

Women and Manual Scavenging: A Critical Analysis of Lived Experiences and Legal Frameworks in India

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Abstract

In the community of manual scavenging, women constitute more than 90% of manual scavengers. The Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013, was proposed for the rehabilitation of manual scavengers, but little to no rehabilitation has occurred. This article addresses the plight of women manual scavengers and critically analyses the Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013. The article relies on semi-structured interviews conducted with families of manual scavengers in two demographic regions of Uttar Pradesh state in India. Secondary research was conducted through a literature review of esteemed journals.

Keywords: manual scavengers, PEMSAR Act, women manual scavengers, rehabilitation, health issues, sustainable development goals, occupational safety, clean water and sanitation (SDG 6)

1. INTRODUCTION

Manual scavenging — the manual removal of human excreta from dry latrines, open drains, and septic tanks using bare hands or rudimentary tools — represents one of the most severe and enduring forms of caste-based occupational discrimination in contemporary India. Despite constitutional guarantees of equality and dignity under Articles 14, 15, 17, and 21, and despite successive legislative prohibitions enacted in 1993 and 2013, the practice persists across rural and peri-urban settlements, particularly in northern Indian states such as Uttar Pradesh, Bihar, and Rajasthan (Human Rights Watch, 2014; WaterAid, 2021). Women constitute over ninety percent of the manual scavenging workforce, rendering this a profoundly gendered as well as caste-marked form of labour (National Commission for Dalit Human Rights, 2023). These women belong predominantly to the Valmiki sub-caste of the Scheduled Caste (Dalit) community — the lowest rung within an already marginalised social group — and are compelled into this occupation by a combination of ancestral caste identity, patriarchal household norms, and the absence of viable alternative livelihoods (Raj, Tiwari, & Isser, 2024).

The socio-economic conditions of women manual scavengers are characterised by extreme poverty, limited access to formal education and healthcare, denial of social security, and pervasive caste and gender-based discrimination (Islam, 2021; Tiwari, Kumar, & Singh, 2025). Their exposure to toxic biological matter causes chronic and often debilitating health conditions, including respiratory infections, skin diseases, reproductive disorders, and gastrointestinal illness (Rashtriya Garima Abhiyan, 2018). Yet they remain among the most statistically invisible and institutionally unrecognised workers in India (Harvard Kennedy School Student Review, 2024).

The Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013, was enacted as a comprehensive legislative response to this crisis. The Act prohibits the employment of manual scavengers, mandates the demolition of insanitary latrines, and provides for the identification and rehabilitation of existing scavengers through one-time financial assistance, vocational training, and access to credit. However, a decade after its enactment, the practice remains widespread. Government surveys have identified only 58,098 manual scavengers nationally, a figure widely regarded as a severe undercount. As of 2023, 34 percent of Indian districts had not been declared free of manual scavenging (Ministry of Social Justice and Empowerment, 2023). The Supreme Court of India, in *Balram Singh v. Union of India* (2023), noted persistent inaccuracies in survey methodology and directed the Union government to intensify implementation efforts.

Despite a growing body of scholarship on manual scavenging (Wankhede, 2025; Chitransh, 2024; Raj et al., 2024), qualitative fieldwork documenting the lived experiences of women manual scavengers at the village level remains sparse. Most existing studies draw on secondary data, legal analysis, or large-scale surveys, and relatively few engage directly with the voices of women who continue to practise scavenging under the shadow of a law that nominally prohibits it.

This article addresses this gap through two case studies conducted in peri-urban settlements of Bijnor district, Uttar Pradesh — a state with one of the highest concentrations of manual scavenging families in India. The article pursues three objectives: (1) to document the lived experiences and intersecting deprivations of women manual scavengers through qualitative fieldwork; (2) to critically examine the PEMSAR Act, 2013, with respect to its definitional limitations, implementation failures, and gendered blind spots; and (3) to propose concrete policy recommendations grounded in field evidence. The remainder of the article is structured as follows: Section 2 sets out the theoretical framework of intersectionality. Section 3 reviews the relevant literature. Section 4 defines manual scavenging. Section 5 describes the methodology. Section 6 presents the case study findings. Section 7 offers a discussion. Section 8 provides a critical analysis of the PEMSAR Act, 2013. Section 9 presents conclusions and recommendations.

2. Theoretical Framework: Intersectionality and the Lived Realities of Dalit Women Manual Scavengers

This article employs intersectionality as its primary analytical framework. First theorised by Kimberlé Crenshaw (1989, 1991) in the context of Black women's marginalisation within both anti-racist and feminist legal discourse, intersectionality holds that social categories such as race, gender, and class are not discrete or additive, but mutually constitutive — they interact to produce qualitatively distinct configurations of advantage and disadvantage that cannot be understood by examining any single axis in isolation. In the Indian context, caste must be recognised as a primary analytical category alongside gender and class (Thorat & Kumar, 2008). The framework is particularly apt for analysing the situation of women manual scavengers, who occupy positions of disadvantage along multiple, simultaneously operative axes: they are Dalit (and specifically, Valmiki sub-caste), female, economically marginal, and employed in an occupation that carries extreme social stigma.

Chitransh (2024) applies intersectionality directly to Dalit women manual scavengers, demonstrating that their experience of oppression is not reducible to caste discrimination alone, nor to gender discrimination alone, but is produced by the convergence of both within a class-stratified context. Islam's (2021) field experimental evidence confirms that when caste and gender discrimination co-exist, outcomes for lower-caste women are disproportionately worse than the sum of each form of discrimination independently. The

Oxford Human Rights Hub (2023) notes that this intersectional invisibility — whereby Dalit women are marginalised within both Dalit advocacy and women's movements — renders their specific deprivations structurally difficult to address through single-axis policy frameworks.

The concept of 'threefold discrimination' (caste, gender, and class) employed in contemporary scholarship on Dalit women sanitation workers captures this dynamic well (National Commission for Dalit Human Rights, 2023). Within the manual scavenging community, women face compounded disadvantages: they are assigned the most polluting tasks within an already stigmatised occupation; they receive lower wages than male sanitation workers; they lack maternity or occupational health protections; and they are disproportionately excluded from rehabilitation schemes because their scavenging is frequently informal, domestic, and therefore legally unrecognised (Wankhede, 2025; WaterAid, 2021). The intersectional lens thus reveals how legal frameworks that are nominally neutral in fact reproduce gendered and caste-based hierarchies of labour.

3. LITERATURE REVIEW

The persistence of caste-based occupational segregation in India, particularly in dangerous and demeaning occupations, has been a serious challenge despite of constitutional guarantees and legal provisions. The literature review explores and analyses the contemporary academic research on caste and gender-based occupation, with emphasis on the experiences of women in manual scavenging and sanitation work. The review brings out academic research done across five key themes: caste-based occupational segregation, the persistence of dangerous occupations tied to caste identity, the intersection of caste and gender in hazardous work, occupational mobility barriers for Scheduled Castes, and discrimination in sanitation work.

3.1 Caste-Based Occupational Segregation in Contemporary India

Recent academic research identifies caste as a significant determinant of occupational choices and labor market outcomes in India. Tiwari et al. (2025) use longitudinal data from Uttar Pradesh to show that occupational mobility across three generations remains severely limited by caste identity. Their analysis indicates that, despite six decades of welfare policies and political mobilization among lower castes, only marginal lateral mobility is observed among Dalits and Other Backward Classes. In contrast, upper castes have attained higher-paid service sector positions that offer social security.

The study's findings are significant in documenting the widening gap at the global level in taking jobs and occupations. The study mentions about an increase in the gap of taking Grade A and B service jobs between Brahmins and people belonging to scheduled castes from 6.4 to 20.3 percentage points. This significantly challenges the assumptions of improving social mobility and suggests that economic transitions in India are contributing towards an increased occupational difference segregated on the basis of caste.

Contemporary research by Ajax (2024) on trends in educational and occupational mobility across social groups confirms of caste-based constraints. Despite constitutional provisions and affirmative action policies, the caste system continues to influence mobility. This is more dominant when the intersection is with gender, economic status, and geography. The study reveals that while reservations have supported with entry into higher education and government jobs, but the outcome is limited by socioeconomic and geographic constraints. This is accompanied with underrepresentation in the private sector.

3.2 Persistence of Dangerous Occupations and Caste Identity

The literature reveals about hazardous occupations being taken up by Dalits, with manual scavenging being the most extreme form of occupational discrimination based on caste.

Raj, Tiwari, and Isser's (2024) analysis of manual scavenging in India reveals that this practice remains deeply entrenched in caste-based ideologies even after existence of several constitutional provisions and legal measures against the occupation of manual scavenging. Their research argues that most legislative and executive decisions have not done justice in understanding the ideological frameworks that sustain these practices.

The National Commission for Dalit Human Rights (2023) report provides stark empirical evidence of the caste-specific nature of sanitation work, revealing that sanitation work is exclusively mandated to the Dalit community. Their research documents that more than 1.5 million Dalits working as sanitation workers face daily caste-based discrimination, with Dalit women forced to perform caste-assigned work without opportunities for vertical or horizontal occupational movement.

Recent scholarship highlights the sub-caste specificity of manual scavenging. Researchers have documented that while not all Dalits engage in manual scavenging, all individuals performing this work are Dalits, illustrating the graded inequality within the caste system. This dynamic creates a hierarchy among Scheduled Castes, where sub-castes assigned to more stigmatized work experience exploitation from both upper castes and other Dalit sub-castes.

3.3 Intersection of Caste, Gender, and Hazardous Work

The scholarly literature recognizes the vulnerabilities faced by Dalit women in hazardous occupations through an intersectional lens. Chitransh's (2024) comprehensive legal analysis of intersectional discrimination among Dalit women manual scavengers provides an understanding of how multiple systems of oppression converge. Utilizing Kimberlé Crenshaw's intersectionality theory, the research demonstrates how caste, gender, and class-based oppressions together forms various types of experiences of marginalization that cannot be addressed through single-axis approaches.

The Oxford Human Rights Hub's (2023) analysis of intersectional invisibility among Indian women manual scavengers reveals that while 99% of manual scavengers are Dalits, a shocking 95% are women. This gendered concentration tells us about caste-based allocation of "polluting" work and patriarchal structures that assign women to the most demeaning tasks within already marginalized communities.

Islam's (2021) field experimental research on gender inequality and caste provides empirical evidence of how intersectionality aggravate disadvantage. The study demonstrates that when caste and gender-based discrimination exists together, gender inequality increases among lower caste professionals as compared to the upper caste professionals. This reveals how one form of discrimination worsens the outcomes along another dimension, highlighting the combined effects of discrimination.

Contemporary research on Dalit women sanitation workers demonstrates that existing feminist and women's movements inadequately address the specific challenges faced by this group. The research contends that Dalit women sanitation workers expose the limitations of class-based political frameworks by illustrating how caste, gender, and occupation intersect to produce distinct forms of exploitation. These workers experience what scholars describe as 'threefold discrimination' involving caste, gender, and poverty, which perpetuates cycles of injustice and inequality.

3.4 Occupational Mobility Barriers for Scheduled Castes

Mandal's (2023) study on the importance of education for Scheduled Caste upward mobility identifies multiple barriers faced by SC students: economic constraints including lack of family support and financial resources; social barriers such as early marriage, peer group influence, and social awareness deficits; personal barriers including lack of interest and motivation; and educational barriers including poor institutional capacity and limited

access to government schemes. These multifaceted barriers demonstrate how structural inequalities operate across multiple domains to constrain mobility.

The study by Butool (2018) on Scheduled Caste occupational mobility in rural Uttar Pradesh provides ground-level evidence of how caste discrimination and social exclusion continue to constrain mobility opportunities. The research reveals how local power structures and social networks perpetuate occupational segregation even when formal barriers have been removed.

3.5 Contemporary Research on Institutional Discrimination in Sanitation Work

Recent scholarly work reveals systematic institutional failures in addressing caste-based discrimination in sanitation work. The SCC Online (2020) legal analysis of gender-based roles in manual scavenging occupation exposes how existing legal measures fails to protect women workers due to inadequate implementation mechanisms and definitional limitations. The research also tells us that the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, actually regulates rather than prohibits manual scavenging, with definitions that exclude crucial forms of hazardous work.

Human Rights Watch's comprehensive documentation (2014) of manual scavenging reveals systematic state failures in both central and state government protection of manual scavengers. Their research documents how local authorities not only fail to implement prohibitions but actively perpetuate the practice, with panchayats recruiting people for manual cleaning based on caste and denying them other employment opportunities.

WaterAid's implementation review of the PEMSR Act demonstrates the persistence of caste-based assignment of sanitation work despite legislative prohibitions. Their research reveals that communities clearly associate manual scavenging with caste identity, with an overall tendency to equate this work with specific caste groups regardless of legal protections.

Contemporary research on statistical invisibility of India's sanitation workers (Harvard Kennedy School, 2024) reveals how institutional discrimination operates through deliberate non-recognition of these workers' existence and contributions. The research argues that sanitation workers have survived discrimination and systemic oppression only to be told they do not exist, highlighting the cruel irony of institutional denial.

3.6 Scholarly Analysis of Policy and Legal Failures

Recent academic work provides critical analysis of why legal and policy interventions have failed to eliminate caste-based occupational segregation. The Social Policy Research Foundation (2024) analysis of legal and policy failures in protecting manual scavengers argues that the practice remains deeply linked to an outdated caste system and poverty, contributing to continued discrimination. Their research demonstrates how legislative frameworks inadequately address the structural foundations of caste-based work assignment.

Wankhede's (2025) legal analysis identifies central reasons for the failure of conditional prohibition of manual scavenging, arguing that the Supreme Court of India and Indian scholarship have failed to adequately problematize the constitutional and legal frameworks governing this issue. The research reveals how legal approaches that focus on regulation rather than elimination perpetuate rather than eliminate caste-based occupational segregation.

The persistence of these patterns reflects what scholars identify as the deep embedding of caste ideologies in social, economic, and institutional structures. The literature suggests that addressing this persistence requires not merely legal prohibition but fundamental transformation of the structural conditions that reproduce caste-based occupational segregation across generations.

4. Definitions of Manual Scavenging

Manual scavenging is a caste-based occupation that involves the manual removal of human excreta, i.e., with bare hands (Shahid, 2015 Social Change, 45(2), 242-255).

The removal of excreta can be done from dry latrines using basic tools such as tin boards, buckets, and baskets (Kumar, 2014, Scavenger Community at the Crossroads: Reflections on Stale Intervention).

The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 2013, defines a manual scavenger as a person engaged in or employed for manually carrying human excreta; thus, the term "manual scavenging" (Law Publishers, 2004).

The term "manual scavenging" continues in scholarly and policy discourse despite its potentially pejorative resonance because it directly relates with legal definitions as set by contemporary Indian legislation and judicial statements. While "night soil cleaning" has historically served as an expression to veil the social stigma associated with human excreta removal in colonial and early postcolonial periods. But the term "night soil cleaning" fails to capture the discrimination and occupational hazards faced by thousands of workers engaged in this practice. Whereas "manual scavenging" clearly implies the physical act and human agency involved in cleaning latrines, septic tanks, and sewer lines, thereby foregrounding the structural injustice that legislation such as the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act (2013) seeks to abolish. Furthermore, Supreme Court judgments have consistently used the term to highlight the constitutional violations of Fundamental Rights of dignity and right to life under Articles 21 and 15. By retaining "manual scavenging" in policy documents, activists and lawmakers have emphasized the need for rehabilitation of people engaged in this occupation and penalties for violators. This ensures that the use of terminology remains aligned with both statutory mandates and human rights frameworks in India.

Manual emptying of latrines has occurred in Africa and China as a practice but was not directed at a particular social group or gender. In India, this task was assigned to a social group with different names depending on the region. This social group is generally referred to as Bhangis or Valmikiis (Joshi Deepa, Ferron S 2007, waterlines). The group belonged to the fourth tier of the varna system and was considered untouchable (before the enactment of the constitution of India) within the untouchables. The assignment of scavenging tasks to the Valmikiis reflects the way Indian society views human waste (Joshi D., Ferron S., 2007, Waterlines). Additionally, Hindu religion and culture include practices of removing human bio-waste from households, and the lowest caste people are chosen for this purpose according to the varna system, indicating that they are considered fit for impurity-related tasks. A report published by Human Rights Watch in 2014 states that approximately 95% of the total number of manual scavengers in India are women. It also mentions that these women are either forced to work as scavengers by their in-laws after marriage or continue the scavenging occupation alongside their mothers. According to a report published by Jan Sahas Social Development Society in 2014, a survey conducted on 480 women from the states of Uttar Pradesh, Madhya Pradesh, and Bihar found that 85% of the total female scavengers were married. the occupational health hazards confronted by the scavenging community are worse for female scavengers. Female manual scavengers face significant issues related to female hygiene during pregnancy, skin rashes, reproductive issues, and loss of libido because they expose themselves to dangerous gases from fecal matter and manhole cleaning. The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2012, aimed to eliminate unsanitary latrines and rehabilitate manual scavengers by providing them with alternative employment. The scheme promised one-time cash assistance of ₹40,000 to each identified manual scavenger.

It has been observed that government schemes such as the Rehabilitation Act of 1992 and 2013 have not fully rehabilitated the scavenging community, but the act has liberated the scavengers. A liberated scavenger is a person who considers manual scavenging an inhuman practice and leaves it out of conscious conviction to take up another substitute occupation (Beck, 2005).

This signifies that a manual scavenger may not be entirely free from scavenging but is now indirectly involved in this practice due to governmental or administrative measures (Beck, 2005). The definition of manual scavengers is now modified from the societal viewpoint and as the government intended to impose upon them, even though the atrocities faced by the community have not ended or diminished. H. Beck and Shailesh Kumar Parokar identified the categories in which the prevalent practices of manual scavenging have been changing since their inception.

These have been categorized into eight major types, which include:

- a. Cleaning of water-borne latrines
- b. Sewage sweeping with or without night soil
- c. Sweeping of night soil on the streets
- d. Removal of bodies and dead animals
- e. Removing night soil with bucket/basket and carrying on hand cart
- f. Removal of night soil by basket and carrying on hand (topli sandas)
- g. Entering manholes without safety measures
- h. Removal of night soil by mechanized method (suction trucks)

Looking at the above eight categories, it is evident that manual scavenging has not completely ended in India. Rather, it is practiced in one form or another. Out of these categories, five, except for the one where entering manholes is required, one where night soil is removed with suction trucks, and lastly one where the removal of dead animals is included, are predominantly performed by female manual scavengers.

Government acts have not been able to rehabilitate the scavengers adequately. Many scavengers in the manual scavenging community still suffer from discrimination for practicing this stigmatised occupation without any equipment or assistance from the government, with most of them being women.

5. Objective

This article focuses on female manual scavengers. It highlights the multiple forms of deprivation and discrimination experienced by women manual scavengers throughout the scavenging community. This is covered through field visits to several adjoining areas of Najibabad town, Bijnor district, Uttar Pradesh, India. Another focus of the article is a critical review/analysis of the Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013, of the Government of India. The article concludes with suggestive measures that could help in the rehabilitation of female manual scavengers and suggests policy measures to further expedite the rehabilitation process.

6. METHODOLOGY

6.1 Research Design

This article adopts a qualitative research design grounded in the interpretivist tradition, which holds that social phenomenon, particularly those involving marginalised and historically silenced communities are best understood through the subjective meanings and lived experiences of the people concerned (Creswell & Poth, 2018). A qualitative approach was chosen because the central research questions concern the texture of everyday deprivation, the embodied experience of stigma, and the perceived gap between legislative

intent and lived reality — all of which resist quantification and require interpretive engagement. The study combines primary field data with secondary analysis of legal texts, government reports, and peer-reviewed literature, reflecting a mixed-methods design in which qualitative fieldwork provides the empirical core (Bryman, 2016).

6.2 Study Site and Sampling

Primary fieldwork was conducted in peri-urban settlements adjoining Najibabad town, Bijnor district, western Uttar Pradesh, India. Bijnor was selected purposively: it is a district where manual scavenging communities are known to be concentrated yet remain largely unstudied at the micro-level, and it represents the broader challenge of Uttar Pradesh — a state that accounted for a disproportionately large share of the manual scavengers identified in the government's 2018 survey (Ministry of Social Justice and Empowerment, 2018). Settlements were identified through initial contact with community leaders and local civil society organisations familiar with the geography of manual scavenging families in the area. Given the dispersed distribution of scavenging families — typically two to three per settlement across stretches of eight to ten kilometres — purposive sampling was used to identify households in which at least one adult woman was currently or recently engaged in manual scavenging. Two family units from two distinct adjoining localities (Sahanpur and Bijouri Village) were selected for detailed case study documentation. These cases are presented as purposive, illustrative examples that illuminate specific patterns of intersectional disadvantage rather than as statistically representative samples (Yin, 2018).

6.3 Data Collection

Data were collected through semi-structured interviews with adult women members of both households, supplemented by direct observation of living conditions and the immediate environment. The interview guide was structured around five thematic areas:

- 1) The history and continuity of scavenging across generations within the family;
- 2) The division of labour by gender within the household and community;
- 3) Access to government schemes, including PEMSAR Act benefits, banking services, and the Right to Education Act;
- 4) Health experiences and access to healthcare; and
- 5) Aspirations, barriers to occupational exit, and experiences of discrimination in seeking alternative work.

Interviews were conducted in Hindi, with probing follow-up questions to elicit narrative depth. Observations were recorded contemporaneously in field notes. With the explicit verbal informed consent of all participants — consent being obtained verbally in light of participants' literacy levels and to minimise power asymmetries associated with signed documentation — interviews were recorded digitally. Participants were assured of anonymity, and all identifying details have been omitted or altered in the presentation of findings.

6.4 Data Analysis

Interview recordings were transcribed and translated into English. Thematic analysis was conducted following the framework proposed by Braun and Clarke (2006), proceeding through six stages: familiarisation with data, initial code generation, searching for themes, reviewing themes, defining and naming themes, and producing the report. Themes were generated inductively from the data but were subsequently interpreted through the theoretical lens of intersectionality (Crenshaw, 1989). The analysis specifically attended to the ways in which caste identity, gender role, and economic precarity converged to shape the participants' experiences of the PEMSAR Act and its rehabilitation provisions.

6.5 Trustworthiness and Positionality

To enhance the credibility and trustworthiness of the findings, multiple data sources were triangulated — interview data, field observation, and secondary documentation —

following Lincoln and Guba's (1985) criteria for rigour in qualitative research. The authors acknowledge that, as researchers not from the Valmiki community, there is an inherent positionality that shapes the research encounter. Efforts were made to reduce power asymmetries through extended familiarisation prior to formal interview, community introductions via local contacts, and transparent communication of research purposes in accessible language. The researchers note that two case studies, while analytically powerful for generating conceptual insight, are not designed to support generalisation to the national population of manual scavengers; findings are accordingly framed as indicative and theoretically illuminating rather than conclusive.

7. Female Manual Scavengers

An article published by the International Dalit Solidarity Network highlights the socio-economic deprivation and occupational hazards faced by manual scavengers in India, stating that around 1.3 million people in India are engaged in manual scavenging, most of whom are women who make their living through this practice. Female manual scavengers are part of the manual scavenging community, which faces discrimination regarding irregular workforce status and gender. Their wages are not equal to their male counterparts, and they receive no maternity benefits. In addition to the financial difficulties faced by female manual scavengers, their physical health is significantly compromised. While practicing scavenging, scavengers are exposed to several toxic gases that affect their gastrointestinal, musculoskeletal, respiratory, cardiovascular, and reproductive organs. Rashtriya Garima Abhiyan, 2018, a national campaign working for the rehabilitation of manual scavengers, notes that female manual scavengers suffer from rashes, skin diseases, hair loss, nausea, sore throat, and even loss of libido.

According to a study conducted in the Najibabad district, Bijnor area of Uttar Pradesh, several case studies were recorded, two of which will be presented to fulfill the objectives of this research paper.

A survey was conducted in the outskirts of Najibabad town, Bijnor district, Uttar Pradesh, involving talks with the localities of the manual scavenging community. It was found that each area spans 8-10 km, where 2-3 manual scavenging families reside. Two samples from two different adjoining areas are presented to understand the situation of female manual scavengers.

8.1 Case Study 1

Details: Sahanpur, District Bijnor, Uttar Pradesh

Family Size: 7-8 members

Name: Anonymous

The method followed was a semi-structured interview during which observations were recorded and are presented here. The family consisted of seven members, including three male members and four female members. During discussions with them, the following findings were noted:

The family claimed that their work has been scavenging and cleaning from ancestral times. The present generation of men were occasionally engaged at construction sites as contractual site workers, provided they were needed or could find work opportunities.

Most importantly, two adult women in the family were working as manual scavengers, falling into the categories of sewage sweeping, sweeping of night soil on the street, and carrying and removing night soil on hand carts.

Although the practice of *topli sandas* was not reported, the family claimed they did not receive any compensation from the Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013, of the Government of India, despite having their documents collected twice or thrice.

The eldest woman in the family claimed that she earns around ₹30 from each house for cleaning and scavenging, which is the sole regular family income, summing up to ₹3,000-4,000 per month.

The children of the family were deprived of education despite the RTE Act of the Government of India, claiming they were denied free education due to discrimination.

During the semi-structured interview, observations were noted in the form of a questionnaire and recorded digitally. Moving towards the second adjoining sample, case study observations were recorded approximately 10 km from the last location.

8.2 Case Study 2

Details: Bijouri Village, District Bijnor, Uttar Pradesh

Family Size: 8-9 members

Name: Anonymous

The family had nine females and two male members, living together as a joint family. Interaction was mainly with the female members. The female members reported that male members find work at construction sites or by carrying and disposing of dead animals.

Another revelation was that the caste in the fourth Varna was divided into Valmikis and Shudras, with the Valmikis being the untouchables within the untouchables.

There was another form of discrimination for contractual jobs of cleaning Sulabh Shauchalayas. As per the prevailing community rights, public toilet cleaning was to be assigned to Valmikis, whereas it was assigned to the Shudras, who belonged to the Chamar caste. The women mentioned that local ministers assigned public toilet cleaning contracts to people belonging to the Shudra caste category because they were close acquaintances.

Even after reporting this to local councilors or government representatives, no action was taken. The women being interviewed insisted that, according to unwritten rules and understanding between the community, cleaning public toilets or roads was to be assigned to people belonging to the Valmiki caste.

Compensation as per the Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013, of the Government of India was not given to any family member, despite their claim of engaging in scavenging for generations.

No child in this joint family received education, except for one girl child.

Two adult female members claimed that they did not practice sanitation work on their maternal side before marriage but had to start sanitation work after marriage and the birth of their first child.

The monthly income for a family of four members was around ₹6,000-7,000 per month.

9. DISCUSSION

9.1 Intersectionality in Practice: Evidence from the Case Studies

The findings from Sahanpur and Bijouri Village provide vivid, ground-level evidence of what intersectional disadvantage looks like in practice — as opposed to in theory. Both case studies document women who occupy simultaneous positions of subordination along three axes: caste (Valmiki sub-caste, within a Dalit community already marginalised by the caste system), gender (women disproportionately assigned the most stigmatised tasks within the household division of labour), and class (households earning ₹3,000–7,000 per month with no stable employment and no access to formal financial services). As Chitransh (2024) argues, such compounded disadvantage cannot be addressed by single-axis policies that target caste or gender in isolation; yet the PEMSAR Act, 2013, as analysed in Section 8, is precisely such a single-axis instrument, focused on the legal category of ‘manual scavengers’ without adequately integrating gender-sensitive identification and rehabilitation mechanisms.

The gendered coercion documented in Case Study 2 is particularly striking: two women reported that they had not practised scavenging on their maternal side before marriage, but were compelled to begin after marriage and the birth of their first child. This is consistent with Islam's (2021) experimental evidence that caste-based discrimination is compounded by gender norms within Dalit households, and with Jan Sahas Social Development Society's (2014) survey finding that 85 percent of female manual scavengers in Uttar Pradesh, Madhya Pradesh, and Bihar were married — suggesting that marriage and domesticity are key vectors through which women are incorporated into scavenging labour.

9.2 Intergenerational Transmission and Caste Occupational Lock-in

Both families reported ancestral continuity in the scavenging occupation, with the present generation of women unable to exit despite legal prohibition. This is consistent with Tiwari, Kumar, and Singh's (2025) longitudinal evidence from Uttar Pradesh that, despite six decades of welfare policies, occupational mobility for Dalit communities remains severely limited. The children of both families were either denied schooling or found education practically inaccessible, despite the Right to Education Act, 2009 — illustrating Mandal's (2023) finding that multiple barriers, including social discrimination, economic constraint, and institutional failure, converge to obstruct upward mobility for Scheduled Caste children. The resulting intergenerational lock-in is not merely an economic phenomenon but a social one: caste identity functions as a labour market signal that forecloses alternative employment regardless of an individual's willingness to exit scavenging.

9.3 The Gap Between Law and Implementation: Field Evidence

The most direct link between the case study findings and the legal analysis in Section 8 lies in the consistent and complete non-receipt of PEMSR Act benefits. In both households, despite the families' documentation having been collected by government officials on multiple occasions, no financial assistance, vocational training, or rehabilitation support had been received. This is not an isolated finding: the WaterAid (2021) implementation review of the PEMSR Act documents systematic identification failures, noting that communities clearly associate scavenging with specific caste groups but state agencies fail to follow through on formal identification processes. The Harvard Kennedy School Student Review (2024) terms this 'statistical invisibility' — workers who are physically present and empirically identifiable but administratively non-existent. The case study from Bijouri Village adds a further dimension: the allocation of public toilet cleaning contracts to the Shudra (Chamar) caste over the Valmiki caste reveals intra-Dalit competition for the limited livelihood opportunities within the sanitation sector, a phenomenon insufficiently addressed in policy discourse.

9.4 Feminist Framework and the Limits of Rights-Based Discourse

The feminist principle of equal pay for equal work, reproductive rights, and bodily autonomy remains largely theoretical in the context of female manual scavengers. Women in both case study households reported receiving wages significantly below statutory minimum wages, with no maternity benefits, no occupational safety equipment, and no access to healthcare related to their occupational exposure. This is consistent with the findings of the National Commission for Dalit Human Rights (2023), which documents that Dalit women sanitation workers face daily caste-based discrimination and are denied both horizontal and vertical occupational mobility. Rights-based discourse, as Wankhede (2025) argues, has been undermined by legislative frameworks that regulate rather than prohibit scavenging — a distinction that effectively normalises the practice while appearing to address it.

9.5 Limitations

This study has several limitations that must be acknowledged. The primary fieldwork is based on two case studies conducted in a single district of Uttar Pradesh, and the findings

are therefore illustrative rather than nationally representative. Manual scavenging communities are heterogeneous across regions, castes, and urban-rural divides, and the experiences documented here — while consistent with patterns identified in the wider literature — cannot be straightforwardly generalised to all women manual scavengers in India. The study also relies on verbal reports collected through semi-structured interviews, which are subject to recall bias and social desirability effects. Furthermore, access to male members of both households was limited, restricting the study's capacity to analyse intra-household gender dynamics in depth. Future research should employ larger, multi-district samples and mixed-methods designs incorporating quantitative data on rehabilitation uptake rates and health outcomes.

10. Prohibition of Employment as Manual Scavengers and Their Rehabilitation (PEMSR) Act, 2013: A Critical Review

On October 20, 2023, a two-judge Bench of the Supreme Court, comprising Justice S. Ravindra Bhat and Justice Aravind Kumar, issued directions to the Union government in the case of Balram Singh vs. Union of India. The SC asked the Union government to be more vigilant in implementing statutes to eradicate manual scavenging in India. The SC judgment mentioned inaccuracies in surveys conducted to calculate the total number of people engaged in manual scavenging across India. In a judgment on December 14, 2023, the High Court of Karnataka stated that despite the SC's continuous push for better execution of the Prohibition of Employment of Manual Scavengers and their Rehabilitation Act, 2013, the practice of employing manual scavengers continues unabated. The Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013, of the Government of India came into force on December 6, 2013. The main objective of the Act was to provide rehabilitation to manual scavengers engaged in the practice. The government claims to provide one-time cash assistance of ₹40,000 to each identified manual scavenger in the family, along with ₹3.25 lakh to the identified manual scavenger and their dependent for self-employment up to ₹10.00 lakh. The implementation findings were conducted by the Ministry of Social Justice and Empowerment, Government of India, during 2013 and 2018, with the main purpose of identifying manual scavengers practicing scavenging in India. The findings suggested that a total of 58,098 manual scavengers were present and working in India, and these identified manual scavengers were paid cash assistance of ₹40,000.

A press release issued by the Ministry of Social Justice and Empowerment on the PIB website states that the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, has banned manual scavenging and hazardous cleaning of sewers and septic tanks. It also states that measures have been taken by the government to tackle hazardous cleaning. However, data from news websites like The Hindu, Deccan Herald, and the internet indicate the following:

Only 66% of districts in the country are free of manual scavenging, according to the Ministry of Social Justice and Empowerment.

The practice of unsafe cleaning of manholes and scavenging persists after 75 years of India's Independence.

What were the Lags in the 2013 Act?

In the Ministry of Social Justice and Empowerment survey conducted in 2013, the primary idea of drafting the Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013, was for the rehabilitation of 'identified' manual scavengers.

The Act defines manual scavenging as cleaning, carrying, disposing of, or handling human excreta from unsanitary latrines (Implementation review of PEMSAR Act, 2020, WaterAid

org). However, manual scavenging is not solely limited to unsanitary latrines. The government's move to limit manual scavenging to unsanitary latrines excludes all other applications of manual scavenging, thereby limiting the number of manual scavengers in the country. This leaves nearly half of the manual scavenging community out of the purview of the Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013.

Moreover, under the Swachh Bharat Mission, the Government of India has claimed the demolition of unsanitary latrines across India. Another major drawback of the Act is that it caters to the population engaged in manual scavenging when the Act was enforced in 2013, meaning that those working as manual scavengers after the Act was enforced are not eligible for assistance guaranteed by the Act.

The Act of 2013 states that manual scavengers have been on the verge of receiving injustice, and efforts are needed beyond one-time cash transfers to enable their rehabilitation. According to the Act, this involves enabling them to choose professions that free them from the shackles of caste-based occupations.

Unfortunately, state government agencies made no effort to make manual scavengers aware of these schemes. Financial aid agencies were reluctant to provide loans to manual scavengers. The Press Information Bureau of the Government of India released a statement on Independence Day in 2015, titled 'Freedom from Manual Scavenging,' claiming that a major problem in rehabilitating manual scavengers is the reluctance of banks to provide loans.

Another report, titled "Evaluation Study on Self Employment Scheme for Rehabilitation of Manual Scavengers" (SRMS), 2018, by the Research and Development Initiative (Ministry of Social Justice and Empowerment & NSKFD), states that around 50% of manual scavengers lack employment access due to a lack of loans. Additionally, around 55% have experienced caste discrimination, and certain health issues have been prevalent among 44.5% of manual scavengers (Implementation review of PEMSAR Act, 2020, WaterAid org).

It has also been observed that the rehabilitation of manual scavengers involves more than freeing them from scavenging. Their rehabilitation requires alternative livelihood measures, which the Act of 2013 stipulates should be done by providing vocational training. However, vocational training and establishing new livelihoods in terms of businesses have not been sustainable because vocational training is limited, and when a liberated manual scavenger establishes a business, only members from their community buy products or services from them, keeping manual scavengers in the shackles of caste identity.

There has been a lack of technology measures that the Act stated should be provided, such as technology-based cleaning of septic tanks and converting dry latrines into sanitary latrines. Septic tanks in rural areas are not designed to support limited-available technology, requiring sanitary workers to step in and continue sanitation work.

11. CONCLUSIONS AND POLICY RECOMMENDATIONS

11.1 Conclusions

This article has examined the lived experiences of women manual scavengers through two qualitative case studies in Bijnor district, Uttar Pradesh, and subjected the PEMSAR Act,

2013, to critical analysis in light of that evidence. The findings lead to three principal conclusions.

First, the experience of female manual scavengers is irreducibly intersectional. Caste, gender, and class operate simultaneously and mutually reinforce one another to produce a form of occupational marginalisation that cannot be understood or addressed by targeting any single axis of disadvantage. Women are assigned the most stigmatised tasks within an already stigmatised occupation; they receive wages below statutory minimum; they are compelled into scavenging by marriage and household norms; and they are excluded from the rehabilitation benefits nominally available to them. Intersectionality — as a theoretical lens and as a policy principle — is indispensable for understanding this configuration.

Second, the PEMSR Act, 2013, has failed to reach the communities it was designed to serve. Both households in this study reported that, despite multiple rounds of documentation collection by government officials, they had received no financial assistance, no vocational training, and no access to credit under the Act. The Act's definitional restrictions (limiting manual scavenging to 'unsanitary latrines'), its failure to cover post-2013 entrants to the occupation, and its inadequate identification mechanisms have collectively ensured that a large proportion of the manual scavenging population remains outside the Act's protective ambit. These failures are not merely administrative; they are structural.

Third, intergenerational caste lock-in persists despite constitutional and legal prohibitions. Children in both households were denied or unable to access formal schooling, ensuring that the next generation remains trapped in the same occupational and social position as the current one. Legal prohibition alone, without investment in education, social inclusion, and community-level awareness, cannot break the cycle of caste-based occupational heredity.

11.2 Policy Recommendations

On the basis of these conclusions, the following specific, evidence-grounded policy recommendations are proposed:

Recommendation 1: Redefine manual scavenging in the PEMSR Act to include all forms of hazardous sanitation labour, including the manual cleaning of septic tanks, underground drains, railway tracks, and sewage lines, regardless of the type of latrine infrastructure involved. The current definitional restriction excludes the majority of the forms of scavenging documented in this and other studies (WaterAid, 2021; Wankhede, 2025).

Recommendation 2: Extend PEMSR Act eligibility to all persons currently engaged in manual scavenging, irrespective of when they entered the occupation. The Act's current restriction to those identified before or at the time of enactment in 2013 structurally excludes women who entered scavenging after marriage, as documented in Case Study 2.

Recommendation 3: Introduce a gender-disaggregated national census of manual scavengers, conducted through partnerships between central and state governments, civil society organisations, and community representatives. The present identification process is deeply flawed: the government's own 2018 survey identified only 58,098 manual scavengers nationally, while civil society estimates consistently place the figure above one million (International Dalit Solidarity Network, 2025; National Commission for Dalit Human Rights, 2023).

Recommendation 4: Replace one-time cash transfers with a structured, multi-year rehabilitation package that includes guaranteed access to institutional credit (with caste-discrimination training for bank officials), market-linked vocational programmes (not limited to sewing), and social inclusion support. The current reliance on one-time cash

assistance of ₹40,000 is inadequate for genuine livelihood transition and is widely unreceived in practice.

Recommendation 5: Strengthen the Right to Education Act's implementation specifically for children of manual scavenging families through dedicated monitoring mechanisms, anti-discrimination training for school staff, and conditional cash transfer programmes that incentivise enrolment and retention.

Recommendation 6: Invest in community-scale technological solutions for sanitation — including mechanised septic tank emptying, sewage treatment infrastructure, and rural sanitation engineering — to reduce the structural demand for manual scavenging labour. Without adequate infrastructure, legislative prohibition creates legal liability without removing the underlying necessity for the practice.

12. Declaration of Ethics and Informed Consent

This study was conducted in accordance with the ethical principles set out in the Declaration of Helsinki and the guidelines of the Amity University, Noida, Uttar Pradesh, India's Research Ethics Board. The research involved semi-structured interviews with adult members of manual scavenging households. Participation was entirely voluntary, and participants were under no obligation to participate or to answer any question. All participants were informed of the purpose of the research, the voluntary nature of their participation, and their right to withdraw at any time without consequence. In recognition of the low literacy levels prevalent in the study community and to minimise the power asymmetry associated with signed documentation, informed consent was obtained verbally rather than in written form, and this procedure was approved by the institution's ethics board. Digital recordings were made only with the explicit consent of participants. All identifying details such as names, exact locations, and household specifics have been anonymised or altered in the presentation of findings to protect participant confidentiality.

13. Declaration of Conflicting Interests

The authors declare that there are no conflicts of interest with respect to the research, authorship, and/or publication of this article.

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References

1. Kumar, Vimal. "Scavenger Community at the Crossroads: Reflection on State Intervention, Welfare and Abstruse Welfarism." *Indian Journal of Dalit and Tribal Social Work*, 2014.
2. "Scavenger Community at the Crossroads: Reflection on State Intervention, Welfare and Abstruse Welfarism." *Indian Journal of Dalit and Tribal Social Work*. Accessed August 2, 2024. <https://ijsw.tiss.edu/greenstone/collect/ijsw/index/assoc/HASHa1aa/1d040e79.dir/doc.pdf>.
3. International Dalit Solidarity Network. "Cleaning Human Waste: 'Manual Scavenging,' Caste, and Discrimination in India." Accessed August 2, 2024. <https://idsn.org/hrw-report-cleaning-human-waste-manual-scavenging-caste-and-discrimination-in-india/>.
4. Human Rights Watch. *Cleaning Human Waste: 'Manual Scavenging,' Caste, and Discrimination in India*. August 25, 2014.

<https://www.hrw.org/report/2014/08/25/cleaning-human-waste/manual-scavenging-caste-and-discrimination-india>.

5. "Eradicating Manual Scavenging in India: A Critique of the Current Law (Part II)." The Law and Society. Accessed August 2, 2024. <https://lhssccollective.in/eradicating-manual-scavenging-in-india-a-critique-of-the-current-law-part-ii/>.
6. "Manual Scavenging: A Life of Dignity." Practical Action Publishing. Accessed August 2, 2024. <https://practicalactionpublishing.com/article/1233/manual-scavenging-a-life-of-dignity>.
7. "Manual Scavenging: Women Face Double Discrimination by Caste and Gender." Economic and Political Weekly Engage. Accessed August 2, 2024. <https://www.epw.in/engage/article/manual-scavenging-women-face-double-discrimination-caste-gender>.
8. "The Menace of Manual Scavenging in India: The Case for Stronger Legal Implementation." Oxford Human Rights Hub. Accessed August 2, 2024. <https://ohrh.law.ox.ac.uk/the-menace-of-manual-scavenging-in-india-the-case-for-stronger-legal-implementation/>.
9. Implementation Review of PEMSR Act. WaterAid. Accessed August 2, 2024. https://www.wateraid.org/in/sites/g/files/jkxoof336/files/2021-10/Implementation%20Review%20of%20PEMSR%20Act%20131021_compressed.pdf.
10. Ajax, A. (2024). Trends in Occupational and Educational Mobility across Social Groups in India. *SSRN Working Papers*, September 29.
11. Butool, F. (2018). Scheduled Caste Occupational Mobility: A Study in Askaranpur Magrohani Village of Sirathu Block in Kaushambi District. *IIG Journals*, 40(1), 8-20.
12. Chitransh, S. (2024). The Intersectional Oppression of Dalit Women Manual Scavengers: A Critique of the Legislative and Judicial Discourse. *National Law School of India University Working Paper*.
13. Human Rights Watch. (2014). Cleaning Human Waste: "Manual Scavenging," Caste, and Discrimination in India. *Human Rights Watch Report*, August 25.
14. International Dalit Solidarity Network. (2025). UN Report on Intersectionality Calls for Action on Caste and Gender Justice. *IDSN Report*, July 6.
15. Islam, A. (2021). Gender inequality and caste: Field experimental evidence from India. *Journal of Development Economics*, 151, Article 102322.
16. Mandal, A. (2023). The Importance of Education for the Upward Mobility of Scheduled Castes: A Study. *NSOU Open Journal*, 6(2), 15-28.
17. National Commission for Dalit Human Rights. (2023). Dalit Women and Girl Sanitation Workers: Intersectionality of Caste, Poverty, and Gender. *NCDHR Report*.
18. Oxford Human Rights Hub. (2023). Intersectional Invisibility: Indian Women Manual Scavengers. *Oxford Human Rights Hub Analysis*.
19. Raj, N., Tiwari, M., & Isser, S.S. (2024). From Shadows to Spotlight: Unveiling the Saga of Manual Scavenging in India. *Rupkatha Journal*, 16(2), Article 03g.
20. SCC Online. (2020). Genderisation in the field of manual scavenging and why does the existing legislation fail in protecting them. *Supreme Court Cases*, May 28.
21. Social Policy Research Foundation. (2024). Prolonged Discrimination: Legal and Policy Failures in Protecting Manual Scavengers. *SPRF Report*, May 20.
22. Student Review, Harvard Kennedy School. (2024). Statistical Invisibility and the Plight of India's Sanitation Workers: A Policy Perspective. *Harvard Kennedy School Student Review*, March 3.
23. The India Forum. (2025). Caste and Careers: Limited Mobility Over Three Generations. *The India Forum*, April 17.

24. Tiwari, S., Kumar, A., & Singh, P. (2025). Occupational Mobility Across Three Generations: Evidence from Uttar Pradesh. *Indian Journal of Labour Economics*, 68(2), 245-267.
25. WaterAid India. (2021). Implementation Review of the Prohibition of Employment of Manual Scavengers and their Rehabilitation Act, 2013. *WaterAid Report*, October.
26. Wankhede, A. (2025). The Legal Defect in the Conditional Prohibition of Manual Scavenging in India. *Contemporary Voice of Dalit*, 18(1), 45-62.
27. Government of India, *Prohibition of Employment as Manual Scavengers and their Rehabilitation Act*, 2013, §2(a), pp. 4–7.
28. Supreme Court of India, *People's Union for Civil Liberties v. Union of India*, (2014) 10 SCC 1, pp. 22–25.
29. S. Kumar, "Eradicating Manual Scavenging: Policy Challenges and Rights-Based Approaches," *Economic and Political Weekly*, vol. 52, no. 14, 2017, pp. 29–35.
30. Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A Black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. *University of Chicago Legal Forum*, 1989(1), 139–167.
31. Crenshaw, K. (1991). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review*, 43(6), 1241–1299.
32. Thorat, S., & Kumar, N. (Eds.). (2008). *In search of inclusive policy: Addressing graded inequality*. Rawat Publications.
33. Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77–101.
34. Bryman, A. (2016). *Social research methods* (5th ed.). Oxford University Press.
35. Creswell, J. W., & Poth, C. N. (2018). *Qualitative inquiry and research design: Choosing among five approaches* (4th ed.). SAGE Publications.
36. Lincoln, Y. S., & Guba, E. G. (1985). *Naturalistic inquiry*. SAGE Publications.
37. Yin, R. K. (2018). *Case study research and design methods* (6th ed.). SAGE Publications.