

**MINUTES & RECOMMENDATIONS OF THE NATIONAL WORKSHOP  
ON MANUAL SCAVENGING AND SANITATION HELD AT  
TEEN MURTI AUDITORIUM, NEW DELHI ON 11<sup>TH</sup> MARCH, 2011**

The National Human Rights Commission organised a *National Workshop on Manual Scavenging and Sanitation* on 11<sup>th</sup> March, 2011, at Teen Murti Auditorium. The meeting was attended by Justice Shri KG Balakrishnan, Hon'ble Chairperson NHRC, Justice Shri GP Mathur, Justice Shri BC Patel and Shri PC Sharma Members NHRC, Chairpersons and Members of State Human Rights Commissions, Chairperson National Commission for Scheduled Caste Shri P.L Punia, Chairperson National Commission for Safai Karamcharis Smt Kamlaben S. Gurjar, representatives of State and Central Govt and other professionals.

The List of participants is enclosed.

**Inaugural Session**

In his welcome address, Shri J.P Meena, Joint Secretary said that the Commission has been pursuing the need to end the degrading practice of manual scavenging in the country. The practice violates human dignity in a very abhorrent manner. Governments have taken steps to abolish this practice but socio-economic reasons impede the progress of these efforts. Commission feels that effective monitoring and providing viable alternative employment by the Government, would hasten the progress of these efforts. It is in this context that the Commission has taken up this matter at the highest echelons of the Central and State Governments.

He mentioned that this demeaning practice was outlawed by the Indian Parliament in 1993, yet continues today. Many deadlines by the Government to make the country 'manual-scavenger free' have been missed. Some of the Government agencies like railways/jail authorities in States, have been found practicing manual scavening. This is a gross violation of the Right to Health and Sanitation and it is also against the country's commitment to the, 'Millennium Development Goals'. The workshop was expected to come out with meaningful and practical suggestions during the day long deliberations.

The Hon'ble Chairperson, NHRC, Justice Shri KG Balakrishnan in his inaugural address said that Manual Scavenging is a highly inhuman practice. Mahatma Gandhi raised the issue of the horrible working and social conditions of the community engaged in manual scavenging, more than 100 years ago in 1901 at the Congress meeting in Bengal. In 1917, Mahatma Gandhi had insisted that the inmates of Sabarmati Ashram – which he had set up and which was run like a commune – clean their toilets themselves. He strongly protested against the cleaning of the toilets by the scavengers.

Several Committees and Commissions have been set up to improve the situation of the manual scavengers but nothing serious has happened for quite long time.

**The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993** – punishes employment of scavengers. It has been 18 years since the 1993 Act has been passed. The imprisonment is for one year with or without a fine of Rs 2000/-. The wages of the Manual Scavengers were meagre, not more than Rs. 30-40 per day and they are not protected against the health hazards. They suffer from skin disorders, gastro intestinal disorders, TB, Typhoid etc.

Railways are one of the biggest employer of manual scavengers and the biggest violator of the human rights. There is a need to have totally sealed toilets and there is also a need to have a new sewage system. The progress on this front, has however, been very unsatisfactory. Water scarcity and lack of space is a big challenge.

In August 2008, the National Human Rights Commission organised a National Workshop on Manual Scavenging and Sanitation. The recommendations of the Conference were forwarded to the States for implementation. The Chairperson said that it is a matter of concern that the states are “very slow” in implementing the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. He said it is an issue of “national shame” that despite an Act being in place and so many measures being taken, manual scavenging has not completely stopped in the country. The 1993 Act is also a “half-hearted effort” as there is no authority made accountable which can be held responsible for continuance of the practice. The rehabilitation of erstwhile manual scavengers is also not up to the mark, he said.

Equating manual scavenging with bonded labour, he said that scavengers also need to be rehabilitated in a similar manner. Their children should be provided scholarship and they must be issued BPL cards. SHRCs have an equally important role to play in elimination of the practice of the manual scavenger.

In her address, the Chairperson of the **National Commission for Safai Karamcharis** Smt Kamlaben Gurjar, said that at times when development is taking place in every sector, it is strange that the people who have been the backbone for keeping the environment clean and ensuring healthy public health, are the most neglected one. The irony is that this section of the Indian society is still rank the lowest in income, education, health, sanitation and other parameters of Human Development Index including social dignity.

In spite of introducing a number of schemes/programmes and other initiatives for the welfare of the manual scavengers/safai karamcharis during 63 years of independence, the objective of eradication of manual scavenging has still not been achieved due to a number of reasons. Manual scavenging is still prevalent with a very

small change in method of manual scavenging in large parts of the country and they continue to be oppressed, discriminated and subjected to indignity.

The implementation of the act by the government to safeguard the interest of this down trodden community is far from satisfactory.

The accommodation provided to Safai Karamcharis for their rehabilitation is too small to accommodate their family. They are living in very pathetic conditions.

It is necessary to provide compulsory educational facilities free of cost without any income ceiling to Safai Karamcharis and their children with a view to liberating them from the disgraceful profession. For this purpose, residential good quality schools should be established where they should be provided with education, study material, boarding and lodging free of cost.

The inaugural session came to an end with the address of the Chairperson of the **National Commission for Scheduled Castes, Shri P.L Punia**. He congratulated NHRC for organising a workshop on such an important issue. The Background paper for the Workshop summarised all the dimensions of the issue, he mentioned.

He said that the provisions of the 1993 Act needs to be strictly implemented. In rural areas, the bulk of the population still defecates in the open. The dry latrines had to be done away with completely. The new constructions should not be allowed unless there is a provision for flush latrines.

He emphasised that the issues related to the sanitary workers are not very different from that those of the manual scavengers. All the govt agencies must put their act together to improve the quality of life of these workers and their dependents. There should be a special component in the five year plans for them.

Mentioning the case of UP, he said that 23% of the Safai Karamcharis are SC/ST. Rest are them are from other categories, but these workers never use broom, they sublet the work to the SC/ST's workers, the exploitation then continues.

Their children should be provided proper education, with proper plans in place for their books, stationery, food and lodging facilities. Within the next 12-15 years then, one can expect a complete turnaround change in their situation and complete eradication of the practice as well.

## **SESSION – I**

**Chaired by the Justice Shri KG Balakrishnan, Hon'ble Chairperson NHRC.**

**Presentations by various Ministries/NGO**

## ***Ministry of Social Justice and Empowerment***

The representative from the Ministry of Social Justice and Empowerment **Shri Sanjeev Kumar, Joint Secretary**, began his presentation by saying that the **Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993**, provides for conversion of dry latrines into sanitary ones and rehabilitation of manual scavengers in alternative occupation. He stated that the National Scheme for Liberation and Rehabilitation of Scavengers (NSLRS) was started in 1991-92, during its implementation, 7.70 lakh manual scavengers/dependents were identified. Over 4 lakh of them were assisted for their rehabilitation. Among 1.78 lakh beneficiaries were provided training and the scheme was implemented upto 2004-05.

The Self Employment Scheme for rehabilitation of Manual Scavengers (SRMS) scheme was launched in Jan 2007. It aims at assisting remaining manual scavengers and dependents in a time bound manner.

In pursuance of the consensus which emerged in one of the Consultation Meeting, the Ministry has constituted a Task Force on 10.2.11 to recommend detailed modalities for undertaking a fresh survey of manual scavengers who are yet to rehabilitated, and their dependents. Task Force is expected to finalise its recommendations in about a fortnight. Thereafter, action will be initiated for actual conduct of survey to identify remaining manual scavengers.

Towards the end, the representative mentioned the follow-up Action: Amendment of SRMS which includes – revision of scheme in two stages, summary revision and a detailed revision after survey. The Minister of SJ & E has also written to the State Chief Ministers, in Feb 2011, to implement already existing schemes and instruments, without waiting for fresh initiatives, which will be conveyed in due course.

## ***Ministry of Housing and Urban Poverty Alleviation***

The representative of the Ministry **Shri S.K Singh, Joint Secretary (H)**, informed that two pronged efforts have been made by the Union and States to tackle this inhuman practice ie. Programmatic interventions and Legislative prohibition. He also said that Integrated Low Cost Sanitation Scheme (ILCS) aimed at conversion of dry latrines in urban areas. It was implemented by Ministry of Housing & Urban Poverty Alleviation in urban areas. The self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS) aimed at rehabilitation of remaining manual scavengers and their dependents in alternative occupation, in a time bound manner and is being implemented by Ministry of Social Justice & Empowerment. The Total Sanitation Campaign (TSC) programme aimed at creation of sanitation facilities in rural areas with broader goal to eradicate the practice of open defecation.

He added that the legal systems have been put in place for eradication of Manual Scavenging from the country.

The NAC in its resolution dated 23.10.10 has identified the need for a special focus to liberate our society from the norms on social exclusion and discrimination along with an action plan with full ownership of participation of the persons involved in manual scavenging. The Resolution further recommended the need to amend the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 to ensure sharper definitions of manual scavenging and accountability of public officials who employ, or fail to prevent, manual scavenging. The matter was deliberated in the Consultative Meeting organized by Ministry of Social Justice & Empowerment on 24th & 25th January, 2011.

The Ministry of Housing & Urban Poverty Alleviation has set up a Committee to examine and recommend amendment to Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. The Committee has met thrice on 03.2.2011, 21.2.2011 and 08.3.2011 and the matter is under process. The Act had been promulgated in pursuance of clause (1) of article 252 of the Constitution and resolutions from at least two State legislatures would be necessary to amend or repeal this Act.

#### ***Department of Drinking Water supply, M/o Rural Development***

The representative from the Ministry, **Shri J.S Mathur, Joint Secretary** said that sanitation is part of national agenda in first 5 year plan (1951-56). Since 1986, with a focus on Sanitation, Central Rural Sanitation Programme (CRSP) was launched. In the year 1999, Total Sanitation Campaign (TSC) launched while in 2003- Community incentive scheme- Nirmal Gram Puraskar (NGP) launched on 2nd Oct 2003.

The objectives of the Total Sanitation Campaign was to create awareness through advocacy, awareness and health education; cover schools/ anganwadis in rural areas with sanitation facilities and promote hygiene education and sanitary habits among students; encourage cost effective and appropriate technologies in sanitation; eliminate open defecation to minimize risk of contamination of drinking water sources and food; and bring about an improvement in the quality of life in rural areas

The participatory approach was encouraged through individual and community participation, active involvement of PRIs, CBOs, NGOs & SHGs and providing incentive on completion and use of toilets by individual households.

Salient features of TSC are, identification of district as a unit for project proposals, focus on awareness and effective demand generation through IEC, capacity development and Community Participation key to success, Panchayati Raj Institutions play key role, emphasis on hygiene education and flexibility to districts administration in implementation.

To eliminate practice of Manual Scavenging, TSC guidelines include that Construction of bucket latrines should not be permitted in the rural areas, existing bucket latrines, if any, should be converted to sanitary latrines and the unit cost of latrine and sharing pattern shall be identical to that of construction of individual household latrine.

Some of the Challenges faced by TSC are, change in behaviour pattern and attitude (Usage lags behind access), quality of construction and post construction maintenance, poverty, sustainability of the sanitation coverage achieved, convergence at grass root level and priority by States to implement TSC.

The emphasis in the 12<sup>th</sup> Plan is on coverage of all rural households as per project objectives with sanitation facilities by 2015, usage of safe sanitation facilities by all the population in rural areas by 2017, moving from Total Sanitation Campaign (TSC) to National Total Sanitation Mission (NTSM), effective management of solid and liquid waste, adoption of improved hygiene practices, special emphasis for the poorest of the poor and provision for revolving funds for sustained sanitation with the help of Panchayats.

***Dr. Bindeshwar Pathak, Sulabh International, NGO, New Delhi***

Dr. Bindeshwar Pathak, founder Sanitation and Social Reform Movement said, the Sulabh Movement started with the objective to liberate and elevate the status of scavengers. Towards this, it adopted a two-pronged strategy; a state-of-the-art technology to reach sanitation facilities even to the poorest, and to bring scavengers in the mainstream of Indian society.

In his presentation, the founder stated that the Sulabh International branched into several inter-related activities meant not only to rehabilitate, socially and economically, those weaned away from scavenging, but also to restore their self-esteem and self-respect. Towards this, the Sulabh International Centre for Action Sociology (SICAS) was established in 1993. The main objectives were to develop a systematic understanding of the social, economic and psychological problems of scavengers or Balmikis and to evolve and implement a range of innovative, sustainable and replicable activities which would bring the Balmikis into the national mainstream.

Education holds the key to any major change and development. Literacy and education in India are woefully low, particularly among Dalits and Balmikis. In recent years, the educational infrastructure has expanded considerably and schools have been set up on commercial lines. These schools offer physical and instructional facilities comparable to those in developed countries. But very few children coming from low-income households, particularly Balmikis have access to these centres of quality education. Moreover, since most of them are first generation learners, they are hardly

inclined towards the education of their children, especially of girls. With this objective of imparting quality education, Sulabh Public School was set up in Delhi in 1992. The school aims to prepare children from the weaker sections of society for a better life.

He informed the participants that so far 10,000 scavenger families have been adopted by well-known personalities including the former Prime Minister of India, Shri I. K. Gujral. Dr. Pathak also led 100 Harijans into the Nathdwara temple in Udaipur, Rajasthan, in 1988 to promote religious and social cohesion. This courageous act defied human orthodoxy and helped evolve cultural integration.

In order to inculcate skills towards constructing, operating and maintenance of various low-cost water supply and sanitation schemes and human waste-fed biogas plants, their Training Institute of the NGO runs refresher / training courses for those interested in working in these fields. In the curriculum due emphasis is given to vital inputs, viz. awareness, health, sanitation, education, personal hygiene, motivation, publicity etc., crucial for the success of such programmes. Special training modules and literature have been designed and experts in different disciplines are invited from time to time for lectures and demonstrations of the updated techniques.

## **SESSION - II**

### **Chaired by Justice Shri GP Mathur, Member, NHRC**

In his speech the Member said there is nothing more degrading, dehumanising and worst form of human right violation than manual scavenging. He said that it is a matter of deep regret that the degrading and inhuman practice of manual scavenging still persists in some pockets of our country even after the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 has completed almost seventeen years.

The Member said that that in a written reply in Lok Sabha on 22<sup>nd</sup> February, 2011 the Hon'ble Minister for Housing and Urban Poverty Alleviation said that the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 has been adopted by 23 States and all Union Territories. Of the remaining 5 States, two States namely Manipur and Mizoram have reported that there are no dry latrines in the State and they are scavenger free. The States of Rajasthan and Himachal Pradesh have enacted their own Acts.

The member emphasized that the eradication of manual scavenging and rehabilitation of scavengers should be carried out scrupulously by the States by keeping the target date in view. Extending the target date time and again will not serve any useful purpose.

The National Human Rights Commission strongly urges all authorities, both in the Centre and in the States, NGOs, media to be vigilant in this regard and take concerted steps to eradicate this practice.

The States were then asked to make presentations about their respective states within the framework of **A. Abolition of dry latrines in their states B. Construction of flush latrines and C. Rehabilitation of manual scavengers.**

### **Presentations by States**

#### ***Assam***

The Municipal Commissioner of Guwahati represented Assam. He referred only to Guwahati city area. He said that there were more sanitary workers than manual scavengers in Guwahati. Around 400 dry latrines were demolished in Guwahati. There were 6 schools for the children of manual scavengers and sanitary workers. No one, he stated, had to manually clean the septic tanks in the city as the machines clean the tanks.

Member NHRC, Justice GP Mathur stated that Assam could not be considered to be represented, as the details presented covered only data related to Guwahati city and not the whole of Assam.

#### ***Gujarat***

The MD, Safai Karamchari Vikas Nigam, represented the State of Gujarat. According to him, Gujarat is scavenging free since 1992 and no dry latrines exist in rural or urban areas. He also said that Gujarat was the only state which had a separate Corporation for the rehabilitation of Safai Karamcharis. He mentioned that there were third party surveys that had verified the state govt data.

#### ***Andhra Pradesh***

Principal Secretary, Panchayati Raj Department from the State of Andhra Pradesh mentioned that a survey was done and about 45,822 scavengers including dependents, were identified. They have been given various rehabilitation packages from 1997-98 and financial assistance was also being given apart from loans. Rs. 93.57 Crores has been spent on rehabilitating the scavengers under NRKS. The State Government has also undertaken a demolition drive of dry latrines. About 7,83,000 units have been constructed under various programmes at a cost of Rs. 240 Crores. He mentioned that manual scavenging is not prevalent in the State of Andhra Pradesh.

Member NHRC Shri P.C. Sharma mentioned that rehabilitation is one of the effective ways of improving the lives of those identified. He questioned whether any audit has been done in this regard and desired to know their present status ie. whether



they are into any vocation or that the manual scavengers have been given only financial assistance.

The State Government representative replied that no third party evaluation has been done so far. The monitoring is being regularly done by District Collectors. He also mentioned that only self-employment has been provided.

Shri B. Wilson, Convenor, Safai Karamchari Andolan (NGO) was of the view that the problem still existed in the State of Andhra Pradesh particularly in East Godavari, Cuddapah, Visakhapatnam and Kurnool.

### ***Chhattisgarh***

Joint Director, Urban Development who represented the State of Chhattisgarh, said that the practice of manual scavenging is not existent in the State.

### ***Himachal Pradesh***

Principal Resident Commissioner stated that that no dry latrines existed in the entire state and that there were no manual scavengers. He informed that the task of rehabilitation was carried out by the SC & ST Corporation. The representative however, could not provide data on the number of workers rehabilitated so far.

### ***Karnataka***

The Commissioner, Social Welfare, mentioned that regular surveys are being done by the State Government. In the last survey done in the year 2007, about 430 household dry latrines, 231 community dry latrines were demolished. The rehabilitation measures undertaken by the State Government were regarding self-employment loans, housing and education. He also mentioned that about 22.5% of the budget was for rehabilitation of manual scavengers.

### ***Kerala***

The representative from Kerala mentioned that manual scavenging was not prevalent in the State. The rehabilitation of manual scavengers were being done as sanitary workers and there were no separate rehabilitation plans for the manual scavengers.

### ***Maharashtra***

The DGM, Scheduled Castes Development Corporation, mentioned that about 11,227 manual scavengers have been rehabilitated. Out of which about 9885 have been rehabilitated with financial support. According to him manual scavenging does not exist in the State.

## ***Punjab***

The GM, Scheduled Castes Corporation stated that according to a 2009 survey, there were no dry latrines in the state of Punjab. Out of the erstwhile manual scavengers about 3000 have already been rehabilitated.

## ***Rajasthan***

The representative from Rajasthan mentioned that about 12,691 dry latrines have been converted into flush toilets in the State. Sulabh International had played a lead role in the conversion of dry latrines in flush latrines in the district of Tonk, he added.

The Central Act has been adopted by the State Government. About 20,325 manual scavengers have been rehabilitated during the period from 1992 to 2007.

## ***Tripura***

The representative of the State mentioned that dry latrines do not exist in the State of Tripura and that there were no manual scavengers in the State either.

## ***West Bengal***

The representative from West Bengal mentioned that there were no manual scavengers, nor the dry latrines existed in the state. About 10,048 erstwhile scavengers were identified and liberated. Many of them have been given bank loans, but some of them could not avail the facility however, for various reasons.

## ***Delhi***

The representative from the NCT of Delhi mentioned that no dry latrines existed in Delhi. Earlier, about 1,085 scavengers were identified in Delhi. 537 manual scavengers out of these have been rehabilitated so far, through loans or training. The rest of them have given in writing their unwillingness to accept any rehabilitation.

## **Presentations by NGOs**

### ***Presentation by Shri B. Wilson, Safai Karamchari Andolan, an NGO from Delhi***

Shri Wilson mentioned that even though 18 years have passed after the Act coming into force, the problem still persists. The NGOs and the State Administrations may have different opinions over the number of manual scavengers but this does not dilute the fact that the practice still exists. He said that he could show the data he had collected and was even ready to take the Govt representatives to the places where dry latrines still exists.

He felt that that the country owes an apology for the violation of the human rights of the manual scavengers over the centuries.

He pointed out that the definition of manual scavenging, in the Act of 1993 was not clear and the fact also existed that no prosecution has been done so far under the Act.

He also mentioned that the Indian Railways has not been represented in the workshop, which is one of the biggest violator of the human rights of the manual scavengers.

He suggested that there should be one single window at the district level for facilitating rehabilitation of manual scavengers and added that a task force should be created for identification of dry latrines.

According to survey conducted by his NGO, SKA, manual scavenging existed in West Bengal, U.P and Andhra Pradesh.

Member, NHRC, Justice Shri G.P. Mathur acknowledged that the nation owes an apology to manual scavengers and felt that that the data given by the State Governments were not correct.

***Presentation by Shri Asif Shaikh, Garima Abhiyan, an NGO from Madhya Pradesh***

Shri Asif Shaikh, from the Garima Abhiyan said that there were certain recommendations of the National Human Rights Commission, which emerged from the National Consultation on Manual Scavengers and Sanitation in the year 2008, which have not been implemented so far, by the concerned departments/Ministries.

He said that the children of manual scavengers were not getting the benefits of scholarships. This was not a tough task to achieve, he stated, but there were not enough efforts to achieve it. Similarly, there were no follow ups on the allotment of BPL cards of the manual scavengers.

Shri Asif then mentioned a few new issues to the already existent ones. **A.** The issue related to dalit muslims, since these muslims were not in the OBC category, they were not getting the benefits of rehabilitation. **B.** He also emphasised that the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, should be implemented in the context of manual scavengers. **C.** About rehabilitation of manual scavengers, he said that, the process is very slow and the loan aspect has to be handled in a large context. Many manual scavengers refuse to take loans, as they feel that they will not be able to return it and their rehabilitation gets affected in the process. **D.** Another significant aspect he raised was regarding the women manual scavengers. Most of the manual scavengers are women, he said and they are not in a capacity to

return loans. Instead of granting them loans, he said they should be given the post of aanganwadi sahayika. Ministry of Women and Child Development could facilitate the process, he suggested.

### ***Presentation by Navsarjan, an NGO from Gujarat***

Ms. Manjula Pradeep from Navsarjan stated that the State of Gujarat was in 14<sup>th</sup> position in dalit population. She informed the participants the Gujarat Development Corporation was not set up so far. She also mentioned that rural areas were not taken into account while undertaking the survey in Gujarat.

*According to surveys by Navsarjan in about 12 districts of Gujarat, it is found that the problem still exists there. The State Government could not deny the fact that manual scavenging was prevalent. She cited some examples of open drains in Chhatisgarh, Rajasthan and Maharashtra.*

She said that Navsarjan has also undertaken rehabilitation measures for the dalit community. According to the Government manual scavengers may not be there on regular rolls but they are being employed as contract labourers. She mentioned that rehabilitation measures were not adequate. According to her, manual scavenging has been on the increasing side, rather than being on the decline or near abolition.

The issue of manual scavenging should be re-looked into by the States. She felt that the blame game should be stopped and that all stakeholders should come together to eradicate this problem.

She suggested that the help of international partners should be sought, state level workshops be organized to review the status of abolition of dry latrines and rehabilitation of manual scavengers and removal of caste based discrimination should be ensured.

### **Concluding Remarks**

Member, NHRC Justice Shri G P Mathur concluded the session. He said that a serious thought would be given to the suggestion of Ms. Manjula, about organizing state level workshops to review the implementation of the Act and the abolition of the dry latrines.

### **General Discussions**

Ms. Jayanthi, Deputy Director, Municipal Administration, Karnataka said that all *Safai Karamcharis* are not scavengers. She urged that a clear cut definition should be there to clearly distinguish the two.

The Director of the Institute of Dalit Studies, Shri RP Mamgain stressed the need for suitable rehabilitation measures for the manual scavengers. He also felt that the Government should make a commitment for their complete shift from a non-dignified job to a dignified job.

Member NHRC, Shri P.C. Sharma stated that some of the State Government representatives were not present in the afternoon session. He felt that the Act was being implemented only in some parts of the country. The Member added that all must atone to end this social evil. About rehabilitation he felt that mere sanction of loans would not solve the problems as the person taking the loan should also have the repaying capacity. He endorsed the suggestion for organization of state level workshops and the need to take a re-look at the whole issue.

Shri Vijay Shukul, Member MPSHRC felt that the controversy of statistics should be stopped as everyone is aware of the facts and figures. He also felt that strong recommendations should be made as the factor of accountability is missing. There was also a need for a nodal agency at state level.

Chairperson, NHRC, Shri KG Balakrishnan in his concluding remarks mentioned that the recommendations would be forwarded to the State Govts. Though many State Governments, he said, have denied the existence of manual scavenging, the NGOs have indicated that the problem still exists.

He said that the focus should not be on statistics but on implementation of Act. All legislations should apply uniformly to all States. The implementation of the Act was done in a half-hearted manner and no prosecution has been made, under the Act, over the last so many years.

He appreciated the NGOs and said that only with their cooperation these results have yielded and that NHRC would seek the help of NGOs working in this area.

He said that though many problems came in the way of implementation this should not be a reason for non-implementation and stated that he was hopeful that the problem will be eradicated. Continuation of the practice would give a wrong impression before International bodies. He felt that there is some light at the end of the tunnel and hoped that NHRC with the cooperation of NGOs would be able to solve this problem.

## **RECOMMENDATIONS**

On the basis of the detailed deliberation, the following recommendations emerged for implementation by the concerned authorities of the Central/State Governments:-

1. **The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993** should be implemented in letter and spirit at the fastest pace and the abolition of the practice of scavenging should be taken up as a national mission.
2. The States need to ensure that the data provided by them on the abolition of dry latrines and rehabilitation of Manual Scavengers are commensurate with the data of the Ministry of Social Justice and Empowerment. In case of any discrepancy, the State Governments should take up the matter with the Ministry, to get the data rectified.
3. On synchronising of their data with the Ministry of Social Justice and Empowerment with regard to abolition of manual scavenging, each State/UT should issue a declaration/notification with a copy to NHRC that their area is free from manual scavenging and dry latrines.
4. Till date, there is no single window to address the problems of the manual scavengers. A single window should be created in every district with a nodal officer, where manual scavengers have been identified, to facilitate and fast track the process of rehabilitation. A nodal agency on manual scavenging should also be created at the State level.
5. The cleaning of septic tanks may be mechanised to abolish manual cleaning. The concerned authorities need to adopt technology/mechanized system for manhole operations with adequate safety measure and skilled training.
6. Railways should develop a state of art technology of sanitation facilities to minimize manual interventions within a fixed time frame.
7. The guidelines for cleaning work/manhole operation by the Supreme Court/High Court (Gujarat) should be implemented by the concerned agencies/employer so that the *Safai Karamcharis* are protected from health hazards.
8. The employers must provide necessary safeguard equipments, uniform, safeguard measures to the manhole workers/scavengers to avoid fatal accidents. The structure of wages should be same for *Safai Karamcharis* all over the country.
9. Special health check-ups through mobile vans should be done in the residential areas of all *Safai Karamcharis* whether permanent, part time and contractual and in all *Harijan Bastis* followed with medical aids.
10. In case of death or disability of *Safai Karamchari*, the dependent should be provided with immediate employment in accordance with their qualification. Compensation of at least Rs. 3 lac should be given to the family of the deceased person.

11. The schemes like Self Employment of Manual Scavengers (SRMS), Sarva Shiksha Abhiyan (SSA), National Rural Employment Guarantee Scheme – 2005 (NREGS), etc. must be inclusive of this segment of population. The success of these schemes *must be evaluated only in terms of change they bring about in the quality of life of manual scavengers and Safai Karamcharis.*

12. To encourage and facilitate the schooling of children of this class, residential good quality schools should be established where they should be provided with free education and study material, boarding and lodging etc. The financial component for the children of manual scavengers needs to be enhanced substantially as they have been lagging far behind, and need regular assistance for their higher education.

13. There have been instances wherein those appointed to do the cleaning work have sublet the task to the erstwhile manual scavengers of some other *Safai Karamchari*. The exploitation therefore continues, *albeit* indirectly. The trend should be discouraged. This should be made an offence and those responsible for doing it should be given severe punishment.

14. To address the gender component of the issue comprehensive measures should be taken to address their specific needs like safety, health and education issues.

15. The re-habilitated manual scavenger should be issued with BPL card along with scholarship to their children and pension to the widows of Manual Scavengers.

16. The existing scheme for rehabilitation of manual scavengers should be revised in order to make it more practical and viable.

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## List of Participants

Justice Shri SN Jha, Chairperson Bihar SHRC  
Shri Ram Krishan Behar, Member Chhattisgarh SHRC  
Shri PN Patel, Secretary Gujarat SHRC  
Shri VG Vanzara, Dy Secretary Gujarat SHRC  
Justice Shri Syed-Bashir-uddin, Chairperson J&K SHRC  
Shri Vijai Shukul, Member MP SHRC  
Justice Shri RK Patra, Chairperson Orissa SHRC  
Shri Bibek Sarkar, Secretary Punjab SHRC  
Shri D Jothi Jagantsan, Secretary Tamilnadu SHRC  
Justice HK Sema, Chairperson UP SHRC  
Justice NC Sil, Chairperson West Bengal SHRC  
Shri SK Halder, Jt Secretary WB SHRC  
Smt Kamlaben S Gurjar, Chairperson NCSK  
Shri PL Punia, Chairperson NCSC  
Shri Lov Verma, Member Secretary, NCPCR  
Shri Sanjeev Kumar, Jt Secy, M/o of SJE  
Shri SK Singh, JS, M/o of Housing and Urban Poverty Alleviation  
Shri JS Mathur, JS Sanitation, M/o of Rural Development  
Smt Priyeti Singh, DCP, HUDCO  
Shri K Vijay Kumar, HUDCO  
Shri DK Sharma, AM/Staff, Railway Board  
Dr. Rajiv Sharma, Principal Secretary (PR&RD), Govt of Andhra Pradesh  
Shri Anurag Goel, Municipal Commissioner, Guwahati  
Shri CN Jha, Special Secretary, UD & H Deptt. Bihar  
Shri PB Kashi, Joint Director, Urban Development, Chhattisgarh  
Shri Prakash B Modi, Dy DDO, Ahmedabad  
Shri JK Astik, CEO, Gujarat  
Dr. Aruna Sangwan, MO MC Gurgaon  
Shri BK Agarwal, Principal Resident Commissioner, HP  
Shri E Venkatesh, Principal Secretary, Govt of Karnataka  
Dr. R Ajaya Kumar Varma, ED, Sanitation Mission, Govt of Kerala  
Smt Kalpana Srivastava, Project Director MP USP, Bhopal  
Shri Neelesh Dubey, State Sanitation Nodal Officer, UAD Bhopal  
Shri BS Manwar, Dy GM, Social Justice Deptt. Maharashtra  
Shri Irene Zohlimpuri, Asstt Resident Commissioner, Mizoram  
Shri Santosh Sarangi, Secretary ST&SC Dev Deptt, Orissa  
Shri Ajinder Singh, GM, Punjab SC Finance Corpn, Punjab  
Smt Aditi Mehato, SJ&E Deptt Rajasthan  
Shri RS Jaluthraju, DD SJE Deptt Rajasthan  
Shri K Ashok Vardhan, Principal Secretary, Govt of TN  
Shri RJ Junla, Liasion Officer, Tripura  
Shri RK Vaish, Pr Resident Commissioner Tripura  
Shri Chintamani, Dir SDDA Lucknow UP  
Shri Debasis Bose, MD WB SC ST Deptt Kolkata  
Shri Kallol Mukherjee, Jt Secy MA Deptt, Kolkata  
Shri Koushik Das, CE, ME Dte, Kolkata  
Shri Sunil Sacher, Manager DSFDC Delhi  
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Dr. Vinod Kumar, St. Stephen's Hospital  
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Ms. Rekha Sharma, Dir Diabetes Foundation (India)  
Shri SA Azad, People Rights and Social Research Centre  
Ms Pinki Anand, Sr. Advocate  
Shri Asif Shaikh, Garima Abhiyan, Devas MP  
Ms. Manjula Pradeep, Navsarjan, Ahmedabad  
Dr. Bindeswar Patham, Sulabh International  
Shri Bezwada Wilson, Safai Karamchari Andolan  
Shri Lalit Kohli, MD NSKFDC  
Shri BS Chlumber, GM NSFDC  
Shri BL Yadav, Manager, NSKFDC  
Shri RP Mamgain, IIDS

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