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THE FISCAL BURDEN OF ERADICATING MANUAL SCAVENGING IN INDIA: A COMPARATIVE ANALYSIS OF PUBLIC AND PRIVATE SECTOR INITIATIVES

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Abstract

Manual scavenging refers to cleaning human excreta from dry latrines and open drains which is a human rights violation that has been practiced in India. However, this type of employment is prohibited by law and, yet there are many scavengers working in India because the practice is rooted in social and economic contexts. In response to this, India has come up with several pieces of legislation that seek to eradicate manual scavenging and at the same time assist the victims. This paper aims at analyzing these measures with the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, and the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013. This paper seeks to examine the fiscal implications of eradicating manual scavenging in India with specific focus on the comparative study of public and private efforts. Sewer cleaning by hand remains a problem and socio-economic barriers. The research evaluates the capital that has to be spent for changing over to sustainable sanitation solutions with the influence noted of government and its pacts, financing and some other methods of funding apart from the private sector. It focuses on how cost-efficient technologies are when incorporated in sanitation and community solutions drawing examples from successful intervention. Moreover, the paper explores the fiscal policies of public-private partnerships and social impact investments to overcome the obstacle of government resources and enhance social justice. The study further explores to make recommendations relevant to policy makers and other stakeholders so as to transform the sanitation situation in India and to eradicate manual scavenging.

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Keywords: Manual Scavenging, socio-economic barriers, Fiscal policies, social impact investment, Public-private partnership

Introduction

The practice of scavenging has historical roots in the caste system where individuals from castes, particularly Dalits were forced to take on this degrading role. It became deeply entrenched through cultural norms and dependence on it for survival. Despite the abolition of untouchability through Article 17 of the Indian Constitution manual scavenging persisted due to the socio economic challenges faced by those involved. Efforts to introduce legislation against scavenging began in the 1990s with the 1993 Act marking the first significant move to prohibit the construction of latrines and the employment of scavengers. However difficulties in enforcement highlighted the need for legislation in 2013.The legislation introduced in 1993 to combat scavenging by prohibiting the use of scavengers and implementing dry toilets was a significant step forward. It marked progress in addressing the issue although challenges in enforcement and deeply rooted socioeconomic factors allowed the practice to persist despite the legal framework.

In an effort to tackle this issue the law was enacted in 2013 with the aim of banning the employment of scavengers and focusing on their rehabilitation. This new legislation not aimed to prohibit the practice but also emphasized supporting scavengers in reintegrating into society. It established a system to cater to the needs of individuals involved in scavenging ensuring they were treated with dignity and respect throughout their integration process.

The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993

The 1993 legislation aimed to put an end to the tradition of using dry toilets by outlawing their construction and preventing the hiring of people to clean them. Nonetheless the implementation of this law was ineffective with numerous loopholes still intact. It fell short in adequately addressing the rehabilitation of manual scavengers placing greater emphasis on prohibiting the practice rather than offering alternative job prospects and social security support for those already involved in it.

Key components of the legislation enacted in 1993 are as follows
- Prohibition on the use of scavengers and the construction of dry latrines.
- Penalties for individuals who violate the provisions of the Act.
- Empowerment of local authorities to manage the enforcement of the Act.

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Nonetheless despite these initiatives the legislation had a success. The challenges that impeded its effectiveness included insufficient political will, inadequate implementation plans and limited awareness within communities. The implementation of the 1993 Act marked a progress in recognizing and addressing the challenges related to manual scavenging. However several obstacles emerged that hindered its effectiveness. These include limited awareness and enforcement of the law by local authorities and communities deeply rooted cultural and social barriers, such as caste discrimination and insufficient support systems for rehabilitating manual scavengers. The Acts provisions fell short in providing resources and assistance to help individuals transition to alternative livelihoods or enhance their social standing.

Impact and Progress : 2013 Act

Despite the obstacles faced the 1993 Act did bring about some advancements

1. Raising Awareness and Support : The Act played a role in shedding light on the problem of manual scavenging and establishing a legal framework for support and change. This laid the groundwork for future laws and increased public discussions on the matter.

2. Policy Progress: The challenges encountered in enforcing the 1993 Act highlighted the necessity for a more approach leading to the creation of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013. This subsequent legislation built upon the foundations set by the 1993 law addressing some of its shortcomings.

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

The 2013 law marked a progress compared to the 1993 law. It not only strengthened the ban on scavenging but also established a system for helping manual scavengers reintegrate into society. The legislation acknowledged that just outlawing the practice was not enough and that thorough support initiatives were crucial for individuals stuck in this line of work due to societal and financial limitations.

Key components of the legislation enacted in 2013 Act:

The ban on scavenging in any form such as cleaning sewers and septic tanks without proper protective equipment. A program with a timeline to identify and support manual scavengers through financial aid job training and social security benefits. The establishment of committees at both district and sub district levels to oversee the enforcement of the law. Strict punishments including imprisonment for those who employ manual scavengers.Despite government legal bans, the inhumane practice of doing manual scavenging, removing human excreta from dry toilets and sewers still exists in parts of India. Several Acts which have been passed by India

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officially ban manual scavenging such the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act of 1993 and the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act of 2013. Yet the financial burden of eradicating manual scavenging is high, with large public and private sector investments needed. There is more to ending this practice than legislative guidance; it requires collaboration between public and private efforts to repair the damage and improve sanitary infrastructure and reintegration of affected persons.It is a big financial liability that does not negate the need for spending on sanitation equipment, rehabilitation efforts and enforcement strategies. National and state governments have taken a lead role in policy changes, social programmes and the distribution of cash for mechanized sanitation in public sector initiatives. Private Sector contributions (corporate social responsibility (CSR) initiatives; non-governmental organizations (NGOs)) have played a supplementary role in bridging deficiency in governmental interventions and innovative interpretations.

Public Sector Initiatives: Policy and Financial Commitment

Several Indian government programmes to eliminate the practice of manual scavenging have been launched. The Indian government has at various times taken concerted steps through some policies and schemes to eliminate manual scavenging. Some of the major government programs aimed at addressing this issue include The Swachh Bharat Mission (SBM), launched in 2014, has taken strides to promote building of toilets and cleanliness, but this movement has yet to catch on across urban areas of the country.

This mission was launched in 2014, with the goal to eliminate open defecation, achieve universal sanitation coverage through building of toilets, and refurbishing of existing faecal sludge management (FSM). Another important part of this programme was the conversion of dry latrines that were supposed to reduce reliance on manual scavenging. However, even with this vast expense, critics say the funds were not ample enough to address the root reasons for manual scavenging, especially in urban slums and such underprivileged rural communities But it has been undermined by implementation problems, corruption, delays. Due to the fact that there is no good sanitation infrastructure in rural areas and when compensation is paid late, there exists a gap between the funds that are allocated and the results attained.

Self-Employment Scheme for Rehabilitation of Manual Scavengers (SRMS): Yet, this scheme was developed as a tool for rehabilitating manual scavengers and their dependents through financial assistance for skill development and for alternative employment. Nevertheless, the SRMS has been very expensive. In fact, the government has allocated a huge amount of money and yet the implementation is marred by inefficiencies and leakages so much so that there are doubts about whether much impact is actually being made on the ground. National Safai Karamcharis Finance & Development Corporation (NSKFDC), The undertaking being a public sector undertaking provides concessional loans to self employment and entrepreneurship of safai

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karamcharis (sanitation workers) and manual Scavengers. While many of these efforts exist, it is unclear whether they can be sustained, as they are financially burdensome and have a limited reach, if not uptake of loans. While such programmes exist, manual scavenging continues, in part, due to system gaps, poor implementation and inadequate interplay between government departments. These public sector initiatives further complicate the fiscal burden by the slow pace of progress made and the necessity of repeated interventions to sustain them.

Private Sector Initiatives and Fiscal Contributions

Eradication of manual scavenging has been driven by the private due to the CSR projects the private sector has undertaken. Corporations have invested in sanitation infrastructure, awareness, and repair of manual scavengers working through partnerships with NGOs, and local governments. They used money from Tata Trusts, Reliance Foundation and other like companies to build sustainable sanitation solutions which have been estimated to have invested over ₹300 crore in the projects related to sanitation .

Private initiatives are counted as a supplement to government efforts, but they finance much less than government expenditures. Of course, private projects are celebrated for their efficiency, community engagement, and quick turnarounds. Furthermore, private sector projects often have a more immediate impact from targeting and localising .The engagement of the private sector in eradicating manual scavenging has been somewhat limited vis-à-vis activities undertaken by the government, but it has gradually grown. In particular, one key driver of change has been corporate social responsibility (CSR) initiatives; companies appear more and more engaged in sanitation and employment reform.

CSR and Sanitation Initiatives: Accordingly several companies have taken up sanitation as a part of CSR. Firms from Hindustan Unilever to Tata Trusts have invested in erecting sanitation infrastructure, pushing for cleaner cities and training ex manual scavengers. The intention is to address the problem at the tree level by encouraging mechanisation, as well as offering alternative livelihoods. The impact to the private sector is fiscal, however the returns are viewed as financial benefits of an improved brand reputation and societal impact.

Public-Private Partnerships (PPP): In fact there have been attempts to develop PPP models of development with private entities teaming up with municipal corporations and state governments. As an example, private companies in conjunction with local governments have spearheaded efforts to provide for mechanised cleaning of sewers. While the PPP model tends to lower the direct financial burden on the government by using private investment, scalability and long term sustainability still concern its advocates.

Innovative Financing Models: Besides the usual CSR exercises, social enterprise has also taken off with a concentration on sanitation and rehabilitating workers. Impacted ventures or enterprises focused on transforming the practices of scavenging in bags into sustainable models by setting up vacuum trucks and sewage processing plants and bio-toilets among others are these entities which are often funded through impact investments or venture philanthropy. In this model, fiscal burden is borne by the private investors and government with a long term sustainability.

Comparative Analysis: Public vs. Private Expenditure

A comparison between public versus private sector initiatives reveals that whereas the public sector is spending much more, the private sector's impact may be more per rupee spent. Often they suffer administrative bottlenecks that hamper its utilisation and advance at a slower pace. On the other hand, private sector initiatives though constrained, are on average more agile and conducive to adaptability, with higher rates of project completion and beneficiary satisfaction.Furthermore, public sector includes large scale infrastructure projects for which there is a continuous fiscal input and a number of years, while the private initiative addresses immediate needs, e.g., local sanitation solutions and education programmes.

Rehabilitation and Socio-Economic Costs

The overall costs in terms of social and economic costs of rehabilitation of manual scavengers go way beyond the direct fiscal expenditures. In general, public and private sectors face a problem of long term employment and social integration of rehabilitated workers. Unfortunately, many of the programmes run by the government to rehabilitate individuals tend to fall short when it comes to matching the rehabilitated individuals with steady jobs. A 2021 government report indicated that only a little over 50 percent of those trained via government programmes were also employed . On the other hand, integration into vocational programmes relevant to the industry need have been found to be more successful rehabilitation projects of private sector projects, usually associated with the CSR initiatives. While the fiscal burden in both sectors remains high, recurrent costs for social and economic rehabilitation including continued support in the health, education, and housing areas, the overall scale is yet to be mindful as well.

Challenges in Financing the Eradication of Manual Scavenging

Despite attempts by both public and private sector initiatives to suppress manual scavenging, the financial barriers are robust. Key issues include:

1. Inadequate Funding: Often underfunded, rural based habits often afflict public sector programmes. Bureaucratic inefficiencies, and budgetary constraints, mean that the rehabilitation and alternative employment funds allotted are frequently not enough.

2. Leakages and Corruption: The Self-Employment Scheme for Rehabilitation of Manual Scavengers has been a major source of corruption and mismanagement in government schemes and a cause of massive wastage of funds. The widespread of these programmes has been undermined by a lack of transparency and accountability in disbursing loans and grants.

3. High Costs of Mechanization: The costs of mechanized cleaning equipment to buy and maintain are very high and are largely regarded as a solution to the problem of manual scavenging while mechanization is generally seen as a solution. Some of these costs have been ameliorated by public-private partnerships, but mechanization has not taken hold on a large scale because the initial capital outlay is so high.

4. Social Barriers: The entrenched caste system plus the social stigma associated with manual scavenging make the elimination of the practice difficult. Although rehabilitation programmes are well funded, they do not provide any solution to the social discrimination manual scavengers face, as they have no alternate and alternative employment opportunities available to them.

Conclusion

Eradicating manual scavenging in India is an enormous fiscal burden and both the public and private sectors are vital but roles are distinct. However, government programmes are much more expensive, whereas private sector initiatives tend to be quicker, and more localised. Ahead, a collective model combining the financial muscle of the public sector and the efficiency of private sector solutions might be a more balanced and sustainable way to address this socio economic challenge.The struggle to annihiliate manual scavenging in India is an intricate indivisible and financially contentious issue. While well intended, public sector initiatives are still struggling in the implementation, leakage and under funding. On the other hand, while a potentially more sustainable and innovative approach through CSR and PPP models, these initiatives nonetheless remain limited in scale.To really eliminate manual scavenging, a broader and better concerted effort is needed. This is about increasing public financing for this, maintaining transparency and accountability through implementation, while growing the private sector. While substantial, the fiscal burden is an essential investment necessary for manual scavenging to be finished for good and the dignity and livelihood opportunities for one of India’s most marginalised communities.

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