

## The Overlooked Price of Keeping India Clean

### Introduction

The results of a nationally representative survey in 2014 shocked India. According to the survey, one in every four Indians, across all religious and caste groups, still believed in untouchability approximately seven decades after the abolishment of untouchability by the Constitution of India.<sup>1</sup> An extension of this social practice was a type of work broadly referred to as manual scavenging. Manual scavenging was a term widely used in India that described a human's act of disposing of another human's faeces using their bare hands. At the time of writing, approximately one million scavengers still worked in very poor conditions, with little regard for their physical and psychological wellbeing.<sup>2</sup>

Occasionally, the death of a manual scavenger caused a temporary national uproar. After the September 2018 death of a 20-year old manual scavenger in the Indian capital of New Delhi during a nationally publicized event, the Delhi Social Welfare Minister announced that he would compensate the family one million rupees.<sup>3</sup> According to the *Rashtriya Garima Abhiyan* (National Campaign for Dignity), 600 people had died in the previous year and a half while working as manual scavengers. These deaths were not specific to the recent past, but the continuation of a long history of struggle for a marginalized ethnic group called Dalits.

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<sup>1</sup> "Biggest Caste Survey: One in Four Indians Admit to Practicing Untouchability", *The Indian Express*, accessed January 29, 2019, [http://www.ncaer.org/news\\_details.php?nID=91](http://www.ncaer.org/news_details.php?nID=91).

<sup>2</sup> "Manual Scavenging: A Stinking Legacy of Suffocation and Stigma." *Down To Earth*, accessed January 31, 2019, <https://www.downtoearth.org.in/news/waste/manual-scavenging-a-stinking-legacy-of-suffocation-and-stigma-61586>.

<sup>3</sup> "Delhi Government To Give Rs 10 Lakh To Family Of Man Who Died In Sewer." *NDTV.com*. September 17, 2018. Accessed January 31, 2019, <https://www.ndtv.com/delhi-news/delhi-government-to-give-rs-10-lakh-to-family-of-man-who-died-in-sewer-1917969>.

This case was written by Nirnaya Bhatta and Dhanya Gopal under the guidance of Namrata Chindakar, Lee Kuan Yew School of Public Policy (LKY School), National University of Singapore. This case is based largely on actual events, with characters and proceedings altered for the purposes of this case study. The case does not reflect the views of the sponsoring organization nor is it intended to suggest correct or incorrect handling of the situation depicted. The case is not intended to serve as a primary source of data and is meant solely for class discussion.

## At the City Government Office

A visit of officials from the National Commission of Safai Karmacharis (NCSK) was due the coming week.<sup>4</sup> Two government officials were discussing the different public complaint applications that had been filed with the City Government Office. It was not unusual to see a hopeful crowd gathered outside the City Government Office, many seeking to draw the attention of a government official to their grievance, after which the official process of addressing an issue would start.

Several columns of complaint files, separated by different categories of applications, lay on a table in the office of the District Officer (DO). The files were arranged according to the urgency that he assigned to a given case category. Cases pertaining to business were addressed first; followed by those related to family feuds and requests to mend public property such as street lights and potholes; and then cases related to district sanitation issues such as overflow of sewage on public streets, claims for death compensation of manual scavengers, and demands for protective gear.

The DO, Ajay Bhatt, was in his mid-50s and had joined the service, as it was colloquially known, 28 years before. He belonged to an upper caste, Kshatriya, and believed that the segregation of professions was a product of a person's 'karma', or deeds of their past life, and served as a final verdict on morality.

His personal assistant, Bhagwan Das, was a lower-caste man in his 40s who had aspired to become an officer when he joined the service two decades earlier. Unlike the DO, he was an inhabitant of the district and was closely acquainted with its local context. Having been in the same office throughout his career, he had had the opportunity to serve a number of DOs who had been posted in this district, and had familiarized himself with their working styles.

Das was briefing Bhatt for the next day's monitoring visit by NCSK officials on the specifics of several sanitation-related complaints (Table 1).

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<sup>4</sup> *Safai Karmacharis* refers to sanitation cleaners. National Commission for Safai Karmacharis (NCSK) was a body constituted in the National Commission for Safai Karmacharis Act 1993 to protect and safeguard the interests of Sai Karmacharis. NCSK's detailed mandate can be accessed here: <http://www.asianage.com/metros/delhi/051018/manual-scavenging-over-600-deaths-in-last-15-years.html>.

<b>Complaint</b>	<b>Applicant(s):</b>	<b>Expected official action</b>
<b>A. Rehabilitation from manual scavenging</b>	Sundari Maya	Cash assistance of INR 40,000 in monthly instalments capped at INR 7000 as mandated by the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013. <sup>5</sup> Further, to exit this line of work and rehabilitate to an alternate occupation, a loan of up to INR 1,000,000 and INR 1,500,000 in the case of work in sanitation related projects under The Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS). <sup>6</sup>
<b>B. Protective gear not distributed to workers in charge of cleaning sewer</b>	8 workers	Authorize distribution of all 44 protective gear items to the workers as mandated in section 2 of the Act. <sup>7</sup>
<b>C. Overflow of sewage</b>	5-6 houses joint complaint	Send sanitation workers to unblock a segment of the sewage, or related ministry to structurally mend the sewer
<b>D. Death of a manual scavenger</b>	Ram Das	Compensate the worker's family with INR 1,000,000 as mandated by the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.

Table 1: Sanitation-related complaints at the DO's Office.

**Bhagwan Das:** Good morning, sir. We have a backlog of complaints that the NCSK officials will bring up during their visit. May I brief you on these pending complaints?

**Ajay Bhatt:** Hello Bhagwan. Go right ahead.

**Bhagwan Das:** The first complaint comes from Sundari Maya. Her son has urged her to apply for the state provision that would help her leave her job of manual scavenging. The print media has recently written about this case. The founder of Safai Karamchari Andolan (SKA),

<sup>5</sup> The details of the Act obtained from <http://nckn.nic.in/sites/default/files/manualsca-act19913635738516382444610.pdf>.

<sup>6</sup> The Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS) | National Safai Karamchari Finance & Development Corporation. Accessed January 29, 2019. <https://nckn.nic.in/en/content/revise-srms/self-employment-scheme-rehabilitation-manual-scavengers-srms>.

<sup>7</sup> The provision of the Act is gathered from <http://www.ielrc.org/content/e1314.pdf>.

the people's movement that campaigns to end manual scavenging, has released a statement on Sundari's ongoing complaint and demands immediate compensation.

**Ajay Bhatt:** Does he provide solutions?

**Bhagwan Das:** The founder, Bezwada Wilson, started SKA in 1988. His efforts contributed to the establishment of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act in 1993. Bezwada Wilson came from a family of manual scavengers and was one of the first Dalits to campaign to end the profession. Because manual scavenging was based on a caste-determined intergenerational system, the first resistance to change came from his parents, who did not wish to revolt against the status-quo.

**Ajay Bhatt:** The underlying problem is the existence of 9.6 million insanitary latrines (dry toilets) today.<sup>8</sup> In reality, this number is probably a lot higher. It is not the first time that an application has been filled asking to discharge a manual scavenger from the job. But the rehabilitation of manual scavengers into mainstream professions does not happen easily because of the strong social stigma that is associated with the 'unclean' nature of work they carry out. For instance, few non-Dalits would willingly associate themselves with manual scavengers. Also, Dalits have been manual scavenging for many generations, and their work is connected to their identity. Many resist change because they do not know any other trade.

**Policy Paradox:** A policy paradox emerges when legislators initiate a new law under public pressure aimed at addressing an issue, but another problem emerges that they may have ignored or failed to anticipate. Every case that was resolved at the City Government Office would create a precedent for others to follow suit, and the supply of manual scavengers could fall sharply. This could lead to other grave problems, such as increased sewage overflow issues that would affect people of all economic strata. To the DO, keeping the manual scavengers at their jobs would contain the problem to one category of profession.'

**Bhagwan Das:** Sir, to move on to the demand made for 44 different protective gear items for each of the eight workers—only five sets of protective gear have been delivered to our office for distribution so far. We need to distribute the delivered protective gear to at least five workers. Several newspapers have recently reported that protective gear has not been disbursed by our office. When there is a shortage, how should we decide which workers receive the gear? Should we hold off on distribution until we receive the remaining sets?

**Ajay Bhatt:** Let me think...okay, distribute the five today, and explain to the rest that they need to come back next week. Meanwhile, can you make a phone call on my behalf to the central office and ask them why our demands have not been fulfilled?

**Bhagwan Das:** Good idea, sir. I will also try to explain the situation to the press. It is a good thing that there has been an increase in demand for protective gear recently. Maybe this is a result of many manual scavenger deaths.

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<sup>8</sup> Data gathered from Supreme Court Writ. Safai Karamchari Andolan And Ors vs Union Of India And Ors on 27 March, 2014. <https://indiankanoon.org/doc/6155772/>.

**Ajay Bhatt:** Perhaps. Could you remind me of the health hazards of manual scavenging without protective gear?

**Bhagwan Das:** Excreta contain pathogens that could cause illness, particularly respiratory diseases. Diseases such as bronchitis, asthma, tuberculosis, typhoid, and gastroenteritis are prevalent among the sewage workers.<sup>9</sup> And injuries are likely to occur at work.

Sir, there is also an application filled by an entire neighbourhood. One of the sewers in front of the district school was overflowing. We have been getting such complaint applications quite frequently.

**Ajay Bhatt:** Why haven't the school or adjacent houses sent manual scavengers to clean the blocked sewage?

**Bhagwan Das:** This may be an infrastructural problem. The application reports that this same sewer was cleaned twice by four manual scavengers within a month. The workers tried to manually unblock the pipes, but it may be better to employ technological remedies. I have heard that some engineers have developed machines that can be lowered into a septic tank to clean the fecal sludge.<sup>10</sup>

**Ajay Bhatt:** I know about these machines, Bhagwan. But we also need sufficient budget to buy them. I have heard that each machine may sell for as much as INR 1,200,000.<sup>11</sup> We will need to raise the request for funds from the State Department. And you know how slowly these requests are processed, what with the number of things they need to attend to.

**Bhagwan Das:** That is true. I will dispatch workers to the site this time. Hopefully we can adopt technological remedies eventually. Let's move on to the final application, which pertains to the death compensation of a 37-year-old man named Raghu Vir. His death certificate has already been issued by the district administration office (DAO), and is attached to his file. Vir died from losing consciousness inside a septic tank. This case needs immediate resolution.

**Ajay Bhatt:** I agree. I will immediately ask for the funds for the death compensation. Delays are not looked upon well in death compensation cases. I hope that the funds get transferred to our office as soon as possible. You may know, Bhagwan, a recent government statistic estimated that across India, one manual scavenger has died every five days while cleaning septic tanks or sewers since 2017.<sup>12</sup> And in fact NCSK claims that the real numbers can be a lot higher than that because many state governments undercount the figures.<sup>13</sup>

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<sup>9</sup> Kumar, Sathish, "A study on occupational hazards faced by manual scavengers: with special reference to social work intervention," *National Journal of Multidisciplinary Research and Development*, 2018, 41-44.

<sup>10</sup> "Technological Solutions, Including Robots, Aim to End Manual Scavenging." *The Wire*, 14 October 2018. <https://thewire.in/labour/technological-solutions-including-robots-aim-to-end-manual-scavenging>.

<sup>11</sup> Ibid.

<sup>12</sup> Safi, Michael. 2018. *'Manual scavenging': death toll of Indian sewer cleaners revealed*. Sep 19. Accessed January 27, 2019. <https://www.theguardian.com/world/2018/sep/19/death-toll-of-indian-sewer-cleaners-revealed-for-first-time>.

<sup>13</sup> Ibid.

**Bhagwan Das:** Why don't state governments release the real numbers?

**Ajay Bhatt:** The number of deaths are only counted for 13 states and Union Territories (UTs) combined out of India's 29 states and 7 UTs.<sup>14</sup> No state would like to earn negative publicity that might hurt the state's reputation and possibly dissuade foreign investment.

### The invisible workers

In 2011, there were 182,505 households in which at least one member was involved in manual scavenging.<sup>15</sup> This means there were at least 182,505 officially identified manual scavengers in India. This number was highly likely to be an underreporting, as many were hesitant to identify themselves as manual scavengers.

The NCSK stated that 666 sanitation workers died between 1993 and 2018. But the digital newspaper *The Wire* quoted *Safai Karamchari Andolan* founder Bezwada Wilson's correction of the official figures: in fact, 1,760 workers died after the year 2000.<sup>16</sup> The NCSK did not have details of workers who died on the job. "The commission [did] not possess any identifying information about the workers – it [did] not know who the workers were, what their names were, where they were from, who their families are and how much compensation, if any, those families received," according to *The Wire*.

Sanitation workers and their deaths were largely invisible to authorities in part due to the caste system that was an inescapable part of the Indian social fabric. The caste system was introduced to allocate different professions based on division of labour, and to determine where an individual belonged on the Indian social hierarchy. Under this system, an individual's social position was determined from infancy based on his or her parents' social position. Those who belonged to lower castes, such as the Dalits,<sup>17</sup> had limited opportunities for upward social mobility. At the time of writing, manual scavengers were still derived from Dalit communities.

There were four main "varnas" or castes under the traditional caste system: Brahmins, Kshatriyas, Vaishyas, and Shudras, in decreasing order of status and hierarchy accorded to them. In the Vedic times (ancient India), Brahmins performed priesthood, Kshatriyas were warriors, Vaishyas were merchants, and Shudras were cleaners and servants. In his book *Manual scavenging in India: A disgrace to the country*, former Director in the Ministry of Home Affairs B.N. Srivastava quoted Max Weber's description of the Shudra caste: those "underprivileged social groups who, though their occupations were economically indispensable for their host societies [upper caste] were nevertheless treated as 'impure' and consequently ritually avoided."

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<sup>14</sup> "Since 2017, One Manual Scavenger Has Died on the Job Every Five Days." *The Wire*, Sep 2018. Accessed January 27, 2019. <https://thewire.in/labour/since-2017-one-manual-scavenger-has-died-on-the-job-every-five-days>.

<sup>15</sup> Manual Scavenging households data obtained from Ministry of Social Justice & Empowerment, Government of India <http://pib.nic.in/newsite/PrintRelease.aspx?relid=133286>.

<sup>16</sup> "Centre Doesn't Know How Many People Have Died Cleaning Sewers or Received Compensation." *The Wire*. <https://thewire.in/labour/sewer-cleaning-deaths-compensation>.

<sup>17</sup> "Dalit" was an umbrella term for people from lower castes.

A fifth “varna”, the Dalits, was regarded as inferior to Shudras. Dalit was an umbrella term for people who belonged to various lower castes. At the time of writing, manual scavengers were still derived from Dalit communities (Exhibit 3), along with several other lower-income minorities. This group was regarded as “untouchable” until the legal abolishment of untouchability in 1950, though the group was still frequently ostracised at the time of writing.

According to a 2014 petition that SFA filed in the Supreme Court, petitioner-organizations had estimated that over 1,200,000 people worked as manual scavengers.<sup>18</sup> An official survey by the Ministry of Social Justice and Empowerment for the years 2002 to 2003 identified 676,009 manual scavengers.<sup>19</sup> 95% of the manual scavengers belonged to Dalit communities.<sup>20</sup> Economic conditions that forced lower caste members to work as manual scavengers, coupled with dangerous working conditions and low pay, chained those communities to low social and economic positions. It had been a tremendous challenge to change behavioural norms to bring about a reduction in the relevance of castes in society, and thus the unfortunate socioeconomic situation of certain communities.

### Shortcomings and solutions

In response to SFA's petition, the Supreme Court of India issued a *mandamus* (command) directed to all the States and Union Territories to ensure full implementation of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013. The court acknowledged that “manual scavengers [were] considered as untouchables by other mainstream castes and [were] thrown into a vortex of severe social and economic exploitation.” The court also noted that the States had violated the legislation that prohibited manual scavenging, and had also failed to eliminate dry latrines: the number of dry latrines increased from 7,205,000 in 1989 to 9,600,000 in 2014.<sup>21,22</sup>

The Comptroller and Auditor General of India (CAG), an autonomous body that was responsible for auditing the expenses of the national and state governments, also made note of institutional shortcomings. In its 2003 report, the CAG stated that the National Scheme for Liberation and Rehabilitation of Scavengers and their Dependents scheme had “failed to achieve its objectives even after 10 years of implementation involving investment of more than Rs. 600 crores”.<sup>23,24</sup> This underutilization of funds had led to a lowered budget in recent years. The budget allocated towards the SRMS scheme for the rehabilitation and self-employment of manual scavengers had been reduced by 93% from INR 70 crores in

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<sup>18</sup> Biggest Caste Survey: One in Four Indians Admit to Practising Untouchability. Accessed January 29, 2019. [http://www.ncaer.org/news\\_details.php?nID=91](http://www.ncaer.org/news_details.php?nID=91).

<sup>19</sup> Hussainara Khatoun & Ors vs Home Secretary, State Of Bihar, ... on 9 March, 1979. <https://indiankanoon.org/doc/6155772/>.

<sup>20</sup> Ibid.

<sup>21</sup> Data gathered from Supreme Court Writ. Safai Karamchari Andolan And Ors vs Union Of India And Ors on 27 March, 2014. <https://indiankanoon.org/doc/6155772/>.

<sup>22</sup> THE EMPLOYMENT OF MANUAL SCAVENGERS AND CONSTRUCTION OF DRY LATRINES (PROHIBITION) ACT, 1993 <https://labour.gov.in/sites/default/files/TheEmploymentAct1993.pdf>.

<sup>23</sup> As a reference, 1 crore = 10,000,000.

<sup>24</sup> The CAG Report on Ministry Social Justice and Reforms, Government of India, 2003.

2013-14 to INR 5 crores in 2017-18.<sup>25</sup> In comparison, a nationwide sanitation campaign known as *Swachh Bharat Abhiyan* (Clean India Initiative) received funds of INR 530 crores on ads alone between 2013 to 2015.<sup>26</sup> The campaign had aimed to create 90 million toilets by 2019 in order to eliminate open defecation, but failed to account for the question of how the toilets would stay clean.

The delivery of justice for manual scavengers needed to overcome the challenges of policy implementation, which required tremendous political will. The market for manual scavenging could diminish in the presence of a viable alternative, such as a labour supply consisting of trained sanitation workers with clearly articulated rights. Formalizing these jobs could ensure that they receive better technological and monetary aid, make the job more attractive, and increase the competitiveness of the labour supply.

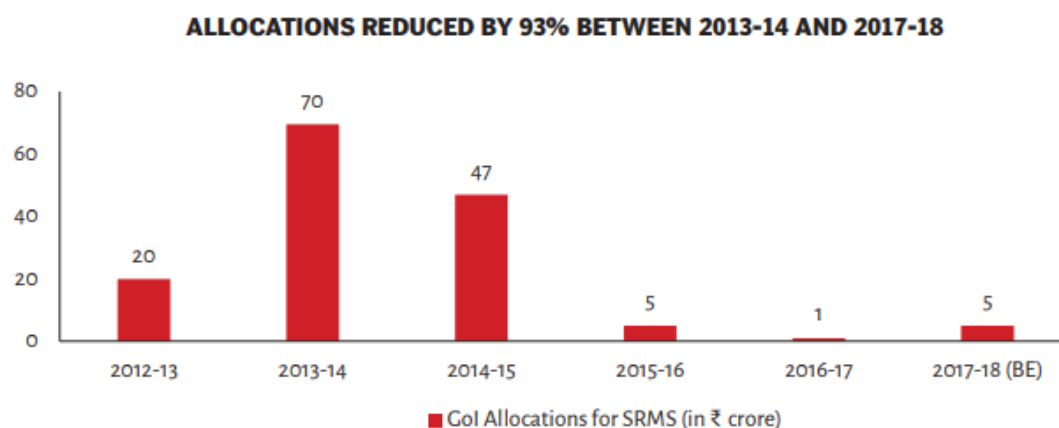
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<sup>25</sup> Devashish, Deshpande & Kapur, Avani. 2017. "Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS) GoI, 2017-18". *Accountabilityindia.in*. [https://accountabilityindia.in/sites/default/files/pdf\\_files/Self%20Employment%20Scheme%20for%20Rehabilitation%20of%20Manual%20Scavengers\\_0.pdf](https://accountabilityindia.in/sites/default/files/pdf_files/Self%20Employment%20Scheme%20for%20Rehabilitation%20of%20Manual%20Scavengers_0.pdf).

<sup>26</sup> Deep, Aroon. 2019. "Swachh Bharat spent Rs 530 crore on publicity in three years – but little on grassroots awareness". *Scroll.in*. <https://scroll.in/article/857030/centre-spent-rs-530-crores-in-3-years-on-swachh-bharat-publicity-but-has-little-to-show-for-it>.



## Exhibits



**Source:** India Expenditure Budget, Vol 2, Ministry of Social Justice and Empowerment. Available online at: <http://indiabudget.nic.in>. Note: Figures are in crore of rupees and are revised estimates, except for FY 2017-18 which are budget estimates (BE).

Exhibit 1: Budget allocations for the SRMS reduced by 93% between 2013-14 and 2017-18  
 Source: Budget brief by Centre for Policy Research “Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS) GoI, 2017-18”<sup>27</sup>

<b>Caste</b>	<b>Main Occupation</b>
<i>Mehtar (also called Bhangi)</i>	Sweepers and scavengers, night-carriers
<i>Churas (also called Balmiki/Halalkhor)</i>	Scavengers
<i>Dumras</i>	Scavengers
<i>Chamars</i>	Leather workers
<i>Bhuinmali</i>	Sweeping and gardening
<i>Bansphor</i>	Sweepers and scavengers
<i>Paraiyans</i>	Sweepers and scavengers
<i>Kuruba</i>	Shepherds

Exhibit 3: Occupation profiles of certain caste groups.<sup>28</sup>

<sup>27</sup> Devashish, Deshpande & Kapur, Avani. 2017. "Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS) GoI, 2017-18". *Accountabilityindia.in*. [https://accountabilityindia.in/sites/default/files/pdf\\_files/Self%20Employment%20Scheme%20for%20Rehabilitation%20of%20Manual%20Scavengers\\_0.pdf](https://accountabilityindia.in/sites/default/files/pdf_files/Self%20Employment%20Scheme%20for%20Rehabilitation%20of%20Manual%20Scavengers_0.pdf).

<sup>28</sup> Data collated from Chapter 2 of Srivastava, B. N. *Manual scavenging in India: A disgrace to the country*. Concept Publishing Company, 1997.

**Sanitation workers are broadly understood to be a single amorphous category, but there exist nine types of work across the value chain**

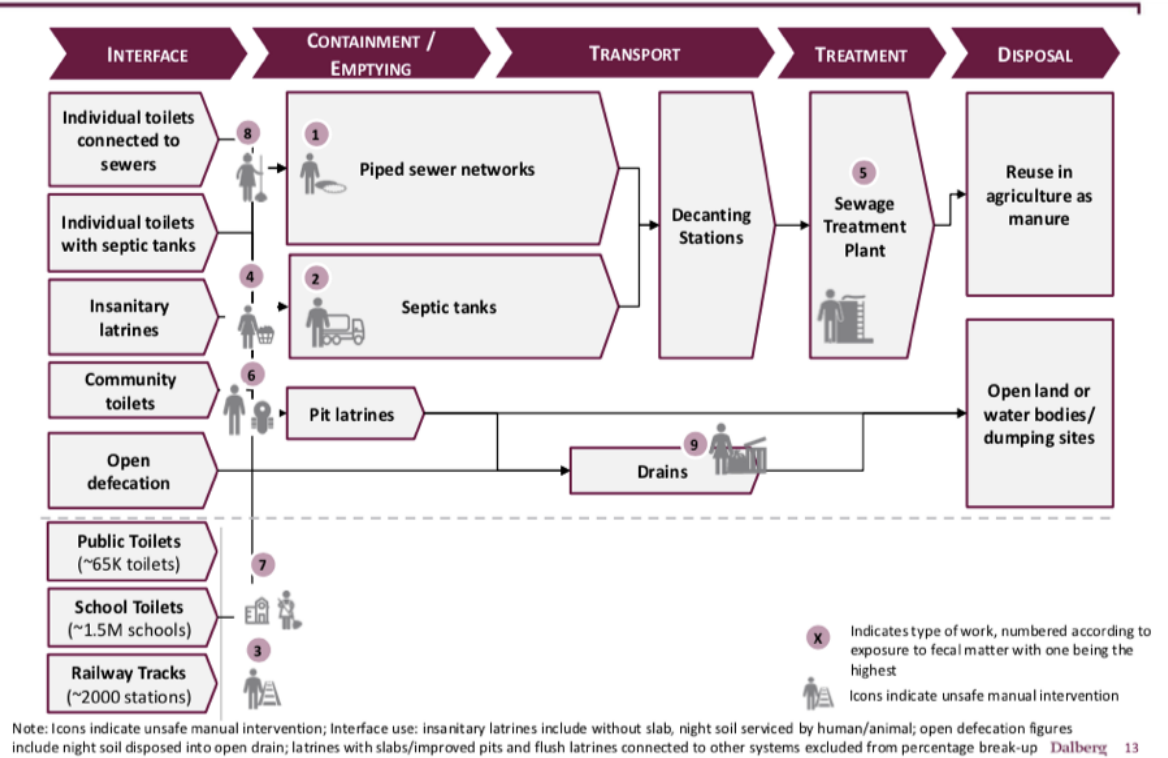


Exhibit 4: Different types of manual scavenging work.  
Source: The Wire report<sup>29</sup>

<sup>29</sup> "The Nine Kinds of Manual Scavenging in India." The Wire. Accessed February 01, 2019. <https://thewire.in/labour/manual-scavenging-sanitation-workers>.



Exhibit 5: Stills from the documentary Kakkooos. Directed by Divya Bharati. India: Left Side Media, 2017. DVD.