

How to Hide Injustices for Centuries: Lesson from India's public policies on sanitation workers

PRIA Conference Hall, New Delhi
30 November, 2018



Content

Background.....	3
The Seminar.....	3
Highlights of the Discussion	4
Q&A Session	9
Annex 1: The Seminar Agenda	11
Annex 2: List of Participants.....	12

Background

Sanitation in urban India confronts two major challenges. The first is the limited access to sanitation services. The second challenge is the plight of sanitation workers and their deplorable work-life conditions. This is directly linked to the institutionalisation of caste-based vocation, discrimination, and exploitation. At present, in India there are 1.1 million sanitation workers; half of them are women. Nearly all of them belong to the Scheduled Caste communities.

Several public policies, Acts and programmes have been formulated through the years to directly or indirectly protect the sanitation workers. The Integrated Low-Cost Sanitation programme launched in 1980 was one of the first initiatives that started the process of conversion of dry latrines to pour-flush latrines to discourage manual handling of human waste. This was bolstered by the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) (EMSCDLP) Act, 1993. This Act was further revised in 2013 with the enactment of Prohibition of Employment as Manual Scavengers and their Employment (PEMSR) Act 2013 in addition to number of national programmes. However, these made limited efforts for elimination of manual scavenging and to encourage the protection, sensitisation and rehabilitation of communities linked to sanitation work. Furthermore, National Safai Karmchari Financial Development Corporation (NSKFDC) was instituted in 1997 to provide financial assistance in the form of loan schemes and scholarships for sanitation workers/ manual scavengers and their dependents. Swachh Bharat Mission (SBM), launched in October 2014 by the Government of India, has been working as the flagship programme addressing the crisis of sanitation. One of its aims is to eradicate manual scavenging. Simultaneously the Green Skills Mission promoted by the National Skill Development Corporation (NSDC) has developed qualification packs for workers in different aspects of sanitation such as Faecal Sludge and Septage Management (FSSM), septic tank technicians, Faecal Sludge Treatment Plant (FSTP) operators, etc. which have the provision of Recognising Prior Learning (RPL) and provides skill training for identified job roles. All of these policies, Acts and programs together seek to provide a sustainable sanitation infrastructure. However, discussion with regards to ameliorating the life conditions of sanitation workers remains to gather enough attention.

The Seminar

The seminar, “**How to hide injustices for centuries: Lessons from India’s public policies on sanitation workers**” was organised by Participatory Research in Asia (PRIA). The seminar was first in the series as part of “**Engaged Citizen, Responsive City**” (ECRC) project which is being implemented by PRIA with support from the European Union. The main aim of the seminar was to present insights into the everyday struggles of sanitation workers all over India, with a specific focus on the plight of women sanitation workers in India.

The seminar also marked the release of the film, “**Littered Dignity**” (<https://www.youtube.com/watch?v=JzeLfRXGAGM>), which follows the stressful lives of women sanitation workers in cities of Ajmer (Rajasthan), Jhansi (Uttar Pradesh) and Muzaffarpur (Bihar) as they navigate their way through the impositions of gender, caste, and labour. The screening was followed by presentations by Ms Nilanjana Bhattacharjee and Ms Shashi Shikha of PRIA, Dr. Indira Khurana, former Safai Karmachaari Andolan professional and Dr. Ravikant Joshi, Team Leader,

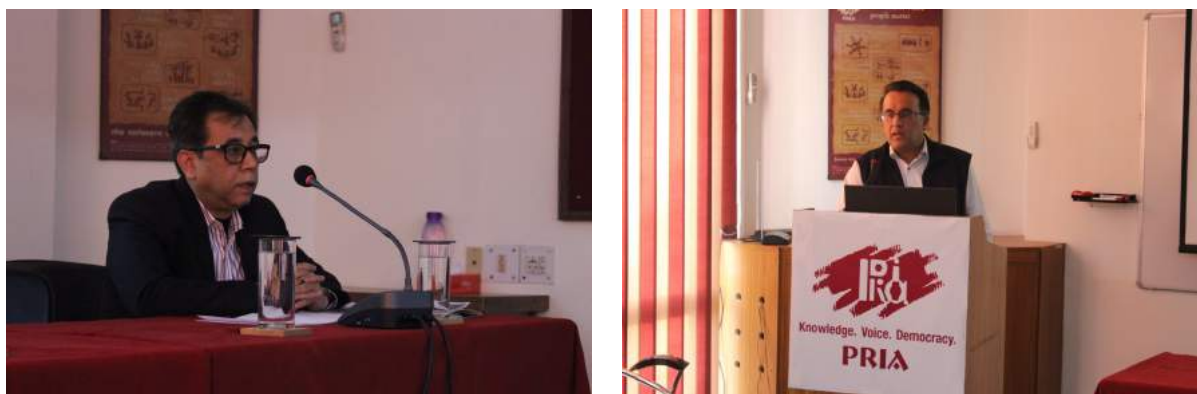
National Urban Livelihood Mission, Ministry of Housing and Urban Affairs, Govt. of India. . The seminar ended with a panel discussion followed by open house discussion.

The **objectives** of the seminar were as follows:

- Informing policies and institutions to enhance the impact of laws, policies, and schemes regarding sanitation work and workers through the lens of gender;
- Bringing together multiple perspectives of deterrents as well as scalable solutions to address the challenges of women sanitation workers;
- To create a platform to bring together researchers, policy makers, experts, and practitioners on inclusive sanitation services

The seminar brought together people from academia, think tanks, CSOs, government institutions and media. The event enabled a dialogue on some of the ways to improve the condition of sanitation workers (and especially women sanitation workers) in India. The discussions were focused towards the need for changing perspectives towards ‘waste’ and ‘workers’.

Highlights of the Discussion



Dr Kaustuv Kanti Bandyopadhyay and Dr Anshuman Karol began the session with an introduction to PRIA’s work as well as the progress achieved in three cities (Ajmer, Jhansi and Muzaffarpur) as part of the ECRC project. The project has attempted to enable citizens to engage in discussions with their local governance institutions regarding the issues that they care for with respect to sanitation services.

This was followed by the screening of the documentary film, *Littered Dignity*, which was a visually engaging way of presenting PRIA’s findings on the issue, as well as the insights that come with conducting participatory research.

Ms Shashi Shikha and Ms Nilanjana Bhattacharjee presented the lived reality on the socio-economic conditions of women sanitation workers in the three cities, which seemed to confirm their grim, undignified existence as well the pressures caused by their double burden (of being care givers as well as labourers). More than 50% of the current workforce of sanitation workers is composed of women but the conditions in which they have to do their work seem to be even worse than their male counterparts. Besides juggling the duties of a care giver (cooking, cleaning, sending kids to school, etc.) they also have to endure extremely harsh working conditions (lack of toilets, safety equipment,

maternity leave, or medical insurance). This is due in part to the fact that most of the women were employed on a contractual or temporary basis, removing liability on the government's behalf since they are at the mercy of private contractors.



It was ascertained that there were three kinds of sanitation workers: permanent, contractual and outsourced. Permanent workers by far, had the greatest number of entitlements, and the closest resemblance to formal employment. They had access to medical insurance, paid leave, provident fund contributions and most importantly, the death claim. As the film confirmed, being able to pass on one's job in the event of a death was the most important issue for a sanitation worker. The statistics seem to confirm this as well, as manual scavenging remains one of the most lethal occupations in India with nearly 22,000 deaths per year (which is regarded by many as a conservative estimate). Contractual and outsourced workers had to undergo considerably harsher terms of employment as the only tangible thing that they received from their jobs was a salary. There was no mention of paid leaves or even medical leaves, medical insurance or a death claim. Furthermore, they had to work on Sundays as well besides working one extra day of unpaid work every 31st day of a month. This sort of contract does not even guarantee a pay slip. This is perpetuated further by the 'hire and fire' culture among sanitation workers, which denies these workers a voice of protest, as there is always the chance that they will be replaced if they raise their voices in dissent. A large part of the problem seems to be that sanitation work is considered unskilled labour, hence the fluidity of the contract. However, the truth is that a lot of workers need to learn the various nuances of waste management such as the manual sorting of waste which is essentially technical aspects of the job. A lot of these trainings are not even conducted by anybody in the employing organisation, leaving the workers on their own to learn the intricacies of their occupation on the job. Additionally, women sanitation workers, are questioned and doubted on their physical capacity if they ask for leaves during menstruation. The supervisors, who are usually male, pretend that they do not understand their female bodies. All of the workers recounted being made to work despite suffering from menstrual cramps and other symptoms brought about by menstruation. Some were forced to work through pregnancy till the day before they were due to deliver and made to return to work barely seven days

after giving birth. Moreover, occupational health of these workers comprises of physical and mental illness. None of these workers have any safety gears, access to first aid kits or any medical insurance more than sixty percent of workers complained of experiencing infections in eyes, throat and skin. In addition to this due to being in caste-based vocation they also suffer from continuous humiliation, anxiety, stress and depression.

The **key findings** of the study were presented as follows:

- 70% of the 206 women participated in the research study were illiterate
- About 95% women sanitation workers belonged to SC or dalit communities.
- All of them had been in this occupation for at least four generations
- None of the women had any idea about the laws/policies put in place to protect them
- None of the women had been promoted (men were almost always preferred)
- When they tried to find alternate employment, they received a lot of pressure from within their own community to continue being a sanitation worker
- All of them faced touch-based discrimination on a daily basis
- Despite the number of policies and laws put in to protect them, very few workers can actually access these schemes as they do not possess the necessary official documents (or the wherewithal required to obtain them such as residency proof)

The presentation offered the following **recommendations**:

- Build convergence with multiple national level schemes at the ULB level complemented by adequate awareness generation with sanitation workers in partnership with CSOs.
- Provide technical education to the children of sanitation workers with appropriate financial assistance and make education relevant to their needs
- Promote adult literacy amongst women sanitation workers;
- Design enabling contracts with provisions for leaves, maternity benefits, health insurance and dignified wages. Make contractors liable for violation of these contracts;
- Enforce provision of safety gears, ID card, uniforms, a copy of written contract, ESI/Health Insurance. As well as first aid kits, drinking water, and toilets on streets and zonal offices;
- Promote women to the role of supervisors based on their educational qualification, competence and tenure of work;
- Recognise a woman's multiple burden of work – Most of them end up working almost 17 hours a day;
- Enforce umbrella legislation on workers safety and health across all the sectors whether organised or unorganised;

This was followed by a presentation by Dr Indira Khurana who has worked extensively on water and sanitation. She spoke about the need for the middle class “to get its act together and become more sensitive”, since sanitation workers are responsible for cleaning up the mess that we create. She informed about the lack of accountability shown by the central government in dealing with the eradication of manual scavenging. This is evident from the budgetary allocation under the Manual Scavenging Act (2013) that has steadily fallen from 400 crores in the early 2000's to almost no spending over the last couple of years. Despite the high number of sewage and septic tank deaths (almost 1 every 5 days), the mechanism put in place to receive compensation is tedious, complicated and bogged by red-tapism.

Further, even if one attempts to go beyond their “assigned vocation”, there exists very little recourse to do so. Banks are reluctant to issue loans to sanitation workers for fear of non-payment., There is a distinct lack of awareness among the community as well as the service providers and recipients themselves and a lot of work needs to be done by central and state governments to aid this aspect. The popular perception that “someone has to do the job” is underpinning a lot of these tendencies along with the sense of apathy of the middle class towards the condition of these workers. The state governments, on the other hand fail to realistically estimate the number of sanitation workers by asking organisations accumulating such data to censor the numbers to save their image. She concluded by asking the audience as well as the governments to be “honest to themselves”. She urged the audience to take cognizance of the voices of women workers who clearly state that they do not want solutions for their personal salvation, but to prevent future generations from experiencing what they did.



Dr. Ravikant Joshi offered a solution-oriented perspective on the issues brought up by the movie as well as the presentations. He spoke about the urgent need to vocationalise the sanitation sector by firstly, bringing in a framework which allows sanitation work to be treated as “skilled” and secondly, establishing, supporting and mainstreaming sanitation related enterprises.

In response to the presentations, he observed that most of the recommendations for sanitation workers are usually linear and straightforward. The solutions to the issues of sanitation workers demand interweaving of complexity and nuance. Manual scavenging is ridden with both social vulnerability and occupational vulnerability. It is convenient to say that manual scavenging must be eradicated and that mechanised sanitation work is the way forward, but then what it will come at a cost of loss of jobs to the lakhs of people who are currently employed as sanitation workers. If the Indian railway (the largest employer of manual scavengers) suddenly decides to implement bio-toilets across all of its trains, then lakhs of people will be unemployed overnight. The current opinions on

these issues lack “the human element” as they do not take into account the problems encountered by the stakeholders after the solution has been implemented.



This is further complicated by the numerous paradoxes that surround this profession. For example, there is a desire to take the workers away from the occupation but at the same time, the hire and fire culture means that even if you take one out of the profession, there will be five lined up to replace the person. Enabling the creation of sanitation-related micro-enterprises will certainly aid the cause but it is yet to be seen whether the person in charge of the enterprise would try to improve his/her community considering that their business is based on another’s labour. Indian systems have never been designed keeping mechanisation in mind. The huge size of Indian population means that there will always be a focus on labour-intensive systems. Therefore, we must create an infrastructure which will enable it. For example, the *Swachh Bharat Mission* is creating nearly 5 million jobs by making 70 lakh toilets, that requires a set of jobs related to septic tank cleaning, desludging etc. Navigating such paradoxes requires complex, nuanced solutions and simply banning manual scavenging is not the answer. Hence, there is a need to focus on the human element to bring out a solution which is amenable to all stakeholders. The focus must shift towards how a sanitation worker can lead his/her life with dignity and safety, despite doing sanitation work. This is the priority of government and civil society should also start thinking on these lines.

Dr Joshi offered some **suggestions** as follows:

- Social mobilisation and institution building - over 30 lakh women have gotten federated into SHGs but out of that number, less than 10% are sanitation workers. Civil society organisations all over the world are doing great work by helping organise women in impoverished areas but a large number of these SHGs are outside the ambit of NULM and are therefore not getting the necessary support. Efforts should be made to facilitate pre-existing SHGs into sanitation work. Hence, there is a need to build convergence between SBM and NULM.

- Skilling within and outside of sanitation work, along with standardisation of roles and provision of specific job descriptions will enable in creating multiple job responsibilities;
- Improve financial access to sanitation workers and their dependents. For example, implementation of a tripartite agreement between the bank, loan seekers and the ULB/NSKFDC should be facilitated to provide entrepreneurship support and easy access to financial markets.
- Strengthen municipalities and CLCs (City Livelihood Centres) to include various sanitation-related services.

Q&A Session



The Q&A session with the audience was instrumental in helping further reveal the numerous nuances to the issues of sanitation workers. Professor Sanghmitra Acharya of Jawaharlal National University began the discussion by thanking the panel for extensively studying the “unglamorous work of sanitation” and asking the panel to elaborate on the “youth component” of sanitation work i.e. the young people who are doing sanitation work in India. Dr Indira Khurana replied that as the movie and her presentation had suggested, a lot of young people were sucked into the vocation due to the “*khandaan*” (generational) aspect along with the pressures from their community as well others outside it. She mentioned how there is a provision in the Manual Scavenging Act (2013) to provide scholarships to children from such backgrounds but over the years not many children were found to have accessed this provision. An enquiry revealed that government officials claimed that very few people had applied, which explained the low numbers, but on further inspection it was found that despite thousands of applicants, very few were chosen if at all. Once again, it showed the complete lack of accountability on behalf of the government.



Ms Tripti Sinha from the Centre for Policy Research asked whether there were any shifts in the lived experiences of these workers which were brought about by the implementation of numerous Acts.

The panel answered that while the lived experiences of these workers has definitely changed over the years, the change has not been as affected by the act when compared to the general changes to the Indian economy as a whole. There are definitely more opportunities available to children of sanitation workers and the changes in the general system of employment have also improved. Other changes such as support provided by the family to help ease the stress of work, menstruating women informing their family members about their period so that they can help them, are all positive changes. Dr Joshi however, reiterated that for the Act to truly have an effect on the living experience of the sanitation worker, we need to include every stakeholder who is part of the sanitation ecosystem to deal with the magnitude of the task at hand.

The conference concluded with the reflections from Dr Kaustuv Bandyopadhyay who summed up the salient points from the seminar as follows:

- An institutional study is required to truly understand the various gaps in enforcement of laws/policies and accountability of central and state government institutions. This must be a priority for civil society and the middle class.
- Many reflections pointed out the relevance of context when it came to dealing with specific issues. For example, to help women sanitation workers we must truly understand the intersectionality of labour, caste, and gender underpinning their issues.
- The importance of informed, facilitated, and free choice is crucial as we talk of alternatives for sanitation workers and their children. The state/civil society cannot impose their ideology on sanitation workers, and force them to either stay/leave sanitation work. These organisations must work towards spreading information and opening up opportunities, so if someone wants to pursue alternative employment, they can.

Annex 1

CONFERENCE AGENDA

- 3.00-3.10 Welcome and context setting
- 3.10-3.20 Previewing the film “Littered Dignity: Everyday Lived Experiences of Women Sanitation Workers in India”
- 3.20-4.20 Panel discussion
- 4.20-4.50 Open discussion
- 4.50-5.00 Final remarks and closure
- 5.00-5.30 High Tea

LIST OF PARTICIPANTS

#	Name	Organisation Name	E-mail
1	Aashka Soni	Urban Management Centre	aashka@umcasia.org
2	Akriti Bhatia	Delhi School of Economics	akritibhatia01@gmail.com
3	Akshansh Akshat	HCL Foundation	akshansh.a@hcl.com
4	Anju Dwivedi	Centre for Policy Research	anju.dwivedi@cprindia.org
5	Anshuman Karol	Participatory Research in Asia	anshuman.karol@pria.org
6	Anupama Tripathy	Urban Management Centre	anupama@umcasia.org
7	Apoorva Srivastava	Participatory Research in Asia	apoorva.srivastava@pria.org
8	Bindu Baby	Participatory Research in Asia	bindu.baby@pria.org
9	Col V P Gupta	Participatory Research in Asia	vp.gupta@pria.org
10	Deboshree Mohanta	Participatory Research in Asia	deboshree.mohanta@pria.org
11	Deepti Menon	PRAXIS	deeptim@praxisindia.org
12	Guru Prasad	HCL Foundation	guruprasad.sa@hcl.com
13	Hemlata Kansotia	Labour Education and Development Society	leds.india2007@gmail.com; hikansotia@gmail.com
14	Indira Khurana	International budget partnership	dr.indira.khurana@gmail.com
15	Ishita Dey	South Asian University	deyspecial@gmail.com
16	Joochi Khushbu	FINISH Society	joochikhushbu@finishsociety.com
17	Kaustuv Kanti Bandyopadhyay	Participatory Research in Asia	kaustuv.bandyopadhyay@pria.org
18	Kriti Mittal	Urban Management Centre	kriti@umcasia.org
19	Lalit Kumar	Sulabh International Social Service Organisation	lalit.plancom@gmail.com; info@sulabhinternational.org
20	Merin Alias	Participatory Research in Asia	merin.alias@pria.org
21	Nandita Bhatt	Participatory Research in Asia	nandita.bhatt@pria.org
22	Nilanjana Bhattacharjee	Participatory Research in Asia	nilanjana.bhattacharjee@pria.org
23	Pallavi Sen	Urban Management Centre	pallavi@umcasia.org
24	Pooja Saxena	Participatory Research in Asia	pooja.saxena@pria.org
25	Ravikant Joshi	Urban Management Centre	ravikant@umcasia.org
26	Ruchi Khurana		ruchk27@gmail.com
27	Sanghmitra Acharya	Jawaharlal Nehru University	sanghmitra.acharya@gmail.com
28	Shashi Shikha	Participatory Research in Asia	shashi.shikha@pria.org
29	Shobha Veigas	Participatory Research in Asia	shobha.veigas@pria.org
30	Shubhayan Sengupta	Participatory Research in Asia	shubhayan.sengupta@pria.org
31	Smriti Vaid	Swasti Health Catalyst	smriti@swasti.org
32	Sonu Kumar	Participatory Research in Asia	edp@pria.org

33	Sujit Sourav	Participatory Research in Asia	sujit.sourav@pria.org
34	Sumitra Srinivasan	Participatory Research in Asia	sumitra.srinivasan@pria.org
35	Syed Zakir Hussain	Participatory Research in Asia	zakir.hussain@pria.org
36	Tripti Singh	Centre for Policy Research	tripti@cprindia.org
37	Trupti Ashtankar	Save the Children	t.ashtankar@savethechildren.in
38	Vijay Kumar	Participatory Research in Asia	vijay.kumar@pria.org
39	Vivekananda Gupta	Participatory Research in Asia	vivekanand.gupta@pria.org
40	Yashvi Sharma	Participatory Research in Asia	yashvi.sharma@pria.org
41	Yogini Oke	Centre for Policy Research	yogini@cprindia.org