

Implementation of Manual Scavengers Act 2013 in Tamil Nadu: A Micro Analysis

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Abstract

This article seeks to investigate into the implementation process of the prohibition of employment as manual scavenger and their rehabilitation act, 2013 in Tamil Nadu through a micro study conducted in one of the backward districts. The article brought to light the ambivalent attitude of the implementation agencies and the poor scientific support system for creating a scientific sanitation system to maintain sanitation and rehabilitation of the manual scavengers. It brought to highlight the seriousness of the issues associated with the implementation process of the act.

Keywords: Manual Scavengers Act 2013, Tamil Nadu, India

Introduction

Sanitation and scavenging in India are inseparable and both are in deplorable conditions. Even after seventy years of democratic governance and implementing plethora of development schemes, neither the conditions of sanitation nor the conditions of the scavengers have been improved as expected by founding fathers and mothers of India. In India 59% of the people used the open space either in city or in the villages for defecation. It is an ample proof that our people's life has not been guided by science (Gita, Ramaswamy, 2005). It causes serious health problems to the people. Reports produced by UNICEF highlighted the enormity and seriousness of the health problems in India. It is a reality that neither the state authorities, nor the civil society and science community responded with the intensity of seriousness expected from them. The above conditions have reflected the insensitivity of the political communities, policy community, bureaucracy, the scientist, the civil society organisations and the media in India.

Is 70 years not enough to achieve sanitation by adopting science and technology? A war ravaged country like Rwanda is able to achieve tremendous success in sanitation, why India is not able to achieve results in sanitation project despite its achievements in economic growth and creating scientific man power. It was the basic work started in the National Building process. M. K. Gandhi had given much thought to it and found out ways and means to tackle it. He gave targets and processes for sanitation work to the constructive workers with the thinking and hope that it would become a massive work to be launched by the Gandhian workers and Congress party workers as the Indian National Congress party claimed the legacy of Gandhi. Still we teach constructive programme of Mahatma Gandhi to the students in the classroom while teaching Gandhian thought to the students. Even the Gandhian Institutions and Departments have not moved beyond teaching. On the issues of

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sanitation and liberating manual scavengers, the two builders of modern Indian society M.K.Gandhi and Dr. B. R. Ambedkar differed sharply as on other issues (Bhasha Singh, 2012). M. K. Gandhi wanted to change the condition through mass participation in this task with the hope that the participation of people in sanitation work will bring a total transformation in the thought process of people. Gandhi's concept of participation is meant for attitudinal and behavioural transformation of the participants. In the absence of scientific management system of sanitation, it is the only way to change the attitude and behaviour of the people through their participation in the sanitation work, cleanliness could be maintained in the society. Hence, Gandhi wanted to attend to the sanitation work immediately and more seriously. That is why he has accorded more importance to sanitation than freedom and liberty.

Since independence, targets have been fixed for construction of toilets and thereby a perception has been created that sanitation issues can be addressed systematically through the construction of toilets by the initiatives of the government. Mere construction of toilets will not solve the problems of sanitation and scavengers. Even today we have the same approach what we had in the past. In "Swachh Bharat Mission" Indian government wants to construct 12 crore toilets in 2019. To achieve the goals of swachh Bharath, construction of toilets is alone not enough. It needs a toilet culture in the society. Solutions can be found out through appropriate science and technology and changing the attitude and behaviour of the people. It requires money, system, approach and change agents. Unfortunately in India the conditions of the manual scavengers have been linked with the issues of caste system (Bezawada Wilson, 2016). Thus, both issues have not received the needed attention and seriousness among the policy community and the scientist even till today. As a result, a microscopic minority involved in the struggle for liberating the manual scavengers from the inhuman and dangerous activities. Since the numerical strength of manual scavengers has not reached the critical mass the issues of the scavengers could not draw the attention of the political class also. Beyond that they are also not conscious about their own living conditions.

The struggle for liberation of manual scavengers is a long history. It's origin from the caste hierarchy reveals the age old practice of the manual scavenging in India. Practices of manual scavenging vary from state to state and thereby conditions of the manual scavengers also vary across the states. Organisations working for rehabilitation and their intensity of activities vary from state to state. Equally the state government's response to the demands of these organisations also varies and yet the conditions of the manual scavengers are deplorable (Bhasha Singh, 2012). It warrants the policy community to act fastly to save the name of India from the community of nations. Organizing them for a movement is also not so easy as their struggle for livelihood is intensive and highly complicated. Their standard and quality of life are far below the decent and dignified human life. They live in sub-human living conditions. After prolonged struggle both political and legal the manual scavengers got a relief through a new act called Employment of Manual Scavengers and Dry Latrine Prohibition Act 1993. It is to be noted here that these practices are inconsistent with the right to live with dignity which is an essence of the fundamental rights guaranteed in part III of the Constitution. Their life is always at risk. One cannot argue that the Government of India did nothing for them. it also initiated various measures to transform them (B. N. Srivastava, 1997)

Despite the provisions in the constitution of India, enactment of Employment of Manual Scavengers and Construction of Dry Latrine (Prohibition) Act 1993, the conditions of them have not been improved (Government of India, 1995) instead their struggle has been intensified because of the tardy approach of the state governments in implementing the act fairly (Vimal Kumar, 2012). The manual scavengers struggle continued along with legal course they adopted to make the state governments to operationalise the new act (Siddaramu, 2013). The system and the process continued in sanitation work as usual without any course correction by indicating the absence of clarity in definition and operationalization (Susan E. Chaplin, 1997). Finally through a legal battle, under the direction of the Supreme Court totally a new act has been enacted in the year 2013 (Government of India, 2013). The prohibition of employment as manual scavengers and their rehabilitation act 2013 was passed in Indian parliament. The new act sets out its objectives clearly. They are: a, identify and eliminate the insanitary latrines and; b, prohibit employment as manual scavengers and hazardous manual cleaning

of sewer and septic tanks. Even after this passage of the act the implementation of the act is weak and one has to seek the remedy only from judiciary for proper implementation. Although arguments have been projected that imprecise definitions without having much clarity in operationalising the provisions of the act by the policy community and bureaucracy, the new act has come with precise definition. It is to be noted here that when the struggle was on, the policy community, bureaucrats and the scientist could have found out an alternative system and process to maintain sanitation scientifically and to liberate the manual scavengers successfully. But the reality reflects the ground zero. Deaths have been reported due to the age old practice of using manual scavengers to clear the blocks in sewerage system. Practice of disowning them also continues because of the new Act. International organisations such as the international labour organisations unequivocally classified the three forms of manual scavenging are in practice in India. They are involved in removal of human excreta from public streets and dry latrine, cleaning septic tanks and cleaning gatters and sewers. The 2011 census data reveal that 180657 households involved in manual scavenging as a profession for their livelihood.

Tamil Nadu is a land of E.V.R. Periyar and known for its pro poor policies and programmes. It is the most fast urbanizing state. In all parameters, it is very near to Kerala in human development indicators. Yet the state has more number of manual scavengers. Equally condition of sanitation is not impressive. Now only momentum has been picked up and village panchayats and municipalities are declared open defecation free areas. It has not reached even 50% of total Tamil Nadu. There are three communities namely Pallars, Parayars and Arunthathiyar involved in inhuman practices of manual scavenging. The struggle to liberate the manual scavengers in Tamil Nadu is intensive and hard despite the Governments pro poor approach. It is to be noted that along with other organisations, the Director Change India organisation through the judiciary is relentless fighting for the cause of manual scavengers till today even for implementation of the act and for the compensation to the victims of manual scavenging. On this above issue the Government of Tamil Nadu has not shown the seriousness as it exhibits on the other issues of the poor. It is a paradox in Tamil Nadu. This riddle prompted us to undertake a study as to what extent the state progressed in rehabilitating the manual scavengers as per the directions of the Supreme Court and the Act. Before moving into the analysis of the process of implementation of the Act, it is necessary to find out the salient features of the Act with a view to look at the Act from the perspective of operationalization.

Salient Features of the Act

The prohibition of employment as manual scavengers and their rehabilitation act, 2013 defines manual scavenging very clearly for the benefit of easy operationalization. The earlier Act, 1993 faced many problems only in operationalization. Manual scavenger means a person engaged or employed on regular or frequent basis by an individual or a local authority or a public or private agency for manually cleaning, carrying, disposing of, or otherwise handling in any manner human excreta in an insanitary latrine or in an open drain or pit into which human excreta from insanitary latrines in disposed of or on a railway track before the excreta fully decomposes and the expression “Manual Scavenging” shall be interpreted accordingly.

The salient features of the Manual Scavengers Act, 2013 as follows:

- No person, local authority or any agency shall construct insanitary latrines, engage or employ a manual scavenger.
- Every person engaged or employed as manual scavenger shall be immediately discharged from doing manual scavenging.
- Every insanitary latrine existing shall be demolished or converted into sanitary latrine.
- No person, local authority or any agency shall engage or employ any person for hazardous cleaning of sewer or septic tank after one year of the date of commencement of the Act.
- For employing manual scavenger and or constructing insanitary latrines – first time imprisonment up to one year and penalty of Rs. 50,000/- or both and for subsequent violation imprisonment up to 2 years and penalty up to Rs. 2,00,000/- or both.

- For employing any person for cleaning hazardous cleaning of sewer or septic tank, imprisonment up to two years and fine up to 2,00,000/- or both and for subsequent violation imprisonment up to 3 years and fine up to Rs. 5,00,000/- or both.
- Every offense under the Act is cognizable and non-bailable.
- Offenses under the Act may be tried summarily.
- Executive Magistrate shall trail the offenses as Judicial Magistrate of First Class.

Responsibilities of the local authority

- Every local authority shall carry out the survey of insanitary latrines in their jurisdiction within two months from 6 December, 2013
- Local authority shall publish the list of insanitary latrines.
- Demolishing such insanitary latrines or convert them in to sanitary latrines within six months from December, 2013.
- Constructing sanitary community latrines as required in nine months from 6 December, 2013.
- To eliminate practice of open defecation, constructing adequate sanitary community latrines within three years from 6th December, 2013.
- Making arrangements for keeping community sanitary latrines hygienic all times.
- Conducting survey for identification of manual scavengers and publishing the list within two months from 6 December, 2013
- If any person is engaged in manual scavenging, he/she shall file application to concerned local authority. And local authority shall inspect within 15 days of such application and shall include in the list.

Rehabilitation Framework

- Photo identity card to the manual scavengers will be issued
- Initial cash assistance will be given
- Scholarship to the children of manual scavengers should be provided
- Allotment of residential plot with financial assistance for the construction of the house or a ready built house, with framework of relevant scheme should be in place
- Training in livelihood skill for all the people who are relieved from manual scavenging
- Concessional loan with subsidy for taking up alternative occupation has to be arranged

Monitoring Mechanism

A monitoring mechanism has been created. At the central level the Minister for Social Justice and empowerment and at the state level the Chief Minister are the chairpersons of the monitoring committees. Vigilance committee will function at district and sub-division level under the chairpersonship of the District Collector and sub-divisional magistrate respectively. By keeping the framework of salient features of the act, an attempt is made to evaluate to what extent the main provisions of the act have been implemented in Tamil Nadu. In the past one decade India saw a "Rights Revolution". Right to Information, Right to Employment, Right to Education, Forest Rights Act, Right to Food, Right to Protect street vendors and few others have been passed in Indian Parliament. By passing such revolutionary acts in the context of globalization, liberalization and privatization India has drawn the attention of the world to understand the process by which poor are protected from distress and vulnerability in India. Here it is to be seen that all these acts have to be translated into action only by the state and local governments at the ground. Each state is functioning in a distinct socio economic and political culture despite the common framework of governance and administration (Samuel Satyaseelan, 2013). Tamil Nadu is one of the progressive states in India in Industrialization and social development activities. It is a fast urbanizing state. It is a model in evolving pro poor schemes. Despite all progressive indicators, it could not achieve sanitation on par with other indicators of development. It is a riddle for many of the development thinkers and practitioners of development. Against this background an investigation is undertaken in the field.

Objective of the Study

- To analyze the life and livelihood conditions of manual scavengers
- To study the process of implementation of the Act, 2013
- To find out the efforts of the manual scavengers to claim their entitlements

Methodology

The present study is analytical and empirical in nature and data have been collected from the respondents from the field both in rural and urban areas. The primary data have been collected directly from respondents through focus group discussions and face to face interview. The secondary data have been collected from State and Central Governments records. RTI has been used to collect the data from the government departments. The respondents for the study have been drawn from one gram panchayat, one town panchayat, one municipality, and one corporation. Apart from the above respondents are drawn from one public institution and one Railway station. Apart from the above an intensive interaction with the leader of a civil society organisation who involved in the struggle to liberate the manual scavengers from the inhuman activities for the past one and half decades has been carried out. Basically this study is intended to fine tune the tools and the nuances of data collection for a larger study. This study has a limitation that based on the results and conclusions generalization cannot be made. Yet it will indicate the general trend in the process of implementation of the act. The field data have been collected only from one district, Dindigul and it is one of the backward districts of Tamil Nadu in social development indicators.

Data Analysis and Interpretation

RTI Reports

For the details of the manual scavenging, the researchers have filed RTI application in five district of Tamil Nadu, namely Dindigul, Erode, Tirupur, Pudukkottai and Ramanathapuram and got reply. From the reply given to RTI there is no manual scavenger engaged in this profession in all those five districts. The government data show that all the manual scavengers are provided with equipments. Out of the five districts, Pudukkottai district has got only seven manual scavengers but unfortunately the seven manual scavengers are not in the final manual scavengers survey list. Final survey report shows that Pudukkottai district is said to be manual scavenger free district. This kind of confusion persists everywhere in Tamil Nadu.

Government of Tamil Nadu has to constitute a monitoring committee in each district. The District Collector is the head of the committee to monitor the scavengers and the collector has the responsibility to conduct survey properly. But unfortunately the survey of manual scavengers has not been done properly. It has been exposed repeatedly by the media and the civil society organisations involved in rehabilitation of manual scavengers in Tamil Nadu because the committee has not made its survey scientifically and transparently so far. As per the government survey report there is no manual scavenger and manual scavenging. If so there is a question who is looking after sewages and drainages? In the meantime, on the 20th January 2016, the Madras High Court gave a direction to the state government that the survey of the manual scavengers was not properly conducted in Tamil Nadu and hence it directed the government to conduct a fresh survey on manual scavengers in response to the petition filed by a social activist Mr. Paadam Narayanan, Director, Change India as a public interest litigation case on the court. He argued that the last survey is over and it informs that only 452 manual scavengers are in the end list in all over Tamil Nadu. But in reality more number of the manual scavengers are in the state.

Finally the court issues the order to the state government to conduct fresh survey in the state with all seriousness and with commitment. Now the Government of Tamil Nadu filed fresh affidavits stating that it will conduct the survey only after the conduct of local body elections in October, 2016. The fresh survey will be conducted only after February, 2017. In the meanwhile Change India Director, Narayanan filed an affidavit in the High Court of Madras to pay compensation of Rs. 10 Lakhs to the victims of the family who involved in the sewerage cleaning work as per the Supreme Court direction.

The Madras High Court has passed an order the Government of Tamil Nadu to submit a report about the compensation given to the manual scavengers so far and the steps taken to rehabilitate them. This is the general trend in the process of implementation of the new act in Tamil Nadu.

In this regard, an attempt is made to verify in the field whether the steps indicated and procedures laid down have been followed to enumerate the manual scavengers in Tamil Nadu. An attempt is made to study the conditions of the people who are involved in manual scavenging and for which purposely a few administrative and governance units have been selected. By visiting a gram panchayat, a town panchayat, a municipality, a corporation, a railway station and a public institution, the researcher identified the manual scavengers and interacted with them about their conditions of life and their livelihood. The respondents are drawn from Adipatti village panchayat, Chinnalapatti town panchayat, Odanchattram municipality, Dindigul Municipal Corporation, Dindigul railway station and Gandhigram institutions.

Data have been collected from all the above mentioned areas from the Dindigul district. The respondents have been contacted and the research team had interaction with them on their life and livelihood conditions with the help of a check list prepared by the authors of the article. While collecting data, the researchers followed two methods. They are face to face interaction with a few respondents. Focus group discussion had been conducted with all the respondents collectively. Finally the data provided in two settings by the respondents have been verified. While interacting with them it is found out that some of the scavengers belong to backward class. It is strange to notice that a few Muslims have been involved in this work. Never in the media had it surfaced in their reporting. It is only poverty pushed them to this job. The below given tables reveal the nature of work they do how they do and what are all the problems they face in the process. They are being given in the following tables:

Table No. 1: Caste-wise distribution of the respondents

Sl. No	Caste	Gender		No of Respondents	Percentage
		Male	Female		
1	Scheduled Caste	33	10	43	86
2	Backward Class	5	2	7	14
Total		38	12	50	100

Source: computed

Table No 2: The distribution of the respondents based on the type of work they do

Sl. No	Type of payment wages	Gender		No of Respondents	Percentage
		Male	Female		
1	Contract worker	17	5	22	44
2	Daily wages	10	6	16	32
3	Permanent Employee	11	1	12	24
Total		38	12	50	100

Source: computed

Table 3: Distribution of the respondents based on the reasons for continuing the jobs

Sl. No	Reasons	No. of Respondents	Percentage
1	Caste Domination	9	18
2	Official Compulsion	16	32
3	Don't know Other Work	25	50
	Total	50	100

Source: Computed

Table 4: Distribution of the respondents based on the place of living

Sl. No	Place of living	No. of Respondents	Percentage
1	Village Insight	2	4
2	Village Outer	15	30
3	Separate Colony	33	66
	Total	50	100

Source: Computed

Table 5: Distribution of the respondents based on the hereditary occupation or family occupation

Sl. No	Hereditary Occupation	No. of Respondents	Percentage
1	Yes	35	70
2	No	15	30
	Total	50	100

Source: Computed

Table 6: Distribution of the respondents based on practicing Alcohol

Sl. No	Alcohol Practice	Age				No. of Respondents	Percentage
		20-29	30-39	40-49	50-58		
1	Yes	3	10	16	5	34	68
2	No	7	5	4	0	16	32
	Total	10	15	20	5	50	100

Source: Computed

Table 7: Distribution of the respondent based on awareness about their rehabilitation act

Sl. No	Legal Awareness	No. of Respondents	Percentage
1	Yes	6	12
2	No	44	88
	Total	50	100

Source: Computed

Table 8: Distribution of the respondents based on usage of modern equipment

Sl. No	Usage of Modern Equipment	No. of Respondents	Percentage
1	Yes	18	18
2	No	32	64
	Total	50	100

Source: Computed

Table 9: Distribution of the respondents based on the discriminatory practice

Sl. No	Discrimination	No. of Respondents	Percentage
1	Tea shops	23	46
2	Temple	11	22
3	Other Common places	16	32
	Total	50	100

Source: Computed

Table 10: Distribution of the respondents based on attending any training programmes

Sl. No	Training	No. of Respondents	Percentage
1	Yes	12	24
2	No	38	76
	Total	50	100

Source: Computed

Table 11: Distribution of the respondents based on their name to be enrolled in the manual scavenger's survey

Sl. No	Name in the survey	No. of Respondents	Percentage
1	Yes	-	-
2	No	50	100
	Total	50	100

Source: Computed

The above given tables are self-explanatory

It is interesting to note that nearly 14% of the respondents belong to backward class and they do scavenging. As they do not have any other skills, they have joined this job and continue this work. They are willing to move out from this work. They do this work not out of love or commitment. They have been drawn to the work only their family socio economic conditions as reported by them. From the above Table No.2 it is inferred that the respondents are performing a number of functions, cleaning the street, cleaning toilets, cleaning drainage and cleaning septic tanks. Scavenging work consists of many tasks and they are to be performed by the same groups. Almost they perform all the works relating to sanitation as multi task workers. Sometimes the work involves serious repercussions from their livelihood perspective and they have not viewed it seriously as their health is at risk. Their perception and understanding of the implications of the work they do on their health are very poor. It is a pity in the 70 years of our governance, administration and development activities, nobody has reached out to them to create awareness of their health and its implications in their lives. Only 3 out of 50 respondents involved in septic tank cleaning. The moment they get a call from any household or a local body or an officer, they venture into action. There is no guarantee for their life and yet they do the job. In this process many have given their life. Never had they got compensation. Yet they continue to do that job. In Tamil Nadu there is no instrument or machine for cleaning the septic tanks.

Even in a city like Chennai manual workers are involved in this task. In the last year flood in Chennai, the Chennai corporation was not able to complete the cleaning work. They also went to Chennai to clean the city. It is a pity that everybody expressed their concern about the flood victims but nobody expressed their concern about the conditions of the scavengers involved in the work. The respondents made it clear that they are not aware of any instrument or equipment to clean sewerage or septic tanks. They have been performing this work without adequate tools and equipment. They get three types of wages for their work. For contract work they get contract wage. They collect wages daily. They also get monthly salary. But nowhere they get pension. While asking for reason to stick to this work, the answers are many. They continue this work as they traditionally do the work and from childhood onwards they have been oriented to do the work and they internalized the work. Many do not have any other skill and hence they continue. Of the respondents sixteen replied that the officials called them to work and hence they do this work. Both the workers and the government have no option to move out from this condition. The governments need scientific equipment to do the job. The workers have no other job other than this work.

Realistically the issue has to be analysed. Before enacting the legislation, the judiciary could have asked about the preparedness of the state to manage sanitation by using machines. Now all have to escape from the eyes of the law. But at the same time sanitation has to be maintained. 96% of the respondents are far away from the settlement of the rural community. They are either outside the main village or they are living in a separate settlement far away from the main village. It is a pity that the scavengers are living in a sub human living conditions. They clean all the human settlements in the villages and towns and they never clean the areas where they live as they have no time nor they have vision or realization that they live in sub human living conditions. Their settlements are far away from the main villages. 70% of them performed these jobs as hereditary. They have not picked up this work on their own but they have been doing it over generations. They have been made to internalize the practices what they do for scavenging. Their problems are brought to the forum of the policy community by civil society organisations.

But neither the policy community nor the political community evinced concern and interest in their problems as their numerical strength is not much to tilt the election results. Yet the manual scavengers have strong political party affiliation as they nurtured emotional attachment with political leaders. But the community has not been sensitised and as a result this problem continues even today. 68% of them admitted that they take alcohol on daily basis which is necessary for doing this work. Intensity varies from individual to individual. There is no difference between men and women. Quantum also vary from individual to individual. Smoking and alcoholism are prevalent among men and women. They consumed alcohol knowing fully well the implications of alcohol in their health. It is a pity that 88% of the respondents are not aware of the new act and the benefits they get out of implementation of the act. 12% of the respondents are aware of the act that they are clueless to whom they have to approach. 68% of the respondents have some equipment's to perform this duty. It is to be noted here that they are not to protect the people involved in cleaning but to perform the task. They are traditional in nature. Neither the respondents nor the people engaging them in these jobs are conscious and sensitive about the importance of the scavengers. All those who are involved in scavenging felt that they are public institutions as the public are aware of the work done by the respondents. They are given the responsibility of cleaning the temples but they are not allowed inside and in the same way they are asked to clean all public place they are not permitted to sit with other in public functions. They are treated as if they are not in the village or in the town to clean it for the benefit of others. Since untouchability is in practice in Tamil Nadu (G. Palanithurai, 2014). It has intensified the discriminatory practices among the people involved in scavenging mostly the Dalits.

Integrated Analysis

Act has been passed by the Government of India to relieve the manual scavengers from the manual scavenging and to rehabilitate them. But the implementation of the Act lies with the state governments. In the absence of sanitary system supported with science and technology, abolition of manual scavenging is a farse as observed by Mr. Narayanan, Director, Change India, Chennai. Cleaning the villages, towns and cities are in the hands of local bodies assisted by the state

governments. The state governments and the local bodies have no assistance from institutions which builds scientific system for scavenging and maintaining sanitation. It is a pity that in the seventy years of the development activities, we have not developed a robust institutional mechanism to evolve technology enabled sanitation and water supply system either by following the western model or evolving an indigenous model (Dhamma Darshan Nigan, 2014). M.K. Gandhi advocated an indigenous model. Still 56% of the population practice open defecation. Tamil Nadu is a fast urbanizing state and yet it has not achieved not even 50% of sanitation through construction of toilets. Even people have not been oriented and sensitized on sanitation and as a result the sanitary conditions are poor both in rural areas and urban cities and towns (Rama Sharma, 1995). Manual scavenging can be abolished through act only when a scientific system is in place for maintaining sanitation. In the absence of the above it is a mere reporting that there is no manual scavenger in Tamil Nadu. But manual scavenging takes place (Government of India, 2016). It is in practice. Civil society organisations have no other go, it has to go to court to exert pressure on the state and local governments. But the state government looks for contribution from the scientific research institutions for creating such a kind of scientific support system for maintaining sanitation (B. Ravichandran, 2011).

From the interaction with the respondents, it is found out that still manual scavenging is going on in rural and urban areas. Conveniently public institutions have handed over the responsibility of maintaining sanitation to the companies. They are not aware of the new act and its implications. Many do not know whether they are paid directly by the institution or through any external agencies. They struggle for their livelihood. They do not have any other skills other this. Even in their areas there is no proper sanitation. They do not have modern equipments to clean the streets and trenches. There is no science and technology based system to manage sanitation both in the rural areas and urban areas. They also face discriminatory practice in the areas where they work. It has been made as a practice to consume alcohol for scavenging work. By doing so, their health conditions are not robust. Railways are no way better.

It is a pity that even at the national level there is no institution to do research on sanitation and support the government to establish a science and technology assisted sanitation system in the country. There is no institutional mechanism to change the mind-set and behaviour of the people with regard to sanitation. In the absence of the above we are looking for solution to sanitation and for manual scavengers. It is always a blame game that will not find solution to the problem. We have 765 universities 39000 colleges and 8000000 students are in higher learning institutions. If they are all involved in outreach activities people in 686 districts will be sensitized and conscientised on sanitation. Massively investment has to be made in higher learning institutions to evolve appropriate technology to maintain sanitation scientifically. At present higher learning institutions have not embarked in massive research in sanitation. Thus sanitation and manual scavenging have to be seen integrally to find out solution for open defecation and abolition of manual scavenging.

Conclusion

Government of India has enacted a legislation to prohibit manual scavenging and rehabilitate the manual scavengers. This act has come because of the direction given by the Supreme Court. It is to be understood that the implementation requires series of measures not merely allocating money. It requires scientific equipment, technology, management system, people's cooperation. Scavenging is linked with sanitation. Unless sanitation is improved the manual scavengers cannot be rehabilitated.

It is natural that the state governments try to escape from the legal framework as law prohibits the employment of manual scavengers for cleaning dry latrine and the places meant for open defecation. But at the same time the government has to discharge the responsibility of maintaining sanitation in the rural and urban areas. In the absence of sanitation behaviour on the part of people and scientific management system to treat the waste scavenging by the scavengers will continue to take place. Further, there are no appropriate tools to be provided to the people who are involved in the job to protect their health and safety of the workers. In this context, one could notice insensitivity on the part of many who involved in management of sanitation. Sanitation work has to be made skill based one

and it has to be entrusted to companies. More machinery could be used for cleaning as in the west. Further, scavenging has to be in a more scientific way. Salary for scavenging and cleaning has to be increased. By doing so, it would attract people from different caste groups. Proper rehabilitation work has to be carried out. Now because of the act, people are engaged in such a work but if they met with fatal death, no one takes responsibility. Everywhere one could see manual scavengers, but in record there is no manual scavenger. People have not been oriented for sanitation. There is no sanitation culture among the people. Government fixed targets and construct toilets. But in the absence of sanitation culture, naturally more number of people has to be involved in maintaining sanitation. In the same way, there is no sensitivity on the part of the people about the conditions of the manual scavengers. While interacting with the respondents, it is found out that there is a confusion in identifying the manual scavengers as most of them do manual scavengers as most of them do multi tasks. Many do not aware of the act and its implications. They are struggling for their livelihood.

In every village panchayat, one individual among the elected representatives has to be trained in sanitation and water supply. That individual is brand ambassador for sanitation work in the panchayat areas. Since it is a herculean task, achieving clean India through Swachh Bharat scheme, a research institution is need of the hour. It should be a National Institute of Sanitation Science and Technology.

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