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Dear Prime Minister,

The National Advisory Council (NAC) in its meeting held on 23 October, 2010 expressed deep concern at the fact that manual scavenging still persists in our country despite the 1993 legislation banning this practice.

The NAC has recommended that the Central Government coordinate with the States and Union Territories to abolish manual scavenging by the end of the 11th Plan, positively.

A set of measures have been suggested, such as identification of continued areas of prevalence, demolition of dry latrines, rehabilitation of manual scavengers, and more rigorous monitoring by the Central and State Governments, which if implemented in letter and spirit should end the scourge of this demeaning practice in a time-bound manner.

The recommendations of the NAC are enclosed.

With regards,

Yours sincerely,

Dr. Manmohan Singh
Prime Minister of India,
New Delhi.

Encl. : As above

Resolution adopted on Manual Scavenging at the meeting of the National Advisory Council on 23 October, 2010 with recommendations to the Government

- 1 The National Advisory Council (NAC) is deeply distressed to observe that the shameful practice of manual scavenging persists in India, despite being outlawed. This practice involves entrapping women, men and even children only because of the accident of their birth, into a humiliating vocation of gathering human excreta from individual or community dry toilets with bare hands, brooms or metal scrapers. It is intolerable that this endures, and is the worst surviving symbol of untouchability. The persistence of dry latrines in various parts of the country violates human dignity, the law and articles 14, 17, 21 and 23 of the Constitution.
- 2 In 1993, Parliament passed the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, which declared the employment of scavengers or the construction of dry (non-flush) latrines to be an offence punishable with imprisonment for up to one year and a fine of two thousand rupees. But central, state and local governments have been very weak in implementing this law, and almost no one has been punished under this law in 17 years. Local bodies themselves routinely run dry toilets, and employ people of specific castes to clean these manually.
- 3 One basic problem so far is that the effort has been viewed by governments more as an issue of sanitation, than an issue of human dignity as guaranteed to all citizens in the Preamble of the Constitution.
- 4 The NAC urges the central government to coordinate with all state, local governments and also central government departments including the Railways, to ensure that this practice is fully abolished latest by the end of the 11th Plan period. This would require a) new survey in every state and UT, with wide public involvement, of remaining dry latrines and manual scavengers; b) demolition of all dry latrines; c) psycho-social and livelihood rehabilitation in modern marketable skills of all manual scavengers and their families; and d) special programme for education, including higher education and computer education of all children of manual scavengers. The Ministry of Social Justice should formulate 100% centrally sponsored scheme to support the rehabilitation initiatives. The law also needs to be amended to ensure sharper definitions of manual scavenging, and accountability of public officials who employ, or fail to prevent, manual scavenging.
- 5 The NAC recommends that the implementation of this law should be monitored at the highest levels of the central and state governments.
- 6 The NAC will also monitor on a quarterly basis the progress in abolition of manual scavenging, in order to ensure the final end of this most degrading practice of caste discrimination.