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The Dark Side of Sanitation in India: Manual Scavenging

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ABSTRACT

Manual scavenging is an issue which has been prevalent in India for quite some time. Despite measures taken by the Government of India to ban the practice, the ground reality of the issue is quite eye shocking.

The practice of manual scavenging relating to dry latrines was illegalised in the year 1993. In the year 2013, a law was enacted in this regard known as The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013² (hereinafter referred to as the Act). The Act aims to prohibit the employment of manual scavengers in India and rehabilitate manual scavengers along with their families.

However, according to the India Census 2011³ of The Registrar General and Census Commissioner of India, there are still more than 2.6 million dry latrines in the country. According to the survey conducted by National Safai Karamcharis Finance and Development Corporation (NSKFDC) on the behalf of Ministry of Social Justice and Empowerment⁴, roughly 170 districts were identified for survey in 18 different states of India. From the survey, it was concluded that nearly 87913 manual scavengers can be identified in India as on 20 August 2019.

Hence, this paper will focus on the various Acts and schemes which are in existence to prohibit the practice of manual scavenging and accordingly compare it with their actual implementation at the grassroots level in India.

Keywords: *Manual Scavenging, Swachh Bharat Abhiyan, NHRC.*

I. INTRODUCTION

Manual scavenging refers to “manually cleaning, carrying, disposing of or handling in any manner, human excreta from the insanitary latrines or on a railway track before the excreta

¹ Author is a student at Amity Law School, Noida, India.

² The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, No. 25, Acts of Parliament (India).

³ OFFICE OF THE REGISTRAR GENERAL & CENSUS COMMISSIONER, INDIA MINISTRY OF HOME AFFAIRS, GOVERNMENT OF INDIA, https://censusindia.gov.in/2011census/population_enumeration.html?q=manual+scavenger (last visited March 04, 2021).

⁴ NATIONAL SAFAI KARAMCHARIS FINANCE AND DEVELOPMENT CORPORATION (NSKFDC), <https://nskfdc.nic.in/en/content/home/ms-survey-2018> (last visited March 04, 2021).

fully decomposes.”⁵

Insanitary latrine is such which “requires human excreta to be cleaned or handled manually, either in situ or in an open drain or in a pit into which the excreta is discharged or flushed out before it fully decomposes.”⁶

The International Labour Organisation (ILO) identifies 3 forms of manual scavenging as follows:

1. “removal of human excreta from public streets and dry latrines
2. cleaning septic tanks
3. cleaning gutters and sewers”⁷

The practice of manual scavenging is against the human rights and a basic level of dignity. This is one of the reasons why the practice of manual scavenging has been banned in India. It is also in direct contravention with the international human rights as guaranteed and provided by the Universal Declaration of Human Rights (UDHR) and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) to which India is a part of.

However, even after these legislations have been passed by the government of India, this hazardous practice is still prevalent in many parts of country. Many individuals are still involved in this practice despite there being mechanical, cheaper and safer ways for a proper disposal of the human excreta.

II. NEED TO BAN MANUAL SCAVENGING

There are a lot of health risks involved with the process of scavenging. Undoubtedly, the entire process has a negative effect on the health of the people involved. Clearly, the working conditions are unsanitary to a point where it is difficult for a person to breathe even. There is a direct exposure to a variety of harmful gases like methane and hydrogen sulfide which are emitted in pits and drains containing human excreta. Constant exposure to these gases in poor ventilated areas can lead to various respiratory diseases including severe coughing, difficulty breathing, fluid lungs, etc. Other health hazards include cardiovascular degeneration and

⁵ The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, § 2(g), No. 25, Acts of Parliament (India).

⁶ The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, § 2(e), No. 25, Acts of Parliament (India).

⁷ NATIONAL CONFERENCE ON PROMOTION OF EQUALITY AT WORK IN INDIA: MANUAL SCAVENGING PROJECT, “BACKGROUND”, http://idsn.org/fileadmin/user_folder/pdf/New_files/Key_Issues/Manual_scavenging/2012/Background_note_on_ILO_conference.pdf (last visited March 04, 2021), and GITA RAMASWAMY, INDIA STINKING: MANUAL SCAVENGERS IN ANDHRA PRADESH AND THEIR WORK page no. 3 (Navayana Publishing, 2005).

infections like hepatitis, various skin problems, leptospirosis, etc.

Moreover, to make matters worse, many manual scavengers are not provided with the necessary protective gear to protect them from such harmful gases. The absence of such gears can lead to Tuberculosis, rotavirus infection, worms, hepatitis A, salmonella infection, etc. This can be linked to non-mentioning of the word “protective gear” anywhere in the Act.

The practice of scavenging is also correlated with a lot of social stigma. The workers involved face a lot of disgrace from the society, which can be linked to the caste system which is somewhere still prevalent in India since these workers are generally considered to be “untouchable”. It is important here to note that the practice of untouchability was abolished via the Constitution of India⁸ and The Protection Of Civil Rights Act, 1955⁹

The employment of workers to clean dry unsanitary latrines is further in direct contravention to the Preamble¹⁰ to the Constitution of India which ensures dignity to an individual. It also violates the fundamental rights guaranteed under Article 17¹¹ and Article 21¹² of the Constitution of India. The practice also violates various provisions of the international conventions to which India is a party.

III. HISTORY OF SCAVENGING IN INDIA

The practice of manual scavenging has been in existence since the beginning of the human civilisation¹³. Scavenging was considered to be one of the duties of a slave in the Budhhist and the Maurya period as mentioned in the Naradiya Samhita.¹⁴

In the modern history, the practice of manual scavenging was linked to the caste system which is still prevalent in India even though the caste system as abolished in 1950 via the Constitution of India.¹⁵ Manual scavenging is usually linked to the Dalits in India who still face

⁸ INDIA CONST. art. 17

⁹ The Protection Of Civil Rights Act, 1955, No. 22, Acts of Parliament (India).

¹⁰ INDIA CONST. preamble, added by the 42nd constitutional amendment, 1976: “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”.

¹¹ INDIA CONST. art. 17: Abolition of Untouchability - Untouchability is abolished and its practice in any form is forbidden The enforcement of any disability arising out of Untouchability shall be an offence punishable in accordance with law.

¹² INDIA CONST. art. 21; Protection of life and personal liberty - No person shall be deprived of his life or personal liberty except according to procedure established by law.

¹³ BINDESHWAR PATHAK, ROAD TO FREEDOM: A SOCIOLOGICAL STUDY ON THE ABOLITION OF SCAVENGING IN INDIA pg. no. 37 (Motilal Banarsidass Publisher, 1999).

¹⁴ BINDESHWAR PATHAK, ROAD TO FREEDOM: A SOCIOLOGICAL STUDY ON THE ABOLITION OF SCAVENGING IN INDIA pg. no. 38 (Motilal Banarsidass Publisher, 1999).

¹⁵ INDIA CONST. art. 14, and INDIA CONST. art. 15.

discrimination and oppression based on the caste system. The term *bhangi* is often used to refer those people who are engaged in the practice of manual scavenging and is often considered to be a derogatory term.¹⁶

G.S. Lakshman Iyer, (who was a freedom fighter) was the first person in India to ban manual scavenging. He did this in the late 1950s while he was the Chairman of Gobichettipalayam Municipality of Tamil Nadu. It was the first official body of India to ban the practice of scavenging.

IV. LEGAL STANDPOINT

In 1993, the employment of manual scavengers to clean dry toilets and the construction of dry toilets was prohibited via the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993¹⁷. This Act provides for a punishment equal to an imprisonment for a maximum term of one year or a maximum fine of two thousand rupees, or both.”¹⁸ It also provides for an additional fine which may extend to 200 rupees for each subsequent day of the contravention to this Act.¹⁹

In 2013, The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013²⁰ was passed by the Parliament of India with the objective of completely banning the employment of manual scavengers in India and to rehabilitate them as well as their families via identification through a mandatory survey. The Act provides for “imprisonment for a maximum term of one year or with a maximum fine of fifty thousand rupees or with both.”²¹ The Act also provides for subsequent contravention with its Sections 5 or 6 which amounts to an imprisonment for a maximum term of two years or with a maximum fine of one lakh rupees or with both.²²

Any person, agency or local authority employing anyone for cleaning of sewers or septic tanks for the first contravention will be punishable with a maximum imprisonment of two years or with a maximum fine of two lakh rupees or with both. In case of any subsequent contravention,

¹⁶ Shikha Silliman Bhattacharjee, Cleaning Human Waste “Manual Scavenging,” Caste, and Discrimination in India, 978-1-62313-1838, 1 (2014).

¹⁷ Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, No. 46, Acts of Parliament (India).

¹⁸ Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, §14, No. 46, Acts of Parliament (India).

¹⁹ *Id.* at 14.

²⁰ The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, No. 25, Acts of Parliament (India).

²¹ The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, §8, No. 25, Acts of Parliament (India).

²² *Id.* at 25.

punishment will be a maximum imprisonment of five years or with a maximum fine of five lakh rupees or with both.²³

In *Safai Karamchari Andolan And Ors vs Union Of India And Ors*²⁴, the Hon'ble Supreme Court of India proclaimed that the official figures which put the number of scavengers in India around 70,000 is disputed since there were still around 96 lakh dry latrines which were being manually emptied. This case also mandated a compensation of ten lakh rupees to those who die due to the process of scavenging.

At the international levels as well, the inhuman practice of scavenging is described due to its incidence in other countries as well such as in Pakistan and Bangladesh. Articles 1²⁵, Article 2²⁶, Article 3²⁷ and 23(3)²⁸ of the Universal Declaration of Human Rights (UDHR)²⁹ clearly talk about the dignity, liberty of an individual as well as the protection from distinction of any kind. Whereas Article 2³⁰ and Article 2(c)³¹ of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD)³² also talk about ending racial distinction wherever it exists, as clearly enumerated in the case of *Safai Karamchari Andolan And Ors vs Union Of India And Ors*³³.

V. SCHEMES IMPLEMENTED BY THE GOVERNMENT OF INDIA

There are various legislations supplemented by the administrative schemes and policies which are implemented by the government to prevent people from being employed in this work.

²³ The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, §9, No. 25, Acts of Parliament (India).

²⁴ *Safai Karamchari Andolan And Ors vs Union Of India And Ors*, 2005 (5) SCALE 267 (India).

²⁵ Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

²⁶ Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

²⁷ Article 3: Everyone has the right to life, liberty and security of person.

²⁸ Article 23(3): Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

²⁹ UNIVERSAL DECLARATION OF HUMAN RIGHTS, <https://www.un.org/en/universal-declaration-human-rights/> (last visited March 04, 2021).

³⁰ Article 2: States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end.

³¹ Article 2(c): Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists.

³² INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION, <https://www.ohchr.org/en/professionalinterest/pages/cerd.aspx> (last visited March 04, 2021).

³³ *Safai Karamchari Andolan And Ors vs Union Of India And Ors*, 2005 (5) SCALE 267 (India).

(A) Sanitation Schemes

India has allocated budget and resources in order to modernise the sanitisation and bring it at par with the other countries. The various schemes include the Integrated Development of Small and Medium Towns Scheme (1969), Sulabh Shauchalaya (simple latrines) Scheme (1974), the Integrated Low-Cost Sanitation Scheme (1981), the Low-Cost Sanitation for Liberation of Manual Scavengers Scheme, 1989, and the Total Sanitation Campaign, 1999 [which was later renamed Nirmal Bharat Abhiyan (Clean India Campaign)].

However, these schemes are still far from achieving the objective for which they were launched initially. According to the 2014 reports of the WHO and UNICEF, India has roughly more than 792 million people without access to improved sanitation which accounts for nearly a third of the total people without sanitation globally which is roughly 2.5 billion.³⁴

(B) Rehabilitation Schemes

There are several national schemes like - The National Scheme of Liberation of Scavengers and their Dependents, 1992 and the Scheme for Self-Employment for Rehabilitation of Manual Scavengers. There is also the Scheme for Rehabilitation of Manual Scavengers (SRMS) which is a scheme of Ministry of Social Justice and Empowerment (MSJE), Government of India. It aims to remove this inhuman practice and provide alternate means of livelihood to manual scavengers.

India also has two commissions to monitor the extent and the operation of the law to ban the practice – The National Commission for Safai Karamchari and National Safai Karamcharis Finance and Development Corporation.

VI. CURRENT SCENARIO

According to the 2019 survey conducted by National Safai Karamcharis Finance and Development Corporation (NSKFDC) on the behalf of Ministry of Social Justice and Empowerment³⁵, the highest number of persons registered for doing the work of scavenging was Uttar Pradesh (41068) followed by Madhya Pradesh (8572) and Uttarakhand (7440) out of the total 18 States which were taken for the survey. The State having the least number of workers was Telengana (288).

Further, according to the reply given by the Social Justice and Empowerment (SJE) Ministry

³⁴ World Health Organization and UNICEF, http://www.wssinfo.org/fileadmin/user_upload/resources/JMP_report_2014_webENG.pdf (last visited March 04, 2021), p. 9.

³⁵ NATIONAL SAFAI KARAMCHARIS FINANCE AND DEVELOPMENT CORPORATION (NSKFDC) *supra* note 4.

to the Lok Sabha on 11 February 2020, the number of people who lost their lives while cleaning sewers and septic tanks in India increased by roughly 62% from 68 in 2018 to 110 in 2019.³⁶

This clearly depicts that the practice is still prevalent even though it was held to be illegal by virtue of the Acts³⁷ passed. Even the Hon'ble Supreme of India directed the State governments and the Union Territories to implement the Acts absolutely and to take appropriate measures for their non-implementation as well as violation of the 2013 Act.³⁸

One of the major contributors in this regard could be the Indian Railways which still has no proper disposal of the human excreta, having one of the longest trails of open latrines in the world. To give an idea into the extent of the contribution by Indian Railways, one can note that the network of the Indian Railways was roughly 67,415 in kms as calculated in the year 2018-19 by Indian Railways itself.³⁹

Another such reason could be the low budget spending by the Government of India to rectify this issue. "An example that demonstrates the apathy of the government is the fact that none of the Rupees 100 Crore (1,000 million) allocated in the budgets for financial years 2011-12 and 2012-13 was spent."⁴⁰

VII. REASONS FOR FAILURE OF THE ACT AND CONTINUANCE OF MANUAL SCAVENGING

Several states of India have failed to recognise and implement the Acts for a very simple reason - their denial in the existence of dry latrines and manual scavengers working on the same. This in turn makes it difficult to provide relief to the scavengers employed in the State. There exists a lot of discrepancy in the data of the national survey for the identification of manual scavengers and the dry latrines in any particular State. According to the report of the National Commission for Safai Karamchari and National Safai Karamcharis Finance and Development Corporation for 2016-2017, there is an usual disproportion between the dry latrines mentioned (roughly 26 lakhs) and the manual scavengers identified (roughly 12,742).⁴¹

³⁶ Damini Nath, *110 deaths by cleaning sewers, septic tanks in 2019*, The Hindu, (February 11, 2020, 22:55), <https://www.thehindu.com/news/national/110-deaths-by-cleaning-sewers-septic-tanks-in-2019/article30795201.ece>.

³⁷ Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, No. 46, Acts of Parliament (India), and The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, No. 25, Acts of Parliament (India).

³⁸ *Safai Karamchari Andolan And Ors vs Union Of India And Ors*, 2005, para 15, (5) SCALE 267 (India).

³⁹ INDIAN RAILWAYS, https://indianrailways.gov.in/railwayboard/uploads/directorate/stat_econ/Year_Book/Year%20Book%202018-19-English.pdf (last visited March 04, 2021).

⁴⁰ BHASHA SINGH, *UNSEEN : THE TRUTH ABOUT INDIA'S MANUAL SCAVENGERS* (Penguin Books 2014).

⁴¹ CENTRE FOR LAW & POLICY RESEARCH, <https://clpr.org.in/blog/review-of-data-on-survey-and->

Further, the Act bans manual scavenging only for the workers who are not provided with a protective gear and fails to define the scope and meaning of the words ‘protective gear’.

The Act also fails to lay down the responsibilities of the States and the Centre and subsequent punishment for the non-compliance of the Act.

The caste-based oppression which majorly associates with this work has not clearly been highlighted under the Act. Only the financial aspect of the oppression rather than the social atrocities faced by Dalits, women and Muslim communities who are also engaged in this work has been covered.

Additionally, the provisions of the Act are somewhat self-defeating. The Act provides for scholarship for the children of the families involved in this occupation. That means that benefit will be provided to the children of a manual scavenger who has been employed in this work for atleast 100 days in a year. This is a great incentive for a parent to continue this work in order to provide better opportunities to his/her child which may otherwise seem unaffordable.

Another major drawback of the Act is that it does not recognises women manual scavengers who make up to 98 percentage of the workforce. The government programmes clearly fail to recognise the atrocities and the oppression faced by them.

The lack of a national/state level body to implement the Acts implemented could be another reason.

VIII. SWACHH BHARAT ABHIYAN VIS-À-VIS MANUAL SCAVENGING

In 2014, Hon’ble Prime Minister of India Sri Narendra Modi introduced the Swachh Bharat Abhiyan which aims to eliminate open defecation, eradicate manual scavengers, bring a change in the sanitation practices, among other objectives. The mission aimed to make India free from open defecation by October 2019.

The Swachh Survekshan Annual Cleanliness Survey commissioned by the Ministry of Urban Development checks and ranks the progress of the States and cities in terms of the impact of Swachh Bharat Mission.

Ever since the incorporation of the Swachh Bharat Abhiyan, roughly 10,77,38,40 household toilets have been constructed according to the official data.⁴² Therefore, the progress from the year 2014 till date is approximately 99.94 percent.

identification-of-manual-scavengers/ (last visited March 04, 2021).

⁴² SWACHH BHARAT MISSION (GRAMEEN), <https://sbm.gov.in/sbmdashboard/IHHL.aspx> (last visited March 05, 2021).

The toilets constructed under this scheme are either connected to sewage lines, twin pit, septic tanks with soak pits or single pit. However, even with the high construction of such sanitary latrines, the objective to bring an end towards the practice of manual scavenging is somewhat defeated because septic tanks with soak pits and single pits require manual or mechanical extraction of fecal matter after a certain period of time, say one year. Since most of these have been constructed in villages where there may be non-availability of mechanical process to remove the fecal matter mechanically, the practice manual extraction will still prevail, even though delayed by a couple of months.

To sum it up, Swachh Bharat Abhiyan has worked at the grassroot level towards the problem of manual scavenging by installing sanitary pits or latrines in such a huge number in every city/village. However, this abhiyan has worked towards increasing sanitisation but has somewhat still ignored those who are left to clean the waste.

IX. NHRC'S ROLE

The National Human Rights Commission (NHRC) of India is a statutory public body established in 1993 under Protection of Human Rights Act, 1993 (PHRA). The main object of the commission is to promote and protect human rights of an individual as guaranteed under the Constitution of India and embodied in the International Conventions applicable in India.

The NHRC has felt that the report given by various states may be untrue since many states are claiming the number of manual scavengers to be zero in their respective territories, which in fact isn't true on practical terms since a large number of dry latrines still exist in those territories. Therefore, the NHRC feels strongly about fixing accountability in cases of false reporting by States in territories of India.

The commission has hence given various recommendations to the concerned authorities of the Central and State government, ministries under Home Affairs, Finance, Social Justice and Empowerment.⁴³ Some of those recommendations are:

- Initiation of rehabilitation process of manual scavengers under the schemes applicable and timely revisitation to check up on them and their families.
- Increase in the amount of one-time cash compensation.
- Strict action against authorities which are still employing manual scavengers.
- The National Crime Research Bureau (NCRB) to monitor deaths caused by such work.

⁴³ NATIONAL HUMAN RIGHTS COMMISSION, INDIA, <https://nhrc.nic.in/media/press-release/nhrc-holds-zero-manual-scavenging-claims-many-states-far-truth-recommends-action> (last visited March 04, 2021).

- Appropriate plan to be made by the government to shift to technology to clean human excreta and waste and accordingly employ and train people to use this technology.
- Establishment of a monitoring mechanism following the SOP under Section 24 of The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013⁴⁴.
- Need to have a police investigating officer with special training under the SC/ST Atrocities Act, 1989⁴⁵, the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013⁴⁶ and the Supreme Court judgement in *Safai Karamchari Andolan & Ors. Vs. Union of India and Ors.*⁴⁷
- Further, an officer-in charge of an area should submit a declaration to the local civic body that the necessary protective gear is being provided to people before entering the sewer/pit.

X. WAY FORWARD

According to the 2019 National Statistical Office (NSO)⁴⁸, roughly 71% households have access to toilets. This is drastically a great number as compared to 2014 since many new rural households now have access to toilets.

However, the Centre was claiming this number to be around 95%. This shows that even though initiatives have effectively been taken up by the government, they still somewhere lacked in the proper implementation.

According to the data, the next challenge will be the waste disposal since only 10% of the toilets constructed under the Swachh Bharat Scheme have been constructed with twin pit. This will in turn increase the dependency on manual scavengers for waste disposal.

The Central Government in September 2020 planned to propose a bill to make the law banning manual scavenging more rigorous by mechanising the process of cleaning the septic tanks, sewer and pits as well as a legal mechanism for providing compensation to those affected. However, in March 2021, Minister of State for Social Justice and Empowerment Shri Ramdas Athawale informed the parliament that the Centre currently has no plan to amend the law.

⁴⁴ The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, No. 25, Acts of Parliament (India).

⁴⁵ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act, 1989, No. 33, Acts of Parliament (India).

⁴⁶ The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, No. 25, Acts of Parliament (India).

⁴⁷ *Safai Karamchari Andolan & Ors. Vs. Union of India and Ors.* 2014(4) SCALE165 (India).

⁴⁸ Ministry of Statistics and Programme Implementation, *More on NSS report no.584: Drinking Water, Sanitation, Hygiene and Housing condition in India, NSS 76th round (July –December 2018)*, PRESS INFORMATION BUREAU, Nov. 23, 2019, 5:13PM, <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1593252>.

XI. RECOMMENDATIONS

Unfortunately, the problem will persist until a better legislation is not passed in this effect. The government needs to realise the urgency and necessity to either propose a new law or to amend the existing legislations in order to provide relief to those deeply affected by this work.

The effective implementation of the existing Acts is only possible by the local civic bodies who should periodically conduct a true and correct survey to identify all those engaged in the practice of manual scavenging without hiding the actual figures. The survey should further include all those employed in cleaning the septic tanks or sewage as well those who clean the open excreta from other places. Moreover, the survey should not just be limited to individuals belonging to Scheduled Castes and Scheduled Tribes but to people belonging to the minorities such as Muslims and members of other religion as discussed above as well.

Only after a correct number is identified, the rehabilitation schemes and compensation can be adequately provided to people engaging in this work. The government should also focus on improving the mental and physical health of the individuals and to provide them with appropriate training to start working in some other profession.

However, this can only be made possible by creating a central and transparent database to track the application status of each individual who can further access the success of his/her application.

Until all these are implemented, the State government and local bodies should ensure that in case anyone is still engaging in manual cleaning due to lack of any other option, proper equipment gear should be provided along with a periodic physical check-up of the health of such individuals.
