CHAPTER 3

THEORETICAL BACKGROUND

3.1 CONCEPTUAL FRAMEWORK

3.1.1 Exploitation - Meaning and Concepts

Exploitation is a term which has social, political and economic connotations. Exploitation is the use of someone or something in an unjust or cruel manner or taking advantage, making use, abuse, misuse, ill-treatment, unfair treatment, bleeding dry, sucking dry, squeezing, wringing etc., Tormey (2008) defined exploitation as, “taking undue advantage of another, or making gain on individual or group of persons without giving them what is due for them. It equally involves a situation where the exploiter gains and the exploited lose. Exploitation of persons involves ill attitudes that infringe on the ethical laws of protecting the susceptible”. His definition could be seen as referring to the conditions of workers who are seen as vulnerable to exploitation and abuses in their countries.

“Exploitation” refers to an situation in which one part of a society (because of its ownership of key productive resources such as land, tools or administrative knowledge), lives off the goods and services produced by another part without providing an equal transfer of goods and services.

Most often, the word exploitation is used to refer to economic exploitation, that is, the act of using another person’s labor without offering them an adequate compensation. There are two major perspectives on economic exploitation.
• Organizational or "micro-level" exploitation: Most theories of exploitation center on the market power of economic organizations within a market setting. Some neoclassical theory points to exploitation as not based on market power.

• Structural or "macro-level" exploitation: Focuses on exploitation by large sections of society even (or especially) in the context of free markets. Marxist theory points out that the entire capitalist class as an exploitative entity, and to capitalism as a system based on exploitation.

3.2 THEORIES OF EXPLOITATION

The focus of most assertions about the existence of exploitation towards human beings is the socio-economic phenomenon where people trade their labor or allegiance to an entity, such as the state, a corporation or any other private company. Some theories of exploitation (Marxist, new liberal) are structural, while others are organizational (neoclassical).

3.2.1 Marxist Theory

In Marxian economics, exploitation refers to the subjection of producers (the proletariat) to work for passive owners (bourgeoisie) for less compensation than is equivalent to the actual amount of work done. The proletarian is forced to sell his or her labour power, rather than a set quantity of labour, in order to receive a wage in order to survive, while the capitalist exploits the work performed by the proletarian by accumulating the surplus value of their labour. Therefore, the capitalist makes his/her living by passively owning a means of production and generating a profit, when instead the labor should be entitled to all it produces.
The kinds of exploitation described by other theories are usually called “Super-Exploitation” that goes beyond the normal standards of exploitation prevalent in capitalist society. While other theories emphasize the exploitation of one individual by an organization (or vice versa), the Marxist theory is primarily concerned with the exploitation of an entire segment or class of society by another. This kind of exploitation is seen as being an inherent feature and key element of capitalism and free markets. In fact, in Das Kapital, Karl Marx typically assumed the existence of purely competitive markets. In general, it is argued that the greater the “freedom” of the market, the greater the power of capital, and the greater the scale of exploitation. The perceived problem is with the structural context in which free markets operate (detailed below). The proposed solution is the abolition of capitalism and its replacement by a better, non-exploitative, system of production and distribution (first socialism, and then, after a certain period of time, communism).

In the Marxist view, “normal” exploitation is based in three structural characteristics of capitalist society:

1. The ownership of the means of production by a small minority in society, the capitalists;

2. The inability of non-property-owners (the workers, proletarians) to survive without selling their labor-power to the capitalists (in other words, without being employed as wage laborers);

3. The state, which uses its strength to protect the unequal distribution of power and property in society.
Because of these human-made institutions, workers have little or no choice but to pay the capitalists surplus-value (profits, interest, and rent) in exchange for their survival. They enter the realm of production, where they produce commodities, which allow their employers to realize that surplusvalue as profit. They are always threatened by the “reserve army of the unemployed”. In brief, the profit gained by the capitalist is the difference between the value of the product made by the worker and the actual wage that the worker receives; in other words, capitalism functions on the basis of paying workers less than the full value product of their labor. For more on this view, see the discussion of the labor theory of value.

Some Marxian theories of imperialism extend this kind of structural theory of exploitation further, positing exploitation of poor countries by rich capitalist ones (or by transnational corporations). Some Marxist-feminists use a Marxian-style theory to understand relations of exploitation under patriarchy, while others see a kind of exploitation analogous to the Marxian sort as existing under institutional racism.

3.2.2 Neoclassical Theories

In neoclassical economics, exploitation is organizational, explained using microeconomic theory. It is a kind of market failure, a deviation from the abstraction of perfect competition. The most common scenario is a monopoly or a monopoly. These exploiters have bargaining power. This kind of exploitation is supposed to be abolished by the spread of competition and markets.

Other neoclassical theories go beyond simple organizational exploitation. First, another type of exploiter is the hired “agent” (employee) who takes advantage of the “principal” (employer) who hires him or her, under conditions of asymmetric information (see the principal-agent
problem). For example, a clerk may be able to “shirk” on the job, secretly violating the labor contract. Similarly, an executive may embezzle funds, which is also contrary to the interests of the stockholders. This kind of exploitation is beyond the scope of markets, within corporate or governmental bureaucratic organizations. It is often extremely hard to solve using competition and markets but is instead addressed using monitoring of employees and management, risk-sharing agreements, bonding, and the like.

### 3.2.3 New Liberal Theories

Exploitation naturally coexists with free markets. As in the Marxist theory, the problem is structural rather than organizational, given its special position in society (controlling an important asset), a lobby group can shift the distribution of income in its direction, impoverishing the rest, even though their role serves no reasonable purpose. While Henry George pointed to landowners, John Maynard Keynes saw rentiers (non-working owners of financial wealth) as fitting this picture. The first receive land-rent while the second receive interest, even though, according to the proponents of this theory, they contribute nothing to society. They merely own a certain asset and have the ability to make money from that asset without actually doing any work themselves. While George argued for a “single tax” on land-rent to solve this problem, Keynes hoped that interest rates could be driven to zero.

In some ways, these theories are similar to the Marxist one discussed above. However, they deal with the power and influence of special interests in society (and within the capitalist class) rather than dealing with a structural difference in class position of the Marxian sort. Further, while Marx saw exploitation as raising the total amount of production in capitalist society, in these theories exploitation represents a form of waste or inefficiency, hurting growth under capitalism. Therefore, according to this view, abolishing rent or interest would make everyone ultimately better off. Trafficking for
labour exploitation takes place in every country of the world. Victims of human trafficking are held through force, threats or deception, in exploitative work, for little or no pay. This exploitation takes place in many labour sectors, including manufacturing, agriculture, construction, hospitality, and domestic work. Trafficking is a devastating crime that destroys the lives of those affected.

3.3 DIMENSIONS OF EXPLOITATION

Exploitation not as a political trend, but as a phenomenon which has four dimensions namely, social, moral, psychological and economical dimensions. The political dimension of exploitation which might occur at the macro or institutional level. The following Figure 3.1 shows the major four dimensions of exploitation

![Diagram of Dimensions of Exploitation]

Figure 3.1 Dimensions of Exploitation

3.3.1 Social Dimension

Exploitation has always been seen and defined as a social occurrence that happens in human society. It is a sociological trend because it happens in the human society and in the course of man to man interaction.
First and foremost, the concept of phenomenon can first be found in the philosophical works of the classical Greek philosophers, especially in the Aristotelian metaphysics which divided reality into ‘noumena’ (unseen) and ‘phenomena’ (seen). Martin Heidegger defined phenomenon in his famous work Being and Time (Sein und Zeit), as 'that which presents itself to us'. This means that phenomenon could be seen as something which can be perceived by human senses. In a layman's language, phenomenon can be understood as perceivable things which could be felt by human beings. This includes events, experiences and behaviors. Markey (1925-26) sees social phenomenon as the totality of actions which affects or can be affected by living organisms that can interact with each other. The term 'organisms' opens up the concept to include the interaction of other living things. However, most authors strictly apply the definition of social phenomenon to only human interaction.

Exploitation as actions or set of behaviors which occur in the course of human interaction. These actions or set of behaviors can be seen as social phenomenon, firstly because they happen in human interactions, and secondly because the interactions produce effects and reactions. Effects and reactions could be positive or negative. They are positive when all the parties benefit from the interaction, and they are negative when one party benefits and the other do not benefit. From the side of the disadvantaged partner, the events taking place in the social interaction could be summarized as negative social phenomenon. The events could also be seen as negative phenomenon when the outcome of the social interaction produces adverse effects on one person or group of persons in the society.

Finally, when an employer and employee enter into contractual relationship, both of them are into social interaction involving economic transaction. There are norms and law guiding this transaction. When the action or inaction of one party affects the other party, the outcome can be seen
as negative social phenomenon. This means that when employer neglect the labor laws and decide to take undue advantage of the employee be it native or foreign worker, the action of the employer can be seen as a negative social phenomenon which will lead to negative social impacts on the employee such as psychological, physiological, economical, sociological or health problems.

3.3.2 Economical Dimension

The first academic work on exploitation was done in the context of economic relationship between the owners of labor (employers) and laborers (employees). Since then the definition of exploitation cannot be done without reference to economic relationship. Exploitation has often been discussed as the byproduct of capitalism. The capitalists in responds to the attack on their system have maintained that there is no exploitation as long as the employers make gains and equally pay to the workers what they agreed. Some of them equally differentiated between harmful exploitation and un harmful exploitation. Kymlicka (1989) was of the view that capitalist social relation is unfair not only in appropriating surplus labor but in using people as means, taking undue advantage of them for their own good. But it is good to note here that there is no system in the world which has not taken advantage of the vulnerable in society. Exploitation happens in the capitalists’ economics of the West, in the communist economy of China, in the socialist economy of Venezuela and in the feudal systems of some of the Middle East and African countries.

Furthermore, the concept of exploitation has equally been expanded to include other malpractices and abusive actions such as human trafficking, child labor, child and women trafficking for prostitution and slavery- The just mentioned practices provide economic prosperity for the perpetuators, while at the same time the victims' well-beings are adversely affected.
3.3.3 Moral Dimension

The moral dimension looks at the moral justification behind exploitation. Goodin (1988) conceived exploitation of human beings as bad actions that contravene the moral norm of protecting the vulnerable (Goodin 1988,147). This definition highlights the moral burden placed on the shoulders of the exploiters. Scanlon (2008) questions the wrongfulness of exploitation if it happens with the consent and perrmissibility of the exploited. However, the issue of human rights comes into play in the moral dimension of exploitation.

Having a person's consent to take undue advantage of him, does it justify the action? What about the human right of the person? In most of their documents and international conventions, the ILO and the UN have made concerted efforts to pair labor rights with the basic human rights. For instance the Convention on the Protection of the Rights of Migrant Workers and member of their families made a lot of emphasis on the human rights of the migrant workers, which is considered inseparable from their labor rights.

Compa (2003) described worker's right as human rights. The reason is because the Universal Declaration on Human Rights contained sections which dealt on the labor right of every individual. Furthermore, Gross (2006) quoted Emily Spieler to have defined human right as various moral rights which people have in common because they are humans and not because the rights are bestowed on them by law or by contractual agreement.... violation of human right can take place when an employer deliberately or intentionally exposes workers to actions which are preventable, predictable and serious hazards. That is to say that violating labor right of an individual means same thing as violating his basic human rights.
3.3.4 Psychological Dimension

Psychological dimension of exploitation entails looking at the cause and effects of exploitation from the psychological point of view. There are psychological reasons why some people exploit others, since exploitation can be express through human behaviors. Just as actions of the pedophiles, the human traffickers, the substance abusers, and other people who indulge in other malpractices could be explained from the psychological point of view, the actions of exploitative employers could also be explained as behavioral disorder which can equally be diagnosed through psychological means. For instance, it is possible that an exploitative employer might have been a past victim of labor exploitation who wants to take revenge on others. Secondly people might decide to indulge in labor exploitation just to show dominion over others.

3.4 DRIVING FACTORS OF EXPLOITATION

The Figure 3.2 Shows the factors that drive exploitation

![Driving Factors of Exploitation Diagram]

Figure 3.2 Driving Factors of Exploitation

3.4.1 Exploitation as a means of Maximizing Profit

From the earliest works concerning exploitation, it has been viewed as an appropriation of the means of production to maximized profit. In all forms of exploitation, profit making has always been the main reason.
Holmstrom (1977) conceived exploitation as necessarily involving profits of some kind to the exploiter. She depicted exploitation as a zero-sum game because the exploiter gains what the exploited loses. Profit making is identified as one of the main motives behind exploitation of vulnerable workers by some employers. It is also a pull and push factors for people engaged in human trafficking which is also a form of labor exploitation. When employers purposefully withhold or cut the salaries and wages of the workers, or when the employers refuse to pay for holidays, extra work allowances and other worker's entitlements, hence the workers loses some money which they are rightful owners, while the employers make gains by unjustly holding onto these entitlements as part of their companies profits.

3.4.2 Exploitation as a means to show Power

Wright (2005) described exploitation as a problem linked to domination, a social situation where a person's life is directed and controlled by another. This means that exploitation happens when there is unequal power between the exploiter and the exploited. Wertheimer (1999) considers exploitation as a wrongful human behavior that put strain on human morality. From its origin exploitation has always been seen as an action that happens between unequal parties, where one party dictates and the other obeys.

Often the owners of labor feel that they have overreaching influence or power over their workers. They overtly or covertly subjugate them by using excessive control over their lives and by tampering with their rights. Some bullying employers are often moved by their controlling influence to harass and intimidate their employees even when there is no reason for their actions. A good example is an employer of a migrant worker who refuses to pay his monthly salary and at same time confiscate his national passport.
3.4.3 Exploitation as means of Perpetuating Oppression

Exploitation could be a means of perpetuating oppression of the vulnerable. Prilleltensky & Gonick (1996) defined oppression as “a condition of unequal power relations typified by domination, subordination, and resistance, in which the dominating persons or groups exert control by limiting access to material resources and by putting fear in the oppressed persons”. This means that the oppressed persons have lesser power than their oppressors, and are not in control of the affairs of their lives. Oppression thrived where there are structural inequalities and where resources are scarce. However, an oppressive employer might decide to exert his overwhelming power to oppress the employee, especially when the employee is not in a position to defend himself. Oppression can happen in form of maltreatment, harassment, constant bullying, psychological punishments, restrictions and denial of the rewards of labor.

3.5 LABOUR EXPLOITATION

Labour Exploitation is a century long problem it happens in every country of the world. Anyone that is engaged in labor activity can fall victim to labour exploitation whether working in their own country or abroad. However some group of persons is seen as more vulnerable to being exploited than others.

“Labor Exploitation can be defined as the denial of the exclusive employment rights of workers as stipulated by national labor laws and guidelines. It equally means maltreatments, physical abuse, sexual abuse and psychological torture of workers by their employers (International Labor Organization 1996)".
3.5.1 Labour as a Factor of Production

Among the four factors of production namely, Land, Labour, Capital and Organization, it is labour that transforms the “raw” into usable, utility oriented commodities and services. In this context, a large number of theories, propositions, and explanations originated and till today, the controversy continues. Among the plethora of propositions, the following can be mentioned.

i. Payment of wages that are enough for the existence of labour-Subsistence -Theory of Wages

ii. Fair Wages-to maintain the family-Living Wages

iii. Collective Bargaining-Demanding a respectable share in the profit of the organization-Marxian Theory

iv. Minimum Wages

v. Wages according to Productivity-Marginal Productivity Theory

vi. Wage according to Efficiency-The Efficiency Wage Theory

3.5.2 Labour as Factor of Exploitation - ILO

Globalization encourages contractualisation and informalisation of production and economy leading to severe exploitation of the workers. The textile and clothing industry is one of the worst affected in this respect. Even as a precursor to the full fledged WTO regime, there is all round violation of worker's rights. There are high levels of casual employment, long working hours, no employment security and very low levels of wages, lack of any
social security, more exploitation of women workers, no labour laws or trade union rights. Even the minimum standards set by the ILO Conventions are violated, namely, Freedom of Association and Right to Collective Bargaining (Conventions 87 and 98); Ban on Forced Labour (Convention 29); Determination of Minimum Wage, Ban on Child Labour (Convention 138); on the issue of migrant labour, on health, safety, occupational diseases and so on. Already several national seminars are being organized to discuss the shape of the post-MFA textile industry and the workers.

3.5.3 Forms of Labor Exploitation at Work Place

As under mentioned workers are exploited in different forms at their work place by their employer, managers and supervisors.

3.5.3.1 Working hours

Long working hours and forced overtime are a major concern among workers. Factory managers and supervisors typically push workers to work between 10 and 12 hours, sometimes 16 to 18 hours a day. When order deadlines loom, working hours get longer. A seven-day working week will be becoming the norm during the peak season.

3.5.3.2 Wages

Companies extracting work from the human being by giving meager amount not even to fulfill the basic needs to properly feed, clothe and educate their children and support their families. In many cases, garment workers earn less than the national poverty levels set by governments and international organizations. Minimum wages, usually defined by governments, are set in the context of ferocious competition and consequently often fall well below these governments' own poverty thresholds.
Furthermore, a minimum wage is often well below what is required for a living wage. The problem is complicated further when the millions of piecercate workers and home workers within the industry are considered. When workers are paid by the number of garments they produce, rather than the number of hours they work, it becomes near-impossible to earn a living wage during a working week.

3.5.3.3 Forced Labor

Forced labor is one of the major forms of exploitation, it happens when employers or owners of labor take advantage of gaps in legislation to exploit vulnerable workers (World Vision 2009). The first Global Report on forced labour - *Stopping Forced Labour (2001)* - showed that slavery, slavery-like practices, debt bondage, compulsory prison work and other forms are considered as forced labour. It is considered to be elusive because it is not easily identified by authorities unless the victims report the case themselves. 21 million people are now victims of forced labour in worldwide. Three out of every 1,000 people worldwide are trapped in jobs into which they were coerced or deceived and which they cannot leave. According to Article 2 (1) of the ILO's Forced Labor Convention of 1930, forced labor is defined as "all work or service which is the exacted from any person under threat of penalty for which he or she offered involuntarily". Globally, 12.3 million people are trapped in forced labor (ILO, 2009). Force labor is also expanded to include deception or false promises about types and terms of work, and withholding or non-payment of salaries (Directorate General. ILO, 2005).

3.5.3.4 Bonded Labor

Bonded labour occurs when a person has to work to pay back an inherited debt, or when a debt is incurred as part of the terms of employment. It sometimes happened when the worker agreed to provide labor in exchange
for a loan, but later develops into bondage as the employer adds more and more "debt" to the bargain (World vision, 2009), and makes it impossible for the worker to pay the debt and regard his freedom.

3.5.3.5 Slavery

Slavery is when someone's will and life course is controlled and determine by another, when reward of labor and sacrifices are deprived from a person (HREA- Human Right Education Associates). That is to say that slavery deprives a person of his basic human rights and human dignity. Furthermore, article 1 (1) of the Slavery Convention of 1926, defines slavery as "the status or condition of a person over whom any or all the powers attaching to the right of ownership are exercised." (Slavery Convention, 1926) The article 2 (1) of the ILO Convention (No.29) on Forced and Compulsory Labor, defines slavery to include “...all work or service which is exacted from a person under the threat of penalty and for which the person involved has not offered himself voluntarily.”(ILO Convention No. 29, 1930) Finally, Bales (2009) argued that people are forcefully enslaved and held against their wishes for the aim of exploitation. According to him, slavery is not a thing of the past as people generally believe, rather it is still perpetuated in environment where poverty, social conditions and gullibility can be exploited. Last but not the least, 27 million people are thought to live under slavery conditions all over the world today and majority among them are migrants (ILO, 2012).

3.5.3.6 Trafficking and Sexual Exploitation

Human trafficking takes on many forms, including international sexual exploitation. Trafficking, as opposed to smuggling, is most often involuntary and targets young, poor females. Although many of the women trafficked into prostitution are aware that they will be migrating, they are
deceived about the nature of the work they will be forced to perform and their inability to leave at will, as well as their future working conditions. Worldwide, estimates range from 700,000 to an astounding 4,000,000 women and children are sexual trafficked annually. India is a source, destination and transit country for women being trafficked for the use of forced labor and commercial sexual exploitation. Women are being held in debt bondage and are very vulnerable to forced labor working in rice mills, brick kilns, and agriculture and in embroidery factories. Girls and women are trafficked inside the country for the purpose of forced marriage and commercial sexual exploitation. They are also being used as armed combatants by some terrorist groups. India is also a destination for women and girls from Nepal and Bangladesh trafficked for the purpose of commercial sexual exploitation, while the Indian women are being trafficked to the Middle East for the same purpose. Government and NGO reports approximates that there are some hundreds of thousands to millions of women and girls being prostituted in India, most of whom are victims of trafficking. The bulk of the women being prostituted and trafficked within India are from lower (scheduled) castes and are brought into the sex trade as young as 13 years.

3.5.3.7 Well-being

The concept of wellbeing is very wide and can relate to many conditions for different reasons (Paim 1995). It could be applied to areas such as economic, material, social, psychological and other areas that affects people's lives. The variety of areas that well being covers provide the reasons for different methods used in measuring well being. Veenhoveen (2004) suggested that the term wellbeing explains that something is in a good state. There are two approaches in wellbeing namely eudaimonic approach and hedonic approach. The eudaimonic approach covers resources such as income and wealth or things that individuals could achieve with social, economic and
material resources at their disposal. While hedonic approach centered on subjective experience of pleasure or satisfaction (King 2008). In the postmodern time, researchers have evolved certain objective indicators to measure wellbeing. Prince and Prince (2001) believed that the indicators are based on the hypothesis that well-being depended on the needs that are seen as basic to people which experts can identify. It is important to note that wellbeing is equally determined by subjective factors.

3.6 POSITION OF WOMEN IN INDIA

3.6.1 Position of Women in Ancient India - Vedic Period

Women in ancient India were held in high respect. With the course of time, the status of woman got lowered. Muscle and money power started dominating the societies. And as men fought the wars and ran the ventures of industrial production, they started considering themselves superior to woman. This period saw the exclusion of women from both economic and religious sphere. During the period of Dharmashastra, child marriage was encouraged and widow marriage was looked down upon. The practice of Sati became quite wide spread because of the ill treatment meted out to widows. Women were educated in the early Vedic period. Rigvedic verses suggest that women married at a mature age and were probably free to select their own husbands. Tripitakas (Jainism) and Buddhism, Baghavatgeeta (Hindu), Quran (Muslim), and Bible (Christian) treated women as equal to men in their capacity.

3.6.2 Position of Women in Pre-Colonial India

Before coming of the British in India, the life of Indian women was rather oppressive, and they were subjected to a constant process of subjugation and social oppression. The woman’s youth was spent in the preparation of marriage and her entire life was one dependant on the male
members of her family. Added to this there were various repressive social customs such as Sati, child marriage, polygamy, lack of proper education and her confinement to the household etc. Historically, women experienced these rules and prescriptions differently depending on religion, caste, class, age and their place in the family hierarchy. Though a few women became educated, attained fame, and commanded armies, most were denied men’s opportunities to acquire

3.6.3 Position of Women under the British

The constant works of the Indian reformers such as M.K.Gandhi, Raja Ram Mohan Roy, E.V.Ramasamy Naikar(Periyar)etc., who were trying to elevate the status of Indian women, and the renewed efforts by British reformers, there was seen a gradual change in the position of women in modern India. By the second half of the nineteenth century there were reform groups in all parts of British India. They focused attention on Sati, Female Infanticide, Polygamy, Child Marriage, Purdah System, prohibitions on Female Education, Devadasis (temple dancers wedded to the gods), and the patriarchal joint family. Their activity acted as a stimulus and encouragement to reform-minded individuals in other areas, and gradually reformist organizations with an all India identity began to emerge. The major change in women’s lives in modern India came from the British efforts towards modernizing them.

India because of the foreign rulers had focused their attention on this particular aspect of society. Taken up with their “civilizing mission,” influential British writers condemned Indian religions and culture. Since the British had taken it upon themselves to administer the country and modernize it, they went about trying to bring about a change in the male-female equation. British rulers of India included Humanitarianism, Utilitarianism, Social Darwinism and nationalism. It was believed that if there were any hope
for India, it would follow from the introduction of Western ideas and institutions. Thus the westernization brought in a new gender ideology and modification of the actual treatment of women would be the necessary prelude to any positive change.

3.6.4 Position of Women in the Medieval India

During the medieval period, practices such as polygamy, Sati, Child Marriage, ill treatment of widows already prevalent during the Dharmashastra age gained further momentum. The priestly class misinterpreted the sacred texts and created an impression that all these evil practices had religious sanction.

3.6.5 Status of Women in Modern India

After the development of science and technology, the practice of female foeticide on a large scale also started. This eventually led to a slump in the female sex ratio. According to the census of 2001, the sex ratio in India was 927 females to 1,000 males. Dowry has become widespread and the birth of a girl child became inauspicious. In several parts of India, women are seen as an economic liability, even with the contribution of women in numerous ways to Indian economy and society. Early marriages, rape, molestation, sexual harassment, forced prostitution, eve teasing, etc are a common issue today. The crime rate against women is mounting at a startling rate. Though, today as we see women have secured an honourable position in all sectors of work. The employment opportunities for women are increasing day by day and they are preferred more than men and breathing comfortably in modern society.
3.7 STAGES OF WOMEN EXPLOITATION AND PRESENT INDIAN PERSPECTIVES

In the grip of growing consumerism, violence against women has been rapidly increasing and a legitimate human right issue in connection to their socio-economic stability has got impetus. Trafficking of women is strongly associated with economic disparity as prevailing in the country which brings massive development of women into prostitution (Barry 1995). Therefore, several researches, systematic investigations are being performed to find out the spatio-temporal variation in this regard to ensure women a dignified life. International Research Network on Violence Against Women (IRNVAW) has been studying worldwide pattern of violence to share experiences and formulate strategy implications. Contrary to popular belief, child prostitutes are not primarily children lower socio-economic circumstances but also from families from higher income group (Flowers, 1994).

3.7.1 Pre-Birth Stage of Women

If a cyclic concept of women exploitation is assumed for convenience of research, one can identify the stages at which they are being victimized. For example, at the stage pre-birth, despite illegal, sex selective abortion has been taking place, in many developing countries like India, it is still thought that baby girl would be a burden to a family in future and in rural areas, the same is considered along with the concept that they would not be economically and socially productive as they have not physically strong like men. Hence, despite employing enough labour force for economic development, women are not paid properly and thus they are economically deprived section of Indian society.
3.7.2 Infancy Stage of Women

At the infancy stage, she is looked after with ignorance particularly in case of education, health care and nutrition. Consequently from the initial stages of development, they remain weak and isolated. This is because of the same reason as stated earlier. Thus, there is a tendency in rural India in particular to over-emphasize on baby boy considering their future probability of application.

3.7.3 Childhood Stage of Women

At the time of childhood, due to constant ignorance, women are victimized in the form of child abuse and trafficking for lucrative business spread all over the world both for labour and sex. Therefore, it cannot be denied that the child labour act of 1986 does not bring remarkable positive impact as the majority of child labour in rural India is female.

3.7.4 Adolescence Stage of Women

At the stage of adolescence, pitiable form of violence or exploitation is noticed in the form of prostitution, trafficking, early marriage, crime committed against women etc. This is a stage when they become matured, can understand the social and economic bondage and being realized this tyranny, they are either compelled to choose prostitution or unintentionally abused for sex. In addition, being considered as burden, they have to face early marriage very often as decided by their family. Sometimes, this results psychologically disorder among them. Moreover, the young women or teenagers are victimized to satisfy a few gangsters by providing sex and beauty.
3.7.5 Reproductive Stage of Women

At reproductive age, they have to face domestic violence, if get married. Moreover, at this time, they are sexually, psychologically and physically tortured by intimate partner or non-partner also. Consequently, homicide is very common as read out in common newspapers in all parts of the country. At the time of elderly, she becomes helpless due to absence of workability or sexual beauty. Consequently, they are again ignored and exploited. Thus, the history of women life is a garland of stigma or misery. There is no stage at which she gets honour due to their traditional oppressed life lead without protest. Although, this is not true in case of females who are socio live more and more economically comfortable by advertising themselves in naked way in different media. Despite the high level commitment to achieve Millennium Development Goals (MDGs), the millennium project report of 2005 states that “gender equality remains an unfulfilled goal”. The report recognizes the need to include specific intervention to address gender inequality (Johnson et al 2008). Therefore, it is a fact that, each and every part of the country of India is being endangered by gender bias significantly which needs immediate careful handling for the sake of human right, otherwise, it is clear that this wound will be acute and the resultant effects as experienced everywhere from rural to urban will damage the synthesis between elements of society (Khokan Kumar Bag & Piyal Basu 2012).

3.8 DIFFERENT FORMS OF SOCIAL WOMEN EXPLOITATION IN PRESENT SOCIETY

Exploitation of women is various forms and different natures. It include crimes involving sexual exploitation for economic gains like prostitution & trafficking, adultery, abduction, rape, wrongful confinement, and murder etc., on one hand and crimes related to women dowry extortion
and outraging the modesty of women etc., on the other. These crimes are not only injurious and immoral for the women but for the society as a whole.

3.8.1 Domestic Violence

In Indian family the man is the master and women is the inferior and subordinate partner and societal pressure force women to maintain this status quo. Wife beating, suppressing is the most prevalent form of violence against women in the Indian society and it is viewed as a general problem of domestic discord.

3.8.2 Female Infanticide and Foeticide

This plays a significant role in lop sided sex ratio in India. Poor families in certain regions of the country sometimes resort to kill baby girls at birth to avoid an unwanted burden on family resources. Sex selective abortion has also been common in the country. It's dangerous to abort the fetus after 18 weeks of pregnancy and quiet harmful for mother too at such a late stage.

3.8.3 Dowry

The Dowry Prohibition Act of 1961 marks the first attempt by the Government of India to recognize dowry as a social evil and to curb its practice. The act was modified with the Dowry Prohibition Amendment Act of 1984, which has again been modified with Dowry Prohibition Bill 1986. Women's organization have played key role in this process of change. The 1961 Act define dowry and makes the practice of dowry-giving and taking, is a punishable offence. Dowry is one of those social evils that no educated woman will own up with pride still many are adhering to it. Practices of dowry tend to subordinate women in the society.
3.8.4 Women’s Education

In the ancient times, women were given less education than men. The main reason for this cause was set social norms. However, in Vedic period women had access to education, but gradually they had lost this right of being educated. Women education in ancient times prevailed during the early Vedic period. Women enjoyed equivalent position and rights in the early Vedic era. However, after 50 B.C., the position of women started to decline. In the recent times, government has established a number of institutions for the education of women. These institutions are concerned with the development of women in India. At presently, India’s literacy rate has gone up to 74.04% in 2011 from 65.38% in 2001, thus showing an increase of 9 percent in the last 10 years. It consists of male literacy rate 82.14% and female literacy rate is 65.46%. Andaman & Nicobar Islands is prime position of women literacy as 81.8 % (Male 90.1%), Bihar (53.3%) and Rajasthan (52.7%) are the poorest state in India in female literacy rate.

3.8.5 Discrimination

Discrimination towards women is from a long time having affected over their lives. Although the constitution has granted equal rights to women gender disparities still remains. There are limited opportunities for women to access such as for education, at workplace, and job. Women are mostly disadvantaged at work and underestimated at work place. Discrimination against women has contributed to gender wage differentials. Indian women on average earning are less of what male earns for the same occupation and level of qualification. Age, Disability, Equal Pay/Compensation, National Origin, Pregnancy, Race/Color, caste, Religion, Gender is most forms or areas of women discrimination.
3.9 Factors for Women Exploitation

Some of the important factors that can be credited for the current situation are:

- **Female Age at Marriage**: There is high connection of the female literacy rate with that of the female age during her marriage. The female age at marriage of 18 (lately 21 years) as approved by various legislations are not at all followed in India. It is very much neglected by the parents with low literacy background. This intolerable practice dejects the female children to continue their education, as they go into family life at an early age and it leads to work under exploitative condition.

- **Lower Enrolment in Schools**: The low enrolment of girls in schools is one of the fundamental factors that stand as the tentative block for empowerment of Indian women. According to the latest statistics, two out of every ten girls in the 6 to 11 age group are yet to be enrolled in schools.

- **High Dropout Rate of Girls from Schools**: The occurrences of dropouts among girls mainly in slums, rural, and tribal areas are quite high. According to the latest statistics, occurrence of dropout among the girls is almost twice as that of the boys in India.

- **Poor School Environment for Girls**: Broadly, the school environment for girls in India is really not encouraging. There are still hundreds of schools with poor essential amenities such as drinking water, proper building and adequate number
of teachers particularly the female teachers who are preferred by many parents for the safety of their girl children.

Poverty, Bonded Labour and Child Labour Practices: This is a very discouraging factor that stands as barrier for girl’s education in rural areas and also for the underprivileged families consisting of the washer men, the agricultural labourers, the tribes and the Scheduled Caste/Tribe people. According to UN, India, with more than 50 million child labourers, is the most child labour populous nation in the globe. In most cases girl children are favored for high productivity and low cost.

Poor Political Will and Passion: Government officers, policy makers, and politicians of our country have neither political will nor passion for the empowerment of women.

Dowry as Barrier: In many families, particularly the poor think that if their daughters are educated more, then they have to gather more property to offer as dowry at the time of marriage, so they favor to stop their children with average education.

3.10 LEGAL FRAMEWORK FOR HUMAN RIGHTS AND WOMEN STATUS IN INDIAN LAWS

The Constitution of India guarantees basic human rights as ‘fundamental rights’. It provides that state can also make special provisions for women and children. It mentions under ‘policy directives’ that state will make an effort towards securing equal right to livelihood for men and women. There are scores of labor laws that govern matters at the factories and workplaces. Those that deal with working hours, conditions of services and

The deprived and disadvantaged groups are dealt under the Bonded Labor System Act, 1976 and the Child Labor Act, 1986. The Minimum Wages Act, 1948 and the Payment of Wages Act, 1936, relate to the wages of the employers. These central acts have full applicability in the state of Tamil Nadu. There are also state laws of Tamil Nadu that apply to the work at these textile factories. These acts include the Tamil Nadu Handloom Workers (Conditions of Employment and Miscellaneous Provisions) Act, 1981, the Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982 and Rules, and the Tamil Nadu Industrial Establishments (National and Festival Holidays) Act, 1958 and Rules.

3.10.1 International Laws

International conventions and treaties that deal with the rights of female workers include Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of Discrimination Against Women (CEDAW), International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Rights of the Child (1989), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Protection of All Migrant Workers and Members of Their Families (ICRMW). They offer protections and guarantees to the women, migrants and workers. India is a party to ICCPR, ICESR, CEDAW, ICERD, and CRC. It has signed but not ratified CAT as yet. India also hasn’t signed or ratified the ICRMW. There are numerous ILO instruments that deal with
female textile workers. India has ratified Forced Labor and Servitude Convention (C29), Equal Remuneration Convention (C100), Discrimination (Employment and Occupation) Convention (C111), Abolition of Forced Labor Convention (No. 105), and Equal Remuneration Convention (No. 100).

3.10.2 Legal status of women in India

India has a long and a continuing tradition extending over centuries of oppression of women. Women enjoyed an honourable position in the distant past. Subsequently patriarchy deprived women of their rightful status in India. During the Vedic period woman was given an honoured position. She was the mistress of her husband's home. During ancient times when women were content to play the role of a wife and mother, they were treated with respect. But unfortunately in recent times cases of violence on women have become more common. To meet these atrocities against women, various stringent punishment have been provided in the laws. These enactments to some extent have enabled women in India secure social and economic justice. Besides the provisions in the Constitution, the following legislations were passed since 1950

- The Hindu Marriage Act, 1955
- The Hindu Succession Act, 1956
- The Hindu Adoption and Maintenance Act
- The Dowry Prohibition Act, 1961
- Equal Remuneration Act, 1976
- The maternity benefit act 1961
An important step was taken in securing social justice to women as the Hindu Marriage Act which gave women the right to divorce by mutual consent. Despite such legislation it has to be admitted that cases of divorce are rare in our country. If it is due the fact that there is harmony in marriage and there is no need for divorce, it would be a cause for satisfaction. But the truth of the matter is that divorce cases are rare because the divorcee is regarded as many as social outcast. So it is the attitude of Hindu society which Pregnancy Act even confers a right on a woman to cause her pregnancy to be terminated with male members. Under the law women are entitled to equal pay as men for equal work. They are further entitled to the maternity benefits under the Maternity Benefits Act. Other legislative measures favouring women include the Guardians and Wards Act, 1890. Section 19 of the Act includes mother along with father as a fit person to be appointed as the guardian so as to remove gender inequality. The Hindu Marriage (Amendment) Act has led an irretrievable break down of marriage on divorce

Though under the Constitution and under the law women have equal political right as men so as to enable them to take part effectively in the administration of the country.

The government of India has appointed the National Commission for Women (NCW) to protect the interests of the women at large. The Commission is vested with powers of a Civil Court. It is entrusted inter alia with the task of looking into complaints, take suo moto notice of nonimplementation of laws relating to women and non-compliance with policy decisions, guidelines and instructions aimed at mitigating the hardships and ensuring the welfare and providing relief to women.
3.10.3 Some Indian Penal Code and Special Local Laws for Women Protection

Indian Penal Code and special local laws are broadly classified under two categories.

3.10.3.1 The Crimes under the Indian Penal Code (IPC)

i. Rape (Sec. 376 IPC)

ii. Kidnapping & Abduction for specified purposes (Sec. 363 - 373 IPC)

iii. Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)

iv. Torture - both Mental and Physical (Sec. 498-A IPC)

v. Molestation (Sec. 354 IPC)

vi. Sexual Harassment (Sec. 509 IPC)

vii. Importation of girls (upto 21 years of age) (Sec. 366-B IPC) (2)

3.10.3.2 Special Local Laws (SLL)

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. The gender specific laws for which crime statistics are recorded throughout the country are
(i) Immoral Traffic Prevention) Act, 1956

(ii) Dowry Prohibition Act, 1961

(iii) Indecent Representation of Women (Prohibition) Act, 1986

(iv) Commission of Sati (Prevention) Act, 1987

3.10.3.3 Constitutional and legal provision for women

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles of State Policies. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them. Within the framework of a democratic polity, our laws, development policies, Plans and programmes have aimed at women’s advancement in different spheres. India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1993.

Constitutional provisions for women are denoted as follows

- Article 14, confers on men and women equal rights and opportunities in political, economic and social sphere.
- Article 15, prohibits, discrimination against any citizen on grounds of religion, race, caste, sex etc.
- Article 16, provides for equality of opportunities matters relating to employment or appointment to any office under the state.
• Article 39 (a) (d), mentions policy security of state equality for both men and women the right to a means of livelihood and equal pay for equal work for both men and women.

• Article 42; Direct the State to make provision for ensuring just and humane conditions of work and maternity relief.

3.10.3.4 Legal provisions for working women are as under

• Factories Act 1948: Under this Act, a woman cannot be forced to work beyond 8 hours and prohibits employment of women except between 6 A.M. and 7 P.M.

• Maternity Benefit Act 1961: A woman is entitled 12 weeks maternity level with full wages.

• The Dowry Prohibition Act, 1961: Under the provisions of this Act demand of dowry either before marriage, during marriage and or after the marriage is an offence.

• The Equal Remuneration Act of 1976: This act provides equal wages for equal work. It provides for the payment of equal wages to both men and women workers for the same work or work of similar nature. It also prohibits discrimination against women in the matter of recruitment.

• The Child Marriage Restrain Act of 1976: This act rises the age for marriage of a girl to 18 years from 15 years and that of a boy to 21 years.

• The Medical Termination of Pregnancy Act of 1971: The Act safeguards women from unnecessary and compulsory abortions.
• The National Commission for Women Act. 1990: The Commission was set up in January, 1992 to review the Constitutional and legal safeguards for women.

• Protection of Women from Domestic Violence Act 2005: This Act protects women from any act/conduct/omission commission that harms, injures or potential to harm is to be considered as domestic violence. It protects the women from physical, sexual, emotional, verbal, psychological, economic abuse.

• Protection of Women against Sexual Harassment at Workplace Bill, 2010: on November 4, 2010, the Government introduced protection of Women against Sexual Harassment at Workplace Bill, 2010, which aims at protecting the women at workplace not only to women employee but also to female clients, customer, students, and research scholars in colleges and universities patients in hospitals. The Bill was passed in Lok Sabha on 3.9.2012.

3.11 WORKING ENVIRONMENT AND EXPLOITATION PRACTICES ON WOMAN WORKERS AT GARMENT INDUSTRIES IN TIRUPUR DISTRICT

3.11.1 Categories of Woman Workers in Garment Mills in Tirupur District

Workers at the various levels of production can be categorized as follows:

Permanent Workers - These workers are directly employed by a company, appear on payroll documents, and are eligible for various benefits including enrollment in India’s Provident Fund and Employees' State Insurance program, and may also receive legally mandated bonuses.
Contract Workers - These are workers hired on a contractual basis, normally for one year, although employers vary the length of the contract according to their needs and preferences. It is common for employers to dissolve and renew the contracts after 240 days, as Indian labor law requires that a contract worker can become permanent after that time period. Contract workers are not provided with bonus and gratuity benefits.

Piece-Rate Contract Workers - These are contract workers hired at piece rates, and paid according to the number of pieces they make, regardless of hours worked.

Daily Wage Workers- Daily workers are temporary, and are only hired for the number of days the labor is needed.

Apprentices - As trainees for a specific job, apprentices are paid a fixed stipend, but are not considered “workers” under the law that therefore minimum wage laws do not apply. Apprentices must undergo skills tests and be officially certified in order for their employment status to change.

3.11.2 Wage System

The women workers are paid fixed wages ranging from Rs. 130 to Rs. 250 on a daily or per piece basis in garment industries in Tirupur District. For instance, some of the women stitching baby wear are paid 30 paise per piece while those working on T shirt sleeves are paid 50 paise per piece. Incidentally, the sector’s annual turnover in 2012-13 stood at Rs 13,000 crore up from Rs 12,000 crore in the previous year. Though the garment industry is not interested to hike the workers wage. Earlier the company furnished basic salary with dearness allowances, interval allowances, production wage, overtime wage, etc. Every year they availed production bonus. Moreover, the
woman workers are not paid promptly by many of the garment companies in Tirupur District which the wage they agreed.

3.11.3 Underpaid

The wages that women workers receive vary from company to company in Tirupur District. Under schemes like ‘samangali’, part of the worker’s wage is deducted to give it as a lump sum amount at the end of the employment contract. Inadequate pay for daily work and overtime are the key problems identified in many garment industries. Women Workers generally receive a daily wage that is around Rs.60 (approximately 1 dollar or 0.08 Euros).

In Tamil Nadu, the minimum wage is however, Rs. 171 a day. Studies have shown that during the last 3 years at least maximum of the workers take home less than the minimum wage. While the workers are supposed to be given a yearly bonus of 13% during the Diwali or Pongal festival, most often the workers do not get the full bonus at all. “Avan kudukarathu thaan sambalam” (what he gives is the salary), they said.

3.11.4 Social Security

The workers are eligible for social security schemes like ESI, EPF and gratuity. The present day workers in the garment industries are treated as apprentices for name sake and so they are not entitled for any of the above mentioned legally entitled social benefits in Tirupur District.

3.11.5 Working Hours - Forced to Work / Forces Over Time

There have been no significant improvements in working hours. Cases of long working days of up to 12 hours a day and forced overtime have been reported. The normal working shift is eight hours and the additional four
hours the factories required is not treated as overtime (OT). All workers, including children, work from 8 a.m.-8 p.m. or 9 a.m.-9 p.m. Apart from the regular 12-hour shift, three to four hours of additional overtime is regularly required, with entire night shifts being not uncommon. None of them have any rest during working hours. The working hours previously were fixed. There used to be three shifts in 24 hours. The working hours were same for all the textile and garment companies in Tirupur District. The first shift started at 7 in the morning and ended at 3.30 in the afternoon (day shift). The second shift starts immediately after the first shift was over and ends at 12.00 mid nights (half - night). Then the third shift started at 12.00 mid night and ended at 7.00 in the next morning (full-night).

The shift hours included half an hour lunch and two tea breaks of 15 minutes each between starting hours- lunch and lunch hour till ending hour. Women often work 12 hours per day on a regular basis that is one and a half shift. During the peak season, they sometimes also work for two shifts (6 hours) or three shifts (24 hours) in a row. They often have to work on Sundays during busy seasons. These workers sometimes do not receive any overtime payment. Hostel workers are subjected to excessive and forced overtime. Workers have also reported that they are woken up in the middle of the night to complete urgent orders. If they had overtime on some days, they would be paid double the normal wage on an hourly basis. In the present day factories, the workers always do overtime without extra benefits and they do not get sufficient intervals during the working hours.

Additionally, workers spoke of being required to do two or three double shifts every month. Double shifts are 24 hours straight with a one-hour break in the morning before the next 12-hour day shift. In the event of double shifts workers get paid at the regular shift rate; time-and-a-half or double rates do not apply. Instead they are given an extra Rs 50 for the night. Workers
reported that no one can refuse overtime or they are subjected to verbal abuse and are threatened with firing. There is no consideration in case of ill health or menstrual cycles.

3.11.6 Health Hazards

Forced labour in the form of compulsory over time, compulsory late night shift, excessive working hours, standing for long hours near the droning machines are caused ear pain, head-ache and other health hazards. Lack of sleep, mental and physical fatigue, health problems related to tiredness, low calorie food and malnutrition, problems related to menstruation cycle were the health disorders found. Respiratory problems, asthma, infertility problems of women make them even more vulnerable. Women workers in Hostel scheme undergo psychological trauma due to the fact that they live in dungeon and small space in which they live. Woman workers in Hostel scheme are frequently woken up in mid night to attend urgent shifts. They face fatigue due to lack of sleep. Furthermore, food quality is very poor in their hostel and company canteen which further affect the workers’ health.

3.11.7 Unhealthy and Unsafe Working Conditions

The woman workers have to work in unhealthy and unsafe working conditions. The excessive workload takes a toll on worker’s health and soon they start suffering from Tiredness, Head-aches, Stomachaches, and Sleeplessness. The factories often have bad ventilation systems that cause workers’ space to be full of small particles of cotton dust. The work places are sometimes hot and humid. Some factories do not even provide protective equipment like masks to save workers from the cotton dust. Some workers under these have been cases of deaths where workers died due to respiratory illnesses or after ingesting cotton into lungs or stomach. Some former workers had to undergo surgery to remove balls of cotton fiber found in their bowels.
Accidents happen frequently because workers have lack training and instructions to properly work and handle the machinery. Often workers have trouble to operate the machines that are placed beyond their reach.

Some of the ex-workers had to undergo surgery to remove balls of cotton fiber found in their bowels. In one of the factories investigated, some workers in the spinning area have to work on roller skates, all day, without wearing any protective gear medical facility. Generally, there are no proper medical facilities available at these factories, at best a nurse who may offer basic medical care. Even when they feel ill and not capable of work, the girls that were interviewed explained that they would not take a rest as resting time is to be compensated after the shift. Some of the girls reported that supervisors threatened them to withhold their wages if they didn’t keep working.

3.11.8 Abusive Supervisors

The male supervisors often verbally and physically abuse female workers at the work place. During work, if any worker commits a mistake, he/ she have to listen to the abuse of the supervisors, sometimes they are even slapped around and there are cuts in their wages which can be high as Rs. 80 per day. The workers do not have any permanent job assurance and is totally dependent on whether the company has any work order or else the workers have no choice, but to seek work elsewhere or go back to their native places and remain unemployed or underemployed.

3.11.9 Sexual Harasment

Adolescentand migrant’s girls are working under hostel scheme, sumangali scheme and camp coolie. These female workers encountered with sexual harassment in the factory, at their camp and outside too. Male co
workers and supervisors are often torturing the focused girls towards sex, where girls are convinced or forced to sex trade also. Here noted that even the girls who work only in the factory and are not directly involved in the sex trade. Very often receive requests for sexual favors from supervisors and male workers from the factory. In the case of the Sumangali scheme, a significant number of girls where trafficked twice: first for labor and then for sex. The Sumangali scheme lends itself especially well to the sex trade with young girls aged 15-20 living and working under the constant supervision of managers and hostel owners. No freedom of movement and very little ability to communicate freely with family or friends. These girls are systematically threatened and forced into the sex trade and often used by the company managers and the visiting buyers who engage in the prostitution and sex trades. According to ASK-Verite’s sources, sex traffickers charge between INR 2,500-5,000 (USD 54-109) per girl per day (charges are reduced in half for a client to spend a half day with the girl). The main customers are visitors from buyers, company owners, managers, and supervisors. The girls who suffer and helpless, as “the fly into the spider’s web”.

3.11.10 Holidays

The weekly holidays are given to the regular day woman workers and they can avail all national and festival holiday provided to them by the Government. In earlier they also avail casual leave, medical leave with wage etc., But in the current scenario, no leaves are available to the workers those who are working under Sumangali Scheme, Hostel Scheme and for the migrant camp labour. Even when a girl falls ill, she is not given a paid holiday. They are not covered under ESI schemes. Instead the mills engage a nurse to dispense quick-fix medicines. They are paid Rs.30 a day and there are no means to bargain for more.
3.11.11 Labour Welfare Fund

Previously woman workers had labour welfare fund in which both workers and employers contribute to subscription. The fund benefited the employee members and workers in different ways. It helped their children's education etc., every year. But in the present workers speciously the women workers not availing any of such funds from company where they are working.

3.11.12 Lure of Lump Sum Amount

The biggest attraction for these female workers is often the large amount of money that she receives towards the end of the employment. It is schemes like ‘sumangali’ that promise workers this lump sum amount. The promised amount varies between 30,000 rupees to 50,000 rupees ($550 to $950). Many families are fascinated by this option because of their poverty. There are many cases when workers quit before the contract period and have not even received the partial amount that was promised by the factory. Many of the young women workers cannot complete the 3-year contract because of the unhealthy and unsafe working conditions or are fired under some pretext before the completion of the contract.

3.11.13 Modernization

The modern machines were running with high speed like one in the departments blow room, carding and simplex and spinning, but the workers who were working with these machines are young women and children below the age of 18 years. The over lighting inside the factories and machine sound also disturb the women and Children and affects them mentally and physically.
3.11.14 Hostels

Earlier there was no hostel facility inside the factory premises before the entry of Sumangali Scheme. In the modern textile and garment industries there are worker's hostels in which all the workers reside. This is useful for the worker to attend the duty on time without much strain of transportation. However, the same facility is convenient for the management to call the workers at any time they required and to force them to do the work at odd and extra hours. Since no body is allowed to visit the workers premises including the parents of the workers, and no one could understand what is actually happening inside the hostel premises. There are complaints of suicide committed inside the hostel, there have been deaths with causes of unknown. The evidences have been hidden from the police investigations. The Managements has not admitted any responsibility over the deaths or suicides. Some girls have been missing from the hostels.

Moreover, the facilities in the hostels are very poor. Toilet and bathroom facilities are not proper. The quality of food served to the workers is very poor. There is no balanced diet which is a must for the growing adolescent girls. Often time's deaths have occurred due to food poisoning. The dormitories are congested and overcrowded, the girls are not even provided with proper sanitary napkins during their menstrual cycle. The entertainment facilities are poor and even poorer facilities for playing, yoga or meditation. In short, the hostels are unfavorable for the personal life of the girls rather than favorable to the work environment.

3.11.15 Restricted Movements

Female workers especially those who are working under Hostel Scheme, 'Sumangali' Scheme, contract, or bonded, live without much freedom of movement or privacy. They often live in hostels or compounds within
factory premises. The residential workers, who form the majority of the Sumangali workers, are not allowed to leave the factory freely without prior permission and their stay in the hostels in the factory’s premises is mandatory. Mobile phones are also often prohibited in these hostels. The workers are even closely monitored when they go out to buy something and they are allowed to go to the market once a fortnight but are always accompanied by guards from the mill.

The cultural code that girls should be chaperoned at all times is used as a pretext to limit the worker’s contact with NGOs or prevent them from running away. Parents are allowed to visit their daughters only once a month on Sundays for one hour. Now, the management gives only a visitors card with workers photo on it which the parents/ family members have to bring to the factory when they come to meet their children.

3.11.16 No Social Benefits

Majority of the women workers especially Sumangali, Camp Labour and Bonded Workers both male and female are do not enjoy the legal benefits that other workers enjoy. Many clothing companies do not remit employers’ and employees’ contributions to the Employees’ State Insurance (ESI) Scheme, and workers are denied the benefits of the scheme. This also happens with the Provident Fund.

3.11.17 No Written Contract

Many of the companies would not give written contract or agreement when the women are hired under contract labour, sumangali scheme or under the hostel scheme. Workers are left without any proof or what has been promised. Workers are often provided with agreements in languages that they do not understand, workers hired under ‘sumangali
scheme', 3.9% only of the workers had signed an agreement and an
overwhelming majority of the workers (96.1%) did not receive any copy of
the contract.

3.11.18 Apprenticeship/Training Schemes

For the industry, apprentices are a source of cost-cutting. Female
workers are recruited to the garment company as apprentices only. They live
in the factory hostels or commute between factory and home. Local laws in
the state allow factories to hire young workers for three years under hostel
and Sumangali Scheme, whereas this period of employment for apprentices is
only one year. This scheme allows employers to hire workers on an
apprentice wage and “extract their pound of flesh” These apprentices are also
excluded from the labor laws. They can be paid less and they also enjoy fewer
rights. Many girls said they would not return to the mill after completing their
apprenticeship. Several apprentices here did not have a copy of the
agreement. The unions wanted nothing short of an abolition of the
apprenticeship system in Tirupur District, Tamil Nadu.

3.11.19 Sumangali & Hostel Scheme

The Sumangali scheme (wedding scheme) is another form of
women exploitation introduced in textile and garment industries in Tamil
Nadu, almost a decade ago by the employers of textile mills at Udumalaipettai
in Coimbatore district in 1996. Thereafter, this scheme spread towards Palani,
Vedasandur, Vadadurrai regions at Dindigul district and slowly introduced
in Tirupur District garment industries. It is an attractive scheme for rural
communities with a poor economic background which struggle to cope with
the evil of dowry. Jobs are given to young, unmarried girls, mainly between
16-20 years of age, for a period of three years. On completion of three years,
the girls are given Rs. 30,000 to Rs. 50,000 in bulk, especially for the purpose
of their marriage. Poor parents send their daughters for these jobs, as a viable option for getting the girls married or for settling old loans. Many of these girls from Arunthathiya community (scheduled caste) and poverty-stricken from remote villages of Tamil Nadu and Kerala and with no other alternative employment opportunities, fall prey to this new system of bondage in the name of the Sumangali System in the textiles and garment units of Tirupur District. Most of the girl’s parents are Agriculture Coolie, Loading and Unloading works, Road Laying, etc. Poverty, Parents Boandage, Dowry, are the major driving factors pushing them to undergo Sumangali Scheme.

Workers in the textile mills and garment factories in Tamil Nadu, South India, suffer exploitative working conditions. In ‘Maid in India’, a report by SOMO and ICN it is documented that more than 100,000 girls possibly up to 300,000 work under employment schemes, often referred to as Sumangali, that amount to bonded labour. Workers make long hours, including forced overtime, under unhealthy conditions.

3.11.20 Factors facilitating to join under Sumangali System are:

Following are the factors facilitating to the parents of the young girls to keep them under the sumangali scheme

1. The poverty and illiteracy of the parents (villagers).
2. The tactics of brokers.
3. The dominance of the age old concept that for a girl marriage is the ultimate.
4. Low wages, less number of days of work in the villages.
5. The city attraction syndrome.
6. The work in spinning mills is considered very easy (under a roof, no scorching sun etc).

7. To avoid the girls stay in the villages and engage in gossiping, go for movies, and sometimes run away with their lovers. So it is better to put them under the scheme (version of many parents).

8. Luring the parents as well as girls with the promise of safety and security, hostel (facilities like TV, swimming pool, playground, rest room) trips to temples and mess (good food) facilities and etc.

Women garment workers recruited or contracted under this scheme have to stay in hostels either within the factory premises or guarded hostels run by the factory. The employers create agreements with a list of conditions which are signed by the parents of the workers. Women are not allowed to go outside the factory premises after their working hours. They are not allowed to meet their parents even in an emergency. They are permitted to meet their parents only on a specified day in a month with a limited time for interaction (first or second Sunday of every month for two hours) even their parents need permission to meet them. They are paid very little, about Rs. 750-1000 per month, and have to work for more than 12 hours a day and even more than 12 hours during peak season. And they are allowed to go outside the factory premises for only 4 hours in a month. Even on those Sunday outings, they are accompanied by company body guards, mostly middle-aged women, who watch their movements. They are permitted to go to their home towns for 4 or 5 days during Deepavali or Pongal holidays only with labour brokers and those labour brokers must bring back the women workers after these two holidays once in a year otherwise the company will not pay their balance commission.
Adolescent, unmarried young girls of 14 to 18 years of age are preferred in the textile and garment industry for their efficiency in work output. Also the employers are eager to recruit unmarried women in the age group of 18 to 25 years. They have no bonus and they are denied legally entitled EPF, ESI or any other payment but they are promised an assured sum at the end of the scheme year, and are promised a lump sum at the time of their marriage. The most horrible exploitation is that they may be terminated under false allegations before they complete their tenure and they will be deprived of their complete payment for the entire term of work. There are systematic methods adopted by the employers to prevent the completion of their 3 years of agreed employment. The employers reportedly write letters to their parents alleging that they are involved in sexual relationship with fellow workers or supervisors, particularly after the workers complete two and half years of the employment period. Then the parents usually take their daughter with them and in the due process they are paid less than the amount promised by the employers under scheme.

The camp worker system exists even in the companies with code of conduct certification. The achievement of the codes of conduct is improving the working conditions of garment and textile workers in Tirupur appear to be rather dismal. It should be viewed in the context that almost a decade is over since its introduction in export oriented garment and textile industry- The camp worker system and the exploitation of young girls have not been ousted.

The Table 3.1 and the Table 3.2 representing the estimation figures of Hostel Scheme and Sumangali Scheme woman workers respectively those who were working in different garment industries of various blocks in Tirupur District.
Table 3.1 Estimation of garment woman workers under Hostel Scheme in Tirupur District

<table>
<thead>
<tr>
<th>No</th>
<th>Name of the Block (Panchayat Union)/ Municipality</th>
<th>Garment companies</th>
<th>Garment companies implementing hostel scheme</th>
<th>Total number of women workers employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Avari Panchayat</td>
<td>83</td>
<td>37</td>
<td>12565</td>
</tr>
<tr>
<td>2</td>
<td>Tirupur Panchayat</td>
<td>635</td>
<td>71</td>
<td>14990</td>
</tr>
<tr>
<td>3</td>
<td>Tirupur Municipality</td>
<td>707</td>
<td>83</td>
<td>7121</td>
</tr>
<tr>
<td>4</td>
<td>Nallur Municipality</td>
<td>43</td>
<td>8</td>
<td>1200</td>
</tr>
<tr>
<td>5</td>
<td>Velampalayam Municipality</td>
<td>152</td>
<td>7</td>
<td>1250</td>
</tr>
<tr>
<td>6</td>
<td>Udamalapettai Region</td>
<td>12</td>
<td>7</td>
<td>731</td>
</tr>
<tr>
<td>7</td>
<td>Kangevaram Region</td>
<td>09</td>
<td>5</td>
<td>345</td>
</tr>
<tr>
<td>8</td>
<td>Dharmaparam Region</td>
<td>07</td>
<td>3</td>
<td>173</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>1648</strong></td>
<td><strong>221</strong></td>
<td><strong>38375</strong></td>
</tr>
</tbody>
</table>

*Source: Social Awareness and Voluntary Education (SAVE), Tirupur*

Table 3.2 Estimation Garment woman workers under Sumangali Scheme in Tirupur District

<table>
<thead>
<tr>
<th>No</th>
<th>Name of the Block (Panchayat Union)/ Municipality</th>
<th>Garment companies</th>
<th>Garment Companies implementing Sumangali scheme</th>
<th>Total number of woman workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Avari Block</td>
<td>83</td>
<td>21</td>
<td>11190</td>
</tr>
<tr>
<td>2</td>
<td>Tirupur Block</td>
<td>635</td>
<td>18</td>
<td>3452</td>
</tr>
<tr>
<td>3</td>
<td>Tirupur Municipality</td>
<td>707</td>
<td>18</td>
<td>725</td>
</tr>
<tr>
<td>4</td>
<td>Nallur Municipality</td>
<td>91</td>
<td>7</td>
<td>100</td>
</tr>
<tr>
<td>5</td>
<td>Velampalayam Municipality</td>
<td>190</td>
<td>5</td>
<td>42</td>
</tr>
<tr>
<td>6</td>
<td>Udamalapettai Region</td>
<td>12</td>
<td>4</td>
<td>57</td>
</tr>
<tr>
<td>7</td>
<td>Kangevaram Region</td>
<td>9</td>
<td>4</td>
<td>32</td>
</tr>
<tr>
<td>8</td>
<td>Dharmaparam Region</td>
<td>7</td>
<td>2</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>1702</strong></td>
<td><strong>79</strong></td>
<td><strong>11819</strong></td>
</tr>
</tbody>
</table>

*Source: Social Awareness and Voluntary Education (SAVE), Tirupur*
3.11.21 WageUnder Sumangali Scheme

Under Sumangali scheme, women are paid low wages. Whatever was promised at the time of hiring certainly does not hold good in reality. Part of their daily wages is deducted to save up for the lump sum payment. For food and boarding, approximately 15 Rupees a day are deducted. The daily wage usually starts at 60 Rupees and increases by 10 Rupees after every six months, up to a maximum of Rs. 110 on average. The following table 3.3 shows clearly about wage paid to women workers under the Sumangali Scheme.

Table 3.3  Wages paid to workers under the Sumangali Scheme - Compared with minimum Wages

<table>
<thead>
<tr>
<th>Period</th>
<th>Daily wages</th>
<th>Wages / month</th>
<th>Wages during the period</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-6 months</td>
<td>60</td>
<td>1,800</td>
<td>10,800</td>
</tr>
<tr>
<td>7-12 months</td>
<td>70</td>
<td>2,100</td>
<td>12,600</td>
</tr>
<tr>
<td>13-18 months</td>
<td>80</td>
<td>2,400</td>
<td>14,400</td>
</tr>
<tr>
<td>19-24 Months</td>
<td>90</td>
<td>2,700</td>
<td>16,200</td>
</tr>
<tr>
<td>25-30 Months</td>
<td>100</td>
<td>3,000</td>
<td>18,000</td>
</tr>
<tr>
<td>31-36 Months</td>
<td>110</td>
<td>3,300</td>
<td>19,800</td>
</tr>
<tr>
<td>Food &amp; Accommodation</td>
<td>-15</td>
<td>-450</td>
<td>-16,200</td>
</tr>
<tr>
<td>Lump sum upon completion</td>
<td></td>
<td></td>
<td>50,000</td>
</tr>
<tr>
<td>Total amount earned in 3 years working under signed Sumangali Scheme</td>
<td></td>
<td></td>
<td>1,15,600</td>
</tr>
</tbody>
</table>

Daily minimum wage in TIN mills and garment sector 171 5,130

Total earning in 3 years minimum wage, not calculating the extra wage benefits 5,130 x 36 1,84,680

Source: Social Awareness and Voluntary Education (SAVE) Tirupur.
Overview of Sumangali Scheme in Tirupur District

During this study, the following issues confronted by the victims:-

1. Brokers, relatives, family friends and former Tirupur workers in their villages act as recruiting agents in south and central Tamilnadu and central parts of Kerala.

2. Most of the Sumangali workers never know their friends or relatives are brokers before arriving to Tirupur.

3. Deduction of salary for food and the actual amount under the Sumangali scheme are not known to them before coming to Tirupur. False promises are repeatedly observed in several cases.

4. Verbal abuse is found among several cases and physical abuse is found in some rare cases.

5. Employers never want the scheme workers to complete 3 years and after two years they wait for some problem to deny the promised Sumangali amount first and then renegotiate for lesser amounts than the promised with the brokers.

6. Many women workers wanted to escape from their clutches rather than fight for their Sumangali amount in case of gross violation of their rights.

7. Forced labour in the form of compulsory overtime, compulsory late night shifts, excessive working hours and inadequate pay for overtime are the key problems identified in the Sumangali and hostel schemes.
8. Lack of sleep, mental and physical fatigue, health problems related to tiredness, low caloric food and malnutrition, problems related to menstruation cycle and headache are the health disorders found among women under the Sumangali Scheme.


10. Women workers in the Hostel scheme are frequently woken up at midnight or in the early morning to attend to urgent shifts. They face fatigue due to lack of sleep.

11. All of them realized that their pay is low only after starting to work under the Sumangali scheme.

12. There is a feeling of insecurity among all the women workers irrespective of the scheme.

13. The salary range differs from company to company but their food deduction per month is uniform with only a two rupee variation. This is contradiction to the advertisements and promises made by the brokers since they attract the woman workers for this scheme by informing them that the hostel and food are free.

14. Recruitment of adolescent girls in the age group of 14 to 18 years with false promise by the brokers.

Reports by Non-Governmental Organizations such as the India-based Social Awareness and Voluntary Education (SAVE) and Centre for Education and Communication (CEC), the Dutch Centre for Research on Multinational Colorations (SOMO) and Anti-Slavery International (ASI)
brought to light concerns about labour practices in the region's garment industries.

3.11.22 Migrant Workers

Tirupur is the largest growing community development block is facing a crisis in terms of excessive mobile population as well as frequent migrants hail from other parts of the State of Tamil Nadu, like Kerala, Andra Pradesh, Karnataka, Uttar Pradesh, Bihar, Jharkhand, Maharastra, Assam, Manipur, Meghalaya and even from Nepal to Tirupur District. The living standards of the migrant workers (numbering more than 1,00,000), are exploited in Tirupur Garment factories are pathetic and face a lot of difficulties. As these workers do not speak the local language and have no family or friends nearby, the dependency of women workers on their employers has increased. The wages are less compared to a local worker and are paid anywhere between Rs. 80 to Rs. 220 per shift depending on their labour hierarchy. Whereas the average wage for the local worker starts at about Rs. 200 (which is also very less). The migrant workers those who are in company camp do not enjoy even a weekly holidays. Even a government holiday is a half working day (in Tirupur half day means 8 am to 6.30 pm and full day means 8 am to 10.30 pm or more!). The simple motto of the company is “If you want more money, you have to work more”!

It is estimated that nearly 350,000 workers are regularly employed and the season time workforce even move up to a staggering 5,00,000 workers. 70% of the workforce is employed in knitting and stitching units. The footloose from North Indian labour force constitutes about 50,000, say trade union representatives. The internal migrant workers who migrate from different district like Pudukkotai, Dindukal, Madurai, Karur, Tirunelveli , Tutucorin etc., work in this district. But the living and working conditions are poor. The basic infrastructure facilities like roads, drinking water, recreational
space, adequate housing for migrant workers are missing. Adding further woes for workforce which survives in an already dampened working conditions in most of the small and medium knitting, stitching, packing, compacting, dyeing and bleaching units of this region. Migrant workers wages and expenditures are not in balance, so often they fall in debt. Expenditures on account of drinking water during summer, payment of rent during offseason or low garment production seasons, frequent shifting of house on account of rising house rent and medical expenses due to both work related physical stress (enrollment rate of migrant workers under ESI scheme is low) are the some of the reasons affecting their household economy. Besides adult workers, there are children below 18 years both boys and girls employed in the supply chain of the garment industry. The age group and face of internal migrant workers are becoming younger and younger over the past few years. This is the alarming trend found in this region.

The problem of child labour found among migrant workers community is not only linked with poverty but also it has established connection with educational infrastructure facilities. Slums and other residential areas of workers are in the state of poor hygienic and improper sanitary conditions. Some units that hire tailors have lodging facilities for migrant labourers but the quarters are often cramped and unhygienic. At least 10 people share a room, sharing three toilets. They sleep and cook in the same room; a worker lives near the Muddalipalayam SIDCO unit and on the outskirts of Tirupur is still pathetic.

Since most of the migrant labourers come with their families, often at times most of the family members including children are employed illegally by the companies. All of these families live in cramped quarters for which they pay an astronomical sum of Rs. 1300 per month and have to share a single bathroom/ toilet with lot of other families. Neither the government
nor the different political parties here are bothered about the conditions of the migrant workers as they do not form a vote bank for the political parties and most of the political parties are aligned with the company bosses one way or the other. Communication is another problem as the migrant workers cannot speak the local language.

Migrant labourers often live in strictly supervised factory-owned hostels where they have little opportunity to contact with their families, let alone with trade unions or labour advocates. Brokerage was not found to be an issue for either child laborers or adult migrant laborers in the Tirupur District garment sector. Adult migrants do not appear to be vulnerable to forced labor in general; and children experience temporal debt-bond

3.12 MAJOR ISSUES IN TIRUPUR DISTRICT RELEVANT TO EXPLOITATION

3.12.1 Tops in Pollution Generation/Water and River Pollution

The groundwater and soil fertility levels in Tirupur are very low. Due to polluted dyeing and bleaching water river and groundwater has been contaminated. Farmers are suffering to get good water for irrigation. Textile processing and dyeing factories spending much money to get good water for the mill processing and production cost incurred losses in crores. People in Tirupur are struggling to get drinking water. Due to serious steps by TNFA, about a hundred dyeing units have been closed down, as they failed to meet the standards fixed by the Tamil Nadu Pollution Control Board (TNPCB). Apart from this Tirupur facing cotton dust pollution and over noise pollution due to running machines in textile and garment industries throughout the area.

The textiles industry has progressed here at the cost of the environment. SAVE Water Forum has conducted a study that says the level of Total Dissolved Solids in the groundwater has gone up to 5,000 to 6,000
milligrams per litter. Pre-historic Noyyal River is now clinically dead when it enters this region as a result of uncontrolled dyeing and bleaching activities in an ancillary production process of garment production. Orathupalayam irrigation Dam built across Noyyal after it crosses Tirupur garment region, has become a dam for storing effluents. In the history of mankind, Farmers used to demand for water to be released from the dam for farming. But in this unique case of Orathupalayam Dam downstream farmers always demand that the water should not be released. This is the testimony to the ecological disaster caused by garment export industry in the past 15 years. There are significant evidences available to conclude that the garment industry has progressed here at the cost of ecological environment and livelihood of farmers. Despite the judicial intervention to resolve the crisis, the livelihood issues of downstream farmers like compensation for their agricultural loss and infertility of soil have become a longstanding unresolved issue.

3.12.2 Increasing Suicides

Tirupur is one of the fastest growing industrial centres in the State. Most of the town’s population consists of uneducated migrant labourers who work in 6,000 garment units scattered all over the district. Girls and boys from impoverished families of southern districts and other states come here in search of jobs. But at the same time, suicide attempts registering more than 400 every year. More than 800 workers have committed suicide in the last two years and the new district of Tirupur witnesses 20 suicide attempts everyday. Work torture, Alcoholism, finance, family disputes, failure in love and extra-marital affairs are cited by experts as the main reasons for the spike in suicides. Unless necessary measures taken to curb this, the Tirupur will soon be known as the suicide capital rather than the textile capital of the country.
3.12.3 Brokers Involvement

Brokers recruit routinely the young women workers from different district of Tamil Nadu and different states in India. Brokers paste posters and distribute notices in and around the economically vulnerable rural villages. Below poverty level families,” broken families, single parent families, girls living in relative house, daughters of alcoholic fathers and poor families with several girls are systematically identified and recruited by the brokers. Brokers do not mention the toxic work environments, for example in bleaching or dyeing or the lack of freedom of movement, limiting them to the hostel grounds and prohibiting trips to home. The innocent girls fall into their trap with the belief of false promising, the girls who suffer at the hands of brokers who sell them for prostitution also, but feels helpless, as they says that “it is like a spider’s web: once the fly gets sick, no one can save it other than the supernatural forces.” Brokerage commission is based on number of girls the broker can get. The “running rate” is INR 3000 to INR 4500 per girl/ employee.

3.12.4 Contract System

Labor contractor is engaged by a company to find labor to perform a particular job within a factory. All management responsibilities of the workforce performing this specific task lie with the contractor. These brokers either bring workers to join the company, or the employer assigns workers under them as contract workers. In Tirupur it has been reported that an illegal contract system exists. Supervisors recruit the workers mostly on a daily wage basis. Sometimes they employ the same person under a different name. There is no register of principal employer, a breach of the Abolishment of Contract Labour Act. Wages may be based on the profit margin the supervisor/labour contractor makes out with the owner. So owners can keep the payroll in their establishment under 11 to avoid PF- and/or 20, to avoid ESI contribution.
The families are made to sign a contract (usually written in English), and the girl is taken to Tirupur without being provided a copy of the contract. Work permits and visas are not necessary. Job contractors are linked to the pervasive use of temporary contract labor.

3.12.5 Child Labor

There are various indications that girls under the age of 14 are recruited to work in the factories. An academic estimate says that 10 to 20% of Sumangali workers are child labourers, aged between 11 and 14. According to the ILO Convention on the Worst Forms of Child Labour under age 15 who perform work that is likely to harm their ‘health, safety or morals’. As described in this report, working under the Sumangali Scheme is indeed harmful to the health, safety and morals of the workers. Considering the number of women workers aged between 14 and 18 and the scale of the child labour problem is indeed alarming.

Female workers are often hired as young in the age group of 15 to 20 to get efficient work output and often girl workers in ‘sumangali scheme’ are child laborers. These girls often live at factory hostels. These young women are usually locked in the bathrooms to hide them during factory inspections. It is also difficult to ascertain the number of child laborers in the garment factories because the workers have no identity papers or proof of age. They only go through the medical examination by the factory’s medical staff at the time of employment. The medical staff often draws wrong medical reports about the age of the workers.

3.12.6 Employment Practices

Tamil Nadu textile producers have introduced various employment schemes due to shortages of labor. The purpose of these schemes is to retain the worker in the job. Female workers are recruited from low castes, landless
indebted families, orphans, and children of single parents. Majority of the work force resides in the hostels and these hostels are also referred as ‘camp coolies’. It serves the interests of the employer to have the labor force 24 hours present in the factory. These recruitment schemes target young, mostly unmarried women and girls, aged between 14 and 25. Brokers are actively involved in recruiting these girls and they earn commission for every girl recruited through them.

3.12.7 Preference for Female Workers

There appears to be an ironic preference to hire female workers at the textile and garment factories. In this labor-intensive industry, cost plays a significant role in manufacturing. Producers and manufacturers are in search of cheap labor. Female labor is cheaper than male labor. The female workers are also considered docile and more loyal than their male counter parts. Employers also think that with girls it is easier to maintain discipline.

3.12.8 Dalit Factor

Thousands of young Dalit girls, between the ages of 14 to 25 employed in the garment and textile industry in Tirupur District. They are continue to work under exploitative conditions akin as a bonded labour. Poor living conditions, low wages, desperate search for a livelihood, constant exploitation and harassment by moneylenders and upper caste landlords are part of the day-to-day life of Dalits. They are compelled to do the most menial and low dignified jobs as manual scavenging, removal of dead cattle, cleaning human faeces and burying dead bodies. They are almost always indebted and very often bonded labourers tied to their employers by a debt they can hardly repay. Even garment industries in Tirupur District the supervisors and managers are mostly non-Dalits, whilst the Arunthathiyars, the lowest ranking Dalits, remain in the least attractive jobs. Majority of these women workers
come from poor families with little socio economic rights and they are vulnerable to abuse and lured with promises of a decent wage and comfortable accommodation. They are recruited through a network of brokers, many women working (around 65%) under the schemes like ‘Sumangali’, Hostel and Camp Coolie belong to scheduled castes or down trodden untouchables. These Dalits have practically few or no rights in Indian society and are considered Messr human beings', They are almost always in debt and often bonded laborers. If these female workers have complained that male supervisors belonging to the dominant castes have often scolded them harshly for minor mistakes, whereas they are kinder towards other girls from different castes. Male higher-caste supervisors also physically and verbally abused the workers if they fell asleep or work place slackened.

3.12.9 Parental Preference

Parents often prefer their girls working at these factories because they provide their daughters with security. The female workers often live at hostels and factory management assures parents that the young women will be chaperoned at all times. Poor families take comfort in the thoughts that by sending their daughter to the factory, she would be safe, well fed and taken care off. In fact they would get money in return. Parents also send their children away at these factories sometimes to quell their rebellious spirits and inspire some discipline.