

## Background Note

# Has India Really Tried to Ban Manual Scavenging?

### Committees/ Commissions

#### Barve Committee

The problem of scavenging and improving the conditions of scavengers has persistently been engaging the attention of the Government since independence. The erstwhile Government of Bombay, appointed a committee known as the Scavengers' Living Conditions Enquiry Committee in 1949 with late Shri V.N. Barve as Chairman to study and enquire into the living conditions of the scavengers in the State of Bombay and to suggest ways and means to improve their conditions of work and to fix their minimum wages. The Committee submitted its report to the Government of Bombay in 1952. In 1955 the Ministry of Home Affairs circulated a copy of the major recommendations of the Barve Committee to all the State Governments requesting them to adopt these recommendations <sup>1</sup>.

#### Kaka Kalelkar Commission

The first Backward Classes Commission which was appointed in 1953 under the Chairmanship of Kaka Kalelkar submitted its report in 1955. The Commission described the condition of sweepers and scavengers as sub-human. The observations and recommendations of the Backward Classes Commission were brought to the notice of all the State Governments by the Ministry of Home Affairs in October 1956 emphasising the need to introduce mechanical and up-to-date methods of cleansing latrines so that the inhuman practice of doing this work by hand and carrying nightsoil on heads is obviated as far as possible and also specific schemes covering every sphere of life to uplift Bhangis from their 'sub-human' level of existence <sup>2</sup>.

#### Central Advisory Board for Harijan Welfare

The Ministry of Home Affairs constituted a Central Advisory Board of Harijan Welfare in 1956 under the chairmanship of Late Pandit Gobind Ballabh Pant, the then Minister of Home Affairs.

This Board inter alia reviewed the working and living condition of the sweepers and scavengers in the country and recommended to the Government to introduce a Centrally Sponsored Scheme for this purpose <sup>3</sup>.

#### Malkani Committee

The Board in its meeting held on the 12th October, 1957 constituted a committee, known as Scavenging Conditions Inquiry Committee consisting of Prof. N.R. Malkani as Chairman to prepare a scheme to put an end to the degrading practice of scavenging having to carry nightsoil in buckets or baskets. The Committee which submitted its report in December 1960 recommended not merely for eliminating the practice of carrying nightsoil as head loads, but also for removing filth and indignity from all stages of scavenging and for improving the working, living conditions and social status <sup>4</sup>.

#### Committee on Customary Rights

The Central Department of Social Welfare appointed a committee in 1965 under the chairmanship of Prof. N. R. Malkani, to examine the question of the abolition of customary

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<sup>1</sup> *op.cit.*, Manual Scavenging in India, pp. 35-36,

<sup>2</sup> *Ibid*, pp. 36-37

<sup>3</sup> *Ibid*, pp. 37-38

<sup>4</sup> *Ibid*, p.38

rights of the scavenges. The Committee which submitted its report in 1966 found that where scavenging is not municipalized the latrines were cleaned privately and one particular scavenger acquired hereditary right to clean such latrine as against another scavenger by an understanding and agreement. A customary relationship also develops with the householder and the scavenger receives payments in some form or the other<sup>5</sup>.

### **Pandya Committee**

The National Commission on Labour constituted by the Union Ministry of Labour appointed a sub-committee (1968-69) under the chairmanship of Shri Bhanu Prasad Pandya to look into the working and service conditions of sweepers and scavengers.

One of the important recommendations of the committee was that “the Central Government should undertake a comprehensive legislation for regulating their working, service and living conditions which should also provide for adequate inspectorate and enforcement machinery”.

Similar committees were also constituted at the State level in the States of Uttar Pradesh (1955), Haryana (1969), Kerala (1971) and Karnataka (1976)<sup>6</sup>.

**5. SCHEMES FOR WELFARE AND REHABILITATION** In view of the existing hereditary obnoxious and inhuman condition of manual scavengers, the Government has formulated various schemes/programmes for their Social and Economic upliftment:

**Valmiki Malin Basti Awas Yojna (VAMBAY):** This scheme was launched by Government of India during 2001 with the aim to provide shelter and upgrade the existing shelter for people living below poverty line in urban slums which helps in making cities slum free. The scheme is shared on 50:50 basis with states. Preference is given to women headed households. The Government releases subsidy on a 1:1 basis with loan<sup>7</sup>.

**Total Sanitation Campaign (TSC):** The Total Sanitation Campaign is a comprehensive programme to ensure sanitation facilities in rural areas with broader goal to eradicate the practice of open defecation. TSC was initiated in 1999 when Central Rural Sanitation Programme was restructured making it demand driven and people centered. It follows a principle of “low to no subsidy” where a nominal subsidy in the form of incentive is given to rural poor households for construction of toilets.

TSC gives strong emphasis on Information, Education and Communication (IEC), Capacity Building and Hygiene Education for effective behavior change with involvement of Panchayati Raj Institutions (PRIs), Community Based Organizations (CBOs), and Non Governmental Organizations (NGOs) etc.

The key intervention areas are Individual Household Latrines (IHHL), School Sanitation and Hygiene Education (SSHE), Community Sanitary Complex, Anganwadi toilets supported by Rural Sanitary Marts (RSMs) and Production Centers (PCs) see *Annexure-VI*<sup>8</sup>.

**Nirmal Gram Puraskar Yojna:** To add vigour to the TSC, in June 2003, the Government of India initiated an incentive scheme for fully sanitized and open defecation free Gram Panchayats, Blocks, and Districts called the ‘Nirmal Gram Puraskar’.

The incentive provision is for Panchayati Raj Institutions (PRIs) as well as individuals and organizations that are the driving forces for full sanitation coverage see *Annexure-VI*<sup>8</sup>.

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<sup>5</sup> *Ibid*, pp. 39-40

<sup>6</sup> *Ibid*, p. 40

<sup>7</sup> <http://ncsk.nic.in>

<sup>8</sup> <http://nhrc.nic.in>

**National Scheme of Liberation and Rehabilitation of Scavengers (NSLRS):** The National Scheme of Liberation and Rehabilitation of Scavengers (NSLRS) was launched by the Government in March, 1992 to provide alternate employment to the scavengers and their dependents. Under the NSLRS the scavengers and their dependents are trained in trades of their aptitude which can provide them alternate employment. During the course of training, the trainees get stipend up to Rs.500/- per month and a tool kit allowance up to Rs.2,000/-. For rehabilitation, there is a prescribed financial package for different trades by which financial assistance up to Rs.50,000/- can be provided. Under NSLRS, the Government of India has formulated and issued guidelines to all States and their Special Central Assistance (SCAs) to form groups of 5 to 25 scavengers and start a production-cum-trading-cum service centre for large-scale conversion of dry latrines through Sanitary Marts in which the loan component would be provided by the National Safai Karamcharis Finance and Development Corporation (NSKFDC)<sup>10</sup>.

**Pre-matric Scholarships for the Children of those Engaged in Unclean Occupations:** The objective of this scheme is to provide financial assistance to enable the children of scavengers of dry latrines, tanners, flayers and sweepers who have traditional links with scavenging to pursue pre-matric education. Under the scheme, the States / UTs are provided 100% Central assistance over and above their respective committed liabilities to implement this scheme. The scheme covers over 6 lakh students every year<sup>11</sup>.

**Integrated Low Cost Sanitation Scheme (ILCS):** In order to eliminate the dehumanizing practice of physically carrying night soil, the Centrally Sponsored Scheme for Urban Low Cost Sanitation was initiated in 1981 by the Ministry of Home Affairs and later implemented through the Ministry of Social Justice and Empowerment. The scheme envisages conversion of dry latrines into low cost twin pit sanitary latrines and liberation of scavengers through total elimination of manual scavenging. The scheme has been taken up on a 'whole town basis' and is being operated through the Housing and Urban Development Corporation (HUDCO) by providing a mix of subsidy from the Central Government and loan from the HUDCO in a synchronized manner<sup>12</sup>.

**Pay and Use Toilet Scheme:** Under 'Pay and Use Toilet Scheme', Central assistance through Housing and Urban Development Corporation (HUDCO) was available to Urban Local Bodies (ULBs) for construction of toilets for footpath and slum dwellers who were unable to construct their own toilets.

The period of the project was one year and the subsidy was payable in four equal installments on submission of utilization certificates of each instalment<sup>13</sup>.

**National Safai Karamcharis Finance and Development Corporation (NSKFDC):** National Safai Karamcharis Finance and Development Corporation (NSKFDC) was incorporated on 24 January, 1997 under Section 25 of the Companies Act, 1956, as an Apex Institution for all round socio-economic upliftment of the Safai Karamcharis and their dependents throughout India and to extend concessional financial assistance to the Safai Karamcharis beneficiaries for

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<sup>9</sup> *Ibid*, p. 7 8

<sup>10</sup> *Ibid*

<sup>11</sup> *Ibid*, p. 8

<sup>12</sup> *Ibid*, p. 8

<sup>13</sup> *Ibid*, pp. 8-9

establishment of income generating projects. NSKFDC provides loans to the Safai Karamcharis and their dependents through the State Channelising Agencies.

The target groups of the Corporation are “Scavengers” and their dependents and “Safai Karamcharis”<sup>14</sup>.

**Assistance to State Scheduled Castes Development Corporations (SCDCs):** The scheme for assistance to State Scheduled Castes Development Corporations was introduced in the year 1978-79 as a Centrally Sponsored Scheme in the States/UTs having sizeable Scheduled Castes population. At present, SCDCs are functioning in 26 States and UTs. They are playing an extremely useful role in mobilisation of finances of economic development of the Scheduled Castes living below the poverty line.

They have been acting as promoters and catalysts for generating credit from financial institutions, providing missing inputs by way of margin money loans and subsidy to the target groups<sup>15</sup>.

**Self Employment Scheme for Rehabilitation of Manual Scavengers:** This is a very prominent scheme of the Ministry of Social Justice and Empowerment meant for the rehabilitation of Manual Scavengers. The salient features of the scheme are as under:-

- As per survey reports received from States, there are 7,70,338 scavengers and their dependents in India. Taking into account manual scavengers numbering 4,27,870 already assisted under NSLRS and ineligible for assistance the number of Manual Scavengers yet to be rehabilitated is 3,42,468 as per State wise details given in *Annexure-III*.
- The objective of the scheme is to assist the remaining scavengers for rehabilitation, which are yet to be assisted. Scavengers and their dependents, irrespective of their income, who are yet to be provided assistance for rehabilitation, under any scheme of Government of India/State Governments will be eligible for assistance.
- The identified scavengers will be provided training, loan, and subsidy. Credit will be provided by the banks, which will charge interest from the beneficiaries at the rates prescribed under the scheme. NSKFDC or any other identified agency at the apex level, will provide interest subsidy to the banks through its State Channelising Agencies (SCAs) or any other identified agency at the State level, for the difference between the interest chargeable by bank and the interest to be charged from the beneficiaries under the scheme.
- Both, term loan (upto a maximum cost of Rs. 5 lakhs) and micro financing (upto a maximum of Rs. 25,000) will be admissible under the scheme. Micro financing will also be done through self help groups (SHGs) and reputed Non Governmental Organisations(NGOs)

Rate of interest chargeable from the beneficiaries	
a) For projects upto Rs. 25,000/-	4% per annum ( for women beneficiaries) 5% per annum
b) For projects above Rs. 25,000/-	6% per annum

<sup>14</sup> *Ibid*, pp. 8-9

<sup>15</sup> *Ibid*, p. 9

- The period of repayment loan will be three years for projects upto Rs.25,000 and 5 years for projects above Rs.25,000. The moratorium period to start the repayment of loan will be six months. The SCAs would distribute the funds within a period of three months to the beneficiaries
- Where the rate of interest chargeable by the banks on loans will be higher than the rates prescribed in the scheme, interest subsidy to the extent of the difference will be given to the banks and this will be administered by NSKFDC/ other agencies identified by the Ministry.
- Credit linked capital subsidy will be provided upfront to the beneficiaries in a scaled manner:

a) For projects costing upto Rs.25,000	@ 50% of the project cost
b) For projects costing more than Rs.25,000/-	@ 25% of the project cost, with a minimum of Rs.12,500 and maximum of Rs.20,000/-

- Beneficiaries will be allowed to avail second and subsequent loan from banks if required, without capital subsidy and interest subsidy and other grants under the scheme.
- NSKFDC or any other agency identified under the scheme, will undertake all activities under the scheme and will co-ordinate with the concerned agencies to ensure optimum benefits to the beneficiaries. NSKFDC or other identified agency will have freedom to meet admissible expenditure under the scheme out of their own funds, which will be reimbursable to them.
- The scheme is proposed to be implemented at the national level through NSKFDC or other identified agencies for this purpose. At the State level, the implementing agencies will be the state channelising agencies identified for the purpose, which may include government agencies and reputed nongovernmental organisations.
- The existing institutions under the Ministry such as the NSKFDC and its SCAs have the requisite experience to implement the proposed scheme. However, their limited infrastructure capacity would need to be enhanced.
- The beneficiaries are free to select any viable income generating self employment project given below is the indicative list of projects, which are usually selected by the beneficiaries which are sustainable and have a good potential of regular income.:-

Sl. No.	Projects	Indicative cost of the Project
1	Fruit & Vegetables Vendor & Meat Shop, Paan Shop, Watch Repairing Shop and Wet Grinder etc.	Upto Rs.25,000 each
2.	Barber Shop, Tailoring Shop, Flour Mill, Bicycle Hiring and Repairing and STD/PCO Booth etc.	Rs.25,001 to Rs.50,000 each
3.	Autorickshaw (Petrol), Automobile Repair Shop, PCO/Photocopier Booth, General Provision Store, Beauty Parlour and Music Store etc.	Rs.50,001 to Rs.1,00,000 each
4.	Transport , Denting & Painting of Vehicles and Domestic Gadgets, Laundry & Dry Cleaning Shop, Sanitary & Hardware Shop, Servicing & Repair of Domestic Electrical Appliances, Tent House, Band Party, Readymade Garments Shop, Agriculture and allied activities including Non-land based schemes like Tractor, Trolley, Poultry Farming	Rs.1,00,001 to Rs.5,00,000 each

Source: Ministry of Social Justice and Empowerment Department of Social Justice & Empowerment

- Since the scavengers will be rehabilitated in non-traditional professions, they will require training to acquire new skills and entrepreneurship capabilities. This can be given by government agencies/institutes as well as by reputed specialised training agencies.
- A comprehensive programme of publicity with a view to awareness generation at all levels will be undertaken so as to ensure that optimum benefit reaches to the beneficiaries in the shortest possible time.
- The progress of implementation will be monitored by NSKFDC and other apex level agencies, identified for the purpose. The National Commission for Safai Karamcharis may, in accordance with its terms of reference, review the implementation of programmes and schemes, social and economic rehabilitation of the manual scavengers. The scheme will be concurrently evaluated by an independent agency for which 1% of the total cost of the scheme (i.e. Rs.7.35 crore) is earmarked under Monitoring and Concurrent Evaluation.
- In order to bridge the gap between liberation and rehabilitation of manual scavengers, the scheme will be linked with the programme of conversion of dry latrines in co-ordination with the Ministry of Housing and Urban Poverty Alleviation(MoH&UPA) and municipal bodies at State/local levels. As various Ministries of Government of India and State Governments are implementing different developmental programmes, efforts will be made to converge the benefits with other existing programmes so as to give a meaningful package to the target group. The existing mechanism of Central Monitoring Committee (CMC) to monitor the implementation of the National Action Plan for Total Eradication of Manual Scavenging by 2007, under the chairpersonship of Secretary (MSJ&E) with inter-ministerial representation will be utilised for this purpose<sup>16</sup> See Annexure-IV.

*(This note has been excerpted from a note prepared for members of parliament by LARRDI, the Parliament Library and Reference, Research, Documentation and Information Service meant for the use of parliamentarians; it is available on the internet at*

*<http://164.100.47.134/intranet/Manual%20Scavengers%20welfare%20and%20Rehabilitation.pdf>)*

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<sup>16</sup> <http://socialjustice.nic.in>