Enforcing Manual Scavenging Law

What is the issue?

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- There were instances of death while cleaning septic tanks, in Delhi and Odisha, recently.
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- This calls for addressing the shortfalls in implementation of the manual scavenging law.
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What does the law mandate?

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- Manual scavenging is regulated by the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
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- Under this, no person, local authority or agency should engage or employ people for hazardous cleaning of sewers and septic tanks.
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- Mechanised cleaning of septic tanks is the prescribed norm.
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- Safety gear for rare instances when human intervention is unavoidable is prescribed.
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- A violation can be punished with two years of imprisonment or fine or both.
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- It also prohibits the construction of insanitary latrines.
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- Each occupier of insanitary latrines shall be responsible for converting or demolishing the latrine at his/her own cost.
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- The District Magistrate and the local authority shall be the implementing authorities.
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What are the policy shortfalls?

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- The workers in Delhi were asked to perform the task in violation of the manual scavenging Act.
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- Apparently, many requirements of worker safety provided in the law are often ignored.
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- A well-funded programme as the Swachh Bharat Abhiyan (SBA) pays little attention to this aspect of sanitation.
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- More tanks are being built in rural and urban areas as part of the drive to construct toilets.
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- But manual scavenging law is not being enforced, and there is no fear of penalties.
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- Ministry of Drinking Water and Sanitation had itself acknowledged that in rural areas, mechanical pumps to clear septic tanks are not available.
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- In the southern States, sanitation has expanded along with urbanisation.
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- But it has brought with it a higher number of deaths as workers clean septic tanks manually.
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- E.g. Tamil Nadu recorded 144 fatalities of workers engaged for septic tank cleaning in the past three years.
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What is to be done?

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- Mere assertion by the Centre that it was pressing State governments to prosecute violators is ineffective.
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- There is a need for political will and social pressure to avoid any further deaths.
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- If the law on manual scavenging is to be effective, the penalties must be uniformly and visibly enforced.
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- It is equally important for State governments to address the lack of adequate machinery to clean septic tanks.
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- Toilet designs proposed by the government include those in which fully composted waste must be removed from pits every two years.
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- The Centre must ensure that this does not become an avenue to oppress members of some communities, reflecting social inequalities.
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- The Swachh Bharat Abhiyan should make expansion of the sewer network a top priority.
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- It should come up with a scheme for scientific maintenance that will end manual cleaning of septic tanks.
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Source: The Hindu

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