CHAPTER II

REVIEW OF LITERATURE
CHAPTER II

REVIEW OF LITERATURE

There are about 21 countries in the Western and Southern parts of Africa where the proportion of child labour is in the ratio of 35 per thousand and in certain parts the proportion is 50 per thousand. The countries outside Africa which are included in this category are Haiti from the Caribbean, and Nepal, Bhutan, Bangladesh and Sri Lanka from Asia. Some of the Asian countries like Syria, Lebanon, Jordan, Saudi Arabia, Yemen and Malaysia have a lower proportion of child labour which is reported to be 5-15 per thousand population. In the European countries like North America and Australia, the proportion of child labour is very low. The ratio of child labour seems to be far more negligible in Iraq, Quwait, Singapore and Japan. It is reported that a negligible proportion of working children are found in Russia, Newzealand and America. Of the whole child labour in the world, one-third (10-14 years) are in rural areas and one-eighth in the urban centres in India.


55

Report 1979, have very strongly condemned the non-fulfilment of constitutional provisions which protect the rights of children, a National Institute of Public Co-operation and Children Development (NIPCCD) Report (1977) of the Committee on Employment of Children in India and the findings of a seminar organised by National Institute of Public Co-operation and Children Development (NIPCCD) (1982) on Child and Law, have revealed that the shameful act of child labour is still persisting in the country and particularly in un-organised sectors. Besides the various the reports of the commissions as mentioned above, a good number of research studies all over the country, have been conducted on the factors associated with child labour, like working conditions, health measures, legal intervention on child labour and other related aspects. But, there has been very little research work done on the child labour in beedi industry. Though many aspects of child labour have been studied extensively, exploitation and legal intervention on child labour are mostly unexplored areas. A large number of children are engaged in brick-kilns in Rajasthan, gem polishing factories in Jaipur, zari embroiding work in Lucknow, metal work in Moradabad and the like. The summary review of studies on child workers in these sectors, have brought to light the age, conditions and duration and finally the paltry returns they get from their employers.

---

56 T.N. Kitchlu, A Study of Child Labour in Unorganised Industries (A project report, Delhi School of Social Work, Delhi University, 1986), pp.31-54.
Another interesting study on child labour in Bangalore city has been reported by Krishna Kumari. Bangalore, now a growing cosmopolitan city with temperate climate for all the twelve months, remained one of the favourite places of the British rulers. People from different parts of the country, have migrated to Bangalore in search of better avenues. Among the migrants, there are labourers who have thronged to this city, because of employment opportunities in the labour market. With the influx of labourers, thousands of juggies and slums have come up in the outskirts of this city. The overall finding of this study revealed that the drop-out rate among boys was more than that of girls. While a survey on the occupation of the parents of these children was conducted, it was found that 16 per cent of them are not employed, 84 per cent are engaged in part-time manual/ non-manual work. On an average, it is observed that the children's contribution to the family income works out to be 19 per cent. In some families, children contribute a major portion of money to the family income. As regards the housing of the child workers, most of the hutments are small, dark and dreary, two rooms of squalor and dirt. When asked about depriving their children of education, the parents said that education was only a means to an end and since their children had a job, there was no need for education.

D.A. Naidu conducted a study entitled "Micro-Determinant of child labour: an evidence from rural south India". The major variables considered by this investigation were caste, father's education and occupation, economic status, perceived economic value and occupational and educational aspirations of children and modernisation. The findings revealed that only 23 per cent of children, in the age group of 5-9 years, were working as against 77 per cent of elder children in the age group of 10-14 years. The second revelation of this study was that the number of working girls was greater than the number of working boys. With regard to education, more younger children than the elders and more boys than girls had attended schools. The educational aspirations of the children were in line with the education of their fathers. The degree of child labour was in line with the degree of economic need of the family.

In her survey of child labour in Tamil Nadu, Savithiri states that poverty, large family, death of the bread winner, physical and mental illness of parents or unemployment of adult members in the family are some of the reasons which contribute to the existence of child labour. The author mentions that in the rural areas of Tamil Nadu, agriculture and animal husbandry are the main

sectors which engage child labour. Regarding the working conditions stated by the author, a majority of the children are employed without any fixed wages. She discloses that, in the city of Madras, anti-social elements train children as smugglers, beggars and even as pimps. Although the Government of Tamil Nadu has introduced free mid-day meals for children besides provision for uniform, books and equipment, still the parents from lower and middle class families prefer to employ their children rather than send them to school. As a result, thousands of tender children are pushed into the market of uneducated child workers.

Khandekar's study is enlightening as to the situation of children and youth who are employed in various establishments in Greater Mumbai. The study reveals that the low-economic status of the family, migration from rural areas to Mumbai, are some of the main factors that force the children to join the crowd of Mumbai's labour market. Lack of education happens to be the second largest factor for the children taking to labour. The study also observes that a large number of children in this area have been forced to supplement the family income. Another group of children state that they work in order to have economic independence.

59 S. Savithiri, "A Survey of Child Labour in Tamil Nadu", in Naidu, Kabadia and Kamini, eds., Child Labour and Health Problems and Prospects, pp. 41-64.

The Indian Council of Child Welfare has conducted a study on "Working Children in Delhi". And it brings to light the fact that most of the children in Delhi are working in the automobile workshops, Dhabas, tea-stalls and in domestic services. Some children are engaged in rag picking and shoe-shining. The report further shows that the working conditions of the children are unhygienic and pitiable. The wages of the child workers in Delhi vary from according to the type of job, place of work, age of the children and economic condition of their parents. Those child labourers who do not have any place of shelter in Delhi spend all the 24 hours at their work sites and as a result, they work for twelve hours a day. Some of them have to work near furnaces, where the temperature is at melting point, and these children even risk their lives.

Pati and Swain have conducted a study on child labourers in Bhubaneswar city. Their study is an attempt to assess the social life of street children in the city of Bhubaneswar. The study discloses that more than 65 per cent of the working children are in the age group of 14-16 years and 34 per cent in the age group below 14 years. They are working in canteens and restaurants, garages, various small shops and construction sites. Regarding the working hours of these

children, it varies from 6 to 10 hours a day and similarly the monthly salary of these child labourers varies from Rs.100 to 300. The children working in construction sites have reported that their working conditions are rather unconducive, but they are satisfied with the wages. With respect to their health condition, many of them are suffering from gastro-intestinal disorders and skin diseases.

Nath and Majumdar have studied the status of the working children in Calcutta. The investigators found that 36.7 per cent of the children had lost their fathers, 11.5 per cent had lost their mothers and 2.3 per cent had lost both parents. The children had an average working age of 9.8 years. A majority of the children had never attended school.

Mir has shown his concern towards child labour in the organised sector, particularly in the handycraft and carpet weaving centres. It needs to be mentioned that the child labourers are not directly in the pay-roll of the government but helping their parents who are employed in these centres. The author has further established that poverty, illiteracy and adult

---


unemployment are the other factors contributing to this menace. The author has shown that a majority of the children and their parents represent the economically as well as socially backward pockets of the society.

N.A. Shah has conducted a study on child labour in an unorganised sector in Kashmir. The overall analysis of data unveils the fact that inadequate income, illiteracy and ignorance of parents in addition to the large family size are the precipitating factors which drag young ones into the world of labour. Physical deformities and weak eyesight are the effects of child labour.

A.N. Singh, in his study entitled "Child Labour in India: A Socio-Economic Perspective", discusses in detail various reasons for child labour in India. Child labour in various areas and fields need sympathetic attention and statutory provisions. He concludes that the practice of child labour is primarily found among the economically weaker sections of society. The working conditions of child labour in the carpet weaving industry are


grossly detrimental to their growth and development. The child workers are even deprived of the minimum requirements that are available to their counterparts in the organised sectors. The socio-economical backwardness of the children makes them vulnerable to exploitation in the carpet weaving industry. Abolition of child labour is not favoured by employers and parents for economic reasons. The carpet weaving industry has no socio-political awareness.

The National Commission of Labour (1969) reports that the gradual reduction in the employment of child labour since Independence is due to the expansion of educational facilities by the state and, also, to a sterner enforcement of statutory provision relating to child labour. Employment of children is almost non-existent in organised sectors such as small plantations, restaurants and hotels, cotton ginning, stone breaking, carpet weaving, brick kilns, handicrafts and road making. Employment of under aged child workers is also reported to be continuing in certain remote rural areas where enforcement of statutory provision is more difficult.


A 1930 of the Royal Commission on Labour in India, observes, inter alia, that the most noteworthy effect of the 1922 Act was that the employment of children in mills, weaving and cotton spinning industries had reduced. In its occasional references to the working conditions of children, the report mentions that "children usually work five hours a day without any interval... In the smaller factories, hours of work are often long and their machinery is unfenced and sanitation too, is often defective". It is also reported that section 26 of the Indian Mines Act, 1923, under which no child could be employed in a mine, has caused some hardship. Poverty, invariably, induces most of the parents to make their children work. In the opinion of the Bombay Textile Labour Union on the employment of children, as mentioned in the Royal Commission's Report, the maximum age limit for the employment of children should be raised from twelve to fourteen years. The employment of children in factories before eight in the morning and after five in the evening should be prohibited.

The Labour Investigation Committee, appointed by the Government of India, collected, in 1946 data relating to wages and earnings, employment and housing, and social conditions of labour in India. The Committee investigated the risks which bring about insecurity, the need to meet such risks through labour and the

---

methods suitable to meet them and the housing and factory conditions. It is observed that the problem was non-existent in large factories. However, it continued in mica splitting, shellac, beedi making, carpet weaving, glass and other small industries. The Committee found that, little girls are employed in Kerala State in the spinning section of the cotton textile industry, while in Kashmir children of five or six years work in carpet weaving. The children are employed because the income of the family needs supplementing, and the lack of educational facilities would make children idle if they do not join the labour force. The Committee feels that, it is not enough to merely prohibit the employment of children, but it is essential to adopt simultaneously, positive measures to wean away child labour from industrial employment. With a view to protect the future generation, the Committee emphasizes the fulfilment of legal provisions with careful inspection and the sanctioning of educational and other facilities to the children.

National Commission on Labour, was appointed in 1969, by the Ministry of Labour, Employment and Rehabilitation, to review the conditions of labour and suggest measures for their improvement. The Commission found that in certain industries such as glass, beedi, carpet manufacturing and so forth, the conditions in which

69 Parveen Nangia, Child Labour, p.12.
children worked were deplorable. It disclosed that the employment of children was more of an economic problem than anything else. The Commission reported that early employment resulted in the denial of education to children. Therefore, it suggested that the working hours for the children should be restricted so as to enable them to attend school. Where the number of children is adequate, the employers with the assistance of the State governments, should make arrangements to combine work with education.

Harban Singh Committee which investigated "the problems of child labour in various factories and industries in Ramanathapuram district of Tamil Nadu", feels that child labour is one of the most crucial factors in the development of the match and fireworks industries in Ramanathapuram area. A community of shared interests has evolved as a result of constant interaction between the employers and employees and this is in turn results in the increasing employment of children. The government agencies have also been partly responsible for perpetrating this miserable state of child labour. The Committee report suggests that the working hours should be reduced, wages should be increased and instead of the prevailing piece-rate system, the wages should be linked to

the cost of living index. It also recommends that non-formal education should be given to children in the factories. School attendance should be made compulsory and it should be a precedent condition for employment in factories. However, the various recommendations suggest that the radical measures should be taken to end the scourge of child labour.

Report of the Committee on Child Labour 1979, details the causes leading to and the problems arising out of the employment of children in India. The Committee investigates the dimension of child labour and the occupations in which children are employed and the adequacy and implementation of the existing laws. It highlights the condition of child labour in bead manufacturing and glass bangle industry, handloom and carpentry, weaving industry, gem polishing industry, and in domestic works, hotels, machine tools and repair shops. Children start working in these industries at the age of seven or eight. The full extent of their exploitation can be comprehended by findings such as the young diamond cutters developing eye defects very soon. Moreover, the diamond cutters are dismissed mercilessly from their jobs as soon as the early signs of eye fatigue are detected by the employers. The Committee emphasizes that there is a need for

single model legislation on child labour in India, so that there are no anomalies on the issues like minimum wages, working hours, medical examination, penalties for offences, etc. It has been suggested that the minimum age for entry into the workforce be fixed as fifteen years. It also stresses the need to involve social workers, voluntary organisations and trade unions as well as parents to facilitate the enforcement of legislative measures.

The 1981 report of Child Labour in Indian Industries, presents the various aspects of child labour, i.e., employment, wages and earnings, working conditions and welfare facilities. It was found that in most factories the hours of work, as prescribed under the Act were not being strictly adhered to. Children of very tender age were found working in certain industries, such as beedimaking, matchworks, handloom, fishing, hotels and restaurants and repair shops. The Report states that a majority of working children come from poor families to supplement their family income. They are compelled to discontinue their studies as there is no provision of night schools for those who want to continue studies. The Report stresses the need to bring about a change in

the social attitude towards child labour, besides the tightening of laws and activating the enforcement machinery.

Ramesh Kanbargi, in his study of "Child labour in the Indian Sub-Continent: Dimensions and Implications", discusses in detail the monetization of the rural economy, stagnation in wage rates and declining employment opportunities for children that affect the economic value of children in rural areas. The increasing expenditure involved in the schooling of children -- although schooling is free, the expenditure on school going children is substantial in terms of clothing, books and stationery -- adds to the economic stress in the family. Thus, a situation has risen where, for a majority, the wealth flow is from the parents to the children. Consequently, what has so far induced the drive for high fertility has weakened. It has been argued by many that a decline in the net value of children will reduce the family size ideals and people will resort to fertility regulations.

B. Chakravarthy finds that the causes of drop-out and stagnation in elementary education in India are not only economic


but also social and educational. This analysis suggests that urbanisation, levels of development and access to schools are important for a rapid rise in the level of literacy: they help promote the level of literacy by enhancing the number of enrollments in schools and by reducing drop-out rates. As a larger proportion of children enter into adulthood with minimum years of schooling, literacy rates show improvement. The study concludes that the rate of drop-out is much higher among Scheduled Castes and Scheduled Tribes and that it is the highest in the case of girls belonging to these communities. The proportion of children reaching class VII is very low at middle school level because the children of that age-group are more prone to child labour. The study then seeks to clarify the broad dimensions of child labour in the field of agriculture and non-agriculture as evidenced from census and other surveys. This is followed by a review of studies on child labour being an impediment to universalisation of elementary education and literacy in Andhra Pradesh.

Ivy George, in her study on "Child Labour and Child Work", concludes that the children's participation in the handloom industry at Chinnallipatti is a positive experience which

75

contributes in various ways to the development of the children as well as their community. She discusses some possible directions in which, with a change of strategies, different restructured production environment can be achieved. Attention is called to changes necessary in educational and health facilities, better services from the town panchayat and issues relating to the existence and maintenance of the handloom industry. She explains how the industry affects the children of Chinnallipatti. And she questions whether it has been possible to identify work and labour that are in operation and whether it is possible to transform labour settings into work settings and if such a transformation is possible, how it can be brought about.

A.F. Ferguson and Company conducted a study on "Child Labour in Fireworks". The main findings of this study are: awareness of the use of child labour in the fireworks is quite high because of the media like newspapers, magazines and movies. More than half of the respondents felt that child labour in any sector is bad and should be stopped while almost two-thirds felt that child labour in the fire cracker industry in particular should be stopped. This study discloses that a majority of the respondents in Madras feel that nothing can be achieved without first settling the problem of poverty. Higher income and educated groups feel

strongly that child labour is wrong and can be eliminated only by government's stringent measures. A majority of the respondents are willing to destroy the evil of child labour.

D. Jayaraj in his research paper explores the relevance of distress as the determinant of labour force participation of women and children. Distress, the major determinant of labour force participation of women and children, has three dimensions, viz., level of income, distribution of income and stability of income or earnings. Identification or classification of the three dimensions of distress offers a convenient framework for analysing the impact of various factors that determine the participation of women and children in the labour force. Apart from factors related to distress, to capture the impact of sociological factors, the percentage of Schedule Caste population in the total population has been introduced into the analysis. The analysis of the paper indicates that distribution of income and stability in earnings are the major determinants of labour force participation of women and children. These results indicate the fallacy in relying solely on raising the level of income or the general level of prosperity to eradicate distress. Thus, the paper argues for

redistribution of resources, particularly land, as the most suitable policy measure to eradicate poverty and thereby the distress-induced labour force participation of women and children, particularly children. 78

G. Karunanithi in his report on the Status of Primary Education in Kovilpatti (Match block where match industry is concentrated) and Aruppukottai, (Feeder block, block from which children are recruited to match industry outside the feeder block) observes that the enrollment of children in the age group of 6-11 is higher in both blocks, but for girls it is relatively less. Drop-out rate is higher in the feeder block. Drop-out rate of girls is generally higher. More full-time child workers are employed in both blocks in the age group of 12-14. But, it is much more in the feeder block. There are more part-time workers in the match block. Girls perform in a poor way when compared to boys, but the ratio is more in terms of full time working children. Easy access to work in the match block has allowed the children to work part-time while attending school. 79


79 G. Karunanithi, Assessment of the Status of Primary Education in selected blocks of Kamaraj and V.O.C. Districts of Tamil Nadu (United Nations Children Education Fund, New Delhi, 1993), pp.92-100.
Madras Institute of Development Studies, has oriented itself towards an examination of the aspects of private costs incurred by the removal of child labour. On the demand side, the expected effect on total manufacturing cost of the possible increase in labour (and other) costs leads to the removal of child labour; and on the supply side, the income foregone by the household presently provides child labour. Specifically, the study addresses the effects on the economics of manufacture that the removal of child labour may bring about and the modifications possible in the systems of manufacture, purchase of raw-material and marketing that is necessary to ensure industrial viability. The study also estimates the loss of income incurred by the households supplying child labour. The policy measures proposed by the study include mechanisation and alternative solutions, support of worker households; wage increase as an essential solution; and viability measure for the industry.

Report of the Sub-Committee on Elimination of Child Labour in the Match and Fireworks Industries in Tamil Nadu, has provided detailed information on various aspects of child labour in match and fireworks industry in Sivakasi area of Tamil Nadu and has

80

listed a feasible action plan for the elimination of child labour in a phased manner. The recommendations of the Sub-Committee are in line with existing government policies regarding the support to intensive industries of labour which generate employment, as well as the protection of the small-scale and cottage sectors. This Committee has called for an integrated multi-sectorial approach, involving intervention in the industrial structure, household economy, education, communication and social mobilisation and enforcement, for the elimination of child labour. It has also recommended a corresponding administrative structure for implementing the action plan.

The Supreme Court of India has reported the appalling conditions of the working children in the match belt. Recommendations of the Committee constituted by the Court are: packing should be done separately so that the children are not exposed to the chemicals inside the factory premises; employment of the children in fireworks should be stopped; State authorities should provide birth certificate to all children; and employers should be strictly directed to keep records of children employed.

---

It is recommended that the piece-rate system be converted to time-rated wages and basic diet should be made available to the children in the factories, by the government or employer. All workers in the age group of 10-15 are to be insured against accidents. The employer has to pay Rs.2 per worker per month towards welfare fund. A permanent committee with a retired High Court Judge or a person of similar cadre should be set up to tackle the issue of child labour.

M. Sumangala and B.S. Nagarajan conducted a study on "Economics of Child Labour and Fertility". This study has two parts: the first deals with child labour practice and the second discusses the fertility behaviour of the parents of child labour. The study concludes that the percentage share of female child workers to the total workforce is more than that of the male child workers in all the districts both rural and urban during all the three decades the study focusses upon. While male child workers' participation rate has showed a declining trend in all the districts during 1971 to 1981, female child workers' participation rate (both rural and urban) has increased in all districts during 1971 to 1981. An educated mother is found to be negatively related to fertility. The illiterate mothers have more children.

than those who are educated at least up to middle school. Fertility among parents in joint families are higher than those in nuclear families. There exists a positive relationship between more number of children and practice of child labour in the study areas. Educational status of child labour shows that in almost all the cases, they are either non-starter illiterates or semi-illiterate drop-outs. At the aggregate level, as much as 72.5 per cent of child labourers are drop-outs from school and that too mostly at primary level. Not attending school has emerged as the fourth main reason reported for child labour by 39 per cent of mothers. Dropping out of school resulting in child labour, is found to be true in the study area.

Department of Labour, Tamil Nadu gives a workshop report on the situation of working children in Tamilnadu. It is well said that if one wants to know a nation, one should look for it in its children. They are not only the future of any nation but also the strength in reserve for a nation. They are the crops which feed the future. If they are healthy and active, educated and informed and disciplined and trained the future of the nation is well ensured. But, if they are lacking in the above aspects, a nation's future is doomed. Labour is worship, but it must be

respected and extracted from those who are fit for it. And it is the duty of all the concerned employers, trade unions, society, government and voluntary organisations to achieve this objective.

The Child Labour Cell of the National Labour Institute presents a report on child labour in the gem polishing industry in Jaipur. While dealing with the problem of child labour in gem polishing, the following considerations should be kept in mind: (i) if the gem artisan is in a position to look after the health and nutritional requirement of children and (ii) if he/she can send them to school, in case books and uniforms are provided free by the State. The State makes several allowances for the school-going children as it welcomes the growing awareness amongst parents of the importance of education. Parents, while they realise the importance of education, are also aware that the children work for several years without any wage or economic return and are only exploited for their cheap labour under the facade of apprenticeship for training in gem polishing. A mid-day meal programme for these schools can be an added attraction. An educated child entering the gem industry at the age of say, 84

15 years is better equipped to grasp and learn the skills needed and would definitely be in a better position to deal with the outside world. It is also recommended that vocational training in gem polishing, as an integral part of school work would motivate parents to educate their children. Incentives by way of loans, provision of raw material or purchase of finished goods should be given to the parents along with compulsory school education for their children. Non-governmental organisations with their access to the community should be actively involved in the designing and implementing of such schemes. It is recommended that concessional facilities and loans to employers be extended conditionally upon their not employing child labour. While implementing such schemes, the local community's participation should be sought. Severe penal action should also be taken against those who still persist in employing child labour.

Report on Child Labour in Indian Industries (1981) has observed that though employment of young children is prohibited under various labour enactments, about 40,000 to 50,000 children (below 15 years of age) are working in Sivakasi and the surrounding localities. Enquiries into the cause of such an alarming magnitude of child employment in this particular area

revealed some logical and convincing explanations. Sivakasi, situated in Virudhunagar district of Tamil Nadu, is a highly drought-prone area and thus, the entire rural population suffering from the vagaries of nature and pangs of poverty, is left with no other alternative, but to flock to the local factories of Sivakasi to earn their livelihood. The extreme climatic conditions of the area have a unique influence on the origin and development of the three popular industries of Sivakasi, viz., matchworks, fireworks and printing press, for which the dry climate is a prerequisite. On the one hand, the dry climate and scarcity of rain provide an ideal natural environment for the growth and development of these industries. While on the other, the overall poverty and economic backwardness of the drought-stricken rural population provide abundance of cheap, local labour.

Musafir Singh, V.D. Karura and S.A. Khan in their studies observed that, no enlightened person would deny that child labour is and should be deemed a social problem in the normative context of a modern society. Child labour deprives the child of his education and thereby baulks the development of his potentialities. However, the problem is not degrading and disgraceful in the sense begging and prostitution are. It is

---

rooted in genuine economic difficulties and must be viewed with sympathy and patience. There is nothing shocking or alarming about the problem when perceived from the perspectives of those who are its unfortunate bearers. In a society where resource distribution is highly skewed, a sizable section of its population is condemned to utilise child labour as a survival mechanism. A significant proportion of the children of the urban poor are participants in the labour force and they cannot be dispensed with through a legislative fiat, however outrageous their presence might be to our social sentiments. As long as the level of our economic development is what it is, any thought of total abolition of child labour would be an unrealistic and unrealisable proposition, a pious intent without a relevance to contemporary social pragmatics. In the absence of possible alternatives, a rash abolitionist measure would simply aggravate the misery of the poor. What therefore, seems feasible and desirable is the dissipation of adverse and unhealthy conditions attendant on child labour rather than its total elimination.

Myron Weiner makes a number of observations in the review of the child labour situation in the Bangalore city market, in

Secunderabad, in the match, glass and pottery industries, among bonded labourer in Andhra Pradesh and in a village near Pune.

Child labour in India is largely preindustrial, precapitalist labour force. In other words, child labour in India is not the product of industrialism and capitalism, but represents the persistence of the traditional role of the child as worker. Child workers in India are largely illiterate. Most have never been to school and those who attended school drop out before completing fourth standard. Since education is not compulsory, even children of primary school age can be seen working in cottage industries. Few children outside agriculture can be said to be apprentices in traditional family skills. The image of the child as an apprentice to a master craftsman is a romantic one, unrelated to reality. Employers and government officials have a notion of children's work involving speed, patience, manual dexterity, suppleness and so forth, which is of benefit to employers since some of these attributes diminish with age. However, their early use does not necessarily enhance the employability of children as they grow older. Also, such early initiation into the labour force is no assurance of a higher wage later. The ban on factory employment of children combined with fewer restrictions on child employment in cottage industries is an inducement for employers to subcontract to smaller shops where wages are lower and working conditions are inferior. While parents gain from the employment of their children --or by using the labour of children at home --
it remains unclear how much work would be off the family if the children were in school.

B.N. Chattoraj and Rekha Saxena, in their report, show that in the broader context of the environment which renders children vulnerable to social maladjustment, exploitation and victimisation, an effective and comprehensive strategy in this respect is of utmost need and importance. In this connection, a purposeful linkage between state intervention and the collective initiatives of the people themselves (with the enlightened groups within the community) would assume a key role. A massive preventive strategy supported by legal aid and assistance must be adopted against victimisation. This would require an optimum use of the resources and potentials of all the sectors of the wider social system. In a country like India which is struggling to overcome the problems of poverty, destitution and neglect, juvenile justice is far more inseparable from social justice.

U.C. Sahoo’s report shows that the employment of child labour is the outcome of numerous interrelated factors. The fundamental


one is the poor economic structure of the families of the child workers and this is one of the vital causes for the participation of children in the urban labour market. In addition to this, the uncertain growth of capitalism and the consequent rapid inflow of ruralites and the relative failure of the democratic institutions in the country have generated child employment on a mass scale. A solution to this problem may be possible if only drastic steps towards such a goal are taken by the action groups or the trade unions. These organisations must fight for the children's rights and their due position in the Indian society. Subjective, though benevolent, intentions and endeavours can hardly solve the problem of child workers. It seems clear that no significant and decisive steps have been taken towards the elimination of the social exploitation of children. Without the united challenge from the working people themselves, perhaps supported by other democratic and progressive forces, it is difficult to bring about improvement even in the working conditions of the child labourers.

U.C. Sahoo states that mechanisation of agriculture instead of declining the employment of tiny workers, has in fact made them

---

more vulnerable to economic and social exploitation. While capitalism has profitably used the cheap child labour from the exploited social classes and status groups, the continuance of small holdings too necessitated the utilisation of children in the farming. The future of these underaged workforce has been rendered bleak. Intervention of democratic institutions and processes may perhaps ease the situation, but as such the future seems to hold no promise. Obviously, neither the employers nor the States can take any decisive step on their own towards the elimination of this awful exploitation without the united voice of protest from the working people at large, and other democratic and progressive forces. Subjective, benevolent intentions and endeavours can hardly resolve the issue according to Sahoo and he stresses this point in much the same way as he does in his report on child labour in the Surat Textile industry.

R. Vidyasagar's study has provided statistics on the demographic aspects of children (estimated for 1991 based on 1981 population census), health status of children, district-wise infant- and child-mortality rates, nutrition status, health facilities, status of primary education -- availability of schools, enrollments and drop-outs -- status of child labour

district-wise figures based on 1981 census) and description of
the children working in match and fireworks in Tamil Nadu.

Yamuna gives the findings in her study that parental
compulsion and economic needs are the predominant reasons for the
children joining the work force. Female children earn less than
male children. Six per cent of the working children are
subjected to physical punishment at the factory. The reasons put
forth by the child workers for not attending school are economic
problems, disapproval by parents, and their own disinterest and
failure in school examinations. It is found out that 73 per cent
of working girls and 39 per cent of boys had never made any effort
to find out more about schooling. The parents attach less value
for education. The thesis advances some recommendations as to
create an awareness among the parents, to offer educational
intervention and legal measures to eliminate child labour and to
introduce changes necessary to make educational system more
attractive for the children and their parents.

92 R.Vidya Sagar, "Structural Adjustment Policy and the
Child in India", Status of children in Tamil Nadu (Madras : M.S.

93 Yamuna, Intelligence of child labour attending school
and exploratory attempt at educational enter to child workers
(unpublished Ph.D. Thesis, Bharathiyar University, Coimbatore,
The Reports of the Royal Commission on Labour (1929-'31) are the earliest attempts to highlight the miserable working conditions of the beedi workers. Consequently, the working of the beedi factories came into focus because of the following reports which brought to light the miserable and inhuman conditions under which the workers toiled while rolling beedis. The Royal Commission observes:

Many of these places [where beedis are prepared] are small airless boxes, often without any windows, where the workers are crowded so thickly on the ground that there is barely room to squeeze between them. The places are dark semi-basements with damp mud-floor, unsuited for manufacturing processes, particularly in industry where workers squat on the floor throughout the working day. Sanitary convenience and adequate arrangements for removal of refuses are generally absent.

Furthermore, the Royal Commission pointed out that while beedi making was carried out in workshops in the bigger cities and towns, it was undertaken as a household vocation in the villages.

The same view was endorsed by the Labour Investigation Committee which was constituted to enquire into the conditions of

labour in all industries including beedi, cigar and cigarette industries.

Narayanasamy made an intensive survey of beedi workers in Tamil Nadu. He observed that home workers were predominant in Mukkudal area of Tirunelveli where beedi-making was their main and only occupation. He found prevalence of widespread unemployment among home workers throughout the year except for the peak period of production. He also noted that the workers recruited from other places were employed only at the time of labour scarcity. The survey revealed that the working conditions of the beedi workers were extremely unsatisfactory. Spending the prime of their lives in such miserable environments, workers in general and children in particular appear dismal with yellowish eyes and hollow cheeks.

In the post-independent India, the first survey of the beedi industry was conducted in 1965-66 by the Labour Bureau, Government of India. This survey did not cover workers under


home system of work and its scope was restricted to establishments registered under the Factories Act, 1948. The report stated that 79 per cent of the factories numbering 1,338, were located in Andhra Pradesh, Madhya Pradesh and Maharashtra. Some of the major findings of this report are:

1. 49 per cent of the total number of workers were in the beedi factories;
2. The beedi industry employed about 64,400 workers; of whom 95 per cent were production related workers;
3. Only 22 per cent of the production related workers were permanent;
4. The average daily earnings of all workers was Rs.2.30;
5. Only 2 per cent of the workers were covered under some form of social security benefits such as Provident Fund scheme; and
6. About 40 per cent of the workers were members of some unions.

The report of the National Commission on Labour (1969) identified beedi/cigar industry as a segment of the unorganised sector employing a major portion of the workers. The report further mentions that the organization of beediiworks is

---

monopolised by the contractors who pay wages to the workers on piece-rate basis. While wages on piece-rate basis itself is an exploitation, the report reveals that there are even deductions made from the wages if the beedis prepared by a worker are of substandard variety or if a worker has wasted some tobacco.

On the recommendations of the National Commission on Labour, the Labour Bureau, once again undertook a survey in 1979 on the working and living conditions of the workers engaged in beedi industry. It was restricted to 20 beedi manufacturing centres spread out all over India. Also this survey which was confined to selected factories within the municipal limits of these centres had a sample of only 1,134 workers including a small number of the home workers. The survey made no attempt to focus on the status of the home workers vis-a-vis the factory beedi workers.

As shown by this survey, the average family income of beedi workers was Rs. 209 per month. At many centres, the various social security measures were not fully implemented by the employers. For instance, only 20.37 per cent of the workers, were covered under the Payment of Gratuity Act, 1972 and this did not include even a single home worker. Only 17 per cent of women

workers were getting maternity benefits and this included just 8 per cent of home workers and 9 per cent of shed-workers.

Neerja Chawdhury, in her survey on beedi workers in Madhya Pradesh, found out that of the 54 lakh beedi workers, a large number of them faced conditions of near starvation. There was not enough work for them. Many were, therefore, ready to work for a wage rate lower than the minimum wage rate. The workers were paid a mere Rs. 4, in rural areas, Rs. 4.75 in semi-urban areas and Rs. 5.50 in an urban area for 1,000 beedis rolled by them.

Purushottham's study (1983) presented a profile of 30 beedi workers' households from a village of Chittor district in Andhra Pradesh. The working conditions were characterised by poor earnings, precarious dependence on the job, little awareness about alternative income sources and grinding poverty. This study focused mostly on the plight of male beedi workers.


100 Neerja, Chawdhury, "Beedi Makers in Madhya Pradesh", Hindustan weekly 31 (August 1980) : 3.

Mehta made a study on women beedi workers in Vellore, to gauge their awareness about various problems. He found out that practically everyone in the family, from a five year old child to the oldest member of the family, worked for the making and processing of beedis. The practice continued for more than 15 to 20 years without any break. Results drawn from the assessment of the working conditions of the beedi workers revealed that the workers normally got work for three days in a week. The workers got work depending on the supply of raw material. Women beedi workers employed children for folding leaves for which they were paid Rs.2 per day. The workers were not enjoying the benefit of any of the welfare schemes.

Hussain conducted a study on the exploitation of women and child labour in beedi industry in Samsenganj. According to him, women and child labourers were most widespread in the beedi industry where the children were seen at work both at home and workshop. These children worked as helpers to adult workers and their earnings supplemented the family income. The conditions of work were deplorably bad. The children worked in dark, dingy places for long hours resulting in bad health and low productivity.

He also found that women workers constituted 60 per cent of the labour force in the beedi industry and they carried the work mostly at home. They cut and cleaned the leaves for rolling the beedis and worked for long hours without any leisure. Since they did not get any kind of nutritious food, their health was as bad as that of the child labourers. The incidence of T.B. was high among them and many of them also suffered from diseases such as anaemia and ostomalecia. The miserable working condition of the poor women and children has affected the income and health of every family.

A study of child labour in some villages of Ayyapuram and Lalkudiyiruppu villages of Tenkasi taluk in Tirunelveli District unfolds that a majority of the women engage themselves in beedi or agricultural work after attending to their household duties. School-going female children and male children assist in this work. Thus, there would be at least one member in each family doing full time work in beedi making. Besides, the female members earn between Rs.750 and Rs.900 per month from beedi rolling which is higher than that of the male members who are employed in agriculture and are earning between Rs.300 and Rs.400 per month. The study also reveals that beedi making adds to the income of the

103

household considerably. The researcher finds that the beedi making industry is outside the scope of the Factories Act.

In his study on child labour in beedi rolling in Melapalayam in Tirunelveli, Karunanithi observes that a large number of female workers are engaged in beedi rolling. Out of 112 respondents, 92 respondents (82.4 per cent) are female children. Thousands of children are exploited for economic reasons by their parents who put them to work. The children earn at least Rs.5 per day. The children are compelled to work for 10-12 hours per day to complete more or less 500 beedis. Children working within the premises of the beedi companies are exploited by their contractors and employers.

According to the study undertaken by Sheriff, child labour is common in four unorganised sectors: beedi industry, motor garages, garment export companies and domestic services in Chennai and Vellore Town in Tamil Nadu. The study has a sample of 80 child labourers (40 males and 40 females) in the age group of 6-14 years. Out of the 40 males, 20 are beedi workers, working in beedi factories in Vellore, and the remaining are employed in

---


other services in Chennai city. This study observes that 85 per cent of the child labourers are living in huts with a monthly family income of more than Rs.500. All the children working in the beedi factories are drop-outs from school just because their parents could not afford to spend on their education.

Further, the study discloses that children are assigned the task of closing the ends of the beedis or putting the thread around them (84 per cent) and assisting in packing the rolled beedis (43 per cent). It is stated that 55 per cent of beedi workers had fixed hours of work while the rest had no fixed hours of work. Child labourers in beedi factories seem to be dissatisfied with their work and feel that their job is strenuous. The study concludes that the children employed in unorganised sectors are neither legally protected by the Minimum Wages Act nor do they have the right to form their own trade union to represent their grievances and demands.

Indian Council of Child Welfare, Tamil Nadu, celebrated a government-sponsored 'Child Labour Day' in Chennai in which workers belonging to various districts of Tamil Nadu participated. The Child Labour Day revealed some startling facts and figures. A first standard child in Vellore rolls 2,000 beedis per day for a

---

meagre wage of Rs. 12 whereas an adult worker, for the same amount of work, gets a wage of Rs. 50 per day. There exists, thus, a gaping disparity in the wage structure for the same quantity and type of work between the child and adult workers. It also brought to light the persistence of bonded labour in this industry in Vellore, despite the government's efforts to eradicate it.

Sharma examines the extent of employment of children, their nature of work and various legislative measures concerning child labour in the country. The author has made some suggestions for their welfare in industries. They are minimum age fixation, medical examination, factory inspector's responsibilities, launching of programmes for the organised sector for the welfare of the child like the trade unions and a well-channelised contributions of voluntary organisations for their welfare, legislative control and emphasis on educational and vocational guidance.

Mohsin in his paper "Poverty: Breeding Ground for Child Labour" has described the historical development of child labour and the legislative facilities now available for child labour. He


has made a sample survey of 43 children belonging to different slum areas of Patna. Their ages range between 4 to 14 years. Again, acute poverty was found to be the main reason forcing children to seek jobs. Obviously, poverty is the breeding ground for child labour. The investigator suggests a two-sided approach to the problem. On the one hand, household poverty should be eliminated and on the other, education should be made compulsory for all children. While the former can be brought about through improved employment and wages and better conditions of work for the householders, the latter can be achieved through incentives in the form of free books, food, clothes and medicines to all school-going children.

Smolowe studies the harmful conditions of child labour in various countries in Asia and in the Pacific, such as, Bangkok, Mexico, South America, the Caribbean, Africa, Central America, Egypt, India and Pakistan. He has tried to analyse the working conditions, legal aspects and socio-economic aspects related to child labour in these countries. Innovative work programmes, such as those adopted in Brazil, are recommended herein, though the researcher seems to be fully aware of the major setback to such a solution in the form of limited resources.


Murthy and Rani attempt to examine the pattern of wages meted out to child labour in small restaurants in the light of the minimum wages prescribed by the State Government. They also probe into the socio-economic variables that motivate the employers to use child labour and the child labourers to get into service. Child labour is characterised by low wages, uncertainty of employment, shifting of employers and jobs and lack of trade unions. It is an example of an unorganised informal sector of the labour market. The wages are fixed on the basis of work load, nature of work, capacity of the employer to pay, strength of the bargaining power of the employee and the hours of work. Apart from this, the wages of child labour have been influenced by various other factors, such as traditions, ethical considerations, levels of income, productivity, production and government policies. The paper examines the impact of such factors on wage determination.

G.P. Mishra and P.N. Pande in their study conducted on child labour in the carpet industry of Mirzapur have reported that child labour is not a simple issue. The existence of child labour is a complex reality, inextricably linked with poverty and under-development. All the same, it cannot be neglected just because the larger and more general problems of poverty and illiteracy

are more intractable. Workable solutions ought to be devised to phase out child labour. They aver that the problem of child labour continues unabated in India largely because of the gap between the policies and legislations on one hand, and the implementation of legislation on the other. And such gap may continue in future also, if a clear-cut policy direction and efforts to prevent children from entering the labour market are not made. The children must enjoy education as a fundamental right and it should be the constitutional duty of the State to realize this right. Therefore to prevent the parents from sending their children to work, the State should protect the parents economically.

G. Karunanithi's study entitled, "Child Labour in North Arcot Ambedkar District: An in-depth study of pledged children in beediworks", covers the production relations, impact of various legal interventions on child labour including the pledge, exploitaion and health problems of these children. He points out that the attempts at eliminating child labour have not been successful inspite of several legislative measures. According to the Government of India, the possible solution is to regulate the working condition of children. The duration of work has to be fixed. The health problem of children varies from mild cough to

112

acute tuberculosis. He suggests that compulsory education is an essential measure at present to tackle the problem of child labour. The government and the voluntary agencies have to organise medical camps to identify the specific health problems of children engaged in beediworks. The primary health centres should be strengthened with the installation of adequate infrastructural facilities.

K.K. Khatu, A.K. Tamang and C.R. Rao give a few, specific recommendations based upon the "All India Survey on Working Children" conducted by Operations Research Group. Laborious tasks for child labourers should be prohibited. Along with age-restriction for the recruitment of a child, there has to be a restriction on the work duration, viz, not more than 3 hours per day. Under the pretext of household work, no child should be deprived of his/her legitimate rights and freedom to do things of his choice under parental care. The main stress is on an enhanced family welfare so that the necessary child care can be attained. It also emphasises dignity of labour, avoiding risky jobs that

involve illegal deals and improving the work-environment for child labour.

Sooshma Maniar has described the areas of occupational stress among the children of labour force in Ankodia village in Baroda. The exploitation of child labour is a social problem as it has immense adverse effects on the child in terms of physical, psychological, economical and social growth. A child during his developing years needs security, warmth, love and adequate opportunities for mastering both his physical and social environment. Child labour hampers such development, exposing the child to undue stress and strain. The stressful situation can arise both from an overload beyond the capabilities of the child and from an underload in which an individual’s capabilities are in excess of the demands imposed. A number of legislations and executive orders have been passed from time to time to prevent the employment of children. Despite the existence of many legislative provisions, it is found that our society still inheres the abuse of child labour.

---


Surjyanarayan Tripathy's study, "Socio-Economic Problems of Child Labour in a Tribal District of Orissa", reveals that child labour is the by-product of poverty coupled with a lack of social awareness. The community must be made to realise the shocking implications and the attendant evils of child labour. This, apparently, cannot be achieved through legislative measures alone. A change in our social attitude will have to be created besides activising the enforcement machinery. Public opinion should be mobilised in addition to a call for the co-operation of voluntary organisations, trade unions and social welfare departments. The study highlights the fact that child labour is prevalent extensively in the lower socio-economic groups not only due to economic compulsions but also because of the lack of an appreciation of their own living conditions. The strategy to eliminate child labour should attack poverty and under-development which form the root cause of child labour. All steps should be taken to increase the family income of the child labourers so that children would not have to work and make both ends meet. Basic education and vocational training should be imparted to the children.

---

G.P. Mishra and P.N. Pande undertook a study on Child Labour in Glass Industry, Ferozabad. It exposes the strong tie that exists between the household and the factory forms of production in the glass industry at system level, and thus reveals the socio-economic system of production and distribution which perpetuates child labour. As a result, the children work for wages and their parents do not send them to school. This also causes abuse of child labour leading to adverse effects on the physical development and health of the working children. The labour laws and other legislature-cum-administrative measures are also ineffective in curbing the use and abuse of child labour in the glass industry. Therefore, some clear-cut policies and efforts are required to prevent the children from entering the labour force; for, a child is a part of a nation's human resource development and human capital. If a policy is drawn to abolish child labour, the State will have to make primary education compulsory. Public awareness of ongoing child welfare schemes should be enhanced for an effective upliftment of these children. Formal education along with vocational training should be introduced and made compulsory.

117

The studies discussed above are related, in one way or the other, to the present study. However, the present study differs from these studies in several respects. It has certain special features which have been discussed in the succeeding section.

The present study gives primary importance to the levels of exploitation of working children by parents and contractors. An attempt has been made to find out the contribution of the child workers to their family income every month.

The study also attempts to find the extent to which the income of the family is increased due to the employment of children. Further, an attempt has been made to study whether the parents from economically backward families force their children to work. Besides analysing the working and living conditions of the child workers, a special focus has been maintained on the impact of legal intervention in child labour.

Though some of the reports reviewed above have, on a general level, a considerable similarity, this study attempts to survey a wider area of child labour in the beedi industry and aims at a greater comprehensiveness. Such a survey necessitates a suitable methodology for implementation in the beedi industry. For an understanding of the methodology thus employed the introductory chapter of this thesis can be referred.