

Anti-Manual Scavenging Efforts in India: An Evaluation with respect to Labour Welfare

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**“Manual Scavenging a blot on Indian Society,
Therefore it is our duty, To abolish the Dirty,
To let people to live life with dignity”**

Abstract

Labour are very important assets of an economy. Therefore, welfare of labour is the prime responsibility of any government. Labour welfare was started in 1837. But still our country is facing the problem of inhuman practice of manual scavenging in the era of globalization and technological advancement. This paper attempts to provide some facts behind the enactment of new act, “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”, in the evaluation of the past act and schemes of the government and reason for its failure to abolish and rehabilitate the manual scavengers to solve their problems to achieve the objective of labour welfare in real sense.

Keywords:

Manual scavenging, Abolition and rehabilitation, government efforts, Labour welfare.

Introduction

Labour are very crucial assets of an economy. They are the people who build the pillar of success for any economy. They are responsible for the effective and optimum utilization of country's resources. In actual they are the strength of the country. Hence this strength must be given proper care and privilege by our government. Labour welfare was started in the year 1837 when the British colonies started importing Indian labour.

Labour welfare comprises all those measures which promote the psychological, social, physical and general well-being of the workers. It boosts up the morale of the worker and encourages them to work hard and honestly. With respect to labour welfare, “Are all labour working in healthy and safety environment? Are they realizing the sense of belongingness with other employees and society? Are they willingly doing their work? Are they getting their basic rights?”

From this point of view, I want to focus on the deprived class of society, still facing the problem of manual scavenging are forced to continue this task. In order to abolish this inhuman practice, recently, our government has introduced new act, “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”. When bill

regarding this act was placed in the parliament, then I was shocked to know that the earlier act fails to punish even a single accused. This encouraged evaluating the anti-manual scavenging efforts of the government to abolish the practice of manual scavenging and rehabilitating the manual scavengers, reasons for continuance of this practice and failures of government efforts and the problem faced by scavengers in the socio-economic environment.

By keeping above objectives in view, this study begins with the introduction of labour welfare, meaning and problem of manual scavenging, evaluation of anti-manual efforts of the government and reasons for failures of the government measures and continuance of this practice in the era of globalization and technological advancement. To achieve these objectives various literatures has been reviewed. This study ends with limitations of the study and scope for further research.

Labour Welfare

Labour are very crucial assets of an economy. They are the people who build the pillar of success for any economy. Without labour raw materials, machines and technology will remain unutilized. They are responsible for the effective and optimum utilization of country's resources. In actual they are the strength of the country. Hence this strength must be given proper care and privilege by our government. Labour welfare was started in the year 1837 when the British colonies started importing Indian labour.

Internationally, in 1919, establishment of Industrial Labour Organization (ILO) proves to be the milestones in the history of labour by directing the inevitability of labour legislation to safeguard the interest of labour. According to ILO, labour welfare includes all services, facilities and amenities like recreational, canteen, conveyance, accommodation and all those services which add to improve the conditions of the workers. These efforts include all those actions which promote the psychological, social, physical and general well-being, boosts the morale, encourage hard and honestly working, expanding their opinions and maintain peace at work place. (Papola & Pais, 2007), mentioned that labour are weaker in relation to employer therefore prone to exploitation and need protection. They must be treated equally and respected in the society. (Singh, 2003), stated that labour welfare is necessary for equity and social justice. But is all labour are satisfied? In this view, (Papola & Pais, 2007), emphasized change in the labour regulation in Indian industry. Labour welfare is not static concept and therefore, labour regulations need to be broadened with changing scenario to include each and every occupation.

Manual Scavengers: Meaning & Problems

Despite technological advancement, there are certain labour class, who to perform unhealthy and inhuman practice, facing the problem of untouchability, deprived with their basic rights and living life without dignity. This labour class is known as Manual Scavengers, performing hereditary occupation, unwillingly and forcefully for their empty stomach, sometimes their children also support them to earn livelihood. These categories of labour class are known as 'Bhangi' in our society. Actually, manual scavengers are the people, who take away the human waste (night soil) from insanitary, "dry" toilets. (Commissions, 2011), defined manual scavenging as the practice to remove human excreta manually with the help of brooms and tin plates from dry latrines. Commission explained that, the excreta are loaded into baskets which scavengers carry on their heads to locations sometimes several kilometers from the latrines. (Pathak, 1995), mentioned that this inhuman practice is said to have started in the year 1214 in Europe when the first public toilets appeared. (Suzuki, 2009), has explained this task to be one of the most disgraced work.

This inhuman practice of manual scavenging is caste-based as declared by Brahmins in the past and hereditary occupation for Dalits predominantly linked with forced labour. It is blot on Indian economy. (Masoodi, 2013), mentioned that there are 7,50,000 families still working as manual scavengers (Census 2011). But he emphasized that actually there are around 1.3 million manual scavengers as above data not included the railway employees who have to clean the human waste from the railway tracks.

This inhuman practice has made the life of scavengers miserable. These people perform this task every day for a handful of money. The percentage of female (95%) engaged in this task is more than male. Sometimes their children also support them. (Masoodi, 2013), has shared in his article about the feelings of 57 year old Saraswati a manual scavenger in Farrukhnagar village Ghaziabad, she agreed to do any low profile work but requesting to take out of this practice. These scavengers hesitate to cook food and even they don't take meal due to recall of dirty work. (Medina, 2000), explained the condition of country to be backward, dirty, uncleanness and foulness. He also highlighted various problems of scavengers like, suffering from lot of ailments, high infant mortality rate, low life expectancy and holds lowest position in the society. In society these people are known as untouchables. Even, their children's face discrimination in school, college, work place and other social places. (Wilson, 2012), shared experience and informed that people relate their identity to that of 'Bhangi' whether they have not performed that task. Therefore it is required to boost their status, through abolition of inhuman

practice and rehabilitation of manual scavengers. (Velkova , 2003), stated that scavengers must not be overlooked otherwise their miserable condition further exaggerated. He suggested the government to improve the living standard of the scavengers by setting up of co-operatives.

Objective of the Study

Labour welfare is regarded as key to increase production and productivity. Manual Scavengers are the part of labour class living life of untouchables. In their life, air, water and food are the only essentials to survive life. Dignity has no place in their life. But, is this kind of life can be called as living? If we people are asked to live life without dignity than can we? Obviously no! Then, why nearby 1.3 million people involved in the practice of manual scavenging?”The aim of the study are:

1. To identify the problem faced by manual scavengers and their dependents with respect to social exclusion and inequality.
2. To evaluate anti-manual scavenging efforts of the

government to overcome the problem of inhuman practice by reviewing the welfare schemes and programmes.

3. To identify the reason for failure of government effort and continuation of this practice.

Anti-Manual Scavenging Efforts: An evaluation

Continuation of practice of manual scavenging through many years and discrimination on the basis of caste has deprived people from their social, political and economic rights. The ongoing grip of caste based prejudices and practices challenges self-esteem and dignity. This practice is not only a violation of human rights but also a shame to human dignity and humanity at large. To overcome the problem of this group of labour and for their social inclusion various efforts were initiated by the government. But, the introduction of new act of 2013 put a question mark on the prevailing act. Hence in the light of the introduction of new act 2013, below mentioned are the objectives and evaluation of the prevailing act and schemes of the government:

Category	Efforts	Year of Implementation and Objective	Result of Efforts on the basis of implementation of Act , abolition and rehabilitation of manual scavengers		
Legislature	“Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993”	From 1993 and onwards. To ban the practice of manual scavenging. To prohibit construction and continuance of dry latrines.	Fails to punish even a single person.		
	“The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”	From 2013 and onwards. Prohibition of manual scavenging and rehabilitation of manual scavengers. To widen the definition of manual scavenger.	To overcome the problem of failure of 1993 Act.		
Schemes/ Programmes	Pre-matric Scholarships for the Children of those Engaged in Unclean Occupations	From 1977 and onwards. To provide financial assistance to the children of scavengers to pursue pre -matric education.	Itself contradictory as scholarship is given to the children of those engaged in unclean occupation for at least 100 days in a year.		
	Integrated Low Cost Sanitation Scheme (ILCS)	From 1980 and onwards. To improve sanitation. To provide alternative employment to the liberated scavengers.	At the time of discontinuance of scheme, 794390 latrines serviced by humans notified. Out of 797,112 scavengers, 23.6% rehabilitated and 9.3% retrained.		
	National Scheme of Liberation and Rehabilitation of Scavengers (NSLRS)	From 1992 to 2005. To provide alternative employment and training.	Target 7.70 lakh	Gap 3.42 lakh	
	Nirmal Bharat Abhiyan (NBA)	From 1986 and onwards. To improve quality of life of rural people.	Type IIIII	Target 12.57 crore	Gap 4.19 crore

		To achieve 100% access to sanitation for all rural households by 2022.	School Toilets	13.14 Lakh	1.96 crore	
			Anganwadi toilets	5.06 Lakh	1.09 lakh	
	Integrated Housing and Slum Development Programme (IHSDP)	From 2005 and onwards. To improve condition of urban slums. To provide shelter.	208323 latrines identified to be existed in urban area.			
	Self-Employment Scheme for Rehabilitation of Manual Scavengers (SRMS)	From 2007 and onwards. To recognize scavenger, provide training, loan, subsidy and make them self-employed.	Left from NSLRS.	Identified.	Benefited	Gap
			3.42 lakh	1.18 lakh	78941	39533
	Pay and Use Toilet Scheme.	From 1974 and onwards. To maintain community toilets and baths.	Around 626 million people defecate in the open.			
National Commissions	National Human Right Commission (NHRC)	From 1994 and onwards. To protect and promote human right. To investigate into the violation of right relating to life, liberty, equality and dignity.	Existence of 1.3 million manual scavengers			
	National Commission for Safai Karamcharis (NCSK).	From 1994 to 2010. To promote socio-economic condition. To investigate in implementation of programmes and scheme.				

Various literatures have been reviewed to highlight the ineffectiveness and carelessness of the government efforts. (Narula, 2008-09), revealed that the caste problem (the problem of untouchables), still exists despite of enactment of various laws. (UNDP, 2012), Ms. Mona Mishra (Executive Officer, UNDP) pointed out about failure of Act 1993 as well as the other initiatives by government and civil society organizations to address the problems of manual scavengers. Mr. Bezwada Wilson (National Convener, Safai Karamchari Andolan) highlighted on the failure of Act 1993 to punish even the single person in 19 years of its implementation. He also pointed out the ineffective performance of NSLRS with regard to utilization of funds. Mr. Coen Kompier (Senior Specialist, ILO) emphasized inadequate implementations of the laws at ground level. (Suzuki, 2009), observed that the main reason behind socio-economic

backwardness of these class is lack of awareness and inefficiency of the government efforts. He also stated that very little success have been achieved with various measures. He pointed out three fronts for poor achievement i.e. ineffective implementation of the law, unsatisfactory results of replacement of dry latrines and no optimistic change with respect to rehabilitation. (Joshi, Morgan, & Fawcett), found unsuccessfulness of integrated low cost sanitation technology in handling of human waste and/or

other wastes and achieved little triumph in conversion of dry latrines and rehabilitation of scavengers as of 797,112 reckoned scavengers, only 23.6% rehabilitated and 9.3% retrained. Also benefits do not reach to the actual beneficiaries because those who were rehabilitated were not poor but are in better socio-economic conditions. Due to increasing urbanization, demand for manual scavengers goes on increasing. (Suzuki, 2009), emphasized on four times steady increase in the cleaning jobs in Delhi for public sanitation. (Rahtriya Garima Abhiyan, 2013), pointed out Indian Railway to be the largest employer of manual scavenger. These people are employed at a very low wage rate. Therefore, railways were not finding alternative to this inhuman practice. (Paul, 2013), emphasized on the indifferent attitude of the state governments in the implementation of the law by denying the fact of existence of the manual scavengers. He also highlighted that ignorant of Muslim community and female scavengers are the main reason for the failure of rehabilitation schemes. He also focused that some of the programmes were contradictory like pre-matric scholarship scheme which states that if they are in employment for at least 100 days per year than only their child will get scholarship. Hence there is wide gap between proposed and actual performance and also deserving and actual beneficiaries. In reality, efforts of the government are alive in the files of the government but in actual they are almost dead. Therefore, new act 2013 has

been introduced to deal with the problem more strictly.

Government Failures and Reason for Continuance of Practice

After 66 years of independent India, lot of scientific and technological advancement and world integration, our country fails to liberate and rehabilitate around 1.3 million of people caught in the grip of inhuman practice. (Rahtriya

Garima Abhiyan, 2013), focus on the failure of government programmes due to scanty financial support and deficiency of consistent number of manual scavengers. (Paul, 2013), explains caste prejudices as major cause of manual scavenging. There are various reasons for persistence of inhuman practice of manual scavenging and government failures:

Cause	Effect
Caste Prejudices	Society fails to accept. Forced to continue their hereditary occupation.
Male focused	98% female enslaved by oppressive practice.
Legal Deficiency	Fails to implement equally and effective. Long Procedures. Implementation depends on the consent of States.
Self-defeating schemes and programmes	Provides incentive to continue this practice.
Ineffective monitoring committee	Gap between actual and deserving beneficiaries.
Ignorance of Muslim Community	Imprisoned in this practice.
Faulty Surveys	Left many deserving people.
Acute Poverty	Propagated practice for centuries.
Illiteracy	Lack of Awareness. Meager Knowledge of Rights. Fails to fight against exploitation.
Corruption and turmoil	Faulty survey. Misleading to Deserving People. Mis-utilization and underutilization of Funds.
Lack of Alternate Jobs	Continue as hereditary occupation.
Social and economic Discrimination	Remains untouchables. Force to continue hereditary occupation.

To overcome the above failures government has enacted the new act namely, “The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”. In this act, various people were included indulged in such type of practice. The provisions under this act are more rigorous as compared to other.

Limitations of the Study

This study has been conducted in the light of efforts of the government and there critical evaluation from the general point of view of its implementation and rehabilitation. However, this study can also be conducted from the perspective of Gandhi's approaches and B. R. Ambedkar approach. Also comparative study can be conducted between two approaches.

Scope for Researcher

With ever-increasing population and urbanization, this problem is aggravated. Therefore more and more research is required to be conducted to bring equality among people and to do justice with independence. Research must be conducted to bridge the gap between proposed and actual target and to create awareness, then only the dream of 'Nirmal Bharat' will come true.

Suggestions and Remedies

Hence it is clear that despite scientific and technological advancement on various fronts that saves the manual labour, the practice of manual scavenging continues to exist in India. There are very simple and low cost alternatives available in this era which can solve both the problem of manual scavenging and safe disposable of human excreta. (Velkova , 2003), highlighted on the separation of all household waste including biodegradable waste which have combined effect for both the municipalities and the households.

In order to remove this disgrace from Indian society, all the bodies and government have to work together with honesty and humanity. Government must import technology to improve the aggravated conditions of railways, the largest violator of the law. All the rules and regulations must be followed strictly and violator of the law must be punished. There must be fixed deadline to overcome the problem and that deadline must not be crossed. One agency must be formed in each and every state to conduct surveys regarding potential beneficiaries and feedback must be taken.

Also checkpoints of development must not be measured only on the basis of existence of malls, flyovers, availability

of metros, etc. but it must be measured on the basis of absence of discrimination on any ground and for all this, awareness of rights and schemes among manual scavengers is very essential for their upliftment.

Liberation and rehabilitation both are equally important then only there will be positive relation between abolition of manual scavengers and labour welfare through their rehabilitation. One more thing which is equally important is to give them dignity and the respectful status in the society and for this we have to take steps forward. We must pledge not to discriminate and relate their identity with their past.

Conclusion

Although various anti-manual scavenging efforts were taken by the government after independence but existence of 1.3 million manual scavengers reveals that those efforts were neither in right direction nor very stringent. Government was very liberal in implementing laws, schemes and programmes. Indian railway under the monopoly control of the government, itself is the largest violator of the law, this itself is sufficient to prove the ineffectiveness and liberal approach of the government to deal with the problem.

“Hate the crime not the criminal similarly hates to defile not the manual scavenger”.

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