

## SANITATION IN INDIA WITH REFERENCE TO RURAL AREAS

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### ABSTRACT

In India, to achieve the goal of sanitation, the focus has been on construction of toilets to end open defecation. But there is no attention paid to the actual usage of toilets, or proper disposal of the waste in an environmentally safe manner. There is also the case of ‘missing’ toilets! The budget allocated for information and communication to make people understand the importance of sanitation is not sufficient enough. Also, concepts like community led total sanitation (CLTS) and ‘naming and shaming’ people who defecate in the open totally violates right to sanitation where we talk about protecting the ‘right to dignity’ of the people<sup>3</sup>. To resolve the issues around sanitation, a holistic approach is required which takes into account the needs of the local people, especially the marginalised, and their participation in the programme. Unless this is done, India can neither achieve the sustainable development goal nor the ‘Swachh Bharat’ by 2019. Environmental sanitation envisages promotion of health of the community by providing clean environment and breaking the cycle of disease. It depends on various factors that include hygiene status of the people, types of resources available, innovative and appropriate technologies according to the requirements of the community, socioeconomic development of the country, cultural factors related to environmental sanitation, political commitment, capacity building of the concerned sectors, social factors

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<sup>3</sup> Ministry of rural development,rural sanitation and hygiene strategy 2012-2022 pg 9

including behavioural pattern of the community, legislative measures adopted, and others. India is still lagging far behind many countries in the field of environmental sanitation.

**Keywords:** Environment, Search Bharat, Right, sanitation, Safety

**Aim of the Study:**

1. To ascertain and accelerate sanitation coverage in India, analyse the scenario of sanitation in rural india, understand the growth of swachh bharat in India, spread the knowledge of sanitation in India.

**HYPOTHESIS**

H<sub>0</sub>: Clean India mission is an impossible mission due to the illiteracy level, also right to sanitation is a right that will never develop.

H<sub>a</sub>: clean India mission is considered to be a major step in the right direction for improving, human rights related to sanitation in India. Right to sanitation is seen to have developed in India.

**RESEARCH QUESTION:**

Whether right to sanitation has changed the society especially the rural parts of India.

**RESEARCH METHODOLOGY:**

This is a doctrinal research and materials collected are secondary data.

**INTRODUCTION:**

In 2014, the Government of India propelled the Swachh Bharat Mission (SBM), its leader program in sanitation. This has set off a critical force in the sanitation segment in India. In spite of the fact that the SBM is pretty much a continuation of the past approach structure on sanitation in India (the Nirmal Bharat Abhiyan in the rustic sanitation setting), it managed to get sanitation to the bleeding edge the plan of execution offices. The state apparatus including the hardware at the nearby level has begun focussing more on usage of sanitation strategies and projects. Accomplishment of open poop free status has unexpectedly turned into an objective for the state governments and neighborhood bodies. The focal government and state governments have been executing various laws and approaches to address sanitation issues.

In spite of this concentration and expanding spending allotments, the wretched sanitation situation in the nation perseveres. A portion of the key sanitation issues and concerns are as yet overarching. ([Adams et al. 2009](#))

In this manner, the foundation of ideal to sanitation in India should essentially incorporate an attention on the accompanying components:

i) Ensuring that no person is physically engaged with cleaning human excreta, which would particularly incorporate the strict authorization of the Manual Scavenging Act, 2013,

ii) Ensuring wellbeing and natural security;

iii) Ensuring proper framework and assets so all individuals consistently approach sanitation offices, which would incorporate making accessible interval offices for individuals living inside the geological limits of the nation incorporating those in help camps, transitory specialists, groups in clashes and other such agitated gatherings, regardless of their citizenship; and ([Patterson et al. 1995](#))

iv) Ensuring that the offices/foundation made are as per topographical and ecological conditions, even as they are delicate to the particular needs of various areas of the Indian culture and their life cycles, which would incorporate outlining offices for people, the old and youthful, and those with fluctuating types of incapacities, notwithstanding making vital water accessible for individual cleanliness and Menstrual Hygiene Management (MHM).

v) Furthermore, inside the setting of the social practices in India, it is clear that the privilege to water for individual cleanliness is indispensable to one side to sanitation'. ([Chaplin 2011](#)). The aim of this study is to provoke the citizens in order to attain right to sanitation and also to bring out the work of NGO in the same.

### **Appropriate To Sanitation In India: Nature And Scope**

The verbalization of a privilege to sanitation is thought to be one of the approaches to address sanitation issues. It is trusted that articulating sanitation in human rights terms is a viable way to deal with address sanitation issues in a way that regards value, human rights and natural maintainability. This bodes well in the Indian setting since value, human rights and natural supportability are in question because of the horrifying sanitation situation in the nation. In this unique circumstance, the initial segment of this paper looks at the idea of the privilege to sanitation as perceived at the global level and in India. The second part propels a wide

enunciation of the privilege to sanitation in the Indian setting that incorporates essential viewpoints and measurements of this issue. The Right to Sanitation: Developments at the International Level Evolution of Water and Sanitation as Co-rights The privilege to water and sanitation is a crucial human right, one that is completely important to satisfy the objective of guaranteeing the human poise of every person on this planet by guaranteeing a satisfactory way of life for all. The privilege to sanitation has been perceived and confirmed in different universal arrangements and political duties([Chaplin 2011](#); [Ghosh and Cairncross 2014](#)).

Various worldwide instruments, straightforwardly or in a roundabout way, perceive the privilege to sanitation. The privilege to sanitation is expressly perceived in some human rights settlements tending to particular gatherings, for instance, ladies and youngsters (Box 1.2). General Comment 15 (2002) on the Right to Water received by the Committee on Economic, Social and Cultural Rights perceives individual sanitation as a fundamental part of the right. Notwithstanding the legitimately restricting settlements and the definitive understanding of lawfully restricting arrangements (e.g. General Comment 15) as said above, there are delicate law instruments (legitimately not authoritative) that perceive the privilege to sanitation. In particular, the UN General Assembly has contributed fundamentally to the regulating underwriting of the privilege to sanitation at the global level. The UN General Assembly Resolution, 2010 is a milestone in such manner, which perceives the privilege to sanitation and recognizes "the significance of evenhanded, sheltered and clean drinking water and sanitation as a necessary part of the acknowledgment of every human right" (UN, 2010)

### **Development of a Distinct Human Right to Sanitation**

Up to this point, global human rights laws were confined to such an extent that sanitation and water were viewed as together. Accordingly, more consideration was paid to one side to water, and the privilege to sanitation was disregarded. This is, for instance, the instance of lawful instruments at the worldwide level that allude to water and sanitation as 'a human right', and not 'human rights'. This incorporates resolutions embraced by the UN General Assembly and the UN Human Rights Council.[\(Jha 2015\)](#)

The endeavor to perceive a particular appropriate to sanitation started with the activity by the UN Special Rapporteur on the human ideal to safe drinking water and sanitation.

The development of the privilege to sanitation as an unmistakable right can be defended on different grounds.

- (a) Explicit lawful acknowledgment of the privilege to sanitation will make it a legitimate qualification, as opposed to a philanthropy or just an ethical need.
- (b) A legitimate privilege gives chances to the correct holders to make obligation bearers responsible.
- (c) Concerns and interests of powerless and minimized gatherings will get need consideration.

The International Covenant on Economic Social and Cultural Rights (ICESCR), 1966 is maybe the most critical legitimate instrument with regards to one side to sanitation, yet it is quiet on the privilege to sanitation. Nonetheless, it has been translated that Article 11 of the ICESCR was planned to comprehensively incorporate numerous rights including the privilege to sanitation. In light of the above, it is essential to look at the present circumstance in India as to the foundation of a privilege to sanitation:

- (a) The Government has been a supporter of the possibility of the privilege to sanitation at the worldwide level.
- (b) The Government of India has reliably communicated its dedication towards a privilege to sanitation in SACOSAN meetings including the most recent SACOSAN VI held in Dhaka in 2016.
- (c) The Government of India has been interpreting its duties by every year expanding the financial plan for sanitation through different projects and plans.

The state is the essential obligation conveyor with regards to one side to sanitation. There are two classes of commitments of the state getting from the human appropriate to sanitation - negative and positive obligations. A negative commitment is the commitment not to meddle with the pleasure in human rights, while a positive commitment is the commitment to make certifiable move for the acknowledgment of human rights (Committee on Economic, Social and Cultural Rights, 2002).

It is the obligation of the state to find a way to guarantee 'dynamic acknowledgment' of the privilege to sanitation. Dynamic acknowledgment isn't intended to be a reason not to act. It just shows the likelihood of steady and incremental change in the acknowledgment of the right. In this manner, the state is compelled by a sense of honor to clarify and legitimize the measures taken to understand the right. The prompt commitment inferred in this obligation

requests evasion of every single retrogressive advance and an obligation to ensure that pertinent rights are practiced without separation. [\(Nath 2017\)](#)

### **IDEAL TO SANITATION A GENDER PERSPECTIVE**

In reality as we know it where 2.5 billion people need sufficient sanitation, where drinking water and sanitation, and the Human Rights Council reaffirmed this recognition. The United Nations Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation (appointed in November 2014) has received repeated requests from States (both, national and local), service providers, regulators and others, to provide guidance and to clarify what this human right would imply for their work and activities. In fact, this recognition has given an increased visibility to the water, sanitation and hygiene sector, and many sector professionals see 'human rights' as an opportunity to raise political support for these essential services

In fact in a recently held, 'Thematic Debate of the General Assembly: Water, Sanitation and Sustainable Energy in the Post-2015 Development Agenda', The UN Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation stressed the need for elimination of inequalities as the main objective of water.<sup>4</sup>

Since 1990, over one billion people across the world have gained access to improved drinking water supply and sanitation services. However, there are still 2.5 billion people who do not have sanitation facilities, and 1.1 billion people are still using water from unimproved sources (UN, 2014). With this global background, in India today, 597 million people still practice open defecation, 792 million do not have access to improved sanitation facilities and 92 million people do not have access to improved water sources (WHO and UNICEF, 2014). In fact, about 69% of the rural population and 18% of the urban population continues to defecate in the open, and India accounts for about 58% of the world's open defecation (ibid). Only 31% of the 16rural households have access to tap water and domestic toilets. Only 70.6% from 78,865,937 have access to tap water in urban India. Of this population that lacks access to improved sanitation across urban and rural India, 70% constitute women (Census, 2011). More than three to four million Indians die annually due to water, sanitation and hygiene-related problems. Studies show that along with social, gender-based, health and environmental impacts, inadequate sanitation causes considerable economic losses including costs associated with death and disease, accessing and treating water, plus losses in education, productivity, time and tourism. [\(Wankhade et al. 2014\)](#)

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<sup>4</sup> world bank economic impacts of inadequate sanitation in India ( New Delhi : world bank,2010 )

Premature mortality, other health-related impacts of inadequate sanitation which lead to productive time lost to access sanitation facilities or sites for defecation and, drinking water-related impacts have also been analysed in such studies (WSP, 2011).<sup>5</sup> Research and experience on the ground show that poor hygiene, lack of sanitation and water quality exacerbates poverty by reducing productivity and elevating health costs. What is however not so visible are the gender-based impacts, despite the fact that it is women, children (especially girls), displaced, poor and other marginalised people whose well-being, health, productivity and opportunities are affected the most. And even more adversely affected among women and girls are those who are, physically/ mentally challenged, elderly, displaced, homeless and marginalised. In a majority of societies, women have the primary responsibility for management of household water needs, sanitation and hygiene. Women also take the main responsibility for socialising children into the use of latrines and for providing health/hygiene education to children (Hannan and Andersson, 2001). It is often women, who spend considerable time in cleaning their homes, kitchens and toilets and in the disposal of waste, who ensure the health and well-being of family members in the household. In 76% of households worldwide, women and girls are responsible for collecting water (WHO and UNICEF, 2010). Since women carry the burden and responsibility of Water, Sanitation And Hygiene (WASH) management, lack of adequate facilities accentuate these tasks, while simultaneously, adding to health and security concerns for themselves and their children (especially girl children). Accessible and affordable water, sanitation and hygiene services will not only benefit women and girls by reducing time spent in management of these requirements, but will also improve their productivity, health and access to diverse social, educational, economic and political opportunities. At the same time, it will lead to further benefits of decreased poverty and disease, and thus contribute to the economic and social development of communities and nations around the world. When there is a dearth of water and sanitation services, it is the women who suffer and have to find ways to manage and access what is available for them and their families. Women, girls and children are most vulnerable to the negative effects of the lack of WASH services – ill-health, reduction in productive and positive activities such as livelihood, education, leisure and entertainment etc., and susceptibility to sexual harassment and violence. From a girl child rights perspective, it is against the concept of human dignity and well-being, that girls in some parts of the world have to face a lifetime of discomfort, lack of privacy, indignity, ill-health and

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<sup>5</sup> Virender gaur (vs) state of Haryana (1995) 2 sec 577

other associated risks, when they are forced to urinate and defecate in open sites. Often these are away from the community and accessible only at specific limited times. Added to these are issues of class, caste, ethnicity, age, and region which create multiple vulnerabilities for women and girls in their access to, and use of, <sup>6</sup>sanitary services.

In most societies, including in India, women are key managers, promoters, educators and leaders of home and community-based sanitation practices. The provision of hygiene and sanitation facilities is considered a woman's task at the family or community level. However, women's concerns are rarely addressed in policy and practice terms, when planning and implementing <sup>7</sup>

### **WASH services**

Along with societal barriers, the lack of a gender lens at the policy level often restricts women's participation in decision-making processes regarding clean water, infrastructure and hygiene facilities as part of sanitation programmes. This lack of recognition of women's needs and involvement is due to the fact that in India, as in many other countries, women's views — as opposed to those of men — are systematically under-represented in decision-making bodies. However in the case of WASH this lack of recognition of women's roles is even more regrettable.

As with most household related work, all the hard work that women do around WASH gets categorised as 'care or nurture' – little realising its important contribution to production. In fact, none of this 'un-recognised' and 'unpaid' work translates into any significant gain for women, in terms of either access to resources, or the decision-making processes around them. Due to women's low social and economic status in Indian society, they have less access to many basic amenities and rights. One of the most observable divides between women and men is the access to, and control over, water, sanitation and hygiene facilities. This lack of control and access can be linked to the fact that most resources and property, especially housing and land, are owned and controlled by men, and almost all asset and money-related decisions are made by men as 'heads' of the family. Women who are poor, rural, displaced, urban slum dwellers, single, elderly and physically and/or mentally challenged are even more disadvantaged in their access to, and control over, resources and services including WASH, and, this in turn, can lead them further into the trap of poverty, ill-health and deprivation.

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<sup>6</sup> committee on economic ,social and cultural rights , statement on the right to sanitation ( November 2012)

<sup>7</sup> government of india , report of the nirmal Bharat abhiyan guidelines,2012



Research shows that, in the cash-dependent economy of urban slums, gendered identities closely determine sanitation privileges. In general, it is mostly adolescent boys and girls and adult men who “can” invest in the resources and time, to look and feel clean. However, there are no simple divisions between women and men. For example, earning, unmarried daughters can claim, and spend a part of their salary on (perfumed) soap, cotton rags (bought from tailors) and cotton pads (for use as sanitary towels), and hair oil, etc. Daughters-in-law of the same age, who are generally not allowed to work outside the house, especially if they are recently married, cannot make the same demands and must rely on the “individual thoughtfulness” of their husbands. Age and disability have significant impacts on staying clean. The inability to earn and contribute to the family income, being abandoned by children and/or saddled with grandchildren, means that the elderly not only lack appropriate sanitation services but often can ill-afford even the most basic of their sanitation needs. There are many such issues that are beyond the commonly held notions of gender and urban sanitation (Joshi, Fawcett, Mannan, 2011).<sup>8</sup>

- the constraints of poverty and a failing masculinity for some poor men, which puts sanitation services and goods out of reach and/or requires their wives and daughters to step out and violate gendered boundaries;
- age and practical necessities intertwining to influence the social/ health compulsion to stay and feel clean;<sup>9</sup>
- the enormous burden on women to be continually responsible for sanitation in the most compelling situations;
- of the additional burden on women to cope with the biological and social pollution attached to the female body in the absence of adequate water; and last, but not least,

### **Global and National Framework on Sanitation as a Right**

The privilege to water and sanitation is a principal human right essential for a satisfactory way of life and, human nobility. Understanding and upholding for the privilege to sanitation

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<sup>8</sup> government of India , report of the working group on rural domestic water and sanitation (New Delhi : ministry of drinking water and sanitation) 2011 pg: 130

<sup>9</sup> committee on economic, social & cultural rights general commentary no : 14, the right to

for ladies and young ladies suggests acknowledgment of the lawful and approach systems characterized crosswise over different International Instruments and Conventions:

Access to water and sanitation are perceived as central human rights joined in the International Covenant on Economic Social and Cultural Rights (ICESCR). The Covenant is the essential reason for the human appropriate to water and sanitation and other financial, social and social rights and is sanctioned by 160 nations, including India, making it legitimately official upon them in global law. The ramifications of these rights is that these essential administrations ought to be satisfactory, available, sheltered, adequate and moderate for all without segregation, and infringement of these constitute an infringement of ladies' rights. ([Carcopino 2013](#))

The UN Committee on Economic, Social and Cultural Rights General Comment No. 15: The Right to Water (2002), U.N. Doc. E/C.12/2002/11. Sanitation is additionally incorporated into this General Comment The human appropriate to water qualifies everybody for adequate, protected, worthy, physically available and reasonable water for individual and local employments. A sufficient measure of safe water is important to keep passing from parchedness, to diminish the danger of water related ailment and to accommodate utilization, cooking, individual and local clean necessities (para 2). ([Keirns 2007](#))

What's more, access to sufficient sanitation isn't principal for human nobility and security, yet is one of the essential instruments for ensuring the nature of drinking water supplies and assets. As per the rights to wellbeing and satisfactory lodging, General Comments No. 4 (1991) and 14 (2000): State gatherings have a commitment to dynamically broaden safe sanitation administrations, especially to provincial and denied urban territories, considering the requirements of ladies and kids (para 29).

Access to water and sanitation is along these lines required with a specific end goal to acknowledge other human rights expressly contained in the General Comments of ICESCR, including wellbeing, sufficient lodging, and education: 1. General Comment No. 14: The privilege to the most noteworthy feasible standard of wellbeing, UN ESCOR, 2000 para 43 (c). (See additionally paras 11, 12, 15, 36).

2. General Comment No. 4: The privilege to satisfactory lodging, UN ESCOR, 1991, UN Doc.E/1992/23, para 8 (b).

3. General Comment No. 13: The privilege to training, UN ESCOR, 1999, UN Doc.E/C.12/1999/10, para 6 (a). The UN General Assembly Resolution 64/292: The Human Right to Water and Sanitation (2010) perceives the privilege to protected and clean drinking water and sanitation as a human right that is fundamental for the full happiness regarding life and every single human right (UN General Assembly, 2010)16: para 8). Principle 11 of the Habitat Agenda, embraced in the structure of the Second UN Conference on Human Settlements (1996) states that:

Everybody has the privilege to a sufficient way of life for themselves and their families, including satisfactory sustenance, apparel, lodging, water and sanitation, and to the ceaseless change of living conditions. The 'Program of Action' of the 1994 Cairo 'Meeting on Population and Development', embraced by 177 States, perceives in Principle 2 that: Countries ought to guarantee that all people are given the chance to take advantage of their potential. They have the privilege to a satisfactory way of life for themselves and their families, including sufficient nourishment, garments, lodging.

### **CONCLUSION AND RECOMMENDATIONS**

The Right to Sanitation is basically connected to one side to an existence of nobility, wellbeing and security for ladies and young ladies – its absence influences their protection to bathe, crap and clean themselves; it influences their (regenerative) wellbeing and cleanliness; it influences their versatility and security from sexual brutality; and it influences their parts and duties in securing clean water, sanitation and cleanliness for themselves, their youngsters and families. Truth be told, for families who live in open squatters and lanes (particularly in urban zones), for the individuals who must choose the option to poop transparently (regardless of whether in provincial or urban territories), and for some who regularly live around squander dumps, the ladies need to guarantee that the sexual orientation viewpoint on the privilege to sanitation not just empowers us to distinguish the issues and effects rising up out of the absence of sufficient and suitable water, sanitation and cleanliness offices for ladies and young ladies, particularly among poor and minimized groups in rustic and urban India, yet in addition causes us perceive these for all young ladies and ladies. A gendered comprehension of the inborn linkages between ladies' parts and obligations, and the accessibility and openness of WASH administrations is essential to the surrounding and promotion of these from a rights' point of view.

**ENDNOTES**

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