Child and adult labour in the export-oriented garment and gem polishing industry of India

with case studies from Tirupur, Bangalore, Jaipur and Trichy

November 1996
2nd version

by Martine Kruijtbosch

India Committee of the Netherlands
Mariplaats 4 e
3511 LH Utrecht, The Netherlands
Tel. +31 (0)30 2321340
Fax +31 (0)30 2322246
www.indianet.nl
The great Way is easy,
yet people prefer the side paths.
Be aware when things are out of balance.
Stay centered within the Tao.

When rich speculators prosper
while farmers lose their land;
when government officials spend money
on weapons instead of cures;
when the upper class is extravagant and irresponsible
while the poor have nowhere to turn -
all this is robbery and chaos.
It is not in keeping with the Tao.

(Lao Tzu\textsuperscript{1})

\textsuperscript{1}Lao Tzu, 'Tao Te Ching. The book of the way'. Translated by Stephen Mitchell, 1988, p 53.
ACKNOWLEDGEMENTS

The present report is an outcome of a study on child and adult labour in the garment and gem polishing industry in India, with the focus on child labour.

I take this opportunity to thank all those who helped at one stage or another, directly or indirectly, towards the completion of this report. First of all I want to thank the Dutch Federation of Labour Unions for giving me an opportunity to undertake this study.

Secondly, I am very grateful to the children who told me their stories which provided data for this research. I admire them for their inner strength, sincerity and enthusiasm which they showed during our interactions. The same word of thanks go to all women and men who as well told me their stories, whether they were labourers in a factory or owners of manufacturing units.

Thirdly, I take the opportunity to thank all those organizations and persons who helped me in preparing, executing and finalizing the research. Especially I am grateful to the following organizations for their assistance and guidance: South Asian Coalition on Child Servitude (New Delhi), SAVE (Tirupur), Peace Trust (Dindigul), Tamil Nadu Synthetic Gem Cutting Labour and Protection Association (Trichy), DEEDS (Bangalore), Samaya Vikasa Kandra Trust (Bangalore) and Lokh Shikstan Samsthan (special schools in Jaipur).
FOREWORD

This study has been undertaken at the request of the India Committee of the Netherlands (ICN) and the South Asian Coalition on Child Servitude (SACCS) in India.

It is the shared opinion of SACCS and ICN that cooperation between organizations in India and the western countries can play an important role in working towards the elimination of child labour in export industries like the garment industry and the gem polishing industry. The successful example of the Rugmark-label for oriental carpets without child labour - which was initiated amongst others by SACCS - has shown that positive action by non-governmental organizations, the industry and consumers can be of great help as a strategy to progressively eradicate child labour from a certain industry.

Although the main focus of this study by Martine Kruijtbosch is on child labour in the above-mentioned industries, it is done within the larger context of general labour conditions in these industries. As a means in itself and to eliminate child labour in the industries it is also of great importance to improve the labour conditions of adult workers as well. Especially in the garment industry there is a close link between the two. It is therefore that the India Committee of the Netherlands is actively supporting the Fair Trade Charter for Garments which includes a number of basic minimum labour norms and not on only child labour.

The study makes it abundantly clear that the problem of child labour in the garment and gem polishing industry is serious and needs to be tackled urgently. In India 'child-labour networks' like SACCS and the Campaign Against Child Labour (CACL) have already created a climate for positive action by industry and government.

I hope that this report will contribute to a better understanding of the issues involved as well as to continued action to give the children and adults working in the garment and gem polishing industry opportunities for a brighter future.

Gerard Oonk,
on behalf of the India Committee of the Netherlands
CONTENTS

Acknowledgements ........................................................................................................ iii
Foreword ......................................................................................................................... iv
Contents .......................................................................................................................... v
List of tables .................................................................................................................. viii
Definition of terms ........................................................................................................ viii

INTRODUCTION ............................................................................................................ 4

The study ......................................................................................................................... 9
Objectives of the study ................................................................................................... 10
Realization of objectives and scope of the study ......................................................... 11
Methodology and research problems .......................................................................... 11
Who is the report meant for? ..................................................................................... 12
Contents of the chapters ............................................................................................ 12
Map of India .................................................................................................................. 14

PART I EUROPEAN AND INDIAN REGULATIONS AND INITIATIVES:
IMPROVING LABOUR CONDITIONS AND ERADICATING CHILD
LABOUR ....................................................................................................................... 17

Chapter 1 Measures and initiatives in Europe and the Netherlands concerning
international labour conditions and child labour ..................................................... 17
  1.1 Introduction ............................................................................................................ 17
  1.2 Measures and initiatives ...................................................................................... 18

Chapter 2. Regulations and initiatives in India related to child labour: Government and
NGO ............................................................................................................................. 21
  2.1 Legislation and policy related to child labour and India's accession to the UN
      Convention on the Rights of the Child ................................................................. 21
  2.2 Action in South Asia against child labour in the carpet export industry: South
      Asian Coalition on Child Servitude (SACCS) and Campaign Against Child
      Labour (CACL) in India .................................................................................. 21

PART II THE RESEARCH - CHILD AND ADULT LABOUR IN THE GARMENT
AND GEM POLISHING INDUSTRY OF INDIA ...................................................... 23

II-A THE GARMENT EXPORT INDUSTRY OF INDIA: TIRUPUR AND
BANGALORE ............................................................................................................. 23

Introduction .................................................................................................................. 23
The study ....................................................................................................................... 33
Chapter 3  The garment export industry in India: structure and processes………………..35
  3.1 Structure ............................................................................................................. 35
  3.2 Processes ........................................................................................................... 36

Chapter 4  Child and adult labour in the garment export industry of Tirupur ………..39
  4.1 Introduction......................................................................................................... 39
  4.2 Child labour in hosiery units: the pull and push factors................................. 41
  4.3 Review of literature on child labour in the hosiery industry of Tirupur ............ 43
  4.4 Results and discussions of field visits: working conditions of child and adult labour ........................................................................................................... 46
  4.5 Case studies of hosiery manufacturing units and a labour union in Tirupur.... 53
  4.6 Declarations to end child labour by the hosiery industry in Tirupur ............... 59
  4.7 Analysis of the industry’s declarations to end child labour in the hosiery industry ............................................................................................................ 61
  4.8 Summary of the findings .................................................................................... 62
  4.9 Conclusions ...................................................................................................... 65

Case studies of child labourers in the garment industry of Tirupur ....................... 69

Chapter 5  Adult labour in the garment export industry of Bangalore………………….75
  5.1 Introduction......................................................................................................... 75
  5.2 Cheap female workforce: the causes ............................................................... 76
  5.3 Results and discussions of field visits: working conditions of adult labour ....... 77
  5.4 Case study of a garment manufacturing unit in Bangalore............................ 81
  5.5 Summary of the findings ................................................................................... 83
  5.6 Conclusions ...................................................................................................... 85

II-A  THE GEM POLISHING EXPORT INDUSTRY OF INDIA: JAIPUR AND TRICHY ........................................... ........................................................................ 87

Introduction............................................................................................................ 87
The study.................................................................................................................. 92

Chapter 6  Child and adult labour in the gem polishing export industry of Jaipur ....... 93
  6.1 Introduction......................................................................................................... 93
  6.2 Structure of the gem polishing industry ............................................................ 95
  6.3 Processes: from rough to finished gem stone ................................................... 97
  6.4 Influx of child labour and expansion of the industry: the pull and push factors 99
  6.5 Results and discussions of field visits: working conditions of child and adult labour ........................................................................................................... 101
  6.5.1 Results and discussions ............................................................................... 102
  6.5.2 Upward mobility: for whom? ...................................................................... 112
  6.5.3 Child labour in the gem polishing industry: tradition or exploitation; work or labour? ............................................................................................. 113
  6.6 Former Government’s scheme to eliminate child labour from the gem polishing industry of Jaipur ......................................................................................... 114
  6.6.1 Evaluations and criticism by involved actors and organizations................. 116
LIST OF TABLES

Table 1 Poverty and child labour
Table 2 Export basket of India 1993/1994 – 1994/1995
Table 3 Gem & Jewellery export from India, specified per item for April 94/March 95
   Compared with April 93/March 94
Table 4 Destinations India’s exports of Gem & Jewellery items to major markets for the
   year 1994-95 compared with 1993-94
Table 5 Estimates of the number of child labourers in the gem polishing industry of Jaipur
   per source and time order
Figure 1 Structure of the garment industry

DEFINITIONS OF TERMS

Beedi          Local cigarette
Bonded (child) labour or 'debt bondage' 'Refers to a situation when (child) workers are unable to leave the employment because they, or their (grand)parents, have taken a loan from the employer that they are unable to pay back because of very low wages
Child          A person who is younger than 14 years of age
Crore          10,000,000
Dutch Guilder (Dfl) Dfl 1.00 = € 0.45
ESI            Employee State Insurance (social security)
Job working    A garment manufacturing unit which is specialised one (or a few)
               process(-es) of the garment production process
Lakh           100,000
PF             Provident Fund (i.e. pension or social security for elderly people)
Rupee (Rs)     Currency of India (in 1996: Rs 21/22 is around Dfl 1.00, Rs 35/36 is around US$ 1.00
Trichy         Tiruchchirappalli (city in Tamil Nadu)
INTRODUCTION
INTRODUCTION

Last month I decided to buy a new shirt. All the shirts which had my interest in one of the many retail shops in Holland, were reasonably priced. I asked the saleswoman where the shirts were manufactured and under what conditions. The sales woman said that she did not know the answer. The only thing she knew was that 'a lot of clothing has been imported from far away countries like China and India'. 'Labour costs are lower in those countries' she added in the end.

Introduction

Today, the world is in a phase of transition in terms of integration of economic activities between nations on a global scale. Developing countries compete to get a higher share in the world market for products which are in increasing demand by consumers in the developed countries. The competition seems to be based rather on minimizing cost of labour than on maximizing the skill of labour. Child labour and bad labour conditions are increasingly related to this phenomenon.

Though the integration of economic activities in the world always has existed, today the process takes place on a larger scale and has to satisfy demand in a tighter time schedule. Developed countries still shift labour intensive parts of their production to cheap labour countries and, to save time, they subcontract work to their local informal sector because of its fast and flexible working methods. Developing countries, which often have huge debt problems combined with unemployment, need the access to international markets and, therefore, stimulate export-oriented industries to generate employment and foreign exchange with which they partly solve balance of payment problems. The majority of these developing countries, like China, Bangladesh, Pakistan, Sri Lanka, to mention a few, have a competitive edge on cheap bulk consumer products like bed sheets, garments (e.g. T-shirts, shirts and nightwear), shoes, but also on carpets and some food products. But, their competitive edge is based on the availability of a large, cheap, docile and flexible workforce: mainly women and children of the poorest section of the society who are employed in the informal sector where terms and conditions of employment are poor. Employers of labour intensive industries in developing countries, subcontract parts of the production to smaller units, which often are unregistered, and/or deliberately divide the industrial establishment into small units to escape the laws which regulate labour conditions and standards. Exploitation of the workers is the consequence of this process; workers are often unregistered, temporary, unorganized and are getting less than minimum wages for long hours of work without the protection of social security. Also the web of divided subcontracted units makes it more difficult for labour inspectors or controlling bodies to check on violations of the many existing (labour) laws and human rights.

The process of international integration of economic activities through liberalizing international trade has pushed more workers into the informal sector of both developing and developed countries. In the developing countries, more than in the developed countries, this has led to the economic exploitation of children in the production of goods both for the export and the domestic market. According to the International Labour Organization (ILO), more children are possibly
involved in the urban informal sector than in the agricultural sector, because of fast growing migration into the cities and the decentralization of production units\(^2\).

**Child labour in the world**

The problem of child labour is not a new phenomenon, but was never highlighted as it is today. It is important to make a distinction between 'child labour' and 'child work'. Child work means that the child has time for play and education besides work. Child labour, however, refers to children who are being forced to carry out the full-time work of adults. The child labourers, no matter if they work full-time in the household, in workshops, factories or in the agricultural sector, are deprived of education, play and a normal childhood. Child labourers can also be 'bonded', which means that the children are forced to work for an employer or 'master' to pay back the loan (plus often high interest) which his or her (grand)parents once received from the landlord/employer. These bonded child labourers have to obey the master and are entirely at his mercy.

Child labour is a universal problem, it exists all over the world but it is concentrated in the developing countries (98\%). At present the number of working children in the world ranges between 100 and 200 million according to the International Labour Organization, and the number is growing. The populations in the developing countries show sustained growth rates which only increase the magnitude of the problem of child labour. Since a few years, the aspect that children are used as economic assets in certain manufacturing, processing and mining industries is frequently and widely covered by the international media. Especially the reports on the toil and sweat and inhuman exploitation of children working in manufacturing (export) industries like the carpet and garment\(^3\) industry in India and garment industry in Bangladesh have shocked the international community deeply. The international community became aware of its own link with the bad working conditions and the child labour problem in export-oriented industries catering to western consumers. This resulted in international pressure of various kinds like, for example, a proposal made by the US to ban all imported products which are made by children, called the Harkin's Bill.

In the countries where child labour exists, it is often stated that poverty is the main reason why children are sent to work and that poverty should first be solved to eradicate child labour. But, as experts state, 'child labour also perpetuates poverty as children become part of the destructive inter-generational cycle of repetitive impoverishment'\(^4\), 'child labour adds to unemployment of adults as they take the jobs of as many unemployed adults, reduces the need for technological


\(^3\)Tirupur, the most important centre of manufacturing knitted garments or 'hosiery', and which is located in Tamil Nadu, India, produces 75\% of the total exported cotton 'hosiery' or knitted garment output of whole India. The hosiery industry employs an estimated 8,000-10,000 to 25,000-35,000 child labourers out of a total work force of 350,000 workers which works in this industry. The expansion of the hosiery industry in Tirupur, which was caused by an increased international demand for knitted garments since 1980, has led to the employment of these child labourers. Two British journalists discovered that C&A, a big garment chainstore in Europe, is making use of child labourers in the production of knitted garments in one of their supplying manufacturing units in Tirupur. Their discoveries, revealed by the journalists in 'The Mail on Sunday', January 8, 1995, an English newspaper, tell their own story on the practice of child labour in Tirupur and their poor working conditions and low payments. For the sources of the above stated figures, see chapter 4, introduction.

\(^4\)Unicef, India. The Progress of Indian States, 1995, p.63.
innovations which is so essential to the expansion of exports, holds wages down and, hence, increases the number of families living below the poverty line. Two important causes of child labour as stated by many labour experts, are the vested interest of employers in cheap child labourers and the inefficiency and inadequacy of existing primary education facilities. The first cause implicates that child labour serves the interest of employers; they can pay low wages, extract more work, make maximum profit and remain free of any labour unrest. Child labourers are also victims of physical, mental and sexual abuse by employers. The second cause implicates that children lose interest in education because Government schools are often poorly run and maintained, and lack teaching materials and (motivated) teachers.

Table 1 Poverty and child labour

<table>
<thead>
<tr>
<th>CHILD LABOUR</th>
<th>ABOLISH CHILD LABOUR</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO EDUCATION</td>
<td>CHILD EDUCATION</td>
</tr>
<tr>
<td>UNSKILLED JOBS</td>
<td>SKILLED JOBS</td>
</tr>
<tr>
<td>EXPLOITATIVE WAGES</td>
<td>BETTER WAGES</td>
</tr>
<tr>
<td>DENIES ADULTS EMPLOYMENT</td>
<td>HIGHER ADULT EMPLOYMENT</td>
</tr>
<tr>
<td>EARLY PHYSICAL DECAY</td>
<td></td>
</tr>
<tr>
<td>EARLY MARRIAGE—MANY CHILDREN</td>
<td>DELAYED MARRIAGE—FEWER CHILDREN</td>
</tr>
<tr>
<td>ECONOMIC INSECURITY</td>
<td>ECONOMIC SECURITY</td>
</tr>
<tr>
<td>LOW QUALITY OF LIFE</td>
<td>BETTER QUALITY OF LIFE</td>
</tr>
<tr>
<td>PERPETUATES POVERTY</td>
<td>ECONOMIC ADVANCEMENT</td>
</tr>
</tbody>
</table>

Child labour in India

India is the country with the largest number of working children. There are no up-to-date and generally accepted statistics on child labour in India. Official estimates vary between 17 million and 44 million child labourers under 14 years of age. Estimates made by respected NGOs range between 55 million and over 100 million. In the latter number all the children between 5 and 14 years who do not go to school are included. India has a total population of over 900 million

---

9 The Operations Research Group of Baroda, 1983, India.
people, which shows the magnitude of the child labour problem in India.

The majority of the child labourers in India works with their parents in the agricultural sector. Mainly girls work as full-time housemaids, often for the middle class. Children, boys and girls, work in factories and workshops where they clean and pack food, weave carpets, sew and embroider garments, glue shoes, carry molten glass, cure leather, make matches, locks and firework, and polish gem stones, to mention a few occupations. Besides, children work in restaurants and a large number is self-employed, hawking everything from cigarettes to flowers. Children even sell themselves as prostitutes. Other work children are doing is scavenging and sorting garbage, crushing bricks and stones and working in road constructions and mines. These are not exclusive categories and may overlap.

While there are conflicting data regarding the number of children who are employed in the workplace, 'it is observed that the economic exploitation of children in India is extensive and appears to have increased over recent years'.

10 Unicef India, The progress of Indian States, 1995, p. 64.

Another observation is that child labour imposed a great cost on the economy of India in terms of 'the opportunity lost to develop the country's human resources'.

India is one of the countries which are in the race for getting a larger share of the world trade with the aim to partly solve their debt, unemployment and poverty problem. Since its economic reforms of 1991, India is actively involved in opening up its market to the world market. In a fast tempo India is changing from an economy where the rules were set by the Government into a market economy. To reduce its above mentioned problems, India makes use of many economic growth mechanisms; besides inviting (foreign) investments, the Government of India is stimulating export-oriented industries. The most lucrative, labour intensive and competitive export-oriented industries, like the gem and jewellery and garment industry, are supported most by the Government in terms of investments and tax exemptions, etc, since they bring in much foreign exchange and generate employment. According to the Confederation of Indian Industries, the competitive edge in these industries and other major foreign exchange earners like the carpet, brass artware, handloom, tea industry etc., is partly provided by child labourers; 'as they are paid less than adults and do not demand social security benefits and are, therefore, able to produce goods at a lower cost'.

On the other hand, a recent ILO study indicates that some industries with a large number of child labourers, like for example the glass-bangles and diamond polishing industry, can very well survive without child labour. Child labour, however, increases the profits. Though the above mentioned industries are supported by the government to increase their exports, they are at the same time neglected by the Government in terms of labour inspections and


12 All India Trade Union Congress (AITUC), op. cit. In: Theme paper submitted by AITUC to a Orientation Workshop for National Trade Union Leaders on Child labour and IPEC. National Labour Institute, Noida, India, 1995.

regulations of terms and conditions of work of the (casual) workforce.

Thus, India's competitive position in the world market is now partly based on the fact that it can provide both domestic and foreign investors with the cheapest, most flexible and docile workforce which is mainly working in the informal sector and 'of whom the majority consists of children and women, who are self-employed, casual, contract, temporary, seasonal or migrant workers'\(^{14}\). Industries and workshops, which operate in the informal sector in India, do not come within the purview of labour legislation, labour unions are opposed by these industries and workers are hindered to organize themselves; no collective bargaining agreement exists in the unequal relationship between the employer and the (child) worker, to improve the terms and conditions of their work.

The latest Child Labour (Prohibition & Regulation) Act of 1986\(^{15}\) in India, prohibits child labour in selected hazardous occupations and processes but allows it if these occupations and processes are carried out in family-run workshops. The Act regulates child labour in all occupations and processes other than those which are mentioned in the 'prohibition part', whether these take place in the formal or informal sector, in a family or a non-family enterprise. The act, however, contains many loopholes. For example, the Act does not say that the hazardous occupations and processes of the 'prohibition part' must be regulated if carried out in a family enterprise. Also, the act does not include all kinds of employment like, for example, work in the household and parts of the agricultural sector. It means that the children who work in the household, or who work in the agricultural sector other than at a 'farm' or in a family enterprise and carry out occupations and processes which are mentioned in the 'prohibition part' of the Act, can be exploited endlessly. Researchers and the Confederation of Indian Industry say that the Act only refers to the organized sector which is around 8%\(^{16}\) to 15%\(^{17}\) of the child labour force. Apart from many loopholes which exist in this and other Acts related to child labour, there is a lack of political will. This can be partly concluded from poorly implemented legislation, hardly any control on violations of acts concerning child labour and the lack of implementation of compulsory primary education. A review of legislation and programmes of the Government to eliminate child labour will be discussed in chapter 2.

Regarding compulsory education, 'in India it is reasoned that the poor gain when their children are employed, in other countries it has been argued that the poor are made worse off because the employment of children drives down the wages and employment of adults. Elsewhere it is reasoned that children would be better off with six years of schooling than with early employment: a literate young person is likely to be more productive and to earn more than

\(^{14}\)Statements are made by the National Centre for Labour (NCL), which is the federation of unorganised sector workers. In: Labour File. A Monthly Journal of Labour and Economic Affairs, p. 19, op.cit. Published by Centre for Education and Communication, New Delhi, India. (NCL further states that 'India has a total working population of 317 million workers. About 290.2 million (92% of the total workforce) are employed in the unorganised or informal sector').

\(^{15}\)The Child Labour (P&R) Act of 1986 is enclosed in appendix 2 of this report.

\(^{16}\)Confederation of Indian Industries. A Seminar On Economic Implications of Abolition of Child Labour in India, 1995, India. (Background Paper).

\(^{17}\)Article in: Dossier on Eradication of Child Labour and Role of Trade Unions. Campaign Against Child Labour (Tamil Nadu) & Centre for Social Education and Development, 1995, p.76.
someone who has had no education and whose health may have been damaged by early entrance into the workforce. Child labour is not simply a consequence of poverty, but one of its causes and its removal (which means that children are in school) is likely to increase the well-being of the poor. No country has successfully ended child labour without first making education compulsory. As long as school is not compulsory children will enter the labour force. If primary education were made compulsory in India, it would be easier to monitor school attendance than to monitor children in the workplace, and easier to force parents to send their children to school than to force employers not to hire children. The new United Front Government, which is ruling since June 1996, has made a declaration, that ‘the right to free and compulsory education shall be made a fundamental right and enforced through suitable statutory provisions.’

In a book on economics of labour and industrial relations, the objective of the development of an economy is stated as follows:

The objective of the development of an economy is to raise its people’s standard of living. Keeping this in view, labour problems in a developing economy deserve special study and attention. The labour force as a whole is the abundant resource available in the economy and therefore its sustained and stable growth depends in a very large measure upon the proper utilisation of this resource. Problems of industrial labour (in the formal and informal sectors of the economy) deserve a special study because this section of the labour force is directly faced with the problems and consequences of the development of the country’s economy. The rate of growth and the nature of industrial civilization in the country depends on the extent to which their problems are solved successfully.

Concluding from the above, child labour and exploitation of workers in the informal and formal sector do not fit in any developing nor developed economy, including India. Children who work full-time and who are deprived of elementary education, health care and play, will in the long run affect the economy adversely. Because they are children, they are easier to exploit, to intimidate and to dictate, whether they are working in the formal or informal sector of the economy. The employer is abusing his power in the unequal employer-(child) worker relation. Child labour, therefore, needs to be eradicated and working conditions and standards of adult labourers should be improved. Poverty alleviation and employment generation do not only depend on high growth rates but also on policies designed to achieve distributive justice for the lowest strata of the Indian society.

---

18Myron Weiner, ‘Child labour in Developing Countries: The Indian Case’. In: New Wave, March 27, 1994, p.9. Emphasis is added by the author of this report.

19Among the twenty-three largest developing countries (those with populations of over 25 million) India ranks eighteenth in overall literacy rate, ahead only of Bangladesh, Ethiopia, Pakistan, Sudan, and tied with Egypt, but well behind Zaire, China, Indonesia, the Philippines, Thailand, Turkey, Vietnam, Mexico, Brazil, Korea, and Colombia. For example, Sri Lanka massively expanded its primary school enrolments in the 1950s. By 1981, 90 per cent of the primary school age children were in school and 70 per cent of all children completed five years of schooling. The story is similar for most of the countries of Southeast Asia, where illiteracy has sharply declined largely as a result of heavy state investment in primary schools and compulsory education policies’. Quotation is made by Myron Weiner, ‘Child Labour in developing Countries: The Indian Case’. In: New Wave, March 27, 1994.


The study

In order to find proper and sustainable solutions to the problem of the exploitation of (child) labour in India, more detailed information is needed on the terms and conditions of child and adult labour, especially in the informal sector of industries of India, and to study the pull and push factors which cause child labour.

Due to the present change of the Indian economy and the globalization of some economies, the need came to take a closer look into the child and adult labour problem in export-oriented industries with the focus on child labour. India is actively participating in the world trade through competing with child labour intensive industries like the textile, garment and gem polishing industry. These industries also are the highest foreign exchange earners for India.

The garment and gem polishing industry in India have been chosen for this study because these industries are largely operating in the informal sector and employ mainly women and children. Chosen is for the knitted garment or 'hosiery' industry in Tirupur (State of Tamil Nadu), the garment industry in Bangalore (State of Karnataka) and the gem polishing industry in Jaipur (State of Rajasthan) and Trichy (State of Tamil Nadu).

Concerning child labour, the hosiery industry in Tirupur and the gem polishing industry in Jaipur are selected, since both have an extensive child labour force and are major manufacturing centres in India and have an important place in India's export policy in terms of earning foreign exchange.

Tirupur, which produces 75% of the total cotton 'hosiery' or knitted garment output of India, employs an estimated 8,000-10,000 to 25,000-35,000 child labourers out of a total workforce of 350,000 workers who work in the hosiery industry. The expansion of the hosiery industry in Tirupur, which was caused by an increased international demand for knitted garments since 1980, has led to the employment of more child labourers.

In Jaipur, Rajasthan, where 95% of the exported coloured gem stones in India are cut, shaped and polished, an estimated 200,000-25,000 artisans work in the gem polishing industry. The total workforce includes 10,000-13,600 children under 14 years of age. The majority of the total labour force is Muslim (95%). It is in the gem polishing industry of Jaipur that recently experts have observed a great influx of children due to a growing international demand for gem

---

22 The Hindu, November 19, 1995. 'Great potential of a small town'.
23 The Hindu, September 20, 1995. 'Child labour census in Tirupur next month'.
24 Centre for Social Education and Development, Avinashi, Tamil Nadu, India. In: Indian Express, September 29, 1994. 'Child labour rampant at Tirupur'.
25 Indian Express, September 29, 1994. 'Child Labour rampant at Tirupur'.
26 Estimate made by a teacher at a 'special school' in Jaipur, 1996.
Introduction

Trichy, in Tamil Nadu, is among the 5% remaining other gem polishing centres in India where mainly synthetic gem stones are cut, shaped and polished. It is estimated that out of the total workforce of around 60,000 artisans, 8,000-10,000 are under the age of 14. In this industry most of the working children are bonded child labourers.

Concerning adult labour, the focus is on the garment industry in Bangalore. Bangalore is another example of a garment manufacturing centre which is thriving on cheap labour: women workers who are the cheapest workers after child labourers. Of the total workforce of 250,000 workers, it is estimated that 80% is female. In Tirupur and Jaipur, some information on adult labour was gathered also but, as mentioned earlier, the focus in these places has been on child labour.

The objectives of the study

The objective of the present research project is three-fold.

The first objective is to get more detailed information on the terms and conditions of work of child and adult labourers, with the focus on child labour, in the export oriented garment and gem polishing industry of India, on the structure and processes of these industries and the international trade of their manufactured products: garments and gem stones.

Areas which are included in 'terms and conditions' of employment of children are: social background and religion, ages, wages, working hours and employment, family size and income and reason for working, opinion of working children on child labour, education, recreation, working circumstances, health hazards, future plans and a separate section on the working girl child.

Areas which are included in 'terms and conditions' of adult workers are: working hours and overtime work, wages, statutory benefits and labour unions, casual and temporary state of workers and health hazards.

The second objective is to find out what are the pull and push factors which cause child labour in the garment and gem polishing industry.

The former Government of India had formulated a National Child Labour Policy in 1987 to speed up the implementation of the Child Labour (Prohibition & Regulation) Act of 1986. According to this policy ten hazardous industries were identified and selected for priority action to tackle the

---

33 The Sunday, January 8, 1995. 'Fashion City. Why is Bangalore the Mecca of India’s garment export industry?'.
34 Deccan Herald, March 11, 1995. 'Sewn up by dire need'.
Introduction

The third objective is to find out the results of the Government's scheme to eradicate child labour in the gem polishing industry in Jaipur. Has the scheme reached its projected aims? Can the scheme function as a model for other areas with a high concentration of child labourers?

Realization of objectives and scope of the study

During 6 months of research in 1995-96 in India, the objectives have been realized through (in-depth) interviews with child labourers in the hosiery industry in Tirupur and the gem polishing industry in Jaipur and Trichy, and through (in-depth) interviews with adult workers in the garment industry of respectively Tirupur and Bangalore and the gem polishing industry of Jaipur and Trichy. The in-depth interviews with the child labourers give an insight in the mechanisms, the pull and push factors, which cause children to be sent to work instead of to school. The in-depth interviews with the adult workers in Bangalore, mainly women, give an insight in their specific problems which are mainly related to working in an export-oriented industry. Information on labour conditions and standards were also gathered through visits to garment and gem polishing manufacturing units in the respective places.

Further data have been collected through interviews with NGOs working in the field of (child) labour, journalists, researchers, Unicef India, labour unions, government officials, exporters, Export Councils, employers, parents, a teacher and, last but not least, (child) labourers who are working in the garment and gem polishing industry. Also secondary information has been gathered either through information and reports given by researchers and labour experts from organizations or from libraries.

In total, 51 child labourers were interviewed in and outside the workplace. Out of the 51 child labourers, 20 child labourers were interviewed in detail, 8 in Tirupur and 12 in Jaipur. Other child labourers were interviewed on the job during visits to the manufacturing units in Tirupur, Jaipur and Trichy. Eighteen women and 4 men who are working in the garment industry of Bangalore, were interviewed in detail also.

In total, 53 manufacturing units were visited, out of which 15 garment manufacturing units in Tirupur and 3 in Bangalore, and 23 gem polishing manufacturing units in Jaipur and 12 in and around Trichy.

Methodology and research problems

No formal questionnaire was used for the interviews with the many organizations and concerned people. A set of research questions formed the basis of the most important questions for the interviews. The research questions cover questions related to terms and conditions of child and adult
labour in the garment and gem polishing industry, the structure and production processes of both the industries and the international trade of the garments and gem stones.

For the in-depth interviews with child labourers a questionnaire has been used which was translated into Hindi and Tamil, the two local languages of respectively Jaipur and Tirupur. The set of research questions and the child labour questionnaire are included in appendix 1.

Due to the sensitivity of the topic of child labour in India, especially in the garment export industry in Tirupur, it was often difficult to get detailed information on child labour from employers and exporters, but also from government officials, who were of the opinion that other countries should not interfere with the terms and conditions of work of labour in India. A second researcher was supposed to be contracted in India to join me during field visits, but a suitable person could not be found. Therefore, I had to go on field visits on my own which sometimes limited me in gathering information especially when manufacturing unit owners did speak little English. Being a woman sometimes restricted me during field visits as it is not common for a woman to do research on her own, especially in Tirupur and the villages around Trichy in Tamil Nadu and the Muslim areas in Jaipur. Being of the female sex, however, happened to be advantageous for getting access to the homes of girl child labourers in Jaipur, who due to the Muslim religion, are not allowed to work outside the house or see non-family males inside the house.

The present study does not have the intention to be comprehensive or exhaustive on the issue of child labour. It is an endeavour to unveil part of the terms and conditions of the employment of child and adult labour in the export-oriented garment and gem polishing industry in India, and to unveil the most important pull and push factors which partly cause child labour in these two industries.

**Who is the report meant for?**

The information gathered in this study is meant for the public in general as consumers, policy makers, governmental and non-governmental organizations and all people involved in programmes and/or initiatives which have the aim to eradicate child labour and/or improve terms and conditions of work of adult labourers in the export-oriented garment and gem polishing industry in India in specific, and eradication of child labour and improving terms and conditions of workers in the informal and formal sector in India in general. The information in this report may be helpful in (re)designing policy and action plans of organizations, action groups, labour unions, government and non-government bodies in India as well as in other countries which are involved in international measures and initiatives related to labour conditions and child labour.

**Contents of the chapters**

This report is divided into three parts.

**Part I** describes regulations and initiatives in Europe and India which concern the improvement of labour conditions and the eradication of child labour. Within Part I, chapter 1 describes these measures and initiatives in Europe and the Netherlands with a distinction between the political
level and the economic level, and chapter 2 does the same for India but with a distinction between Government and Non-governmental Organization (NGO).

**Part II** gives the results of the present research on child and adult labour in the garment and gem polishing export industry of India. Part II-A describes the garment industry in India and part II-B describes the gem polishing industry in India. Within **part II-A, chapter 3** briefly reviews the garment industry in general: the structure and processes. **Chapter 4** gives the results of the research on child and adult labour in the garment industry of Tirupur: the main push and pull factors which cause child labour in the hosiery industry in Tirupur, working conditions, case studies of garment manufacturing units and a labour union in Tirupur, Tamil Nadu. The same chapter also gives an analysis of declarations made by the garment industry to end child labour. **Chapter 5** gives the results of the research on adult labour in the garment industry of Bangalore, Karnataka: the causing factors behind the mainly female labour force in the garment industry, working conditions and a case study of a garment manufacturing unit in Bangalore.

Within **part II-B, chapter 6** gives the results of the research on child and adult labour in the gem polishing industry of Jaipur, Rajasthan: the structure, processes, the main pull and push factors which cause child labour in the gem polishing industry of Jaipur. Chapter 6 also gives an overview of the former Government's scheme which aims at the elimination of child labour in the gem polishing industry of Jaipur, and an evaluation of and criticism on the scheme given by involved actors and organizations. Criticism is given by the Institute of Development Studies, Indian Institute of Health Management Research, Lokh Shikstan Samsthan, and a teacher at a Special School, all located in Jaipur. Chapter 6 describes a possible alternative to the scheme, 'Joyful learning', an initiative of school teachers in Tonk District in Rajasthan to make primary school more interesting and adequate for children and improve enrolment by involving the parents and the local community. **Chapter 7** gives the results of the research on bonded child labour in the synthetic gem polishing industry in Trichy, Tamil Nadu; a description of 'debt bondage' which is prevalent in the gem polishing industry of Tamil Nadu, information on the Trichy Gem Park, a training centre which once was partly owned by the state government but which is a private company today, and working conditions in manufacturing units in the centre of Trichy and a unit which is located in a remote village in Trichy district.

**Part III** gives the conclusions in **chapter 8** and some recommendations in **chapter 9**.
Map of India
PART I

EUROPEAN AND INDIAN REGULATIONS AND INITIATIVES:

IMPROVING LABOUR CONDITIONS AND ERADICATING CHILD LABOUR
Chapter 1 Measures and initiatives in Europe and the Netherlands concerning international labour conditions and child labour

1.1 Introduction

Competition between countries in the world market has increased due to a more liberalized international trade policy. The competition, however, for consumer products like shoes, garments, gem studded jewellery, bed sheets, carpets, to mention a few, seems to be in the field of minimizing costs of labour rather than maximizing the skills of labour. These consumer products are mainly manufactured by workers in developing countries because these workers are cheaper, but also by workers in the informal sector of developed countries where a supply on short notice of consumer products is needed, for example of fashionable garments. The time factor also has become important in manufacturing these products next to low labour costs. The industries of the above mentioned consumer products are mainly operating in the informal sector where labour legislation is not applicable; the majority of the workers, often women and children of the poorest sections of the society, are temporary, unorganized, and are even opposed to join labour unions, which means that a bargaining agreement to improve their labour conditions becomes difficult and is often absent. The employer abuses the unequal employer-(child) labour relation: he pays less than minimum wages, according to the piece rate system, and forces workers to work long hours without providing them social security.

The integration of the world market has led to exploitation of more (child) workers and deterioration of their working conditions in the countries which need the export trade for solving internal problems (e.g. debts, unemployment and poverty) like India, Mexico, Bangladesh etc., but also in the countries which need to meet consumer demand for cheap consumer products, like Europe and the US. In developing countries, more than in developed countries, the process of international economic integration has led to economic exploitation of more child labourers.

Due to the (increasing) demand for cheap consumer products like the products mentioned earlier, mainly by western countries, consumers, importers, store sellers and governments of these countries are indirectly supporting child labour and bad working conditions in the (Indian) export sectors where these products are manufactured. Today, the increase in the number of child labourers is thus not only caused by developments within nations; it is also effected by and interwoven with the process of globalization and integration of economic activities between nations. In fact, seen in this light the problem of child labour and bad working conditions in export industries and local informal industries, have also become a problem of the importing consuming (western) countries.

The increasing number of economically exploited child labourers and the deteriorating working conditions in export industries are a result of, among other causes, (world wide) economic greed,
growing poverty and lack of political will in some developing countries. The growing (inter)national awareness of these developments led to international pressure and several measures and initiatives.

1.2 Measures and initiatives

There are important developments with regard to minimum labour standards and (international) trade which have taken place in the world. Some of these developments can be helpful in the process of eradication of child labour and improving labour conditions in export industries. Two potential areas of (policy) intervention can be distinguished: the political level and the economic level.

Political level
Firstly, on the global multilateral level a discussion is going on if a 'social clause' (a number of international ratified minimum labour standards, including the minimum wage) should be included in the guidelines of the new World Trade Organization (WTO), the successor of GATT (General Agreement on Trade and Tariffs).

Secondly, the European Commission passed a new system of trade preferences, i.e. Generalized System of Preferences\(^\text{35}\) (GSP), for developing countries in January 1995, in which the Commission promises to give extra tariff reductions to products which are made without child labour and made by workers who have the right to organize and bargain collectively, from 1998 onwards. The country involved, should set up and implement a control and certification system which has to be recognized by the European Union as valid. From 1995 onwards, trade advantages which are part of the GSP can be withdrawn if (child) slavery or forced labour is used in the production of items exported to the European Union.

Economic level
Thirdly, in the Netherlands the Clean Clothes Campaign\(^\text{36}\) has introduced a Fair Trade Charter (FTC) for Garments. The objective of the Charter is to improve working conditions and

---

\(^{35}\)India is one of the countries which comes under the regional trade policy of the European Union and is getting preferential treatment under the Generalised System of Preferences (GSP) in the form of tariff reductions to its export products. Though the reductions are the lowest for textile and garment items, overall India has benefited from the treatment. The GSP is very crucial for India because nearly 50% of its exports to the EU are under GSP. The GSP was raised with the aim to stimulate the industrialisation of the developing countries and growth of their revenues. In the renewed GSP, objectives such as social progress (for example, through eradication of child labour) and the environment are also taken into account as these are inseparable from sustainable development.

\(^{36}\)The Clean Clothes Campaign (CCC) in the Netherlands consists of 8 NGOs. They set up a Fair Trade Charter Working Group together with the FNV (Dutch Federation of Trade Unions) and the NOVIB (developmental organisation). This Fair Trade Charter Working Group negotiates with the retailers (only Dutch retailers at the moment) about the Fair Trade Charter. Like wise campaigns are going on in French and Dutch speaking Belgium, Germany, France, England and Switzerland. The CCC is approached by groups in Sweden, Norway, Denmark, Spain, Ireland, Italy, Australia and Japan who are interested to become involved in the CCC or to set up clean clothes campaigns. The CCC is working on a European coordination structure and is aiming at a joint project proposal next year with all the European partners, as it is important to use the same 'code of conduct' in different countries, to make negotiating with retailers European-wide easier. The collaborations with organisations in the South is in a developmental stage and discussions concern sharing of information, strategies how to implement the Charter and the monitoring. The Asian input consists of China, Indonesia, Sri Lanka, the Philippines, Thailand, Hong Kong, Bangladesh and India.
circumstances in the garment industry. The central idea is that retailers, as subcontractors and buyers, are responsible and, through their policy, capable of realizing better working conditions and circumstances. By signing the Charter, garment shop companies commit themselves to sell no garments which are made under socially unacceptable conditions along the chain of subcontractors. Child labour is one of those unacceptable conditions. The seven labour conditions which are mentioned in the Charter are based on minimum labour standards set by the ILO and ratified by many countries. These (ILO) conditions concern the most elementary labour rights; the right to freedom of association, the right to organize and collective bargaining, the right to a living wage and safe and healthy working circumstances, the minimum age for admission to employment (respectively, ILO conventions nos. 87, 98, 131, 155, 138; none are ratified by India) and the conventions related to maximum hours of work and non-discrimination (respectively ILO conventions nos. 1 and 111; both ratified by India). The garment-producing companies will be inspected by an independent monitoring agency. Apart from control by the monitoring agency, trade unions, journalists, NGOs, workers, etc will contribute also. There will also be a complaints procedure.

Apart from the above mentioned developments, the European Union and the Netherlands give development aid, which could be partly targeted to eradicate child labour in developing countries. For example a new form of primary education in India is supported with development aid from the Netherlands, the European Union and the Worldbank. This new approach to primary education implies more local participation and a curriculum which is more relevant to local needs. It is aimed to attract more girls to school. The question is whether full time working children (mostly girls) are reached by this new form of primary education and how the programme can be optimally geared to reach this goal.

37A garment company signing the Fair Trade Charter does not only commit itself to give information but also to finance the changes needed to comply with the demands of the Charter according to a certain time-schedule. Besides the retailers, the producers must also be allowed opportunity and time to improve. The monitoring system has two functions, namely: monitoring and supporting.
Chapter 2  Indian regulations and initiatives relating to child labour: Government and NGO

2.1 Legislation and policy related to child labour and India's accession to the UN Convention on the Rights of the Child

India has a long history of legal protection of working children. Though it has the largest number of child labourers in the world, India also has the maximum number of legislative measures, which seek not only to ban child labour from certain hazardous industries but also to improve and regulate their working conditions in other industries.

The following articles of the Constitution of India, accepted in 1947, concern child labour:

Article 24
No child below the age of 14 shall be employed in any factory or mine or engaged in any other hazardous employment.

Article 39 (e,f)
The State shall direct its policy towards securing that (e) the health, strength and tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength and that (f) children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

Article 45
The State shall endeavour to provide, within a period of ten years from the commencement of this constitution, free and compulsory education for all children until they complete the age of 14.

After the Constitution many laws have been accepted to limit the employment of children in shops, factories and mines, plantations and in the production of cigarettes and cigars. The Child Labour (Prohibition & Regulation) Act of 1986 is the latest act but contains many loopholes. Child labour is prohibited in certain professions and processes like carpet weaving, weaving and dyeing of clothes, working in leather tanneries, construction, and working in glass, match and firework industry. But, child labour is allowed in these occupations and processes if they are part of so-called family enterprises or government institutions. All other occupations and processes, which are not prohibited by the act, are regulated with a maximum of 6 hours work per day and 1 hour rest after 3 hours work, no work between 7 p.m. and 8 a.m., no overtime work and no work in two or more different establishments in one day. The act does not give the minimum age limit for entering the labour force. Another loophole, the act does not cover all employments of children, for example, the word 'farm' does not cover the entire agricultural sector and, for example, work in the household is not mentioned. Also, the act does not say whether the occupations and processes which are mentioned in the 'prohibition part' of the act, should be regulated if these are part of a family-run enterprise. This implicates that children in non-specified jobs, e.g. work in the household and some parts of the agricultural sector, can be exploited unlimitedly by making them work for more than 6 hours a day and in nightshifts etc. Another gap in the act is that the prohibited occupations and processes will be put into effect immediately, and those that
are to be regulated will be put into effect only when the central and state government(s) decide to do so\textsuperscript{38}. Thus, the largest obstacle to the implementation of the act is that no state government, except the state government of Rajasthan, has formulated the rules for the implementation of the act. The most often heard proposed amendments are that children should be paid the same wage as adults and that the ban on child labour should be extended to more occupations.

In 1987, The National Child Labour Policy was launched because it was perceived that legislation alone can not solve the complex problem of child labour. The Policy, therefore, puts emphasis on general development programmes for the benefit of child labour and a project-based plan of action in ten selected areas where there is a high incidence of child labour. Next to its objective to speed up the implementation of the Child Labour (Prohibition & Regulation) Act, the Policy aims to tackle the problem of child labour through non-formal education, employment- and income-generating schemes for poor parents of working children and through general awareness generation to educate the public in the undesirable effects of child labour. The Special Schools are the core of the action plan to provide the ex-child labourers with education, vocational training, supplementary nutrition, health care and a stipend of Rs 75 to Rs 100 per month. The gem polishing industry in Jaipur, one of the industries investigated in this report, is one of the selected areas where the aim was to wean child labourers from the industry through the intervention of the Government's action plan.

In addition, the Child Labour Cell of the former Ministry of Labour has mobilized international assistance for funding projects which concern child labour. For instance, the Child Labour Action and Support Programme (CLASP), which has the objective to strengthen the capabilities of central and state governments in implementing the National Policy, and the International Program on Elimination of Child Labour (IPEC) are implemented under the supervision of the technical cooperation programme of the ILO. IPEC intends to progressively eliminate child labour by involving NGOs and trade unions, and in close cooperation with state governments.

In 1992, the former Central Government signed the United Nations Convention on the Rights of the Child. India commits itself, through the Convention, to protect children from economic exploitation, hazardous and unsafe work and from performing any work that is likely to interfere with the child's education, or to be harmful to the child's health or physical, mental or social development. By signing the Convention, India commits itself also to provide free and compulsory primary education for all children, though India does not say when it is planning to do so. The excerpts of the UN Convention on the Rights of the Child are enclosed in appendix 3.

In spite of India's constitution, legislation, the Government's action plan and international assistance and India's accession to the Convention on the Rights of the Child, child labour is still increasing in India, while the working conditions have remained the same, if they have not got worse. The factors\textsuperscript{39} that are responsible for this situation are the following:

Firstly, lack of enforcement of labour laws, like the Child Labour (Prohibition & Regulation) Act


\textsuperscript{39}Source: Confederation of Indian Industry: Seminar on Economic Implications of Abolition of Child Labour in India, 1995.
Indian regulations and initiatives related to child labour: Government and NGO

of 1986. For example, between 1990 and 1993, only 537 inspections were undertaken at the central level under the Child Labour (P&R) Act. A total of 1203 irregularities were detected, but only 7 were prosecuted. At the state levels, 60,717 inspections were launched but only 5,060 violations were observed, out of which 772 were convicted. Secondly, the Child Labour (P&R) Act covers only a small part of the child labour. For example, children who carry out hazardous occupations and processes in family-run enterprises, work in the household and all parts of the agricultural sector which do not take place in a ‘farm’, are not covered by the Act and are not legally protected. Thirdly, lack of political will, since no political party has taken up the issue and tried to end child labour. Also no labour union has taken up the issue because they are only active in the formal or organized sector. Fourthly, employers have not been pressurized politically, economically or socially. Employers, therefore, continue to violate labour legislation. Fifthly, India ineffectively implemented anti-poverty schemes, as the incidence of poverty remained unabated, and failed to control population growth which added to the supply of child labourers. Further, India has failed to make primary education compulsory; the 1981 census reported that 52% of India's 6 to 14 age group were not attending school, only 40% of the children who entered first grade completed four years of school, and only 23% reached the eighth standard. Around 82 million children aged between 6 and 14 were reported 'not in school' in the census of 1981. More recent figures are: 40% of the schools in India have no black boards, 80% have no benches, 72% have no books and 90% have no buildings. Without compulsory primary education, governments (including the government of India) are unable to enforce child labour laws. Finally, the funds available for intensive programmes to eliminate child labour are inadequate; the money is just sufficient to meet administrative expenses to be incurred by the voluntary organizations, trade unions, and the state governments.

Child labour in the hosiery industry, like the hosiery industry in Tirupur which is investigated in this report, is not prohibited by law. The industry is eligible for regulation of child labour according to the content of the Child Labour (P&R) Act. The results of the Government’s action programme which was launched in 1987 with the aim to eradicate child labour in the gem polishing industry of Jaipur, will be discussed in chapter 6.

In 1994, the former Government announced a major programme to withdraw two million child labourers from hazardous industries and to have them rehabilitated by the year 2000. An amount of Rs 850 crores (Dfl 400 million) had been allocated for this purpose. A National Authority for Elimination of Child Labour had been set up to implement this programme. The former government had also announced some more measures against child labour. It has to be seen if the new government, which came into power in June 1996, will continue these measures and implement them.

The policy document of the new 13-party United Front Government includes a declaration 'to make the right to free and compulsory elementary education a fundamental right and enforced through suitable statutory provisions'. The new government promises to earmark 6 per cent of the

---

40 Source: Confederation of Indian Industry (CII), 1995, p. 12, ibid.
41 Quoted by Myron Weiner, 'Child Labour in Developing Countries: The Indian Case'. In: New Wave, March 27, 1994. Accent is added by the author of this report.
GDP for education and 50 per cent of this amount for primary education by the year 2000\textsuperscript{42}.

Recently announced programmes of the state governments of Tamil Nadu and Rajasthan concerning respectively, child labour in the hosiery industry in Tirupur and the synthetic gem polishing industry in Trichy (both in Tamil Nadu) and child labour in the (semi-)precious gem polishing industry in Jaipur (Rajasthan), will be treated in the respective chapters.

Concluding from the above, up till now only a small number of child labourers could be freed from certain industries through the action-programme which was launched in 1987. The majority of the child labourers still work or start working because education in India has not yet changed and is not able to prevent children from going to work. The hope is on the new government, for education is the main solution to end child labour. But it should be implemented in combination with the active involvement of the local community: teachers, parents, labour unions, NGOs etc.

2.2 Action in South Asia (India) against child labour in the carpet export industry: South Asian Coalition on Child Servitude (SACCS) and Campaign Against Child Labour (CACL) in India

(i) The South Asian Coalition on Child Servitude (SACCS)

India's carpet industry, one of the major foreign exchange earners, has been the target of much publicity and action against child labour. Concentrated around the town of Mirzapur and Bhadohi in the state of Uttar Pradesh, the carpet business employs between 100,000 and 300,000 children. Many of the children get 'bonded' early in life to repay a family debt, and work under appalling conditions.

SACCS is a network of NGOs in South Asia which campaigns against child servitude in the carpet industry, but also in the glass industry and other industries. The coalition consists of around 250 NGOs from India and organizations from Pakistan, Nepal, Bangladesh and Sri Lanka. In India, SACCS has been pressurizing the government and politicians to take their responsibilities in the struggle against child labour. Besides, SACCS has actively involved the media, labour unions, student organizations and religious leaders in its campaigns against child labour. Activities like foot marches through areas with a high concentration of child labour has made the general public aware of the issue. On request of parents, SACCS has liberated around 27,000 child labourers from the carpet, glass and other industries during many years of intervention. A part of the liberated children is admitted in their rehabilitation centre, called Mukti Ashram or liberation school, located near New Delhi, where they get shelter and education.

SACCS has developed an independent, voluntary certification system, the 'Rugmark', together with the Indo-German Export Promotion Council (IGEP), representatives of the carpet trade, UNICEF and the ILO, to ensure that Indian and Nepalese carpets are child labour free. In collaboration with campaign partners in Europe, carpet importers are approached to buy only carpets with the Rugmark label to assure consumers that no children have been employed in the manufac-

turing of the carpets. SACCS requests also consumers in western countries to buy only products, like for example carpets, which are child labour free.

SACCS is also active in the hosiery industry in Tirupur. The NGO Social Awareness and Voluntary Education (SAVE), which is a member of SACCS, runs 5 non-formal education centres in Tirupur. The centres provide working children with non-formal education, health care and recreation. The majority of these children works in the hosiery industry. SAVE continuously brings the problem of child labour and the bad labour conditions in the hosiery industry to the notice of the local people, the local industry, the labour unions and the government of Tamil Nadu. This happens, among many other activities, by awareness-raising campaigns and written appeals for action which are sent to the state and national government of India.

(ii) Campaign Against Child Labour (CACL)
The Campaign Against Child Labour, a coalition in India which consists of several NGOs, trade unions, women's organizations, academic institutions, and human rights organizations, campaigns against child labour since 1992. The activities of CACL include media-based awareness-raising and advocacy programmes. The Campaign has played a role in highlighting specific violation of children's rights and abuse of children at the work place to mobilize public opinion against such abuse. CACL is against all instances of child labour in any field of work, including the home.

CACL also campaigns against child labour in the hosiery industry in Tirupur. In June 1996, CACL-Tamil Nadu has held a protest action against the exploitation of child labourers in the hosiery industry of Tirupur. The protest action was organized in Tirupur to coincide with a major knitwear fair organized by the Apparel Export Promotion Council (AEPC) and the Tirupur Export Association (TEA). TEA is an association which consists of around 500 garment manufacturers and exporters from Tirupur. The protest action received a concerted and thumping response both within Tirupur and in several parts of the country. A protest note, which was widely circulated in Tirupur and Tamil Nadu, stated that today, still every fifth household in Tirupur Municipality has one child who works in the hosiery industry.

CACL discovered that 70% of the women in Tirupur is unemployed and can easily replace child labour in the hosiery industry in Tirupur. CACL has made a memorandum which includes demands like replacing child labourers by women of the area, and providing all children in and around Tirupur with compulsory and quality education. It also wants the Government not to permit the AEPC and TEA to export any products, garments, knitwear etc. produced by child labour in any of the processes. The memorandum was addressed to ministers and government officials in the Ministry of Labour and Textiles, Government of India and to AEPC and TEA. In response to CACL's widespread pressure, the representatives of APEC as well as TEA have stated their willingness to have a combined meeting with a delegation of CACL and chalk out a programme of action.
PART II

THE RESEARCH - CHILD AND ADULT LABOUR IN THE GARMENT AND GEM POLISHING INDUSTRY OF INDIA
II-A THE GARMENT EXPORT INDUSTRY OF INDIA:
TIRUPUR AND BANGALORE

Name: Uma  
Sex: Girl  
Age: 10 years  
Job: Assistant of a tailor in a garment export factory in Tirupur, Tamil Nadu, India.  
Tasks: handing of threads, buttons, zippers to the tailor, holding the piece of cloth, folding the cloth, arranging the clothes.  
Working since: Started working at the age of 7.  
Working hours: 8-9 shifts per week, 12-14 hours per day (1 shift = 8 hours). If she works till late in the night the employer takes her home on his scooter.  
Wage: Rs 22 per day (= Dfl 1.00 per day).  
Reason of working: Low paid job of father, unemployed mother; the family has not sufficient income to buy food for a family of five. Thus Uma is send to work to increase the family income for survival.  
Education: Up to second standard. When Uma started working she dropped out of school. In a non-formal education centre she learns to read and write in the late evening hours. Due to regular overtime work in the factory there is little time to visit the centre for education.  
Migrant: Due to unemployment of the father in a village 70 km away from Tirupur, migration to Tirupur with a lot of job opportunities in hosiery (garment) industry, was the only option.  
Occupational health problems: exhaustion, cough.  
Religion: Hindu, Scheduled Caste

Introduction

The garment industry, which is a part of the more than 100 year old textile industry, did not develop as a separate industry before Independence in 1947. In fact, the garment industry did not gain importance before the 1970s when it started catering to the world market in large quantities. Beginning in 1975, the Indian government launched a series of measures aimed at liberalizing industrial policy, but strongly in favour of the small-scale sector and against the largest industrial and foreign trade houses. The mainly informal and small-scale garment sector was largely responsible for the production increase in this period. The increase can also partly be explained by the
foreign trade policies such as the Multi Fibre Agreement\textsuperscript{43} bias towards handloom products and orders preferably being passed on in the small-scale sector by trade houses and retailers\textsuperscript{44}.

From a modest achievement of Rs 125 million (US$ 3.5 million) in 1971, India exported garments for over Rs 80,783.34 million (US$ 2.3 billion) in 1990 and around Rs 4.5 billion (US$ 126 milliard) in 1994-95. The total export of all textile commodities in 1994-95 was US$ 9.9 billion\textsuperscript{45}, which means that garments comprise 45\% of the total textile export earnings in the same year. Quantity-wise, garments comprise almost 60\%\textsuperscript{46} of the total textile exports from India. In 1994-95 the export earnings of the total Indian export were US$ 26 billion\textsuperscript{47}; garments accounted thus for around 18\% of the value of all commodities exported from India. The garment industry, therefore, has come to be recognized as the single largest foreign exchange earner for India compared with all the other export commodities. But there is still a lot to be gained for India in terms of growth of exports because its share in the world market of garments is only 2.5\%\textsuperscript{48}.\textsuperscript{43}

India's garment manufacturing and export activities are mainly located in Delhi, Bombay, Bangalore, Coimbatore, Tirupur and, especially for knitted garments, Madras and Calcutta. During 1994, the Northern region accounted for around 47\% of total exports of garments (Delhi 44\%, Jaipur 1.5\%, Ludhiana 1.5\%), Bombay 27\%, the Southern region 25\% (Madras 10\%, Tirupur 9\%, Bangalore 6\%) and Calcutta accounted for 0.5\% of the exported garments from India\textsuperscript{49}. The majority of garments which are exported from these centres, mainly goes to countries which have set quotas to the import of certain textile and garment items, like the European Union and the USA. In 1994, of the quota countries, 40\% was exported to the European Union, 30\% to the USA and 6\% to other quota countries. Non-quota countries such as Japan, Switzerland, USSR, Sweden and Australia together accounted for around 17\% of the total exports of garments from India\textsuperscript{50}. The European Union is India's largest trading partner in garments.

India faces a lot of competition from other cheap garment manufacturing countries like China, Bangladesh, Nepal, Mexico, Poland and Russia. China is the most feared competitor, 'as the prices of its garments are much lower\textsuperscript{51}. Though India caters to the lower end of the international

---

\textsuperscript{43}The Multi Fibre Agreement (MFA) is the framework which restricts and regulates the international trade in textiles and clothing. The MFA officially came into force for the first time in 1974. Under the MFA the export of certain textile and clothing products face quantitative restrictions (quotas) on which is agreed in bilateral agreements between importing and exporting countries. In January 1995 it was decided to abolish the MFA in phases during ten years from that date. In 2005 the MFA will be totally integrated in the World Trade Organization and after that no longer the quotas, but the general trade rules, will govern the international trade in textiles and garments. This will increase competition among all the garment manufacturing countries in the world, for the secured market access for countries like India and others does not exist anymore.


\textsuperscript{46}Apparel Fortnightly (Magazine of the Apparel Export Promotion Council in India), January 15, 1995.


\textsuperscript{48}Apparel Fortnightly, January 15, 1995, p. 25.

\textsuperscript{49}Apparel Fortnightly, January 15, 1995, p. 25.

\textsuperscript{50}Apparel Fortnightly, January 15, 1995, p. 23, op. cit.

\textsuperscript{51}Sunday, January 8, 1995. 'Fashion City. Why is Bangalore the Mecca of India's garment export industry?'.

The garment export industry of India: Tirupur and Bangalore

market of garments, it still can compete on bulk garment items because these garments are cheap due to low labour costs.

Table 2  Export basket of India 1993/1994 - 1994/1995

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Agriculture &amp; allied, of which</td>
<td>3135.8</td>
<td>3994.8</td>
<td>1847.7</td>
<td>1853.2</td>
<td>27.4</td>
</tr>
<tr>
<td>1. Tea</td>
<td>337.2</td>
<td>311.9</td>
<td>164.7</td>
<td>141.3</td>
<td>-7.5</td>
</tr>
<tr>
<td>2. Coffee</td>
<td>129.9</td>
<td>177.1</td>
<td>80.9</td>
<td>187.7</td>
<td>38.3</td>
</tr>
<tr>
<td>3. Cereals</td>
<td>343.9</td>
<td>423.6</td>
<td>193.9</td>
<td>160.8</td>
<td>23.2</td>
</tr>
<tr>
<td>4. Unmanufactured tobacco</td>
<td>122.8</td>
<td>118.0</td>
<td>61.0</td>
<td>34.2</td>
<td>-3.9</td>
</tr>
<tr>
<td>5. Spices</td>
<td>135.8</td>
<td>178.9</td>
<td>85.7</td>
<td>78.4</td>
<td>31.7</td>
</tr>
<tr>
<td>6. Cashew</td>
<td>257.2</td>
<td>332.1</td>
<td>159.3</td>
<td>204.5</td>
<td>29.1</td>
</tr>
<tr>
<td>7. Oil meals</td>
<td>533.5</td>
<td>736.2</td>
<td>303.4</td>
<td>254.1</td>
<td>38.0</td>
</tr>
<tr>
<td>8. Fruits &amp; vegetables</td>
<td>107.9</td>
<td>133.4</td>
<td>60.8</td>
<td>66.8</td>
<td>23.8</td>
</tr>
<tr>
<td>9. Marine products</td>
<td>601.9</td>
<td>806.8</td>
<td>310.5</td>
<td>438.3</td>
<td>34.4</td>
</tr>
<tr>
<td>10. Raw cotton</td>
<td>62.8</td>
<td>210.2</td>
<td>163.6</td>
<td>30.2</td>
<td>235.0</td>
</tr>
<tr>
<td>II. Ores and minerals, of which</td>
<td>737.8</td>
<td>888.0</td>
<td>402.7</td>
<td>435.1</td>
<td>20.4</td>
</tr>
<tr>
<td>11. Iron ore</td>
<td>381.2</td>
<td>432.7</td>
<td>211.5</td>
<td>188.7</td>
<td>13.5</td>
</tr>
<tr>
<td>12. Processed minerals</td>
<td>143.0</td>
<td>195.0</td>
<td>88.8</td>
<td>109.1</td>
<td>36.3</td>
</tr>
<tr>
<td>13. Other ores and minerals</td>
<td>188.0</td>
<td>232.9</td>
<td>93.7</td>
<td>129.1</td>
<td>23.9</td>
</tr>
<tr>
<td>III. Manufactured goods, of which</td>
<td>14015.9</td>
<td>16789.0</td>
<td>7810.0</td>
<td>9059.6</td>
<td>19.8</td>
</tr>
<tr>
<td>14. Leather &amp; manufactures</td>
<td>867.3</td>
<td>839.9</td>
<td>410.9</td>
<td>472.4</td>
<td>-3.2</td>
</tr>
<tr>
<td>15. Leather footwear</td>
<td>410.2</td>
<td>479.8</td>
<td>202.3</td>
<td>219.4</td>
<td>17.0</td>
</tr>
<tr>
<td>16. Gems &amp; jewellery</td>
<td>3071.7</td>
<td>3994.4</td>
<td>1875.0</td>
<td>2016.3</td>
<td>30.0</td>
</tr>
<tr>
<td>17. Drugs, pharmaceuticals &amp; fine</td>
<td>529.3</td>
<td>642.1</td>
<td>289.1</td>
<td>346.2</td>
<td>21.3</td>
</tr>
<tr>
<td>18. Dyes &amp; coal tar chemicals</td>
<td>330.6</td>
<td>366.5</td>
<td>165.5</td>
<td>214.2</td>
<td>10.9</td>
</tr>
<tr>
<td>19. Manufactures of metals</td>
<td>580.2</td>
<td>693.3</td>
<td>313.8</td>
<td>323.3</td>
<td>23.8</td>
</tr>
<tr>
<td>20. Machinery and instruments</td>
<td>541.6</td>
<td>636.4</td>
<td>304.9</td>
<td>325.8</td>
<td>17.5</td>
</tr>
<tr>
<td>21. Transport equipment</td>
<td>533.7</td>
<td>586.7</td>
<td>252.9</td>
<td>338.6</td>
<td>9.9</td>
</tr>
<tr>
<td>22. Primary &amp; semi-finished iron &amp; steel</td>
<td>164.4</td>
<td>432.1</td>
<td>222.7</td>
<td>174.0</td>
<td>162.9</td>
</tr>
<tr>
<td>23. Electronic goods</td>
<td>212.3</td>
<td>311.8</td>
<td>137.9</td>
<td>172.1</td>
<td>48.9</td>
</tr>
<tr>
<td>24. Cotton yarn, fabrics, made ups etc.</td>
<td>1350.5</td>
<td>1542.3</td>
<td>713.4</td>
<td>1004.9</td>
<td>14.2</td>
</tr>
<tr>
<td>25. Ready made garments</td>
<td>2393.0</td>
<td>2579.6</td>
<td>1217.4</td>
<td>1325.4</td>
<td>7.8</td>
</tr>
<tr>
<td>26. Handicrafts</td>
<td>865.2</td>
<td>928.7</td>
<td>437.4</td>
<td>481.5</td>
<td>7.3</td>
</tr>
<tr>
<td>IV. Crude &amp; petroleum products</td>
<td>176.2</td>
<td>397.8</td>
<td>236.7</td>
<td>217.4</td>
<td>-16.5</td>
</tr>
<tr>
<td>V. Others &amp; unclassified items</td>
<td>171.6</td>
<td>103.9</td>
<td>47.9</td>
<td>55.4</td>
<td>-39.4</td>
</tr>
<tr>
<td>Grand Total</td>
<td>18537.2</td>
<td>22238.6</td>
<td>10345.0</td>
<td>11620.6</td>
<td>20.0</td>
</tr>
</tbody>
</table>

The expansion and profitability of the garment industry in India has generated employment for many people. It has the potential to improve the living conditions of many families. But till date, the garment industry has only created surpluses for a few exporters and manufacturers by drawing the maximum of work for minimal wages from the workforce, often migrant women, men and children. The garment industry, especially in the export sector typifies the dehumanized conditions of work in the informal and unorganized sector. The extensive subcontracting of work to other manufacturing units and even home-based women workers, has deeply fragmented the industry, leaving the workers with no enduring linkages. The majority of these subcontracted garment manufacturing units are illegal and deliberately kept out of the purview of labour and factory legislation. Any attempt to organize workers results in units being closed down and relocated elsewhere. The majority of the workers is unorganized, which makes it difficult to establish a collective bargaining agreement with the employer to improve the working conditions and standards of these workers.

Studies on the structure of and labour conditions in the export-oriented garment industry in India, reveal the same situation; the export-oriented garment industry predominantly employs women, is highly decentralized, labour intensive and mainly operating in the informal sector. These studies reveal the exploitation of the majority of the workers: low wages, long working hours (more than 8 hours per day), payments according to the piece rate system, no job security, no access to statutory benefits like ESI and PF and no statutory benefits, like maternity leave and sickness leave, etc. Not one of these studies, however, has highlighted the problem of child labour in the export-oriented garment industry.

Tirupur, which produces 75% of the total cotton 'hosiery' or knitted garment output of India, employs an estimated 8,000-10,000 to 25,000-35,000 child labourers out of a total workforce of 350,000 workers working in the hosiery industry. The expansion of the hosiery industry in Tirupur, which is caused by an increased international demand for knitted garments since 1980, has led to the employment of more child labourers. Two British journalists discovered that C&A, a big garment chain-store in Europe, made use of child labourers in the production of


54 A few studies are:


55ESI stands for Employee State Insurance.

56PF stands for Provident Fund (pension for the elderly people).

57The Hindu, November 19, 1995. 'Great potential of a small town'.

58The Hindu, September 20, 1995. 'Child labour census in Tirupur next month'.


The garment export industry of India: Tirupur and Bangalore

knitted garments in one of their supplying manufacturing units in Tirupur. Their discoveries of the practice of child labour in Tirupur and the poor working conditions and low payments, were revealed in an English newspaper and shocked the international community.

Bangalore is another example of a garment manufacturing centre which is thriving on cheap labour; mainly women workers. It is estimated that of the total workforce of 250,000 workers, 80% is female. Women are the cheapest workers after children. Bangalore is the 'Mecca' for garment manufacturers but it is not for the women and men who are working for these manufacturers; 'wages are below the minimum wage, overtime work is compulsory though wages of overtime work are not paid twice the salary as stated in the law, no job security, no maternity leave, harassments on the job, too much work pressure, threats made by the management with losing their job if they join a labour union, etc.

Though the garment industry in India generates employment for many people and earns enormous amounts of foreign exchange, this is not an excuse to tolerate the exploitation of children and adults, who are often from the weakest section of the society. One should question the economic growth when the profits are not shared with the workers who deliver the profits and when the profits do not perco-late down to the poor. One should also question a profitable industry like the export-oriented garment industry, when it is not willing to provide its workers with a set of minimum labour conditions, like a 'need based' minimum wage, job security, statutory benefits, etc. For this would generate even more employment and would create a happier workforce who can earn a living with human dignity.

The study

No studies exist on the labour conditions in the garment export industry of Bangalore. Only recently, child labour in the export-oriented garment industry in Tirupur has been surveyed thoroughly. Some of the results are given in section 4.3 of this report. These studies, however, do not give information on children who combine work in the hosiery industry with education. The present study will fill this gap. This is important because there are people who want to regulate child labour and combine non-formal education with work, without having studied the impact such a schedule can have on children.

---

61 The Mail On Sunday, January 8, 1995. 'For 40p, this girl works 13 hours a day making C&A clothes. And shoppers in Britain spend millions buying them'.

62 The Sunday, January 8, 1995. 'Fashion City. Why is Bangalore the Mecca of India's garment export industry?'.

63 Deccan Herald, March 11, 1995. 'Sewn up by dire need'.

Chapter 3 The garment export industry of India: structure and processes

3.1 Structure

The garment industry consists of a whole range of production arrangements: on the one end is the merchant exporter who has no production facilities but secures orders. He subcontracts the entire export order. The other end is the manufacturing exporter who is directly supervising the whole production process, from cutting to packing. In between these two extremes there exist combinations of both forms. Forms of production depend on the scale of operation, technology and the organization of the production process. In the following model the structure of the garment industry can be seen at a glance:

Figure 1 Structure of the garment industry

Industrialized countries

Consumer

\[ \uparrow \text{sales} \]

Independent shops

\[ \downarrow \]

Large chain-stores

\[ \downarrow \]

Franchised companies

\[ \downarrow \]

Importers

\[ \downarrow \]

India

\[ \downarrow \]

\[ \downarrow \text{orders} \]

Merchant exporters

\[ \leftrightarrow \text{Agents} \]

\[ \leftrightarrow \text{Manufacturing exporters} \]

Contractors

\[ \downarrow \]

Subcontractors

\[ \downarrow \]

Garment manufacturers

Bigger and small sweat-shops

Home-based workers

---

3.2 Processes

In the garment industry two main forms of production exist. One is called assembly line production and is mainly seen in the formal or factory sector. Here, the work is split up within the firm into various independent detailed steps. Each step is completed by a specific category of workers, using specialized machines. The other form is complete ready-made garment production by each worker individually. This form of production is called complete-piece production and is only practised in the non-factory sector where work is more seasonal. In Bombay also a third kind exists which is called 'band system'. Here every worker stitches one part of the garment which takes shape along the production line.

The processes in the assembly-line production are:
1. pattern making (designing) of dyed and printed fabric
2. cutting
3. distribution of cut fabric among tailors
4. tailoring
5. helper of the tailor: removing extra threads from the piece. The piece is passed on to the next helper who is doing the next detailed step. The helper is expected to learn the particular job her-/himself so that she or he can take over if necessary.
6. zipping
7. button holing or button stitching
8. checking
9. ironing, pressing
10. packing of the garments and making them ready for selling to the domestic and international markets.

In the assembly-line production, every step is done by different workers. Some of these processes (or all processes) are subcontracted to registered and unregistered workshops or to the homes of women when export orders have to be met in time. The labour intensive jobs which can be performed without machinery like button holing, button stitching, zipping, embroidery, cutwork, etc. are subcontracted. The bigger illegal and legal subcontracted sweat-shops mostly have hand or even electric driven sewing machines, but the tools home-based workers use, are mostly a pair of scissors, a needle and thread.

Garment manufacturing depends on the supply of fabric. Though the present study only concerns the garment industry, the processes which lead to a piece of fabric will be mentioned hereafter briefly. In the case of cotton fabrics, the process is as follows: 'cotton is cultivated, harvested, ginned, and cleaned and spun into yarn; yarn is woven or knitted into cloth and cloth is finished by dyeing or bleaching'. Then the fabric is printed with a fashion design and goes to the garment manufacturer.

---

Garments can be made of cotton, jute, silk, wool and synthetic fibres and filaments. Cotton, however, is the raw material, which is mainly used by the textile industry and the garment industry. Today, out of India's total textile production 75.5% is cotton based. Cotton is sold to the domestic textile industry as well as the international textile industry. While having the largest cultivation in the world, 75 lakh hectares, which is 25% of the world total, India is only sharing 12% of the global production. The cotton yield in India is the lowest in the world with 290 kg/ha against a global average of 567 kg/ha. Only 30% of the cotton production area is irrigated.\(^{67}\)

\(^{67}\)The Hindu, December 13, 1995. Op. cit. 'India can emerge a world leader in cotton'. 
Dyeing for the manufacture of T-shirts with destination Europe.

Arranging the clothes at high speed, 12 hours a day.
Chapter 4  Child and adult labour in the garment export industry of Tirupur

4.1 Introduction

Tirupur is a small, but fast growing town situated in Coimbatore district in the south of Tamil Nadu in India. The population of Tirupur is 2.35 lakhs as per 1991 census. But during the last five years the town has developed into all directions and many little villages around Tirupur started to develop around the centre of Tirupur due to the fast growing export knitwear or 'hosiery' industry. Today, the population is estimated at approximately 350,000 people. The origin of the hosiery industry in Tirupur traces back to the 1930s. Tirupur started as a cottage industry and remained so almost up to 1980, with low production rates they mainly catered for the domestic and local markets. But since 1980, Tirupur took advantage of the growing export markets of hosiery garments.

From a modest beginning of Rs 9.69 crore direct export from Tirupur in the year 1984, the export of knitted garments made an explosive growth up to Rs 1332.00 crores in 1994. The total production of cotton knitwear exported from whole India was for 1984 and 1994 respectively, Rs 89.22 crores and Rs 2933.45 crores. Thus, Tirupur's share in the total export of knitted garments has increased from 11% in 1984 to 45% in 1994. Today, 75% of the total production of cotton knitwear which is exported from India, is manufactured in Tirupur. In terms of the total domestic production of knitted cotton garments of India, Tirupur accounts for about 35%, Delhi for 10%, Calcutta for 30% and the rest is contributed by secondary centres throughout the country. Apart from direct export from Tirupur, many garment manufacturers also are suppliers to merchant exporters in other places like Bombay, Delhi, Bangalore and Madras from where exports take place.

Tirupur managed to start business with large foreign retail trade chains and mail order houses, mainly in Europe, like C&A, Otto, Quelle, Karstadt, H&M, Woolworth and Kaufhalle. Up to 1985 the export growth was slow but steady and was confined to T-shirts only. After 1985 the industry diversified very quickly and took up manufacturing as well as direct exports of other outer garments such as jerseys, pullovers, ladies' blouses, dresses and skirts, trousers, nightwear, sportswear and industrial wear.

Due to successful manufacturing and exporting of the bulk of India's cotton knitwear (hosiery) garments, Tirupur witnessed an explosive growth and became the pride of India in terms of major foreign exchange earnings. The expansion of the garment industry in Tirupur was mainly caused by the structure of the industry. There was no manufacturing unit where all the processes of producing a garment were carried out under one roof. Entrepreneurs started networking among each other and became each other's suppliers of different processes. It proved to be more economical to run units where only one activity was carried out, called 'job-work units'. This resulted

---

69 The Hindu, November 19, 1995. Ibid.
70 The Hindu, November 19, 1995. Ibid.
71 The Times of India, September 9, 1995. 'An inspiring story of a boom town'.
in a mushrooming of manufacturing units. The job-work units started operating long before the export boom but multiplied progressively during the explosive growth of the industry. Exporters get their yarn knitted in one place, bleached and dyed in another place, at a third place it will be printed with a design, and finally they get the knitted fabric cut, stitched and finished again in another unit.

Next to the main cause, the structure of the industry, there are three other reasons for the growth and concentration of the knitwear manufacturing units in Tirupur. First, the easy availability of hosiery yarn from nearby towns. Tamil Nadu has the maximum number of spinning mills (around 100) which produce cotton hosiery yarn. Second, the availability of water from the river Noyyal, a tributary of the Cauvery river, which runs through Tirupur. The 1,000 dyeing, bleaching and printing units need around 60,000-70,000 litres of water each day. And third, the availability of a cheap workforce. Tirupur is surrounded by largely drought prone areas, where the infrastructure for agricultural development is lacking. The people are without jobs and cannot earn a living there. The manufacturers and entrepreneurs in Tirupur are always in need of labour. The poverty stricken rural people, who migrate either permanently or temporary during off-season to Tirupur, are a source of cheap and docile labour. The workers are paid according to the piece rate system, which means that they earn more if they work harder.

'The industry, while being the highest paying small-scale industry, hardly implements the labour laws. Workers are hardly permanent and three-fourth is unorganized. Only 10 to 15 per cent of the knitwear manufacturers provide the statutory benefits such as Provident Fund, ESI, and so on.' Thus, the majority of the workers in the export hosiery industry, who are not represented by labour unions, can not raise their voice against their exploitation. There is no collective bargaining agreement between the employers and the workers, and so the labour conditions and standards of these workers are not regulated.

Among the cheap labour force which works in the hosiery industry, which is estimated at over 300,000 workers, there are thousands of child labourers under 14 years of age. Estimates on the number of child labourers vary from 8,000-10,000 to a number of 25,000-35,000. 'The child labourers are employed in almost all the production processes of the hosiery industry and are

---

73 A. Krishnakumar, 1995, ibid, p. 75.
74 The Hindu, November, 19, 1995. 'Great Potential of a small town'.
75 Peace Trust, an NGO working mainly on environmental issues in Tamil Nadu, says: 'Today, the 120 kilometres Noyyal, which is polluted with toxic industrial effluent coming from the dyeing and bleaching units in Tirupur, is seriously damaging human beings, cattle and crops. A large number of people in Tirupur has skin diseases like Eczema. The coconut trees are affected and the crops on both sides of the river are of poor quality. The drinking water has become unusable'. The ecological disaster which is happening in Tirupur is, besides the child labour problem, another huge problem.
76 The use of these enormous amounts of water has caused a shortage of water. People, now have to buy the water from middlemen who sell the water in private lorries, which have become major items of business. In: Frontline, April 7, 1995, p. 82.
78 A. Krishnakumar, 1995, ibid.
79 The Hindu, September 20, 1995. 'Child labour census in Tirupur next month'.
paid on a daily wage basis or on a piece rate basis\footnote{Indian Express, September 29, 1994. 'Child Labour rampant at Tirupur'.}. It is said that the 'children are at risk since they are exposed to cotton and chemical dust in the dyeing and bleaching units. The employment of children in the hosiery industry has also contributed to the increase in school dropouts as many children who work during vacations never return to school\footnote{Economic Times, October 10, 1994. 'No kidding', Awareness is the key to end child labour, says C. Nambi.}.'

During a conference in 1995\footnote{The Hindu, September 20, 1995. 'Centre's scheme to educate child labourers'.}, the ex-Prime Minister Mr. P.V. Narasimha Rao had expressed concern over the prevalence of child labour in the Post-GATT era, when foreign countries would be unwilling to accept products manufactured by children. During the conference the hosiery industry in Tirupur in Coimbatore district, though not classified as hazardous, was declared as 'a cause for concern because children below the age of 14 were being employed at Tirupur'. The Coimbatore district, where Tirupur belongs to, is one of the 100 districts which was appointed for the implementation of the Child Labour Project of the former Government. Forty special schools have been established in 1995, to educate 2,000 child labourers at the cost of Rs 67.13 lakhs. On the conference in 1995, it was said that 'it would take four or five years to bring all the estimated 8,000 to 10,000 child labourers who are working in the hosiery industry in Tirupur, under the project. A mechanism would be found to minimize the number of students who might register and later drop out of the special schools. A stipend of Rs 100 will be paid to each of the students as a special incentive'.

Apart from the action programme of the central government, the state government of Tamil Nadu set some goals to eliminate child labour in its State Plan of Action, which was launched in 1993. In the action plan one of Tamil Nadu's specific goals is the elimination of full-time child labour from all industries and categories for children under 12, in line with the Universal Primary Education Goal. This goal concerns child labour in the hosiery industry in Tirupur also. The year 1995 was set as the target year for the 100% elimination of children of 10 and younger, 1998 for the 100% elimination of children under 12 years of age and the year 2000 to sustain the achievement of the 1998 goal.

### 4.2 Child labour in hosiery units: the pull and push factors

Child labour is partly caused by pull factors, which are related to the industry, and by push factors, which are partly related to the socio-economic background of the parents. Concerning pull factors, the expansion and structure of the hosiery industry have contributed to the influx of child labour in the hosiery industry in Tirupur. While on the one hand, the expansion of the knitwear industry of Tirupur has resulted in more employment opportunities for adults, on the other hand it led also to the employment of large numbers of children in almost all the production processes\footnote{C. Nambi, 1995, Child Labour in the Hosiery Industry of Tirupur. In: Dossier on Eradication of Child Labour and Role of Trade Unions, Campaign Against Child Labour - Tamil Nadu (CACL, TN) and Centre for Social Education and Development, Avinashi, Tamil Nadu, India, p. 51.}.

As stated above, the increased international demand for knitwear and the existing network among entrepreneurs in Tirupur led to a further fragmented production process - both spatially and orga-
nizationally. The numerous small units which came into existence allowed the owners of these units to flout or ignore questions related to conditions of work and labour laws. The small units which manufacture only a few processes of garment production, called 'job working', has added to the problem of child labour because it enables the many owners of the job-work units to employ children between the ages of five and fourteen in operations which involve only a small period of training for acquiring the skill.  

Thus, the employment of children is also partly caused by the change in the organization of the production in the manufacturing units. Today, the children form an important segment in the production process of the hosiery industry and employers have a vested interest in employing them because they are the cheapest people of the labour force.

In a study on the knitwear cluster in Tirupur, the impact the structure of the hosiery industry had on child and adult labour, is described as follows: 'The availability of work on subcontract basis encouraged many people who had only some capital to become entrepreneurs. The pace of employment of women and children quickened after the industry started exporting its goods. The employer's attempt to organize the labour process in a particular way was done for nothing else but to attain control over the labour process and to maximize the surplus value extraction. Since expenses on machinery, raw materials etc., cannot be reduced much, the employers try to reduce the expenses on labour by way of subcontracting, employing women and children and splitting up of units which would help to avoid legal regulations.'

Among the push factors, which also partly cause the influx of child (and adult) labour in the hosiery industry in Tirupur, are the relatively high wages of children (and adults) in comparison with other labour intensive industries in Tamil Nadu, like the beedi and match industry. In the hosiery industry, children are able to earn wages between Rs 30 and Rs 70 per day, while in the beedi industry, for example, children earn around Rs 3 per day for 12 to 14 hours of work. Parents, therefore, have an interest in sending their children to the hosiery industry. Another push factor is related to the primary schools in Tirupur. A study undertaken in 1995 on the issue of child labour in the hosiery industry in Tirupur, revealed that most of the primary schools in Tirupur lack adequate infrastructural facilities in terms of building and, they lack teachers and learning resources.

---

87In an interview, Mr. Nambi, the director of Centre for Social Education and Development (CSED), an NGO working against child labour in and around Avinashi and Tirupur, said that children who were not working or stopped working due to intervention of CSED, again started working in the same or other industries, because the working children formed 'peer' groups and influenced each other and other non-working children with nice stories that they earned a lot of money.
88C. Nambi, 1995, ibid., p. 53.
89The Hindu, September 20, 1995. 'Child labour census in Tirupur next month'.
90A. Krishnakumar, ‘Reprehensible by any name, Children in beedi industry’. In: Frontline, November 17, 1995. In the article, it is further stated that the majority of the adults and children in the beedi industry are bonded labourers, which means that against a taken loan from the employer, children and adults work for him. The wages get reduced with the interest of the loan. The workers become bonded and stay bonded because they can never pay back the loans. The legal wage for rolling 1,000 beedies is Rs 30 per day, in Tamil Nadu. A person or child, rolls around 2,000 to 3,000 per day during 12 to 14 hours of work.
91C. Nambi, 1995, ibid., p. 55.
ning equipments and so on. The survey revealed further that in the high child labour incidence areas (Tirupur Municipality), the drop-out rate at the primary level is as high as 50%.

Thus, the influx of child labour in the hosiery industry is partly caused by the structure and expansion of the hosiery industry, which is the pull factor behind the increased demand for cheap labour. Children are the easiest workers to exploit because they are easily made to obey, they work hard and they do not demand high wages and other benefits. Two push factors which cause children to work in the hosiery industry, are the relatively high wages and the existence of a poor and inadequate primary education system.

### 4.3 Review of literature on child labour in the hosiery industry of Tirupur

Two studies on child labour in the hosiery industry of Tirupur are reviewed.

(i) Child labour in Hosiery Industry of Tirupur - Centre for Social Education and Development (CSED), Avinashi, Coimbatore district (Unpublished)

The study was made in 1995 by Mr. Nambi of the Centre for Social Education and Development (CSED), an NGO operating since 1987 in Avinashi, a town next to Tirupur, and by Mr. Vidyasagar, a research consultant to Unicef, Madras. This study was financed by Unicef (Madras) and Oxfam.

The study investigated the problem of child labour from the supply and demand side which cause children to go to work. Other aspects which were investigated are the status of primary education in Tirupur and the health of the hosiery workers. On the date of publication of this survey results had not yet been published and the part of the report concerning the demand side had not yet been finalized. No information is available on the latter aspect of the study.

**Summary of the major findings**

The study covered a population of 73,278 people (18,424 households), who lived in three areas in and around Tirupur, namely, Avinashi Block, Tirupur Block (villages close to Tirupur town) and Tirupur Municipality (slums in the town).

The total working population studied comprised 37,427 (51% of the total population covered) people. Of the working population 63% was male adult, 23% was female adult, and 14% was a child (7% was a boy and 7% was a girl). Thus the percentage of children working in Tirupur is 14% of the total workforce and is much higher than the average of the state of Tamil Nadu, which is 5%.

The majority of the households surveyed was from the Backward Caste. Out of the total Backward Caste households 27% had working children. Out of the total Scheduled Castes and Scheduled Tribes communities 25% of the surveyed households had working children.

Of the working population of 37,427 workers, 11,243 (31%) workers were involved in the knitwear industry. Of the total hosiery working population, male adults accounted for 55%,
female adults accounted for only 4% and children below the age of 14 accounted for 41% (4,554 children). Of the 41% children, 20% was a male and 21% was a female.

The distribution of child labourers in the area was as follows: in Avinashi Block, 32% of the total number of workers which was involved in hosiery work, were child labourers; in Tirupur this percentage was 36%, and in Tirupur Municipality this percentage was 63%. So, the survey revealed that the majority of the working children in the hosiery industry lived in the slums in the centre of the city of Tirupur.

Of the surveyed children, who were involved in the hosiery industry, 22% was in age group 6 to 11 and 78% in the age group of 12 to 14. Most of the children started to work at the age of 8 to 10.

The starting wage of a child labourer in the hosiery industry in Tirupur was around Rs 7 per day. The wage slowly increased as she/he gained experience. Learning a particular skill depended upon: 1. style of functioning of a company; 2. the kind of record built between the adult worker and the child worker; 3. physical and mental development of the child.

The total group of surveyed children in the age group of 6 to 11 consisted of 4,316 boys and 4,316 girls. Of the boys, 73% went to school; of the girls only 67%. This enrolment rate is much lower than the state average, especially for female children. In the 6 to 11 age group, 12% of all the male children and 15% of all the female children were already in the workforce. The remaining children in this age group did not go to school and did not work in the labour market: that was 14% of boy children and 18% of girl children.

The total group of surveyed children in the age group 12 to 14 years consisted of 3,462 boys and 3,302 girls. While in this age group 31% of the boy children and 25% of the girl children were in school, 62% of both boy and girl children were already in the workforce. In the 12 to 14 age group 7% of boy children and 12% of girl children were neither in school nor in the (non-household) workforce.

The children, who 'neither go to school nor to work' were more in number in the age group 6 to 11 than 12 to 14. This finding is interpreted by the researchers with saying that this category of children in the 6 to 11 age group gradually joins the workforce when they become 12 to 14 years of age.

The information on health aspects had not been processed before this study was published. According to the report, Dr. Karuppannan, the Chief Eye Specialist in the Tirupur Government Hospital has revealed that 80% of hosiery workers had eye-related diseases. He specially mentioned the child workers, who were also affected. These eye-related diseases are caused by the cotton dust inside the hosiery factories and the chemical dust coming from the dyeing and bleaching processes.

The data collected from primary schools revealed that most of the schools in Tirupur lacked adequate infrastructural facilities in terms of building and adequate teaching and learning equipments. The sample survey of the schools revealed that in the high child labour incidence areas the drop-out rate at the primary level (6 to 11) was as high as 50 per cent. In most of the schools the
school teacher-student ratio was very unfavourable, with one teacher managing three to four classes in just one class room. (This finding is very important as it will increase the need to improve the education system and infrastructure, to make it compulsory and more interesting for children).

The survey revealed that most of the parents did not attach much importance to education. The surveyed parents named poverty as the main cause of child labour. The survey revealed that regarding the total family income, over 70% of the families were above the poverty line. The study says that if children were withdrawn from work, half of these families would sink below the poverty line.

(ii) Socio-economic Background of Child labourers - Ms. M.L. Edmunds, Stella Maris College, Madras

This study was undertaken by Ms. M.L. Edmunds in 1995 and investigated the socio-economic background of child labourers in one hosiery factory in Tirupur. She did in-depth interviews with 40 children (9-14 years of age) working in one hosiery factory. This factory took care of all the processes - like dyeing, printing, tailoring and packing - which were practised in separate units belonging to that factory.

A few major findings:

The ages of the children varied from 9 to 14, with 36 children in the age group 12-14 and 4 children in the age group 9-11 years. Most of the children had been working for 2 or 3 years.

The majority of the interviewed children were migrants (65%) and belonged to the Backward Caste. The majority of the children (75%) had a few years of primary education but dropped out due to lack of interest in education (30%), need to enhance family income (20%), bad treatment in school (20%) and failing in school (10%).

All the children worked 13 to 14 hours per day with 1 to 1.5 hours of rest. Some of the children even worked 16 to 20 hours when he or she worked in the nightshift also. Nearly all the children started working at 6 a.m. and reached home at 10 p.m. The children had little or no possibilities to play. The wages of the child labourers varied between Rs 60 and Rs 240 per week. The wage of the child depended on experience and the number of shifts (hours) which had been worked.

Conclusions based on the findings:

The practice of child labour was primarily found among the economically weaker sections of society and among large families. With regard to the education of children, both parents and child labourers were lacking the motivation towards studies.

The child labour issue in Tirupur had not been dealt with by trade unions, while Coimbatore district is the area in Tamil Nadu where trade unions are active in the textile and other allied industries.

Abolition of child labour was not favoured by the children for economic reasons and because they did not like to attend school; the push factors associated with a poor educational system and
pull factors like the remunerative employment, caused and sustained child labour despite legislation against it.

4.4 Results and discussions of field visits: working conditions of child and adult labour

The researcher of the present study visited around 15 hosiery manufacturing units. Eight children, who combined work in the knitwear industry with non-formal education, were interviewed thoroughly. Interviews were also held with the AITUC, one of the labour unions active in Coimbatore District and Tirupur, and with two NGOs operating in the area, namely: Save in Tirupur, and the Centre for Social Education and Development in Avinashi.

The findings concern the social background of the child workers and the reason for migration, ages, wages, working hours, employment, family size and income and reason of working, the opinion of working children on child labour, education, recreation, working circumstances, statutory benefits and labour unions, health hazards, future plans and the working girl child.

Social background of the children and reason for migration
All the interviewed children were Hindu and of the Backward Castes and Scheduled Tribes Communities. They lived in the slum areas in the centre of Tirupur Municipality. Most of these children were employed in knitwear factories which were located in these slum areas. The majority of the children were migrants from neighbouring villages and districts.

The main reasons for migration were 'unemployment of the parents', 'better job opportunities in Tirupur' and 'debts in the village'. According to manufacturers and experts, other reasons were: small (or absence of) landholding in the villages, frequent droughts and lack of irrigational facilities. The above mentioned reasons forced families to seek employment in the city of Tirupur where the demand for workers in the hosiery manufacturing units was high. The wages in the hosiery industry were higher than in the rural areas, which was also an extra incentive to migrate and start working in the hosiery industry in Tirupur.

*Rani, a girl of ten years of age and who just started working in a hosiery factory in Tirupur, was interviewed in this study. She said: 'I'm a migrant from Madurai District. My father told me that he was suffering from loans which he had taken earlier and could not pay back. Therefore we have left the village. He wants me to work to earn more money for the family. But my father also wants me to continue following education, so I also joined the lessons in the non-formal education centre, which is only possible if I do not have to work in the night'.*

No study has been made in the areas from where the families have migrated. For understanding the migration and related child labour problem one should also study the socio-economic background of families in the rural areas which are potential future migrants and whose children can become child labourers. Only when adults have sufficient income-generating activities in the rural areas and are earning living wages with these activities, there is no need to migrate and there is no need to send their children to work.
Ages
The interviewed children were in the age group of 10 to 13. The age at which children started working varied from 7 to 12 years. The majority of the children started working at the age of 10.

Wages
Boys earned more than girls but that was because boys were more often working in the nightshift than girls. Both were paid according to the time rate system and got their money daily or weekly. Some children got their wages paid according to the piece rate system. The older child labourers and the child labourers who had worked for a few years earned higher wages. The wages of the 8 children ranged between Rs 13 and Rs 28 per day (i.e. Rs 312 and Rs 672 per month). The starting wages ranged between Rs 5 and Rs 13 per day. Most of them were already working for two or three years.

All the children gave their wages to their parents but some of them were allowed to keep around Rs 5 every week for themselves, which was spent on movies or kept for saving.

The adults who worked in the hosiery industry were paid according to the piece rate system. Interviewed employers said that wages varied between Rs 30 and Rs 75 per day (i.e. Rs 780 and Rs 1950 per month). The children said that the wages of adult members of their family who worked in the hosiery industry, ranged between Rs 600 and Rs 1200 per month, and the youngest adult members got wages which ranged between Rs 400 and Rs 700 per month.

Working hours
Most of the children worked 12 to 16 hours per day for 6 days a week. That meant 1.5 to 2 shifts per day (one shift is 8 hours). The children worked approximately 8 to 10 shifts per week. The work day often started at 8 a.m. and did not end earlier than 9 p.m. Lunch time was from noon to 1 p.m. Sometimes children also stopped working at 6 p.m. and were needed in the nightshift from 9 p.m. to 1 a.m. Both boys and girls worked in the nightshift regularly and on Sundays also. The children said that they did not receive extra money for overtime work.

The children talked about 'overtime work' in the way as twelve year old Selva did: 'I assist the tailor since three years and earn Rs 25 per day. I work 9 shifts per week and hardly ever arrive home before 9 p.m. Sometimes I have to work in the night also and on Sundays. The work is often very tiring as there is only one hour lunch time. When I work in the nightshift there is no other break. Though I get tea in the night, it is sometimes difficult not to fall a sleep'.

In Tirupur, the children work alongside the adult workers in the hosiery factories for long hours per day. During factory visits, it was observed that the child labourers had to match with the speed of the adult workers. During interviews working children complained about this fact. Because the adult workers were paid according to the piece rate system, they tried to finish as many garments as they could. The children were often scolded by their employers when they worked too slow or made mistakes or when they talked to each other.

Joyti, who is 14 years of age and has worked in a garment factory in Tirupur since she was ten years of age, said in the interview: 'If I work in the nightshift, the supervisor provides us with tea
and puts the cassette player on with music. After the work is finished he brings me home on his scooter'. Most of the children told me that it was very normal that in the nightshift music is used to keep everybody awake.

Experts from NGOs in Tirupur said that the export order had to be met in time, therefore, the exporter was forced to finish the order on the scheduled date for shipment, otherwise the order would be automatically cancelled. In order to avoid the risk of cancellation the employers compelled the workers and children to work throughout the night and on Sundays also.

Employment

The operations which were carried out by boys and girls in the hosiery production, did not vary much. The operations children performed in general, were: helping the tailors, checking, stitching, cutting threads, finishing and packing. During factory visits, children were also found at work in dyeing and bleaching units. Two boys I had seen standing in a container of black paint (e.g. water mixed with all kinds of chemicals and dyes) while they coloured a piece of fabric. The boys had to stand in the container with their bare legs and arms for more than 8 hours. The adult workers mainly did jobs like sampling, pattern making, cutting, stitching, ironing, bleaching, dyeing.

The children started working with simple tasks like folding and arranging the fabrics and garments. When the children gained experience they were promoted to those responsibilities which required more skills, such as cutting, stitching and printing. The experienced child worker earned a higher wage.

During an interview with Sanmuham, a 13 years old boy, who had been working in the hosiery industry in Tirupur since he was 8 years old, said that when he started working his job consisted of collecting the fabrics and garments. At that time he received Rs 5 per day. Now he has been promoted and assists the tailor for Rs 25 per day.

Concerning the opportunity for children to get a better job, the following was found by a researcher who recently had made a study of child labour in the hosiery industry in Tirupur. Quoted in a book of a journalist who had visited Tirupur also, this researcher said: '75% of the Dalit (Backward and Scheduled Caste) families, which live in Tirupur, supply the industry with their children. Many unit owners in Tirupur are from the lower castes but you can hardly find people from the Scheduled Castes who have their own manufacturing unit'.

Family size and income, and reason of working

Experts said that a need-based income for an average family is around Rs 2600 per month. Parents of the interviewed children, whether they worked in the hosiery industry or had other professions, earned wages which were far below the wage of Rs 2600 per month. Parents who worked in the hosiery industry earned wages between Rs 800 and Rs 1200 per month. The female workers earned lower wages than the male workers.

The family incomes of the interviewed children ranged between Rs 1300 and Rs 3600 per month. The majority of families had incomes around Rs 2300 per month. The average family size was around 5 members. The majority of the parents did not work in the hosiery industry but were employed in other professions which were lower paid, or they were unemployed. The family income of the children who had parents who worked in the hosiery industry, were higher than the family income of the children who had parents who did not work in the hosiery industry. The majority of families had two or three children who worked in the hosiery industry.

The majority of the children stated that they were sent to work because the family income without their earnings was not sufficient to buy food, to pay the rent of the house, to pay water from water tanks, and to save some money for festivals. The children who had the lowest family incomes either had an ill family member, a death in the family or had parents who earned very low wages in employments other than the hosiery industry or who were unemployed. For the families of these children the extra money of the working child was essential for survival of the family.

It should be mentioned that family incomes reduced substantially by high costs of living in Tirupur, by financial debts of parents, and by expensive drinking water which had to be bought from truckers. House rents, even for small huts with palm leaves, ranged between Rs 100 and Rs 300 per month, which was often difficult for parents to pay. The work of the parents was often seasonal which caused difficulties in earning money the whole year through. Because the parents were not covered by health schemes, illness in the family caused financial problems. These parents had an extra incentive to send their children to work. The money was needed in periods when there was less or no work for the parents or when a family member was ill or had died recently.

Thus, child labour was structural for families in Tirupur, to remain on or above the poverty line and to make both ends meet. Without the child's earnings, the family incomes were reduced substantially, especially for families where the parents had low paid jobs often not in the hosiery industry or were unemployed, or had many young children who were not yet old enough to start working.

It should be studied more thoroughly, however, what the total expenses of an average family are, and if it really is a problem for the family to survive if the child stops with working. In this study, the parents of the child labourers had not been interviewed.

**Opinion of working children on child labour**
The interviewed children had a negative opinion towards child labour and they expressed that a child should not work at a very young age. Though some of the child labourers said that they started to like the earnings, the majority said to envy the children who go to the regular government schools and wear uniforms. The children expressed their helplessness and powerlessness to do anything about their working life because they had to abide with the decision of their parents.

**Education**
The interviewed children had reached education levels which ranged between second and fifth standard. The majority of the children, however, dropped out when they were in the forth stand-
ard. At that time children are around 9 to 10 years old, which is the age at which parents send them to work. The interviews revealed that the girl children dropped out earlier than the boy children.

Most of the interviewed children had stopped their education at the moment they migrated to Tirupur. In Tirupur they started working and never enrolled in school again. Migration of the family, interrupts with the education of the child, who is therefore more likely to join the workforce. More study is needed on this point. The interviewed children preferred to join the regular school again but said that it was not possible because they were needed to contribute to the family income.

Though the surveys of CSED and Ms. Edmunds, mentioned in paragraph 4.3, revealed that the parents lacked the motivation towards education and preferred to send their child to work, my findings show the opposite. The interviews with the working children who combine work with education, revealed that their parents wanted them to continue to study too. The reasons of parents to send their children to school after work, were stated by children in phrases like 'my parents want me at least to learn to read and write' and 'my parents say that education will benefit me later in life'. The parents, however, did not withdraw the children from the work. The consequence was that the children were often too tired to concentrate in the evening school.

From results of this study it can be concluded that if the possibility of (free) education is available and if the parents are made aware of the education, the parents are motivated to send their children to school. The interviewed children regretted that they could not go to the regular day schools, but said that still they were very eager to learn. The children said the non-formal education contained, among other things, learning to read and write and to speak the local language besides Hindi and English.

The sad fact, however, is that the children were not able to attend the non-formal education centre regularly due to regular overtime work. At the time they arrived home, the evening centre had already closed. The combination of work and education was also very tiring, according to the children. The double burden the children had to carry at too early an age, was too heavy. The children realized that full time education without working in the factory would be better and more useful than the irregular moments they attended the non-formal education centre while being too tired to concentrate on the lessons. But still, the children liked the lessons in the centre and the joy of being together and play with other children.

Having talked to these children thoroughly, I have come to the conclusion that non-formal education centres in the evening - and thus combining work with education - is not the solution to end child labour. It will affect their health negatively, since combining (full-time) work with education leaves the children less time for rest, regular meals and play. As said earlier, due to long working hours preceding the evening education, children had problems with absorbing the education.

Recreation
The survey revealed that, due to the exhausting and long working hours almost every day,
children did not have time to play or relax. Most of the children arrived home late in the evening, ate their meals and went to bed or had to help in the household, especially girls. The children also attended education in the evening hours because their parents wanted them to continue their studies apart from working. The children were exhausted because they attended classes from 6 p.m. to 8 p.m., after a long day of work. Thus education in the non-formal education centre deprived them of their precious free time.

All the children expressed that they never had time to play because if they did not have to work overtime they had to attend classes at the education centre or had to help in the household, especially girl children. Sundays, were often spent in the factory too when the employer wanted them to finish export orders in time.

Joyti Krishnan is a girl of 14 and had been working for the last 4 years in the hosiery industry in Tirupur. She explained that there is hardly any time to go to the education centre. She said: 'After the work in the factory I rush home because I have to help my mother with cleaning the vessels, collecting water, sweeping etc. There is never time to play because then I have to go to sleep.'

Working conditions
The visited garment manufacturing units, all had toilet, washing and drinking water facilities. They were often badly ventilated but sufficiently lit. Especially in the parts of the manufacturing units where the knitting machines were, the air was polluted with millions of cotton fibres. It was very difficult to breathe in these knitting rooms. In the units where the bleaching and dyeing was done, the air was highly polluted with chemical dust. During factory visits, many children were found at work inside these bleaching and dyeing units also.

The majority of the units was spacious. In the units there were no canteens available but the employer mostly provided the workers with tea. The tea was only given during overtime work and in the night-shift. The children did not have sufficient breaks during work and the units did not have play facilities for the children.

Statutory benefits and labour unions
The workers in the visited units were not getting any statutory benefits, they were not permanent and not registered. Even in the registered units of big exporters, workers did not get statutory benefits. Because the workers were paid according to piece rate system instead of getting a minimum wage for 8 hours work, they worked 12 to 16 hours per day to finish more garments to earn a higher wage.

Exporters said openly that they did not allow workers to join labour unions. They also said that they deliberately scattered their units to avoid labour problems because 'it is difficult to manage a large group of workers'.

Health hazards
All the interviewed children suffered from exhaustion and most of the children suffered regularly from Typhoid or fever in the first year of employment. Boy children said that they were regularly
beaten by the supervisor, if they did not work according to his wishes. Girl children experienced often stress at work due to supervisors who scolded at them if they talked to other children.

It is reported\textsuperscript{93} that ‘cotton dust damages the lungs and will lead to T.B. Currently, about 10 to 15 new cases of T.B. are admitted to the Government Hospital at Tirupur everyday. Eye diseases and infections are also commonly reported by hosiery workers coming for treatment at the Government Hospital. Workers who have to stand the whole day with their naked body in a bath with water containing bleaching chemicals while treating the fabrics, often suffer from skin diseases. The harmful chemicals which are used in the processing of cotton are Sodium hydroxide, Sodium Hypochlorite, Sodium Sulphide, Hydrochloric acid and a number of dyes based on a toxic benzidine structure’.

Water in Tirupur is polluted, due to dumping tonnes of contaminated water into the river Noyyal by dyeing and bleaching units. This also affects the health of the children and the population in general. Informants said that the bulk of the dyeing units do not treat their waste water before dumping it back into the river and on the land. The drinking water is totally polluted and the crops on the small pieces of land around Tirupur fail or have become of less quality. Many people in Tirupur were complaining about skin diseases due to contaminated water. If you dig a well you will only get coloured water because the ground water in Tirupur is polluted by the untreated effluent. During visits to the slum areas, it was observed that the living conditions in the slums, where the majority of the child labourers live, were very bad and the slums were highly contaminated. In the slums there were no toilets and there was no drainage. The garbage of Tirupur is collected and dumped next to the slums and the smell was very bad. This affects the health of the whole population and even more of the children. Several thousands of people including the children did fall victim to water borne diseases.

Health was also affected by very meagre family incomes which were not sufficient when prices increased; not enough and sufficiently nutritious food could be bought by these families. Thus, a rise in the price index, affected the nutritional status of families and especially the food/protein intake of children, and also partly caused ill-health in these family. The children said that often there was not enough money to buy food for the whole family.

**Future plans**

The interviews with the working children revealed that most of the children would like to do jobs in the future which they knew from their own factories, like supervisor, tailor, printer and contractor so that they could earn a lot of money. Two of the children stated that they wanted to become a teacher because they were inspired by the teachers in the non-formal education centre.

**The working girl child**

The working girl child was worse off than the boy child in terms of education, free time and earnings. Girls were more likely to drop out (earlier) from school than boys, and they earned less than boys because boys worked more often in the nightshift than girls. Unlike boys, girls had to work in the household, like cleaning vessels, sweeping the house, fetching water etc., and were

needed in taking care of siblings. Also girls worked (apart from the household work) regularly in the nightshift in the hosiery factory, like boys. The girl child, therefore, had less free time than the boy child and was burdened with a double workload. Her health was more at risk than the health of the boy child.

4.5 Case studies of hosiery manufacturing units and a labour union in Tirupur

The visited knitwear manufacturing units in Tirupur, consisted of suppliers and exporters. It was possible to see all the processes of knitwear production, like the bleaching and dyeing of the fabric, pattern making, cutting, stitching, button holing and stitching, cleaning, ironing, folding, and finally packing of the garments for shipment to other countries.

Due to the sensitivity of the issue of child labour, it was not always possible to ask questions related to (child) labour. Apart from exporters of Tirupur also exporters in Bombay were contacted who have supplying units in Tirupur. The latter units were also visited. The exporters came themselves from Bombay to Tirupur and showed me the units. These exporters often did not want to elaborate on questions related to labour and often used the excuse that they were not informed about labour related issues because their actual job is in Bombay. Though the factory visits could not give me detailed information on the exact ages, wages, working hours, reason of working etc. of the children, other observations and information (such as working circumstances) will enrich the research in many aspects.

It was found that many European retailers, chain-stores and buying houses do business with exporters and manufacturers in Tirupur. The garment manufacturing units of these exporters and manufacturers were visited. The majority of these exporters subcontract the work to smaller units (suppliers). In most of the (export) manufacturing companies the working conditions were bad. For example, most of the employers of these supplying units or direct export companies did not pay legal minimum wages, workers did not get social security benefits like ESI and PF, working overtime was not paid twice the salary, working days lasted much longer than 8 hours, women earned lower wages than men for the same job, workers were not allowed to organize themselves and to join labour unions and, the majority of these exporters and suppliers employed children in the production process. The foreign retailers, chain-stores and buying houses, of which it was found that they buy their knitted garments from garment exporters and manufacturers in Tirupur in whose companies the labour conditions were bad and children were at work in the production process, include from the Netherlands: C&A, Coby Tex, Ciso, Interwear, Darnhouwer RW, M.l.v.c., Maxi; from France: Carrefour; from the United Kingdom: Ethel Austin. The foreign retailers, chain-stores and buying houses of which it was found that they buy knitted garments from exporters and manufacturers in Tirupur in whose companies labour conditions were bad but where no child labour was observed, include from the Netherlands (indirect through England): Naf Naf, Daltral; from England: Havika International, Suchata Fiction Clothing Company; from Belgium: INNO, Textile Puttmens; from Germany: Ringulla; from Canada: Trio Selection; from Switzerland: Coop Schweiz and, from France: Devico.

In the following four cases the labour conditions in four manufacturing units in Tirupur are
revealed and the European retailers, chain-stores and buying houses which buy their garments from the respective manufacturing garment companies of the different cases. Not all the above mentioned foreign retailers, chain-stores and/or buying houses are mentioned in the cases hereafter because the cases of their supplying garment manufacturing companies in Tirupur are not included in this report. In these units the same bad labour conditions were found, like in the other manufacturing units.

**Case I**

This manufacturing unit is a supplier to an exporter in Tirupur and is located in KPN Colony, 1-2 km from the centre of Tirupur. KPN Colony has an open drainage and the streets are very dirty, but the units which I have seen in this area are spacious, sufficiently lit and freshly painted, but without ventilation.

In this unit mainly **T-shirts** are produced which are exported to the **Netherlands**, Italy, the Scandinavian countries, the United Kingdom, Germany, France and the United States of America.

At the moment of my visit, the unit had a slack time and less workers than usual were hired by the unit owner. The unit owner was waiting for new orders. Orders do not come regularly for it depends on the exporters if subcontracting of the work by them is needed. It is also possible that an exporter starts business with other units. The small number of orders had been caused by a set back in the industry which is caused by increased yarn prices and decreased orders placed by foreign buyers. Germany does not allow the import of garments from India which have been produced with certain chemicals like Azo-dyes, because the garments with these chemicals proved to cause skin problems to consumers. The media in Germany and other European countries have made people aware of this issue. This has led to a set back in orders from foreign buyers with Indian garment manufacturers. The negative publicity regarding the quality of garments from India, has hit the garment manufacturers of this and other units the hardest, according to the unit owner.

In the unit I saw four children at work. They all sat on the floor on a mat and were doing simple tasks. A boy, who did not look older than 11, sat on the floor with next to him a huge pile of knitted clothes. He was folding the clothes. In the back of the unit I saw a very young girl sweeping the floor where all the cut cloth had fallen down. One girl sat on the floor behind the tailor and seemed to do some tasks for him. Another girl was folding the pieces of cloth on the floor.

The children, like the adults work 12 to 14 hours per day when there is a high demand and when the export order has to be met in time. At the moment of my visit, less adults and more children were employed because an order had just been finished and delivered to the exporter. To keep the workers employed in a slack period, is too expensive. Only simple tasks have to be done which can easily be done by children who are paid less than adults.

The manager told me that the women are paid less than the men because their work is less skilled. The wages of adults were paid according to the piece rate system and varied from Rs 30 to Rs 75 per day. The wage depends on the quality of the garments and the skills of the worker. He did not
mention the wages of the children, but the children got paid less than the adults. The owner told me that the wages of the children were not fixed. The workers did not get statutory benefits like ESI, Provident Fund, maternity leave, sick-leave, bonus etc. No labour union was active in the unit. The women did jobs like checking, cutting, some stitching and button holing. The men were all involved in tailoring, sampling, cutting, ironing or checking.

Case II
This unit is a supplier to an exporter in Bombay and only undertakes the process of bleaching and dyeing of the knitted and woven fabrics. The Bombay exporter has all its knitwear clothing manufactured in Tirupur by its own manufacturing unit which operates since 1980, and where only processes like sampling, cutting, stitching, checking, ironing and packing are done. The bleached and dyed fabrics go to the manufacturing unit where the fabrics are made into garments. The latter unit produces mainly ladies knitwear products like shirts, blouses, pyjamas, T-shirts, nightgowns, etc. which are of a lower quality and exported, through Bombay, to the Netherlands (Darnhouwer RW, Interwear, M.I.V.C.), France, Sweden, Italy, Germany, Norway.

The visit to the bleaching and dyeing unit was very short and the manager from Bombay had little time to answer questions. While walking through the unit, which had many departments, he told me that he could not answer questions related to labour because he was only a client of the unit and not the employer.

In the unit, huge dyeing machines were twisting and turning the fabrics in huge containers with dyes and chemicals. In another building large containers with water and chemicals were used to bleach the fabrics. Both the bleaching and dyeing process take place in hot water. Tonnes of wood are used to heat the water. The exporter from Bombay mentioned the degradation of the surrounding areas as the wood has to be imported from other states in India. The manager did not offer any solutions and felt not responsible for finding solutions. Apart from the deforestation the dye and bleach processes need huge amounts of water. This water is taken from the nearby river Noyyal and other rivers or the water is taken from the ground water.

Inside the dyeing house I almost had to run through the different bleaching and dyeing sections to be able to follow the exporter. I could think of two reasons for this behaviour. Firstly, in the dyeing section around five to six boys are working and they are definitely younger than 14. Secondly, the air is so polluted with chemical dust coming from the bleaching and dyeing processes, that it is difficult to breathe and one needs fresh air quickly. I was shocked by this experience. Children and adults work in this unit 12 to 14 hours per day and also in nightshifts.

The children looked exhausted and their shirts were dirty and covered with paint rests from dyed clothes which they had to carry from one dye-machine to the other with their bare hands. Also their faces and hands were coloured with paint coming from the clothes. The clothes had to be brought from the bleach section to the dye section by the child to give it a fashion colour. I only saw boys working in this dyeing and bleaching unit. They assisted the adults who carried out the processes of dyeing and bleaching. I saw the adults ordering the children to run to them quickly and assist them. None of the boys was wasting his time. As they saw me they never stopped assisting the adults. I could hardly ask questions because the manager himself talked all the way or he
was running from one side to the other and, even harder when the children came in sight.
In the end, the exporter from Bombay told me that Azo-dyes were still used by Indian exporters
and manufactures. The garments with the Azo-dyes are exported to countries where no ban on
Azo-dyes exists. He said 'Germany is acting stupid with their 'sudden' demand for a ban on Azo-
dyes in garments. It's all politics. I'm no longer dealing with Germany'.

The exporter from Bombay complained about the foreign buyers who pay bad prices. He com-
plained about C&A, who was paying a bad price, according to him. When I asked him how much
C&A was paying him per garment he replied 'on an average C&A pays US$ 2-3 per piece'. That
is how I found out that C&A is (possibly) one of his clients. The Bombay exporter had told other
sources I know that, on the contrary, C&A is not one of his clients, while he emphasized at that
time that he did not employ children.

Though the exporter from Bombay can state to clients in Bombay that he is not making use of
child labour, he cannot guarantee that for the manufacturing unit(s) where he subcontracts the
work to in Tirupur. This is an illustrative example of shifting of responsibilities - to take care of
labour conditions and circumstances - from the exporter to the managers and owners of
subcontracted units. This phenomenon is partly caused by the structure of the garment industry.
The majority of the units, whether registered or unregistered, are not checked upon their owner's
compliance with labour and factory laws.

Case III
This knitwear manufacturing unit is owned for 30% by an exporter in Bombay. Over the last ten
years the Bombay office has built up exclusive relations in Tirupur. The manager of the Bombay
office had come from Bombay to show me the unit in Tirupur. Though he showed me the unit in
Tirupur, he did not know the details of the manufacturing unit in Tirupur. He explained that in
Bombay mainly sampling is done which is also partly his job. The real manufacturing takes place
in Tirupur. It means that in Bombay the high quality and exclusive garments are produced and in
Tirupur more 'bulk' products like T-shirts, nightwear and boxer shorts. From Tirupur the gar-
ments go by truck to Bombay from where they are shipped to foreign countries. The orders are
placed in Bombay.

During my visit, the manager from Bombay did not want to answer questions related to (child)
labour such as level of wages, ages and statutory benefits and questions regarding the use of Azoo-
dyes in garments. He gave no specific reason for this.

The unit in Tirupur is a direct exporter and supplier to the Bombay office. The staff of the unit in
Tirupur speak Hindi and come from Bombay. In the unit work around 200 to 300 people. The
turnover is Rs 4 crores per year. The garments which are manufactured in Tirupur are: nightwear,
basic T-shirts, service knitwear, children's wear. The garments are made of all kinds of fibres but
the bulk is cotton. The rest of the clothing is made of cotton-viscose and other man-made fibres.
The foreign clients from the Bombay office are from France (50% of total exports), Germany
(20% of total exports) and the rest of the exports (30%) is divided among Belgium (C&A), The
Netherlands (Maxi (directly)), Sweden, United Kingdom (Ethel Austin) and Australia.
The unit in Tirupur takes care of all the processes like knitting yarn into fabric, bleaching and dyeing (by another subcontracted unit in Tirupur), steaming, printing, stitching, ironing, checking, packing. Per month 20,000 pieces can be manufactured. The minimum order taken is 1,000 pieces. For a simple basic T-shirt the agent/importer pays Rs 60 to Rs 70 (Dfl 3.25).

The production process is split and takes place in separate rooms. In one department the sampling and cutting is done and in another room the garments are checked and ironed. In a separate room the garments are stitched and dirt is removed from the fabrics. Then in another room the ready made garments are packed. In all the different rooms, children are at work. They do simple tasks like carrying bundles of cloth from one room to another. In every room around 4 children are assisting the adult workers. None of the children are behind the stitching machines. Girls help the tailor with winding of the thread around the spinning wheel. Everywhere children sit on the floor arranging and folding the cloth. In total I have seen 12 to 15 children spread over 4 to 5 rooms in two buildings. They looked much younger than 14 years of age. My estimate of their ages is around 9 years of age.

The manufacturing rooms inside the two buildings are spacious with sufficient light, but ventilation is lacking. Especially in the rooms where the knitting process is done on electrical circulating knitting machines, the atmosphere is filled with fibres. Mainly adult males stand in these rooms for approximately 12 to 16 hours per day. I started coughing immediately and it looked as if it was snowing in the unit. I would be surprised if people did not catch Tuberculosis in this unit. All the workers have to stand the whole day. Only the tailors sit on a stool. The children either walk around or sit on the floor.

Case IV
This unit is a garment manufacturing exporter and member of the Apparel Export Promotion Council. Although one of the partners of this unit was not available, somebody else answered my questions. This person, however, gave me the visiting card of the person whom I first had contacted in Tirupur. The card shows the same address of this unit but the name of the unit is different. Later it was explained to me that 'the two companies are sister companies. The largest amount of quotas is received by one unit and the rest of the quotas is received by the other unit'. Thus, in reality, the two units are actually one unit but it seems that this manufacturer exporter receives double quotas.

The company was established in 1982. It is a completely export-oriented company. The turnover of the company is Rs 6.5 crores in 1994. It increased to Rs 10 crores in 1995. The turnover is expected to be Rs 14 crores in 1996. It is a profitable company. The company employs 400 workers, of which 150 are female workers. The ages of the workers range between 24 and 30 years of age. The company has been subcontracting work for the last 6 to 8 years. In peak times the orders can not be made in time which means that part of the work has to be subcontracted. The wages in the factory differ from Rs 50 to Rs 60 (females) to Rs 80 (males) for an eight hours shift. But the workers have to work overtime regularly, which means that workers are mostly working 1.5 shift to 2 shifts (12 to 16 hours per day). Overtime work is not paid extra in this factory. The workers are paid according to the piece rate system. During overtime work and in the nightshift the workers only are paid for their finished pieces. In the weekend, also on Sundays, the
company still keeps on manufacturing. Shifts are from 8 to 12 a.m., 1 to 5 p.m., 6 to 9 p.m., and 9 to 1 a.m. The male workers sleep inside the factory. Women are paid less because, says the manager, they are doing less skilled jobs like checking, helping, stitching and cutting. The women are also employed in the nightshifts. Males do jobs like packing, dyeing and bleaching of the clothes.

The factory works with a probationary period which is one whole year. During this period, workers earn a wage around Rs 40 per 8 hours shift. Out of the 400 workers 50 workers at present are in the probationary period. 'To avoid labour problems', said the manager, 'the factory is split into 7 separate units with different names, which are located 5 km around the office, because it is impossible to control 400 workers at the same time'. Another way to avoid labour problems, like for example demands for higher wages or paid sickness leave, the management discourages the workers to join labour unions. The manager of the unit said that 'the labour union is getting the profit and not the workers'.

The company invests a lot in new machinery. They want to build their own spinning mill to manufacture their own yarn. They plan to install a huge cotton dust absorb-system in the mill to protect the workers from inhaling the cotton fibres. They are also planning to import new knitting machines. Because of the spiralling yarn prices the company lost Rs 10 per bought kilogram yarn. But this is off-set by the profits. The company produces 300,000 garments per month. The orders which are taken contain maximum 1,000 pieces and minimum 500 pieces.

Among the foreign buyers, England (Havika International and Suchata Fiction Clothing Company: 60% of exports) is the biggest customer. The Netherlands (Naf Naf, Daltral) is dealt with through England. Other European buyers include from Belgium: INNO, Textile Puttmens; from Germany: Ringulla; from Canada: Trio Selection; from Switzerland: Coop Schweiz and, from France: Devico. England, Switzerland and Austria pay good prices, according to the manager. Switzerland and Austria are non-quota countries and the ordered quantities often are small in size. A T-shirt with short sleeves is on average sold to the buyer for Rs 75 (US$ 2,1) and with long sleeves for Rs 89 (US$ 2,5). Foreign buyers visit Tirupur 1 or 2 times in a month. The company is checked 2 or 3 times a year on the quality of the garments, and demands mainly concern the content of the label of the garment which gives information on the qualities and properties of the garment. The company never had problems with clients. The company is promoted in the Netherlands and Europe by the Centre of Business Promotion in Rotterdam (CBI). At the moment the CBI is inquiring for this company for possible future orders with NOVO Imports and Trend House in the Netherlands.

Inside the manufacturing unit the following processes are carried out: sampling, cutting, stitching, ironing, checking and packing. When I arrived at the unit during lunchtime there were only a few people working. I saw 4 children of approximately 9 years old standing in the unit, and it appeared as if they were waiting to start working again. I did not see them working.

**Case of a trade union in Tirupur: All India Trade Union Congress (AITUC)**

In an interview with the All India Trade Union Congress (AITUC) in Tirupur, which is affiliated to the Communist Party of India, the following was said:
On child labour: Child labour is a social compulsion. The managers prefer children for certain jobs, and poverty of the parents causes them to send their children to work. The income of the children is very much needed for the survival of their families. However, the hosiery industry is not declared 'hazardous', and working in the hosiery units is much less dangerous than working in the match industry. Child labour should therefore be regulated in the hosiery industry instead of abolished. The AITUC estimates the number of children working in the hosiery industry at 30,000. The children mainly work as helpers.

On improving the working conditions of children and educating child labour: In its actions to improve the working conditions of children in Tirupur the AITUC demands minimum wages for the children. AITUC wants to start education camps in collaboration with the employers. The children would get 2 to 4 hours of education after working hours. Nothing so far, has been enforced. Also, no education centres have been set up in Tirupur by the Government nor by employers, though both had promised to do so. Nothing has been implemented. AITUC also wants medical compensation for the working children. The AITUC is in favour of regulating child labour because they do not find the work dangerous to the children's health.

On labour in general: Out of the whole hosiery workforce 15,000 workers are unionized. Only 5,000 (of which 1800 are women) are member of AITUC. In the total workforce 60% are men and 40% are women. Less than 1,000 workers get ESI and PF. There is no enforcement of the law.

On improving of labour conditions: The AITUC is organizing its members to fight for their legal rights. They organize seminars and spread pamphlets. Also AITUC mobilized its members through strikes while opposing the New Economic Policy as it is, according to AITUC, anti-labour and anti-nation. AITUC says that more unemployment is the consequence of this policy and the society will be ruled by multinationals in the sense of power and financial control.

Concluding AITUC's strategy to 'humanize' and educate child labour, no constructive schemes have been implemented up to date. AITUC is waiting for the Government and employers to start their promised education centres for child labourers in the hosiery industry in Tirupur. Concerning the demand for a minimum wage for child labourers one can question the compliance with this demand in future, if one takes into account the absence of implementation of the (labour)laws as the result of an inadequate enforcement machinery. The labour unions already have problems with organizing the workers in the formal sector and improving their working conditions and standards. How will they accomplish that for the informal sector and, even less likely, how will they change the situation of the working children for the better?

4.6 Declarations to end child labour by the hosiery industry in Tirupur

Two declarations to end child labour have been made by the industry; the first is made by the Tirupur Export Association (TEA) and the second one by the South Indian Hosiery Manufacturers Association (SIMHA).

(i) Tirupur Export Association (TEA)
During a recent meeting\textsuperscript{94} in August 1995, the Tirupur Export Association (TEA) and other organizations representing 500 out of 550 units in Tirupur have given an assurance\textsuperscript{95} that ‘their members would not employ children below the age of 14 in their units’. The Tirupur Export Association (TEA) has also suggested in the same meeting, a proposal to start training centres in villages, so that 10,000 women could be trained to work part-time in the hosiery industry, and make up for loss in income due to withdrawal of children from the work force.

(ii) The South Indian Hosiery Manufacturers Association (SIMHA)

The South Indian Hosiery Manufacturers Association (SIMHA) in Tirupur has come up with a declaration on the elimination of child labour. Excerpt of the declaration\textsuperscript{96} is as follows:

‘Children are the future citizens of our motherland. But many of the under-privileged are forcibly sent to work by their parents to support their family income. This destroys their childhood, a stage when they should be going to school, play with their counterparts and grow up as any other child in the society. By allowing this we prevent the young children from progressing with others’.

‘Child labour is prevalent in Tirupur. The child gets Rs 25 to Rs 50 per day for the work but the children who are working in the match, firework and beedi industry in Tamil Nadu get only a maximum of Rs 10 per day. The number of child labourers in Tirupur is around 10,000. The children are in the age group of 12 to 14’.

‘Already almost all industries have stopped employing children in Tirupur mainly to comply with the Child Labour Act of 1986. This is due to pressure and conditions stipulated by many foreign importers, who will only purchase hosiery goods if a declaration is given that no child labour is engaged in their factory’.

In the same declaration, SIMHA gives their plan to eradicate child labour in the hosiery industry and their view of what the role of the Government should be. The plan contains the following steps:

1. ‘Stop recruiting children younger than 14 years of age with immediate effect;
2. Seeing that no children below the age of 14 continue to work beyond 1998;
3. The children who are now in employment, may be provided education, for about 2 hours a day, in non-formal education schools to be opened by the Government’.

\textsuperscript{94}The Hindu, September 20, 1995. ‘Centre’s scheme to educate child labour’.

\textsuperscript{95}In June 1996, the Campaign Against Child Labour (Tamil Nadu department), a network of NGOs in India which campaigns against child labour for many years, has held a protest action against the exploitation of child labourers in the hosiery industry of Tirupur. The protest action was organized in Tirupur to coincide with a major knitwear fair in India organized by the Apparel Export Promotion Council (AEPIC) and TEA. The protest action received a concerted and thumping response both within Tirupur and in several parts of the country. A protest note, which was widely circulated in Tirupur and Tamil Nadu, stated that TEA had not fulfilled its declaration because still every fifth household in Tirupur Municipality has one child labour who works in the hosiery industry. CACL discovered that 70% of the women in Tirupur is unemployed and can easily replace child labour in the hosiery industry in Tirupur. CACL has made a memorandum which includes demands like replacing child labourers by women of the area, and providing all children in and around Tirupur with compulsory and relevant education. It also wants the government not to permit the AEPC and TEA to export any products, garments, knitwear etc. produced by child labour in any of the processes. The memorandum has been addressed to ministers and government officials in the Ministry of Labour and Textiles, Government of India, and to AEPC and TEA. In response to CACL’s widespread pressure, the representatives of APEC as well as TEA have stated their willingness to have a combined meeting with a delegation of CACL and chalk out a programme of action.

\textsuperscript{96}Declaration presented by the president of SIMHA, Mr. M.P. Kandasamy, at a workshop on child related issues which was sponsored by Unicef Madras, held in Coimbatore on 29 September 1995.
According to SIMHA, 'the Government should, in its effort to eliminate child labour, give first priority to educate the parents on the issue, and should try to improve their economic status through higher income-generating projects'.

4.7 Analysis of the industry's declarations to end child labour in the hosiery industry

The commitment made by the Tirupur Export Association (TEA) in August 1995, that it has not made use of child labourers any more in their production units, has not been fulfilled for it was observed in this study that still children were found working in units which are a member to TEA.

The proposal made by TEA which concerns the training of women to employ them part-time in the hosiery industry, if implemented, could be a step in the right direction of eliminating child labour, and, simultaneously, raising the family income by giving adult women new job opportunities. But it should be mentioned here that the training of the women should go together with permanent employment, creche facilities, a 'living' wage, the active participation of labour unions to supervise the compliance with the labour and factory laws, and active participation of the Labour Inspectors of the Government to check the premises regularly and immediately fine the employers who violate the law. Otherwise, as soon as the women leave the training, they are still vulnerable to exploitation such as long working hours and compulsory overtime work.97 Such kind of initiatives should therefore be watched carefully, otherwise again children will drop out of school or start working again, like, for example, in the household. Concerning the wages of women, it should be mentioned that women are paid less than men because of the unskilled nature of the job and/or because they regularly shift from one unit/place to the other.

In addition, the total package of expenditures of the families with working children should be investigated also. Only then can it be seen how much the costs are when a child stops working. It should also be taken into account that when women - often living with many family members and a lot of children - start working, the need arises to keep the children, especially girls, at home to manage the household and take care of the siblings.

From the declaration given by SIMHA, it can be concluded that the Association is waiting for the Government to take action and open non-formal education schools. In 1993, a tripartite meeting resolved that each factory should take the moral responsibility of providing informal education to the children. At the time of my visit to Tirupur I have not come across or heard of the existence of any (informal) education provided by exporters in Tirupur.

SIMHA says that 'the Government should in its effort to eliminate child labour, give first priority to, among other things, improving the economic status of parents through higher income-generating projects'. This statement rather is a call for enforcement of the Minimum Wages Act and other related labour legislation, which will never be encouraged by employers.

97In Bangalore, Ms Kanta, programme officer of the NGO 'Shramik Vidyapeeth' (semi-governmental organization) said they had trained 100 women in tailoring garments with the aim they would immediately get a job with a little better earnings. It was true that most of the women got a job in a garment factory. But, due to the enormous work pressure and overtime work, which could not be combined with the household, the majority of the women dropped out again. The training, though qualifying them, could not prevent that.
In my opinion, the Government, in its actions to end child labour, should not allow only employers to find alternatives for child labourers by providing them education or expecting from employers that they would send the children to school etc.; it should make use of their willing attitude to change the situation but take the implementation of programmes in its own hands. As long as the Government does not implement its laws related to child labour, and does not regularly check employers on compliance with (child) labour legislation like the Child Labour (P&R) Act, not much can be expected of the (phased) elimination and regulation of child labour by employers in the export-oriented hosiery industry who have an interest in cheap labour. Even less can be expected of non-formal education and regulation of child labour because the combination of work and school makes children too tired. They have little concentration left to follow the lessons. The Government should put more emphasis on compliance with labour laws through an improved and more strict enforcement machinery. Labour inspectors should visit the units more often and fine the violating employers immediately according to what the law has prescribed. Employers, now opening up in the discussions pertaining the evil of child labour, should try harder to cooperate and refuse to employ children. Labour related laws like the Minimum Wage Act, if enforced, would give workers a minimum wage and other statutory benefits, which the majority of workers is not getting at present. If enforced, labour related legislation would improve the working and labour conditions of adult workers; the parents of child labourers. This would reduce the need to send the child to work for extra income. Parents of child labourers who do not work in the hosiery industry or who are unemployed, should either be trained or should be employed in income-generating programmes which will raise their income to a 'need based' wage.

4.8 Summary of the findings

- The pull factors which partly caused child labour in the hosiery industry in Tirupur were: the structure of the industry - a fragmented production process (job working) which allowed manufacturers to violate (child) labour laws and led to the employment of many children who were trained in simple skills in a short time period - and the expansion of the industry. The push factors which partly caused child labour in the hosiery industry of Tirupur were: the relatively high wages of the child labourers, the existence of poor and inadequate primary education facilities in Tirupur, poverty of the parents who either were unemployed, who had low income jobs, or who had a ill family member, and migration of families to Tirupur - the moment children were withdrawn from school and never enroled again in Tirupur.

- The interviewed child labourers were from the Backward Caste and Scheduled Tribes Communities. The majority of the children was migrant from surrounding drought prone rural areas. The reason for migration was often debt of parents and lack of job opportunities in the village, and better job opportunities in Tirupur.

- The interviewed child labourers in the hosiery industry started working at an age that ranged from 7 to 12 years. The age range of the interviewed child labourers was between 10 and 13 years. The wages of children were either paid per day, week or according to the piece rate system. The wages of the child labourers ranged from Rs 13 to Rs 28 per day (Rs 338 to Rs 728 per
month). Starting wages ranged from Rs 5 and Rs 13 per day (Rs 130 to Rs 338 per month). Boys earned more than girls because they worked more day- and nightshifts per week. Both boys and girls worked in the nightshift.

- Adults earned according to the piece rate system and earned wages that varied from Rs 15 to Rs 75 per day (Rs 400 to Rs 1950 per month); the lowest adult wage was paid to children who had just passed the age of 14 years, and were, according to the law, adults now.

- Most of the children worked 12 to 16 hours per day 6 days a week. That meant 1.5 to 2 shifts of 8 hours per day. The working day started at 8 a.m. and ended no earlier than 9 p.m. Boys and girls regularly worked on Sundays and in nightshifts, which meant that they did not reach home earlier than 1 a.m. No extra money was paid for overtime work or work which was carried out in the nightshift. Overtime work was paid according to the piece rate system.

- Jobs for children consisted of mainly helping the tailor or the person who dyes and bleaches the clothes. When they started working, children performed tasks like arranging clothes, folding clothes, giving clothes to other adult workers, and carrying bundles of clothes to other rooms. After one or two years they were still assisting the tailor but with jobs like holding the garment while the tailor stitches the cloth, reaching buttons and threads to the tailor, but also checking, threads cutting, packing and sometimes also stitching and buttonholing. Adults performed jobs like sampling, pattern making, cutting, stitching (mainly women), ironing, checking, packing, dyeing and bleaching.

- The family income of the interviewed children ranged from Rs 1300 to Rs 3600 per month. The average family size consisted of 5 members and the family earned on average Rs 2300 per month. The parents who worked in the hosiery industry earned more than parents who did other jobs.

- The interviewed children had a negative attitude towards child labour and were of the opinion that children of a young age should be in school. The children felt helpless in their situation as child labourers but they had to abide with their parents. Child labourers had education levels which ranged between second and fifth standard, but the majority dropped out during fourth standard which is around the age of ten. The majority of children dropped out of school when their families migrated from the rural areas to Tirupur, and were not enrolled again in Tirupur but was sent to work.

- The existence of free non-formal education centres and NGOs who made parents aware of these centres and the positive aspects of education, motivated parents to send their children to these centres but not to withdraw them from work.

- The majority of the child labourers had no free time to relax, to play, or to meet friends due to regular overtime work, working nightshifts, and sometimes working on Sundays. When the children did not have to work overtime they had to attend non-formal education in the evening. Especially girls lacked sufficient free time to rest because whenever she was free she had to do household work and to care for siblings also. After work the majority of the boys went straight to their homes, had dinner, and went to bed.
The working conditions of the visited manufacturing units all had toilet, washing and drinking water facilities, but ventilation was poor, if any, or absent. Adult and child labourers were not paid statutory benefits like, for example, bonuses, twice paid salary for overtime work, ESI, PF, sickness leave, maternity leave, etc. Adult workers were paid according to the piece rate system and were not paid minimum wages. Labour unions were opposed by the majority of the employers. The latter did not allow workers to join a labour union.

Health hazards of the interviewed children were primarily typhoid in their first year of employment and overall exhaustion. Adults and children who worked in a dyeing or bleaching unit, suffered from cough and eye problems due to polluted air which was filled with chemical dust coming from the dyeing and bleaching process. The children irregularly ate their meals because of irregular working timings. These meals were not always nutritious. The slum areas where the child labourers lived were very dirty, and dyeing and bleaching units polluted the ground-water in these areas with untreated industrial effluent. This affected also the health of the children.

Child labourers in the hosiery industry wanted future jobs which were related to the hosiery industry or to the environment of the non-formal education centre, like the job of a teacher.

The visits to garment manufacturing units in Tirupur (direct exporters and subcontracted units) revealed that in the majority of these units the working conditions were bad. For example, most of the employers of these supplying units and direct export companies did not pay legal minimum wages, workers did not get social security benefits like ESI and PF, working overtime was not paid twice the salary, working days lasted much longer than 8 hours, women earned lower wages than men for the same job, workers were not allowed to organize themselves and to join labour unions, and the majority of these exporters and suppliers employed children in the production process. Employers/exporters openly admitted that they deliberately had divided their production unit into more units (with different names) to avoid labour problems.

Visits to manufacturing units in Tirupur revealed the following European retailers, chain-stores and buying houses which buy knitted garments from Indian exporters and manufacturers in Tirupur who produced knitted garments under bad labour conditions and with the use of children: from the Netherlands: C&A, Maxi, Coby Tex, Ciso, Darnhouwer RW, M.l.v.c.; from the United Kingdom: Ethel Austin; and, from France: Carrefour. Foreign retailers, buying houses and chain-stores which buy knitted garments from exporters in Tirupur who produced garments under bad labour conditions but where no children were found working, include from the Netherlands: Naf Naf, Dalral; from England: Havika International, Suchata Fiction Clothing Company; from Belgium: INNO, Textile Puttmens; from Germany: Ringulla; from Canada: Trio Selection; from Switzerland: Coop Schweiz and, from France: Devico.

The case study of All Indian Trade Union Congress (AITUC), a labour union active in Tirupur, reveals it is in favour of regulating child labour because they do not find the work dangerous to children's health in which case it should be prohibited. They are in favour of increasing the wages of children to a minimum wage and providing children 2 to 4 hours education in non-formal education schools to be opened by the government. The AITUC has 5,000 members out of 200,000
workers who are working in the hosiery industry. They try to improve the working conditions of their members by making them aware of their rights and what they can do to maintain these rights.

- A study of declarations made by the hosiery industry to end child labour reveals that the members of Tirupur Export Association (TEA) state that they have not employed new child labourers since 1995. They have proposed a training programme for women to get them employed in the industry instead of the children so that these women can replace child labourers. The South Indian Hosiery Manufacturing Association (SIMHA) state that they are in favour of elimination of child labour in the hosiery industry in Tirupur. Their strategy is to stop recruiting the children with immediate effect, seeing that no children below 14 years of age continue working beyond 1998, and to provide the child labourers at present with non-formal education in schools next to their work.

### 4.9 Conclusions

The majority of the child labourers in the hosiery industry work because they have to earn extra income for the family. The working child adds substantially to the income of parents who are either unemployed or have jobs not related to the hosiery industry. The latter jobs are lower paid than the jobs in the hosiery industry. The child labourers (often two child labourers per family), with parents who work in the hosiery industry, contribute 30 to 40 per cent to the family income. The child labourers (also often two child labourers per family), with parents who do not work in the hosiery industry, however, contribute 50 to 80 per cent to the family income. Thus, the earnings of the children who are working in the hosiery industry are substantial and necessary for family survival.

Parents send their children to the hosiery industry because they are not earning living wages and do not have permanent employment, whether they work in the hosiery industry or elsewhere. Lack of job opportunities in the rural areas around Tirupur forced people to migrate into Tirupur where the wages are higher. At the moment of migration children are withdrawn from school and they are not enrolled again in schools in Tirupur but are sent to work. Because the children can earn relatively high wages compared to the jobs in the rural areas or other industries in Tamil Nadu, like the beedi (i.e. local cigarette) and the match industry where also thousands of children are employed, parents have an incentive to send their children to work. Thus, low paid jobs of parents in Tirupur, lack of job opportunities of parents in the rural areas which lead to migration into Tirupur, higher wages for children in the hosiery industry in Tirupur, also are some of the causes of child labour in the hosiery industry of Tirupur.

Although some parents were motivated by a NGO to send their children to a non-formal education centre in Tirupur, they did not withdraw them from work. In the case of these children, the goal of school enrolment (e.g. two hours education in a non-formal education centre) is achieved and the opinion of parents towards education has become more positive, but the combination of full-time work and education in the evening damages the children - mentally and physically - more than when the children work without going to the centre. The children work 12 to 16 hours per day, often in nightshifts also, and go to classes of the non-formal education centre
in the evening if they do not work overtime. Because parents have not been made aware of the damage this work and education schedule causes to the children, the health of these children is more at risk. Especially the health, the social and mental development of the girl child are more affected than of the boy child. She is required to work in the household also and to take care of siblings whenever she is free next to the above mentioned work and education schedule, unlike the boy child. The children who combine (full-time) work with education are often too tired to concentrate on the lessons in the non-formal education centre. They attend these centres irregularly due to regular forced overtime work. They even have less time to play with friends after a working day and they have less time to eat meals and to sleep.

In general, girls, whether they attend a non-formal education centre or not, are withdrawn earlier from regular schooling than boys because they are needed in the household. This means that girls are less educated than boys and they have less job opportunities in future than boys.

Overall, most of the child labourers in the hosiery industry of Tirupur suffer from severe exhaustion and do not have sufficient time left to play and to rest. In addition, they have their (low nutritious) meals at irregular times. This will have repercussions on the health of these working children and will result in illness of the child labourers, especially the girls. It means that in near future, suppose they will fall ill, they may not be able any longer to earn income for the family.

Child labour in the hosiery industry exists because the employers have a vested interest in their cheap labour, because they pay the children less than adults for the same number of working hours per day (i.e. 12 to 16 hours per day, which includes work in the nightshift and on Sundays also). Children who start working earn around one-third of the lowest paid adult and one-eighth of the highest paid adult. After a few years of working these ratio's are respectively, two-third and one-fourth, while the children start with carrying out the same jobs as adults. Child labour in the hosiery industry is not prohibited, but should be regulated according to the Child Labour (Prohibition & Regulation) Act of 1986. Employers, therefore, can be fined if they do not regulate child labour in their workshops and establishments.

Children who are working in the hosiery industry are economically exploited and deprived of their education, social life and play. Especially the health and the mental development are affected of the children who combine full-time work with evening education in the different non-formal education centres. The child is often too tired to absorb the few hours of education in the non-formal education centre. Child labour in the hosiery industry should be prohibited because it continues the 'vicious circle of poverty' and causes early health problems of the children. They are not able to learn in school to the maximum which means that in future they can not get better jobs.

Combining non-formal education with (regulated) work, which is a proposed strategy of the former government, the industry, and the labour union (AITUC) to improve the working conditions of child labourers and to educate them, is not a solution to the problem of child labour in the hosiery industry of Tirupur. The proposed 6 hours of hectic work which has to be combined with 2 to 4 hours education, if this is strictly adhered to, will exhaust the children and affect their health adversely. This will lead to the same situation as was found with the interviewed children of this
study in Tirupur, who combined work with non-formal education in the evening. The parents will still need the extra income supplied by their children in case the wages of the parents are not increased or in case no better job opportunities are available to them. Added to this comes that children, especially girls, are still needed to help in the household after work. Thus, the implementation of strategies against full-time child labour which aim to combine education - which is not compulsory - with working a few hours in the industry, is prone to be violated by employers and parents. Employers will not send the child home after 6 hours of work because nobody checks that and the parents will not withdraw the child from work because they still need the extra income of the child. When education is not compulsory, and parents are not involved in its implementation, they will not send their child to school. To implement the above mentioned strategy to combine work and education, firstly primary education should be made compulsory and free, and should be made more interesting for children. Secondly, working parents should receive living wages and they should be actively involved in the implementation of school enrolment of the child. Thirdly, parents should be made aware of the negative aspects of child labour. This will partly help to prevent and to stop children being pulled and pushed into the hosiery industry; hopefully it will finally keep children in school full-time, without combining the education with (enumerative) labour.

The proposed minimum wage for child labourers by AITUC is also not a solution to end child labour, because it will stimulate children to work instead of going to school. If children are paid a minimum wage, parents have even more an incentive to send their children to work; children occupy jobs of unemployed adults. In case children would be paid official minimum wages, employers still would prefer children and not adult workers because the former are easier to dictate, are more vital, and they would not ask for social benefits, etc.

The training programme for women, proposed by the Tirupur Export Association, is a first step in support of the eradication of child labour. But such a program can only succeed if it goes together with permanent employment opportunities, creche facilities, a 'living' wage. It is also very important that the labour unions actively participate to supervise the compliance with the labour and factory laws. The labour inspectors of the Government should check the premises regularly and immediately fine the employers who violate the law.

Removing the children from the hosiery units in Tirupur should not be done without creating alternative sources of income for the family. Such alternatives should contain training and better job opportunities for parents. The working parents should be paid 'living' wages. Removing the children from the industry, should not be done without making parents aware of the negative aspects of child labour. Primary education should be made compulsory, free, meaningful and interesting, and it should be implemented with the involvement of the community. The inspection system of the labour inspectors should be improved, intensified and strengthened. If children are going to be banned from the hosiery industry without the above mentioned measures, the chance exists that children will enter into other employments or their employment becomes disguised. Migrant families will shift to other areas where their children can be employed again, because they are still dependent on their income.

Thus, awareness-generating programmes, a strict implementation of compulsory primary educa-
tion with the involvement of the community, an improved enforcement machinery, training in garment production or other income-generating projects for parents, are essential in order to come to sustainable solutions to the problem of child labour in the garment industry of Tirupur.
Case studies of child labourers in the garment export industry of Tirupur

The interviewed children of the case studies work in the hosiery garment industry in Tirupur and follow education in non-formal education centres which are also in Tirupur.

**Case 1: Ramesh**

Ramesh is a boy of 13 years of age and is working since one year. He is Hindu and from the Scheduled Caste. He went to school up to 5th standard and dropped out after that because his mother wanted him to work. This meant that his school days were over as he was compelled to work in a 'banyan' (i.e. hosiery) factory near his house in Tirupur. He cannot play around any more. His work consists of assisting the tailor and all kinds of other small jobs if the tailor has no work.

The factory, together with many other factories, is located in the slum area 'KVR Nagar' close to the city of Tirupur. Ramesh is also living in this slum with his family of 5 members. Both his parents work in the hosiery industry and carry out the process of dyeing. They are illiterate. Both earn Rs 800 per month. His 15 year old brother has had education up to sixth standard, and works as a tailor. His brother earns Rs 600 per month. Although the total income of the family is around Rs 3200, it is not sufficient for daily life expenses. The daily life in Tirupur is very expensive, as is the rent of the slum huts. Added to these expenses, there is not work throughout the year as the work depends on the export orders being placed by buyers from other countries. There is not a regular income throughout the year. Ramesh's father, therefore, has decided to send him to the hosiery industry for work.

For assisting the tailor he receives Rs 15 per day, approximately Rs 360 per month. The money he has to give to his father, but every weekend he gets Rs 10 pocket money. That money he spends on edibles. Sometimes, because he works in the nightshift also, he earns more. The nightshift ends at 1 a.m. In one week he works 8 shifts (1 shift is 8 hours) which means that there are days that he works 10 to 12 hours. The supervisor scolds him regularly because he does not work hard enough. Next to Ramesh, there are 15 more children working in the same hosiery unit; 7 girls and 8 boys. There is enough space to work in the factory, tells Ramesh. They can take water and make use of a toilet. When he started working in the hosiery factory, Ramesh got a bad typhoid (fever).

Now, Ramesh is going to the non-formal education centre when there is no overtime work. The school timings are from 6 p.m. to 8 p.m. Due to overtime work in the factory in the evening, it is not always possible to attend the lessons. Ramesh wants to go to the regular school again. He often sees the children going in their uniforms and with their school bags, but he knows that is a distant dream. In the centre he learns to read and write Tamil and English. Later in life, Ramesh wants to become a hosiery contractor because then he will earn a lot of money.

**Case 2: Rani**

Rani Manogren is 10 years of age and just started working one week back. She is a Hindu and from the Backward Caste, and she is a migrant from Madurai District. Now she lives with her
family of 4 members in the 'KVR slum' near Tirupur. Her father sells edibles on a cycle car and earns Rs 1000 and her mother works in the construction which adds another Rs 600 to the family's income. Still this money is not sufficient for the family to live from. So the parents decided that Rani should work too. The best option is the hosiery factory, which is next to their house in the slum. There is no need to travel a long time to the workplace, which is much safer for young girls.

This week she has worked 5 shifts and also one nightshift up to 1 a.m. The job consisted of collecting the cloths and arranging them. For that work she receives Rs 20 per day. Next to Rani, there are 5 more girl children working in the factory. When they work after 9 p.m. they get tea from the supervisor. Other girls and Rani are often scolded by him at moments they talk with each other. During the one hour lunch break, Rani goes home and eats there.

The workplace is well ventilated and spacious, according to Rani. She can make use of a toilet and drinking water facility. Rani went to school before this job up till the third standard. But her father told her that the family is suffering from loans taken earlier, and that he can not pay back the loans. For that reason the family had left the village. Rani is compelled to go to work and the money she receives she has to give to her mother. Her father also wants her to continue her education and, therefore, she is attending the lessons of the NFE centre. But the combination is very tiring. There is no free time left. Inside the household she is also required to assist. Rani did not want to leave the regular school and she hopes she can join it again. Later in life Rani wants to become a tailor and stitch garments. She likes working with clothes.

Case 3: Selva
Selva started working at the age of 9. Now he is 12 years of age. He has gone to school up to 4th standard but failed there. Then he decided to quit by himself and his parents told him where to find a job in Tirupur. But later he told me that his parents had sent him to work for the money.

For the last three years he has been assisting the tailor for Rs 25 per day. He works 9 shifts per week and hardly comes home before 9 p.m. Sometimes he has to work in the night also, and even on Sundays. For the overtime work he is not paid extra money. Selva tells that when he makes mistakes the supervisor scolds him.

Selva says that working is sometimes very tiring as there is only a 1 hour lunch break. When he works till late in the evening there is no other break. Though he gets tea during the nightshift, it is sometimes difficult not to fall asleep. This is the same for the other 29 children who are working with him in the factory. There are another 23 boys and 6 girls working in the factory. Selva suffers often from Typhoid since he started working.

The money Selva gets he gives to his parents; he keeps Rs 10 every week. With that money he goes to see a movie with his friends. Selva lives in the 'KVR slum' near Tirupur with his family of 5 members. His father works in a construction site and earns Rs 1000 in a month. He is illiterate. His elder brother Jodi of 15 years of age is also working as an assistant of a tailor earning Rs 600 per month. He went to school up to the 5th standard. His sister Palani is 18 years, works in the household, and is also illiterate. The family is from the Scheduled Caste.
Recently he joined the NFE centre located in the slum, because his parents want him to have at least some education, like reading and writing. Selva prefers to go to the regular school but that is not possible any more. Later in life, Selva wants to become a contractor in the garment industry.

**Case 4: Uma**

Uma is a girl of 10 years of age, and she is Hindu and from the Scheduled Caste. She started working at the age of 7 and has been working for three years. Her job consists of assisting the tailor in a garment factory in Tirupur, located near the slum where she lives. She earns Rs 22 per day and for that she works 8 shifts a week. She starts at 8 a.m. and leaves the factory at 6 p.m. There is enough space, light, and ventilation in the factory. There is also a toilet available in the factory. The employer provides the workers with tea. During lunch time Uma goes home, which is the only rest point during the day. Sometimes she also works from 9 p.m. to 1 a.m. Uma gives her weekly wage to her mother, but she can keep Rs 5 to see a movie on Sunday when she is free.

Uma has gone to school up to 2nd standard. But since she started working, and has dropped out of the regular school, her parents told her to go to the non-formal education centre to continue some studies next to her job. Her parents tell her that education will benefit her later in life. In the centre she learns mathematics, and to read and write English and Tamil. But very often she is not able to go to the centre when she has to work at these hours in the factory.

The family migrated from a village which is 70 km away from Tirupur. Her father could not find a job in that village. Now he is working as a private plumber in Tirupur and earns Rs 1000 per month. Uma's father has had an education up to the 4th standard, and her mother up to 2nd standard. Uma's 12 year old sister, Tangamani, also works in a hosiery factory and earns Rs 30 per day. She also assists a tailor. The family, which has 5 members, has an income which is around Rs 2200 per month. Uma looks weak and tired. She also wants to become a tailor later in her life.

**Case 5: Joyti**

Joyti Krishnan is a girl of 14 years of age, but gives the impression she is around 20 years of age. This is not strange as she has been working for the last 4 years in the hosiery industry in Tirupur. Joyti is Hindu and from the Backward Caste. She started working in the hosiery industry when she was 10 years of age. At that time she was earning Rs 12 per day for collecting and arranging the clothes in the factory. Now she has been promoted to assistant of the tailor and earns Rs 28 per day.

Joyti dropped out of the school during the period of the 6th standard because her family needed her assistance. Her father had an accident and walks problematically. He can only make crafts inside the home. Together with his wife they earn with that job Rs 500 per month. But that is very little money to feed the whole family of 5 members. Joyti and her sister and brother have to work and earn the family income. Amupa, Joyti's elder sister, is 22 years of age and works in the hosiery industry in Tirupur as a garment checker. She gets Rs 32 per day. The money she gets she gives to her father and Rs 5 she keeps every week for herself which she saves. Joyti's brother earns Rs 22 per day and works as an assistant of a tailor in a garment factory. He is 15 years of age. Although Joyti's father has had an education up to 8th standard, his other children have drop-
ped out much earlier and did not get further than respectively 4th standard (sister) and 5th standard (brother).

Joyti has to travel every day by bus to reach her work. She works 10 shifts per week. Regularly, she works from 8 a.m. to 9 p.m. and also in the nightshift till 1 a.m. From noon till 1 p.m. she rests and eats her lunch which she brings with her in a box. When she works at night, the supervisor brings her home on his scooter. For the hours she works in the night, she is not paid extra money. Sometimes she also works on Sundays. During the nightshift, the supervisor provides the workers with tea and music. This prevents her from falling asleep. In her factory work 18 boys and 2 girls.

Joyti has little time left to go to the NFE centre for education. When the work in the factory is finished, often she has to help in the household at home; cleaning the vessels, collecting water, sweeping etc. There is never time to play. But when there is some free time left in the evening, she attends 2 hours of education in the centre. Later in life, Joyti wants to become a teacher. She hopes to go to a regular school in the near future.

**Case 6: Sanmuham**
Sanmuham Raju is 13 years of age and started working at the age of 8. He is Hindu and from the Scheduled Caste. His father forced him to work because the family needed the extra income. At that time his job consisted of collecting the clothes and garments in a garment factory. He received Rs 5 per day. Now he travels every day to his new job; a garment exporter located near Tamil Nadu Theatre in Tirupur. This job consists of assisting the tailor for which he gets Rs 25 per day. Sanmuham has education up to the level of 5th standard. Now he goes to the NFE centre to continue his education, if the job allows him to. He prefers going to the regular school.

Sanmuham works 1.5 shift per day and 10 shifts per week. Per day he is working 12 hours with 1 hour rest period. But when an export order has to be met in time, and there is urgent work, he works 2.5 shifts a day (1 shift is 8 hours), and sleeps inside the factory. The supervisor gives the workers tea at night and lets them listen to music. Four more boys are working in the factory. The supervisor, however, does not treat the workers nicely. Very often he beats or scolds them. Sanmuham explains that when he makes mistakes, Rs 5 are cut from his wage.

The wage Sanmuham gets, he gives to his mother. Every week he keeps Rs 5 and spends them on candy's. His father is illiterate and works in a spinning mill earning Rs 1000 per month. His mother works in a bleaching unit where the clothes are bleached and dried. She gets Rs 48 per day. She has had education up to 5th standard. Sanmuham’s elder brother is 14 years of age and also works in a garment factory as an assistant of a tailor. He earns Rs 26 per day. He dropped out of the school at 4th standard. Sanmuham's youngest brother is 7 years and goes to the regular school.

Sanmuham’s dream is to become a doctor, and if that is not possible he wants to become a supervisor in a garment factory.
Case 7: Dhanalakshmi

Dhanalakshmi Givananthan is 12 years of age and started working in an export garment factory in Tirupur 3 month ago. She is a Hindu and from the Backward Caste. She assists the tailor and earns Rs 13 per day. This amount she gives daily to her mother. When she is at home she helps her father stitching buttons. Only Dhanalakshmi and her father bring money into the household. He gets around Rs 1000 per month. But the work is not regular.

Dhanalakshmi's father has send her to work because he cannot buy enough food and clothing for the whole family. Dhanalakshmi's elder sister is working in the house only. She has had education up to 3rd standard. Dhanalakshmi's younger sister is 11 years and still goes to school in the 5th standard. Dhanalakshmi has had education up to the level of 4th standard. The whole family migrated from Salem to Tirupur because the job opportunities are better in Tirupur.

In the factory where Dhanalakshmi works, 10 other girls are doing similar work. Dhanalakshmi works 7 shifts per week and when a dead-line has to be made she also works on Sundays. All the tailors in the factory are women. The unit is spacious and well ventilated. There is also a drinking water facility and a toilet. Next to her job, Dhanalakshmi's father also wants her to continue education and therefore she goes to the NFE centre which gives lessons in the evening hours. Later in life, she wants to become a teacher.
Chapter 5  Adult labour in the garment export industry of Bangalore

5.1  Introduction

Buyers of garments travel to Bombay, Madras and Delhi where the garment manufacturers are thriving. Recently, for this purpose, buyers also visit Bangalore, which is the capital of the state of Karnataka. The city has become a new destination for leading garment manufacturing and export houses. Today, Bangalore is called 'the Mecca of India's garment industry'\textsuperscript{98}, but it started long before the boom in 1920 with manufacturing garments for the local and domestic markets.

In 1994, Bangalore exported garments worth Rs 700 crores. Though Bangalore's share of India's total export of garments is only 6.21 per cent, it is the home of India's top garment manufacturers and exporters, like Gokaldas Exports which earned US$ 24.55 million in 1993 due to its garment exports\textsuperscript{99}. Today, Bangalore has become an active player in the process of globalization, mainly manufacturing for export. Apart from exporting garments, manufacturers from Bangalore also have a flourishing chain of domestic showrooms.

In an article\textsuperscript{100} on Bangalore's garment industry, it is stated that Bangalore is popular among garment manufacturers due to the following five factors. Firstly, real estate is still reasonably priced. In the article a real estate agent says 'in Bangalore, the price per acre of land is around a tenth of the amount in Delhi and perhaps a fortieth of the amount in Bombay'. Secondly, the climate and cosmopolitan lifestyle have made Bangalore more popular than Madras, which is actually a better option as a port city. Thirdly, Bangalore is close to other important textile cities like Tirupur for hosiery fabrics and garments, but also Karur for the production of yarn, Coimbatore and Salem etc., which are all together inexpensive suppliers of raw materials. Fourthly, there is an inland container depot for transport of cargo to Madras, Bombay or Delhi, and a freighter service by air. Seventy per cent of the freight is composed of garments from Bangalore. An international airport is planned to establish a direct link with foreign buyers. And fifthly, the abundance of a cheap female labour force\textsuperscript{101}. In the article it is said 'that wages which are paid to women are lower than in the north and are around Rs 1500 per month'.

Bangalore's 'Mecca', however, does not reflect the working conditions and standards of the workers, especially the women labourers. In an article\textsuperscript{102} in an Indian newspaper, a journalist explains the situation of exploited women in the garment industry as follows: 'Salaries are meagre (sometimes as low as Rs 450 per month) and the working hours are long. Working overtime is a must almost every day. Export orders have to be fulfilled and no employee can leave without putting in extra hours'. Leela, a woman who works in a garment unit and who is quoted in the

\textsuperscript{98}  Sunday, January 8, 1995. 'Fashion City, Why is Bangalore the Mecca of India's garment export industry?'.

\textsuperscript{99}  Sunday, January 8, 1995. Ibid., op. cit.

\textsuperscript{100}  Sunday, January 8, 1995. Ibid.

\textsuperscript{101}  Other factors which were mentioned by manufacturers in Bangalore, are: financial support to the garment industry by the Government of Karnataka and the availability of a better infrastructure as compared with other areas, in terms of land, water, electricity and transport, which all are available at a lower price in Bangalore.

\textsuperscript{102}  Deccan Herald, March 11, 1995. 'Sewn up by dire need'.
article, says: 'when we start for the day, we have absolutely no idea about the closing time. We just have to continue till whenever the bell rings'. In the same article Leelakrishnan, a trade unionist and practising advocate, says: 'most of the companies do not maintain records of employees and in the absence of any proof regarding the length of their service, it can be terminated at any time. This is one of the biggest hurdles we face. And none of the other employees will testify in the victim's favour in fear of losing their own jobs'.

Several people from the industry said that the garment industry in Bangalore is well organized, and the handful successful exporters make higher investments in technology and machinery than for example in Tirupur or Delhi. The Ministry of Commerce in Bangalore has registered 182 big units and 1283 medium/small units till date. The labour union is active in most of the registered units, of which the number is rather limited. In the majority of the unregistered units the labour unions are totally absent. As everywhere in the garment industry of India, the largest part of the production is done through subcontracting. This is only done in times of high demand for garments. The owners often do business with their own relatives and the profits are shared among the family members. The workers in the subcontracted unit in Bangalore are not shared in the profits. Promotion is never given to workers and the high level jobs are only given to relatives and friends. The reason for subcontracting, like in other main textile centres, is to avoid labour legislation and income tax. The rationale used by the employers is everywhere the same: cost minimization and maximizing profits. The garment export industry is well suited for the implementation of this rationale.

5.2 Cheap female workforce: the causes

The total workforce of the garment industry in Bangalore is estimated at 250,000 workers of which 80 per cent is female. In Bangalore more women than men are employed in the garment industry because they are cheaper.

A second reason which caused the high influx of women into the industry are the countless tailoring centres which operate on a stipendiary basis, and were raised and sponsored by Government bodies like the Women's Development Department Corporation, Industrial Training Institutes, and private institutions. These centres were created with the idea to decrease unemployment and underemployment in and around Bangalore, and to offer women training facilities.
to become a tailor. Thus, tailoring in Karnataka, came within the reach of the lower income class and attracted many women. But, as stated by a journalist: ‘instead of improving the socio-economic status of workers, especially for women, and getting them an apprenticeship place in the garment factories, which are the main aims of the training centres, the women are extremely exploited with payments according to the piece wage and a quota system. The strain of long working hours begins to tell on their health and after some time a considerable number drops out.’

A third reason why more women work in the garment industry of Bangalore is because they migrated from the villages in the surrounding rural areas to Bangalore, in search for employment. A development journalist in Bangalore told me, that in the past mainly males migrated to the cities, but now also women and children, with or without their husbands, migrate from the villages to Bangalore as a result of the New Economic Policy which stimulated industrialization in the cities. The development of the rural economy has collapsed in Karnataka. The small farmers sell their land to bigger farmers/land owners, to profitable horticulturists and other industrialists and country clubs. The small farmers migrate with the whole family to cities like Bangalore, Mysore, Tumkur and Mandya, where the job opportunities are more and better.

Thus the demand for tailors and especially women tailors in Bangalore, could easily be fulfilled by women who migrated from the rural areas, and by urban women who are trained through the countless tailoring centres in Bangalore.

5.3 Results and discussions of field visits: working conditions of adult labour

In total, 18 women and 4 men were interviewed. They came from three different areas in Bangalore. Most of them work in garment factories which produce garments for export only. The interviewed workers were from Ashoka Puram Colony (an upgraded slum in Bangalore since 1970 with many garment factories which were built in the slum since 1975), from Singa Sandra (an upgraded area 18 kilometres outside Bangalore) and from Weavers Colony. During the interviews I was accompanied by a translator. The answers given by the workers might not be given in full honesty because due to fear of losing their job. Sometimes the interviewed workers thought we were inspectors.

---

108 An interview was held with the programme officer of the Shramik Vidyapeeth in Bangalore, a semi-Government organization which organizes community-based training programmes for slum dwellers, workers of both organized and unorganized sectors, workers of Scheduled Caste and Scheduled Tribes, child workers and women workers. One of their many training programmes is a skill training in tailoring. The programme officer said that 50 of 200 women, who were trained in tailoring by their organization, found a job as a tailor in the garment industry in Bangalore. More than 50% of them dropped out due to the following reasons: health problems due to too much work pressure, only half an hour lunch break in a working day of around 10 hours and because they are forced to work overtime which they could not combine with running the household. They also complained about the continuous stitching in an atmosphere where the noise of the tailoring machines is deafening. The workspaces are too crowded which causes a tremendous heat. The reason for dropping out was not because of the quality of the training or the quality of the workers.

109 Deccan Herald, April 3, 1993. Ibid.

110 The development journalist specially mentioned a project for floriculture, which is buying land from poor farmers in the rural areas near Bangalore. The project uses the best water, while the flowers are mainly grown for the Dutch market.
The workers in the three areas mentioned mainly six problems: overtime work, low wages, no statutory benefits, fear of losing their job if they join a labour union or become ill or pregnant, no job security, and health problems which include stress on the job and harassment by the supervisors.

The ages of the workers varied between 16 and 35 years. As stated by the majority of the interviewed workers, the workforce in their factories constitutes 80-90% female workers. Women workers are preferred by employers because they are cheaper than males.

**Working hours and overtime work**

The interviewed workers work 8 hours per day, plus 1 to 4 hours overtime work daily. They said that working overtime is compulsory otherwise their salaries would be reduced or they would be fired. The majority of the workers worked three out of four Sundays which was compulsory, as stated by the majority of the workers. The lunch break varied between 15 and 30 minutes. That is the only break they had during the day. In some factories there was another 15 minutes tea break. In some of these factories the tea had to be bought from outside.

The workers stated that the work was not the whole year through; variably around 8 month in a year. When there is a slack period, the factory closes down and the workers are jobless.

**Wages**

Including extra overtime work payments, the wages paid to the women ranged between Rs 600 and Rs 1200 per month in the slum Ashoka Puram Colony. In Singa Sandra the wages were higher and ranged between Rs 1050 and Rs 1400 per month. In Weavers Colony the wages varied from Rs 500 to Rs 850 per month, and were much lower than the wages in the two other areas. The education level of the women in Ashoka Puram Colony and Singa Sandra were around 10th standard while the education level of women in the Weavers Colony were lower than in these two areas. The lower education levels may be was used as a reason by employers to pay these women lower wages.

Males earn more than women for doing the same job, as was stated by all the interviewed women. The interviewed males earned wages which ranged between Rs 1600 and Rs 2500 per month.

The wages are dependent on work experience and type of job. Tailors, for example can be of a low, medium, or high level. The majority of the women started as a helper to the tailor and became tailors after a few years. These women often have had a higher education like 10th to 12th standard and their wages were increased from Rs 750 to Rs 1400 after a few years. Workers who were helpers earned wages which ranged between Rs 400 and, after a few years, Rs 800 per month. Workers who started in the probationary period as a tailor earned in the beginning higher wages (Rs 1050 per month), than women who started as a helper. Tailoring was among the highest paid jobs as compared to jobs like washing, packing, button stitching and holing. Jobs like pattern making and cutting were hardly carried out by women, and because males were doing these jobs the wages of these jobs were higher; around Rs 2000 to Rs 3000 per month. Workers were never promoted to supervisors. Supervisors earned wages which ranged between Rs 2500 and Rs 4000 per month.
All the interviewed workers had started with a probationary period which ranged between 6 and 12 months. Some of the interviewed workers were still in the probationary period. The wages in the probationary period varied between Rs 600 and Rs 1000 per month. In the factories the majority of workers is in a probationary period after which they get a slightly better wage but they never become permanent workers. They will never be promoted.

During the interviews, all the workers, especially the women, complained that the wages were not enough to survive. All had difficulties in managing illness in the family, paying the rent of the house, and paying food, water and electricity bills of which the prices are on the rise in Bangalore. Savings could hardly be made by the women. Often they had to borrow money from neighbours.

According to the law of Karnataka in 1994-1995, as were given by the additional labour commissioner of Bangalore, Mr. Shankaranarayana, the minimum wages for an 8 hours work day in 1994-95, are for,

- **Highly skilled worker** (pattern maker, cutter, highly qualified tailors) Rs 43 per day (Rs 1114 per month);
- **Skilled worker** (tailor, cutter, machine operator) Rs 41 per day (Rs 1083 per month);
- **Semi skilled worker** (ironer, checker, button hole machine operator) Rs 40 per day (Rs 1049 per month);
- **Unskilled worker** (helper, service, canteen, office clerks) Rs 36 per day (Rs 903 per month).

The official Minimum Wage is calculated for 26 days per month where the Sunday is a holiday. As per law, overtime work has to be paid twice the wage of the worker.

In an interview, the additional labour commissioner said the following: 'the work in the factories is not paid on piece rate basis but according to a 8 hours working day. The majority of the factories is unionized, and the minimum wage is paid to the workers. If not, then the labour Inspectors will go to the factories and solve these problems'. The reality, as revealed by the interviewed women, however, is different. The women receive wages which are well below the limit recommended by the Karnataka State Minimum Wages Advisory Board and for the wages they work much longer than 8 hours. Although the interviewed workers said that overtime work is paid 1.5 to 2 times their salaries, if one calculates the total wage including the official overtime work payments, the wages they earn are too low. The majority of the women already had worked for 1.5 to 3 years which means they should have been highly skilled workers already with more experience on the same job and should have been rewarded with higher wages. Even after 1.5 to 3 years of work experience the majority of the women earned wages that ranged between Rs 800 and Rs 1200 per month, including the extra overtime work payments.

According to the National Centre for Labour (NCL), an NGO in Bangalore working for the rights of workers in the informal sector, the wages of adults range between Rs 400 and Rs 1200 per month today, which is not a 'need based' minimum wage.

Although employers stated that workers were paid according to a fixed wage or monthly wage, this survey revealed that workers were paid according to the piece rate system. The workers had to stitch a certain amount of garments per hour and per day. If the quantity of garments was not
stitched in the day, the workers were forced to work overtime to finish the target which was set by
the management. If the workers did not finish the quantity of garments in the day, their wages
would be reduced or they were dismissed. Because of the fear of losing the job the women said
they worked till the end at a very high speed. This had repercussions on their health. The women
said that when they apply for a tailoring job the employers are only interested in their speed of
stitching the garments. One's working speed determines one's wage.

The National Centre for Labour said that 'the employers force workers to do overtime work and
give remarks and incentives to work even harder. When the worker finally can finish more pieces
per hour or per day, then it means that the worker can manage that speed. The next day a new
target is set for that worker without increasing his or her wage'.

During garment factory visits, I asked employers the amount of wages which are paid to workers
in different jobs, employers replied that 'all the wages are different and depend on work expe-
rience and type of work'. Employers also said that 'the wage differences between different jobs
regulate labour problems as nobody becomes jealous'.

Statutory benefits
The interviewed workers said that statutory benefits like ESI, PF, maternity leave and bonus were
paid to them. Maternity leave was paid half the salary during three months, the women stated. But
maternity leave should be paid fully according to the law. All the workers said that overtime work
was paid 1,5 to 2 times the salaries, also on Sundays. Most of the workers said that they were also
forced to work 2 to 3 Sundays in the month. Overtime work is compulsory otherwise they are
fired. During illness, the workers said they were simply fired and sent home, or after the birth of
the baby the women were not hired again by the same employer. Most of the women said that in
their factories, no creche facilities were available.

The interviewed workers said that no collective bargaining agreement exists between the em-
ployers and the employees. Many times women expressed that they were threatened with
dismissal if they were to join labour unions. If a worker is fired, employers will thereafter spread
the message about this person with the result that he or she will not get job in another garment
factory again. Because of these threats, workers keep quiet and accept their exploited situation.

I had serious doubts if the workers really got ESI, PF, maternity leave and the overtime work
payments. The National Centre for Labour, an NGO in Bangalore, said that most of the workers
have hardly access to the benefits of ESI, PF and maternity leave. Some women also said that due
to illness or due to the period of maternity, they were fired from the job. Concerning the extra
overtime work payments, the workers did not get paid twice their wages. If one sums up the hours
of overtime work and the extra Sundays, the wages should have been much higher than the
amount they said. It seemed that they were afraid to tell this in front of me and the translator. In
an article which concerns women in the garment industry in Bangalore, it is pointed out that 'all
the extra hours the women put in, bring them an additional Rs 100 or Rs 150 per month'.

\[\text{Deccan Herald, March 11, 1995. 'Sewn by dire need'.}\]
Casual and temporary workers
None of the interviewed workers had a permanent job. They said that, except the staff, all their colleagues also were not permanent. From past work experience they knew they would never become permanent because they were sent out before the time they could get the status of permanent worker. They can be removed at any time by their employers as there is no job security. The women said that the work was not available the whole year through. During slack times, the factory sends the workers home. But because these workers needed income, they started working in other factories. In the new factory they had to work in a probationary period again; this way the worker will never become permanent.

Some of the workers had an identity card which is meant for security, but some women thought that the card is a proof of being a permanent worker.

Mostly the probationary period in a garment factory varied from 6 to 12 month. It took at least one more year before a worker could be made a permanent worker. Long before this time there comes a slack period in the export of garments which means there is no work for the workers and they are simply sent home. The interviewed women said that after the probationary period their wages were slightly increased and they were told by the employer that, suppose they worked hard and good, they would become permanent or make promotion with higher wages. The employer keeps the workers satisfied by promising higher wages, permanent status and promotion, which never happens in reality.

If a worker is not permanent and when the employer does not keep a record of the workers, it means that statutory benefits like ESI and PF, bonus, sickness leave, paid 12 gazette holidays etc. are not paid. This casual labour force which shifts from one factory to the other does not have rights. The main problem is that the workers cannot get their rights enforced. They accept every wage and other labour conditions, because they can be dismissed any time because they are not registered and permanent.

Health hazards
The common health problems reported by the women were knee, back and body pains due to being in a standing position for the whole day. Some women expressed that they were only allowed to visit the toilet once a day which caused problems of its own. Next to these physical problems, the women experienced an enormous work pressure, due to the fact that they were forced to finish a certain amount of garments per day. Especially in times when an export order had to be finished in time, the work pressure was high. The attitude of the supervisor also had repercussions on the health of the workers. If the women did not work according to the wishes of the supervisors they became harsh to the workers. The women said that they constantly lived in fear of losing their job. They were always afraid of becoming ill, because it meant they could lose their job or their wage could be reduced.

5.4 Case study of a garment manufacturing unit in Bangalore
This garment manufacturer is an exporter and is located near a slum in Bangalore. The factory is
heavily protected by many security guards. I was only allowed in the factory after working hours. The tailoring department was full of tailoring machines very close to each other. There was little space to walk. In the Summers it must be a very hot and noisy unit. The production manager was very cautious and did not want to answer any questions related to labour.

It was found that C&A and Quelle, two European chain-stores, buy garments from this export company. The garment labels which I have seen in the factory include: CANDA (C&A), NL-MARCA (C&A), MC CASUALS, QUELLE, NEW FAST (C&A). There hanged only shirts in the factory. The dyeing and bleaching unit were somewhere else. In the unit there were 90 tailoring machines.

The factory was established in 1980. The turnover is said to be Rs 75-85 lakhs per year and the profit 10%. In this factory, ladies garments, shirts, pants blouses and waste coats, are manufactured. The factory can manufacture 60,000 garment pieces per month. It covers all the processes: cutting, stitching, finishing, bleaching, dyeing, checking, packing, sending etc. The garments of this factory are exported to France (60%), Austria, Germany (30%), Holland (C&A), Belgium, Denmark, UK. This factory only produces garments for export. The manager said that for a simple shirt, a Dutch buyer pays on an average Dfl 9.19.

In the factory work around 200 to 250 workers. The workers are spread over three separate units. Out of this workforce, 20% is male. The ages of the workers range between 18 and 40 years. The machines were 10 years old. They were planning to buy new machinery. The fabrics were bought from places close to Bangalore, like Salem, Erode and Karur.

The garments are controlled on quality in the following steps: first the finished garments are checked; threads and spots are removed. Second, the garments are checked again, ironed, and checked for the last time. After that, the garment is ready for packing and sending. The transport of the products is done by the company itself and the buyers. Buyers directly trade with them. Every two months the buyers come to the factory and check the garments, give an advise to the exporter and ask for changes if it is needed. The relationship with buyers, at present, lasts 8 to 9 years.

The company faces many problems, as stated by the production manager, like an irregular supply of fabric, power problems and labour problems. He said that there was a lot of work pressure in the factory, but he did not want to elaborate further on this issue. He said that the director of the company took care of these aspects.

The production manager said that the wages which are paid in the factory vary from Rs 700, Rs 1500 to Rs 2200 per month. Women and men are performing equal jobs. The wage is a fixed

---

112 During this study a worker was interviewed, who had worked in this factory but left the job because the wages were too low and the work pressure was too high. The supervisors were always shouting at the workers that they should work harder. The ex-worker said that she earned Rs 300 for carrying out the job of helper. The wage had been increased to Rs 400 after she had worked three years in the factory. Another worker, who still worked in this factory, said that the probationary period took one year and the wage paid in this period was Rs 650 per month. The interviewed worker already had been working for 5 years as a tailor in this factory, and his wage still was at the level of Rs 1,200 per month. The worker was also complaining about the low wages which were paid in this factory, and the high work pressure. The director of this factory dismissed workers if they joined a labour union.
hourly wage. The factory operates 6 days a week, during 8 hours per day. Overtime work is 2 hours and both females and males work overtime. The production manager said that all statutory benefits, like ESI, PF, maternity leave, sickness leave, bonus etc. are paid to the workers. The workers come to the factory to ask for a job. The factory has a training period of 6 months. For jobs like helper and other low skilled jobs, the wage in this period is Rs 700 per month. For a tailor, which is a skilled job, the wage in this period ranges between Rs 1200 to Rs 1500 per month depending on the past experience of the worker. At the moment 100 workers are in the training period. No work is subcontracted by this factory. There is no collective bargaining agreement in this factory. The company forbids workers to join a labour union.

This company has been asked by a German buyer to sign a code of good conduct concerning the age of workers, which should be 18 years of age and above. It seemed that the company has complied with the code. Another condition which was asked by the German buyer, was that a bonus should be paid to the workers. This could not be checked during the visit.

5.5 Summary of the findings

- The reasons for the majority of women being employed in the garment industry in Bangalore are: firstly, females are paid lower wages than males thus the demand by employers for women workers is higher. Secondly, the supply of many tailoring centres in Bangalore (private and governmental) caused a high influx of people (mainly women) from the lower income class into the garment industry in Bangalore. Thirdly, recently more women migrated from the rural areas in Karnataka to the urban centres like Bangalore for better job opportunities, which is a result of the Structural Adjustment Programme and New Economic Policy of the former government which stimulated industrialization in the cities.

- The interviewed workers stated that working hours were 8 hours per day from 9 a.m. till 5 p.m. with 1 to 4 hours forced overtime work on top of these 8 hours. The lunch break varied between 15 and 30 minutes. The tea break lasted 15 minutes and took place one or two times per day. In high season time, workers worked often 3 Sundays per month also. Overtime work occurred almost every day, especially when an export order had to be met in time. There was no job security for 12 month per year but around 8 month.

- Wages of the interviewed women varied between Rs 500 to Rs 1400 per month. The wage range varied per surveyed area. Males earned wages which ranged between Rs 1600 and Rs 2500 per month. They were paid higher than females, often for the same job. The wage was fixed with the rate of finishing garments per hour, which meant it was paid according to the piece rate system. The wage level depended on work experience and type of job. Tailoring was among the highest paying jobs. Helpers were the lowest paid workers and earned wages ranging between Rs 400 and Rs 800 per month. Males were more often than females carrying out the job of pattern making and cutting of the cloth for which they received wages that ranged between Rs 2000 and Rs 3000 per month. Supervisors, who were mainly males, earned wages that ranged between Rs 2500 and Rs 4000 month. The duration of probationary periods in the units ranged between 6 and 12 months. The wages in this period ranged between Rs 600 and Rs 1000 per month. The wages
were not living or need-based wages as all the workers complained about financial problems. The financial problems concerned the difficulty workers faced to pay the house rent, and/or the food, water and electricity bills. The financial problems occurred especially in times of illness or when one of their family members was ill.

- The wages of the interviewed workers were not minimum wages, especially not the wages of women workers. If one calculates the wage level according to the official minimum wage plus the extra money for the overtime work, the wages of the workers should have been much higher than they received at present, especially the female workers should have earned much more.

- Though the interviewed workers stated that they were paid statutory benefits like ESI, PF, bonuses, sickness leave, maternity leave, 1,5 to 2 times paid wages per hour which is worked overtime etc., I have serious doubts with the truth of their answers. The workers were so afraid of losing their jobs that it is likely that they withheld crucial information. The answers of the workers were checked with various sources in Bangalore like the National Centre for Labour and a development journalist from Bangalore. These sources could not check the information given by the women with the respective employers of these women. In general, the sources said, 'the majority of the employers do not pay workers the statutory benefits and extra payments for overtime work'. The majority of the interviewed workers said that they would have been dismissed from the job when they fall ill, or when they ask for benefits. The interviewed women said that they were dismissed from the job when they had to give birth to a child.

- No bargaining agreement existed between the employers and the workers. Workers were not permanent, not registered, unorganized, forbidden to join labour unions, did not have job security. In slack times the factory closes its doors and the workers are jobless. Work could be ended at any time if the employer decided to do so, and that happened long before there is a chance a worker could become permanent. Workers had to find a new job again in another manufacturing unit where they had to start in the probationary period again.

- Health hazards included knee, back and body pain due to being in a standing position for the whole day. Other factors which had repercussion on the health of workers were: work pressure, harsh attitudes of supervisors, stress for becoming ill or pregnant, and continuous threats made by employers that workers would lose their job if they did not work overtime or if they joined labour unions.

- The case study of a garment manufacturing company in Bangalore revealed that the exporter forbade workers to join labour unions and that a bargaining agreement between the employer and the workers of this unit was absent. The European retailers who buy their garments from this exporter in Bangalore in whose company the labour conditions and standards were poor, are: C&A and Quelle.
5.6 Conclusions

Workers in the garment industry of Bangalore are exploited by the employers; they are not paying 'fair' or 'need based' wages, and are not offering them permanent employment after a few years of labour when the permanent and skilled worker is entitled to all the statutory benefits. All the workers complained that the wages were too low. Women are paid less than males for the same jobs. The majority of the women workers said that they had difficulties in surviving in times of illness and during maternity when wages are not paid. All the workers had difficulties paying the house rent, food, electricity, education for their children etc. Some women had a system of saving among themselves. Every month one woman could take the pot of saved money collected by the group.

The daily forced overtime work and the tremendous stress due to the time limit for the export orders, has its repercussions on the health of the workers. The wages which are paid to the workers, are fixed according to their speed of stitching the garments. Workers are scolded by the supervisors when they do not finish the garments in time. In some factories it is only allowed to visit the toilet once a day. Especially women find themselves continuously in stress to combine work with running of the household. Creches are not provided by the employers. There is no rest point in the life of these women.

There is no work throughout the year. During a slack season, or when there are no orders at all, the factory closes and workers have to shift to the new factory where there is a demand. Again they have to start in the probationary period. The workers keep on shifting from one factory to the other. The majority of the workers will never become permanent as there is no job security. Even after many years of working in the garment industry their wage is still below the minimum, with a working day of more than 8 hours.

Workers cannot find time to organize themselves - after (overtime) work households have to be run - nor is hardly any labour union organizing them. They complained that they could not cope with the work pressure and other problems inside the factory or workshop. Labour unions are opposed by the employers, and the workers are threatened with their jobs if they join one. Because the majority of the workers is not member of a labour union, a collective bargaining agreement with the employer is hindered to improve their working conditions and standards.
**II-B THE GEM POLISHING EXPORT INDUSTRY OF INDIA: JAIPUR AND TRICHY**

<table>
<thead>
<tr>
<th>Name: Sadiq</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex: Boy</td>
</tr>
<tr>
<td>Age: 11 years</td>
</tr>
<tr>
<td>Job: Polishing of emerald stones on a power driven machine.</td>
</tr>
<tr>
<td>Working since: Started working at the age of 8 years in a gem polishing unit in Jaipur, Rajasthan, India.</td>
</tr>
<tr>
<td>Working hours: 8 hours per day, no work on Fridays due to Muslim belief.</td>
</tr>
<tr>
<td>Wage: In the first year he earned Rs 50 (= Dfl 2.50) per month, now he earns Rs 100 per month</td>
</tr>
<tr>
<td>Reason of working: Father wants that Sadiq does not waste his time and wants him therefore to work.</td>
</tr>
<tr>
<td>Education: None (i.e. illiterate), gets moral education out of the Koran at home.</td>
</tr>
<tr>
<td>Occupational health problems: Pain in the back because of long hours sitting in the same position and also because of beating by employer, pain in the eyes, pain in fingers due to polishing.</td>
</tr>
<tr>
<td>Religion: Muslim.</td>
</tr>
</tbody>
</table>

**Introduction**

Coloured gem stones can either be precious (natural), semi-precious or synthetic. Precious stones are diamond, emerald, sapphire and ruby. Semi precious stones include, amongst others, lapis lazuli, turquoise, onyx, amethyst and topaz. Synthetic gem stones are usually imitations of the above mentioned gem stones. India controls 95% of the processed and exported emeralds in the world market, and the same percentage for diamonds up to one carat. Further, India controls 85% of the manufacturing and export of ruby in the world market, and 65% in the case of sapphire. The emeralds which India exports, however, are of the lowest quality.\(^{114}\)

Gems and jewellery are the biggest export earners for India and thus of vital importance for solving the debt problems of India. The categories which fall under the heading 'Gems and Jewellery', with percentages of their share in the total export of gem and jewellery, are: diamonds (86.0%), gold jewellery (10.4%), coloured gem stones (3.0%), pearls (0.1%), non-gold jewellery (0.2%), synthetic stones (0.01%), costume fashion/jewellery (0.1%), and sales to foreign tourists (0.1%) as can be seen in table 3. In 1994-95, the gem & jewellery industry earned US$ 4674.68

---

\(^{113}\)Statements made by a gem and jewellery exporter from Jaipur, Rajasthan, The Gem Palace, 1996 in Jaipur.

'India holds the fourth position with respect to export of emeralds and the fifth position in the export of rubies and sapphires' (Neera Burra, In: Economic and Political Weekly, January 23, 1988, p. 136).

Table 3  Gem & Jewellery exports from India, specified per item for April 94/March 95 compared with April 93/March 94

<table>
<thead>
<tr>
<th>Items</th>
<th>Target (1994-1995) in Million US$</th>
<th>April 94/March 95 (Provisional)</th>
<th>April 93/March 94 Column (2)</th>
<th>Percentage Increase (+) or Decrease (-) of Col (1) over Col (2)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rs. in Crores</td>
<td>US $ in Million</td>
<td>Rs. in Crores</td>
<td>US $ in Million</td>
</tr>
<tr>
<td>Diamonds (Quantity)</td>
<td>4560</td>
<td>12573.39</td>
<td>11409.88</td>
<td>3649.03</td>
</tr>
<tr>
<td>Gold Jewellery</td>
<td>500</td>
<td>1519.04</td>
<td>1148.69</td>
<td>367.35</td>
</tr>
<tr>
<td>Coloured Gemstones</td>
<td>442.34</td>
<td>141.46</td>
<td>311.53</td>
<td>99.61</td>
</tr>
<tr>
<td>Pearls</td>
<td>15.32</td>
<td>4.90</td>
<td>14.38</td>
<td>4.60</td>
</tr>
<tr>
<td>Non Gold Jewellery</td>
<td>35.96</td>
<td>11.50</td>
<td>23.29</td>
<td>7.43</td>
</tr>
<tr>
<td>Synthetic Stones</td>
<td>140</td>
<td>0.96</td>
<td>0.30</td>
<td>0.45</td>
</tr>
<tr>
<td>Costume Fashion / Jewellery</td>
<td>14.73</td>
<td>4.71</td>
<td>18.17</td>
<td>5.81</td>
</tr>
<tr>
<td>Sales to Foreign Tourists</td>
<td>16.00 (est)</td>
<td>5.12</td>
<td>15.58</td>
<td>4.98</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>5200</strong></td>
<td><strong>14617.74</strong></td>
<td><strong>12942.90</strong></td>
<td><strong>4139.26</strong></td>
</tr>
</tbody>
</table>

Note: 1. Figures in brackets show quantity in lakhs carats.
2. Above figures include exports from EOUs/EPZs.

Table 4  Destinations India’s exports of Gems & Jewellery items to major markets for the year 1994-95 compared with 1993-94

<table>
<thead>
<tr>
<th>Countries</th>
<th>1994-95 (Provisional)</th>
<th>1993-94</th>
<th>Total Exports</th>
<th>1994-95 (Provisional)</th>
<th>1993-94</th>
<th>Total Exports</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rs. in crores</td>
<td>Lakh carats</td>
<td>US$ in million</td>
<td>Rs. in crores</td>
<td>US$ in million</td>
<td>Rs. in crores</td>
</tr>
<tr>
<td>USA</td>
<td>3907.35</td>
<td>(63.99)</td>
<td>1249.55</td>
<td>4342.20</td>
<td>1388.61</td>
<td>3586.18</td>
</tr>
<tr>
<td>Hong Kong</td>
<td>3190.87</td>
<td>(35.47)</td>
<td>1020.42</td>
<td>3370.69</td>
<td>1077.93</td>
<td>2805.51</td>
</tr>
<tr>
<td>Belgium</td>
<td>1958.59</td>
<td>(19.54)</td>
<td>626.35</td>
<td>1965.23</td>
<td>628.47</td>
<td>1811.99</td>
</tr>
<tr>
<td>Japan</td>
<td>1770.23</td>
<td>(20.05)</td>
<td>566.11</td>
<td>1811.74</td>
<td>579.39</td>
<td>1676.27</td>
</tr>
<tr>
<td>Thailand</td>
<td>496.04</td>
<td>(6.90)</td>
<td>158.63</td>
<td>546.79</td>
<td>174.86</td>
<td>371.04</td>
</tr>
<tr>
<td>U.A.E.</td>
<td>27.29</td>
<td>(0.26)</td>
<td>8.73</td>
<td>342.98</td>
<td>109.68</td>
<td>42.98</td>
</tr>
<tr>
<td>Israel</td>
<td>324.38</td>
<td>(3.01)</td>
<td>103.74</td>
<td>325.32</td>
<td>104.04</td>
<td>304.35</td>
</tr>
<tr>
<td>Singapore</td>
<td>205.66</td>
<td>(3.15)</td>
<td>65.77</td>
<td>253.01</td>
<td>80.91</td>
<td>231.05</td>
</tr>
<tr>
<td>UK</td>
<td>74.68</td>
<td>(0.93)</td>
<td>23.88</td>
<td>233.99</td>
<td>74.83</td>
<td>61.31</td>
</tr>
<tr>
<td>Switzerland</td>
<td>175.47</td>
<td>(2.03)</td>
<td>56.11</td>
<td>208.07</td>
<td>66.54</td>
<td>120.38</td>
</tr>
<tr>
<td>Germany</td>
<td>97.33</td>
<td>(1.21)</td>
<td>31.13</td>
<td>33.34</td>
<td>42.64</td>
<td>104.38</td>
</tr>
<tr>
<td>Others</td>
<td>345.50</td>
<td>(1.53)</td>
<td>110.49</td>
<td>1084.38</td>
<td>346.78</td>
<td>294.45</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>12573.39</strong></td>
<td><strong>(158.07)</strong></td>
<td><strong>4020.91</strong></td>
<td><strong>14167.74</strong></td>
<td><strong>4674.68</strong></td>
<td><strong>11409.89</strong></td>
</tr>
</tbody>
</table>

Note: Figures in brackets denote quantity in lakh carats.

million while this was US$ 4139.26 million during the previous financial year\textsuperscript{116}. The figure of 1994-95 is almost one fifth of the total export of US$ 25 billion by India. Coloured gem stones contributed US$ 141.46 million (3\%) to the total gem and jewellery exports in 1994-95. The export of synthetic gem stones from India is negligible with US$ 0.30 million in 1994-95.

Although only a three per cent share in the total export of gem and jewellery consists of coloured gem stones, the export of these stones has made, after non-gold jewellery, the highest increase in value (+ 42\%) in 1994-95 as compared to 1993-94. It is a fast growing industry. Due to high earnings from selling the polished coloured gem stones and synthetic stones in the (inter)national markets, the industry is a lucrative business.

The USA is the single largest importer of gems and jewellery from India (29.7 \% of total gems and jewellery exports in 1994-95), as can be seen in table 4. Hongkong, Belgium and Japan are the second, third and fourth largest importers of Indian gem stones. Other major importing countries are UK, Italy, Germany, Switzerland, Thailand, U.A.R. and Israel, and Singapore. Total import of ‘precious and semi-precious stones other than diamonds’ into the European Community in 1989 amounted to US$ 600 million\textsuperscript{117}. India’s share in the imports of worked ruby, sapphire and emeralds by the EC in 1989, was 10\% (US$ 60 million), of other imported worked precious and semi-precious stones by the EC, it was 2\% (US$ 12 million), and of imported articles made of precious and semi-precious stones also by the EC, India’s share was another 2\%. The Netherlands imported from India in 1988, necklaces, bracelets and other articles wholly made of precious and semi-precious stones, and (semi-)precious stones other than diamonds, ruby, sapphire and emerald at a total value of Dfl 332,000. In 1990 this amount was Dfl 613,000. In 1990 the Netherlands also started to import synthetic gem stones from India at the value of Dfl 4,000\textsuperscript{118}, and in 1994 at the value of Dfl 17,000\textsuperscript{119}. The Dutch market is growing, especially for the precious and semi-precious gem stones.

It is said that India can compete in the international market, because of the availability of cheap labour\textsuperscript{120}. The main competitors are Switzerland, Israel and Hong Kong but the labour costs are much higher in these countries.

Among the cheap labourers are thousands of working children under 14 years of age\textsuperscript{121}. In Jaipur, Rajasthan, where 95\% of the exported coloured gem stones in India are cut, shaped and polished,

\textsuperscript{117}Centre for the Promotion of Imports from developing countries (CBI), 1991. ‘Precious and semi-precious stones. A market survey of the Netherlands and other major markets in the European Community’.
\textsuperscript{118}CBI, 1991, ibid. In 1990, synthetic gem stones were imported under code nr. HS 7104 90: ‘Worked synthetic or reconstructed precious and semi-precious stones’.
\textsuperscript{119}Centraal Bureau voor de Statistiek, Heerlen, 1996. In 1994, synthetic gem stones were imported under code nr. HS 7104 20: ‘Synthetic or reconstructed precious or semi-precious, unworked or simply sawn or roughly shaped stones’.
\textsuperscript{121}The diamond polishing industry does not fall within the scope of this research. Diamonds are mainly cut and polished in Bombay and Surat and surrounded villages. In this industry it is estimated that 15,000 out of 100,000 artisans are child labourers. Source: Neera Burra, \textit{Born to Work, Child Labour in India}, 1995.
an estimated 200,000\textsuperscript{122} artisans are working. The total workforce includes 10,000\textsuperscript{123} to 13,600\textsuperscript{124} working children under 14 years of age of which 13,000 child labourers are Muslim and 600 children are Hindu. An estimate of the number of child labourers today (1996) is around 15,000-20,000\textsuperscript{125}. The majority of the total labour force is Muslim (95\%\textsuperscript{126}). Trichy, in Tamil Nadu, is among the 5\% remaining other gem polishing centres in India where mainly synthetic gem stones are cut, shaped and polished. It is estimated that out of the total workforce of around 60,000 artisans, 8,000-10,000\textsuperscript{127} are under the age of 14 years. In this industry 'most of the working children are bonded\textsuperscript{128} child labourers'.

It is in the gem polishing industry of Jaipur that recently experts have observed a great influx of children due to a growing international demand for gem stones\textsuperscript{130}. Parents see the gem polishing industry as an avenue of upward mobility especially for their children\textsuperscript{131}. Due to the increased international demand, the gem polishing industry in India could expand. Though the expansion has given employment to many people, unfortunately this has also led to the employment of more children. Children are the cheapest form of labour for an employer and they can do the same work adults can do. The industry is said to be the best employer in Jaipur with good wages and prospects. Is that really true for the majority of workers and the children?

One is caught by the beauty and exact fineness of a polished ruby or emerald stone set in a jewellery. It is difficult to believe that next to adults also children process these stones - often by hand - and work for many hours per day. Eye strain, cut fingers and back ache, due to sitting for many hours in the same cramped position, are often heard complaints of the workers. If one buys jewellery or (semi-) precious gem stones the high price is hiding the toil and sweat of the children and adults who, compared to that price, earn a pittance for processing the stones. It takes many hours to make a tiny raw shaped stone into a shiny geometrically faceted gem stone. 'The gem industry does not come under the purview of any labour law, be it the Minimum Wages Act (it was said by people that wages are paid according to carat weight of the processed gem stones and minimum wages can not be applied) or the Factories Act of 1984. The Jaipur district Census of

\textsuperscript{122}Estimate made by a teacher at a Special School in Jaipur, 1996.
\textsuperscript{123}The Gurupadaswamy Committee Report of 1979 (GOI 1981:9).
\textsuperscript{125}Estimate made by a teacher at a Special School for rehabilitation of ex-working children from the gem polishing industry in Jaipur, 1996.
\textsuperscript{126}Neera Burra, January 16, 1988 (I), ibid.
\textsuperscript{128}Refers to a situation when child (workers) are forced to work for an employer to pay back a loan their (grand)parents had taken from him. Due to very low wages and an ever increasing interest they are often not allowed to leave the employment as they are not able to pay back the loan.
\textsuperscript{130}Neera Burra, Born to Work. Child Labour in India, 1995, p. 81.
1981, which lists all the major industries of Jaipur, does not mention the gem industry at all. The minimum wages notification of the Government of Rajasthan of February 17, 1987, lists many industries but the gem industry is not mentioned anywhere\textsuperscript{132}. The gem industry should, however, regulate child labour according to the Child Labour (Prohibition & Regulation) Act of 1986.

Employment of children under 14 years of age is not prohibited in the gem polishing industry according to the Child Labour (Prohibition & Regulation) Act of 1986. The former Government did not declare the industry as hazardous. In the former Government’s National Child Labour Policy of 1987, however, the gem polishing industry in Jaipur was declared, together with nine other regional industries, as an area with a high concentration of child labour. Therefore, the gem polishing industry in Jaipur, like the other nine child labour areas, was identified by the former Government in the Policy for priority action to tackle the problem of child labour. It was perceived that working in the gem polishing industry has a detrimental effect on a child’s health and overall development, and, hence, children should not be employed in this industry.

The objective of the National Child Labour Policy is to eliminate child labour in ten selected industries through non-formal education, employment- and income-generating schemes for poor parents of working children, and creating awareness on the negative aspect of child labour. It was also aimed to step up the enforcement of the Child Labour (Prohibition & Regulation) Act of 1986 (in relation to all child labour, whether it concerned the aspect of prohibition or regulation), the Factories Act of 1984, and other legislation existing in the different states in India. The core of the program is the establishment of special schools to provide the ex-working children, weaned from the selected industries falling under the Policy, with education, vocational training, supplementary nutrition, health care etc. A stipend was given to the parents to compensate for the income of the removed child worker and to promote school enrolment. The Policy envisaged the provision of free and compulsory education to all the children up to the age of 14 by 1995. What has been achieved since the Child Labour Policy of 1987?

One study on the child labour problem in Jaipur reveals that poverty\textsuperscript{133} of the families is not the main reason why parents send their children to work instead of sending them to school. It was found that the attitude of parents mattered in sending their children under 14 years either to school or to work, regardless of their income. The study reveals that poor parents were even prepared to send their children to the work even if the child is not getting paid, with the hope that the child will eventually be trained in an occupation which is more remunerative. These poor parents were not so much dependent on the wage of their children, and found education not relevant. The attitude of many parents was that if their children learn a craft at an early age, they would earn a higher wage at a younger age.

The child labour problem in the gem polishing industry in general, whether it is in Jaipur or Trichy, still continues today. For both the child labour areas this indicates a gap between the policies and the legislations on one hand, and a lack of enforcement of the legislation on the other hand. The children are deprived of free and meaningful primary education, their health gets affected, and their childhood is polished away at an early age.


The study

The present chapter will highlight information concerning the structure of the gem polishing industry, the production processes, the working conditions of child and adult labourers, and the pull and push factors which cause child labour in the gem polishing industry in Jaipur and Trichy.

The research will also give information on the latest views and experiences concerning the effects of the Government’s Action Plan on the elimination of child labour from the gem polishing industry in Jaipur. Did the intervention of the Government eliminate the children from the industry, and could continuous intervention prevent the entry of (new) children to the industry?

They constantly feel a pain in the back and their knees ache due to being in the same crumped position for 8 to 10 hours.

Polishing gem stones and doing household works is too much labour for girl children.
Chapter 6  Child and adult labour in the gem polishing export industry of Jaipur

6.1 Introduction

Ninety five per cent of all coloured gemstones processed in India is cut, shaped, polished and carved in Jaipur, Rajasthan. The remaining five per cent are produced in Cambay (Gujarat) (for agate), Bombay, Hyderabad, Karwar, Trichy, Coimbatore, Nellore, Cuttack and Calcutta. The city of Bombay and Surat are famous for the cutting, shaping and polishing of diamonds. In 1994-95, Jaipur alone contributed US$ 115.01 million to the total export of coloured gem stones of US$ 141.46 million in that year. The gem polishing industry in Jaipur is recognized as one of Rajasthan's most important industries.

The gem polishing industry of Jaipur started in 1727, when the city was built. The Maharaja Jai Singh, the founder of the city, gave jewellers from Delhi, Agra and Benares the royal patronage to start the gem polishing industry in Jaipur in that year. At that time, gems and gem-studded silver and gold ornaments and jewellery were mainly manufactured for the royal families. Names like 'Johari Bazar' or 'market of jewellers' given to the main market and 'Manak Chowk' or 'Ruby Square' the name given to the main city square of Jaipur, are reminders of that time. Another name like the 'Ghat Gate' or 'Rough shaped gem stone Gate', which is the name given to one of the main gates in the wall around the city, also has its origin in that time.

This industry is almost entirely in the informal sector. Next to many little verandas and newly established small workshops in the periphery of the city, many workshops are still located in the homes of the master craftsmen. The gem polishing industry of Jaipur is labour intensive due to the special features of most of the raw coloured gem stones. For example, the emerald, which is mainly processed in Jaipur, is a relatively soft stone which makes the use of full automation quite difficult. The stone will break too easily and therefore is worked by hand. This is also the case with many other precious and semi-precious gem stones. The tools which are used in Jaipur have not changed significantly over the last two centuries.

Since the past decade the industry witnessed a tremendous growth due to an increased international demand for gem stones. The New Economic Policy of 1991 of the former Central Government increased this growth by giving incentives in the form of tax exemptions and other supporting measures to increase the production for export. Due to this expansion, the industry attracts a sizable number of full- and part-time workers. Almost every household in some parts of the city have at least one or two members who are employed in the industry. Rough estimates show that the industry employs around 200,000 persons. The Gurupudaswamy Committee Report of 1979 (GOI 1981:9) came to the conclusion that there were at least 10,000 children working in the industry. This number, however, refers to the year 1979. Up to today, the estimates of the number of child labourers in the industry vary, but show an increase, as can be seen from table 5 of this report. The increase, which is derived from different estimates, indicates that today there should be at least the same - or even a higher - influx of child labour into the gem polishing

---

industry in Jaipur than the figure of the Gurupadaswamy Committee.

The children, like the adults, work 8 to 10 hours per day and earn a small part of what adult workers earn. These children are deprived of meaningful education and play. Gem polishing, and even more jewellery making, were traditional occupations in Jaipur. Children learnt the craft from their fathers. ‘Children were working with their parents but they combined school with learning the craft. It required a certain amount of knowledge about the trade and the outside world, for which education was essential. Since the demand for gem stones was not very high, child labour was not very widely prevalent’. But since the increased international demand for gem stones the growth of the industry seems to have also led to a rise in the employment of children under 14 years of age, which are the cheapest labourers.

The wages of adult workers are above the legal Minimum Wage which makes the industry extra attractive for poor families which see the industry as a way for upward mobility, especially for their children. Employers or contractors find child labour quite cheap and therefore economically attractive, and parents let their children work because it pays relatively well and is one way of supplementing the family income. The lucrativeness of the business, with hopes on high earnings, has driven many more people into the industry at all levels.

It was always said that the labour force largely consists of workers from traditional artisan families which hand down the skills from one generation to the next. But the relatively recent booming of the exports of gem stones from Jaipur has led to the arrival of many people who are not from artisan families.

A recent survey of the industry in Jaipur revealed that 'though 80% amongst those involved in gem studded jewellery manufacturing were part of a family business, only 20% had set up their own business'. The survey revealed further that 'in the case of processing of precious stones, the percentages reflected exactly the opposite picture: 20% said it was their family business and 80% had set up a business in gem polishing. In the area of semi-precious stones, the survey revealed that the break-up was even sharper with only 5% belonging to a family tradition, while 95% of the surveyed people had set up an enterprise independently'.

The gem polishing industry of Jaipur has a distinct character. It is based on mutual trust. Everything happens 'face-to-face' and no written records pertaining to the terms of trade, the total volume of goods transferred or sold, the placement of orders or their mode of payment and execution, are ever maintained with any government department/agency. Most of the manufacturing units are not registered and no records are kept of the employees who are working in the units, which means they are not permanent workers. The industry, due to its informal nature, does not come under the purview of the majority of labour laws. For example, workers are not entitled to any benefits of the Factories Act because these units do not fall within the definition of what

---

constitutes a factory; they do not get paid for days they are ill or when there is no work. The huge amounts of money which are involved in the business influences the power of the people involved. During this study, quite a few times did experts in the field say that corruption takes place at all the levels of the industry, even at the Airport where the Government is asking for commission money.

The highly informal nature of the industry and the poor accessibility of the units make it extremely difficult to check violations of human rights or general labour conditions. Labour legislation happens to be difficult to implement. No labour union is active in the gem polishing industry in Jaipur.

6.2 Structure of the gem polishing industry

The gem polishing industry is a multi-tiered industry. The industry is controlled at three levels; at the top of the industry is the exporter/trader, then comes the dalal or middleman, and at the end come the actual artisans who are divided into three categories: master craftsmen, the ustad-contractors and the workers. The child labourers, like the adult workers, have no bargaining power in the industry. The gem polishing industry is labour-intensive and is completely informal.

The following diagram will give the structure of the industry at a glance.

Rough gem stones ⇔ Importers ⇔ Dalals ⇔ Resale of Rough ⇔ Exporters, traders, master craftsmen, ustad-contractors and workers ⇔ finished gem stones ⇔ dalals ⇔ traders, exporters, gem & jewellery shop-owners.

Exporters ⇔ sell finished goods to retailers and wholesalers in foreign countries, individual buyers like tourists but also individual buyers who come to India for purchasing, exhibitions in foreign countries.

Exporters

Exporters have either their own manufacturing unit or they subcontract the work out to other manufacturing units where the master craftsman has his own work force. Due to the increased international demand and the high foreign exchange earnings, this segment has increased enormously over the years. The New Economic Policy of the former Government stimulated only the (big) exporters of the industry by giving tax exemptions and incentives to facilitate the import of raw materials and machinery.

According to the Gem and Jewellery Export Promotion Council (GJEPC) in Jaipur, the number of registered units of gem and jewellery exporters in Jaipur has increased from 880 to 1327 units in the years between 1990 and 1996. A teacher who is involved in rehabilitating ex-child workers from the gem polishing industry in Jaipur, estimates that the number of units is much higher and is around 10,000 nowadays. The New Economic Policy had stimulated this growth through all kinds of measures. Mr. Singh, Regional Officer of the GJEPC in Jaipur, said that next to supports like tax exemption and reduction of import tariffs on raw stones, one can start a gem
manufacturing unit without the need of a license and registration. The only thing the manufacturer needs to do is to 'mention' his new unit.

The number of unregistered units is much higher and has to be added to the number of registered units. No one has ever conducted a survey on the number of manufacturing units which are involved in the gem polishing industry.

Mr. Singh (GJEPC) said that '60% of the polished gem stones is directly exported by the exporters from Jaipur. The rest goes to exporters and traders in Delhi and Bombay and other port cities who export the stones from there'. But it is also said that official figures regarding the export of polished gem stones from Jaipur do not account for even a third of what is illegally exported out of India. It is therefore very difficult to assess the total production of polished gem stones and thus it is very difficult to assess in how many units and by how many artisans the total amount of gem stones is manufactured.

**Traders**

The traders are mainly, and sometimes primarily, involved in the trading of rough gem stones and finished products. They act as a source of supply to buyers in addition to catering to segments of the large retail markets on local, state and national levels.

**Dalals**

The *dalal*, as brokers or commission agents are the crucial link between the trader/exporter and the manufacturer. They have knowledge of the whole market: where business is done and by whom. He takes the raw stones to the manufacturer. He picks up the finished goods and makes an accepted profit margin of 4%. The manufacturer does not have the time to find buyers for their finished stones. The broker travels everywhere in the city and makes deals with exporters, jewellery shopkeepers, manufacturers etc. while he does not manufacture one single stone. Everybody is totally dependent on him.

During this study in Jaipur in 1996, manufacturers often complained about the brokers because they did not pay good prices. The broker, often says to the poor manufacturers, who are illiterate and do not have knowledge of the market, that the stones are not polished properly or that too much of the rough stone has been polished away, which reduces the price. Another problem often heard from manufacturers is that the money is not paid in time; workers have to contract loans from others and have to pay high interests as well. Often manufacturers said that they would make higher profits if they were not dependent on the dalal. But because most of the manufacturers do not know the tricks of the trade or how to negotiate, or lack a certain level of education, they are not able to do the purchasing and selling themselves.

People from the industry estimated that there are around 2,000-3,000 brokers in Jaipur. The

---

139 Neera Burra, 1995, *Born to Work, Child Labour in India*, p. 82.
141 The price paid per polished stone is in carat weight. First the rough stone is weighed, then, after processing, the stone is weighed again and the price is fixed per carat weight. If too much stone is polished away the price is lower.
142 Kanchen Mathur, 1991, ibid., p. 11.
flourishing business has increased the number of dalals. For his contribution to the correct functioning of the whole industry the dalal is very much appreciated by everyone concerned. The dalals simplify the business and smoothly circulate the rough stones and the processed stones from manufacturers to buyers.

During visits to manufacturing units in Jaipur, the researcher of this report came across an exporter/manufacturer who was dealing with 60 dalals in all. This shows the importance of the dalals’ role for the trade in and manufacturing of coloured gem stones. The absence of a dalal considerably affects the success of the business for everyone involved.

**Artisans**

Artisans or manufacturers are either master craftsmen, *ustad* contractors or workers. The craftsman usually does not employ children younger than 14 years, as his work often requires highly skilled craftsmanship which cannot be expected of a child. The *ustad*-contractor starts his own manufacturing unit after having learnt the skills from a master craftsman after many years. He mainly employs children younger than 14 years of age because they are a cheap source of labour recruited under the guise of apprenticeship. The *ustad*-contractor, who started as an employee himself, was able to save some money after years of polishing the stones and could buy a machine of his own. Most of these *ustad*-contractors are dependent on dalals and traders for their raw materials, and for selling their finished goods. But some of them also purchase the raw materials themselves and some sell the finished gem stones themselves in the market place. The *ustad*-contractor also works himself. The third level of the manufacturers are the workers; they are the lowest rank. They work either for master craftsmen, *ustad*-contractors, exporters, traders or are self-employed. More than 80 per cent of all the workers fall under this category.

**6.3 Processes**: from rough to finished gem stone

The gem polishing industry is dependent on the supply of raw gem stones. Rough stones are imported duty-free from Brazil (mainly emeralds), African countries, Australia (sapphire and ruby), Thailand (rubies), Germany and a small amount from India itself (mainly from Orissa and Madhya Pradesh like onyx and garnet). The main problem of the industry is the procuring of

---

143 Neera Burra, 1995, *Born to Work, Child Labour in India*, p. 84.
144 *Ustad* means master (in the skills).
148 During field visits in 1996 in Jaipur a trader was interviewed who got raw stones from Orissa by going there himself. He said that the workers in Orissa were poorly paid for the rough stones they found there. The trader paid the worker Rs 2-3 per carat weight of the gem stone and he sold the stone for Rs 50 per carat in the market. These workers are very lucky if they can earn Rs 50 per day. An article on a gem stone mine in Koraput District in Orissa, stated that women, men and children dug the gem stones during the whole day under dangerous working conditions and they were exploited by the middlemen. The middlemen made enormous profits because the workers, who were tribals from the area, neither knew the market price of these stones, nor did they have the bargaining power. The article also stated that a 50-carat stone would give the worker Rs 15-20, but the middlemen would sell the stone for Rs 5,000 to Rs 10,000 in the outside market. In: *Aside, November 15, 1995.*
raw materials which affects it at all levels. The countries which are the major suppliers of rough gem stones, like Zimbabwe and Brazil, have become manufacturing centres themselves, which decreases the supply of rough gem stones to India and other countries.\(^{149}\)

Before the raw stone gets its beautiful shape and lustre a labour-intensive process has to be gone through. On an average an artisan, can finish 7 to 8 stones of 1 to 3 carat weight per day.

1. **Selection:** First a selection process separates the better quality stones from the lower quality stones according to colour, shape, lustre etc.

2. **Marking:** Secondly the stones are marked with a pencil at the places where the stones are supposed to be cut.

3. **Cutting:** Thirdly the stones are cut, either by hand or with a power operated saw.

4. **Pre-shaping:** In this process the stone gets a rough shape, called *ghat*-making or grinding. Traditionally this is done on a hand-driven machine where the stone is held against a wooden vertical disc treated with silicon powder. Since the colours of the natural gem stones vary according to the angle from which it is viewed, the eye of the artisan is needed to judge on which side the rough stone can be pre-shaped so that the best colours of the stone face upwards.

5. **Joining:** The gem stone is stuck on a wooden stick with wax so that it can be better handled while it will be given finer forms. During joining the worker holds the stick in a kerosene flame so that the wax melts a little and the stone can be moulded into the wax. After some while the wax is hard and the gemstone is fixed to the stick and ready to be cut in facets and polished.

6. **Calibration:** Between shaping the stone is constantly measured with a gauge, to see if the specified size of the stone is maintained.

7. **Table polishing:** On the top of the gem stone a 'table' or plateau is made by cutting and polishing it with powder.

8. **Facetting:** In its final form the stone has all kinds of facets at all the sides, which gives the stone the look of a mirror through which the light is reflected almost completely. The lustrous appearance of the gem stone will be increased in this process.

9. **Final polishing:** The final process is polishing the facetted stone, which is done with the help of polishing agents.

The technique which is used in Jaipur is wet shaping and polishing. Continuously, during shaping and polishing, the stone is dipped in water which is mixed with polishing oxides like 'emery' and chromium dioxide.

Transparent stones like emeralds, rubies and sapphires are facet-cut stones. Translucent stones like turquoise, corals, opals and star stones are cut in *cabochons*. Cabochons lack sides but have a carved top and a flat base.

Besides the above-mentioned processes, the **making** and **carving of beads** are other activities which involve many artisans. Beads are made by drilling a hole in a stone, either with a hand-driven machine or an electric drill. The beads are used as strings for necklaces. Carving is a highly skilled activity, necessitating the use of many complicated tools. The beauty of objects, like

flowers, birds, jewellery etc., is dependent on the skills and experience of the artisan.

**Role of children**

When semi-precious stones are concerned children are mainly working in the process of 'joining', 'pre-shaping' and 'polishing'. Some children are also involved in the process of carving, but the number is smaller because carving is a highly skilled activity. Girl children and women are mainly involved in bead making and cutting of rough stones. Besides faceting, most of the above-mentioned processes do not require any technical skills.

In the case of precious stones, children are mainly employed in the process of joining and final polishing. The risk that a child damages the high value of a precious stone in these processes is limited.

### 6.4 Influx of child labour and expansion of the industry: the pull and push factors

There are no reliable statistics on the number of children employed in the gem polishing industry of Jaipur. Official and unofficial estimates of the number of child labourers vary between 10,000 and 20,000. The following table shows these estimates.

<table>
<thead>
<tr>
<th>Source</th>
<th>number</th>
<th>year</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Official</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Unofficial rough estimates found in literature</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Neera Burra</td>
<td>13,600</td>
<td>1987</td>
</tr>
<tr>
<td>3. ILO consultant Dr. Usha Naidu of the Tata Institute of Social Sciences, Bombay</td>
<td>15,000</td>
<td>1988</td>
</tr>
<tr>
<td>4. Institute of Development Studies, Jaipur</td>
<td>20,000</td>
<td>1990</td>
</tr>
<tr>
<td><strong>Unofficial rough estimates mentioned in interview during present research in 1996</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Teacher at a 'special school' in Jaipur</td>
<td>15,000-20,000</td>
<td>1996</td>
</tr>
</tbody>
</table>

The estimates which relate to the total workforce in the industry, vary between 60,000\(^{151}\) and 100,000\(^{152}\) artisans and were made in 1987 and 1990 respectively. Today, 1996, the total number of workers employed in the gem industry is estimated at around 200,000.

\(^{150}\)Kanchen Mathur, 1991, ibid., p. 16. The role of children has been confirmed by the author of this report.


On the basis of official and unofficial estimates and my own observations, the number of child labourers in the gem polishing industry of Jaipur today, must be definitely more than the estimate of 10,000 child labourers. If one takes the estimate of around 10,000 manufacturing units in Jaipur today, with an average of two child workers per unit, the figure today (i.e. 1996) is at least 20,000 child labourers.

The pull and push factors
Several studies indicate that one pull factor and three push factors have partly caused the increase of child labour in the gem polishing industry in Jaipur in the last 8 to 10 years. The pull and push factors are related to the increased international demand for gem stones.

The pull factor which has caused the influx of children into the industry, is the recent increase in gem stone manufacturing units which have been established in new, often more congested, areas in the periphery of the walled city, outside the walled city like Sanganer and Manopura and even in other districts like the Tonk district, which is adjacent to the Jaipur district. The new units have created an extra demand for cheap labour, such as provided by children. These new units, which are often smaller, have come up because every man wants to be the owner of a unit and earn more money. Especially these new units, located in areas where many poor Muslim families live with many young children, have caused the recent influx of children into the industry. Most of these 5-6 years old units process semi-precious stones on cheap machines. The unit owners employ children because close to their units, a large reservoir of children is available and they are the cheapest form of labour and therefore give the (new) owner a maximum profit.

Other studies give the same results concerning the expansion of the industry. For example, a study on the child labour problem in the gem polishing industry in Jaipur, undertaken by the Indian Institute of Health Management Research in 1991, revealed that industries in the centre of the city (Johari Bazar and Ghat Gate) were the oldest. The units which were established in the periphery of the city were relatively recent and had been operating for 1 to 3 years (53% of 17 surveyed units). Another source revealed that ‘the establishment of a strong export industry has led, over the last 5-10 years, to the entry of several new players in the field. These new players start units where one or two processes are carried out and begin supplying to the exporters. The influx of newcomers, due to the attractiveness of the business, is enormous with 50 per cent being first generation manufacturers'.

The first push factor is: the phenomenon that more families with their children have migrated to Jaipur, coming from nearby districts but also from other states like Bihar, Bengal, Orissa, Uttar Pradesh and Andhra Pradesh, to look for better job opportunities in Jaipur. These families have heard about the profitability of the gem polishing industry in Jaipur and that there, people can al-

153Estimate made by a teacher at a ‘special school’ in Jaipur, 1996.
155On the aspect of migration the following information is available: A survey, conducted in 1991 by the Institute of Health Management Research, Jaipur, revealed that 21.4 % of the surveyed families with working children in the gem industry (N=410) were migrants from nearby districts and 0.9% came from other states. The migrations had taken place during the last 5 years only. This meant that migration started in 1987 up till 1991, the moment the survey was held. Up till today (1996), the number of migrants must have been increased, as the expansion of the industry is a recent phenomenon since it attained export potential.
ways find a job for themselves as well as for their children. No statistics are available on the number of these migrants. The parents of these migrant families either start working themselves or send their children to the gem polishing industry, or both. These migrant children have contributed to the rise in the number of child labourers in the gem polishing industry in Jaipur. This aspect has to be investigated more thoroughly.

The second push factor which partly caused the increase in child labour in the gem polishing industry in Jaipur, is the increase in the wages of child labourers in the industry. In general the parents see the industry as a way of upward mobility for their children, with higher returns after some time. The rise in the wage level could have given an extra incentive for parents to send their children to the gem industry.

Finally, the third push factor is the attitude of Muslim families who have a poor opinion of the existing primary education system in Jaipur, and prefer, therefore, to send their children to the workplace. Many of these parents are unemployed or have low-paid manual jobs. The attitude of these parents combined with the higher wages have contributed to the increase in child labourers in the industry.

6.5 Results and discussions of field visits: working conditions of child and adult labour

During the survey in Jaipur 23 manufacturing units were visited in five different areas. In all the units children were found at work. The areas are: Chandpole Bazar, Johari Bazar and Ramganj (all are located in and very near to the centre), and Bassbadan Pura, Char Darwaja and Pahurganj (all are located in the periphery of the city). Forty-three children in all were interviewed, of whom eight were girl children. Seven of the girl children were interviewed inside their homes, because the girls are not permitted to work outside the house according to the Muslim religion. Three out of the 43 interviewed children are ex-working children and attend the Special School. With them and 12 boys, who were working full-time, but who got the permission of their employers to be interviewed outside the manufacturing units, it was possible to have a longer interview. These longer interviews gave material for the case studies.

Due to the secrecy of the industry it was not possible to gather information on European or Dutch importers. During field visits in March 1996, nobody wanted to reveal from whom he had bought the rough stones or to whom the finished stones will be sold or by whom the stones were manufactured. Everybody in the industry is afraid for competition and thus for the chance of losing business. One of the biggest gem and jewellery exporters of Jaipur, The Gem Palace, did not want to tell to which wholesalers in Italy he was exporting the finished gem stones. The secrecy is believed to be partly related to the system of pricing, which is not uniformly applicable, and to the expertise of the artisans. The price of a polished stone depends on the stone itself, the colour, the lustre, the way it is shaped and faceted, the carat weight, but also 'what the buyer wants to give for it'. Nobody wants therefore to disclose valuable information about the dealing because this might lead to the undercutting of their profits and business contacts.
The results comprise the following issues: religion, age, wage and employment of adults, information on newly established units, complaints made by adult workers, wages, employment and working hours of child labourers, family size and income, and the reason to start working, the opinion of working children on child labour, education, recreation, working circumstances, health hazards, future plans, and a special section on the girl child.

6.5.1 Results and discussions

Religion
This study only covers Muslim children and adult labourers. The traders and big exporters who were asked questions during field visits, were mainly Hindu. Only sometimes a trader happened to be a Muslim. One study\textsuperscript{156} conducted in the gem polishing industry of Jaipur revealed that around 15\% of the labour force engaged in processing of gem stones in Jaipur is Hindu (Marwaris and Gujaratis), but they control 95\% of the market. Eighty-five per cent of the labour force is Muslim, but Muslims control only less than 5\% of the market. Another study\textsuperscript{157} revealed that of a population of 410 child labourers 97\% is Muslim and 3\% is Hindu.

Ages
Only boys under 14 years of age were interviewed. Except one girl, all the interviewed girls were elder. Almost all the children worked full time, and some boy children combined work with school. The ages of the interviewed boy children varied between 7 and 14 years. The girls, who were interviewed inside their houses, were aged between 14 and 18, and one of them was 9 years of age. The majority of the boy children started working at the age between 5 to 8 years (27 out of 43 children).

Girl child labourers work inside the house only, due to the Muslim faith, which states that the girl needs to be secluded from the outside world. The 7 girls who were interviewed inside their homes started much later with working, i.e. at the age of around 11. A possible explanation could be that first the girl is needed in the household and when most of the younger brothers go to school or start working outside the house, the girl has time to work for an income inside the house also. Another explanation is that when a girl child starts to reach puberty (around 13 years) she is even more forced to stay inside the house. If a girl attends school and she is at the age of reaching puberty, she has to discontinue her studies and has to work inside the house. The special features of the girl child will be dealt with later in the report.

The ages of adult workers seemed not to exceed 40 years of age.

Wages and employment of adults
The majority of the big gem and jewellery traders and exporters who were asked questions during this study, was Hindu and compared with the casual workers, earned an enormous\textsuperscript{158} amount of

\footnotesize{\textsuperscript{156}Neera Burra, 1995, \textit{Born to Work, Child Labour in India}, p. 87.}

\footnotesize{\textsuperscript{157}Nisha Lal, 1992, Child Labour in Gem Polishing Industry in Jaipur, Institute of Health Management Research, Jaipur, p. 40.}

\footnotesize{\textsuperscript{158}Medium-size exporters and traders make a profit between Rs 150,000 and Rs 2.2 million per month. The owner of 'The Gem Palace', one of the oldest (since 1852) and biggest gem and jewellery exporters in Jaipur, has branches in all the five-star hotels in and around Jaipur.
money per month. As far as the wage of artisans is concerned, there existed no uniformity in its structure. The gem polishing unit owners or ustad-contractors got paid by the middlemen or brokers in carat weight of the stones. The broker gets 4-12% commission depending on the type of stones he buys and sells in the market. A broker can earn a wage which can vary between Rs 5,000 and Rs 7,000 per month. Middlemen who can sell the gem stones to jewellery shops or exporters are often highly educated, with at least primary education. There are brokers who deal at all quality levels of gem stones, with or without having a steady client circle, dealing in small or large quantities.

A broker who dealt in semi-precious gem stones only, said that 'for the Indian traders, exporters and brokers the business in semi-precious stones is better than in precious stones. In the precious stone business there are a lot of delays in payments from foreign buyers'. 'The clearance at the airport is very slow', according to the broker. 'This is not the case in the semi-precious business and the buyers seem to pay in time to the traders and the manufacturers. Higher prices are paid in the semi-precious gem stone business'.

The amount of money the unit owner can earn depends on how many stones the whole unit produces in a month or week and that depends on the accuracy and the experience of the workers. Also, the price of the stones depends on the type of stone (precious or semi-precious), the size, colour and clarity. The unit owner, who also works in the unit, shares the total income of the unit among the workers. The unit owner earns of course more than his employees. The workers are getting paid according to their experience and the type of job. On average, the wage of an adult worker in the age range between 18 and 38, varied between Rs 1,000 and 5,000 per month or Rs 40 to Rs 210 per day. The majority of the interviewed workers started as child labourers themselves and had been doing the same job of shaping, faceting or polishing of the gem stones for the last 10 to 30 years. Adult workers who had just passed the age of 14 years often earned wages that ranged between Rs 400 and Rs 600 per month.

There are hardly any adults who are unskilled workers, because most of them started as child labourers themselves and are skilled in the work and doing skilled jobs like shaping, cutting, shaping, carving, faceting, polishing etc. Adult workers perform skilled jobs, which include almost all the processes except joining, final polishing, and jobs like arranging the wooden sticks or sweeping the unit. During visits to manufacturing units, it was observed with only one adult who was doing the process of 'joining', and he earned Rs 40 per day. A child who is doing this job is either not paid for this job or earns at most Rs 40 to Rs 50 per month.

The adults who do work like carving of gem stones earn much higher wages. They can ask higher prices for carved ornaments and jewellery as these are bigger stones but also because more skills are needed to manufacture the sculptures.

Workers who process precious stones earn more than workers who process semi-precious stones. This was found for adults as well as for child labourers who work in the gem polishing industry of Jaipur.

The turnover is around US$ 1 million per month. To invest his money he keeps two old-timers from 1931 and a jeep from the second World War, which were standing behind the shop. Inside the building he was constructing a palace with real gold and silver wall paintings.
Some observations: 'newer' manufacturing units
I observed that the owners of the units which operate in the areas at the periphery of the walled city and just outside the walled city compared with the owners of units in the centre of the city, are younger of age and employ more children than adults. The units in the periphery of the city happened to have been operating for 5 to 6 years, and the units outside the walled city were operating for 3 to 6 years. The owners of these newer units, which are located in areas like Char Darwaja and Paharganj, compared with the units located inside the walled city like Chandpole Bazar, Ghat Gate and Johari Bazar, mostly carried out one or two processes in the unit. The workers in these units either did jobs like rough shaping or only joining and polishing, or only joining, faceting and polishing.

These young unit owners were either educated to a certain level or illiterate. The educated owners began later with working in the gem polishing industry, but were able to start on their own after a few years. The illiterate owners often had started as children themselves and had learned the skills from a master craftsman at a very young age. They seemed to have earned or saved enough money with which they could start on their own, using the cheapest polishing machines. The newer units were equipped with the cheapest machines and often manufacture the cheaper stones of a lower quality. These 'new' young unit-owners did not give the impression that they taught the children, but instead were busy in their own work and were only supervising the unit. Other 'new' unit-owners were only supervising the unit and did not work themselves. The children who were found at work in these units, were either not paid at all or were paid a pittance up to Rs 40 or Rs 50 per month during the first two years of working.

Most of the owners of the smaller new units had many difficulties with earning enough profits. Often they had problems with the brokers, or they could not contact the proper middlemen. They found themselves exploited by the middlemen. For them it was even more difficult to facet and polish better quality stones because they did not have enough money to invest in better machinery. Also they had problems in paying the rent of the hired unit and could not afford to pay for electricity. Some of these owners had a hired polishing machine.

Complaints of adult workers
Several manufacturers and traders, said that the wages for adults had gone down during the last 5 to 7 years. The New Economic Policy had stimulated the export-oriented gem polishing industry which had led to many new-comers in the field and to a larger quantity of imported rough gem stones which became available in the market. The larger supply had also led to a rise in the number of manufacturing units which were established during the last 5 to 7 years with more manufacturers. This resulted in a fall in business for the older units. The larger supply of rough stones depressed the prices per carat weight. The lower price per carat thus also lowered the wages of the workers which are paid per carat weight. During talks with adult workers and unit-owners about this trend, they often complained about this trend and they had been working for more than 5 or 6 years.

Still the wage of interviewed adult workers was above the minimum wage in Rajasthan, which is Rs 17 per day for a skilled worker. Workers still had difficulty in earning enough money to buy
food, pay the rent of their house, save money for festivals etc. Most adult workers had around 7 to 11 children. These workers sent their children also to the gem polishing industry to work at times when the family faced financial problems. An interviewed Muslim teacher said that Muslim families spend a lot of money on food and expensive items like meat. Moreover, according to the Koran, the religious book of the Muslims, one should not take the interest of the money which has been put in the bank for saving.

Some unit-owners complained about the middlemen and about financial problems. The complaints were: 1. dependence on the expertise of the middleman who can easily pay a lower price for the polished gem stones due to all kinds of reasons, and, 2. dependence on the middlemen for the supply of rough stones and for the sales of the polished stones, 3. the unit-owner did not have enough money to invest in better machinery and tools. The Government, said unit-owners, 'is only interested in investing in the big exporters, as they bring huge amounts of foreign exchange into India'. Even if the Government was willing to invest in the manufacturing unit, 30% of the money would have to be paid by the unit-owner himself. Only the bigger exporters and money making manufacturers were able to do that. Some manufacturers said that 'the Government did not want to invest in machinery because that would mean investment mainly in illegal units and in workers who are mainly Muslims'. Most of the unit-owners said that they needed investments for purchasing rough materials and machinery.

It appeared, that the unit-owners, though it was possible for them to start a new manufacturing unit and earn more money than the casual workers, still had many financial problems, which were rooted in the structure and nature of the industry. There are no written rules and all negotiations proceed verbally. A certain level of education is required to understand the market and the terms of the trade. The majority of the artisans accepted their role as artisans, because they did not have the above mentioned knowledge of the tricks of the trade to survive.

The wages of adult workers showed more consistency and stability than the wages of children.

**Wages of children**

A teacher at one of the Special Schools said, that 'the children who are working in the gem polishing industry today are getting higher wages than 5 years back'. The same was told by people from the industry. The higher wages made the children more interested in the work and the parents in the occupation of their children because they get the money from the children.

The children who processed precious stones earned higher wages than the children who processed semi-precious gem stones. But the amount of money which a unit-owner paid to the child worker was highly uncertain and appeared to depend on his liking the child, if the child was a relative or not, on the success of the unit in making profits and the number of artisans employed per unit. During field visits, in one unit 4 children were found at work. One of the four children had some years of experience but was still not paid, and another child, who had just started working on the job, got paid an amount of Rs 600 per month.

If unit-owners did not make high profits, they often used the disguise of apprenticeship for not paying the child workers, or only a pittance which varied between Rs 1 and Rs 2 per day for a
period of 2 to 5 years. These units often employed a small number of workers (around 3 to 6 workers) and were often located in the periphery of the city. After 2 years of apprenticeship they started earning Rs 100 to Rs 200 per month. It was also found that many children did not get paid. The owners of those units said those children would get paid an amount between Rs 500 and Rs 1,000 per month after 3 to 5 years of experience. This occurred in workshops where the gem stones were of a higher quality and where the adult workers were highly skilled and could make higher quality stones or carved jewellery.

In some visited manufacturing units, more than 10 workers completed large orders of rough gem stones. These units often made high profits. The children who worked in these units appeared to get immediately wages right from the moment they started working, whatever was the type of the job. These children got wages of around Rs 100 to Rs 200 per month which was regarded by the owner as 'pocket money'. After 2 years they already earned Rs 1,000 per month.

**Wages of children 5-9 years ago**

In 1987 and 1991 two surveys were conducted on the problem of child labour in the gem polishing industry. In 1987 it was observed that the children who were working full-time earned nothing the first year and a half, after two years they started to earn around Rs 50 per month, after 3 to 4 years around Rs 100 per month, and when the child reached the age of fourteen he or she could earn a wage of Rs 100 to Rs 200 per month. The survey conducted in 1992 revealed that no money was paid to the child at the initial stage of his working career except for some money on festivals days. Only after 1 or 2 years of apprenticeship the child started earning nominal wages of Rs 2 to Rs 5 per day (i.e. around Rs 50 to Rs 130 per month of 26 working days). Once the child had 5 or 6 years experience he earned almost as much as an adult, which was between Rs 25 and Rs 45 per day (i.e. Rs 650 and Rs 1170 per month of 26 working days).

During field visits it was found that the majority of the interviewed children started with a wage of Rs 40 to Rs 50 per month and got Rs 100 to Rs 300 per month after 1 to 3 years of working. It seems that the wages had increased during the last 5 to 9 years. Though more thorough research has to be done on this point, the results indicate that the children start earning wages sooner and these wages are higher than 5 to 9 years back. This would be an extra incentive for parents, whether working in the gem polishing industry themselves or not, for sending their children to the industry.

**Employment of children and working hours**

In the visited units where predominantly semi-precious stones were processed, the children did the unskilled jobs, such as sweeping, joining and final polishing. But, where precious stones were processed, children also did jobs like cutting, rough shaping and faceting. Children who just started working did jobs like arranging the wooden sticks on which the stone had to be fixed, final polishing or they simply watched the processes done by adult workers for a few hours per day.

The interviewed children worked full-time, and working hours varied between 8 and 10 hours per day.

---

159When the children process precious stones like emeralds or rubies they earn higher wages than those mentioned here. These are only for boys, as girls are not employed outside the house in units. For girls see the paragraph on girl children.
day with 1 hour rest. The girls, who were employed inside the house, worked all day long, which meant 8 to 14 hours per day. Friday is a free day for Muslims, and the Muslim children did not work on this day. On Sundays all the children worked.

The children who combined school with work, worked 2 to 6 hours per day. A teacher said that these children had the same hard life as the children who worked full-time because they were doubly burdened, with school and work, plus making home work and helping in the household. A study\(^\text{160}\) on the child labour problem in the gem industry in Jaipur revealed that often children dropped out of school due to a bad performance in the school. These children happened to be exhausted in the class room and often were not able to do their homework. The children also lacked concentration during school time. There has never yet been a survey on the percentages of children who work full-time and part-time.

**Children working without their father**

The interviewed children whom were found at work in the 23 visited units, were most of the times not a relative of the owner. This happened to be the case more often in the units which had operated for a few years and which were located in the periphery of the city.

**Children working with their father**

Children who worked with their father outside the house or inside the house with the whole family, worked the same number of hours as their father. The children who worked with their father inside the house earned more money than the children who worked with their father for an employer. It is difficult to estimate the number of children who worked with their family inside the house. These children seemed to be even more deprived of freedom and time to play because the father watches the child continuously. After work the children have to help in the household.

The girl child, who was always employed inside the house because of the Muslim faith, was even more deprived of a childhood. She never saw friends of her own age and usually worked the whole day through inside the house. When there were no stones to polish or cut she started drilling beads. And when she did not do that job she made embroidery or helped her mother in the household. She was also deprived of education and was only prepared to get married.

In one visited family, the father, mother, son and daughter together worked on two machines full-time, and processed the rainbow stone (semi-precious). The mother and daughter shaped the stones and the father and son faceted and polished the stones. The family earned around Rs 150 per day. One little baby was lying behind the shaping machine. The room was also their living space and in the corner a little kitchen was located. If the mother started cooking the food the girl was required to continue working on the machine, otherwise she helped her mother or took care of the siblings. The boy could go to sleep after working hours.

**Family income and size, and reason of working**

Most of the interviewed child workers gave as a reason for their employment that 'their parents wanted them to learn a skill instead of roaming around' or that 'their parents did not want their

children to have the same low-paid job as themselves but soon earn a high wage'. The latter reason came from children whose parents had lower-paid jobs which were not related to the industry, like fruit-seller, rickshaw-puller or tailor. The majority of the children had unemployed mothers who were illiterate. There were also working children of whom both the parents were unemployed. These children earned all the family income. (It has to be studied, however, how many parents of working children in Jaipur are unemployed and what exact number of children contribute to the family income).

Thus, though the tradition of transferring skills from father to son still continues today, also parents with other professions, send their children to the industry. These parents saw the gem polishing industry as the best employer with good prospects and higher wages than other manual labour.

The majority of the interviewed children came from families with 5 to 9 children. When the number of girl children was found higher in these families the income from the boy child was very much needed and therefore they sent him to work. The girl child's income was even more needed when some of her brothers were going to school or, in other cases, when all her brothers still worked in the gem polishing industry without getting paid. The girl child, who stays inside the house, is very easily 'used' and 'exploited' as a source of income and as a help in the household.

Sometimes children said that 'they had no interest in education and that they were more interested in the work'. After having talked longer and more thoroughly with these children it became clear that their statements were more the wish of their fathers who wanted them to work. It became clear that these children had to obey their father. Later these children said that they would prefer going to a government school during the day.

'Poverty of the parents' was among the reasons why children were sent to work, but it seemed that the majority of the reasons mentioned had more to do with the attitude of the parents. None of the child labourers of whom the parents were unemployed or had the lowest paid jobs which are not related to the industry, stated that lack of family income (i.e. poverty) was the reason why they went to work. It was not possible to find out the level of the family income, due to the wide range of earnings of the family members. The child labourers did not always know these incomes either. It was assumed that the family income of the parents who did not work in the gem polishing industry was lower than the family income of the parents who did work in the industry. (The gem polishing industry is the highest paid in Jaipur).

**Opinion of working children on child labour**

Though the children often said that they did not like the work, they indicated that they 'had to abide by their parents wish'. The interviewed children preferred going to school, which would give them better job opportunities later in life. But their parents did not allow them.

Most of the children had the following idea of child labour: 'If they become fathers themselves

---

they will not send their children to the work because that is not good. They would send them to school, whatever the financial position of the parents. Even if the family income is not enough they would lend the money from neighbours/relatives and still send their children to school.

The children were asked what they would ask from the Government to improve their situation. All the children replied that they would ask the Government for a school in their colony (neighbourhood). They would also ask for books, clothing, free education and food in the school.

Education

All the interviewed children were illiterate. These children had never seen a school. Some of them got private tuition or moral teachings in the mosque where the child was taught things like 'you should obey your parents' and 'you should speak the truth' etc. The Muslim parents did not attach much value to education in the common schools. (Since 1990 there have been many problems in India, including Jaipur, between Muslims and Hindus). The Muslim parents did not want to send their children to the Hindu schools, also because these were often located in Hindu areas. During manufacturing unit visits, many adult workers, who had sons working in the industry, said that the school fees were too high. They said that the schools asked higher fees because they were Muslims. Parents were not able or did not want to pay extra money for books and school uniforms next to high school fees.

The Muslim parents attached much more value to their children getting private tuition from relatives or themselves. Here, the child was taught moral lessons out of the Koran and some Urdu and Hindi. For Muslim parents moral teachings were more important than learning to read and write. Most of the children stayed therefore illiterate. This can become a limiting factor later in their working career.

The ex-working children who attended the Special School, were very happy to learn to read and write among other things. Although these children said that the attitude of their parents towards education had changed in a positive judgement, a teacher at one of the Special Schools said that the attitude had changed also because of the stipend paid by the school. The stipend was an incentive for parents to withdraw the children from the work if they earned wages that were lower than the stipend.

Only a few children were interviewed who combined going to a government school in the morning with work in the gem industry and in the home. A study\textsuperscript{162} revealed that there were many parents, whether relatively poor or rich, who sent their children to school, full-time and part-time. Thus, there were also parents who recognized the need for education. Another study\textsuperscript{163} revealed that out of a population of 410 children 42.4% had some level of formal schooling, 40.5% had never attended a school and 17.1% was illiterate. These results show that there were also working children with some level of formal education but who had dropped out.

As far as the education of adult workers is concerned, most of them were illiterate but there were


also a few who had received education which varied between 7th and 9th standard. The latter adult workers either were unit-owners or traders. Big exporters often had a higher educated.

Recreation
The interviewed child labourers said that they had no time for recreation, except on Fridays which are free days for Muslims. The children working full-time had the following schedule: they had to go home after work and take dinner, attended moral tuition in the mosque or with relatives and, then, had to go to sleep. The girl children were even more burdened with work during the whole day. Because they stayed inside the house almost the whole day, they either did jobs that were related to the gem polishing industry, or other jobs, or they helped in the household and took care of siblings. Also on Fridays, they helped in the household the whole day.

All the children said that they could hardly find the time to play with friends, but the reason for that was, apart from working in the manufacturing unit, that their parents did not like their children to roam about in the streets while doing nothing. Thus when the children had free moments, their parents took care that they spent them usefully. The parents gave their children moral tuition or let them do other jobs like assisting their mother with going to the market.

Working circumstances
The majority of the manufacturing units were in little verandas at the side of the street or inside the homes. The units which were outside the homes were often very congested, and had no facilities for water, and toilets. The streets were used as toilets. In all the units daylight determined the working hours. When the sun was under the unit stopped manufacturing. During visits to the units, it was often observed that daylight was not sufficient to see the tiny stones properly, and this caused the most problems for the workers at the back of the unit. Often you saw a worker turning his body towards the light to see clearly what stage the gem stone was in at that moment. The lighting of units inside the houses was even worse and the ventilation was very poor. The machines inside the houses were often placed in an inner space with indirect light from other rooms with one window.

The traders and exporters often had well lit shops with desk lamps using bulbs, which enabled them to perform the process of selecting and judging the quality of gem stones etc.

Health hazards
The most heard health problems of children can be summarized as follows:

1. Damaged finger tops. The hand which cuts, shapes or polishes the gem stone, keeps the stone against the fast moving and circulating disc. This often caused blisters or cuts in the fingers. The finger with the wound had to be dipped continuously in dirty water with the polishing agents. This often caused infections. In many visited manufacturing units it was often observed that many children and adults with wounds on their fingers had put balloons around them in order to continue working. One person who ran a medical shop in Chandpole Bazar, in the centre of the city, said during a talk that ‘every month around 12 to 14 children younger than 14 years of age came to his shop with infected finger tips’.

2. Back ache. Often children complained about pain in the back and stiff legs due to sitting in the same cramped position for 8 to 10 hours per day. The adults had the same complaints.
3. **Fever.** Many children said that they often suffered from fever due to keeping the hand continuously in cold water during the work. The temperature of the body goes down and one more often catches a flu or a cold.

4. **Eye strain.** A fourth health problem was related to the eyes and only older workers who were complaining about their eyesight. When an adult worker was asked whether looking at tiny emerald gem stones while faceting them for 8 to 10 hours per day for 10 to 15 years, did not damage his eyes, he replied by saying that 'emeralds are famous for having the power of healing the eyes if one stares at them for a long time'[^164].

**Future plans**
Most of the children who were interviewed inside their work place wanted to become workshop-owners or carry out other professions related to the industry. The child workers who were interviewed outside the work place, and the ex-working children, all had future plans which were not related to the work in the gem polishing industry.

The ex-working children who had been withdrawn from work and who attended the Special School, said during the interview that they first liked the working because they were earning money, but now they see education and learning to write and read as more important.

**The working girl child**
The Muslim girl child was not sent to work outside the house. The 'purdah' system or 'seclusion' of the girl from the life and males outside the house was very strictly followed by the Muslim families. Girls were therefore employed inside the house. Though no girl children younger than 14 years had been come across during visits to the units, informants said that there were 5,000 girl children under 14 years of age who worked at home processing gem stones. But it was very difficult to estimate their number as it was far from easy to get access to the households in Jaipur. The interviewed girl children of this study, started processing gem stones around 10 or 11 years of age or later, because before that age they were more often needed in taking care of the younger siblings and the household.

The girl child was doubly exploited because she worked the whole day inside the house whether processing gem stones and other jobs for money, but moreover she helped in the household and took care of siblings. The processing of gem stones, mainly the cheapest semi-precious coloured gem stones, either existed in drilling holes in the small stones by hand or by machine, or cutting and polishing the gem stones. The interviewed girl children were not taught the skills by a craftsman.

It was observed that the Muslim girl child was sometimes sent to school, but when she reached puberty or her income was needed she could be withdrawn from the school at any time. Most of the girl children, however, were completely illiterate and were prepared for marriage soon. The girls who had been withdrawn from school felt very lonely as they could not regularly meet their friends any more. The girl child hardly had a social life or a childhood. The interviewed girls said

[^164]: In a book on the occult power of gem stones was written: 'Throughout history, the emerald is one of the highest valued stones for its healing and protective powers. It is said that by gazing at the emerald, one improves eyesight'. In: Manik Chand Jain, 1988, *Occult Power of Gems.*
they were missing their friends to talk to and play with.

The girls worked full-time (8 to 16 hours) inside the house. The homely atmosphere, where she was allowed to move around, disguised her exploitation. The interviewed girls looked very tired and exhausted. They said they were very jealous on girls who were allowed to go to school.

Most of the girls worked for money inside the house because of cases of illness in the family, or because their father had recently died or had become unemployed. Another reason was that she only had younger siblings and one elder brother or sister. The relatives of these girls were dependent on the income of these two eldest children of whom she was one. The girl children did the lowest skilled jobs and processed the semi-precious stones on the lowest quality machines.

The wages of the interviewed working girls in the age of 14 to 18, varied between Rs 12 and Rs 40 per day. See the case study of the girl child Zazmah, case no. 12.

6.5.2 Upward mobility: for whom?

Two forms of upward mobility were observed. The first form concerned upward mobility in the amount of money which was earned by the worker and which was related to work experience and/or (higher) education. This form of upward mobility did not mean that the worker made a step to the next level in the industry like a unit-owner or trader; the worker stayed an artisan. The second form was related to upward mobility in the type of job. It meant that a worker became a unit-owner or a dealer/trader, or even further, a worker who became an exporter and started a shop in the centre of the city.

The expansion of the industry was directly linked with the increased international demand for gem stones and gem studded jewellery. This had resulted in many people who started a new manufacturing unit in the periphery of the city and even in other districts. Hence the question: was the majority of the workers upwardly mobile in wage and/or job? If not, what were the constraining factors?

(i) Upward mobility: higher wages

It seemed that educated as well as illiterate persons could realize upward mobility in the industry after some years of polishing. All the workers earned higher wages after some time. There were quite a few adult workers who had some education (7th to 9th standard) and had started working in the gem polishing industry around the age of 15 to 18. They had been in an apprentice period only for a few months. These adult workers earned higher wages at an earlier time in their career than children (or illiterate adults) who had to work for 5 to 7 years before they could earn the same amount. These findings indicated that educated workers earned a higher wage sooner; the worker had more bargaining power with the employer and could ask for higher wages.

Workers said that the wage was fluctuating due to the irregular supply of raw stones and the varying international demand for gems and jewellery. For the poorer workers and unit-owners, the lack of work and income security was a problem. These workers depended on the work, did
not have reserves of money and could not easily find a job which was not related to the gem industry. These workers had not been registered as such and could not rely on compensations for the days they were not employed or ill.

(ii) Upward mobility: rise in job level
Some workers, whether illiterate or educated, had become unit-owners. The illiterate unit-owners were in the minority. The majority of these workers, who were often illiterate, stayed artisans and remained dependent on (sharing of) wages for the rest of their lives. Lack of education seemed to be the limiting factor why the majority of the workers could not make an upward move in the industry but kept on being casual workers.

For the majority of the unit-owners it seemed to be very difficult to become traders or exporters. Upward mobility did go to a certain limit. The structure of the industry and the special knowledge about the terms and tricks of the trade which was required, seemed to be the limiting factors for the majority of the unit-owners to become big exporters, traders or middlemen.

6.5.3 Child labour in the gem polishing industry: tradition or exploitation; work or labour?

The question is if the phenomenon of child labour in the gem polishing industry today, is still a tradition or that the tradition has changed into increased economic exploitation under the disguise of apprenticeship. The actual question here concerns the distinction between 'work' and 'labour'.

The International Labour Organization states that 'when work is a part of the socialization process and a means of transmitting skills from parent to child, one can hardly speak of child labour'. 'Child labour', refers to situations 'where children are compelled to work on a regular or continuous basis to earn a living for themselves or for their families, and as a result, are deprived of educational and social development'.

The expansion of the industry had led to the formation of many new small units with one owner, who had quick profits in mind. These owners or contractors, who were often not the father or direct relatives of the children, employed children for 8 to 10 hours per day. They partly educated the children in valuable skills and made use of their relatively poor situation and the attitude of Muslim parents that a 'working child is better than a roaming child'. They employed children of neighbours and/or relatives. The unit owners or employers paid the child 10% of the wage an adult earned for doing the same job, after this the child had completed two years of training without getting paid. And even that amount was not always paid after 1 or 2 years of training because it was accepted that during the training the child earned nothing. The training period was a disguised form of exploitation which was used by the employers to justify their omission to pay the learning child for its work. The children were used as economic assets to give the employers a better profit margin. The children in these relatively newer units were not taught valuable skills which would give them any assurance of ways of upward mobility in higher-level jobs later in their lives. Without education the chances of coming out of the vicious circle of exploitation seemed even more difficult. On top of this, the wages of the child labourers had been increased during the last 8 to 10 years which attracted children even more and gave an extra incentive to
parents to send their children to work. But these wages were still a very small percentage of what adult workers got for carrying out the same job.

Next to the child labourers who worked full-time outside their house and who did not work for their father, there were many children who worked with their father. These children were exploited as badly as the children who worked for employers other than their father. The fathers who still taught their sons let the child work the same number of hours as himself to earn the family income. The child did also perform the same processes as his father during the same number of hours per day. (This form of family business, where the child works with his father, however traditional, is also a disguised form of exploitation where their own children are used for earning income. These children are also deprived of education and play).

The employment of the likely increased number of child labourers in the gem polishing industry today seemed to involve more 'labour' than 'work'. The children who were employed full-time were deprived of education and play, and were economically exploited by employers who only thought of profit maximization. The profit made by the employer was bigger than the profit made by the parents. These children could not raise their voice against being deprived of playing with friends and/or learning in school.

The majority of these children will end up either as adult workers in the same job or as a unit-owner employing little children again for making higher profits. The child labourers, like their fathers and employers, are again subject to the destructive vicious circle of exploitation and repetitive impoverishment.

6.6 Former Government's Scheme to eliminate child labourers from the gem polishing industry of Jaipur

The Central Government was aware of the child labour problem in the gem processing units in Jaipur long before the announcement of the Child Labour (Prohibition and Regulation) Act of 1986. The Gurupadaswamy Committee Report of 1979 (GOI, 1981) came to the conclusion that there were at least 10,000 children in the gem polishing industry in Jaipur. Jaipur is one of the areas with a high concentration of child labourers which needed special attention. The National Child Policy of 1987 was launched to wean the child labourers from the gem industry. In 1987, the Ministry of Labour, Government of India, asked ILO for assistance in the formulation and design of the project. The ILO, in consultation with the Ministry of Labour, recruited a consultant, Dr. Usha Naidu of the Tata Institute of Social Sciences, Bombay, to carry out the groundwork in Jaipur. Dr. Usha Naidu, by means of observations and discussions with key persons in the city of Jaipur in 1988, found that the number of child labourers in the gem industry may be about 15,000, overwhelmingly boys. The Child Labour Project in Jaipur, had therefore taken the figure of 15,000 child labourers as a bench mark for the design of the project.\footnote{ILO, Geneva, 1988, Report to the Government of India on a Programme of Action on Child Labour in Jaipur, Mandsaur and Markapur, by Assefa Bequele, p. 4.}
The objective of the National Child Labour Policy of 1987 was to eliminate the children from the gem polishing units by means of non-formal education, employment and income-generating schemes for poor parents of working children and to create awareness of the negative aspects of child labour. Another objective was to step up the enforcement of the Child Labour (Prohibition & Regulation) Act of 1986, The Factories Act of 1984, and the Commercial Shop & Establishment Act of Jaipur, which prohibits children younger than 12 years of age from working in any shop or establishment. Twenty special schools were established in Jaipur in 1988 to provide the ex-working children, weaned from the gem polishing industry, with education, vocational training, supplementary nutrition, health care etc. A stipend was given to the parents as a compensation for the removed child worker and to promote school enrolment. Also, another 50 non-formal education centres were set up with the aim to provide around 1,500 child workers with some education next to their work in the industry. The Policy envisaged the provision of free and compulsory education to all the children up to the age of 14 by 1995.

The bench mark of 15,000 working children, as mentioned above, was supposed to be covered by the Action Programme. The Special Schools were the core of the programme. The beneficiaries of the Special Schools were the children under 12 and those under 14 years of age who worked in factories under hazardous conditions. Since the establishment of twenty special schools was planned, and only 50 children could be admitted per school, 1,000 children were supposed to be reached by the intervention of the Special Schools. These children had to be removed from the industry immediately. Though only 1,000 child workers under 12 years of age (and the children under 14 years of age who work in factories) could be admitted to the total of twenty special schools, 9,000 out of the '10,000 child workers with ages who may be aged younger than 12 years, who were found in a sample survey by the Department of Labour in Jaipur', could not be covered by the Programme of the Special Schools. Only the 1,500 child workers, together with the 1,000 ex-child labourers, received non-formal education. The 50 non-formal education centres, however, were not compulsory for the children who attended them.

The work of the children aged between 12 and 14 (in reality that means the other 14,000 working children younger than 14 years of age) was supposed to be regulated (for example, 6 hours work per day as stated in the Child Labour (P&R) Act) and the children themselves were supposed to be protected better. (The group of 12 to 14 years old child workers is legally allowed to work full-time in shops and establishments according to the Rajasthan Shop & Establishment Act and can be exploited endlessly. For this age group this act is not in harmony with the regulations of their labour as mentioned in the Child Labour (P&R) Act). Families which were involved in the Action Programme, were supposed to be direct recipients of subsidies and other types of economic support through improved coverage or intensification of on-going anti-poverty and income-generating schemes. Moreover, a thousand families in Jaipur were said to benefit indirectly from the stipends paid to their children.

What were the effects of the Government Action Plan on the elimination of child labour in the gem polishing industry in Jaipur since its implementation in 1988?

\[\text{\cite{166}}\]
6.6.1 Evaluations and criticism by involved actors and organizations

(i) Institute of Development Studies: evaluation in 1990 of the Government's Special Schools in Jaipur, Ms. Kanchen Mathur

In December 1990, the Institute of Development Studies (IDS), a research institute based in Jaipur, conducted a study on the qualitative dimensions of child labour in the gem polishing industry in Jaipur and on the effectiveness of the Special Schools. That study had been conducted under the CLASP\textsuperscript{167} project and the results had been submitted to the Government of Rajasthan. Ms. Kanchen Mathur, the coordinator of the research in 1990, was interviewed in March 1996 in Jaipur during this study.

At the time of the study (in 1990), the special schools had already been operating for two years in Jaipur with the main objective to wean the children from the industry. This meant that the coverage vis-a-vis the magnitude of the problem as also the impact on the lives of the children and the match between the objectives and the design of the intervention could be assessed. The twenty Special Schools together reached 1,000 child labourers (50 children per school), which was 6.7% of the estimated total labour force of 15,000. A summary of the results found by the IDS\textsuperscript{168}, which concern the effects of interventions supposed to be made by the Special Schools, were mentioned in IDS's report as follows:

1. Approximately 20% of the children attending the special schools were still found at work in the gem polishing industry.
2. Another estimated 20% of the children in the special school consisted of children who were not involved in the gem polishing industry.
3. The aimed health care interventions such as medical check-ups, investigations etc. besides the supply of wholesome meals, in order to improve the physical status had not made any difference compared with children outside the schools. A similar health status was enjoyed by children in and outside the school.
4. The implementation of non-formal education happened to be rather formal using basic skills in literacy and numeracy of a standard comparable with those in other government schools.
5. Skill-training in gem polishing which should have been introduced in the third school year, had still not begun and no indications were found that the training would start in the near future. Training in other crafts like candle making, card box making etc. was not apparent during the school visits.
6. Space for entertainment, regular outings, in- and outdoor activities for the children was absent from the school curricula.
7. The aim of providing economic support for the families of the working children had not been attained. The loans which were supposed to be given to the parents in need had not come through yet, after almost three years of functioning of the schools. The support in the form of the stipend happened to be reduced by Rs 2.50 per day in case the child is absent. The stipend, therefore, happened only to be an incentive for attending the school regularly.

\textsuperscript{167}The Child Labour Action and Support Programme (CLASP) formulated by the Government of India in consultation with the ILO in order to strengthen projects that have been undertaken to implement the National Child Labour Policy of 1987.

8. No steps had been undertaken by the Government, i.e. the Labour Inspectors, to meet the aim of providing protection and improving working conditions for the children who were still at work in the industry.

The study of the special schools revealed an incongruity between the needs of children in the gem polishing industry and what the Special Schools offered, which meant a rather misplaced emphasis in the very concept of these schools. Selection norms for the schools happened to be very strict because of the possibility of financial gain in the form of stipends. According to the IDS, the idea of selecting one child from a family with five to seven children, led nowhere. Giving the family with one child seventy-five rupees stipend and milk and food did not help matters either economically or in terms of health inputs as compared with the other children in the family and for the parents involved. The Special Schools in all reached a small number of children, as only 1,000 children could be admitted in the twenty schools (50 children per school), which left the majority of the child labourers (14,000 from the estimated benchmark of 15,000 child labourers) out of the scope of the Programme.

Thus, according to the IDS, the concept of the Special School was not instrumental in weaning the children from the industry. For the children (partly) withdrawn from the industry the available alternatives were not such as could assure them a good education, health and space to learn and grow, which is all fundamental to a good 'childhood'. Children were even worse off because they also worked after leaving the school in the afternoon. 'The causes behind the employment of young children in the industry', according to IDS, 'is not only the structure of the industry but more the poverty and helpless condition of parents'. 'The income of the working child is very much needed by the parents'.

Ms. Mathur said in the interview that 'if poverty, or the socio-economic context of the child, cannot be eliminated and if the structure of the industry cannot be changed, then it is likely that any intervention will disrupt a rather traditional way of survival without any alternative assurance'. 'Thus', said Ms. Mathur, 'one should look for factors which can be changed and which do not interfere with the earning of a livelihood, like vocational training, awareness-raising of the parents and employers'. Therefore, on the basis of a detailed dialogue with parents during their study, the IDS recommended, as it had recommended at the time when their study was finalized, that child labour should be regulated with a strong involvement of the community to see that the work of the children is limited to a maximum of four hours per day and ensure that all the children receive at least two and a half hours of education. The above strategy had to go together with stipend otherwise the child labour would go underground. The IDS also recommended a special shift in the school especially for girls which would meet the strict separation (or 'purdah') of the girl child required by the Muslim community. Financial inputs had to be given in creating community centres with motivated teachers who could see that the children participate in in- and outdoor activities, entertainment, play, music workshops etc.

Ms. Kanchen Mathur said that none of the recommendations of her report had been taken up by the Government. She said 'a report with recommendations is meant for putting it into policy. This has never happened'. Ms. Mathur said: 'the Government is doing nothing and doesn't want to look for alternative programmes and solutions to the problem. What is needed are proper schools and
proper education which are attractive to children'.

The study of the IDS revealed that 'poverty' was the main reason why children were sent to work. This study and one other study, however, revealed that the positive attitude towards the labour of children and the negative attitude towards existing formal education by mainly Muslim parents, were the important reasons for the majority of children being sent to work in the gem polishing industry (and not to school). The increased wages of child labourers over the years led to an extra incentive for poor parents to send their children to the industry for work. The question is, who would not send his child to work if the existing education facilities were inadequate and relatively expensive? So, 'poverty' is rather easy and too simple an explanation for the phenomenon that children worked in the gem polishing industry in Jaipur. According to the findings of one study, there were also parents who were only slightly better off than the fathers of the majority of the children who insisted that their children should go to school.

(ii) Indian Institute of Health Management Research, Ms. Lal

In 1992, two years after the study undertaken by the IDS, the Indian Institute of Health Management Research, another institute, conducted another study on the child labour problem in the gem polishing industry in Jaipur. The research was done by order of the Planning Commission of the former Government of India. Ms. Lal, the coordinator of the study, told the researcher of the present study that 'the Special Schools had not reached their aims. The salaries of the teachers were too low, the schools and class rooms were not properly built and maintained, and education is not attractive to the children. The teachers are not motivated to work with the children'.

In their report they quoted the Labour Commissioner of Rajasthan with the message that 'the Labour Department did not have adequate funds to meet the demands of all the children. The special schools did not have a permanent staff and the teachers worked on a part-time basis. The class rooms were very congested. Unless these schools were properly funded, it was very difficult to bring about the desired results'.

The above-mentioned report of the IIHMR, did not comment on the functioning of the Special Schools. The IIHMR recommended in its report, however, that schooling should be ensured, which would make it impossible to employ children in a full-time job, because the laws relating to schools were easier to enforce than the factory laws. This recommendation was basically a request for a law enacting compulsory primary education for all children with rules to implement that law, but was not mentioned as such in their report. Another recommendation made by the IIHMR was that the schools should make arrangements for placement of the children in the gem polishing industry at the moment they had finished their studies or had reached adulthood. This would help in inculcating a sense of economic security in them.

In the interview with Ms. Lal in March 1996 she pleaded, however, for a combination of learning the skills of gem polishing for 2 to 4 hours per day and normal education implemented in a more motivated way. The community and the employers should be made aware of the child labour

169Neera Burra, Born to Work, Child Labour in India, pp. 99 and 106.
problem immediately.

(iii) Lokh Shikstan Samsthan: running the Special Schools, Ms. Sharma
Ms. Sharma is the president of the Lokh Shikstan Samsthan (LSS), the NGO which was appointed by the Government in 1988 to run the Special Schools. She said that the LSS had conducted a survey on child labour in the gem polishing industry in 1989 and a follow-up survey in 1994 in four areas in Jaipur where a high concentration of child labourers existed. The areas were: Ramganj, Ghat Gate, Ganga Pole and Ramchandra Chopri.

The survey held in 1989 revealed a child labour force of around 10,000 children. The survey included only children from the 6 to 11 age group, because these children were the target group for admission to the Special Schools. In the period between 1989 and 1994, 1,000 children had been admitted in the twenty Special Schools and around 1,000 child labourers had at that time been admitted in the fifty non-formal education centres. The non-formal education centres give tuition up to the second standard during three hours in the morning. The children who attended these centres combined the lessons with work in the gem polishing industry.

In the five-year period from 1989 to 1994, 3,000 children, says Ms. Sharma, had reached the age of 14 years and had completed their education. In all, 5,000 child labourers were covered by the programme. 'Thus', said Ms. Sharma, '5,000 out of the estimated total of 10,000 child labourers are not reached by any programme. Their lot is miserable as they do not go to school at all and work for many hours each day. These children are exploited in all the ways'. The follow-up survey, conducted by the LSS in 1994 in the same four areas, identified 2,000 more (new) child labourers.

The interview with Ms. Sharma confirmed the criticism of the special schools mentioned by the IDS and the IIHMR, as mentioned in earlier sections of this chapter. Apart from the fact that the Special Schools and the non-formal education centres could only cover a small part of the child labour force, the additional 2,000 child labourers - probably this number was higher because not all areas were covered in the survey - showed the extent of the problem. The absence of the implementation of any awareness programme had partly contributed to the influx of child labourers in the 'Special School' areas. The income-generating and poverty schemes of the Government seemed not to have any effect on the parents; they still sent their children to work. It seems that the enforcement of labour legislation had been either weak or absent.

(iv) Teacher at a Special School
The researcher of the present study interviewed a teacher of a special school in Jaipur, in March 1996. This teacher revealed the following points concerning the Non-Formal Education Centres and the Special Schools:

1. The 50 Non-Formal Education Centres, which resulted from the Child Labour Action Plan, provides education to around 1,000 to 1,500 children. The children of these centres, who work 5 to 6 hours in the industry per day in combination with attending lessons in the centres, are doubly burdened. They do not attend the centres regularly. Education at the Centres is not compulsory as in the Special Schools.
2. The number of child labourers increases every year and only 50 children can be admitted per special school and one child per family. Now, the directors of the Special Schools have to refuse children. This created anger with the parents, mainly Muslims, who have 4 to 10 children. The parents want more children to be admitted to the school as they want the stipend, food and education for more of their children.

3. The age of admission for the special school is between 8 and 12 years. The children, however, start working at the age of 5 or 6. To prevent child labour in the gem polishing industry the age of admission should be lowered.

4. The budget provides for too little money to pay for the rent of the school. The rents are very high in Jaipur.

5. The stipend which is given by the ILO is Rs 75 for Class I-III and Rs 100 to Class IV-VI. The problem is that nowadays the children earn higher wages at the time they start working than a few years ago. The stipends should therefore be raised to at least Rs 150 to Rs 200. Still parents find it more profitable now to send their children to work than to the special schools.

6. The school hours are very long (10 a.m. to 4 p.m.) and the children do not reach home earlier than 5 p.m.

7. The children are only provided with milk and have nothing to eat. They do not enjoy their milk without sugar. The children carry their own food to the schools whereas it should have been provided by the Government. This is an extra cost factor for the parents.

8. The Government happens to supply the schools only with study books. The parents have to buy things like note books, pencils, slates etc., themselves. This has made the parents very angry again, as it means extra expenditures for them because the school items are very expensive for them. The special school is supposed to provide the children with these school items.

9. The wage of the teachers, is Rs 800 per month, is too low. Therefore, they are not motivated to work with the children and educate them.

10. Overall there is a poor communication between the Government and the Special Schools, especially in money transfers.

6.6.2 Legislation related to child labour implemented under the Government's Scheme

Though the Child Labour (Prohibition & Regulation) Act of 1986 is not applicable in banning child labour, but only in regulating it in the gem industry, the Factories Act of 1948, which prohibits child labour in factories, could still be instrumental in banning the working children under 14 years of age from the gem polishing factories. This proved to be a very ineffective law because its enforcement was made difficult by the deliberate dispersion and decentralization of production processes from factories to home-based or cottage enterprises.

In two other child labour areas, which were also indicated by the former Government for special programmes, this problem had been dealt with through simplifying the law so that child labour in all kinds of occupations and processes was prohibited. (For example, when the slate

---

industry is concerned, the Madhya Pradesh Slate Pencil Karmakar Kalyan Act of 1982 provides that the slate pencil manufacturing units will be governed by the Factories Act of 1948, whether or not they employ ten workers. In the same way the Andhra Pradesh Shops and Establishments Act of 1966 prohibits child employment, and in the case of the slate industry in this state the status of the enterprise, whether it is called a factory or a shop and establishment, is rendered irrelevant regarding child work).

The Government of Rajasthan also suggested making the Factories Act applicable to the industry. This, however, never came into force. A study on the problem of child labour in the gem industry in Jaipur revealed the following: 'Informed sources said that the political plot of gem traders was such that attempts to bring this industry under the Factories Act had been abandoned. Some said that while the government was interested in the welfare of the workers at one level, the need for earning foreign exchange was paramount and so production would therefore always have an edge over labour welfare'\(^{172}\). The many verandas and small workplaces which are difficult of access, make inspections impossible. It is also very difficult to establish the number of workers a manufacturer or exporter employs inside his unit.

Next to the Factories Act of 1984, there exists the 'Rajasthan Shops and Commercial Establishment Rules' of 1959, which prescribes that children under 12 years of age should not be employed in shops and commercial establishments. This Act has never been enforced, as still thousands of children younger than 12 years of age process gem stones in the gem polishing establishments.

Thus, the National Child Labour Policy, which was launched in 1987, with the aim of eliminating children from the industry through a more comprehensive approach and to step up the enforcement of existing child labour related laws, has never attained the latter aim.

6.7 Proposed plan of action by the Rajasthan Government, 1995-96

In January 1995, an 11-point programme\(^{173}\) was finalized by the Rajasthan Government 'to first impose a complete ban, as a warning and threat to the employers, and then come into action\(^{174}\) to subsequently 'eradicate' child labour in the State of Rajasthan'. At the same time the Government had set up a State Authority for the Elimination of Child Labour which had to put the action into effect. The 11-point programme involved the selection of the districts Jaipur and Udaipur where a big survey was to be held to investigate the magnitude of the child labour problem in the two districts. Another point was to increase the minimum age limit from 12 to 14 years for children employed in all establishments. The Rajasthan Commercial Shops and Establishments Act of 1958, which is in force, stipulates that only children above 12 years of age can be employed statutorily in various concerns, and children younger than 12 years have to be banned. If the increase in age intended in this Act should come into force, more employers could be prosecuted for


\(^{174}\)Emphasis is added by the author of the present report.
violating the law, as the majority (59 %)\(^{175}\) of the child workers in the gem polishing industry is in the age group of 12-14 years. But in the 11-point programme, nowhere it was mentioned the need to step up the enforcement of this Act. Another point of the 11-point programme was that all commercial establishments would henceforth have to provide educational and health facilities for children employed by them. The Government wanted enlisting support from the NGO sector to put this point into action.

Critics\(^{176}\) placed the following remarks concerning the proposed action plan of the Government of Rajasthan: [...] Firstly, 'the policies and rules alone cannot handle the deep roots of child labour. The real challenge will emerge when the State Authority for Elimination of Child Labour of Rajasthan has to put into effect the action plan and find out a way of dealing with vested interests'. Though it is not mentioned in the article, but, knowing that the gem polishing industry in Jaipur is the single largest employer\(^ {177}\) and that the business involves huge amounts of money, 'dealing with vested interests' probably means 'dealing with the big exporters and traders in the gem polishing industry in Jaipur'. Secondly, 'a holistic approach is needed, which requires the starting of other related schemes'. Related schemes like, for example, income-generating and poverty schemes for the parents involved. Thirdly, 'an attitudinal change among the politicians is called for'.

(i) Labour Secretary of Ministry of Labour, Mr. Singh

Mr. Singh, the Labour Secretary of The Minister of Labour in Jaipur, said in an interview that 'until now the Child Labour (Prohibition & Regulation) Act of 1986 was useless, as the rules according to which the Act can be implemented were never laid down'. The Government of Rajasthan has now formulated these rules. The income-generating programme which was supposed to be launched at the same time as the special schools, under the National Child Labour Policy in 1987, had never come through. Mr. Singh said that this programme was now an important item on the agenda of the Government of Rajasthan.

At the time of Mr. Singh's visit the survey on child labour in the districts of Jaipur and Udaipur, which was one point of the 11-point programme, was going on. The Government was planning to start a big awareness-generating campaign soon. This was going to be worked out together with the Government appointed local NGOs.

According to Mr. Singh, the main reasons why parents sent their children to work, were: 1, the poverty of the parents, and, 2, lack of education with the parents. Therefore, the main priority of the Government of Rajasthan was to start a huge literacy campaign.

(ii) Deputy Labour Commissioner of Jaipur, Mr. Pareek

An interview was also held with the Deputy Labour Commissioner of Jaipur, Mr. Pareek. He added to what Mr. Singh, the Labour Secretary, said, that the Government had distributed a sim-

---


\(^{176}\) The Hindu, 2 June, 1995. Ibid.

Child and adult labour in the gem polishing export industry of Jaipur

plified draft of the Child Labour (Prohibition & Regulation) Act of 1986 among employers in Jaipur with the aim of making the employers aware that the child is only supposed to work 6 hours per day with at least one hour of rest after 3 hours of work. Also, the Government was busy in planning to form a group of experts from all kinds of fields to work out a strategy to combat child labour in Rajasthan. The media were also going to be invited to work out a strategy to highlight the issue in the media. Also there was a plan to be set up a network of NGOs to collaborate in the process of tackling the problem of child labour. He said that there was 'a high commitment of the Government of Rajasthan to eradicate child labour'.

Concluding remarks on the recent plans of the Government
The Government has made a useful step by first investigating the magnitude of the problem in the two most important districts of Rajasthan, Jaipur and Udaipur. Secondly, the literacy campaign, if implemented thoroughly, could also help in eliminating child labour. Thirdly, the proposed awareness-generating campaign should start as early as possible, as this could be the beginning of weaning the child workers from the gem industry. But, nowhere does the Government mention a plan to strengthen the education facilities and involvement of the parents and community, which could prevent children from going to work at a young age and could stimulate them to attend school. Nowhere the Government puts emphasis on the fact that children should be in school and should stay in school which, can only be accomplished by improving the quality of education with motivated teachers, who make learning more meaningful and joyful.

The Government of Rajasthan is not planning to make primary education a reality for every child. It is hoped that the Government starts putting emphasis on that right and put all its efforts in implementing free, compulsory, meaningful and joyful primary education. Only then could the problem of child labour be solved. Other proposed plans are useless if there is no commitment and will to get the children in school and to take care that they are kept there by employing motivated teachers, develop more interesting and attractive teaching methods and meaningful and joyful lessons and make school buildings more attractive.

6.8 Unicef's support for 'Joyful Learning': an alternative to the Special School?

Mr. Thomas, Programme Director of Unicef, Jaipur, said in an interview: 'Unicef, Jaipur, does not concentrate on the child labour problem in the gem polishing industry because it is very difficult due to the high values which are at stake'. 'Child labour is a highly sensitive topic in the industry and if you want to intervene you easily can get caught'.

Unicef is focusing on the prevention of child labour and sensitizing the policy makers in Rajasthan on the issue of child labour. According to Mr. Thomas, rehabilitation of child workers was of no use. Mr. Thomas said: 'Unicef is of the opinion that 6-year old children should enrol into school and they should stay in school'. School enrolment, therefore, has the priority in the policy and programmes of Unicef. The general public should be made aware of the negative aspects of child labour also. 'Today, public opinion is not against child labour and says that child labour exists because poverty exists'. 'This opinion should be changed'.
'Joyful learning'

Unicef is focusing on universalization of primary education and, therefore, on initiatives which aim to improve the quality of primary education and to make it more attractive, meaningful and joyful for children. It was found, through experiences of the on-going Total Literacy Campaign of the Government, that children enrolled into school but after some time left school as they did not find studies interesting, which resulted in high drop-out rates. It was also found that teachers lacked skills to keep children busy and develop interest in learning; the schools were also not an interesting and attractive place for children.

Unicef, therefore, supports the 'Guru Mitra Yojana' (Teacher Friendly Scheme) in Tonk district, Rajasthan, which is an initiative of school teachers of primary schools in that district. The teachers had decided to take up the responsibility of strengthening primary education under the banner of the 'Teacher Friendly Scheme'. This Scheme, which was launched in 1994 under the overall guidance of the District Collector, puts focused attention on teachers empowerment.

The objectives of the Scheme are in brief:
- 100% enrolment of six/seven year old children in Class I and help them to attend school regularly and move on to next classes;
- to improve school environment by low cost teaching aids from readily available local materials;
- to motivate teachers of Class I to initiate child-friendly and joyful activities to ensure retention and achievement of minimum levels of learning, and
- to involve the local community and parents for achieving better enrolment, retention and quality learning.

Mr. Thomas said that, up till today, the Scheme had been very successful and the primary school enrolment figure was on the rise in Tonk District. The Scheme in Tonk District was inspired by the successful experiment of the Teachers' Empowerment Project of Madhya Pradesh Shikshak Samakhya in Madhya Pradesh. This Project had improved school attendance dramatically. *The school buildings of the schools which are covered by the Project are painted with bright pictures and blackboards have been painted on the walls at a height which is within the reach of children. Teachers and children have made very clever use of local materials to produce inexpensive toys, masks and teaching aids. The children of these schools want the teacher to tell them stories, sing songs with them, and teach them to play. The Project in Madhya Pradesh, clearly demonstrates that enthusing and training the teacher can vastly improve the quality of primary education within the existing system and need not be expensive*.

If primary education in Jaipur city should be improved in the same way as in the Teachers Friendly Scheme of Tonk District and the Teacher's Empowerment Project of Madhya Pradesh, more children would be sent to school. The children themselves would be more interested to go to school and continue studies instead of dropping out. If the parents in Jaipur city, whether Muslim or Hindu, are actively involved in similar projects together with the local community, there would be possibilities for really weaning the children from the gem polishing industry and other employments without being too expensive for parents or the Government. 'Joyful Learning'

---

or teacher empowerment implemented in the above-mentioned ways could be a sustainable alternative to the Special Schools.

6.9 Summary of the findings

- The increased international demand for coloured gemstones and gem studded jewellery resulted in an expansion of the gem industry in Jaipur since the last 5 to 10 years. The expansion had generated employment to many adult artisans, mainly Muslims, but had also led to the employment of thousands of Muslim children under 14 years of age. Studies show that the total number of artisans today is around 200,000 workers and the number of child labourers is around 20,000.

- The pull factor which partly caused a recent increase in the number of child labourers in the gem polishing industry of Jaipur was the establishment of new manufacturing units (operating since 1 to 6 years) in the periphery and outside the city of Jaipur due to an increased international demand for gem stones. The push factors which partly caused child labour in the gem polishing industry in Jaipur, are: the recent migration of families to Jaipur, an increased wage level of child labourers and the socio-cultural context of parents, and their positive attitude towards work and their negative attitude towards the existing primary education facilities in Jaipur.

- Full time child labourers, mainly Muslims, started working at the age of 6 to 8 years and girl children started working later than boy children, because they were needed in the household first.

- The adult workers earned more than the minimum wage but, due to lack of education, the majority was hardly able to realize upward mobility in a job on a higher level in the gem industry. The wages of adult workers were dependent on the work experience, type of job and gem stone. The majority of adult workers earned wages which varied between Rs 1000 and Rs 5000 per month and the adult workers who had just passed the age of 14 earned wages between Rs 400 and Rs 600 per month.

- Education seemed to be crucial for earning higher wages at an earlier time in the working careers of adult workers. Quite a few adult workers had started working at the age of an adult (above 14 years) with a certain level of education and were able to earn higher wages after a shorter learning period. Child labourers without any education had to work many years (3 to 6 years) before they earned a wage that an adult worker earned.

- The wages of the child labourers in the gem polishing industry depended on whether the unit owner liked the child or when he was a relative of the child, but also, on the business success of the manufacturing unit, the number of workers who were employed in the unit and the experience and type of job the child did. The majority of the boy child labourers started earning more after 1 or 2 years. The wages child labourers received had increased in the last ten years but were still a very small percentage of what an adult worker earned for the same job. The majority of the interviewed children started with a wage that ranged between Rs 40 and Rs 50 per month and got Rs 100 to Rs 300 per month after 1 to 3 years of working. Children who processed precious
stones earned higher wages than children who processed semi-precious stones.

- The child labourers mainly performed jobs like joining, rough shaping and final polishing when precious gem stones were concerned. When semi-precious stones were concerned children also performed highly skilled jobs like faceting and table making next to cutting, rough shaping, joining and polishing. A working day lasted 8 to 10 hours for full-time child labourers and 5 to 6 hours for part-time child labourers.

- The majority of the child workers worked in the gem industry because their parents did not want their children to waste their time. Most parents told their children early in life to start working at a young age and learn a skill so that they could begin to earn money early in life.

- Child labourers' opinion towards child labour was negative. They had the opinion that children should be in school. They did not like working and would prefer going to school, but they had to abide by their fathers' wish. Education would give them better chances for a good job later in life.

- The full-time working children were completely illiterate but got some moral education inside the mosque or through private tuition.

- The workplaces were poorly lit and ventilated, especially the manufacturing rooms which were inside the homes. Most of the units did not have washing facilities or a toilet. Occupational health problems were fingertip wounds, fever, back ache and eye strain.

- Children wanted future jobs which were related to the gem polishing industry or to their school environment.

- The working girl child was doubly exploited. She was used for income earning inside the house but also for other employments like embroidery, helping in the household and taking care of siblings. Due to the Muslim belief the girl was not allowed to go outside the house which deprived her even more of having a childhood with social contacts and knowledge of the outside world. When there were more sons in the household, many of them went to school while the girl had to earn the income. She did the low-skilled jobs like drilling of beads and cutting semi-precious stones. The girl was sooner withdrawn from school than the boy and was totally illiterate. She could never make upward mobility neither in wage level nor in higher level jobs.

- Criticism by the Institute of Development Studies, the Indian Institute of Health Management Research and the Lokshikshan Samsthan (all based in Jaipur) and a teacher at a special school in Jaipur, revealed that the objectives of the Government's scheme to eliminate child workers from the gem industry in Jaipur, through non-formal education, employment and income-generating schemes for poor parents of working children and creating awareness of the issue of child labour, had not been met up till today. The objective of the Action plan to step up the enforcement of the Child Labour (Prohibition & Regulation) Act of 1986, the Factories Act of 1948 and the Rajasthan Shop and Establishment Act, had never been achieved, as thousands of children younger than 12 years of age still were found at work in the gem industry in Jaipur during this study. Parents and the local community had never been involved in the programme. A
total number of 1,000 children (out of a benchmark of 15,000 child labourers) could be partly weaned from the industry and be admitted to the 20 special schools. In 1991, 20% of these thousand children was still found working in the gem polishing industry after school.

6.10 Conclusions

The full-time child workers in the gem polishing export industry in Jaipur, whether working for an employer or with their father, are economically exploited, deprived of (meaningful) education and have no childhood in terms of play, leisure time and social life.

Employers have a vested interest in the cheap child labourers because they are much cheaper than adults. On an average an employer pays an 8-year old child in his first year of employment a wage which is 11% of the wage of an adult worker of 14 years of age as compared with 4% of the wage which an adult worker earns if he is around 25 years of age. For a child who has already worked for 1 to 3 years and is around 10 years of age, these percentages are 50% and 16%. Thus the employer saves a lot of money if he employs children instead of adults, also when the children have gained some experience.

The employers partly teach the child workers valuable skills. They use them under the pretext of apprenticeship while paying the child labourers abysmally low wages and letting them work for long hours per day, for many years. These employers, who started manufacturing units during the last 1 to 6 years due to the increased international demand for gem stones, have a short-term interest in cheap child labour.

Most of the fathers (parents) project their own hard working life on the life of their child(ren) in future, which makes them decide that their child(ren) should learn a skill at a young age so that they would earn a good wage at a young age. Some of these parents earn a reasonable amount of money and have a choice to send their children to school instead to work. These parents do not send their children into the industry for an additional income in the first place. But a combination of a low judgement of the existing education facilities and their opinion that children should work at a young age and get a better job than themselves, makes them decide to send their children to the gem polishing industry. The increased wages of child labourers over the last 5 to 9 years, add to the decision-making process of parents to send their children to the gem polishing industry.

The girl child is even more a case of concern as she has even less childhood than a boy, drops out of school earlier and works inside the house the whole day whether it is work related to the gem industry, household work or other employments.

The special schools and non-formal education, the core of the Government's action plan to eradicate child labour from the gem industry, have hardly offered alternatives for child labourers who like to play and learn some vocation also. Experts found that around 20% of the children who had been admitted to the special school still were working in the gem polishing industry after school. The aim to eliminate child labour from the gem polishing industry through the establishment of 20 Special Schools and 50 poorly running non-formal education centres is unrealistic,
because out of a total number of 15,000 child labourers, only 1,000\textsuperscript{179} children (i.e. only around 7\% of the child labour force) could be partly eliminated from the industry, which leaves 14,000 child workers unprotected. The way the Action Programme is implemented, or one should say: not implemented, is not a sustainable solution to the problem of child labour.

If parents are not actively involved and made aware of the negative aspects of child labour, and if no sustainable and meaningful alternatives are provided for the children in terms of free and meaningful education with some vocational training, then why should parents send their children to these special schools? What should parents do if only one of their - often 5 to 9 - children can be admitted and the other children cannot be admitted? As long as parents are not made aware of the negative aspects of child labour, their attitude towards work will remain positive. As long as primary education in Jaipur is not made compulsory and meaningful, and parents are not made aware of the positive aspects of sending their children to school, parents’ attitude towards education will remain negative or the children will still drop out of school. It means that child labour in the gem polishing industry and other employments will continue. Added to this are the poorly enforced (child) labour laws in Rajasthan, like the Child Labour (Prohibition & Regulation) Act of 1986, the Factories Act of 1948 and the Rajasthan Shop and Establishment Act, which forbids children younger than 12 years of age to work in any shop or establishment in Rajasthan.

\textsuperscript{179}Thousand children in the 20 special schools (with 50 children per school).
Case studies of child labourers in the gem polishing export industry of Jaipur

The first three cases of twelve cases, concern ex-working children who have now been weaned from the industry through the intervention of the Special Schools. The twelve interviewed children lived and worked in three different areas of Jaipur city, namely Ramganj, Pahurganj, and Char Darwaja. The children who worked full-time (cases 4 to 12) got permission from their employers for the interview outside the units, and gave them leave for a few hours. All these children were illiterate and had never attended a school. All the 12 children were Muslims.

Case 1: Irfan

Irfan is 10 years old and started working at the age of 6. At the age of 8 he stopped working because he got admitted to a 'special school' in Jaipur for ex-working children in the gem polishing industry. Five years ago they lived in Agra and migrated to Jaipur. Irfan described his grandfather as a very bad man. The grandfather 'talked bad' to his mother and accused her of being a thief, as things were stolen from the house. So the family left for Jaipur as they heard that there was plenty of work.

Here Irfan's father sent him for work in a gem polishing unit in the same area as where this school is located. The workplace was inside the house of the employer. Everyday Irfan started his work at 10 a.m. and finished it at 4 p.m. He had a lunch-break of only one hour. Friday is a free day for Muslims. His job was joining gem stones on a wooden stick called 'kandi' with wax while holding the stick in a flame. After the stone is fixed on the stick he passed the stick on to the person who polishes or cuts the stone. He also polished the stones regularly. For the job he received Rs 10 per week which the employer gave to his parents.

Sometimes his fingers got hurt in the flame or due to the rotating polishing disc, against which he had to hold his finger with the stone to be polished. And at those times the polishing powder, a certain chemical called Chromium Dioxide, gets mixed with the wound on his finger. Due to the pollution in the unit he often had an upset stomach. In the same unit 6 more children were working. Irfan said that all the facilities of toilet, wash-bin, light, and ventilation were good in the unit. (One cannot fully rely on that statement as it was observed during visits to units that most of them were very small, lacked hygiene and were poorly ventilated. The toilets were often very dirty or absent, in which latter case the streets were used).

When the question was asked how the employer treated him, he looked down. After some time he started telling that he was not a nice man. One day he had broken a cup and the owner threatened him that he had to pay for the cup and that he would go to his parents. The employer was shouting in a very rough way. The employer always ordered him to do things like: 'Clean the house!' and 'Go to the market!'.

Irfan said that his father and mother had sent him to work. They did not like him playing in the street and wasting his time by doing nothing. Irfan said that his father was poor and needed his extra income. Irfan had a big family with two sisters, two brothers, besides his father and mother.
One of his brothers also attended the Special School and the other one worked also, joining the stones to a stick in a gem polishing unit.

After working hours Irfan regularly had to go to the market with his mother, or had to go to the mosque. In the mosque he got moral education from the koran. There he was taught things like: 'You should not steal', 'you should obey to elder persons' and 'you should speak the truth'.

But now, after intervention of the team of the Special Schools, his parents thought that child labour was not good. They said that education was much better and made you a good person later in life. Although Irfan liked the work first, as there was always music and he received money for his parents, he felt now much better with getting education. The school was more comfortable. The environment was good in the school and he could listen to good stories and lessons. Later in life, Irfan liked to become a doctor and wanted to give treatment to poor people.

**Case 2: Sabir**

Sabir is a boy of 9 years of age. He migrated with his family from Bihar to Jaipur. Though still very young he could tell the story very thoroughly why they had left Bihar. His father had a piece of agricultural land. And one day there came a flood and all the crops were useless. Because of this his father became very poor and had no other job. So the family migrated to Jaipur because one uncle lived there. Sabir's father had become a rickshaw driver (i.e. Indian taxi driver) and earned around Rs 20 to Rs 40 per day.

So Sabir had to work for his uncle in his gem polishing unit. He said that he had to cut and polish onyx stones (semi-precious) during one year on a 'ghat' machine driven by hand. He started in the morning at 10 a.m. and stopped at 5 p.m. There was always a break of 30 minutes. Friday is a free day. In Sabir's unit there worked 9 other children. Sabir said that during the work his finger sometimes got injured against the rotating disc.

After working hours, just as now after school hours, Sabir helped his mother or helped his sisters with their work. He also liked to play with his youngest sister inside the house. The family consisted of 7 members. Sabir's three sisters were all illiterate and did embroidery work inside the home with which they earned Rs 20 to Rs 30 per day per person.

Sabir liked working because his uncle treated him nicely and showed him affection. His uncle gave him Rs 1 per day and the money Sabir had to give to his father. His mother did not like Sabir working and wanted to give him education. She came to know about the Special School which was free of cost and a stipend of Rs 75 was given per month. So finally she sent him to this school. That was cheaper for the family.

Sabir liked education now much better than the work. He learned Urdu, reading, writing but also things like cooperation and discipline. Sabir wanted to become a police man to catch thieves and to save the nation.

**Case 3: Sabina (girl child)**

Sabina is a Muslim girl and started working at the age of 5. For five years she had polished gem
stones in Jaipur in the house. (Due to the strict 'purdah system' girls are not allowed in the outside world but are preferred to stay inside the house). Sabina looked very pale and afraid of talking to anyone who was a stranger, like me.

In her house there were three machines, two for polishing and one for drilling holes in small stones, which had to be driven by hand. Her father worked on one machine and Sabina had worked on the other machine polishing ruby stones which is a precious stone and more costly. After two years she received Rs 400 per month which her parents collected from the owners of the machines who came regularly to the house. These owners also supplied the family with rough ruby stones. Her father earns Rs 200 per day.

Because the work took place in the home she nearly worked the whole day but could also move around more freely. When there was not much work or when she was not polishing the stones, she did embroidery inside the house or did 'bindai' (i.e. the drilling of holes in stones with a hand-driven machine).

Her family consisted of her father, her mother, four brothers and one sister in the age range of 5 to 15. Her younger brother of 8 also attended the Special School. Her elder brother of 15 worked outside the house doing 'ghat' shaping by hand. He earned Rs 500 per month after having done this job for three years. Sabina's father had education up till the seventh standard and her mother was illiterate. Later Sabina's parents sent her to the Special School as they thought that education was better for her.

Sabina liked the job she was doing as it was all happening inside her own house. Now she preferred going to school, to become a good person and self-dependent later in life. Though she had always gone to the Muslim school which consisted mainly of moral lessons, now she got subjects which would give her a future like mathematics, reading, writing, Hindi etc. At the end of the interview she became a little more relaxed, and said that she wanted to become a doctor. The service she would give free of charge. Her aim was to cure people and prevent them from illness.

**Case 4: Mommad Sharif**
Mommad is 10 years of age and earned Rs 200 per month for shaping ruby stones. He worked 8 hours and got 1 hour rest. He did not like the work. He operated the Ghat machine which is a hand-driven. Often his fingers were bleeding and aching and he felt his back. He was often very tired. His father sent him to work because the family needed the extra income. When Mommad started working he earned Rs 50 per month. He is illiterate but wanted education, because he wanted to become a lawyer. He wanted to fight corruption.

His father and elder brother also worked in the gem polishing industry. His father earned Rs 2000 and brother is earned Rs 500 per month. In all, Mommad had 5 brothers and 3 sisters.

**Case 5: Mommad Shafiq**
Mommad is 10 years of age and had been working for 4 years. He belonged to Jaipur. He did not like to work, but he had to abide by his father' wish. The work was painful. He had to handle big
iron tools because he polished ruby stones by hand. Mommad started working in the morning around 8 a.m. and finished work around 5 to 6 p.m.

The owner did not treat him well. Often the money he should get was not paid to Mommad. He earned Rs 100 per month and earlier when started working he earned Rs 50 per month.

His father sent him to the work because he did not want Mommad to waste his time. Mommad, however, liked to play and would like to go to school. But his father thought that he wasted his time. 'There is never time to play', said Mommad. The tears could be seen in his eyes.

He wanted education otherwise his life would be spoiled. Mommad wanted to become a doctor and give treatment to patients. Mommad's father also worked in the gem polishing industry and earned Rs 2000 per month. His two elder brothers earned Rs 1200 each for polishing gem stones in Jaipur.

**Case 6: Mommad Gamiruddin**

Mommad is 12 years old and had been working for 1 year. His parents sent him to the work. He often saw other children going to school and he also wanted to go to school, if his parents allowed him. Then he would become a doctor. The owner of the workshop where Mommaad worked, was not a relative of his and beat him. Often his fingers were damaged by the polishing machine. His eyes and body were aching due to the work. He worked from 7 a.m. till 6 p.m. After work Mommad always went straight to bed. Playing was not allowed by his father because he thought that a waste.

**Case 7: Altaf**

Altaf is a boy of 10 years. He had been working for two years. He polished emeralds for Rs 150 per month which he only received 3 month ago. Before that time he was not earning any money. The owner was not a relative. His father was a broker and sent him to work. His parents worked and thus Altaf should also work. Altaf often played with his friends after 6 p.m. when the work was finished. Later Altaf wanted to become a policeman and fight for the nation. Because of the work Altaf always felt a pain in his back.

**Case 8: Brassin**

Brassin had been working for 5 years and is now 10 years of age. He was positive about his work. He said that now he was earning money, and received Rs 200 per month for polishing stones. There was no government school in the neighbourhood of his house. His father sent him to work.

**Case 9: Gamil**

Gamil is 11 years old. He said that he was often punished if he made mistakes or broke the stones while polishing. The owner did often beat him. When he told this to his father, his father said that the beating was good because he had made a mistake. His father's profession was fruit-seller. Gamil earned Rs 300 per month and two years ago he received Rs 50 per month.

**Case 10: Riayaz**

Riayaz is 8 years old and had been working for 2 years. He started at the age of 6 and did not get
any payments. Now he received Rs 500 per month. Riayaz polished emeralds, but he was even too young to understand what stone he polished. His finger and his back were aching, he said, because he had to sit in one position for hours. In his unit 2 more children worked.

His parents sent him to work. They needed the income. His father was a sweet-seller. Riayaz' family consisted of 10 family members. His parents were illiterate. His elder brother had education up to the 6th standard. Riayaz said he also wanted to go to school because that would give him a better job later in life. Society would respect him more, he said. He wanted to become a judge later in life to eradicate corruption.

He would not send his children to work when he would be a father himself. He did not want his children to do the same work as he did, and to become like him. Riayaz's friends went to school and asked him many times why he did not go. At that moment in the interview, he looked down and said that his father did not like him to go to school.

**Case 11: Sadiq**

Sadiq is 11 years old, and had been working for 3 years. When he started working he earned Rs 50 per month now he earned Rs 100 per month. The owner of the gem polishing unit was not a relative. He often beaten him. When he broke a stone or when he arrived too late the owner beat him on the back. His father did not mind the beating because his son made a mistake.

Sadiq's family consisted of 11 members. His sister did the job of 'bindai' (i.e. drilling holes in stones). She earned Rs 200 per month. She is 15 years of age and had been working for 3 to 4 years. Two other brothers worked as automobile mechanics and earned Rs 200 and Rs 300 per month respectively. Sadiq's father was a tailor. His father had no money, which was the reason why he sent Sadiq to work.

Sadiq wanted to become a doctor and he knew that if he did not go to school he would never become a doctor and give treatment to patients. He hoped his father would send him to school one day.

**Case 12: Zazmah (girl child)**

Zazmah is 14 years of age and started working at the age of 10. A few years ago her father had died. Her job was cutting the 'golden stone', a semi-precious stone of which she was able to cut 1000 stones per day. She also did shaping and polishing. She cut the stones by hand with the hammer. Sometimes her fingers got cut by the rotating disc (vertical cutting machine). It was still possible to see the marks on her fingers. (The 'golden stone' is used in rings, earrings, buttons, necklaces, etc.). The stones she processed were exported.

The finished stones were collected from her house by a middleman who also delivered the rough stones to her house. When the stones were collected regularly, or the roughs taken to her house regularly, the girl was able to earn Rs 40 per day. But the amount was often less due to inconsistency of the trade. Sometimes she worked 15 days per month and then again 30 days in a month. It depended on the trader/agent who delivered her roughs. The trader had cheated the family many times. For example, the price was Rs 80 per kg but the trader/employer paid Rs 60 per kg. He
took advantage of the family's dependence on his supplies. Regularly he did not pay in time. When the family needed money they went to the employer and borrowed it. The employer asked interest and paid them a lower price.

Zazmah never had any education and was illiterate. Her father was a very strict Muslim and wanted the 7 daughters to stay inside the house. They were not allowed to go to school. They received only moral teachings from the Koran, the religious book of Muslims. At the moment only one brother went to school and another brother worked in the gem polishing industry. The latter brother cut emeralds in a unit next to the house and earned for the job Rs 2,000 to Rs 3,000 per month. He is 24 years old and had an education up to the 9th standard. The family totally depended on the income of the working son and of Zazmah. The family consisted of 13 members: grandmother, mother, and 11 children.

Grandmother and Zazmah's mother were in charge of the household and were actively involved in the interview. Also grandmother did not allow the girls outside the house. While talking to all the family members, Zazmah continued her work at a high speed. She looked very tired and when she was asked if she was tired she confirmed that. She worked around 8 hours a day. The work was very boring and monotonous.

The family looked very unhealthy. They said that they were continuously having financial problems. They also complained about the high costs of living in Jaipur.
Chapter 7  Bonded child labour in the synthetic gem polishing industry of Trichy

7.1 Introduction

Though it is said that 'diamonds are for ever', not everybody is able to buy them and enjoy their beauty. The extreme rarity and high value of real gem stones prompted many to look for imitations, which led to the manufacture of synthetic gem stones. In this way almost all popular precious and semi-precious gem stones like the ruby, emerald, sapphire, diamond, onyx, garnet, topaz etc., are made synthetically. These synthetic gem stones are used in the mass production of cheap jewellery, and for fixing on costumes. The main cutting and polishing centres are in Thailand, South Korea, Philippines, India, and of late, China. For reasons of variety and low prices, jewellery studded with synthetic gem stones have become popular not only in the USA and the European market but also in the developing countries of South East Asia, the Middle East and elsewhere. The market for synthetic gem stones is bound to grow faster than the market for natural gem stones. The Netherlands started to buy synthetic gem stones from India in 1990, at a value of Dfl 4,000\(^{180}\), and in 1994 at a value of Dfl 17,000\(^{181}\).

The synthetic gem polishing industry in India, which is mainly located in Tamil Nadu, in the south of India, did not start earlier than in the 1920s. Wealthy Tamil merchants, who returned from Burma, brought with them the technology for making synthetic stones like the imitation ruby and the American Diamond or Cubic Zirconia (synthetic diamond) and settled down in districts like Trichy and Pudukottai in Tamil Nadu. A large number of the people who live in the rural areas around Trichy and in the Pudukottai district, are marginal landholders or own no land at all. Due to continuing droughts the people have not been able to earn an adequate income from agriculture. It is precisely because many areas in Trichy and Pudukottai District are arid that the non-agricultural craft of gem cutting has existed for many years in this part of India. Since the 1950s the industry began to spread over the state of Tamil Nadu. The synthetic gem stone polishing industry in Tamil Nadu is a cottage industry, which exists both in workshops and homes and gives employment to around 300,000 persons\(^{182}\). From this number around 50,000 artisans work in and around Trichy and Pudukottai District, the two main districts where synthetic gem stones are manufactured. It is estimated that 8,000 to 10,000\(^{183}\) children younger than 14 years work in the synthetic gem polishing industry in these two districts.

The synthetic gem stones from India, however, are not of a high quality, and India's share in the world market has been stagnating at less than 1%\(^{184}\) for several years. Since the 1920s synthetic

---

\(^{180}\)CBI, Rotterdam, 1992. In 1990, synthetic gem stones were imported under code nr. HS 7104 90: 'Worked synthetic or reconstructed precious and semi-precious stones'.

\(^{181}\)Centraal Bureau voor de Statistiek, Heerlen, 1996. In 1994, synthetic gem stones were imported under code nr. HS 7104 20: 'Synthetic or reconstructed precious or semi-precious, unworked or simply sawn or roughly shaped stones'.

\(^{182}\)Article in a local newspaper of Trichy, May, 1995. Written by A. Sharma, Director of Trichy Gem Park.


gem stone polishing and cutting has been performed in the traditional way with simple tools and hand- and foot-driven machines which delivered stones which were not of a geometrical shape and size, and therefore not exportable. The present state of affairs in India is due to a low supply of raw materials, primitive tools and equipment, which could not yield a high production, to the absence of formal training and of development of proper marketing channels for export. India is trying hard to penetrate foreign markets, but its share can only increase if the quality of the stones improve and if the costs of production are low.

To improve the quality of synthetic gem stones and to provide local artisans with training facilities and more sophisticated machinery, in 1990 the Trichy Gem Park (TGP) was established by the Diamond & Gem Development Corporation, a private company, together with the Government of Tamil Nadu (1989-1991). The Gem Park was set up with the objective of training artisans, supplying them with machinery, tools and spare parts, giving guidance in procuring of financial input, and providing marketing assistance for finished goods and after-sales services to small-scale producers. The processing of Cubic Zirconia is simple, labour-intensive and does not require a heavy capital investment. Compared with the real diamond polishing industry, the synthetic gem polishing industry gives ten times more employment at the same cost of raw material input. In this way, the TGP could give work to many more people who are jobless or who are temporarily without work, and train artisans using sophisticated machines. The TGP established a 'modernized' sector next to the traditional sector of gem polishing in Trichy and the rest of Tamil Nadu. The Trichy Gem Park, which is a wholly private company today, will be discussed in section 7.2.1.

Though the few wealthiest unit-owners are losing interest in the traditional sector, the majority of the owners cannot afford the new investments in the new machinery supplied by the Trichy Gem Park; they find their current rates of profit satisfactory and they continue using the old technology to produce synthetic gem stones. Today, out of the estimated number of 300,000 artisans in Tamil Nadu 100,000 are using the semi-motorized machines and 200,000 are still manufacturing synthetic gem stones in the traditional way.

In 1990, the former central government started to promote synthetic gem stone manufacturing also, to achieve the dual purpose of self-employment and foreign exchange earning. Cubic Zirconia claims the major portion of the world demand for synthetic gem stones. With its New Economic Policy of 1991, the former government considerably reduced the import duty on Zirconium oxide and other oxides which are used in the manufacture of Cubic Zirconia and abolished the sales tax on finished stones completely.

### 7.1.1 Bonded (child) labour

Though the Trichy Gem Park trained many (new) entrepreneurs and increased exports, it was not
able to improve the living conditions of the majority of the local workers, because most of them are in 'debt bondage' and cannot become self-employed. That the majority of employers working with the traditional machines still make profit is due to the fact that the debts of the workers permit the employers to pay very low wages to them; the debt is a means by which the employers control labour, adults and children alike. The adult and child labourers are 'owned' by the employer.

Next to stress which is caused by the system of debt bondage, many other health problems have been reported by labourers. Researchers noted common health complaints, like eye-strain and early decay of the eye-sight. The faceting and polishing of stones with often more than 44 facets, requires measurements with the eyes every minute. People need glasses at the age of 20 whereas normally spectacles are required at the age of 35 plus.

Bonded labour is forbidden by Indian law. In an affidavit filed in 1994 before the Supreme Court, the government of Tamil Nadu (ruling since 1991 till today) claimed there were only 'stray cases' of bonded labour and whenever reported, 'rehabilitation measures are taken then and there'. The Supreme Court has investigated the affidavit on its veracity and appointed a commission to investigate the number of bonded labourers in Tamil Nadu. The commission found that, while every district had officially noted that there were no children serving as bonded labourers, 'heart rending and acute cases were widely prevalent in Tamil Nadu and the number of bonded labourers was estimated at one million. Of the total number of bonded labourers in Tamil Nadu 100,000 are bonded child labourers engaged in silk weaving, agriculture, gem polishing and cutting, quarries, beedi work (local cigarette rolling), power looms, brick kilns, floriculture, dyeing, and match and fireworks factories. The commission's report says that the affidavit was prepared without consulting district collectors or other officials, and the promises of corrective measures have not been followed up. The commission has recommended to the Supreme Court to ask the state government to officially recognize child bondage and to implement a multi-pronged rehabilitation programme, including education, skill training, nutrition, health care and cultural and social development. The commission has also sought the Supreme Court's permission to file its report before the National Commission on Human Rights, which has already mentioned Tamil Nadu as one of the worst offenders.

For the bonded child labour in the gem polishing industry in Tamil Nadu no special government programmes exist. Bonded children are in many ways very difficult to assist, because they are inaccessible. If the employer has paid for the child, it means that the child cannot look for another job. In its State Plan of Action which was drafted in 1993, the government of Tamil Nadu has set as its major goal to eliminate bonded child labour and child labour in hazardous industries for children up to 14 years and full-time child labour of all youngsters under 12 years by the year 2000. Concerning bonded child labour, the State Plan of Action says that it has the intention to eliminate bonded child labour in the beedi industry as well as to assess the situation prevailing in

---

187 For a definition of debt bondage see 'definitions of term' on page viii of this report.
all other areas by the year 1995, with the aim to totally eliminate all bonded child labour by the year 1998 and to obtain the achievement contemplated for 1988 in the year 2000.

The State Plan of Action of 1993 includes strategies to eliminate (bonded) child labour, such as ensuring the availability of credit for parents, mobilizing of youth groups, NGOs, teachers etc. to dissuade parents from bonding their children. According to the Plan, NGOs, field functionaries and teachers will be mobilized to give counselling and support to parents. In the Plan also it is stated that immediate action of revenue officials and the police is required to charge cases against employers and parents for bonding children. It means that the law has to be enforced immediately. None of the above mentioned actions and strategies have been undertaken up to date.

7.1.2 Review of a study on bonded (child) labour in synthetic gem polishing industry in Tamil Nadu

A study conducted in 1993-94 on bonded labour in the gem polishing industry in Trichy and Pudukottai District revealed that the system of 'debt bondage' is widely prevalent among the people, including children, who are involved in the synthetic gem polishing industry in these areas. The researcher argues that bonded labour in the districts is not a pre-capitalist form of production but, rather a part of a dynamic, capitalist small-scale industry that is rapidly expanding into global markets. The owners of the synthetic gem polishing units make enormous profits by making their employees unfree or bonded in their labour by encouraging them to take loans. The loans with very high interests can never be paid back by the workers who are obliged to stay and work for the employer to pay back the loan plus interest. In this way the employer, through the debts, controls the labour and is entitled to pay lower wages to the workers because a section of the wage is meant for debt solving. Thus, as the study revealed, the system of debt bondage enabled employers to convert wages into debt with the consequence that workers were represented as repaying their debts through their work, rather than earning wages. The study revealed further that though the majority of the workers complained about the very low wages, most of the workers appeared to feel that, because of their 'debt relation' - and often kinship relation - to the workshop owner, they could hardly engage in worker unions or openly resist the demands of owners. The workers had to work for long hours and lost job-mobility as soon as they had taken a loan. Thus, the loans provided was the strategy that employers of the synthetic gem stone

190[During field visits in Trichy, an interview was held with the Bridge Foundation (BF), a NGO based in Bangalore, which is also active on a small scale in the synthetic gem polishing industry in and around Trichy. BF gives financial support to individuals and also to cooperatives of workers organized by the local people themselves. The director said that their project in the synthetic gem polishing industry in Trichy was a small-scale one and they mainly focused on women. Three reasons for their strategy: Firstly, BF did not take the risk of letting their staff get caught by a highly dangerous mafia operating in the villages. Secondly, BF mainly worked with women because they were not bought by the middlemen (i.e. most of the women were not bonded labourers) and through women farther-reaching changes could be established. Thirdly, BF stimulated small businesses which were formed by the people themselves. These, should form a block against the operating mafia and prevent themselves from becoming bonded labourers. The idea was that an individual who had started his business with the help of BF, started to work with his or her family and the family started to work with the local community. In this way the community could slowly build up a cooperative among themselves and circumvent the mafia which made people bonded labourers including the children.

polishing industry in Trichy and Pudukottai Districts used to retain labour, pay exploitive wages and enhance profits.

The study revealed also that there was among gem stone manufacturing units a competition for skilled labour and this was accomplished by increasing the loan (debt). Workers who made better quality stones and finished more stones per day got a higher loan, but their wage was also reduced more. The loan was the crucial factor in determining wages. The majority of the workers could not escape the debt bondage and were forced to send their children also. Since no other forms of non-agricultural activities had established themselves in the areas and as most of the children got drawn into gem polishing as they grew up, they were consequently deprived of the chance of seeking jobs elsewhere. Even worse, the debt of the parents was transferred to the child worker who automatically was a bonded labourer for the rest of his or her life.

7.2 Results and discussions of field visits: working conditions of bonded child labour in Trichy

The chapter on child labour in the synthetic gem industry in Trichy is limited because the focus of the present study on child labour in the gem polishing industry in India has been on Jaipur in Rajasthan. Though only a few manufacturing units were visited in Trichy and in villages around Trichy, the problems of children who work in the industry were apparent, their economic exploitation as bonded labourers, their inhuman work conditions and health hazards tell their own story. The Trichy Gem Park in Trichy had been visited and an interview was held with the director.

7.2.1 Trichy Gem Park

For the visit to the Trichy Gem Park (TGP) a translator had been contracted. At present the managing director is Mr. A. Sharma. The TGP was established in 1990 by the Tamil Nadu Government (1989-1991) and the Diamond & Gem Development Corporation. The main activities of the TGP at that time were providing training, guidance in arranging finance, supply of machinery, raw materials and consumables, marketing assistance for selling finished goods and, after-sales service. TGP provided jobs to many local people in an environment where the infrastructure was already available. Semi-motorized machines were introduced and sold to the local people. The training period for the semi-motorized gem polishing machine is 3 to 9 months and it produces gem stones of a higher quality which can now be exported. The training on the traditional polishing machines lasts 3 to 8 years and depends on the skills, talents and strength of the artisan. The operation of the traditional polishing machines, both hand and foot-driven, requires great physical strength of the artisan. Thus the supply of semi-motorized gem polishing machines has considerably reduced the training period, which means that everyone can quickly grasp the skills.

With the change of the government of Tamil Nadu in 1991, TGP was bought by Scientific Diamonds Ltd., a private company based in Bombay. The new Government of Tamil Nadu
which started to rule from 1991 onwards, had forgotten about the ideas of the former government
to give support to the local people, give them training, and make them self-employed in the
polishing of synthetic gem stones', local people told me. Thus the government sold the TGP. The
TGP, being a private company today, continues giving training\textsuperscript{192} to the people.

The building wherein TGP is located, was heavily protected by security people who all, including
the staff, came from Bombay. The head office is located in Bombay and from there finished gem
stones are exported. The workers or ‘trainees’, mainly women, were from Tamil Nadu. The train-
ing period lasted three months. At the moment of my visit, there were 190 people in training of
whom 125 were females. TGP imports the raw synthetic gem stones from the US.

The director said that the wages which were paid to the trainees by the TGP were Rs 1,000 per
month at a minimum and above and were set by the piece rate system. The workers did not get
statutory benefits like ESI and PF, bonus, sickness leave, maternity leave etc. Workers were not
allowed to join a labour union. The level of the wage depended on the skills of the artisan and the
quality of the stone. The trainees also produce gem stones for the TGP, which means TGP is their
trainer but also their employer. During the visit, the translator checked the veracity of the level of
the wages and asked a few trainees about their wages; all of them said Rs 300 - Rs 500 per month
(i.e. Rs 10 to Rs 13 per day). Local people said that the training centre was not providing workers
with the promised expertise any longer. Things like marketing skills and certain processes are not
taught to the trainees.

On the inside the training centre was very spacious and clean with enough light, ventilation and
facilities like wash-bins and toilets. Every section where different processes were carried out were
separated from each other by boards. The machines were of the latest technology. Nobody spoke
and everybody’s moves were closely watched by supervisors.

7.2.2 Cases of synthetic gem stone manufacturing units

Local informants said that the main problem for workers was their dependence on middlemen
who supply them with raw materials, machines which can be leased\textsuperscript{193}, and space. Wages were
paid according to the piece rate system and the majority of the workers were bonded to their
employers. The middlemen either sold the raw materials and/or leased the machines at too high
prices. Employers gave different rates per finished stones even if the stones were of the same kind

\textsuperscript{192}A local informant said that the main activity of TGP, however, is not training but the selling of gem polishing machines at huge profits to the
local people. The machines which can be bought in the local market cost around Rs 8,000 to Rs 9,000, while the machines which are sold to local
entrepreneurs by TGP, cost around Rs 17,000, which is almost twice that amount. At the moment, the sales of the TGP in Tamil Nadu are not going
so well because the local people came to know about the price differences of the new machines. TGP is now trying to sell the machines in other
states of India. Local social activists said that many NGOs in the area were unknowingly supporting TGP thinking that it was there to help the
workers.

\textsuperscript{193}The government of Tamil Nadu (1989-1991) sold 100,000 semi-motorized machines, 50% was bought by individuals (mainly women)
through the Self-Employment Scheme of the government and the other 50% was bought by independent exporters/entrepreneurs/manufacturers/enterprises. The latter people started to lease the machines for Rs 30 per day, and the piece rate of Rs 1 per
finished stone had to be divided in 50 paise for the owner and 50 paise for the worker. The owners who wanted to make more money leased the
machines for two shifts per day from 8 a.m. to 2 p.m. and from 2 p.m. to 9 p.m. The workers can do nothing against this practise.
and size. Employers misused the lack of knowledge workers had about quality and often told the workers that the gem stones they had polished were not of a high quality and they would pay the worker less. Informants said that employers had a certain tactic to encourage workers, who were often kinship, to take a loan; employers were very nice to their workers and they allowed them to take holidays and breaks during the day, etc. Employers in the synthetic gem polishing industry knew exactly how to keep people working for them, but in reality they made their labour and life unfree. Workers were not allowed to work for other unit-owners otherwise they were harassed and threatened.

(The processes in the synthetic gem polishing industry are the same as in the gem polishing industry in Jaipur, but the machines are more traditional and often use no power). Children did jobs like joining, shaping and polishing and adults did jobs like cutting, shaping, polishing and checking.

(1) Manufacturing units in the centre of Trichy
In Trichy a labour union, the Tamil Nadu Synthetic Gem Cutting Labour and Protection Association, was active to improve working conditions for the workers. The union was mainly active in units which were located close to its office which is near the centre of Trichy and some units outside Trichy. Recently, the union arranged a collective insurance for a group of workers who were member of the union. In the areas where the union was active hardly any children were found working and the workers seemed very happy, as they were no longer dependent on middlemen. The labour union interfered when labour problems arose in the manufacturing units where the members worked. The union, however, could do nothing for the workers in the remote villages, as it was too dangerous there.

In the manufacturing units in the centre of Trichy it was observed that many people worked under one roof but for different employers, and they leased the machines from different owners. In this way there was no chance for the workers to organize themselves and form a block against one employer. The majority of the workers used leased machines and the majority was subject to bonded labour.

Working conditions
On an average the wages for male adults ranged between Rs 1,000 and Rs 2,000 per month (i.e. Rs 38 and Rs 77 per day). It should be said that the wage level was highly variable and depended on the quality of the polished and faceted stone, the skills of the worker, the number of stones a worker produced per day, the level of the loan he had taken in advance, and the level of exploitation by the employer. The workers who were members of the labour union earned more than the workers who were not members. In the units in and around the centre of Trichy, no female workers were found at work. Women were mainly employed in the villages or at home. Child labourers earned around Rs 5 to Rs 20 per day, but it could even be lower than Rs 5 per day because it depended on the level of the loan (debt) of the parents.

The working circumstances are poor with no ventilation and bad lighting. But because there was some light, which was not always the case in the villages, (child) labourers approximately worked 14 hours per day. In the visited units no toilet and washing facilities existed. In one unit five children were at work. The children were aged around 9 years. One boy did the process of joi-
ning. He had been sitting on his heels for 4 hours in the dark. It was so dark that it was almost impossible to see the tools with which he was working. When the process of joining was over, he gave the roughly shaped and fixed stones to the polisher. Two child labourers worked with their relatives. One boy worked with great speed and handled the machine with great skill. The boy earned around Rs 20 per day and his uncle around Rs 60 per day. The lease money of the polishing machines (Rs 6 per day per machine) and the bus fare (Rs 5 per day), were subtracted from the piece rate wage. It means that the child's wage was reduced to around Rs 9 per day.

One boy was interviewed who once had joined a rehabilitation programme of a local NGO where he got some education. He said that he had left the programme because his parents were not able to pay back the loan they had taken in advance from the employer. Thus he had to work in the synthetic gem polishing industry to work for the employer to pay back the debt of his parents.

(2) Manufacturing unit in a village near Trichy
Informants said that in the manufacturing units which were located far from the highway in more remote areas around Trichy, mainly bonded labourers worked and the number of child labourers was much higher than in the centre of Trichy. This unit, which could be reached by bicycle only, 45 out of 60 workers were bonded child labourers. Of them, 15 were girls and 30 were boys. It was shocking to see these child labourers, their thin bodies and big eyes expressed great sorrow.

Working conditions
For 8 long hours both boy and girl children sat on the tops of semi-motorized polishing machines with a bent back and without proper light. The children who polished or shaped gem stones with the hand-driven polishing machine had unusually big developed arm muscles. In the section where workers, only adult males, sorted out and checked the polished stones, there was enough light, and these workers earned a much higher wage than the people who polished and shaped the stones. The wage of these workers was at least Rs 50 per day.

The ages of the children varied between 7 and 12 years. The majority had started working at the age of 6. Because there was no light in the sections where the polishing machines were located, the working day ended when the sun set. Approximately, the working day lasted 8 hours. The wages of the child labourers in the unit ranged between Rs 4 to Rs 10 per day. Adults earned wages between Rs 15 and Rs 40 per day, but the majority earned around Rs 15 to Rs 20 per day.

One boy, who was 12 years of age, complained that he was doing the job of an adult, working the same hours per day as an adult, but that he was not paid the same amount as adults. He thought that unfair. He explained that also the system of bondage was unfair as he had to give the whole wage to his parents because they had to pay back the loan to the employer. He said that he wanted to earn money also and keep the money for himself, but that was not possible.

Health problems
A few child labourers were asked if they had any health problems due to the work. All of them complained about knee aches and heavy pain in the back and shoulders due to being in a cramped position for the whole day. Another complaint was coughing due to the dust entitled by the stones in the process of polishing.
Loans
The loans which the parents of the child labourers of this unit had taken, ranged between Rs 500 to Rs 5,000. The debts, i.e. loan plus the ever-increasing interest, could increase to an amount of around Rs 50,000. It is absolutely impossible for the parents to pay back the debt. Thus, these children will be bonded for the rest of their lives. The majority of these children's parents were unemployed. Due to the absence of rain and lacking irrigation facilities, agricultural activities were not possible. The synthetic gem polishing industry operated all through the year. Thus the children had to solve the money problems of their parents. Employers were very happy with the labour of the children because they were cheap and young and thus could work for many years.

The owner of this unit who lived a few kilometres away from this unit was interviewed. The owner controlled almost all the units in that area. All the workers in the nearby villages depended on him for work. The workers did not have to pay money to the owner for leasing the traditional machines. Close to his house he controlled around 200 workers of whom 150 were males and 50 were females. The female workers earned less than the males. The owner said: 'the polishing and faceting of gem stones is an easy job and if one is sincere, workers can earn more money; but the people drink a lot of alcohol and use all kinds of drugs'. Of course the owner was silent on the frustration of people about their unfree labour and the problems they had in paying back the debts. Nor did he say anything about the enormous psychological stress which was put on the children who worked in the units in bondage; many of their parents were unemployed and used their children to pay back their loans. The owner said of course nothing about his role in the practise of bonding of (child) labour by hiring the (cheap) children.

The owner said that there were also independent workers, but they were still dependent on him for the supply of raw stones. These workers did not have any knowledge of the market. But there were some workers who wanted to avoid the middlemen and suppliers of raw materials, and went to the artificial diamond market in Trichy themselves to buy raw stones.

7.3 Conclusions
The synthetic gem polishing industry comes almost totally under the informal sector, and units are scattered all over Trichy and Pudukottai District; therefore, no labour law is applicable, except the Bonded Labour Act which has never been enforced because the government of Tamil Nadu does not officially recognize the existence of bonded labour in its state. It means that (child) labour is not protected by any law, children are unorganized and no collective bargaining agreement exists to improve their working conditions. Their health is not protected either, as workers do not have access to statutory benefits like Employee State Insurance (ESI) and Provident Fund (PF). The labour laws are not enforced.

The synthetic gem polishing industry in Tamil Nadu may generate jobs for many people, but the prevalent system of debt bondage does not improve the living conditions of the local people. Children become the victims of the debts which their parents have with employers; children become 'slaves' to these employers themselves. The bonded child labourers will never have the chance to continue schooling and, being bonded to their employers, will be unfree for the rest of their lives without a choice to improve their living conditions, also because they earn a very small
wage. They are never able to pay back the debt with the ever increasing interest. The synthetic gem stone industry in Tamil Nadu, especially in the remote areas, where hardly any other non-agricultural activities exist, has almost a monopoly in generating employment and can therefore exploit the workers. Because no laws are enforced in the areas and no checks are made by labour inspectors, the 'slavery' in the synthetic gem stone polishing industry will continue; so this industry is not an option for income-generating schemes and the alleviation of poverty. One labour union is organizing some of the workers, but the majority, especially in the remote villages, is unorganized and nobody is organizing them. There exists also no firm and widely operating enforcement machinery. In the present situation there exists no front against the system of debt bondage. Something should be done immediately to stop the practice of bonded child labour, not only in the beedi industry, but also in the synthetic gem polishing industry and other industries where debt bondage is prevalent.
PART III

CONCLUSIONS AND RECOMMENDATIONS
PART III  CONCLUSIONS AND RECOMMENDATIONS

Chapter 8  Conclusions

On the basis of the findings, the following conclusions can be drawn:

(on child labour in the export-oriented garment and gem polishing industry of India)

1. For both the garment export industry in Tirupur and Bangalore as well as the gem polishing export industry in Jaipur, it has been found that their expansion, due to an increased international demand by European countries and the US for garments and (semi-)precious gem stones, caused an increase in the number of economically exploited child and adult labourers. This caused more school drop outs and illiterate children. It has been found that the labour of children who work in the above mentioned industries interferes with their mental, physical and social development.

Especially in the garment industry as compared with the gem polishing industry the children are physically and economically exploited. Though the children in the garment industry earn higher wages than the children in the gem polishing industry, they are forced to work more hours per day and also in the nightshift because export orders have to be completed in time. This puts a tremendous stress on the children. The majority of the children in the garment industry of Tirupur suffers from exhaustion. This is even more the case for the children who have to combine work with education in the evening in non-formal education centres.

2. Employers of both the industries have a vested interest in child labour because they can pay the children a fraction of what an adult should be paid for the same job and, hence, can make more profits. When the child starts working he or she performs simple tasks, but after a few years work, while the child is still younger than 14 years, the child does almost all the jobs which adults do with the same speed and skills for the same number of hours per day. After a few years of working, the child earns still less than an adult.

3. The 'pull factor' which partly caused an increase in the number of child labourers in the hosiery industry of Tirupur as well as in the gem polishing industry of Jaipur, was the expansion of both industries. The expansion of both industries is caused by an increased international demand for garments and precious and semi-precious gem stones respectively. The expansion created an extra demand for cheap (child) labour. In Tirupur also the structure of the industry - a second pull factor - partly caused child labour. The majority of the manufacturing units in Tirupur are specialized in only a few processes (called 'job working') of the garment production chain. Among the manufacturers there is a system of networking. The fragmentation of the production process into many small (job working) units, allowed the owners of these units to flout (child) labour laws. The manufacturers of these job working units employed many children in operations which involved only a small period of training for acquiring the skill.

4. The 'push factors' which partly caused child labour in the hosiery industry of Tirupur were
the relatively high wages of the child labourers, the existence of poor and inadequate primary education facilities in Tirupur, poverty of the parents who either are unemployed or who have low income jobs or who have a sick family member, and migration of the family to Tirupur. In the case of migration children were withdrawn from school and they never enrolled again in Tirupur.

The 'push factors' which partly caused child labour in the gem polishing industry of Jaipur were: the recent migration of families to Jaipur, increasing wages of child labourers, and the socio-cultural context of parents: their positive attitude towards work and their negative attitude towards the existing primary education facilities in Jaipur.

Although poverty is an important cause (push factor) of children being sent to work, equally important causes are: lack of awareness of the negative aspects of child labour and of the positive role education can play in the improvement of their children's future. In Tirupur it was observed, however, that the existence of free non-formal education centres and a NGO who made parents aware of these centres and the positive aspects of education, motivated parents to send their children to these centres but not to withdraw them from work. In Jaipur it was observed that the majority of Muslim parents even had a positive attitude towards work, which led to sending their children to work at a very young age (i.e. 5-6 years) and hence caused total illiteracy of their children. In Jaipur it was also observed, however, that adults with some level of education, who had started working at the age of around 15 years, had a shorter apprenticeship period, grasped the skills earlier and could, because they were educated, demand higher wages at an earlier time in their career. This implicates that awareness-raising of the parents of the positive effects of elementary education is very important.

5. The existing primary education facilities in Jaipur as well as in Tirupur are not adequate, meaningful and attractive for children. If children were enrolled, these facilities were not adequate to keep children in school. This was stronger in Tirupur than in Jaipur.

6. The working girl child, both in the garment and gem polishing industry, is burdened with more work than the boy child; she is needed in the household whenever she is free and has to take care of siblings next to her regular job. This has serious repercussions on her health. Because the girl child is also needed in the household besides her economic activities, she is often withdrawn from school earlier than the boy child and never has time to play. This affects her educational and social development negatively.

(on child and/or adult labour in the garment export industry of India)

7. As part of the growing movement in India against child labour, the two largest networks of non-governmental organizations against child labour - the South Asian Coalition on Child Servitude (SACCSC) and the Campaign Against Child Labour (CAACL) - have taken up the issue of child labour in the garment industry in Tirupur. This has already made a discernable impact on the exporters and their associations who have promised to phase out child labour in the garment industry.

In India itself the initiatives concerning the issue of child labour in the garment industry have
created a climate in which also the European importers, retailers and consumers can play a positive role by demanding garments produced without child labour, and under decent labour conditions for adults.

8. When child labour is almost absent in an industry, women labour is the next section of the labour force which is prone to exploitation. The export-oriented garment industry in Bangalore is an example of this phenomenon. If children are going to be replaced by adults, women are the next 'target group'. This asks for measures to improve their working conditions as well, like: the right to collective bargaining, a 'need based' minimum wage, permanent employment, the availability of a creche at the workplace, social security and regular checks on a normal working day of 8 hours without working overtime, in nightshifts or on Sundays.

9. European retailers, chain-stores and buying houses are contributing to economic exploitation of children and women workers by buying garments from manufacturers in Tirupur and Bangalore if they do not require from their supplier(s) to abide by minimum labour norms like absence of child labour, 'need based' wages, a permanent employment contract, social security, the right to collective bargaining, a normal 8-hour working day etc. The market-driven push to purchase garments at the lowest possible price, without taking these basic labour standards into consideration, will lead to continued exploitation of children and other workers.

(on bonded child labour in the synthetic gem polishing industry of Trichy)

10. The government of Tamil Nadu does not acknowledge bonded (child) labour in its state and is unwilling to do something about the problem of bonded (child) labour which is prevalent in the synthetic gem polishing industry in and around Trichy and other parts in Tamil Nadu.

Due to the absence of an enforcement machinery in Tamil Nadu, especially in the rural areas, and of job alternatives for the poor and irregular agricultural activities due to heavy droughts, synthetic gem stone manufacturers and entrepreneurs have a monopoly in generating employment and can continue the system of debt bondage. Bonded child labourers, who carry the debt of their parents with them for the rest of their lives, are not free to move to other jobs and/or areas and can never go to school again. Employers pay very low wages because the workers have a debt with them which can be ten to a thousand times their wage. The parents (and the bonded (child) labourers) are not able to pay back the debts and the ever increasing interest.

11. In the rural areas of Tamil Nadu, a lack of programmes for agricultural development, water and irrigation management for farmers, a lack of alternative income-generating projects and absence of legal (government) support for the forming of synthetic gem stone worker-cooperatives, forces many under- and unemployed people to take up the job of synthetic gem stone polishing. They become victims of the system of debt bondage which is practised by local entrepreneurs. These entrepreneurs control almost the whole region of Tamil Nadu, especially the areas of Trichy and Pudukottai District. Bonded child labour, especially in the growing synthetic gem stone industry of Tamil Nadu, is the consequence.
(on solutions to the problem of child labour in the hosiery export industry of Tirupur and the gem polishing export industry of Jaipur)

12. The combination of work and a few hours of education per day, is not a solution to end child labour and improve the quality of their life; after a day of hard work children are too tired to concentrate in school. The making of homework is disrupted because children, especially girls, are also needed to help in the household and to take care of siblings. This has been observed in Tirupur where children were found working in the export-oriented garment industry and combined this work with non-formal education in the evening.

13. The Government’s action plan to eliminate child labour from the gem polishing industry in Jaipur, has proved to be unrealistic and cannot function as a model to eliminate children from other industries or areas. The scope of the action plan, implemented by 20 special school and 50 non-formal education centres, is too limited. Out of 15,000 child labourers, only 1,000 children under 14 years of age could be weaned from the industry through the 20 special schools. The 50 non-formal education centres which are supposed to give non-formal education every day to around 1,500 child labourers next to their work in the industry, are irregularly attended by the child labourers and lack motivated teachers. Thus, 1,000 children are covered by the programme and around 1,500 child labourers get some non-formal education, but around 12,500 child labourers do not get any form of protection since also the Child Labour (Prohibition & Regulation) Act and other legislation have been hardly enforced. Parents got upset because only one child in a family (with often 5 to 9 children) could be admitted in a special school and the parents had to buy food and school items which were supposed to be provided by the schools.

It is not known how many child labourers in Jaipur are completely illiterate and how many combine work in the gem industry with going to a government or private school; no census has been held to make an estimate of the number of child labourers in the gem polishing industry in Jaipur.

Further, lack of involvement of the local community, parents and teachers in the decision making and implementation of the special school, inadequate funds and the absence of a promised awareness-raising programme and income-generating projects for poor parents of working children, are the main factors why the schools did not achieve their aims; children were still found working in the industry after school hours.

Whatever may be the programme to eliminate children from the industry, or to improve school enrolment, if the local community, NGOs, parents and teachers are not involved in decision making and implementation, the programme will fail.

(on child labour in general)

Child labour in India will continue as long as:
- the primary education system is not compulsory, not free and inadequate;
- the parents lack sufficient income, do not see the relevance of education due to the non-
existence of good education possibilities, and are not aware of the negative aspects of child labour;
- the Government does not declare a total ban on all kinds of child labour, instead of prohibiting them in only a few hazardous occupations and processes; and, last but not least,
- the law enforcement and controlling machinery is inadequate.

If so,
- children will keep on dropping out of schools;
- parents will keep on sending their children to work, and,
- employers will keep on employing children in all kinds of professions and exploiting them while violating the laws, for which crime nobody is punished.
Chapter 9  Recommendations

1. Because the number of economically exploited child labourers has increased and the working conditions are poor in the export-oriented garment and gem polishing industry in India, partly due to an increased international demand for products like garments and gemstones, importers should demand from Indian exporters and manufacturers of these products not to employ children and to comply with certain minimum labour conditions like a 'need based' wage, the right to collective bargaining, an 8-hour working day, health protection, social security, etc. Importers should take their responsibility and demand an improvement in the general labour conditions along the subcontracted chain, and support programmes to train unemployed adults and parents in the skills of the industry so that they can replace the children.

As far as the garment industry in Tirupur is concerned, the industry is open for dialogue, and importers, but also action groups, NGOs, labour unions etc. should be made aware of this. Export Promotion Councils in India and Business Promotion Councils in Europe, European retail companies and chain-stores and their suppliers, should be brought together to open a discussion on the subject of child labour and bad working conditions, and to arrive at solutions and ways to implement these solutions.

The Fair Trade Charter for Garments (see appendix 4), launched by the Clean Clothes Campaign in the Netherlands and by other similar organizations in other European countries, could be an important instrument to improve labour and living conditions of workers in the export-oriented garment industry in India. The Clean Clothes Campaign supports with this instrument activities of Indian labour unions and NGOs which also aim to improve basic labour conditions of workers in the garment industry. Collaboration is needed for the implementation of the Charter.

2. Although child labour is prevalent among the poorest sections of Indian society, it is not only caused by economic compulsions but also because of lack of awareness of the negative aspects of child labour and, hence, of the positive role that education can play in improving the quality of living conditions of people. Lack of adequate and attractive primary education facilities is also a main contributing factor to child labour. Therefore, efforts have to be made on this front, especially among the poorest sections of society.

National and international organizations should continue to pressurize the Government of India to make primary education free, compulsory, meaningful, attractive and joyful. They can also play an important role in awareness-raising, e.g. by designing, implementing, supporting and communicating school-related projects which have been set up and in which the local community, parents and teachers are actively involved.

3. It has been found that migration from the rural areas, due to the local lack of job opportunities for the parents, breaks the school career of children, who are never enroled again but sent to work in places where the job opportunities are better. It is therefore recommended to make more detailed studies on the problem of child labour related to
migration, because of under- and unemployment in the rural areas. Alternative income-generating programmes for parents combined with compulsory, attractive and meaningful primary education in the rural areas, are essential to prevent families from migrating and ending up in even worse exploitative situations, including their children.

4. Because a girl's childhood, educational and social development are more affected than a boy's due to her double burden of household and economic activities, she needs extra attention in awareness-raising, development and educational programmes. Parents need to be made aware of the negative effects when they burden their daughter with too much work. Especially employers in the garment industry in India should create creche facilities. This should be a demand of importers who buy their garments from exporters who do not have such a facility at present.
LITERATURE
Books and reports


Literature


**Magazines, newsletters and journals**


**Indian newspaper articles**


Deccan Herald (April 3, 1993). 'A stitch in time. With our high rate of unemployment and underemployment, more efforts are needed to create meaningful training facilities. Deccan Herald (March 11, 1995). 'Sewn up by dire need'.

Economic Times (October 6, 1994). 'Child labour rampant in Tirupur hosiery industry'.

Economic Times (October 10, 1994). 'No kidding, Awareness is the key to end child labour'.

Indian Express (September 29, 1994). 'Child rampant in Tirupur'.

Indian Express (November 1995). 'Protection Behind Child Labour Agenda'.

Indian Express (March 17, 1996). 'Bonded Labour I - Tamil Nadu turns a blind eye to children's plight'.

Indian Express (March 18, 1996). 'Bonded Labour II - Madras stone quarries a hell hole'.

New Wave (March 27, 1994). 'Child Labour in Developing Countries: The Indian Case'.

The Hindu (June 2, 1995). 'Plan to eradicate Child Labour'.

The Hindu (September 20, 1995). 'Child labour census in Tirupur next month'.

The Hindu (September 20, 1995). 'Centre's scheme to educate child labourers'.

The Hindu (November 19, 1995). 'Great potential of a small town'.

The Hindu (December 13, 1995). 'India can emerge a world leader in cotton'.

The Independent (October 8, 1994). 'Portrait of a family that supports child labour'.

The Mail on Sunday (January 8, 1995). 'For 40p, this girl works 13 hours a day making C&A clothes. And shoppers in Britain spend millions buying them'.

The Sunday (January 8, 1995). 'Fashion City. Why is Bangalore the Mecca of India's Garment Export Industry?'.

Times of India (March 27, 1995). 'Khokra's child labourers make handloom exports soar'.

Times of India (September 9, 1995). 'An inspiring story of a boomtown'.

Times of India (September 1, 1996). 'Proposal to make free elementary education a right may not take off'.

**Dutch newspaper articles**

De Volkskrant (April 15, 1996). 'Azistische confectie-arbeiders hekelen werkomstandigheden. Tijd is rijp voor ethisch verantwoorde kleding'.

Natuur & Milieu (May 1996). Ed Peters, Quality Manager Peek & Cloppenburg: 'Ik ben milieubewust maar geen freak'.


Onze Wereld (May 1996). 'Aziatische bonden wijzen handelsboycot tegen kinderarbeid af'.


Trouw (November 4, 1995). 'Gedragscode kinderarbeid is niet genoeg, vindt FNV'.
Appendix 1  Research questions and child labour questionnaire

I  Research questions

A. Questions concerning (child) labour

General
- What are the actual labour conditions of labourers (men and women) who are working in the garment and gem industry? What are the official labour standards according to the Indian government and the ILO Conventions?
- Which part(s) of the relevant Labour Act and/or other relevant acts are violated by employers?
- Are the Indian (Labour) Acts adequate? If not, which amendments should be made?
- Does the government check the employers on compliance with the Labour Acts? If not, why?
- If employers do violate relevant Labour Acts, then why are they not prosecuted?
- Are there labour unions? If not, why? How is the forming of labour unions opposed? Can the labourers organize themselves in labour unions? What are the labour unions (if existing) in the garment and gem industry doing for the workers? Do the labour unions have the right to collective bargaining with the employer?
- What is the proportion of women/men/girls/boys in the total labour force of respectively the garment and gem industry?
- How are the labourers recruited for the garment and gem industry? Which criteria does the employer use for recruiting either women, men, girls and/or boys?
- What is the social-economic, caste and regional origin of the labourers?
- If children are removed from a certain sector can it be expected that they are replaced by adults and/or will this removal result in a process of increasing mechanization?
- In what way are existing systems of (sub)contracting influencing the labour conditions of women, men and in particular children?
- Are labour conditions in Export Processing Zones different from conditions in other production areas?

194 Labour conditions: wage, wage structure, hours of work per day, the amount of working days per week, durance of break, safety on the job, health aspects (ventilation, light, toilets, washing facilities, drinking water facilities etc.), (minimum) age, holidays, illness, etc..

195 Convention no. 26, Convention concerning the Creation of Minimum Wage Fixing Machinery.
Convention no. 131, Convention concerning Minimum Wage Fixing with Special References to Developing Countries (articles 2 and 3).
Convention no. 1, Convention Limiting the Hours of Work in Industrial Undertakings to Eight in the Day and Forty-eight in the week.
Convention no. 155, Convention concerning Occupational Safety and Health in the Working Environment (part IV).
Convention no. 138, Convention concerning Minimum Age for Admission to Employment.
Only the Conventions no. 26 and no. 1 are ratified by India.

ILO Convention no. 98: Right to Organize and Collective Bargaining Convention.
Both ILO Conventions are not ratified by India.

197 ILO Convention no. 111: Convention concerning Discrimination in Respect of Employment and Occupation.
This ILO Convention is ratified by India.
Appendix 1  Research questions and child labour questionnaire

Children
- What are the actual labour conditions\(^{198}\) of children (girls and boys) who are working in the garment and gem industry? What are the official labour standards according to the Indian government (relevant Child Labour legislation), the ILO Conventions (see footnote no. 5) and the Convention on the Rights of the Child of the United Nations? Special attention will be paid to the Child labour (Regulation and Prohibition) Act of 1986.
- Which part(s) of the Child Labour Act and/or other relevant Acts are violated by employers?
- Are the Indian (Child) Labour Acts adequate?: If not, which amendments should be made?
- Does the government check the employers on compliance with the Child Labour Act and/or other relevant Labour Acts concerning children? How does the checking take place? Does the checking happen adequately? How can the checking be improved? If checking does not take place, why?
- If employers do violate relevant (Child) Labour Acts, then why are they not prosecuted? What are the sanctions/penalties?
- Which export consumer products (garments and (semi-)(semi-))precious stones) within the sector are the children partly making? In which processes are the children working? Why?
- Is there difference in the work girls and boys are doing?
- How and from which regions are the children recruited?
- What is the proportion of girls to boys?
- Why are children (girls and/or boys) sometimes preferred to adults?
- What is the level of education of the children till today? What kind of education (formal, non-formal, vocational training, on-the-job training) did they attend or are still attending? For how many hours per day?
- What are the results thus far, if any, of the National Child Labour Policy launched by the government with regard to child labour in the gem industry in Jaipur (Rajasthan)?

B. Questions concerning the sectors

- What are the structures of the garment and gem industry? For example the system of (sub)contracting.
- What are the production processes in the garment and gem industry?
- Which part of the product price received by the manufacturer goes to the adults and/or children in the form of wages?
- What is the importance of the industry in the Indian economy? For example, measured in terms of turnover and employment generation?
- Where are (parts of) the garment and gem industry located and why there?
- In which way do the conditions of production in Export Processing Zones differ from other areas? Conditions like for example: cheap land, lower taxes, lower import/export duties, tax holidays and wage levels.

\(^{198}\)Labour conditions like (minimum) wage, wage structure (paid per day/hour or per piece), regular payments or food/housing instead of money, learning of a skill instead of getting money, working hours per day, working days per week, breaks, holidays, payment during illness, forced/bonded labour, treatment of the children (abuse), safety and basic health facilities like ventilation, light, toilet, washing facilities, drinking water facilities, etc.
C. Questions concerning the international trade of garments and gem stones

- Which exporters in India, are exporting garments and gems (partly) made by children?
- To which countries are these products exported?
- What is the share of India in the world market regarding the garment and gem industry?
- Which main Dutch (European) companies are buying garments and (semi-)precious stones (i.e. gems) from India? Which specific (child made) garments and/or gems do they buy? From which Indian manufacturers/exporters/companies and from which regions do they buy the products?
- Which part of the price paid by Dutch/European consumers goes to the adults and/or children in the form of wages?
- What consequences does the phased dismantling of the Multi Fibre Agreement have for the garment industry in total, its organization of labour and for the labour conditions?
- What is the opinion of exporters/ manufacturers/ employers/ NGOs/ government officials/ other relevant persons in India, on extra tariff reductions given by the European Union for products made without child labour? And what is their opinion on the withdrawing of tariff reductions or even import stops if products still happen to be made by children?
- Are Indian exporters/manufacturers interested in a certification system for child labour free production if the products get a preferential treatment in the European market? For example a lower import tariff on the European side or by growing demand of these products by consumers.
- In which way is India supporting the export of garments and gems to other countries, e.g. by subsidies, lowering of import barriers for raw materials etc.?
- What are the existing trade barriers (tariff and non-tariff) for garments and gems imported by the European Union?

II Questionnaire for children in the garment and gem polishing industry

1. What is your name?
2. What is your age?
3. To which caste do you belong?
4. What is your religion?
5. What is your educational status?
6. What is your permanent address?
7. Are you a migrant? From where did you migrate?
8. What is the address of your present workplace?
9. Do you have to spend money on travelling to your work? How much?
10. Who forced you to work in this job? (parents/employer)
11. Did your parents take any loan or advance from the employer in lieu of your work? How much?
12. At what age did you start working?
13. What type of job are you doing at present?
14. How many days in a week or month you are required to work?
15. Is Sunday a holiday for you?
16. Do you get paid for your official holidays?
17. What is your wage? Specify the rates (daily/weekly/monthly/piece rate basis).
18. How many hours in a day are you required to work?
19. If you work overtime, are you paid overtime allowances?
20. Do you also work in the night?
21. How do you spend the money earned by you?
22. What do you do when there is no work due to a slack season?
23. How does the employer treat you?
24. Does the employer deduct wages on account of mistakes or when the target is not reached by you?
25. Are there more boys and/or girls working in your factory? How many?
26. Are you provided with food/tea by your employer?
27. When is your period of rest? How long is the rest interval?
28. Is there enough space/light/fresh air in your factory?
29. Is the factory premise provided with toilet, wash basin and drinking water facilities? Are you allowed access to these facilities?
30. Did you suffer from any kind of diseases due to the (hazardous) nature of your work?
31. Did you come across with any fatal accident while handling the machines/raw materials?
32. If yes, did the employer provide you medical assistance?
33. Did you ever attend school (formal/non-formal)? If yes, specify the standard up to which you have studied in school.
34. Why did you leave school?
35. State the number of hours per day you devoted for attending school?
36. If you could continue school what would you like to learn?
37. What are your future plans?
38. Are you willing to discontinue the work and join school?
39. Give details about your family members: relation of each member to the chief (head) of the household (family)/ age/ sex/ educational status/ marital status/ occupation/ total family income/ any other information.
Appendix 2  Child Labour (Prohibition & Regulation) Act of 1986


MINISTRY OF LAW AND JUSTICE (LEGISLATIVE DEPARTMENT)
New Delhi, the 23rd December, 1986/Pusa 2, 1908 (Saka)

The following Act of Parliament received the assent of the President on the 23rd December 1986 and is hereby published for general information:

THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986

[23rd December 1986]

An Act to prohibit the engagement of children in certain employments and to regulate the conditions of work of children in certain other employments.

Be it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:

PART I
PRELIMINARY

1. Short title, extent and commencement:

(1) This Act may be called the Child Labour (Prohibition and Regulation) Act, 1986.

(2) It extends to the whole of India.

(3) The provisions of this Act, other than Part III, shall come into force at once, and Part III shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and constitute relevant implementing agencies.

2. Definitions - In this Act, unless the context otherwise requires:

(i) “appropriate Government”, means, in relation to an establishment under the control of the Central Government or a railway administration or a major port or a mine or oilfield, the Central Government, and in all other cases, the State Government;

(ii) “Child”, means a person who has not completed his fourteenth year of age;

(iii) “day”, means a period of twenty-four hours beginning at mid-night;

(iv) “establishment”, includes a shop, commercial establishment, workshop, farm, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment;

(v) “family”, in relation to an occupier, means the individual, the wife or husband, as the case may be of such individual, and their children, brother or sister of such individual;

(vi) “occupier”, in relation to an establishment or a workshop, means the person who has the ultimate control over the affairs of the establishment or workshop;

(vii) “port authority”, means any authority administering a port;

(viii) “prescribed”, means prescribed by rules made under section 18;

(ix) “week”, means a period of seven days beginning at midnight on Saturday night or such other night as may be approved in writing for a particular area by the Inspector;

(x) “workshop”, means any premises (including the precincts there of) wherein any industrial process is carried on, but does not include any premises to which the provisions of section 67 of the Factories Act, 1948 (53 of 1948), for the time being, apply.
PART II
PROHIBITION OF EMPLOYMENT OF CHILDREN IN CERTAIN OCCUPATIONS AND PROCESSES

3. Prohibition of employment of children in certain occupations and processes: No child shall be employed or permitted to work in any of the occupations set forth in Part I of the Schedule or in any workshop wherein any of the processes set forth in Part I of the Schedule is carried on:

Provided that nothing in this section shall apply to any workshop wherein any process is carried on by the occupier with the aid of his family or to any workshop established by, or receiving assistance or recognition from, Government.

4. Power to amend the Schedule: The Central Government, after giving by notification in the Official Gazette, not less than three months' notice of its intention so to do, may, by like notification, add any occupation or process to the Schedule and thereupon the Schedule shall be deemed to have been amended accordingly.

5. Child Labour Technical Advisory Committee:

(1) The Central Government may, by notification in the Official Gazette, constitute an advisory committee to be called the Child Labour Technical Advisory Committee (herein referred to as the Committee) to advise the Central Government for the purpose of addition of occupations and processes to the Schedule.

(2) The Committee shall consist of a Chairman and such other members not exceeding ten, as may be appointed by the Central Government.

(3) The Committee shall meet as often as it may consider necessary and shall have power to regulate its own procedure.

(4) The Committee may, if it deems it necessary so to do, constitute one or more sub-committees and may appoint to any such sub-committee, whether generally or for the consideration of any particular matter any person who is not a member of the Committee.

(5) The term of office of the manner of filling casual vacancies in the office of, and the allowances, if any, payable to, the Chairman and other members of the Committee, and the conditions and restrictions subject to which the Committee may appoint any person who is not a member of the Committee as a member of any of its sub-committees shall be such as may be prescribed.

PART III
REGULATION OF CONDITIONS OF WORK OF CHILDREN

6. Application of Part: The provisions of this Part shall apply to an establishment or a class of establishments in which none of the occupations or processes referred to in section 3 is carried on.

7. Hours and period of work:

(1) No child shall be required or permitted to work in any establishment in excess of such number of hours as may be prescribed for such establishment or class of establishments.

(2) The period of work on each day shall be so fixed that no period shall exceed three hours and that no child shall work for more than three hours before he has had an interval for rest for at least one hour.

(3) The period of work of a child shall be so arranged that inclusive of his interval for rest, under sub-section (2), it shall not be spread over more than six hours, including the time spent in waiting for work on any day.

(4) No child shall be permitted or required to work between 7 p.m. and 5 a.m.

(5) No child shall be required or permitted to work overtime.

(6) No child shall be required or permitted to work in any establishment on any day on which he has already been working in another establishment.

8. Weekly holidays: Every child employed in an establishment shall be allowed in each week, a holiday of one whole day, which day shall be specified by the occupier in a notice permanently exhibited in a conspicuous place in the establishment and the day so specified shall not be altered by the occupier more than once in three months.

9. Notice to Inspector:

(1) Every occupier in relation to an establishment in which a child was employed or permitted to work immediately before the date of commencement of this Act in relation to
such establishment shall, within a period of thirty days from such commencement, send to the Inspector within whose local limits the establishment is situated, a written notice containing the following particulars, namely:
(a) the name and situation of the establishment;
(b) the name of the person in actual management of the establishment;
(c) the address to which communications relating to the establishment should be sent; and
(d) the nature of the occupation or process carried on in the establishment.

(2) Every occupier, in relation to an establishment, who employs, or permits to work, any child after the date of commencement of this Act in relation to such establishment, shall within a period of thirty days from the date of such employment, send to the Inspector within whose local limits the establishment is situated, a written notice containing the particulars as are mentioned in sub-section (1).

Explanation: For the purposes of sub-sections (1) and (2) “date of commencement of this Act in relation to such establishment” means the date of bringing into force of this Act in relation to such establishment.

(3) Nothing in sections 7, 8 and 9 shall apply to any establishment wherein any process is carried on by the occupier with the aid of his family or to any school established by or receiving assistance or recognition from, Government.

10. Disputes as to age: If any question arises between an Inspector and an occupier as to the age of any child who is employed or is permitted to work by him in an establishment, the question shall, in the absence of a certificate as to the age of such child granted by the prescribed medical authority, be referred by the Inspector for decision to the prescribed medical authority.

11. Maintenance of register: There shall be maintained by every occupier in respect of children employed or permitted to work in any establishment, a register to be available for inspection by an Inspector at all times during working hours or when work is being carried on in any such establishment, showing:
(a) the name and date of birth of every child so employed or permitted to work;
(b) hours and periods of work of any such child and the intervals of rest to which he is entitled;
(c) the nature of work of any such child; and
(d) such other particulars as may be prescribed.

12. Display of notice containing abstract of sections 3 and 14: Every railway administration, every port authority and every occupier shall cause to be displayed in a conspicuous and accessible place at every station on its railway or within the limits of a port or at the place of work, as the case may be, a notice in the local language and in the English language containing an abstract of sections 3 and 14.

13. Health and safety:

(1) The appropriate Government may, by notification in the Official Gazette, make rules for the health and safety of the children employed or permitted to work in any establishment or class of establishments.

(2) Without prejudice to the generality of the foregoing provisions, the said rules may provide for all or any of the following matters, namely:
(a) cleanliness in the place of work and its freedom from nuisance;
(b) disposal of wastes and effluents;
(c) ventilation and temperature;
(d) dust and fumes;
(e) artificial humidification;
(f) lighting;
(g) drinking water;
(h) bathrooms and urinals;
(i) spittoons;
(j) funding of machinery;
(k) work at or near machinery in motion;
(l) employment of children on dangerous machines;
(m) instructions, training and supervision in relation to employment of children on dangerous machines;
(n) device for cutting off power;
(o) self-acting machines;
(p) stopping of new machinery;
(q) floor, state and means of access;
(r) pits, sumps, openings in floors, etc.:
(s) excessive weights;
(t) protection of eyes;
(u) explosive or inflammable dust, gas, etc.;
(v) precautions in case of fire;
(w) maintenance of buildings; and
(x) safety of buildings and machinery.
PART IV
MISCELLANEOUS


(1) Whoever employs any child or permits any child to work in contravention of the provisions of section 3 shall be punishable with imprisonment for a term which shall not be less than three months but which may extend to one year or with fine which shall not be less than ten thousand rupees but which may extend to twenty thousand rupees or with both.

(2) Whoever, having been convicted of an offence under section 3, commits a like offence afterwards, he shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years.

(3) Whoever —

(a) fails to give notice as required by section 9, or

(b) fails to maintain a register as required by section 11 or makes any false entry in any such register; or

(c) fails to display a notice containing an abstract of section 3 and this section as required by section 12; or

(d) fails to comply with or contravenes any other provisions of this Act or the rules made thereunder, shall be punishable with simple imprisonment which may extend to one month or with fine which may extend to ten thousand rupees or with both.

15. Modified application of certain laws in relation to penalties.

(1) Where any person is found guilty and convicted of contravention of any of the provisions mentioned in sub-section (2), he shall be liable to penalties as provided in sub-sections (1) and (2) of section 14 of this Act and not under the Acts in which those provisions are contained.

(2) The provisions referred to in sub-section (1) are the provisions mentioned below:-

(a) section 67 of the Factories Act, 1948 (63 of 1948);

(b) section 40 of the Mines Act, 1952 (35 of 1952);

(c) section 109 of the Merchant Shipping Act, 1958 (44 of 1958); and

(d) section 21 of the Motor Transport Workers Act, 1961 (27 of 1961).

16. Procedure relating to offences.

(1) Any person, police officer or Inspector may file a complaint of the commission of an offence under this Act in any court of competent jurisdiction.

(2) Every certificate as to the age of a child which has been granted by a prescribed medical authority shall, for the purposes of this Act, be conclusive evidence as to the age of the child to whom it relates.

(3) No court inferior to that of a Metropolitan Magistrate or a Magistrate of the first class shall try any offence under this Act.

17. Appointment of Inspectors.

The appropriate Government may appoint Inspectors for the purposes of securing compliance with the provisions of this Act and any Inspector so appointed shall be deemed to be a public servant within the meaning of the Indian Penal Code (45 of 1860).

18. Power to make rules.

(1) The appropriate Government may, by notification in the Official Gazette and subject to the condition of previous publication, make rules for carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the term of office of, the manner of filling casual vacancies of, and the allowances payable to, the Chairman and members of the Child Labour Technical Advisory Committee and the conditions and restrictions subject to which a non-member may be appointed to a sub-committee under sub-section (5) of section 5;

(b) number of hours for which a child may be required or permitted to work under sub-section (1) of section 7;

(c) grant of certificate of age in respect of young persons in employment or seeking employment, the medical authorities which may issue such certificate, the form of such certificate, the charges which may be made thereunder and the manner in which such certificate may be issued:

Provided that no charge shall be made for the issue of any such certificate if the application is accompanied by evidence of age deemed satisfactory by the authority concerned;

(d) the other particulars which a register maintained under section 11 should contain.
19. Rules and notifications to be laid before Parliament or State Legislature.

(1) Every rule made under this Act by the Central Government and every notification issued under section 4, shall be laid as soon as may be after it is made or issued, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modifications in the rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; however, that any such modification or amendment shall be without prejudice to the validity of anything previously done under that rule or notification.

(2) Every rule made by a State Government under this Act shall be laid as soon as may be after it is made, before the legislature of that State.

20. Certain other provisions of law not barred.

Subject to the provisions contained in section 13, the provisions of this Act and the rules made thereunder shall be in addition to, and not in derogation of, the provisions of the Factories Act, 1948 (31 of 1948) the Plantations Labour Act, 1951 (69 of 1951) and the Mines Act, 1952 (33 of 1952).

21. Power to remove difficulties.

(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government, may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removal of the difficulty:

Provided that no order shall be made after the expiry of a period of three years from the date on which this Act receives the assent of the President.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the House of Parliament.

22. Repeal and savings.

(1) The Employment of Children Act, 1938 (26 of 1938), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken under the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.


(b) for clause (a), the following clauses shall be substituted, namely:

"adolescent" means a person who has completed his fourteenth year of age but has not completed his eighteenth year;

"adult" means a person who has completed his eighteenth year of age;

(c) for clause (b), the following clause shall be inserted, namely:

"child" means a person who has not completed his sixteenth year of age.


(a) in section 2, in clauses (a) and (c), for the word "fifteenth", the word "fourteenth" shall be substituted;

(b) section 2A shall be inserted;

(c) in section 26, in the opening portion, the words "who has completed his twelfth year" shall be omitted.

25. Amendment of Act 64 of 1958. In the Merchant Seamen Act, 1958, in section 109, for the word "fifteen", the word "fourteen" shall be substituted.

26. Amendment of Act 27 of 1961. In the Motor Transport Workers Act, 1961, in section 2, in clauses (a) and (c), for the word "fifteenth", the word "fourteenth" shall be substituted.
The Schedule

(see section 2)

Part A

Occupations

Any occupation connected with—

(1) Transport of passengers, goods, or mails by railway;
(2) Cinder picking, cleaning of an ash pit, or handling operation in the railway premises;
(3) Work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train;
(4) Work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway lines;
(5) A port authority within the limits of any port.

Part B

Processes

(1) Silk-making,
(2) Carpet-weaving,
(3) Cement manufacture, including bagging of cement,
(4) Cloth printing, dyeing and weaving,
(5) Manufacture of matches, explosives and fireworks,
(6) Mine-cutting and splitting,
(7) Shellac manufacture,
(8) Soap manufacture,
(9) Tanning,
(10) Wool-cleaning,

(Signed)

C. Ramaa Raman,  
Additional Secretary to the Government of India.
THE RIGHTS OF THE CHILD
THE UNITED NATIONS CONVENTION
(EXCERPTS)

Article 27
(1) States Parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development.

Article 28
(1) States Parties recognize the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity they shall, in particular,
(a) make primary education compulsory and available free to all;
(b) encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
(c) make higher education accessible to all on the basis of capacity by every appropriate means;
(d) make educational and vocational information and guidance available and accessible to all children;
(e) take measures to encourage regular attendance at schools and the reduction of dropout rates.

Article 32
(1) States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.
(2) States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present Article. To this end, and having regard to the relevant provisions of other international instruments, States parties shall in particular:
(a) provide for a minimum age or minimum ages for admission to employment;
(b) provide for appropriate regulation of the hours and conditions of employment;
(c) provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present Article.
Appendix 4  The Fair Trade Charter for Garments

**THE FAIR TRADE CHARTER FOR GARMENTS**

The Fair trade Charter for Garments is a code of conduct for all retailers selling clothing in the Netherlands. The Charter forms a part of the Clean Clothes Campaign.

The objective of the Charter is to improve working circumstances and conditions in the garment industry. Garment production is understood to be all activities that take place after the production (dyeing included) of the cloth. The central idea is that the retailers, as subcontractors and buyers, are responsible and, through their policy, capable of realizing better working circumstances and conditions.

Stated in the Charter are seven conditions production has to comply with. These are based on the conventions of the ILO (International Labor Office). They concern the most elementary labour rights: the right to organize and to collective bargaining, the right to a living wage and to safe and healthy working circumstances as well as the conventions relating to maximum hours of work, minimum age and non-discrimination.

Retailers, upon signing, get the right to a trademark - they can advertise themselves as sellers of clean clothes. They also put themselves open to control by an independent institution. This is to be set up by a coalition of representatives of consumers-, workers- and branches-organisations. The institution will investigate complaints and check on the information supplied by the retailer. The retailer can be addressed, and eventually lose the trade-mark, if the clothing they sell is produced in violation of the code.

The Retailer:

1. Takes full responsibility for the way in which the garments they sell are produced. All garments are produced in compliance with the conditions for production stated. It is stressed that this responsibility is extends to the entire chain of subcontracting. When in the following the term 'workers' is used this encompasses all female and male persons working in garment production, including home-based workers; temporary-, part-time and seasonal workers, illegal and sweatshop workers and migrant workers without residency.

2. Puts itself open to control by an independent controlling institution to be set up for this purpose and cooperates wholeheartedly by giving any information asked for at any time. (Both with respect to general company policy and financial performance as with respect to production, subcontracting and buying). Retailers are also obliged to support the controlling institution financially by donating a certain percentage of their annual turnover.
Appendix 4  The Fair Trade Charter for Garments

Conditions for Production:

1. Workers have the right to freely organize an to establish and join independent trade unions and other organizations of their own choosing without previous authorization. ILO Convention No. 87: Freedom of Association and Protection of the Right to Organize Convention. Number of ratifications (per 1/1/91): 98.

2. Workers have the right to have representative organizations of their own choosing recognized for the purpose of collective bargaining. The collective bargaining takes place without any acts of interference by the employers. Convention No. 98: Right to Organize and Collective Bargaining Convention. Number of ratifications: 114.

3. The workers make a living wage, at least sufficient for the basic needs (food, clothing and shelter) of themselves and their direct family dependents. The amount equals at least the minimum wage of the respective country. Referring to Convention No. 26, Convention concerning the Creation of Minimum Wage Fixing Machinery. The ways in which a minimum wage can be fixed or changed are elaborated. Number of ratifications: 98. Concerning the wage-level article 2 and 3 of Convention 131, concerning Minimum Wage Fixing with Special Reference to Developing Countries, is referred to (number of ratifications: 24) as well as the UN calculations concerning the cost of living.

4. The number of hours worked per week and the arrangements concerning (the pay of) overtime are for all workers in compliance with the ILO standards. Convention No. 1, Convention Limiting the Hours of Work in Industrial Undertakings to Eight in the Day and Forty-eight in the Week. Number of ratifications: 49. If national law states a maximum lower than this employers have to act according to the law.

5. The standards for safety and health as set by the ILO should be observed. Convention No. 155, concerning Occupational Safety and Health and the Working Environment, (specifically part IV: Action at the level of the Undertaking). Number of ratifications: 12.

6. Employers respect the minimum age requirements of the ILO. Convention No. 138, concerning Minimum Age for Admission to Employment. Number of ratifications: 40.

7. Employers pursue policies designed to promote equality of opportunity and treatment in employment. This means there will be no discrimination on race, colour, sex, religion, political opinion, national extraction or social origin. Convention No. 111, concerning Discrimination in Respect of Employment and Occupation. Number of ratifications: 110.

Lastly the Retailer is required to protest actively with the subcontractor/supplier in case of complaints concerning the violation of any ILO convention other than the above mentioned.