



Mains Practice Question

Q. "Manual scavenging persists despite legal prohibitions, highlighting the gap between legislation and social realities." Evaluate the effectiveness of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, and suggest measures for its better implementation. **(250 words)**

10 Sep, 2024 GS Paper 2 Social Justice

Approach

- Introduce the answer by highlighting the persistence of manual scavenging
- Delve into the comprehensive overview of the 2013 Act including its positive aspects and implementation
- Give measures for its better implementation
- Conclude suitably.

Introduction

The **persistence of manual scavenging in India**, despite legal prohibitions, starkly illustrates the chasm between legislative intent and social reality.

- The **Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013** represents the latest legislative attempt to eradicate this inhuman practice and rehabilitate those trapped in its cycle. However its implementation remains an area of concern.

Body

Comprehensive Overview of the 2013 Act:

Positive Aspects:

- **Expanded Definition:** It **broadens the definition of manual scavenging** to include not just cleaning of dry latrines, but also cleaning of sewers and septic tanks without protective gear.
- **Prohibition and Penalties:** The Act **prohibits the employment of manual scavengers and the construction of insanitary latrines.**
- **Rehabilitation Provisions:** It mandates the **rehabilitation of identified manual scavengers** through cash assistance, scholarships for their children, housing, alternative employment, and other legal and programmatic measures.
- **Vigilance and Monitoring Committees:** The Act provides for the establishment of **vigilance and monitoring committees** at various levels to ensure its effective implementation.
- **State Obligations:** It places the **onus on state governments** to identify and rehabilitate manual scavengers within their jurisdictions.
- **Survey and Identification:** The Act mandates a **time-bound survey** to identify manual scavengers and insanitary latrines.

Limitations and Challenges:

- **Implementation Gaps:** Despite its comprehensive provisions, the Act's implementation remains

woefully inadequate.

- For instance, **National Safai Karamchari Ayog (NSKA)** identified **1,720 manual scavengers** in 6 of Karnataka's 30 districts, estimating the number could exceed 10,000 if a full state-wide survey was conducted.
- **Underreporting and Denial:** Many local bodies and state governments under report or deny the existence of manual scavenging, hampering effective implementation.
 - In 2018, the Ministry of Social Justice and Empowerment identified **only 54,130 manual scavengers across 170 districts in 18 states**, a figure widely considered an underestimate by activists and NGOs.
- **Sewer Deaths:** The Act has been largely ineffective in preventing deaths during sewer and septic tank cleaning.
 - According to the National Commission for Safai Karamcharis, **631 people died cleaning sewers and septic tanks between 2010 and 2020.**

Measures for Better Implementation:

- **Strengthening Identification and Reporting:** Conduct **comprehensive, technology-aided surveys** to identify manual scavengers and insanitary latrines.
 - Implement a robust, real-time reporting mechanism, possibly using a mobile app, to ensure accurate data collection.
 - Expand the **Swachh Survekshan initiative** to include specific parameters for identifying and reporting manual scavenging.
- **Enhancing Rehabilitation Efforts:** Provide skill development and vocational training **tailored to local job markets and individual aptitudes.**
 - Ensure **timely disbursement of rehabilitation funds** and monitor their utilization through a transparent, digital platform.
 - Scale up and replicate successful models like the **Harpic World Toilet College in Maharashtra**, which has trained over 6,000 sanitation workers in mechanized cleaning.
- **Technological Interventions:** Promote and subsidize mechanized cleaning of sewers and septic tanks.
 - Invest in research and development of **cost-effective, locally adaptable sanitation technologies.**
 - Establish a dedicated fund for innovation in sanitation technology.
 - The **success of the Bandicoot robot in Kerala**, which cleans manholes without human intervention, should be studied and potentially scaled up nationally.
- **Awareness and Education:** Launch a nationwide awareness campaign, similar in scale to the **Swachh Bharat Mission**, focusing on the illegality and inhumanity of manual scavenging.
 - Engage **popular media, including cinema and television**, to raise awareness about manual scavenging.

Conclusion

To bridge the yawning gap between legislation and social realities related to persistence of manual scavenging in India, a multi-pronged, sustained, and intensive approach is imperative. The **National Action for Mechanized Sanitation Ecosystem (NAMASTE) Scheme is a key step in this direction**, reflecting the government's human-centric approach by ensuring no sanitation worker is forced to engage in hazardous tasks like manual sewer and septic tank cleaning.