307	77,512	3,795
12	Maharashtra	64,785		64,785	19,086	45,699
13	Meghalaya	607		607	0	607
14	Nagaland	1,800		1,800	0	1,800
15	Orissa	35,049		35,049	10,681	24,368
16	Pondicherry	476		476	129	347
17	Punjab	531	2,457	2,988	2,988	0
18	Rajasthan	57,736		57,736	14,169	43,567
19	Tamil Nadu	35,561		35,561	23,687	11,874
20	Uttar Pradesh	1,49,202	64,773	2,13,975	1,80,719	33,256
21	West Bengal	23,852		23,852	2,338	21,514
22	Chhattisgarh		3,243	3,243	3,243	0
23	Jharkhand		5,750	5,750	0	5,750
24	Uttarakhand		1,970	1,970	493	1,477
	<b>Total</b>	<b>6,76,009</b>	<b>94,329</b>	<b>7,70,338</b>	<b>4,27,870</b>	<b>3,42,468</b>

*Source:* Ministry of Social Justice and Empowerment, 2006, Delhi

<sup>4</sup> <http://socialjustice.nic.in/schedule/srmsapp.htm>

Manual scavengers are also paid a pittance, in cash and kind. In Jhunjhunu (Rajasthan) scavenging women are given stale bread or a few coins in return. In old colonies in Lucknow, Kanpur and Aligarh (Uttar Pradesh) women from poor families are forced into this job. They receive paltry sums of money, food and clothes in return.

The feudal mindset behind this practice is evident in the dry toilets which are found in big/plush houses in the states of Punjab, Haryana and Rajasthan. Here the manual scavengers receive a meager amount as remuneration. In addition they face ill-treatment and discrimination in access to resources.

## The name is discrimination

They are known by different names in different parts of India (refer table 2). The terminology used to identify them is often also used as a derogatory social comment. Invariably, all manual scavengers are dalits, the lowest castes in Hindu social order. **Most of them are women, which puts them at the lowest slot within the community of manual scavengers.**

Interestingly, manual scavengers belong to various religions and irrespective of that, face equal discrimination. Muslim scavengers carry on the ignoble trade in Madhya Pradesh, where they are called *Hela* and in Bihar, *Halalkhor*.

### Dry or wet, what's the difference?

A dry toilet has no facility for water as compared to wet toilets that have a flush system. There are various kinds of dry toilets found in different parts of India.

The different kinds of dry public toilets are called Vada, Vadolia, Guttar, etc. In individual houses, toilets are built either outside the house or in the backyard. The place for excreta disposal is covered by a strip of tin or a mat.

It is not necessary that a wet toilet is indeed what it looks like. People have constructed flush toilets in places where there is no provision for sewers or drainage. In such a scenario people connect the toilets with

the tanks/pits which are not septic tanks and have to be cleared manually. Time taken to clean the tank depends on its size and usage. These tanks are cleaned at night. Its contents are discarded in a drain far away from the toilet. At times, there are more men scavengers than women doing this job. The common practice is that a contractor gets the contract for cleaning the tank, after which he hires people to carry it out. There is no dearth of such toilets all over the country. One cannot identify them as they are cleaned at night or in the early morning hours.



*Anita Balmike, Tikamgarh, Madhya Pradesh. She has now been rehabilitated*

*Source:* Bhasha Singh, journalist

**Table 2: Names given to manual scavengers in different states**

State/Union Territory	Name
Bengal	<i>Hari, Hadi</i>
Uttar Pradesh	<i>Bhangi, Valmiki, Dhanuk</i>
Madhya Pradesh	<i>Mehtar, Bhangi, Hela, Halalkhor, Balmike</i>
Assam	<i>Mehtar, Bhangi</i>
Orissa	<i>Mehtar, Bhangi, Valmiki, Madiga</i>
Bihar	<i>Mehtar, Halalkhor</i>
Tamil Nadu	<i>Totti</i>
Andhra Pradesh	<i>Madiga</i>
Punjab	<i>Meera, Lal Begi, Choohra, Balshahi, Valmiki</i>
Maharashtra	<i>Gharae, Bhangi</i>
Gujarat	<i>Bhangi, Valmiki</i>
Delhi	<i>Bhangi, Valmiki</i>
Karnataka	<i>Madiga</i>
Kerala	<i>Madiga</i>
Rajasthan	<i>Bhangi, Mehtar, Chuhra, Valmiki</i>

*Source:* Bhasha Singh, journalist, New Delhi 2008

In earlier times they had to take a different path and had to shout aloud while walking so that other people could be alerted and consequently keep a distance from them. In many parts of the country they had to tie a broomstick on their back while going out of their homes. They could not cross the path of other people at close quarters.

The names of scavenging castes suggest that they are a functional community recruited from many different racial and social groups<sup>5</sup>. It is likely that one of the reasons that may have led people of the lowest strata to take to scavenging especially in the urban areas was compulsion, arising out of economic necessity. The great variation in the physical features of this community suggests that members belonging to various castes due to economic compulsions joined this profession.

There is another layer of discrimination within the community. Though those engaged in private houses consider themselves superior (as cleaning a public toilet is considered inferior to cleaning a private one), the wages paid to them are lower than those of the municipal employees. Their housing conditions are deplorable. Their habitations are in the filthiest areas, often near a public latrine or a dumping ground.

Often where private latrines are cleaned by scavengers they acquire scavenging rights which also become hereditary.

### A sub-continental scourge

It is believed that at the end of the Vedic period itself, the *varna system*, which is

<sup>5</sup> Bindeshwar Pathak, founder of the Sulabh Movement, India in his paper 'Present Dalit (scavengers) situation in India'.



*Manual scavenger in Gujarat*

mentioned in the Rig Veda began to modify itself into the “caste system”. Manual scavenging evolved with the evolution of the “caste system”. The literature and religious books henceforth describe the presence of manual scavengers under condition/system of slavery. [However, there is evidence of existence of wet toilets in the ancient times like at Harappa and Mohenjo-Daro \(civilisation dating to 2,500 BC\). These cities had toilets, which were connected to underground drainage system lined with burnt clay bricks.](#)

During the partition of India and Pakistan in 1947, migration to India was allowed except for the manual scavengers, because if they were allowed to leave, then who would do their job? Government of India was concerned about Hindus residing in Pakistan but not them. The author of the Indian Constitution Dr. Ambedkar expressed his deep concern about this unfortunate community in Pakistan by writing a letter

to the then Prime Minister Jawahar Lal Nehru. He said that the Hindu scavenging employees in Pakistan were being forced to do the degrading work warranting the intervention of the government of India. Yet, even after so many years of Independence the practice continues. [It also exists in Bangladesh, Sri Lanka, Nepal and Pakistan but in different forms. In all the countries it is based on caste hierarchy.](#)

### **Victims of faeces-borne diseases**

The Tata Institute of Social Sciences (TISS), Mumbai carried out a study of manual scavengers in Gujarat in September 2006. The report states that “Ninety percent of all manual scavengers have not been provided proper equipment to protect them from faeces-borne illnesses”. This includes safety equipment like gloves, masks, boots and/or brooms.

Common health ailments reported are parasitic infections, gastrointestinal disorders, skin ailments, diminished vision and hearing due to the toxic fumes inhaled during cleaning of septic tanks and manholes. Respiratory diseases like breathlessness and consistent cough were also experienced by some. Communicable diseases such as dysentery, typhoid, malaria and mainly Tuberculosis (TB) were found to be prevalent among scavengers. The cases of TB are rarely revealed, primarily because of the attached social stigma. Heavy menstruation, miscarriage, severe anemia, irregularity in heart beat are some of the health problems which women face.



## 2. Enact, act and disconnect

*“Whether the flush system will remove the curse of untouchability is open to grave doubt. This latter has to go from our hearts. It will not disappear through such means as has been suggested. Not until we all become Bhangis<sup>6</sup> and realise the dignity of the labour of scavenging and latrine-cleaning will untouchability really be exorcised.”*

*– Mahatma Gandhi, Harijan, 15 September 1946*

It is exactly 40 years since India launched a nation-wide campaign to convert all dry toilets into wet toilets. The campaign aimed to eradicate manual scavenging, but it didn't yield much result. The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act was passed in 1993 by the Union government. According to Clause 3 of the Act **no person shall** employ or permit to employ any other person for manually carrying human excreta; or construct or maintain a dry latrine. Further, according to the clause, **no one** would do the work of manual scavenging of the human excreta, neither appoint a person to do the same job, nor construct a dry toilet.

The Act makes the occupation of manual scavenging illegal. The Act also levies penalties for violations. Those who do not comply with the laws or its rules and regulation and the order and directions which are issued under this law or violate any of its provisions, would be liable to one year punishment or a fine of Rs. 2,000 or both. Anyone found repeating the violation would be liable to pay a fine of Rs. 100 per day.

### Going slow

Though the act was passed in 1993, different states of India enacted it gradually. The issue being a state subject, provisions of

the Act were implemented after its adoption by various state governments. Some states however, did not adopt the Act. According to Safai Karmachari Andolan (SKA) 19 states and 6 Union Territories have adopted the 1993 Act. Jammu & Kashmir, Nagaland, Himachal Pradesh, Manipur, Meghalaya, Sikkim, Mizoram, Arunachal Pradesh, Delhi and the Union Territory of Chandigarh have not adopted the Act as in 2009.

### Estimating numbers

The exact number of manual scavengers in India, remains a subject of debate as there are discrepancies in the figures provided by the government and the NGOs, as well as within government data itself. Thus conducting a survey to assess the number of manual scavengers accurately and scientifically becomes necessary.

The Supreme Court, and the sub-committee which was formed on scavenging employees in the 11<sup>th</sup> five year plan, has asked the state governments to conduct a survey on the people who are engaged in manual scavenging.

The central government deadline to eradicate manual scavenging had been shifted from

<sup>6</sup> An Indian caste even though they are outside of traditional jati also treated as untouchables. Bhangis are traditionally restricted to the two job functions of cleaning latrines and handling dead bodies (both human and animal) as per the Wikipedia <http://en.wikipedia.org/wiki/bhangi>.

December 2007 to March 31, 2009. [The deadline was extended for the fourth time.](#) However there is a marked change in the government stance, as in the previous three occasions the deadline was for the destruction of existing dry toilets. The different state governments have posted self-contradictory evidence of the existence of manual scavengers in their respective states as evident in the presentations (*refer annexure*) made by them to the NHRC.

## Justifying inability

The government cites two reasons as the biggest problem in eliminating manual scavenging. They are:

- Acute shortage of space for construction of flush latrines, and
- Water shortage (inadequate supply of water)<sup>7</sup>

The above reasons appear as excuses given the fact that there is an incentivised rural sanitation campaign and a recently announced urban sanitation policy. Nowhere are dry latrines promoted. The issue of shortage of water can be addressed by promoting ecosan models, or models that use recycled water.

## A not-so-tough act

A review of the Act reveals that it lacks teeth and needs to be strengthened in order to completely eradicate manual scavenging from the face of this country.

Some key lacunae identified include:

- Chapter IV Section 17(3) states that *No court shall take cognisance of any*

*offence under this Act except upon a complaint made by a person generally or specially authorised in this behalf by the Executive Authority.* The executive authority is a district magistrate or a sub-divisional magistrate. [Thus, by placing the onus of lodging a complaint on the executive authority, it takes away the power to seek redress from the affected person.](#)

- Chapter II Section 3 elaborates that the State Government shall not issue a notification unless *it has given a notice of ninety days* and where *adequate facilities for the use of water-seal latrines in that area exist.* This limits the power of the executive authority to strictly enforce the Act. Employment of manual scavengers by people or institutions cannot be halted or questioned immediately. This compromises with the effectiveness of the Act in adhering to a timeframe for eradicating manual scavenging.
- Chapter II Section 4 bestows the power to the State Government to exempt any area, category of buildings or class of persons from any provisions of this Act, if it deems fit. [This leaves it to the discretion of the state government to take any action whatsoever regarding the implementation of the provisions of the Act creating a loophole that provides opportunity for non-performance.](#)
- Chapter I Section 2 (m) defines a water seal latrine as: *a pour-flush latrine, water flush latrine or a sanitary latrine with a minimum water-seal of 20 millimeters diameter in which human excreta is pushed in or flushed by water.* [It has been found in many cases that water seal latrines are neither connected to the](#)

<sup>7</sup> As presented before the National Human Rights Commission, India (NHRC).

drainage system nor to a soak pit, where the excreta is naturally composted. Rather, they lead into a tank or a pit that has to be manually cleaned. Manual scavengers are employed to clean these pits periodically, without proper equipment, which exposes them to dangerous gases, besides being an abhorrent activity. Hence, the definition of water seal latrine needs to be expanded if all types of manual scavenging have to be eradicated.

There is need for appointment of a nodal agency to look into cases of violation of the Act, rehabilitation of manual scavengers and to oversee schemes for construction of water seal toilets. The existing apparatus has not been effective in identifying and rehabilitating manual scavengers and in bringing the violators to book. Though, any contravention of the provisions of the Act is to *be punishable with imprisonment for a term which may extend to one year or with fine, which may extend to Rs. 2,000, or with both: till date not a single conviction has taken place.*

## Mismatch

The union government has introduced various schemes for the rehabilitation of manual scavengers over the years and allocated funds for the purpose. State governments take money from the centre for the same under the schemes. *Not many manual scavengers are aware of such government schemes and rehabilitation programmes. Not much has been done to disseminate the information among them.* In April 2007 the union government

introduced a new scheme called the *Self-Employment Scheme for Rehabilitation of Manual Scavengers (SRMS)*.

The Ministry of Social Justice and Empowerment introduced the scheme with the target of rehabilitating the ‘remaining’ manual scavengers, by 2009 with a budget of Rs. 736 crore.

Scavengers and their dependents, irrespective of their income, which are yet to be provided assistance for rehabilitation, under any scheme of Government of India/ State Governments will be eligible for assistance (subsidy, loans training). Under this scheme Individual loans in the range of Rs. 25,000 (micro-financing) to 5 lakh (term loan) can be sanctioned. A central institution – National Scavenging Employees Finance Development Corporation (NSKFDC) has been set up to allocate the budget<sup>8</sup>. Similarly different states have set up their own state level agencies of similar nature. *It is noteworthy that most state governments deny the existence of manual scavengers, but take central government funds to ‘rehabilitate them’.*

As per survey reports received from States, there were 7,70,000 scavengers and their dependents in India, out of which about 4,27,000 scavengers were already assisted under the National Scheme for Liberation and Rehabilitation of Scavenger launched in 1992 (NSLRS) and hence ineligible for assistance in the current scheme<sup>9</sup>. Thus, the number of manual scavengers yet to be rehabilitated is 3,42,000, as per State wise details given in Table 1.

<sup>8</sup> The NSKFDC has a total authorised share capital of Rs. 200 crore, out of which the Central Government had paid up Rs. 179.34 crore till 31<sup>st</sup> March, 2007.

<sup>9</sup> Since 2005-06 funding had stopped under NSLRS which was eventually replaced by SRMS.

Ministry of Housing and Urban Poverty Alleviation of the Government of India is playing a key role in government efforts to eradicate manual scavenging. Its flagship programme is the Integrated Low Cost Sanitation Scheme (ILCS) launched in 1989. The scheme is aimed at converting existing dry latrines into sanitary latrines, constructing new latrines where none exist and to liberate manual scavengers from pursuing the occupation. The Ministry of Social Justice and Empowerment has the overall responsibility for rehabilitation of scavengers, whereas the MoHUPA has the responsibility for removal of dry latrines and provision of sanitation facilities at household and community levels in urban areas. In rural areas, the Ministry of Rural Development, Government of India is assigned this responsibility.

Census of India, 1991 revealed that 76 percent of the households in India did not have toilet facilities<sup>10</sup>. The proportion of toilet less houses decreased to 64 percent in 2001, the increase being higher in rural areas than urban. Census figures also revealed that 20 percent of the households having toilets depended on 'Service latrines' in which scavengers are needed to physically remove night soil.

[The revised ILCS scheme envisages conversion of all existing 6 lakh dry latrines within the country by 2009.](#)

There was a budgetary provision of Rs. 150 crore under ILCS during 2008-09. According to the revised guidelines 75% funds is for

conversion (6 lakh dry latrines) and 25 % for new construction for Economically Weaker Section (EWS) household with no latrines.

## A charter of change

The National Human Rights Commission (NHRC) [has termed manual scavenging as one of the worst violation of human rights](#). It holds that a country could never develop without the development of each and every individual and [Article 21 of Constitution of India guarantees the Right to Life and that too with dignity](#).

The Commission held a National Workshop on '*Manual Scavenging and Sanitation*' in New Delhi in August 2008, as a part of programme to commemorate the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights<sup>11</sup>. The following are some of the recommendations made by the commission:

1. [Though surveys on manual scavenging have been conducted, several anomalies have been found](#). Therefore, periodic comprehensive surveys, at least once in three years should be conducted in collaboration, with credible NGOs. It should cover dry latrines, manual scavengers and alternative options for rehabilitation.
2. As per the information available with the Ministry of Housing and Urban Poverty Alleviation, there are dry latrines in Uttar Pradesh, Bihar, Jammu & Kashmir and Assam. Therefore, these four states should take all necessary steps for the complete conversion and demolition of

<sup>10</sup> As per MoHUPA [http://mhupa.gov.in/w\\_new/ilcsRpt/Executionsummary.pdf](http://mhupa.gov.in/w_new/ilcsRpt/Executionsummary.pdf)

<sup>11</sup> NHRC website [www.nhrc.nic.in](http://www.nhrc.nic.in). The Workshop held on August 28, 2008 was attended by representatives from 20 States/UTs, 9 NGOs working in the field of Manual Scavenging and five Union Ministries including Ministry of Social Justice and Empowerment and Ministry of Urban Development and Poverty Alleviation.

dry latrines and rehabilitation of manual scavengers in their respective states. Based on comprehensive survey all other states should also take necessary measures.

3. Jammu & Kashmir and Delhi should quicken the pace of adoption of the Act which should be done at the earliest.
4. The definition of manual scavengers is different from sanitary workers and all authorities may restrict to the definition of manual scavenging as given in the Employment of Manual Scavenging and Construction of Dry Latrines (Prohibition) Act, 1993.
5. The presence of too many agencies is often delaying the elimination of the practice of manual scavenging and rehabilitation work. Therefore, district magistrates should be made the nodal agency and joint instructions from the three central ministries concerned with manual scavenging should be issued to the states/union territories and the district magistrates to take necessary steps for coordination and convergence of efforts. At state level, there should be a coordinating body to monitor framing of appropriate rules and regulations, survey as envisaged in recommendation 1, conversion or demolition of dry latrines, rehabilitation of manual scavengers, prosecution of defaulters, etc.
6. The issue of lack of **space and scarcity of water** in some pockets in some states has to be addressed by adopting appropriate technology and methodologies.
7. The municipal and panchayat byelaws of the states should have provisions not to allow the construction of any new house with dry latrine or without a water seal latrine or sanitary latrines with appropriate technology and measures should be built so that dry latrines made in the past can be demolished and new water seal latrines with appropriate technology be constructed. **There should be a time bound limit for conversion of dry latrines into wet latrines and construction of new latrines. It should be one of the criteria for deciding grants to municipal bodies and there should be some measures to take penal action against municipalities not fulfilling their obligations in this regard.**
8. The ministry of social justice and empowerment may evolve modalities of payment of immediate relief of Rs. 10,000 to manual scavengers as in the case of bonded labour, pending their rehabilitation.
9. **The scholarship to the children of manual scavengers should not be stopped even after their parents have been liberated from manual scavenging and rehabilitated.**
10. It should be ensured that the identified manual scavenger families who are entitled to get the BPL cards are issued the BPL cards.
11. Banks must simplify their procedure for giving loans to manual scavengers for their rehabilitation.
12. State governments must issue advertisements in leading newspapers about cases of manual scavengers and dry latrines and also publish the same on the notice boards of panchayats/ municipal bodies. The list of identified manual scavengers should be displayed on website and at important public places for inspection by public at large and must be given wide publicity. Any person who is left out can approach the notified authority. After identification, the District Magistrate should issue a certificate to the manual scavenger based on which all concerned agencies should extend benefits to which he or she may be eligible.

13. The State Human Rights Commissions should start monitoring elimination of manual scavenging and consequent rehabilitation of manual scavengers in the states.

### A civil act

Besides government and autonomous bodies many non-government organisations are initiating steps to bring in changes. A group of eight individuals and organisations working for the cause of manual scavengers came together and collectively filed a writ petition in the Supreme Court in 2003 demanding the implementation of the 1993 Act. SKA (*Safai Karmachari Andolan*) is the lead petitioner in the PIL. Consequently, the Supreme Court summoned the different state governments and asked them to respond and inform the court regarding the implementation of the 1993 Act in their respective states. Interestingly, most state governments have



*Ganga Bai Balmike, Neemuch, Madhya Pradesh*

denied the existence of manual scavengers in their respective states in their affidavits filed in the Supreme Court in 2003. In 2005, the organisation filed a counter affidavit providing detail of scavengers that existed in several states. Now, the Supreme Court has asked SKA to provide fresh evidence of manual scavenging based on latest data (refer table 3). This is in response to the government claim that the scavengers mentioned in the 2003

### Table 3: Counter-point

Based on actual surveys the *Safai Karmachari Andolan* has countered claim of several states being manual scavenger free.

State	Status
Andhra Pradesh	Not present
Assam	Present
Bihar	Present
Gujarat	Present
Delhi	Present in East Delhi
Jammu & Kashmir	Present in 6 districts
Uttarakhand	Present in 4 districts including Udham Singh Nagar, Haridwar
West Bengal	Present in Howrah Municipality
Karnataka	Present in Kolar gold fields
Uttar Pradesh	Present in 6 districts, about 683 manual scavengers in Kanpur, Lucknow
Kerala	No manual scavengers present
Punjab	Present in all 17 districts
Tamil Nadu	631 dry latrines in 7 districts

*Source:* Safai Karmachari Andolan (SKA)

counter affidavit are no longer working in this occupation.

## Movement to purge

Bezwada Wilson of SKA states that manual scavengers were present in 140 districts of India. According to him, if this evil and degrading practice has to be eradicated by December 31, 2010 (civil society organisations deadline), a nodal agency for the same is desired.

Wilson advocates a twin pronged approach to the subject:

- **Dismantling all the public dry latrines that exist particularly in the panchayats and the municipalities.** SKA has produced evidence of their existence before the district magistrate who is the appointed authority to look into the cases of violation of the 1993 Act. In many cases the district administration genuinely felt embarrassed at the existence of manual scavengers and were willing to take whatever action necessary.
- With respect to **dry latrines that exist in individual homes, try to persuade the scavenging women to quit the job and start new more dignified careers.** SKA makes these women aware of various government schemes which they can avail for the purpose.

Thanks to the efforts of SKA, a number of manual scavengers have been rehabilitated using central government schemes in fish retailing, scrap selling, auto rickshaw driving, cloth vending and petty shops (See Box: Breaking free). Wilson is of the view that the issue be looked into by the Department of Drinking Water Supply (DDWS) under the Ministry of Rural Development, as it deals with the subject of rural sanitation. Manual

scavenging also needs to be considered a sanitation issue besides being a social one.

### Breaking free

Women from different corners of India descended on Vishwa Yuvak Kendra, New Delhi, on 25<sup>th</sup> February 2009 chanting slogans 'Maila Pratha Band Karo' (Stop Manual Scavenging). They had assembled for a national summit to share their experiences and to discuss issues related to the practice of manual scavenging as an occupational violence against women. A large number of those gathered had recently been freed from scavenging work. Prominent leaders from national women and human rights organisations in the country attended the summit to extend solidarity and support. They represented the All India Dalit Mahila Adhikar Manch (AIDMAM), All India Alliance of Progressive Women, Aman Biradari, Bharatiya Muslim Women Rights Forum, Centre for Dalit Rights, MARG, Prajwala and the National Campaign for Dalit Human Rights (NCDHR). Well known personalities like Arundhati Roy (author), Maitrayee Pushpa (human rights activist) and Harsh Mander (activist for excluded groups) also addressed the gathering. Impacts on children were discussed and it was decided to take proactive steps to facilitate education of children from scavenger families. Information about scholarships and other development and welfare supports from government was shared. The summit was preceded by a campaign in which scavenger women held marches and burnt baskets in front of District Collection's office as a symbolic gesture of freeing themselves of this practice. The campaign spread over 10 states namely Haryana, Rajasthan, Punjab, Delhi, Uttar Pradesh, Orissa, Andhra Pradesh, Karnataka, Bihar and Tamil Nadu and was supported by WaterAid.

*Source:* Safai Karmachari Andolan

The SKA has initiated a nationwide survey to assess the actual number of scavengers still

working. It maintains that a judicial magistrate be given the authority to take cognisance of cases of violations of the 1993 Act in a given district.

## Reclaiming dignity

Garima Abhiyan is a movement launched by nine NGOs in Madhya Pradesh in 2002 that aims to end manual scavenging in the state. Garima Abhiyan is focused on the right to dignity aspect of the issue. [It believes that](#)

[organising people is the only effective and long-term way to ensure complete abolition of the practice of manual scavenging.](#) It claims that an estimated 3,038 people are engaged in this degrading profession in the state. Approximately 2,800 scavengers have been liberated and rehabilitated. According to Ashif from Garima Abhiyan, the SRMS is viewed as a male focused scheme and with most scavengers being women, it is not very effective in rehabilitating them (See Box: Clarion call). There are discrepancies in the list of manual scavengers submitted by the

### Clarion call

A one-day National Consultation was held on 31st March 2009 in Delhi to lay emphasis on the eradication of manual scavenging by December 2010. Discussions were held on the present status of scavenging in India and the factors that are contributing to its prevalence. It provided a platform to the women who have left this practice and those who are still involved to voice their concerns and problems. The role of various stakeholders like members of the manual scavenging community, the larger community, civil society organisations and the state in the abolition of this practice and rehabilitation of those who come out of it, was debated. Cases of exploitation and abuse of manual scavengers were brought to light. The Consultation was attended by more than 150 women and men from different states who are either involved in the practice or have left it. Activists, members of non-governmental organisations, representatives from Commissions (e.g. Planning Commission) and others attended. The meeting drew attention to the fact that another deadline had passed and the task of bringing manual scavenging to an end still remains unfinished.

It was felt that the pitch of the campaign against manual scavenging must be raised. The issue should be converted into a movement and not just remain a Civil Society Organisation (CSO) effort. Some other views that were expressed were:

- Proper research should be undertaken by reputed organisations like Tata Institute of Social Sciences (TISS) to evaluate the state fund allocation for eradication of manual scavengers and how it has been spent at the state, district and *Panchayat* level.
- Filing of specific RTIs (Right to Information) on funds spent/unspent and allocated district wise.
- The issue can be taken to the petitions committee of the parliament, where a state social service official can be summoned and questioned.

The organisation TAAMS in Tamil Nadu was commended for the work it had done with manual scavengers. There is a manual scavenging commission in Tamil Nadu. Educational schemes have been extended to the children of manual scavengers. About 45 children are studying in colleges in the state. The SC/ST quota of 18% in government institutions includes a 3% reservation for manual scavengers. There is also provision of pension of Rs. 450 per month for those who have worked as manual scavengers and Rs. 6,000 for pregnant women scavengers.

*Source:* Garima Abhiyan, Madhya Pradesh 2009

state government to the centre, and the list of people rehabilitated as claimed by the state government, says Ashif.

The movement recommends considering giving land to the women scavengers. It advocates public hearings to bring out the lacunae in the scheme (See Box: Telling tales).

### Making government believe

According to Manjula Pradeep from Navsarjan Trust, an Ahmedabad based organisation dedicated to dalit issues especially eradication of manual scavenging, the social justice and empowerment department of

Gujarat put the total number of scavengers at 64,195 in 2006, out of which 11,653 have been rehabilitated.

In 2006 the Gujarat government asked Tata Institute of Social Sciences to conduct a survey to identify manual scavengers in the state. It brought out a figure of 2,450 manual scavenger households in the state with a total population of 12,506. There were total of 4,333 persons working as manual scavengers in the state. Diverse kinds of dry latrine structures existed. Most scavengers were engaged in clearing open defecation places. Also, the study brought out that they were present in rural areas as well as towns and cities. The report was not accepted by the government, states Ms. Pradeep.

#### Telling tales

Vimla Bai from Neemach district in Madhya Pradesh has been working as a scavenger ever since she got married. She has been lifting night soil from Rajput families where she is not allowed to enter home with footwear on. She was liberated from this work with the intervention of Garima Abhiyan. Though she faced pressure from Rajput families to resume scavenging, she remained steadfast in her decision to quit. Currently she works as an agricultural labourer. Alike is the tale of Akhtar Bi from the Hela Community, a Muslim scavenging community in central India who belongs to Tarana Tehsil in Ujjain district of Madhya Pradesh. She left scavenging about two years back with help from Garima Abhiyan. She sells papad to make a living now. Her two children study in school. In a similar vein, Lali Bai from Manser district in MP quit her job as a manual scavenger in 2002 thereafter she has struggled to liberate other women in a similar plight. She works with Garima Abhiyan and has successfully liberated 165 women scavengers. According to her scavenging exists in Ratlam district of Madhya Pradesh as well.

The story of Ratilalji is equally telling. He belongs to Mahuva taluka in Bhavnagar district in Gujarat where he has worked as an employee of the municipal corporation. He removed night soil from areas where open defecation was prevalent. Removal of burnt dead bodies and ashes from burial ground was part of his job. He was threatened with a salary cut whenever he refused to do the degrading work. According to him there was a high prevalence of diseases (especially TB) and death among the scavengers, He worked as scavenger for 12 years before coming in contact with Navsarjan Trust and eventually quit his job. He insists that the work still goes on. There were 160 such workers in the Municipal Corporation. Approximately 900 valmikis work as scavengers in homes, factories and the corporation. He works with the Navsarjan Trust.

*Source:* Garima Abhiyan, Madhya Pradesh 2009

Though, there are many schemes declared by the state government very few have been effective enough to rehabilitate manual scavengers. Navsarjan is one of the eight organisations that are part of the writ petition filed in the Supreme Court demanding action from the union government on this issue. It emphasises following steps that might help eliminate this practice:

- Promote qualified youth employed as manual scavengers in municipalities, district/taluka/gram panchayats and other government funded and aided agencies in to dignified jobs at their place of employment.

- Frame a long-term rehabilitation policy for the manual scavengers. Special education programme for the children whose parents are engaged in manual scavenging so that they could be educated with dignity and in a proper environment.
- Ensure that no sanitation worker whether permanent or on contract basis is engaged in manual scavenging.

Besides, it suggests that punitive action must be taken against the district, taluka and village level authorities who have not been able to abolish manual scavenging.

### 3. Hope amidst despair

*“So long as you do not achieve social liberty, whatever freedom is provided by the law is of no avail to you.”*

*- Dr. B. R. Ambedker*

Civil society groups have given an ultimatum to the government to eradicate manual scavenging. The international Dalit Solidarity Forum, which operates in five countries, has proclaimed that if the Indian government does not eradicate the practice of manual scavenging they would launch a campaign in various countries to oppose the Commonwealth Games to be held in India in 2010. On the other hand, there are several initiatives of rehabilitating manual scavengers with livelihoods of dignity. This chapter takes stock of the state of manual scavengers in various states as well as chronicles few inspiring stories of rehabilitation or attempts to stop manual scavenging. The overall situation is discouraging but the few positive developments do evoke hope that there is a way out.

#### Delhi: Capital punishment

In Delhi and its neighbouring areas like Ghaziabad and Meerut the practice of manual scavenging continues unabated. More than 1,000 manual scavengers were identified in the survey conducted by Department of Social Sciences, Delhi University. Nand Nagari, Seelampur, Sundernagari, Seemapuri, Gokulpuri, Bhajanpura, Mandoli Village, Anand Vihar, Sherapur Chowk and Chandni Chowk are some areas identified in the survey having manual scavenging (See Box: Self scavenging).

Meena who is around 21 years old talks mournfully, “My whole family is doing manual scavenging”. Meena has a six-year old daughter with stunted growth. She attributes

#### Self scavenging

It has been reported from some slums in Delhi, that women are forced to manually scavenge inside their own dwellings as all the members of the family use a small pit dug inside their homes for defecation.

*Source: CURE, Delhi*

this to her working in unhygienic conditions during pregnancy.

*Why does one make a living out of this occupation when other more dignified livelihood options are available?*

Thirty-year old Sharmila, another manual scavenger, had a similar tale to tell. “Another job? People want to know our caste before we enter into their homes and I am scared of lying. Some time ago my sister-in-law got a job of cleaning and washing in a house located far away from her dwelling. She worked in that house for six months. One day a relative of that house-owner came to visit. She had seen my sister-in-law picking rags. She recognised her and after that all hell broke loose, she was badly beaten up, forced to uncover her sari and was kicked out of the house. Now you tell me what do we do? We have our dignity too”.

The men belonging to this community share a similar fate. Twenty-three year old Mukesh has been a scavenger for the last 15 years. He works in the ‘private Sulabh’ of the area. According to him “Earlier Sulabh had control on the toilets but now they have been allotted

to the contractors. They have a four wall boundary but no provision of seat or water. It means people sit anywhere for defecation. You imagine the condition of toilets in this area. There are 16 such toilets in Nand Nagari. They are manually cleaned two times in a day. Those who scavenge are paid Rs. 1,000 (for men) and Rs. 500 (for women). People get the sewage water in bucket from nearby drain to clean the toilets (See Box: Hell in disguise)”.

### Hell in disguise

Due to economic and caste constraints manual scavengers are forced into this profession. Though temporary (Kucchi) latrines have definitely reduced they have not been permanently closed. In fact, they have got a makeover. We do not find scavengers working openly. Reason?

“People have built tanks. These are not Sokhta (soak pit) tanks. Rather, they are cleaned manually?” Fifty-five year old Munna Bhai says, “This is more dangerous work than manual scavenging. The work of cleaning the tank takes place at night and the entire tank has to be cleaned from inside”.

He has to enter into the tank to clean it, which has to be done in one day. “The stink is unbearable”. After the job is done he doubts whether he is indeed a human being.

*Source:* Bhasha Singh, journalist

### West Bengal: Headload of shame

It is important to mention the women scavengers in Bhatpara village in the 24 Parganas district of West Bengal. Despite getting better remuneration as compared to other places they still wanted liberation from their despicable occupation. They were 122 in number. They were keen that their voices be heard and willingly allowed for photographs

and video films being shot. They get salary as per government (See Box: Scavenger as a government employee) grades but they are not provided protective gloves or any health related facility. These women have to walk up to three kilometres with a pot of excreta on their heads to put it in a tanker or in a pit.

### Gujarat: Legally illegal

Leela Ben (See Box: But... where to go?) has been at this job since she was 15 years old and

### Scavenger as a government employee



*Mannal scavenger with a cart, Gujarat*

Manual scavengers are appointed by the Panchayat or municipality in many states where they work as permanent employees and draw salary as per government salary norms. Temporary employees get the salary on daily wage basis. Gujarat, West Bengal and many states of south India have this tradition.

*Source:* Navsarjan Trust, Ahmedabad

### But... where to go?



*Manual scavenger in Gujarat*

The wrinkled face of Jeetu Ben of Gujarat clouds with anger when asked about her illness “Just manually scavenge the excreta, you will come to know about these diseases. How could one be healthy in this profession? Can you just imagine how we are surviving even after doing such a disgusting job. How our children are born? How we celebrate?” she questions.

Carrying her one and a half year old daughter, Pallavi of Paliyad village started weeping while sharing her problems, “I am in trouble. You can ask anyone. I went back to work after ten days of my delivery. How will I feed my children if I don’t work?” Pallavi’s husband is an alcoholic. A mother of four children, she has no other option. But that doesn’t mean that she does not have a desire to come out of this occupation.

*Source:* Bhasha Singh, journalist

now she is 45. She gets Rs. 50 from Panchayat as daily wages. She spends at least Rs. 300-400 monthly on purchasing medicines. It seems that diseases have become a part of her life.

Ganga Ben of Dalit Sadhu community is not a manual scavenger but a sarpanch of a panchayat. After initial denials, she accepted that the practice existed in her Panchayat as well. According to Bakaul Ganga Ben, “State Government is not willing to eliminate this practice despite having money to do it”.

Pallavi, Leela Ben, Laxmi Ben, Hansa Ben, Biju Ben are among those women who had filed a case against the state government in the Supreme Court in 2004 accusing the panchayat of appointing them as manual scavengers. But the Gujarat Government did nothing despite it being illegal.

Manjula Pradeep of Navsarjan Trust is concerned that no one from the centre to the state government has any idea or plan to modernise the work of cleaning; to make it more dignified work. According to her there are about 64,000 scavengers in Gujarat. She believes that the biggest change in the lives of scavengers will come about when the society changes its mindset towards them.

Navsarjan Trust, launched a people’s awareness campaign to eliminate the practice of manual scavenging. It is active in the field of developing alternative models of toilets. Its campaign was successful in liberating some women from their profession. It helped build pressure on the government machinery to act (See Box: Raksha... bondage).

The women who had filed petitions in the Supreme Court are still actively pursuing the campaign.

### Raksha... bondage<sup>12</sup>

In August, 2008, nearly 5,000-odd women manual scavengers from 13 districts of the state decided to send *Rakhis* along with a letter to the MLAs, District Collectors, Municipal Officers and the higher Officials in the state government describing their plight and urging them to act and liberate them.

*Source:* Navsarjan Trust, Ahmedabad

### Bihar: Law is not enough

Glimpses of this practice were seen at Patthar ki Masjid and at Ambedkar Nagar colony in Patna. Families living here constructed tanks which were not septic tanks. These tanks are cleaned manually.

Rajkumari, who was unable to stand straight, belongs to Siwan district, 15 km from Patna. She says, “My physical condition is not good. I feel weak, I cannot see up in the sky and my neck is slightly bent.” She had been facing these problems ever since she cleaned a tank in the Masjid colony. She worked the entire night to clean the tank. The place for disposal was about 3 km from the tank. Moreover, she was pregnant at that time. She had to work as her husband did not have a job. Controlling her feelings she said, “Who wants to do this stinking work but we don’t want to starve also”.

The granddaughter of Gandhi Ram (See Box: What is in a name) says, “We know this work is illegal. But we cannot survive on law alone. We cannot survive without this work. Government asks us to take loan but loan has to be returned. How will we return the money?”

Once I opened a tea stall, no one came to have tea. I lost all the money. We have no other option except manual scavenging”.

### What is in a name

Born on the day Mahatma Gandhi was killed, people started calling him Gandhi Ram. But this did not change his destiny. It is ironical that the entire life of Gandhi Ram was devoted to the same work against which Mahatma Gandhi had launched a movement. He is still in the clutches of this practice even after getting old. His next two generations are forced to continue this work.

*Source:* Bhasha Singh, journalist

Half of Patna, like many others cities, has no sewer line network and in this half tanks have been constructed (See Box: The hellish life of Baltiwalis). Some people have constructed septic tanks but they are few in number. The then Speaker of Bihar Assembly Jabir Husain had been actively associated with the issue. He had taken the initiative of conducting a survey in 2002. As per the survey the number of families engaged in the practice was 22,000. He advocated the complete eradication of the same. No survey was conducted to assess the number of manual scavengers after 2002.

### Andhra Pradesh: Tackling the root

The scavenging women of Andhra Pradesh have dared to decimate this practice from their state. They boast there is no semblance of their erstwhile trade in the state now. This did not happen overnight. The Scavenging Employees’ Movement launched a campaign

<sup>12</sup> Raksha Bandhan (the bond of protection in Hindi) is a Hindu festival celebrating relationship between brothers and sisters wherein the brother reaffirms his commitment to protect his sister. The festival is marked by tying of a ‘Rakhi’ or holy thread by the sister on the wrist of her brother.

to destroy dry toilets both in public and private domains. The women of this movement are involved from destroying the toilets to pressurising the district administration to take action. Narayan Amma is the undisputed leader of this movement who has devoted her entire life to stop this undignified profession.

## Rajasthan: Inspiring lessons

Kaalu Ram Hatwal started working as a manual scavenger at the age of 15. He belonged to a poor Valmiki family. He left this profession voluntarily as he hated the despicable job. He joined as a daily wage labourer on a road construction site. His life changed thereafter. He studied Dr. Ambedkar's literature and decided to improve the lot of his fellow unfortunate beings. He realises the value of education and sends his three children to school. Neither he nor his wife will go back to the same profession again. He is actively engaged in eradication of manual scavenging from India.

The story of Manju from Sikar in Rajasthan is equally inspiring. She was initiated into

manual scavenging at the age of 11. After marriage she continued with her work. She remained a manual scavenger for 25 years. Social workers from the Safai Karmachari



*Kamala Balmike from Tikamgarh, MP (now rehabilitated)*

Andolan visited her locality and persuaded her to leave her job.

Today she works as an assistant in a school and earns Rs. 1,500 per month. Her son also works in the same school and earns the same as her. She proudly goes to her workplace now

### The hellish life of Baltiwalis

In Kanpur, Uttar Pradesh two words sum up the state of affairs:

- *Kamai wali latrine* (to-earn latrine) and
- *Baltiwali* (Bucket-women).

In Kanpur dry toilets are called *Kamai wali* latrine and manual scavenger *Baltiwali*. No *Baltiwali*, whom we met, was aware of the government's rehabilitation programmes and schemes. Scavenging women of Bakarmandi, Chaman Ganj and Kanghi locality said, "Today the practice of manual scavenging is not as prevalent as it used to be. There are very few dry toilets. Their work has become more tedious because the human waste keeps flowing in the drain.

Former Chairman of National Scavenging Employees Commission, Panna Lal said that government was not serious about eliminating this practice. There was provision of sewer line in only 50-60% of Kanpur.

*Source:* Bhasha Singh, journalist, New Delhi

as opposed to earlier when the very thought of her workplace made her stomach churn.

Prema Devi and Lakshmi have worked as manual scavengers in Rajasthan for several years. The intervention of Safai Karmachari Andolan prompted them to leave their job. They haven't found a stable better earning occupation, but they

would rather work as daily wage earners than go back to their old occupation. Both of them hope that government offers some alternate avenue for them to make a better living. There are women in other states who have broken free of their decadent inheritance and adopted new, dignified livelihoods (See Box: A make over in Haryana).

### A make over in Haryana

Chandravati (name changed) worked as a manual scavenger in upper caste households in a district in Haryana. She detested her work and did not want her daughter to take it up. Both her children were going to a school. Her husband worked as a daily wage labourer. He was an alcoholic and wasted his meager earnings on drinking. Chandravati supported her family with whatever she eked out a living working as a manual scavenger. She got some stale bread from upper caste households; paltry amounts of money on festivals, some old clothes and food grains.

Her life took an unexpected turn when two social workers Rajkumar and Seema (names changed) descended upon her colony. They belonged to her own Valmiki community.

They tried to convince them to leave their present occupations; fill up an application and apply for government schemes to move to more dignified means of livelihood. They told these people that manual scavenging had been declared illegal by the government. They were carrying on with this illegal activity not because of any fault of theirs but rather due to the inefficiencies of the society they lived in. Most people were apprehensive about submitting applications to the government. But Chandravati decided to take the bold step.

Today Chandravati has two buffaloes and she makes a living by selling milk. She is no longer a manual scavenger. She threw all the tools and implements of her previous trade into a nearby drain.

*Source:* Safai Karmachari Andolan, Delhi

## 4. Change, we can

*“I may not be born again, but if it happens, I will like to be born into a family of scavenger, so that I may relieve them of the inhuman, unhealthy and hateful practise of carrying nightsoil”*

*– Mahatma Gandhi*

The number of scavengers, though large, is minuscule when compared to the population of India. Hence they cannot emerge as a vote bank. They can never become electorally attractive enough for any political party including those with a predominantly Dalit agenda to take up their cause. Even after the rise of such political parties on the Indian political scene the vulnerability of manual scavenging community has never become an election or political agenda.

Recently people have evinced interest in their cause after the ruling United Progressive Alliance (UPA) Chairperson Sonia Gandhi and Prime Minister Manmohan Singh raised the issue of manual scavengers.

A manual scavenger lies at the bottom of the Indian society and his/her upliftment can be poignantly described as the Antodaya or the awakening of the last person<sup>13</sup>. The sad plight of women who constitute 80% of the manual scavenger workforce lends an extra degree of deprivation and exclusion. This raises some burning questions.

### ***Why do people continue to engage in this work when other more remunerative livelihood options are available to them?***

A possible answer lies in a curious cocktail of:

- a deplorable caste system,
- generations of families involved in this profession (an unfortunate inheritance),

- lack of confidence and wherewithal to break the vicious cycle of poverty and centuries of bondage,
- not enough awareness and information about rehabilitation schemes or any other scheme of the numerous Dalit development programmes which these women are entitled to avail,
- the idea that they can move out of their stinking existence has simply not occurred to them.

### ***Is it possible that India completely eradicates manual scavenging by 2010?***

An affirmative answer is what we would like to believe and strive to achieve. Nonetheless, a lot of work remains to be done. Steps that might make the goal achievable:

- **Destroy all dry latrines that exist in the country.** However, some thought has to be given to the aspect of alternate sanitation options available for the people who were using dry latrines earlier. As has been found in some instances in Andhra Pradesh, destruction of dry latrines has resulted in increase in open defecation, which works against the objectives of the Total Sanitation Campaign of Government of India and providing access to toilets. The effort towards total sanitation should be in conjunction with destruction of dry toilets.
- **Penalise those who employ manual scavengers or construct dry latrines.** A single conviction would go a long way in deterring those who do so.

<sup>13</sup> Antodaya being the flagship anti-poverty programme of government of India which later got merged into a much larger IRDP (Integrated Rural Development Programme).

- Create awareness regarding rehabilitation schemes. **There is a need for the government to develop practical and long-term rehabilitation schemes that take care of the next generation of the community.** Deploy people who would approach the targeted community with relevant information and apprise them of the better future that is possible for them. Perhaps, this can be better accomplished by voluntary agencies which have more committed staff. However, a government thrust would be invaluable.
- **Assess the real number of manual scavengers and their spatial distribution across the country and direct focused effort, tailored for unique socio-cultural conditions in different states.**
- **Manual scavenging is a caste issue. It is also largely a sanitation issue. So sanitation programmes as well as programmes of other relevant ministries must be converged.**

The civil society and the government need to change their mindset towards this practice, and the people involved in it. Both together, with their own approaches and efforts can bring an end to this practice. A national policy on sanitation that addresses the issue of manual scavenging on a priority basis is desirable. Provision of drainage systems and facilitating construction of flush toilets will go a long way in getting rid of dry toilets.

Civil society organisations can help create awareness on the issue and call upon the government to enforce the 1993 Act (See Box: SACOSAN III – raising the dignity). **Meanwhile, it is vital to lend support to dalit organisations and movements campaigning against manual scavenging in their efforts to conduct surveys, liberate manual scavengers, rehabilitate them and ensure that the government meets its commitments.**

### **SACOSAN III – raising the dignity**

The third South Asia Conference on Sanitation (SACOSAN-III) was held in Delhi during November 18-21, 2008. Just preceding this event civil society groups came together in Delhi for a pre- SACOSAN meeting on November 16-17. In both the meetings serious concerns were raised on the issue of manual scavenging and the rights and dignity of the people engaged in this occupation. Manual scavenging is in practice in many South Asian countries. The pre-SACOSAN meeting of the civil society groups adopted a resolution that said: “The practice of manual scavenging is a violation of human rights, a grave infringement of people’s dignity, and the worst form of caste-based discrimination. Laws to eradicate this practice have been passed in some countries but these are not enforced.” This recommendation was fed into the official SACOSAN declaration process. Though, the final declaration didn’t mention manual scavengers specifically, it did talk about them as sanitation workers. Sanitation workers include many others who may not be manual scavengers. The official declaration of SACOSAN said: “The critical role of personnel involved in sanitation work will be recognised, and measures taken to raise their dignity.”

*Source:* WaterAid India, Delhi

## Annexure

Some notable assertions<sup>14</sup> made by various state governments before the NHRC regarding manual scavenging in their respective states are as follows:

<b>Karnataka</b>	
<b>Number of scavengers and dry latrines</b>	In the year 1993-94, the state along with NGOs conducted a survey, throwing up a figure of 14,555 manual scavengers in the state in both rural and urban areas. In 2002-03 it went up to 26,004 and in 2007-08 it was 40,692 scavengers. A resurvey was done in 2007-08 as some repetition in beneficiaries was found. 27 districts were covered; no manual scavenger was found in urban areas, survey in rural areas to be carried out through Panchayats is in process till date. There are 2,800 dry latrines in the state, 70% of them have been converted to wet ones while the rest are in the process of conversion.
<b>Number of scavengers rehabilitated</b>	29,791 have been rehabilitated, mainly through financial assistance to the tune of Rs. 70.95 crores. Most of them have opened grocery shops; some run a garage, cycle shop or auto rickshaw while the remaining are construction labourers.
<b>Initiatives/Schemes</b>	All the municipalities have been instructed not to grant clearance to buildings which have a dry latrine: to deny clearance to them till they construct wet ones. Besides, the state has a scheme for girl child of manual scavengers: Rs. 25,000 is deposited in a bank in her name, which she receives on maturity.
<b>Kerala</b>	
<b>Status</b>	There are no manual scavengers either in urban or rural areas. Manual scavenging was abolished about 50 years back amid protests and <i>hartals</i> . However, the descendents of these people remain poor. Livelihood is a concern for them. Land was given to them but rehabilitation efforts were not made.
<b>Madhya Pradesh</b>	
<b>Number of scavengers and dry latrines</b>	There were 4 lakh dry latrines in 1998-99 and 93,000 manual scavengers as in 1991-92.
<b>Number of scavengers rehabilitated</b>	All dry latrines were converted prior to Oct 2, 2004 and funds for the same (construction of wet toilet) were to the tune of Rs. 10,000/unit. They were rehabilitated and engaged in alternate occupations like cycle shops, grocery/retail shops, running auto rickshaws etc.
<b>Initiatives/Schemes</b>	Sanitation workers who are employed with the municipal corporation have been given the authority to impose spot fines, in case they find anyone littering on the streets. They have been renamed as <i>safai sanghrakshaks</i> or cleanliness conservators. In urban areas there are 100% individual, public and community toilets. The 238 ULBs intend to construct 1 million toilets which will entail an investment of 1,000 crores. In rural areas 1,500 community toilets with an investment of 225 crores; they will have 16 seats, 8 each for men and women each, with showers.

<sup>14</sup> Presentations were made by the state governments at the National workshop on 'Manual Scavenging and Sanitation' held by the NHRC in August, 2008. Any error herein is regretted as this has not been cross-verified.

<b>Maharashtra</b>	
<b>Number of scavengers and dry latrines</b>	There were 1,40,000 dry latrines and 6 lakh manual scavengers.
<b>No. of scavengers rehabilitated</b>	All have been rehabilitated.
<b>Initiatives/Schemes</b>	TISS conducted a survey in June 2005 which revealed the existence of 169 dry latrines and 55 manual scavengers who have been rehabilitated since then. In March 2008, Rs. 64 crores was spent on rehabilitation schemes. Now, only the descendents remain to be rehabilitated.
<b>Manipur, Meghalaya</b>	
<b>Number of scavengers and dry latrines</b>	In Manipur, the 1993 Act has not been adopted as there are open pit latrines. There are no dry latrines and manual scavengers. Meghalaya did have manual scavengers, mainly from the Sikh community whom the British had taken to Meghalaya for this purpose. As per a survey in 2006 that was completed in 2008, 160 manual scavengers reportedly existed and 447 dependents. Twelve families migrated to Punjab.
<b>Number of scavengers rehabilitated</b>	In Meghalaya, Problems were encountered in their rehabilitation. 568 erstwhile scavengers were rehabilitated. Some work as safai karamcharis. People were reluctant to rent a house to them: even banks were reluctant to give loans to them. They could not own land owing to their migrant status.
<b>Initiatives/Schemes</b>	By 2005, about 3,000 dry latrines had been converted.
<b>Sikkim</b>	
<b>Status</b>	Has not adopted the 1993 Act as dry latrines do not exist in the state. The government of Sikkim had constructed public toilets extensively throughout the state, which is largely covered by wet latrines. Manual scavengers do not exist. There is a culture of self cleaning in Sikkim.
<b>Orissa</b>	
<b>Number of scavengers and dry latrines</b>	The state government asserts that by July 2008, there were 16,618 manual scavengers and their dependents. 103 ULBs report no dry latrine
<b>Number of scavengers rehabilitated</b>	4,000 manual scavengers have been rehabilitated, 12,618 remain.
<b>Initiatives/Schemes</b>	Banks are reluctant to sanction their applications. Many of them have got jobs. However, the survey conducted by the government is not considered reliable.
<b>Punjab</b>	
<b>Number of scavengers and dry latrines</b>	Two surveys had been conducted; one in 1991-92 and the other in 2000. A total of 2,945 scavengers have since been rehabilitated. The survey of 1998-99 had yielded a figure of 1,28,000 dry latrines; post which wet latrines were constructed.
<b>Number of scavengers rehabilitated</b>	There were no manual scavengers in either rural or urban areas. There were no dry latrines in rural areas. However, in urban areas there might be cases which have gone unreported and not covered in the government sponsored survey.

<b>Initiatives/Schemes</b>	The government had advertised in the leading newspapers that any manual scavenger could come forward with an application. No clearance or license is given to a building if it does not have wet latrines.
<b>Tamil Nadu</b>	
<b>Number of scavengers and dry latrines</b>	In the year 1992-93 there were 35,561 manual scavengers and their dependents. A resurvey was conducted in 2007-08 at the behest of the government following which 26,350 manual scavengers were registered. The government identified 22,811 people as manual scavengers and their dependents.
<b>Number of scavengers rehabilitated</b>	GOI (Government of India) released funds to the tune of Rs. 56.8 crores, out of which Rs. 35 crores were spent. About 29,291 scavengers have been rehabilitated, 6,022 remain to be rehabilitated.
<b>Initiatives/Schemes</b>	There are no manual scavengers now, as dry latrines no longer existed in the state. About 13,101 manual scavengers were to be given skills training at an expense of Rs. 18.4 crores out of which Rs. 6 crores have been released. Banks are reluctant to issue loans to them.
<b>Uttar Pradesh</b>	
<b>Number of scavengers and dry latrines</b>	In 1992-93 existence of 2,69,000 scavengers was reported. A survey in 2005-06 revealed a figure of 20,329 and 84,252 dependents. In 2008 about 409 scavengers and their dependents have been ascertained.
<b>Number of scavengers rehabilitated</b>	Between the period 1992-93 and 2007-08 about 2,56,000 scavengers have benefitted from government schemes (rehabilitation and subsidy). The remaining 409 scavengers are undergoing training. The subsidy for toilet construction is only for BPL families or Economically Weaker Sections (EWS) and not for APL.
<b>Initiatives/Schemes</b>	Total of Rs. 19 crores were sanctioned, out of which Rs. 6 crores have been received. Notices were issued to all dry latrine owners to convert to wet ones; 27,114 prosecutions were filed; 1,153 fines have been imposed; 4,209 dry latrines have been demolished; 1,18,000 have been converted to wet ones. A total of 2,24,838 latrines were constructed through schemes. In 2005-06, 2,22,165 dry latrines belonging to EWS and 69,907 belonging to APL families existed. All of them have been converted. An estimated 2,00,000 people were using rooftops for defecation, which were later cleaned by manual scavengers. This issue has not been addressed. 431 crores of rupees have been spent. The occupations in which manual scavengers have been rehabilitated typically are book binding, tailoring, security guards etc. The government of Uttar Pradesh admits that there is discrepancy in data that exists in relation to manual scavengers.
<b>Uttarakhand</b>	
<b>Number of scavengers and dry latrines</b>	Has adopted the Act. A survey in 2001 revealed a figure of 1970 manual scavengers. A later survey, conducted in urban municipalities; an estimated 58 out of 63 municipalities were covered and no dry latrines were reported. However, 13,519 houses were reported without latrines.
<b>Number of scavengers rehabilitated</b>	1,610 have been rehabilitated and trained to pursue other occupations.

<b>Initiatives/Schemes</b>	The Social Work department is carrying out survey in the rural areas.
<b>West Bengal</b>	
<b>Number of scavengers and dry latrines</b>	The government claims that no manual scavengers exist in the state. Nonetheless, around 10,000 scavengers were employed in the ULBs according to a municipal survey. There were no dry latrines in the state.
<b>Number of scavengers rehabilitated</b>	5,265 scavengers were 'liberated' besides the scavengers who were directly employed in the municipalities.
<b>Initiatives/Schemes</b>	Up to 2,65,000 wet latrines had been constructed in the state and given to EWS/BPL families. By March '08 no manual scavengers and no dry latrines existed in West Bengal. Wide disparity in data exists.
<b>Delhi</b>	
<b>Number of scavengers and dry latrines</b>	17,470 manual scavengers according to a survey done in 1991-92, In 2001 a survey was done by Delhi School of Social Work (DSW) which brought out a figure of 7,961 manual scavengers in Delhi, Approximately 26,000 dry latrines existed in Delhi; 10,365 were converted. The onus was on the government to identify scavengers.
<b>Number of scavengers rehabilitated</b>	Rehabilitation was carried out under NSLRS (National Scheme for Liberation and Rehabilitation of Scavengers). All of 7,961 scavengers were rehabilitated in 2003-04. The NSLRS was stopped in 2004-05 and replaced by SRMS (Self - Employment Scheme for Rehabilitation of Manual Scavengers).
<b>Initiatives/Schemes</b>	Interestingly, some manual scavengers went back to scavenging. In a 2007 survey, again done by DSW, certain areas in East Delhi, <i>Seemapuri</i> slum colonies reported presence of some scavengers. There existed latrines that connected into open drains, which were eventually cleaned by manual scavengers using wheel barrows. There were about 1,085 scavengers, most of them being women. There were being trained in alternate, more dignified professions, notwithstanding, they were keen to have government jobs.

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- **WaterDrops** – Quarterly newsletter of WaterAid India
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WaterAid – Water for Life

The UK's only major charity dedicated exclusively to the provision of safe domestic water, sanitation and hygiene education.

## WaterAid

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WaterAid started working in India in 1986. Since 2003, WAI shifted its focus from Southern India to include the poorer states in the north to better target India's most vulnerable communities. Keeping that in mind, the country office was shifted to the nation's capital, New Delhi.

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- Creation of a knowledge base for promotion and dissemination of best practices and advocacy at different levels for policy improvement towards sustainable health and hygiene benefits
- Develop and foster an enabling environment for effective programme implementation, in-country funding, organisational learning and growth



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