

Does the 'Social' Construct Reflect in the 'Legal' Framework? Interrogating the Legal Framework of Manual Scavenging

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Abstract: The Parliament of India outlawed 'Manual Scavenging' in 2013. Any engagement of 'manual' scavengers attracted legal sanctions. However, scholars argue that the practice is still prevalent. This dichotomy reflects the contrast between the law's formal nature and its limited adaptability to address the social realities. Law, from a jurisprudential perspective, offers certainty, but is intrinsically bound by rigidity. Such rigidity can obscure diverse factors contributing to discrimination. Hence, origin, nature and processes perpetuating discrimination necessitate holistic considerations. This principle is equally applicable to the legal understanding and regulation of manual scavenging.

The systemic imposition of manual scavenging on certain communities reflects entrenched caste prejudices. Social perceptions of manual scavengers are historically shaped both by social hierarchy and religious prescriptions, constraining individuals within a rigidly defined societal role. While these practices are socially codified, Indian law, through statutes and constitutional mandates, seeks their abolition. This raises a critical question: do legal prohibitions on manual scavenging effectively disrupt traditional hierarchies, or do social and religious norms continue to perpetuate these practices?

The paper examines the social and divine factors leading to the existence of manual scavenging. It then undertakes an analysis of the law on manual scavenging. It critically interrogates whether statutory prohibition, rather than comprehensive elimination, effectively addresses the entrenched caste-based and occupational hierarchies that perpetuate this practice. In the end, the paper proposes measures to strengthen the existing law.

Keywords: manual scavenging; caste discrimination; social construct; sanitation; law

Introduction

Since 2014, the Government of India has launched a 'Swachh Bharat Abhiyan' i.e. a Clean India Mission, a nationwide initiative to improve sanitation and hygiene. This initiative is an outcome aimed at fulfilling the Sustainable Development Goals (SDG) target 6.2 i.e. '...access to adequate and equitable sanitation and hygiene for all and end open defecation...' by 2030. According to the United Nations (UN) report, the initiative aimed to eliminate open defecation in many villages.¹ The intent of the mission is laudable. Lack of access to adequate sanitation and hygiene has contributed to social and economic vulnerabilities. The Government of India

¹ United Nations. *Swachh Bharat Abhiyan (Clean India Mission)*. Retrieved July 2025. (<https://sdgs.un.org/partnerships/swachh-bharat-abhiyan-clean-india-mission#description>.)

with Clean India Mission assumed responsibility for providing adequate and equitable sanitation to all. However, historically, the burden of maintaining sanitation, including cleaning human excreta, was imposed on Scheduled Castes. This responsibility included the practice of manual scavenging. This practice is now prohibited by Statute. After forty-three years of the democratic Constitution of India, the Union Legislature enacted legislation in 1993 and 2013 to address the plight of manual scavengers.

Even with legal prohibition, manual scavenging continues to persist. Recently, in response to the starred question in the Lok Sabha on 22 July 2025, the Minister of Social Justice and Empowerment reported that fifty-four death occurred due to hazardous cleaning across eight states and union territories between 2022-23. Of the total casualties, forty-nine workers were not provided with any safety equipment. Other major factors contributing to these deaths included lack of consent and unavailability of safety equipment.² There is no specific data regarding the total population of manual scavengers in India. According to the National Action for Mechanised Sanitation Ecosystem (NAMASTE) scheme, launched by the Union Ministry of Social Justice and Empowerment, 84,902 sewer and septic tank workers have been identified.³ The actual number may be higher, as many workers are employed outside the organized sector.

The law and its implementation in the abolition of manual scavenging are highly contested. Manual scavenging is the result of social constructs. The majority of those engaged in this work belong to Scheduled Castes. As a social construct, lower castes were obliged to undertake sanitation work, further backed by religious dictum. Manual Scavenging bears resemblance to the practice of untouchability. Untouchables were assigned the caste-based duty of disposing of animal carcasses. They abandoned these caste-based duties to secure a dignified life. The paper examines manual scavenging from a social perspective, situating it within the historical context of caste-based discrimination.

The paper begins by examining the social construction of manual scavenging and subsequently provides a critical analysis of the legal framework governing the practice. It follows the doctrinal method, primarily relying on secondary data concerning manual scavenging in India. Judicial decisions are analyzed to critically evaluate the legal status of manual scavengers. The paper contends that law alone cannot fully eliminate manual scavenging in India; a collaborative approach involving social workers and community engagement is necessary to address its harmful social and occupational consequences.

Social Construct of Manual Scavenging

The term 'manual scavenging' refers to the manual removal of human excreta from dry latrines and sewers. This work is performed using rudimentary tools such as boards, buckets, and baskets carried on the head (Bhoi 2011: 6). Historically, the occupation has been confined to communities classified as "untouchables." It reflects a rigid caste-based division of labor. In this system, sanitation work is treated as a hereditary obligation rather than an economic choice (Ambedkar 1989: 108). Unlike conventional labor markets, entry into this occupation is not determined by skill or mobility. It is determined by birth. This structure institutionalizes caste

² Lakshman A. (2025). *In over 90% of sewer deaths, workers had no safety gear: government audit*. Retrieved July 2025..

³ Ibid.

hierarchy through occupational segregation. Millions of individuals remain dependent on this work for survival. Women from Scheduled Castes are disproportionately represented in this stigmatized and hazardous occupation. Manual scavenging is not voluntarily chosen. It is imposed through entrenched caste stigma. The degrading nature of the work reinforces that stigma (Pillay 2013).

To understand the existence of manual scavenging, it is necessary to examine its social and religious foundations. Broadly, two perspectives explain its continued existence in India. One approach views scavenger as performing a “pious” obligation of divine significance (Ambedkar 1936: 24). Within this framework, sanitation work is sanctified and treated as a religious duty, thereby reinforcing caste hierarchies and preserving the status quo (Loomba 2016: 222). The alternative approach regards such obligations as undignified, inhuman, and derogatory, arising from entrenched systems of social stratification (Klass 1993: 162; Louis 2003: 21). From this standpoint, the practice demands structural redress and social transformation. The persistence of manual scavenging can therefore be examined through three interrelated dimensions: as a social fact, as a religiously sanctioned obligation, and as a legally regulated practice. Together, these dimensions sustain its existence, reinforced by caste-based discrimination (Ambedkar 1936: 26).

There are diverse theories regarding the origin of caste; however, they converge in recognizing its hierarchical consequences. The caste system institutionalized social stratification on the basis of birth, traditionally organizing society into Brahmins, Kshatriyas, Vaishyas, and Shudras (Chakravarti 2013: 50). Endogamy functioned as a central mechanism sustaining this structure by restricting social mobility (Thorat 2009: 157). Individuals entering into exogamous marriages were subject to excommunication, with social ostracism serving as the ultimate penalty (Ambedkar 1916: 258–59; Silva et al. 2009: 2).

In contemporary India, despite the presence of secular marriage laws, endogamy remains the dominant social norm. The Supreme Court in *Lata Singh v. State of Uttar Pradesh 2006 AIR SCW 3499* emphasized the social significance of inter-caste marriages; yet empirical data suggests that fewer than five percent of marriages are inter-caste.⁴ These caste obligations were reinforced through social, religious, and quasi-divine sanctions, rendering caste a formidable structure regulating social, religious, economic, and cultural life (Jodhka & Shah 2010: 100).

Manual scavenging emerged within this framework of caste-based occupational segregation and was historically assigned to Scheduled Castes. The notions of “purity” and “impurity,” central to the caste system, further entrenched this division (Ghurye 1986: 173). Physical contact with so-called “untouchables” was regarded as polluting (Ambedkar 1916: 244). Untouchability thus derived both from birth and from the performance of caste-prescribed duties. Occupational roles deemed impure reinforced social contempt, while those associated with ritual status were revered (Ambedkar 2014: 167). Over time, degrading labor was simultaneously stigmatized and sacralized, framed as a divinely sanctioned obligation. This fusion of stigma and sanctification enabled the uninterrupted continuation of manual scavenging, traces of which persist in contemporary India.

⁴ Bhandare, N. (2024). *In Modern India, Falling in Love can be a Radical Act*. Retrieved on July 2025. <https://www.hindustantimes.com/opinion/in-modern-india-falling-in-love-can-be-a-radical-act-101708091440922.html>.

The eradication of manual scavenging requires dismantling the structural and ideological foundations that sustain it. Social and religious sanctions that legitimize caste-based occupational segregation must be critically challenged to ensure a holistic response. Legal reform alone is insufficient if it fails to engage with the underlying social constructs that perpetuate discrimination. Law must therefore address not only the prohibition of the practice but also the social hierarchies that reproduce it.

The objective should be the complete elimination of manual scavenging, rather than merely providing alternative tools that risk perpetuating caste-based occupational confinement. Continued engagement in caste-prescribed scavenging reinforces what Ambedkar described as “graded inequality” (Ambedkar 1989: 101). Historical insight may be drawn from the movement led by Ambedkar to end the practice of skinning animal carcasses by untouchables. By fostering social consciousness among oppressed communities, the practice was abandoned even prior to legislative intervention (Ambedkar 2020: 21–24). Sustainable abolition therefore requires both structural reform and social transformation, enabling affected communities to overcome the constraints imposed by caste-based labor systems.

Getting Hold of Manual Scavenging Law

A special law prohibiting manual scavenging was introduced in 1993 (Wankhede 2023: 45). However, legislative engagement with the issue predates this enactment. Since 1949, several committees were constituted to examine the conditions of manual scavengers. The Barve Committee (1949), established by the Government of Bombay (now Maharashtra), was the first governmental body tasked with studying their socio-economic conditions.⁵ It was followed by the Scavenging Conditions Enquiry Committee (Malkani Committee) (1957), the Committee on Customary Rights to Scavenging (Prof. N. R. Malkani Committee) (1965), and the Committee to Study the Working and Service Conditions of Sweepers and Scavengers under the National Commission on Labour (1968). Although these committees documented the degrading conditions of sanitation workers, they did not culminate in comprehensive statutory reform.

In 1976, Section 7A was inserted into the Protection of Civil Rights Act, 1955, declaring compulsory labour arising from disabilities associated with “untouchability” to be an offence.⁶ Section 7A provided that any person who compels another, on the ground of untouchability, to perform scavenging, sweeping, removal of carcasses, flaying of animals, or similar tasks shall be deemed to have enforced a disability arising out of untouchability. Although manual scavenging was included within the prohibited practices, the provision was limited to instances of “compulsion,” thereby leaving scope for the practice to continue under the guise of voluntariness.

Further protection was introduced through the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Section 3(1)(j) criminalizes the act of compelling a

⁵ Asian Human Right Commission. (2009). https://idsn.org/uploads/media/Caste_based_discrimination_-_the_continuing_curse_of_manual_scavenging_AHRC_2009_.pdf.

⁶ Section 7A read as “Unlawful compulsory labour when to be deemed to be a practice of “untouchability”.—(1) Whoever compels any person, on the ground of “untouchability”, to do any scavenging or sweeping or to remove any carcass or to flay any animal, or to remove the umbilical cord or to do any other job of a similar nature shall be deemed to have enforced a disability arising out of “untouchability”.

member of a Scheduled Caste or Scheduled Tribe to perform manual scavenging. However, a detailed and specific legislative framework was enacted only with the passage of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.

The 1993 Act prohibited the employment of manual scavengers and the construction of dry latrines. Its objective was to regulate and promote the use of water-seal latrines. Section 2(j) defined a “manual scavenger” as a person engaged in or employed for manually carrying human excreta. Section 3 empowered State Governments to notify areas where dry latrines existed and to prohibit their use, as well as the engagement of individuals for manually carrying human excreta.

However, the Act operated only in notified areas. Notifications were to be issued after a notice period of ninety days and only in areas where adequate water-seal latrine facilities were available (Section 3(2)). This conditional enforcement significantly restricted the effectiveness of the statute. Most State Governments claimed that inadequate water supply prevented the construction of flush latrines. In several instances, local authorities acknowledged the existence of manual scavenging but asserted that workers did not carry human excreta on their heads. Such administrative responses undermined the spirit of the legislation (Singh 2014: 210). As a result, the practice continued despite statutory prohibition.

Moreover, Section 4 empowered State Governments to exempt any area from the operation of the Act under certain circumstances. The Act also lacked clarity regarding accountability and punishment mechanisms (Singh 2014: 210). Many States failed to notify the Act in a timely manner. Although enacted in 1993, it was notified in the Official Gazette in 1997, and several States promulgated it only in 2000.⁷ Overall, the 1993 Act proved inadequate in eliminating manual scavenging and dry latrines.

In light of the failure of the 1993 Act, Parliament enacted the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013. Compared to the earlier legislation, the 2013 Act adopts a broader and more comprehensive approach. According to its preamble, the 1993 Act proved inadequate in eliminating insanitary latrines and manual scavenging, which were rooted in the iniquitous caste system. The principal objective of the 2013 Act is therefore twofold: to prohibit the employment of manual scavengers and to rehabilitate them and their families.

Section 2(1)(g) of the 2013 Act defines a “manual scavenger” as a person engaged or employed, at the commencement of the Act or thereafter, for manually cleaning, carrying, disposing of, or otherwise handling human excreta in an insanitary latrine, open drain, pit, railway track, or any other notified space before the excreta fully decomposes. This definition is significantly broader than that provided in the 1993 Act.

The Act also prohibits “insanitary latrines” and “hazardous cleaning” under Sections 5(1) and 7, respectively. Section 2(1)(e) defines an “insanitary latrine” as a latrine that requires human excreta to be manually cleaned or handled before decomposition. Section 2(1)(d) defines

⁷ Asian Human Right Commission. (2009). https://idsn.org/uploads/media/Caste_based_discrimination_-_the_continuing_curse_of_manual_scavenging_AHRC_2009_.pdf.

“hazardous cleaning” as manual cleaning carried out without the employer fulfilling statutory obligations to provide protective gear, cleaning devices, and safety measures.

The Act imposes a duty on local authorities to conduct surveys of insanitary latrines within their jurisdictions. Occupiers are required, upon notice, to demolish or convert such latrines into sanitary ones (Section 4). The Act prohibits both direct and indirect employment of manual scavengers. Upon commencement of the Act, individuals engaged in manual scavenging are deemed discharged from such employment (Section 5), and all related contracts are declared void (Section 6).

Violations attract penal consequences. Engagement in hazardous cleaning (Section 7) is punishable with imprisonment of up to two years or a fine of two lakh rupees, or both, for a first contravention; subsequent contraventions may result in imprisonment of up to five years or a fine of five lakh rupees, or both (Section 9). Similarly, constructing insanitary latrines or engaging manual scavengers in violation of the Act is punishable with imprisonment of up to one year or a fine of fifty thousand rupees, or both, for a first offence, and enhanced penalties upon repetition (Section 8).

A notable advancement under the 2013 Act is its rehabilitation framework. Municipalities, Cantonment Boards, Railway Authorities, and other local authorities are required to construct adequate numbers of community sanitary latrines (Section 4(2)(3)). They must also conduct surveys to identify manual scavengers within their jurisdictions (Sections 11 and 14).

Upon identification, rehabilitation measures must be implemented in accordance with Section 13(1). These include issuance of photo identity cards within one month, provision of scholarships for children under relevant Central or State schemes, allotment of residential plots or financial assistance for housing, and livelihood training with a stipend of not less than three thousand rupees. Subsidies and concessional loans are to be provided to facilitate alternative occupations. Responsibility for rehabilitation rests with the District Magistrate, who may delegate this function to subordinate officers (Section 13(2)).

Although the Act provides an elaborate framework, it does not comprehensively include sewage workers, particularly within rehabilitation provisions (Sathyaseelan 2013: 33). District Magistrates and local authorities are tasked with ensuring compliance with the Act (Sections 18 and 19). At the district, state, and central levels, Vigilance Committees, State Monitoring Committees, and the Central Monitoring Committee are established to advise on effective implementation (Sections 24–30). Additionally, the National Commission for Safai Karmacharis is entrusted with examining the implementation of the Act (Sections 31 and 32).

The Supreme Court has directed States and Union Territories to ensure full implementation of the Act and to take appropriate action against non-compliance and violations.⁸

Identifying the loose strings

Despite the enactment of the above law, the practice of manual scavenging still exists (D’Souza 2016: 22). The continued prevalence of manual scavenging raises questions about the efficacy and proper implementation of the 2013 Act (Bhullar 2013: 243; Coffey D et al 2017:66)). In 2024, a bench comprising Justice Sudhanshu Dhulia and Justice Aravind Kumar, in Writ

⁸ *Safai Karmachari Andolan & Ors. v. Union of India & Ors. Writ Petition (Civil) No. 583 of 2003.*

Petition Case No. 324/2020, while reviewing the implementation status of the 2023 directives in *Dr. Balram Singh v. Union of India 2023 INSC 950*, expressed discontent with the enforcement of the 2013 Act. The bench prohibited manual scavenging in the metropolitan cities of Delhi, Mumbai, Kolkata, Chennai, Bangalore, and Hyderabad. However, the Court itself highlighted several challenges that make such a ban difficult to implement in practice. During the Monsoon Session of 2025, in response to a question raised by MP Praniti Shinde, the Ministry of Social Justice and Empowerment reported on 22 July 2025 that 150 deaths occurred between 2022 and 2023 due to hazardous cleaning.⁹ A year earlier, the Ministry had reported 377 deaths from hazardous cleaning between 2019 and 2023.¹⁰ These fatalities provide clear evidence of the ongoing practice of manual scavenging. The accuracy of these figures remains contested, as no exact statistics exist on the total number of manual scavengers in India.

In *Dr. Balram Singh v. Union of India 2023 INSC 950*, the Supreme Court exposed the lethargic attitude of government authorities and statutory bodies constituted under the 2013 Act. Section 11 of the 2013 Act, read with Rule 11, sub-rules 10 to 12 of the 2013 Rules, legally obligates authorities to conduct surveys determining the exact number of manual scavengers. Surveys were conducted in 2013 and 2018, and both reports were submitted to the Court. However, the Court rejected them due to contradictory and inconsistent findings. We reproduce the relevant data as Figure I (para 61):

Figure I: Number of Manual Scavengers in Select States

State	2013 Survey	2018 Survey	Rajya Sabha Reply 08.12.2021	Rajya Sabha Reply 24.07.2019	Union Affidavit 18.04.2023	NCSK Affidavit 01.05.2023
Uttar Pradesh	12,095	17,828	32,473	30,375	32,473	19,712
Maharashtra	0	7,298	6,325	7,378	0	7,378
Uttarakhand	137	4,787	4,988	4,924	0 in urban areas	6,033
Rajasthan	338	2,590	2,673	2,928	No clear response	2,590
Karnataka	732	1,754	2,927	2,486	7,493 identified 2013–2020	1,754
Andhra Pradesh	78	1,982	1,793	2,060	1,984 (no survey year mentioned)	1,982
Bihar	137	0	131	137	No manual scavengers found in 2018, despite 2,797 sanitary latrines	0

⁹ Unstarred Question 257, 22 July 2025, Government of India, Ministry of Social Justice and Empowerment, https://sansad.in/getFile/loksabhaquestions/annex/185/AU257_NdRGPq.pdf?source=pqals.

¹⁰ Unstarred Question 1096 raised by Smt. Ranjeet Ranjan & Smt. Priyanka Chaturvedi in Rajya Sabha, 31 July 2024, Government of India, Ministry of Social Justice and Empowerment, https://sansad.in/getFile/annex/265/AU1096_V1fqD9.pdf?source=pqars.

The Court noted the inconsistencies in these findings:

A few comments on the data are required here. A partial survey seems to have been conducted in Karnataka in 2020 which revealed the presence of 7,493 manual scavengers. However, the 2013 survey stated that there were only 732 manual scavengers, and the 2018 survey stated that there were 1,754 manual scavengers. The exponential increase of the number of manual scavengers from 2013 to 2018 and then in 2020 considerably reduces the credibility of both the 2013 and 2018 surveys (para 62).

The National Commission for Safai Karmacharis (NCSK), in its annual report 2021-22 highlighted the non-constitution of authorities under the 2013 Act.¹¹ These authorities include the National Commission for Safai Karmacharis, State Commissions, Central and State Monitoring Committees, Vigilance Committees, and District/State Level Survey Committees. The establishment of these institutions depends on government discretion. The Supreme Court observed that these institutions were not constituted in many states, rendering the 2013 Act a “dead letter” and leaving the implementation process without an effective checks-and-balances system (para 64). This glaring violation of law is an outcome of entrenched ‘social construct’ (Harriss-White 2016: 280).

The 2025 decision called for a status report on directives issued by the Supreme Court in 2023. These directives reinforced statutory provisions under the 2013 Act. Key directives include:

- I. Central government to frame policies and issue directives to eradicate manual scavenging;
- II. State governments to frame policies and direct authorities in the state;
- III. Full rehabilitation for families of deceased manual scavengers;
- IV. Compensation of Rs. 30 lakh for sewer-related deaths, replacing the earlier Rs. 10 lakh;
- V. Rs. 20 lakh for permanent disability and Rs. 10 lakh for other disabilities;
- VI. Accountability of agencies for contractual or outsourced worker deaths;
- VII. Blacklisting of guilty agencies and annulment of contracts;
- VIII. National survey of manual scavengers within one year;
- IX. Training of authorities under the 2013 Act;
- X. Scholarships for dependents of sewer workers;
- XI. Engagement of National Legal Services Authority (NALSA) in authority functioning;

¹¹ National Commission for Safai Karmacharis, (2023). *Annual Report 2021-22*.
<https://ncsk.nic.in/sites/default/files/Annual%20Report%202021-22%20%28English%292021-2022.pdf>.

XII. Monitoring of vacancies and preparation of training and education modules;

XIII. Maintenance of an online portal with updates on key provisions of the Act.

These directives highlight loopholes in the 2013 Act. Yet, over one and a half years after issuance, no effective action has been taken. Mechanization of scavenging also remains critical. The 2013 Act and Rules (3) mandate the use of 'protective gears' and 'cleaning devices' to prevent direct contact with human excreta. The Supreme Court, in its 2023 decision, noted:

The data submitted by the Union in its affidavits reveals a significant lack of mechanization to clean sewer lines or septic tanks. A few examples raised by the Amicus Curiae pertain to Chittoor, Ongole, Mangalagiri-Tadeppalli in Andhra Pradesh, Kollam in Kerala, Gangtok in Sikkim, Nagercoil in Tamil Nadu, all having no machines at all, and the entirety of the cleaning is being undertaken by hazardous cleaners. Such a situation is against statutory as well as constitutional mandate (para 87).

Similar judicial concerns were expressed by various High Courts. In 2024, the Madras High Court, in *Safai Karmachari Andolan v. Union of India and Ors.* (decided 29.04.2024), termed the attitude of authorities under the Act as:

With a vast majority of Safai Karamcharis being from the oppressed classes, this State-sanctioned casteism is a hindrance in ensuring a life of dignity to the Safai Karamcharis and their families, as is enshrined in the Constitution of India under Article 21 (para 26).

While courts have repeatedly highlighted shortcomings in government implementation, these pronouncements have had limited substantive impact due to the absence of effective accountability measures. The judiciary, however, consistently recognizes caste as the root cause of manual scavenging, emphasizing that the social construct of manual scavenging is a manifestation of caste-based discrimination.

Implications for Social Work Practice

For the effective implementation of the 2013 Act, the role of social workers, non-governmental organisations (NGOs), and other community-based organisations is crucial. The defects identified in the implementation of the law should be systematically shared with these organisations so that their support can be mobilised in alignment with state machinery. Collaboration between civil society actors and government authorities can strengthen accountability and ensure that statutory mandates are translated into practice. Social work institutions, in particular, can play a transformative role in overcoming the structural and administrative challenges highlighted above. First, they can assist in the accurate identification and documentation of manual scavengers, thereby addressing inconsistencies in survey data. Through participatory community engagement, social workers can build trust among affected communities and encourage self-reporting without fear of stigma or retaliation. Second, social work institutions can function as intermediaries between the community and the administration. By bridging this gap, they can identify key setbacks in implementation—such as non-constitution of statutory committees, lack of awareness among officials, or delays in rehabilitation measures—and propose context-sensitive solutions. They can also monitor compliance with the 2013 Act and judicial directives, thereby reinforcing transparency and accountability. Third, social workers can facilitate legal literacy and rights awareness among manual scavengers and their families. Many affected individuals remain unaware of their entitlements under the law, including rehabilitation schemes, compensation, and alternative

livelihood support. Awareness campaigns, community workshops, and capacity-building initiatives can empower individuals to assert their rights and challenge discriminatory practices. Fourth, social work institutions can contribute to long-term social transformation. Since manual scavenging is rooted in caste-based social constructs, its elimination requires sustained efforts toward social consciousness, dignity-based discourse, and community mobilisation. Social workers can initiate dialogues that challenge the normalization of caste-based occupations and promote alternative livelihood opportunities, education, and skill development. Finally, institutional partnerships between universities, social work departments, NGOs, and state authorities can foster research-driven policy interventions. Evidence-based recommendations emerging from fieldwork can guide administrative reforms and improve the effectiveness of implementation mechanisms under the 2013 Act.

Thus, the elimination of manual scavenging cannot rely solely on statutory prohibition. It requires a collaborative framework in which social work institutions actively engage with communities, monitor state accountability, and contribute to dismantle the 'social construct' of manual scavenging.

Conclusion

Manual scavenging remains a persistent reality of caste-based discrimination in India. It is a direct manifestation of the caste system. Consequently, eliminating the effect of manual scavenging requires addressing its causes. Otherwise, custodians of caste hierarchies will continue to perpetuate the practice. The intent of those responsible for implementing laws on manual scavenging is shaped by the prevailing 'social construct'. As a result, statutory committees are often not constituted, and the law is enforced inconsistently against societal norms rooted in caste. This demonstrates the tension between legal mandates and deeply entrenched social structures.

Many individuals engaged in manual scavenging are unaware of the discriminatory nature of their work. They perform these tasks under the belief that they are fulfilling caste and divine obligations. When Dr. B.R. Ambedkar confronted untouchability, he began with social mobilization, followed later by legal entitlements. This sequential approach enabled many to abandon the inhuman practices associated with untouchability. Drawing lessons from this historical precedent, manual scavengers must cultivate social consciousness. They should recognize manual scavenging as inhuman and undignified work, rather than a divine or caste-based obligation. Such awareness is foundational for the effective enforcement of statutory protections.

Eliminating manual scavenging also requires precise identification of the total population of manual scavengers in India. Authorities must be held accountable for dereliction of duties under the 2013 Act. The National Commission for Safai Karmacharis should release its annual reports periodically to ensure transparency and monitor compliance. Manual scavenging must be actively prevented in all its forms, rather than merely mitigated. Providing gloves or other protective equipment alone does not alleviate the suffering of manual scavengers. Abolishing manual scavenging without addressing caste discrimination leaves the underlying inequities intact. Therefore, legal intervention must be integrated with social mobilization and awareness, ensuring that statutory measures align with the broader goal of dismantling caste-based oppression. In this, the participation of social organisations is inevitable.

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