

## The Swachh Bharat Paradox: Issues and Challenges of Manual Scavengers with Special Reference to the COVID-19 Crisis

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### *Abstract*

*Despite the enactment of successive legislations in 1993 and 2013, the dehumanising occupational practice of manual scavenging still persists in India. As members of the Dalit community, manual scavengers continue to confront issues such as marginalisation and gross violation of their dignity. This paper critically examines the socio-legal status of manual scavengers in India by assessing key determinants including the legislative and regulatory measures, the role of the judiciary and civil society, as well as the widely celebrated Swachh Bharat Abhiyan. Additionally, the paper provides an empirical analysis of the struggles faced by manual scavengers as frontline workers during the unprecedented humanitarian crisis of COVID-19.*

**Keywords:** Manual Scavengers, Swachh Bharat Abhiyan, COVID-19, Sanitation, Marginalisation

### **I. Introduction**

Presently, depending on the state of sanitation infrastructure in a given area, human faecal waste management may necessitate different approaches. In rural

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areas with suboptimal infrastructure, faecal waste might need regular collection from community or private latrines, while in more developed regions, pit-latrines or septic tanks may only require cleaning every few months. Therefore, some level of human intervention is practically essential throughout the sanitation chain to perform critical tasks, without which a health crisis may ensue.

Upon tracing the history, it surfaces that prior to the establishment of a well-developed sanitation infrastructure, manual cleaning of excreta was prevalent in many countries, including Malaysia, China, Haiti, and South Africa. However, such work was not delegated to specific social groups or genders. In contrast, the grim reality in India is that such tasks have been exclusively assigned to a single social group, known by various names such as *Valmikis*, *Bhangis*, *Methars*, *Thoti*, *Lalbegi*, and *Chuhra*<sup>2</sup>, among others.

In India's diverse communities and cultures, the stigmatised occupation of sanitation work has consistently fallen upon members of the lowest caste strata. The term 'Safai Karamchari' is a widely used Hindi reference for both sweepers and manual scavengers. It encompasses individuals who manually clean and dispose of human excrement with their bare hands from community or private insanitary latrines<sup>3</sup>, septic tanks, sewers, and even railway tracks. Although different studies approach the problem from varying perspectives, there is a general consensus that the practice of manual scavenging is widespread in various forms across India. Within this debate, a fundamental issue that frequently arises is the distinction between 'sanitation work' and 'manual scavenging'<sup>4</sup>. According to international organisations such as the ILO and WHO, among others, "sanitation work" broadly refers to cleaning, maintaining, operating, or emptying any step of the sanitation process, including septic tanks, sewers, insanitary latrines, or sludge treatment plants. This category often encompasses sweepers,

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<sup>2</sup> J. H. HUTTON, *CASTE IN INDIA: ITS NATURE, FUNCTION AND ORIGINS*. BOMBAY: INDIAN BRANCH, (Oxford University Press, 1963).

<sup>3</sup> "Insanitary Latrine" has been defined as "a latrine which requires human excreta to be cleaned, or otherwise handled manually, either in situ, or in an open drain or pit into which the excreta is discharged or flushed out." — As defined under S. 2(1)(e), The Prohibition of Employment of Manual Scavengers and Their Rehabilitation Act, No. 25 of 2013.

<sup>4</sup> Annapurna Waughray, *Caste Discrimination and Minority Rights: The Case of India's Dalits*, vol. 17, no. 2, *INTERNATIONAL JOURNAL ON MINORITY AND GROUP RIGHTS*, 2010, pp. 327–353.

as well as dry waste and garbage workers<sup>5</sup>. In contrast, the 2013 enactment<sup>6</sup> to eliminate and permanently prohibit manual scavenging narrowly defines the term as applying only to a smaller segment of people engaged in cleaning, carrying, disposing, or otherwise handling human excreta without proper equipment and safety gear. In fact, multiple field studies reveal that government officials typically consider manual scavenging to be strictly limited to practices carried out at dry/insanitary latrines. However, in practical terms, it may be challenging to categorise and confine manual scavenging within such a strict definition.

## II. Issues and Challenges: Ostracism, Social Ridicule and Deteriorating Health

At its core, manual scavenging is essentially forced labour. Women involved in this practice in rural India receive approximately 30 rupees per month per household for manually cleaning excreta using the traditional broom and basket method. Often, compensation takes the form of leftover food and discarded clothing<sup>7</sup>. In urban areas, while wages are seemingly higher, they are still barely enough for basic survival. For example, for a day's work of cleaning septic tanks, men earn paltry sums of around 250 to 300 rupees.

In addition to living in abject poverty, sanitation workers endure severe physical hardships due to constant exposure to harmful gases, filth, and excreta. Commonly diagnosed health issues include asthma, hepatitis, anaemia, impaired hearing, vision loss, hair and skin infections, and various types of cancer. In a country with an average life expectancy of around 69 years<sup>8</sup>, sanitation labourers' life expectancy is less than 50, with common causes of death including asphyxiation, drowning in manholes, cholera, tuberculosis, meningitis, lung

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<sup>5</sup> *Ibid.*

<sup>6</sup> The Prohibition of Employment of Manual Scavengers and Their Rehabilitation Act, No. 25 of 2013

<sup>7</sup> Uma Chakravarti, *from fathers to husbands: of love, death and marriage in North India*, in Hossain, ed. Honour: Crimes, Paradigms and Violence against Women, Zed Books London, 2005.

<sup>8</sup> Asaria M, Mazumdar S, Chowdhury S, et al Socioeconomic inequality in life expectancy in India BMJ Global Health 2019.

cancer, etc<sup>9</sup>. However, the most harrowing challenge they face is the psychological trauma resulting from continuous engagement in such dehumanising tasks. It is widely known that sewage workers often resort to alcoholism, as they feel compelled to intoxicate themselves to cope with the unbearable stench surrounding them. The glaring irony is that despite the prevalence of these health issues among the community, they are neither provided with health insurance benefits nor any kind of safety equipment<sup>10</sup>.

Moreover, it is crucial to recognise the predominant factor behind such a brutal form of oppression in modern times – pervasive violence<sup>11</sup>. Communities of manual scavengers in contemporary India face constant threats of physical and verbal abuse, a grim reality that plagues their daily lives<sup>12</sup>. Additionally, they also confront the risk of social exclusion and ostracisation due to their perceived ‘indignity’. In villages and smaller towns, their dwellings are situated on the outskirts, adjacent to garbage dumps, while in cities, they are forced to reside in substandard tenements and slums. Numerous reports indicate that the majority of cleaning staff who succumbed to COVID-19 in the National Capital Territory (NCT) of Delhi, comprised of sanitation workers sweeping streets and handling biomedical and other waste materials with little or no proper equipment or training. In addition to the risks posed by infection and previously mentioned issues, the frequent lockdowns and other restrictions implemented since the pandemic's onset have left a large population of manual scavengers, who are informal workers that migrated from rural to urban areas seeking employment opportunities, without transportation, ration, or food availability. This situation led to a mass exodus of sanitation workers, along with other informal labourers. As they travelled hundreds of kilometres on foot, reports emerged of widespread starvation, exhaustion, dehydration, police brutality, fatal accidents, and suicide.

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<sup>9</sup> HARSH MANDER, RESOURCE HANDBOOK FOR ENDING MANUAL SCAVENGING; INTERNATIONAL LABOUR ORGANISATION; ILO DWT for South Asia and ILO Country Office for India. (New Delhi: ILO, 2014).

<sup>10</sup> Rajeev Kumar Singh, *Manual Scavenging as Social Exclusion: A Case Study*, Vol. 44, No. 26/27 ECO. & POL. WEEKLY, (Jun. 27 2009), pp. 521-523.

<sup>11</sup> *Ibid.*

<sup>12</sup> Rinkesh (2018). What is manual scavenging? Retrieved from <https://www.conserveenergy-future.com/causes-effects-solutions-manual-scavenging.php>.

However, no official death tolls for these informal workers have been published to date<sup>13</sup>.

### III. Tracing the Past: Sociocultural History of Manual Scavengers in India

*Pre-Independence* — To truly understand the plight of contemporary manual scavengers, it is essential to examine their deep-rooted and complex history. The caste system in India, dating back to the Vedic period, has divided communities based on Hindu philosophy into a distinct hierarchical order, where people are assigned an occupation by virtue of their social status at birth. Although the term is commonly used today, it originates from the Latin word ‘Custus’ which means ‘chaste’ or ‘pure’. The Portuguese first used this term in the early 16<sup>th</sup> century to denote the social stratification of Hindus into four distinct classes (*chaturvarna*), each with its own set of duties and privileges<sup>14</sup>. Within this hierarchy, various interpretations of ‘purity’ and ‘pollution’ have emerged, with Brahmins considered the purest and primarily involved in religious and ritualistic occupations. At the other end of the social spectrum were the Dalits or ‘untouchables’, who were specifically employed for work regarded as the most polluted, both literally and spiritually – such as handling carcasses, bodily fluids, faecal matter, and performing other menial jobs such as barbering and cobbling<sup>15</sup>. Spatial and social segregation also became significant, as Dalits were expected to maintain physical distance from spaces occupied by ‘purer’ members of society, thus preventing the ‘pollution’ of vital elements of nature such as water and air. As a result, issues of marginalisation and exclusion became an intrinsic part of the social fabric in India.

During the colonial era, efforts to improve public health, hygiene, and sanitation were primarily focused on British cantonment and residential areas, while native

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<sup>13</sup> Singh, A. & Unnikrishnan, A. (2020). Why manual scavengers in India haven’t got their rights despite laws, judiciary intervention. Retrieved from <https://theprint.in/opinion/why-manual-scavengers-in-india-havent-got-theirrights-despite-laws-judiciary-intervention/371140/>.

<sup>14</sup> A. N. Bose, *Evolution of Civil Society and Caste System in India*, 3 INTERNATIONAL REVIEW OF SOCIAL HISTORY 97–121 (1958).

<sup>15</sup> *Ibid.*

quarters were largely neglected<sup>16</sup>. This situation forced locals to rely on manual scavengers for sanitation maintenance, thereby reinforcing the existing social divide in an urban context. Residential waste and street litter were managed either by “hereditary sweepers” or “municipal cleaners”, both of whom belonged to the lowest caste groups. The occupational hazards faced by manual scavengers were further exacerbated by pervasive discrimination. As their work was classified as an essential public service, it prevented them from seeking alternative employment or unionising for higher wages. Scavenger communities were also compelled to live in the most densely populated, dirty, and unsanitary areas of the city, where they faced frequent eviction and displacement during various urban renewal projects<sup>17</sup>.

Efforts by the community to demand change, rehabilitation, or upliftment, including strikes in Haridwar, Delhi, and Bombay, were met with punitive measures. For example, legislations like the Municipal Act of 1900 stipulated that hereditary sweepers could be fined in cases of dereliction of duty or refusal to clean sanitary waste<sup>18</sup>. Similarly, in some regions, municipal authorities required sanitation workers to provide a minimum notice of two months before leaving their work, with violations resulting in imprisonment, fines, or both. Several urban settlements even passed legislations to completely municipalise scavenging work in order to prevent workers from earning additional income by selling night soil. Such attempts accelerated during the early 20<sup>th</sup> century, and the caste system was portrayed in a glorified, paternalistic light<sup>19</sup>. Mahatma Gandhi reintroduced the caste system to the Indian masses through his democratic and nationalist ideals, with the aim to facilitate the smooth functioning of society by assigning critical roles to all classes in the process of welfare and development. Although he condemned all forms of discrimination, he celebrated the concept of manual scavenging as a form of service to the larger public. In stark contrast to Gandhian ideology were the views of Dr. Bhim Rao Ambedkar, a Dalit himself, who pioneered the movement against caste-based stratification in India. He strongly

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<sup>16</sup> Rosalind Ohanlon, *Caste, and its Histories in Colonial India: A reappraisal*, 51 MODERN ASIAN STUDIES 432–461 (2017).

<sup>17</sup> *Supra* Note 2 at 65-68.

<sup>18</sup> *Supra* Note 2 at 73.

<sup>19</sup> Bezwada Wilson, *Why is it so Difficult to Free India of Manual Scavenging?* Kafil, Dec. 22, 2017, <http://kafila.org/2017/12/22/why-is-it-so-difficult-to-free-india-of-manual-scavenging>.

believed that as long as the caste system persisted, 'outcastes' would always exist in society, and therefore vehemently opposed any such hierarchical order. Ambedkar advocated for the 'Annihilation of Caste' and argued that Gandhi's claims were merely empty rhetorics meant to appease the masses<sup>20</sup>.

*Post-Independence* - The discord regarding the status of manual scavengers persisted long after India gained independence, and was driven primarily by social activism and vote bank politics. This led to the establishment of several expert commissions, which suggested that a fair balance of technological interventions and social reform would significantly reduce the need for manual intervention with faecal waste, thereby transforming this social evil into a regulated service<sup>21</sup>. In 1949, the Barve Committee in Bombay focused on making recommendations for improving the living conditions and establishing minimum wages for manual scavengers. At the national level, in 1953, the first-ever Backward Classes Commission was established, which described the practice as inhumane and suggested that a complete overhaul through mechanisation must pave the way for change. Subsequently, the Malkani Report in 1961 recommended improvements in technology and infrastructure to eliminate the need for manual cleaning and address the issue of human dignity violations<sup>22</sup>. However, the subsequent efforts were inconsistent and did little to meaningfully uplift the community. Recognising these shortcomings, the governments in the 1990s began to shift from paternalism towards legal safeguards.

Consequently, in the year 1993, the *Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993*<sup>23</sup> came into force, which deemed the practice as inhumane and unjust. The act criminalised the employment of manual scavengers but not the act of manual scavenging itself. In other words, while the demand for labour was outlawed, the surplus 'supply' still needed to be addressed through alternative vocations and skill-building programmes. The Union Government launched the Low-Cost Sanitation Scheme

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<sup>20</sup> Raj S. Gandhi, *The Practice of Untouchability: Persistence and Change*, Vol. 10, No. 1, HUMBOLDT JOURNAL OF SOCIAL RELATIONS, Race & Ethnic Relations: Cross-Cultural Perspectives, pp. 254-275.

<sup>21</sup> *Ibid.*

<sup>22</sup> Government of India, Report of Scavenging Conditions Enquiry Committee (Ministry of Home Affairs, 1980).

<sup>23</sup> Act No. 46 of 1993.

to reduce the demand for manual scavenging by demolishing and converting insanitary latrines. Another significant development at this time was the formation of the National Commission for Safai Karamcharis, a governmental watchdog to investigate the maltreatment of sanitation workers. However, these attempts were not entirely effective in addressing the issue. The sanitation infrastructure remained suboptimal, and water supply was highly inadequate, which ensured that there was no reduction in the demand for manual scavengers. Instead, the demand was driven underground. This resulted in the further amplification of casteism and socio-economic deprivation, as manual scavengers continued to perform the same work, but now without any legal protection since the practice had been outlawed.

#### IV Continuing Mandamus - Role of Courts and Civil Society Organisations

During the latter half of the 1990s, civil society initiatives and courts began to take charge, as earlier reforms had been proven ineffective. Several cases were filed that challenged the legal status of manual scavenging and questioned the ameliorative measures taken by the State. In the early 2000s, a coalition of 30 NGOs initiated a campaign to educate and raise awareness among manual scavengers, encouraging them to seek alternative livelihoods and offering assistance during the transition. The *Rashtriya Garima Abhiyan*<sup>24</sup>, or the National Campaign for Dignity, was a particularly noteworthy effort toward the upliftment of women from the scavengers' community. This campaign provided skill-building initiatives and support for women seeking alternative employment, helping them transition away from manual scavenging. In 2003, Bezwada Wilson founded the Safai Karamchari Andolan (SKA), a non-profit organisation that initiated a nationwide movement to raise awareness and fight against the practice of manual scavenging<sup>25</sup>. Wilson and his team moved a case to the Supreme Court of India, seeking protection for manual scavengers across the country. The case,

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<sup>24</sup> Rashtriya Garima Abhiyaan (2013). Retrieved from <http://www.mfcindia.org/main/bgpapers/bgpapers2013/am/bgpap2013h.pdf>.

<sup>25</sup> Shivam Vij, *How Bezwada Wilson Liberated Lakhs Of Manual Scavengers In India*, HUFFINGTON POST, *India Edition* (2017, January 23). [https://www.huffingtonpost.in/2016/07/27/how-bezawada-wilson-liberated-lakhs-of-manual-scavengers\\_a\\_21439738](https://www.huffingtonpost.in/2016/07/27/how-bezawada-wilson-liberated-lakhs-of-manual-scavengers_a_21439738).



titled *Safai Karamchhari Andolan & Ors. V. Union of India*<sup>26</sup>, became a landmark judgement that took 11 years to be adjudicated and was regarded as a ‘Continuing Mandamus’ on the subject. This meant that the court could be approached to order concerned State authorities to provide details on the implementation of the law and the overall status of scavengers for any given area, ensuring continued monitoring and progress in addressing the issue. The primary objective of a Public Interest Litigation (PIL) like this was to put pressure on authorities at both the Union and State levels to acknowledge and account for the ongoing manual scavenging activities in their jurisdictions. The ‘identification’ process was crucial because only when accurate numbers were determined could the beneficiaries of the law be provided with justice. Often, these numbers were conveniently concealed or manipulated.

Subsequent proceedings in the case revealed that there were significant discrepancies in the estimates of people engaged in manual scavenging. The 15<sup>th</sup> Census report disclosed that over one million households in the country did not have flush-based latrines and still relied on manual scavengers. The same report also revealed that Indian Railways, a functionary of the Government, was the largest employer of manual scavengers in the country. The need for a more accurate identification process became paramount to ensure proper legal protection and support for these marginalised communities. These shocking revelations led to continued agitation by NGOs, ultimately resulting in the enactment of the 2013 Act — Prohibition of Employment as Manual Scavengers and their Rehabilitation Act (PEMSR), 2013<sup>27</sup>.

The Act expands upon the 1993 law by not only prohibiting the employment of manual scavengers in dry latrines but also broadening the scope to include those working in open drains, pits, sewers<sup>28</sup>, and septic tanks<sup>29</sup>. The offence under the

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<sup>26</sup> *Safai Karamchhari Andolan v. Union of India* 2014 (4) SCALE 165, <https://main.sci.gov.in/jonew/judis/41346.pdf>.

<sup>27</sup> Act No 25 of 2013.

<sup>28</sup> A “sewer” shall be taken to mean “an underground conduit or pipe for carrying off human excreta, besides other waste matter and drainage wastes.” — As defined under S. 2(1)(q), The Prohibition of Employment of Manual Scavengers and Their Rehabilitation Act, No. 25 of 2013.

<sup>29</sup> A “septic tank” shall mean to be “a watertight settling tank or chamber, normally located underground, which is used to receive and hold human excreta, allowing it to

2013 Act has been made cognizable and non-bailable in nature. Moreover, as the title suggests, the Act mandates authorities to rehabilitate the community in alternative vocations, provide them with housing, organise training programmes, and implement other social welfare measures. Another significant aspect of the Act is its requirement for employers to provide protective gear to sanitation workers. This comprehensive approach aimed to address the challenges faced by manual scavengers in India more effectively than previous legislation. However, the Act contains some noticeable inconsistencies. Section 2(1)(g) states that if protective gear is provided, the worker would not be considered a manual scavenger, which is a flawed assumption as it completely disregards the question of human dignity. Moreover, the responsibility to provide such safety gear rests with the employer. However, most municipal cleaning tasks are outsourced, and this responsibility then falls on private employers, who may not feel obligated to comply with the said provision. This loophole potentially acts as an easy escape route for the continued exploitation of manual scavengers and a lack of adherence to safety standards, therefore further exacerbating the problem. It is argued here that the legislative imagination of how to eradicate manual scavenging largely falls short of a holistic understanding. The provision under the 2013 Act which lays down that providing safety gear converts a manual scavenger into a sanitation worker attempts to give legal legitimacy to untouchability and ignoring that the scavenging activity still remains 'manual' in nature.

Another critical issue is that of the handling of these cases in a summary manner, which could compromise the gravity of the offence and the issue at hand. As per the Code of Criminal Procedure (Cr.P.C.) 1973, a summary trial is conducted only for non-cognisable offences. However, under the present act, this practice is termed as cognisable and non-bailable, which is ironic. Additionally, the act fails to prescribe a specific timeline for the conversion of insanitary latrines into sanitary ones, providing an easy escape route for offenders.

#### **V. Appraisal - Political Reality versus Ground Reality**

Although the enactment of the PEMSAR Act of 2013 has been a significant step forward, the practice of manual scavenging continues to persist in various forms.

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decompose through bacterial activity.” — As defined under S. 2(1)(p), The Prohibition of Employment of Manual Scavengers and Their Rehabilitation Act, No. 25 of 2013.

According to numerous reports, there have been no convictions under the Act of 2013<sup>30</sup>. The efforts towards rehabilitation under the PEMSR Act were largely ineffective due to ambiguity regarding funding sources, land allocation for housing, and other factors. The 2013 Act also provided for One-Time Cash Assistance (OTCA) to manual scavengers, comprising an allowance of Rs. 40,000, along with vocational training facilities to enable smooth and swift rehabilitation. Low-interest loans of up to Rs. 15 Lakh were also facilitated. Unfortunately, however, the National Safai Karamchari Finance Development Corporation (NSKFDC) reported that in over three years, only about 5,602 people benefited from such initiatives<sup>31</sup>.

In 2014, the newly elected Modi Government made headlines for their ambitious initiative called the *Clean India Campaign or Swachh Bharat Mission (SBM)*. The main objective of this mission was to make India open-defecation free by constructing over 10 million toilets across the country. The planned construction of toilets ranged from pit-latrines to pour-flush latrines, which worked manually or mechanically to ultimately collect excreta in a collection tank or unit. In addition to emphasising individual toilet construction, the SBM also highlighted the Indian Railway's programme on bio-toilets. This program aimed at implementing ecological sanitation methods to ensure that no human excrement was disposed of onto railway tracks<sup>32</sup>. While the SBM made progress in achieving its goal of broader toilet coverage, the issue of manual scavengers remained unaddressed. The State failed to consider the need for a comprehensive improvement in sanitation infrastructure, without which the necessity for manual cleaning would persist. The reason is simple — *a constructed toilet did not necessarily mean it was a functional toilet*<sup>33</sup>, as there was no efficient drainage system in place. Waste collected in pits or collection units required periodic

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<sup>30</sup> Dash, D.K. (2019). Not a single conviction in deaths of sewer cleaner: Govt. The Times of India. Retrieved from [https://m.timesofindia.com/india/not-a-singleconviction-in-deaths-of-%20sewer-cleanersgovt/amp\\_article\\_show/70746688.cms](https://m.timesofindia.com/india/not-a-singleconviction-in-deaths-of-%20sewer-cleanersgovt/amp_article_show/70746688.cms)

<sup>31</sup> MDGs and Dalits: A Status Report, NACDOR.

<sup>32</sup> Guidelines for SBM (Gramin), 2014, and Guidelines for Nirmal Bharat Abhiyan, 2012.

<sup>33</sup> JK Raju v State of Andhra Pradesh, Writ Petition (Civil) No. 631/2004 (Supreme Court of India, Order of 27 January 2015).

emptying and cleaning, ensuring that the demand for manual scavengers remained high.

Furthermore, the SBM treated household owners not as right-holders but as duty-bearers responsible for constructing sanitary latrines within a stipulated period, whereby non-compliance with the requirements could lead to sanctions. For instance, in several districts, BPL card holders were only permitted to get ration if they furnished proof of constructing a toilet at their premises. The 'Practitioner's Guide' under the SBM, though actively condemning the practice of manual scavenging, did not prescribe any clear measures for its eradication<sup>34</sup>. In 2017, the Central Government responded to widespread criticism that the manual scavengers issue was being side-lined under the SBM, claiming that OTCA had been provided to 92% of manual scavengers. However, this claim was soon debunked by reports revealing that only 8% of the existing population of scavengers had been identified.

## VI. The COVID-19 Catastrophe and Manual Scavengers

The COVID-19 pandemic brought with it an unprecedented humanitarian crisis, putting essential services in the spotlight and celebrating those who provided such services as 'Covid Warriors'. However, the workforce that continued to remain neglected even during these challenging times was the community of manual scavengers and other sanitation workers. On Sunday, March 22nd, 2020, when the entire country responded to the Government's plea and paid a glorious tribute to healthcare professionals and other frontline workers, there was absolutely no acknowledgement for the Safai Karamcharis<sup>35</sup>, who compromised an indispensable pillar working at the frontline. Throughout the pandemic, they dealt with medical and non-medical waste while ensuring that toilet spaces were cleaned and faecal sludge was cleared. Even during a time when the world at large faced curfews and lockdowns, the sanitation workforce continued to work diligently, risking not only their own lives but also those of their family

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<sup>34</sup>Swacch Bharat Abhiyan Urban, [https://swacchbharaturban.gov.in/writereaddata/Mission\\_objective](https://swacchbharaturban.gov.in/writereaddata/Mission_objective).

<sup>35</sup> Torgalkar, V. (2020). *Sanitation Workers on the Frontlines of the Pandemic Are Overlooked, Unprotected*. <https://theswaddle.com/covid-19-spreads-india-sanitation-workers-unprotected/>.

members<sup>36</sup>. Manual scavengers and sanitation workers were responsible for picking up garbage and cleaning sanitary waste without access to water for washing hands, at a time when sanitisers and disinfectant sprays were top-selling consumer goods among the masses. Being in the middle of the COVID-19 chaos, they were compelled to work in hospitals and quarantine centres, yet the appalling irony remains that they neither received extra training nor support in terms of personal protective equipment (PPE), tools, machinery, etc. On the contrary, they were further ostracised, owing to the hazardous conditions in which they had been working. Unfortunately, the nature of their job left them with little choice, as without them, the entire public health and sanitation chain would come to a catastrophic collapse<sup>37</sup>.

In a study conducted by WaterAid, it was revealed that sanitation workers globally, including manual scavengers in India, were undervalued, unprotected, and neglected during the pandemic. Some of the key findings of the study were as follows:

1. 26% of sanitation workers interviewed worked for an additional 2-6 hours every day.
2. Despite working longer hours, approximately half of the sanitation workers experienced a reduction in wages during the pandemic.
3. Almost 40% of sanitation workers in Bangladesh lacked access to clean water or hand-washing facilities at their workplace.
4. In Nepal, one-third of sanitation workers did not receive any PPE while working.
5. In Burkina Faso, 80% of sanitation workers found their protective equipment unsuitable, which heightened the probability of accidents.
6. Over 50% of respondents in Pakistan and Nepal were denied access to social security during the pandemic.

In India, the situation has been particularly grim, with the majority of sanitation workers in Assam, Maharashtra, Delhi, and Madhya Pradesh being deprived of even the basic tools and protective gear. Unlike other frontline workers, they were

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<sup>36</sup> Chugh, A., Bisht, A., Sarma, N., Koushik, S., Harsana, P. & Khan, S. (2020). Living On the Margins: An interpretative study of Sanitation Workers amidst COVID-19. *Vantage: Journal of Thematic Analysis*, 1(2): 127-153.

<sup>37</sup> *Ibid.*

not given preferential vaccination, health insurance, or any specific safety training or instructions. One of the most pressing concerns was the decrease in income, which resulted in their inability to provide for their families and meet their everyday expenses.

Amid the pandemic, manual scavengers were left with few options to support themselves and their families. Many turned to alternative means of income, such as becoming “bone scavengers”, as reported in a joint study by the World Sanitation Workers’ Alliance and the South Asian Sanitation Labour Network (SASLN). This practice involved collecting and selling human bones, particularly in West Bengal where death tolls were high. The bones were sold to traders and then to calcium manufacturers. Odisha and Rajasthan also had a significant number of manual scavengers who turned to bone scavenging for incomes as low as Rs. 200. Although bone scavenging has existed in India for decades, it gained momentum during the pandemic. The manual scavengers’ community was trapped in a state of abject poverty and chronic hunger, with no tangible alternatives for livelihood. Another business model that rapidly grew during the pandemic was the sale of human tissues and bones to sanitation workers in hospitals. The tissues and bones were further sold to medical students and institutes for research purposes. This arrangement was feasible for bone smugglers as they only had to pick up bones packed in sacks, which were left at dumping sites by manual scavengers under piles of garbage<sup>38</sup>. In a desperate attempt to earn a living, manual scavengers were also constrained to take up illegal employment at butcher shops to collect animal carcasses and leftover flesh, to be sold to animal feed factories where ground-up bones were an essential raw material.

## VII Interview Excerpts

The researcher interviewed **Dr. Renu Chhachar**, the **National Coordinator of Safai Karamchari Andolan (SKA)**, who has been actively involved in advocating for the rights of manual scavengers. Dr. Chhachar has led the justice movement forward through several campaigns and by conducting policy research

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<sup>38</sup> Desai, D. (2021). 282 deaths in last 4 years: How Swachh Bharat Mission failed India’s manual scavengers. The Print. Retrieved from <https://theprint.in/india/282-deaths-in-last-4-years-how-swachh-bharat-mission-failed-indias-manualscavengers/354116/>.

aimed at the development and upliftment of this marginalised community. During the interview, Dr. Chhachar discussed the highly disproportionate impact of the COVID-19 crisis on the manual scavenger community and emphasised the urgent need for policy interventions to address their plight. Excerpts from the interview are as under –

***Ma'am, can you share your insights about how the pandemic affected manual scavengers?***

*Response* - It was a heart wrenching scenario, as manual scavengers were responsible for picking garbage and cleaning sanitary waste without access to water for washing hands, at a time when sanitisers and disinfectant sprays were the top-selling consumer goods among the common populace. Sanitation workers were right in the middle of the covid-chaos, and were compelled to work in hospitals and quarantine centres. The appalling irony remains that they neither received extra training, nor support in terms of personal protective equipment (PPE), tools, machinery, etc. On the contrary, they were further ostracised, owing to the hazardous conditions that they had been working in. Unfortunately, however, the nature of their job left them with little choice, as without them the entire public health and sanitation chain would come to a catastrophic collapse.

***In your opinion, how efficient was the Government's response to mitigate the COVID crisis particularly with reference to sanitation labour?***

*Response* – The deprivation brought was multi-faceted, and the pandemic has caused a fatal blow to the marginalised communities in particular. Despite manual scavenging was banned by successive legislations in 1993 and 2013, the political will to eradicate this social evil has been missing pre and post pandemic. It is disheartening to see that in the financial year of 2022-23, only INR 70 Crore was allocated for self-employment schemes for sanitation labour, and the reduction has been significant each year since COVID. Violence has been on an all-time high, particularly for women. So it is safe to say that the response mechanism of the Government has been far from adequate.

***Please shed light on the work carried out by your organisation during the pandemic to protect and promote the interests of manual scavengers.***

*Response* – The pandemic further diminished the already minuscule means of livelihood for members of the Dalit community. Given the unprecedented state of

affairs, Safai Karamchari Andolan, under the leadership of Wilson Sir, along with other NGOs and networks, actively took up the responsibility of facilitating relief distribution to assist people in battling the humanitarian crisis that had unfolded. The International Budget Partnership (IBP) extended their support in providing relief to over 1000 households across Tamil Nadu, Telangana, Andhra Pradesh and Delhi. Women leaders were identified in several settlements across the said states, who led the distribution in smaller localities, so as to ensure a wider reach.

***How would you review the steps undertaken by SKA and other organisations in order to facilitate rehabilitation of scavengers into other vocations?***

Response - We have seen that even though the state of affairs are equally grim for all, yet women are often found to be more vulnerable due to lack of socio-economic security. With that in mind, SKA has actively been involved in providing assistance to women workers to access the Government's entitlements and schemes, with a sole objective of making them financially independent. The reason is simple - getting alternative jobs often becomes challenging because of the overall stagnation in labour market, as well as the deep-rooted caste bias. In such a scenario, the only viable and long-term solution is to promote education among the students of marginalised communities. For instance, the PMS Scheme, which is the largest scheme aimed at providing financial aid at senior secondary level is designed in a poor fashion, and heavily lacks transparency and accountability. In such a case, we take it upon ourselves to chalk out the loopholes in public service delivery and pave the way for inclusive and responsive governance at the grassroots level.

***Ma'am, in your opinion, what immediate and long-term changes need to be brought about to address the gaps in public service delivery?***

Response - It is important for Dalit women to be seen by the government as more than just a vote bank. Rather, they should be viewed as the unrealised potential of India's workforce which could serve as drivers of economic growth. It is essential that innovative as well as entrepreneurial skill-building activities are carried out periodically. In addition, the government urgently needs to address the issue of lack of representation and leadership from within the community in order to give them a voice to raise their concerns.



### VIII. Conclusion and the Way Forward

On the basis of the foregoing study, it may be concluded that despite various attempts over the past 120 years to regulate manual scavenging, the issue remains deeply entangled with caste-based discrimination and deplorable working conditions. The idea of impurity associated with this work has led to widespread indifference towards the struggles of Safai Karamcharis and the hazards. Efforts to address the problem have varied depending on the political climate, but have often failed due to inadequate enforcement mechanisms and persistent social stigma. During the British era, municipalities allowed discriminatory practices to thrive under the guise of ‘customary practice’, and attempts to break free from caste-based labour pools were met with resistance. Post-independence, political interventions were made to formalise the practice, but they proved ineffective in eradicating it. Although the 2013 Act has brought about some legislative reform and discussions about introducing technology to upscale sanitation infrastructure, the dignity debate remains unanswered. As a result, deeply entrenched discrimination continues to persist. Despite the claims of SBM, there is still a wide demand for sanitation labour, which clearly shows the need for reforms that not only put a blanket ban on the exploitative practice by civic bodies or private entities but also address the hopes and aspirations of the Safai Karamchari community at large. This means providing dignified working conditions, education for their children, healthcare, and housing.

At the level of the Central Government, it is imperative that initiatives are taken to Identify all individuals currently engaged in manual scavenging and those who have engaged in the practice since it was outlawed under the 1993 Act, so they may even claim the benefits under the 2013 Act. For this, conducting surveys jointly with communities engaged in manual scavenging and civil society organisations may reap the desired outcomes. In addition, it is essential for effective implementation of the law that the authorities establish a transparent, centralized, and easy-to-use online database which every eligible individual may access and independently track the status of their applications for all relevant government schemes.

At the State and District levels, it may be useful to run helplines that can be used by individuals presently or formerly engaged in manual scavenging to identify themselves for being included in the list, and report coercion or threats, if any, from the community or their families, in order to obtain rehabilitative assistance.

Also, the Government can play a proactive role by generating awareness on public health through campaigns on sanitation, including the health and human rights consequences of the persistence of manual scavenging and open defecation. Additionally, they may involve the youth in clean and healthy village campaigns and bestow recognition upon villages and districts for their exemplary performance in changing sanitation facilities and habits.

As an interim measure, the immense potential of the practice of 'Ecological Sanitation' can be tapped into, so as to address the unsafe practices associated with manual scavenging. Ecological sanitation or *EcoSan* refers to a host of technologies that are based on recycling human excreta in a way that takes advantage of its chemical composition, thereby preventing it from polluting water systems and making it safe for human handling. The primary methods of EcoSan include urine separation, composting, and biogas production, which involve processing excreta and making it an agriculturally valuable sludge.

The practice of manual scavenging is a catastrophe that must end. It is the worst surviving form of untouchability and plagues the lives of millions in our country. To truly become a Swachh Bharat in every sense of the term, it is necessary to view this issue as a national one rather than one specific to a particular community.