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**A Study to understand the situation of Arunthathiyars girls
employed under the “Sumangali Thittam” Scheme in Erode,
Coimbatore, Tirupur, Viruthunagar & Dindigul districts of
Tamil Nadu, India**

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Foreword

There have been so many changes right from the creation of the world to the year 2009. But among the several social ups and downs, the caste discrimination exists without any change particularly in Tamilnadu. The status of Arunthathiyars, the Dalits amongst the Dalits in social, educational economic and political aspects is still lagging behind and they continue to be extremely backward. They are still living as bonded slaves, shoe menders, cremators of corpses, manual scavengers and their children are the first generation to go to school.

AHRF has been involved in addressing atrocities against Arunthathiyar community and their children. Since we felt a need to understand the root causes of Arunthathiyar girl children dropping out of schools, becoming child labourers working in factories and spinning mills, we entrusted the responsibility to Mr. Narayanaswamy and his research team to carry out the research. Due to their efforts the facts about the current plight of the Arunthathiyar community and their girl children facing exploitation and abuse in these factories and spinning mills have been come to light.

We convey our heartfelt congratulations to all the members of the research team. We also express our sincere thanks to those who strongly supported this research project namely Mr. G. Sriramappa, Country Director- EveryChild India and (former) Programmes Manager-Ms. Asha Zecharieh & Advocacy and Communications Manager-Ms. Payal Saxena.

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R. Karuppusamy

Director

READ

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Executive Summary

Arunthaiyar children in Tamil Nadu

All across the world there are many children who are living without parental care or in inadequate care. The figures are quite high and according to EveryChild (an international child rights charity), working in parts of Asia, Africa and parts of Former Soviet Union countries, it is almost more than 24 million children who grow up without parental care. These children's survival is often threatened by greater risk of malnutrition, violence and exploitation; their future lost by missing out on school and their childhood. According to UNICEF Child protection Information Sheet (2006) there are 87.6 million child orphans in Asia constituting the highest number in the world. But in several countries including India, no data is systematically compiled about these children at the national or sub-national level.

Tamil Nadu is a large state among the 28 states in India being about the eleventh largest by area and the seventh most populous state. It is one of the largest contributors to India's Gross domestic Product and the most urbanised state in India.¹ However despite the development, the child sex ratio with 942 girls per 1000 boys as per the 2001 Census is on a downward journey from 948 in 1991. This could be due to issues of child malnutrition or neonatal mortality or prevalence of infanticide and female feticide. Children are affected by the impact of socio-cultural identities and caste, gender, urbanisation and globalisation have a direct impact on women and children.

Tamil Nadu is also one of the states which has a high population of the Arunthaiyar community. Pallar, Parayar and Arunthaiyar are the three major dalit groups in the state of Tamil Nadu. Among them, Arunthaiyars are considered to be the lowest in the dalit hierarchy, the 'Dalit among Dalits' - the 'untouchables'. It is one of the most oppressed, depressed and the poorest among the poor in the Indian Society. In Tamil Nadu, Arunthaiyars are densely concentrated in the western districts namely Coimbatore, Erode, Tirupur, Karur, Namakkal, Salem and Dharmapuri districts and loosely spread over in the other parts of the state. There are about 60,00,000 Arunthaiyars in Tamil Nadu. They are also identified with different names such as Chakkliar, Thoti, Madiga, Pagadai, Adi Andra, Madiga and Madari in Tamil Nadu, Karnataka and Andhra Pradesh. Often compelled to do very menial low dignified jobs, Arunthaiyars are more vulnerable to be forced to perform all undignified tasks (manual scavenging, death messages for upper caste community, dead body burials, dead cattle removal, drum beating in upper caste death funerals etc.) in the society. Poor living conditions, desperate search for a dignified livelihood and decent wages, constant exploitation and harassment from moneylenders and upper caste landlords are part of the day-to-day life of an Arunthaiyar.

¹ Directorate of Economics & Statistics of respective State Governments and for All India-Central Statistical Organisation-28/02/2008

Their children are most exploited and abused and face discrimination at the hands of the upper caste community and lag behind or outside the sphere of quality education, health, development and participation. The United National Convention on the Rights of Children (UNCRC) core principles of promoting survival, development, protection and participation of children still remain a distant reality for the Arunthiyar children. The children are not sent to school because of the poor socio economic status of this community. Many Arunthiyar children having dropped out of school are part of the labour force in the industries, construction sites and brick kiln sites, many children work as bonded agricultural labourers or rope makers, domestic labourers or work in restaurants or tea shops. The children face rampant discrimination and social exclusionary practices like the two tumbler system, forced to clean toilets in schools, calling them by derogatory names and treating them as untouchables takes these children deeper in the web of exploitation and marginalisation. The look of these children indicates that they are impoverished, malnourished and anaemic.

In this situation when a majority of the Arunthiyar community work as manual scavengers or bonded labourers, working on the agricultural farms, rope making, construction sites, the children are mostly left behind by their parents to fend for themselves while they go to work. If the child is too young, the child is left in the care of extended families or relatives or the neighbourhood community while the parents go to work. In cases when the child becomes an adolescent, he/she starts working to support the families. Most of these children never go to school or would have dropped out of school due to caste based discrimination and ridicule and humiliation they face on a daily basis in the school or in the public sphere. Hence even though these children may have parents, they do not have 'parental care'. The presence of parents does not ensure quality care and it is inadequate for the holistic development of these children.

Arunthiyar Human Rights Forum (AHRF):

Arunthiyar Human Rights Forum is a state level human rights forum formed in 2005. It comprises of young Arunthiyar activists working in 14 community based organisations across 12 districts in western Tamil Nadu. Out of the 14 organisations, two community based organisations - namely Rights and Education Centre (READ) at Sathyamangalam, Erode and Rural Women Development Trust (RWDT) at Salem are EveryChild's programme partners on the 'Engal Kural'² (Our voice) programme. AHRF is working specifically towards creating awareness on discrimination and atrocities against Arunthiyars; eradication of manual scavenging primarily associated with Arunthiyars; fighting against the scourge of untouchability. The forum's strategy has been to mobilise and empower the Arunthiyar community by forming thrift and credit societies towards sustainable economic stability; document and report caste based atrocities faced by Arunthiyars to National and State level Human rights Institutions; access to quality primary and higher education for Arunthiyar

² EveryChild *Engal Kural* programme focuses on prevention of exploitation and marginalization of Arunthiyar children without parental care or at risk of losing parental care under the bonded labour system in Tamil Nadu

children and strengthening Arunthaiyar men and women's political participation. It conducts periodic trainings and leads on research initiatives to gain a deeper understanding of the status of Arunthaiyar women and children in Tamil Nadu. In 2008, AHRF had organized its first state level Arunthaiyar cultural night event to create a platform for the Arunthaiyar community to reclaim and assert their socio-cultural identity.

- **Vision:** To come together to build a state level forum and demand rights and entitlements for the Arunthaiyar community
- Form the central platform for joint action for the member organizations: undertake advocacy and lobbying with a unified voice, particularly at state, national and international level: form the focal point for capacity building and training.
- Towards change: Political, cultural, social, economic and educational upward mobility of Arunthaiyar community- especially women and children

EveryChild is an international development charity fighting to protect some of the world's most vulnerable children without parental care or in inadequate care. It works in Africa, Asia, Eastern Europe, South America and the Caribbean. EveryChild believes that all children have the right to grow up in a safe and loving family environment, with a secure future. More than 24 million children grow up without parental care, their survival often threatened by greater risk of malnutrition, violence and exploitation; their future lost by missing out on school, and their childhood. Working with local partners across countries, EveryChild keep children safe when they are alone and at risk. EveryChild protects children in danger of ending up on their own by keeping families together and get children back to a safe and caring family, wherever it is possible.

In India, EveryChild has been supporting programmes and partners based in Karnataka and Tamil Nadu on the issue of most marginalized children without parental care/ or in inadequate care who are trafficked/at risk of being trafficked for commercial sexual exploitation (CSE) and forced labour including domestic workers and children who are living and working on the streets.

AHRF and EveryChild: common focus on 'children without parental care' or 'children in inadequate parental care/at risk of losing parental care'

Towards the fulfilment of its vision and mission, EveryChild in India has been supporting and strengthening AHRF to respond to the issues of Arunthaiyar children at risk of losing parental care or without parental care in Tamil Nadu. The focus of EveryChild and AHRF has been to respond to the issue of children without parental care.

AHRF and EveryChild, as a part of the situation analysis have identified Arunthaiyar children without parental care in Tamil Nadu in the following categories:

- Children without parental care: child bonded laborers; girl children working in textile industries under Sumangali Thittam; child laborers working on brick kiln sites, rope making, construction sites, restaurants, tea-stalls
- Children at risk of losing parental care/ lack of adequate parental care. : children left behind by parents engaged in manual scavenging; children of seasonal or temporarily migrant parents; children of agricultural labourers; school drop outs; HIV/AIDS affected/infected children

AHRF and EveryChild's Research Initiative: 2008-2010

Within the above mentioned categories of Arunthathiyar children, few categories were prioritised by AHRF and EveryChild. In 2008, four studies were commissioned by EveryChild through AHRF in order to understand the status of Arundhatiyar children in western Tamil Nadu.

In the present study to understand the situation of Arunthathiyar girls employed under the Sumangali Thittam (Girl Marriage Scheme) in Coimbatore, Dindigul, Erode, Tirupur, and Viruthunagar Districts-Tamil Nadu, 250 girls from age group of 14-18 years were covered. The girls were from Coimbatore, Dindigul, Erode, Tirupur, and Viruthunagar Districts of Tamil Nadu. The girls covered were from the three categories:

- 175 Girls who previously worked in Sumangali thittam
- 50 Girls who were still working under the Sumangali thittam
- 25 Girls who were willing to enroll under the Sumangali thittam

The main objectives of the study are as follows:

- To study the impact of working under the Sumangali Thittam's on young Arunthathiyars girls specifically which regard to the following: working environment, violence and abuse, health-physical, mental and psychological etc.
- To asses of the Socio-economic-cultural factors due to which parents send their young girls to work under the Sumangali Thittam scheme.
- To ascertain the violations of existing labour laws within the Indian legal framework for the prohibition of the Sumangali Thittam scheme.
- To evolve possible recommendations for ensuring prevention, rescue and protection and development of the Arunthathiyar girls under the Sumangali thittam scheme.

The key findings are as follows:

- Almost 85% of the girls worked for more than 12 years.
- 1/5th of the children who were working under the Sumangali scheme were illiterate.
- Almost 48% of the girls were enrolled into the scheme through the agents residing in the area and approaching the families.
- Most of the girls (around 98%) quoted 'poverty' as the reason for joining the Sumangali Scheme.

- Nearly half of the girls under the Sumangali Scheme had worked or had been working with an agreed amount of Indian rupees 30,000/- after an aggregate agreement period of three years.
- The nature of work involved long hours of standing (around 12 hours) and working with bare hands operating dangerous machines. Nearly all girl children were forced to work and faced verbal and physical abuse.

Key Recommendations arising out of the study:

Legal and Social Awareness:

- Legal and Social awareness to all government departments specifically focusing on children's issues towards protection, rescue and rehabilitation of the Arunthatiyar child bonded labourers, Arunthatiyar girls working under the Sumangali Thittam.
- Establish Legal advisory forum consisting of Arunthatiyars constituted at District level to bring to the notice of the Government issues relating to violence against Arunthatiyar girl children.
- Increased awareness on government welfare programmes, schemes for Arunthatiyar children.

Education:

- Special residential schools for Arunthatiyar children - under the Adi Dravadiar welfare department.
- Scholarships for Arunthatiyar girl children with a special focus on drop-out children for primary and higher education.
- Arunthatiyar girl children, students are mobilized at a forum to create awareness and lobby the government against the sexual harassment, violence and discrimination faced by Arunthatiyar girl children under the Sumangali thittam scheme.

Community driven initiatives:

- Design, plan, develop and implement community based model of care and protection for Arunthatiyar girl children in collaboration with key stakeholders in the district.
- Organizing and reviving District and State level Arunthatiyar Panchayat Presidents' Association; creating awareness on violence against Arunthatiyar girl children under the Sumangali thittam scheme.
- SHGs should be formed by organizing Arunthatiyar students' Parents and create linkages with financial institutions to avoid obstacles over accessing subsidised loans.

- A sharing meeting for Arunthatiyar children and parents conducted at Block level at least once a month to review issues related to violence against Arunthatiyars and disseminate information about Govt provisions and various welfare schemes of scheduled castes
- Village level task force group initiated to specifically monitor development of Arunthatiyar children registered with the Anganwadis and Sarva Shiksha Abhiyan centers at least once a month.
- Campaign and awareness programmes to address the psychological and sexual harassment of Arunthatiyar girl children under the Sumangali Thittam scheme.
- Explore opportunities for higher education or vocational courses for Arunthatiyar children and same to be conducted in collaboration with organisations in all Arunthatiyar dominated areas.
- Design and employ Community Driven Development (CDD) approach in collaboration with the Panchayats.

CHAPTER: 1

A Study to understand the situation of Arunthathiyars girls employed under the “Sumangali Thittam” Scheme in Tamil Nadu, India

INTRODUCTION

“In characterizing a society, whether ancient or modern, there are two elements, rather closely interconnected, which are of prime importance: one is the economic system, the other the family system..... “

There have existed in various times and places many different kinds of family groups, but the patriarchal family has a very large preponderance ... Among human beings the cooperation of the father is a great biological advantage the offspring, especially in unsettled times and among turbulent populations; but with the growth of modern civilization the role of the father is increasingly taken over by the state..... *“Bertrand Russell, Marriage and Morals”*.

The Indian society, be it the Aryan caste system or the non believer of Varna system especially the Dravidian, the predominance of the patriarchy in various forms continues. Over decades after independence the transition of various communities in agrarian system, rituals and symbols related to them have been undergoing rapid transformation. Communication, technology, democracy, education and demography as a heady mixture is churning the society like never before. Newer occupations that were never part of the caste definition have emerged, caste defined occupations have become redundant in today’s milieu. Communities are reinventing their identities. Families and roles in families are undergoing changes one could have never imagined.

The community under this study-Arunthathiyar community- too has been witnessing massive upheavals. This community occupies the lowest rung in caste and class hierarchy and is still largely involved in small-time labour activities, scavenging and purification activities. Their movement in the society has been comparatively slow and sluggish.

Globalization has entered our lives in ways in which we cannot even fathom. State role in bringing about these processes has been immense. State no longer prides in calling itself welfare oriented. The buzz word is industry-friendly. The developed nations no longer produce goods that could be produced in so called developing and lesser developed nations where there is abundant of cheap labour. The easing of MFA (multi fiber agreement) in recent years cleared all the decks for the IInd and IIIrd rung nations to become work houses/ garage/ shopping alleys for many of the activities of the developed nations.

The market also is witnessing growth of large format, low cost stores across the world controlled by large corporate houses. These stores in large proportions have begun outsourcing their requirements from across the so called developing nations.

Organization of economic systems especially by Indian states is a function of the prevailing thought process of the direction the government and country should take. For instance the textile and garments sector has been reserved for operations under the small and cottage industries sector. What would seem to be perfect logic to promote smaller industries could be a thorn in the throat to the Indian government. Apathy and decay in governing systems reflects immediately in the ethics of economic/ business operation and family structures of poor people and will very well remind of conditions of labour during the early industrial revolution days. The current study of engaging adolescent girls from poor families with a lure for money and future by the prolific textile industries is flouting possibly all basic human tenets.

Textile and Garment sector:

Textiles, one of the oldest industries in India accounts form around 20 per cent of India's total industrial output and gives employment to nearly 40 million workers. Although textiles have a large domestic market, India has always had a share of world trade in textiles. In recent years, with a boom in exports, textiles have also emerged as the largest contributor to India's exports and to foreign exchange earnings. The growth in textile exports has been phenomenal, with the garment industry emerging as the biggest contributor to its growth. The industry has several vast sectors within it, viz, the mill sector, the clothing or garment sector, the handloom sector and the power loom sector. Each of these sectors employs millions of workers and also

contributes significantly to the national economy. The tradable commodities under textiles sector include readymade garments (clothing), cotton yarns, fabrics, silk and woolen products, etc.

Indian Textile Industry is the oldest in developing countries because it was established in early 19th century by the British rulers of Colonial era. When the textile mills in Lancashire, United Kingdom achieved a peak in the graph of stability, British Rulers in India found that it was more viable to produce in India than transporting cotton from India to United Kingdom and then manufacturing yarns there.

Although the process of manufacturing yarns and clothes continued in Manchester, British established new “Manchester’s” across India. Bombay (now Mumbai) of Maharashtra, Ahmedabad of Gujarat and Coimbatore of Tamilnadu are such textile manufacturing centers that were the products of British Colonial economy. Maharashtra, Gujarat and Tamilnadu States have rich black cotton soil, tradition of cotton cultivation and agricultural climate required for producing cotton on a massive scale. This was the key reason for strategic choice of these locations by the British.

Every time Textile mill owners find the task tough instead of gearing the industry and increasing its capacity with the overwhelming support of Government in terms of subsidiaries etc, they have the historic habit blaming Indian Labour Laws. Indian Labour Laws are considered to be more relevant to any other law by labour rights groups and trade unions. And the view is that it is the textile industry that led to the process of dividing big mills into several small units to protect the industry against unionization. Employers have benefited with Government support in case of financial difficulties and they never considered the fact that Government support to protect textile mills is a method applied to generate employment and prevent unemployment of workers. The employers need to take the confidence of trade unions and establish global lobbying against retail giants. This is the viewpoint and demands of the groups working towards protection of the persons working in the textile industry.

The garment sector, however, has emerged as the most globalize sector in the world today. This sector alone employs about 3.6 million workers. A large segment of the garment sector comprises of a vast domestic market, while another significant segment

caters to the export market. Most of the units producing for exports are in Tirupur, Delhi and Mumbai.

According to the Ministry of Commerce, 51 per cent of the total textile exports in 2000-2001, were from the garment sector alone. Nearly 80 per cent of Indian clothing exports go to the USA and the EU where they face quota restrictions. Apart from agriculture and patents, textiles and clothing in particular are the murkiest elements on the stage of world politics. The struggle on these two sectors continued throughout the Uruguay round for eight years. Textiles and clothing still remain as the most contentious issues. The export orientation and thereby production of garments for exports in India is a trend that started in the 1970s, with some exports to Africa and mostly to the erstwhile Soviet Union.

Textile Mills in Tamilnadu:

Textile Industry of Tamil Nadu is the forerunner in Industrial Development and in providing massive employment in the State. It is predominantly Spinning-oriented. The State Textile Industry has a significant presence in the National economy also. Out of 2049 large and medium textile mills in India, 893 mills are located in Tamil Nadu. Similarly, out of 996 small units in India, 792 are located in Tamil Nadu. The 893 large and medium textile mills include 18 Cooperative Spinning Mills, 17 National Textile Corporation Mills and 23 Composite Mills. The spinning capacity is 14.75 million spindles.

Particulars	Tamil Nadu		India	
	2004-2005	2008-2009	2004-2005	2008-2009
Organized Textile Mills				
Number of Spinning Mills	813	866	1566	1781
Number of Composite Mills	22	27	223	268
Total Number of Mills	835	893	1789	2049
Small Scale Spinning Units				
No of Spinning Mills	884	863	1135	996

Women workers:

Historically, a woman is primarily associated with the home, is expected to look after domestic chores and her 'typical' role is that of a housewife and mother. Whether women work in the fields or factories, in mines or manufacturing industries, all of them are expected to be homemakers. Since the open declaration of the policy liberalization in 1991, a central issue as far as employment is concerned is the feminization of the labour force. Drawing from the experiences of the developed countries as well as the trends in South Asian economies, a rise in the share of women workers in the economy was predicted. The increased employment of female workers is primarily the result of the expansion of the industrial sector followed by a fast growing service sector. In the newly industrialized countries increasingly larger number of women has found work in the informal manufacturing sector, mostly in the poorly paid labour intensive industries such as textiles, garment making and electronics. These workers constitute the young, docile female workers in the age category of 15 – 25 years.

The literature on feminization has viewed the process in two ways. Firstly, female workers are said to replace male workers in jobs, which were traditionally reserved for male workers. Feminization could also happen when additional jobs are created and women become the sources for these jobs. The argument of cheap and docile women labour forms the basis of such trends. Young and inexperienced female workers are the accepted sources of cheap labour for the highly labour intensive decentralized production systems. The fact that female workers are relatively submissive adds to the preference of the employers leading to large-scale feminization.

The rural women's' question in India has been particularly a perennial question throughout history. These women are burdened with cumulative inequalities as a result of socio-cultural and economic discriminatory practices. Women often argued are more adversely affected by economic liberalization because they bear the brunt of the household's poverty. The assault on the organized sector, the under cutting of organized labour and the political weakening of trade unions will, together, it is feared, lead to a general squeeze on labour. As more male workers are shunted into low paid jobs, household income will decline, more women will be forced into poorly paid work in the informal sector and total family welfare will

decline. Women will suffer more because when there is less to go round, their share of household resources declines more steeply.

Employers' preference for women workers, especially when male labour becomes overly demanding, cannot be expressed by a direct replacement of men by women (or vice versa). Men resist 'women's jobs' unless they are significantly redefined or relocated.

In Tamil nadu majority of the textile and garment workforce is women and children. Among them women workers in Textile mills are about 65% mostly unskilled workers. The age group of the workers is predominantly in the range of 14 to 21 years. There are child labourers both girls and boys in the age group of 11 to 14 years and workers in the age group of 21 to 30 years are in fact a minority segment among the total workforce.

Labour as a Factor of Production:

Among the four factors of production namely, land, labour, capital and organisation, 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 organisation-Marxian Theory
- iv. Minimum Wages
- v. Wages according to Productivity-Marginal Productivity Theory
- vi. Wage according to Efficiency-The Efficiency Wage Theory

The traditional or classical version has been that it is enough that the labourer is paid to meet the basic needs. During the next stage came the argument that the wages paid to the labourer should be fair and should be enough to maintain the family (at that time nobody thought of women's contribution – no gender based analysis). After a while, the Marxian Theory of Surplus Value had its impact on intellectual exercises and thus came the idea of collective bargaining. The militancy and revolutionary character of labour movements

impacted significant changes in the condition of work, wage, and welfare measures. At the same time, to reduce this type of militancy and to pre-empt revolutionary thirst, came the concept of Minimum Wages. It is a statutory minimum, which has been fixed by the state (at least notionally). In India it came in the form of the Minimum Wages Act, more specific to the agricultural sector.

The idea of determining wages according to the marginal (additional) productivity of labour was found to be an objective method. However, the combination or extent of capital (in the form of money capital as well as physical capital like machines and technology) determines the productivity of labour and naturally the share of capital (as it is superior) has been more than what reached the labour.

Labour as Factor of Exploitation:

Among the various forms of exploitation of labour, the most inhuman one is bonded labour. As it is not possible to save anything from factors like raw material, capital, power and other inputs in the production process, the only one source of surplus generation is labour. Hence, the capitalists, the dominant class resort to the exploitation of labour.

Poor wages, long working hours, child labour, physical and verbal abuse, sexual abuse and outraging the modesty of women workers, forced labour (particularly a scheme for women workers called as Sumangali scheme-unmarried women workers lodged inside the mills for a paltry sum and their wages will be released in lump sum payment at the time of marriage), poor health and safety conditions, denial of right to freedom of association (no trade unions), non-availability of Provident Fund, terror tactics against trade unions, ESI & maternity benefit, preference of young and adolescent women workers, forced dismissal of married and any workers above 35 years, and no compensation for workers are the violations of workers rights reported by the workers.

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 workers' 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.

Sumangali Scheme System:

Marriage is, usually, every adolescent girl's dream. Teenage girls in metropolitan cities, with innumerable options and preoccupations in life, may not be drawn to the enticement of such a dream. The Sumangali Scheme was introduced a decade ago by the owners of textile units in Tamil Nadu. This system is also known by various names: Sumangali System, Thirumagal *Thirumana* System, *Kangani* System and Marriage Assistance Scheme.

Regarding the origin of the Sumangali System, it is very difficult to put an exact date / month / year, on which it started. This Scheme is implemented at Udumalpet in Coimbatore district in the year 1996. Then this scheme spread in Palani, Vedasandur, and Vadamadurai regions at Dindigul district and Coimbatore district. On the face of it, the scheme looks quite simple and attractive. Jobs are given to young, unmarried girls, mainly between 16 and 20 years of age, for a period of three years. On completion of three years, the girls are given ranging from 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 the poverty-stricken and remote villages of Tamil Nadu and Kerala and with no other alternative employment opportunities, fall prey to a new system of bondedness in the name of the Sumangali System in the textiles and garment units of Tamil Nadu.

The modus-operandi is very simple: the parents of unmarried girls are lured from the villages with the promise that their daughters will get a huge amount at the end of the contract period, mostly three years, which will help them to arrange the daughters' marriage without any hurdle. (Between Rs 30000/- and Rs40000/-) after three years.

The factors facilitating the increasingly famous Sumangali System are:

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. If the girls stay in the villages, they just 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. The girls are not only quick in adjusting to the conditions of the management, restrictions on their visit to native places, overtime work, but also never know how much is paid or deducted as monthly wages / deductions.
9. 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 (read good food) facilities.
10. The spread of the news, like forest fire, that so and so has brought with her a 'huge amount'.

Arunthathiyars Community:

Arunthathiyar community is at the lower rungs of social ladder, their socio-economic condition is quite pathetic because of the poor economical status, and they have to move heaven and earth to make money for meeting their daily breads. This sometimes compels them to send their children as coolies to different industries. This apart, these people fully rely upon certain local money lenders for getting money for which they in turn pay back more not only in terms of money but also in terms of laborious labour.

Especially the adolescent girls of that community, with a longing desire like other elite people, find interest in making money by joining this scheme. This results in accelerating interest among the girls for working in the garment and textile industries without carrying the consequences or after effects of being with these industries. The industries also have been trying to tap the situation of girls from Arunthathiyar community for their benefit.

Arunthaiyar community has historically and traditionally been engaged in activities servicing the dominant class. The services include activities that the upper-caste Hindus would consider the most menial. These activities include disposal of dead (both animal and human which include burial/ cremation), sanitation and scavenging, making footwear and leather related tasks which include de-skinning, processing and conversion to final product. Some of the other tasks also include messenger for conveying death and being drum beaters and band players in death processions. In today urban areas these communities are exclusively involved in manual scavenging of human waste/ septic tank cleaning and this has become an occupational exclusivity even in officialdom.

While the community lives along with the general village, which is usually radially laid out, the Arunthaiyars community are located outside the village on revenue wastelands (*poromboke*) or tank bunds (*kulathu medu*) or road side or in or near cremation/ burial grounds or government allotted *patta* lands. Most of them live in thatched houses or mud houses with Malabar tiles. Their residential dwelling is a single room of 16*10 ft with temporary partition for cooking and living. These dwellings do not have electricity.

Families are nuclear and have size up to 5 members. The education levels of the adults and elders are very poor-almost illiterate. In recent decades one is witnessing almost 100% enrolment in primary education in both boys and girls. However the drops out rates are very high.

International Labour Organization:

The International Labour Organization's Governing Body has identified 8 Conventions as "fundamental", covering subjects which are considered as fundamental principles and rights at work. They are:-

- (1) Freedom of Association and Protection of the Right to Organize Convention, 1948 (no.87)
- (2) Right to Organize and Collective Bargaining Convention, 1949 (No.98)
- (3) Forced Labour Convention, 1930 (No.29)
- (4) Abolition of Forced Labour Convention, 1957 (No. 105)
- (5) Minimum Age Convention, 1973 (No.138)

- (6) Worst Forms of Child Labour Convention, 1999 (No.182)
- (7) Equal Remuneration Convention, 1951 (No.100)
- (8) Discrimination (Employment and Occupation) Convention, 1958 (No.111)

India has ratified Convention Nos. 29, 105, 100 and 111. In 1998, ILO adopted a "Declaration on Fundamental Principles and Rights at Work", which is an expression of commitment by governments and organizations of workers and employers, to uphold basic human values- values that are vital to social and economic lives. This declaration covers 4 fundamental principles and rights at work, viz., (1) Freedom of Association and the effective recognition of the right to collective bargaining (2) Elimination of all forms of Forced or compulsory labour (3) Effective abolition of child labour and (4) Elimination of discrimination in respect of employment and occupation.

The Equal Remuneration Convention, 1951, ratified by India defines the word "remuneration" to include the ordinary, basic or minimum wage or salary, payable directly or indirectly, whether in cash or kind. Article 1 of the Convention requires the member States to promote and ensure the application to all the workers of the principle of equal remuneration for men and women workers for work of equal value. Article 2 of the Convention obliges the member States to apply the above principle by means of national laws or regulations or legally established or recognized machinery for wage determination. Article 51 (c) of the Constitution obliges the State to endeavor to foster respect for international law and treaty obligations in the dealings of organised peoples with one another.

Therefore, the fixation of minimum rate of wages, is towards fulfillment of the obligations under the above International Conventions and the Directive Principles of State Policy. The Constitution Bench of the Supreme Court in *Chandra Bhawan Boarding and Lodging, Bangalore vs. State of Mysore and another* {AIR 1970 SC 2042} held as follows:-“We are not convinced that the rates prescribed would adversely affect the industry or even a small unit therein. If they do, then the industry or the unit as the case may be has no right to exist. Freedom of trade does not mean freedom to exploit. The provisions of the Constitution are not erected as the barriers to progress. They provide a plan for orderly progress towards the social order contemplated by the preamble to the Constitution. They do not permit any kind of

slavery, social, economic or political." "The mandate of the Constitution is to build a welfare society in which justice social, economic and political shall inform all institutions of our national life. The hopes and aspirations aroused by the Constitution will be belied if the minimum needs of the lowest of our citizens are not met."

Contract labour is not new to India. The continuing prevalence of contract labour system and the extreme exploitation the contract workers are subjected to has invited the occasional attention of the Government of India. Various labour enquiry committees constituted by the government, including the First National Commission on Labour, had called for the abolition of contract labour system. After the Supreme Court intervention in 1960, Government of India enacted the Contract Labour (Regulation and Abolition) Act in 1970. This Act regulates the employment of contract labour in certain establishments and abolishes it under certain circumstances.

Court order:

A petition filed in the Madras High Court by the *Dindigul District Anna Panchalai Thozhilalar Sangam* and the *State Anna Panchalai Thozhilalar Sangam*, Chennai, stated that 406 textile mills in Coimbatore, Dindigul and Erode employed 38,461 unmarried girls in the age group of 15-22 without adhering to provisions in legislation on labour welfare. On October 3, 2007 hearing this petition, a High Court Bench comprising Chief Justice A.P. Shah and Justice P. Jyothimani asked the Tamil Nadu State Legal Services Authority (TNSLSA) to form committees, including a representative each of a women's organisation and the TNSLSA, to conduct surprise inspections in textile mills in 17 districts in the State. It also appointed advocate R. Vaigai as *amicus curiae*.

The government set up the monitoring committees following protests by trade unions that the mills exploited the girls by extracting forced labour, denying statutory benefits and restricting their freedom by confining them to the mills. They also expressed concern about sexual harassment.

- * **“A Rapid Assessment Study of Marriage Assistance Scheme in Textile Sector in Tamilnadu”** – Centre of Indian Trade Unions (CITU) and the International Labour Organisation (ILO)
- * **“Women workers in a cage”** -S.M.Prithiviraj, for Tirupur People’s Forum for Protection of Environment and Labour Right
- * **“Report on Bonded Labour in Tamil Nadu”** - the study by Centre for Education and Communication
- * **“Poverty, Discrimination and Slavery** -Anti Slavery
- * **The International Labour Organization**
- * **P.K.Ganguly,people democracy-cpi-m, vol, xxviii no, 44, Oct, 2004**

Review of Sumangali Scheme:

“A Rapid Assessment Study of Marriage Assistance Scheme in Textile Sector in Tamil Nadu” conducted jointly by the CITU and the International Labour Organisation (ILO) in March 2007 shows that most adolescent girls working under the scheme come from families with incomes below Rs.2,000 a month. The study also notes that most of the girls are from agricultural households and need additional income to sustain their families.

The link between distress and migration of young girls was discernible from the large number of school dropouts flocking to the mills. In Nagamalai near Madurai, girls from Dalit colonies routinely migrated to textile mills in the Palani and Dharapuram areas where the stipend was as low as Rs.15 a day. These girls came from families of sanitary workers or agricultural labourers. Alarmed by the high dropout rate among girls in government schools in Nagamalai, Ms. Parvata Vardhini of *Little's Trust*, a non-governmental organisation (NGO), visited several villages in the Tamil Nadu region. She said most of the girls were taken to mills by agents who were mostly jobless young men with contacts in mills or relatives of girls employed in mills. She said that upgrading government primary schools in the area into high schools might encourage girls to continue their studies because private schools were expensive and the government schools were limited and few and in far flung areas.

An industry source said school dropouts were just the right kind of “human resource” textile companies wished to “utilize”. Informed sources also said that agents carried out major recruitment drives in villages during school holidays after the 10th and 12th standard board

examinations. In some cases, the mills were known to approach the village headman to refer potential recruits, they said.

“Women workers in a cage” An Investigative Study on Sumangali, Hostel & Camp Labour Schemes for Young Women Workers in the Tirupur Garment Industry in Tamil Nadu. The study conducted by S.M.Prithiviraj, for Tirupur People’s Forum for Protection of Environment and Labour Rights stated that approximately 32,645 young women workers are employed in 1702 factories in two blocks covered under baseline survey and among them 8,890 adolescent girls and young women workers are employed under the *Sumangali* and hostel schemes at Tirupur Garment Industry in Tamil Nadu.

Young women come to Tirupur in search of job as groups and they fall into the nets spread by labour brokers promoting the Sumangali scheme. Girls from dysfunctional families are equally vulnerable as young girls from poor families. Forced labour is the major labour rights violation taking place under the Sumangali scheme or Hostel scheme in Tirupur, Tamil Nadu. Today, in Tirupur’s garment industry, women workers have emerged as the major category of workers. Many of them are facing continuous and unabated labour rights violations like low wages, excessive working hours, verbal abuse, forced labour, discrimination, and absence of entitled benefits and no terms of employment.

“Report on Bonded Labour in Tamil Nadu” conducted the study by Centre for Education and Communication (CEC) stated that all the Sumangali scheme workers (43 samples) stated that they had signed / put their thumb impressions on the agreements. Yet, no one seemed to have a copy of the same. Even after special efforts made by the field investigators no such agreement copies could be obtained. The harsh reality was that the parents were illiterate and the girls had put signatures or thumbprints on blank papers. Also, many of the girls were illiterate (53%). Out of 43 girls 25 (58%) were from the Scheduled Castes (SC), 15 (35%) from the Most Backward Caste (MBC) and only three were from the Backward Caste (BC).

“Poverty, Discrimination and Slavery” The reality of bonded labour in India, Nepal and Pakistan-a study conducted by Anti Slavery stated that Bonded labour is not solely an economic issue. Governments in these regions must also ensure that all their citizens are treated equally in the economic, social and political spheres. The toleration of caste

discrimination and all other forms of discrimination in these three countries is a betrayal by governments of their own citizens. The governments should take effective measures to ensure that programmes targeted to the poor and marginalized communities, the communities most vulnerable to bonded labour, reaches them. Particular focus must be placed upon chronically poor Dalits, minorities and indigenous communities.

CHAPTER: 2

1. SUMANGALI SCHEME:

The Sumangali scheme was introduced a decade ago by the owners of textile units in Tamilnadu. This system is also known by various names: “*Sumangali*” System, “*Thirumagal Thirumana thittam*” (bride-marriage scheme) “*Kangani*” (marriage) System and Marriage Assistance Scheme.

Regarding the origin of the Sumangali System, it is very difficult to put an exact date, month or year in which it started. This Scheme is implemented at Udumalpet in Coimbatore district of Tamil Nadu in year 1996. Thereafter, this scheme spread towards Palani, Vendasandur, Vadamadurai regions at Dindigul district and Coimbatore districts. On the face of it, the scheme looks quite simple and attractive. 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 the poverty-stricken and remote villages of Tamilnadu 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 Tamilnadu.

2. STATEMENT OF PROBLEM:

The following factors are push and pull factors leading to the Sumangali System i.e. poverty and illiteracy of the parents (villagers), tactics of brokers, the dominance of the age-old belief that for a girl marriage is the ultimate, low wages and unrespectable work at native village, less number of days of work (no regular work) in the villages, work in spinning mills and garment is considered very easy and decent (under a roof, no scorching sun).

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.

Sumangali Scheme which restricts individual workers freedom is considered as a worst form of working condition all over the world. It is considered as a form of bonded labour and equivalent to prison labour camp. Women workers are not allowed to go outside the factory premises after their working hours. They are not allowed to meet their parents if they want to meet them in emergency. Due to more work load women workers health condition is affected as they are not given proper health service by the textile industries.

The Madras High Court has directed the Tamilnadu State Legal Services Authority (TNSLSA) to form committees, comprising representatives of a women's organization to conduct surprise inspection of textile mills in 17 districts in the State. The committees shall ascertain whether over 38,000 women workers employed in these units were apprentices or regular workers, and collect information on their living standards and wage structure. Among them many of the textile mills do not provide any of the provisions of the labour welfare legislations. There is very clear legal violation such as the Apprentices Act, Contract Labour (Regulation and Abolition) Act, Bonded Labour System Abolition Act, Minimum wages Act, Bonus Act and the Workmen's Compensation Act were not being complied with by the managements. But till date State Government Labour Department has not taken any legal action against the mill owners.

Arunthaiyar community is at the lower rungs of social ladder, their socio-economic condition is quite pathetic because of the poor economical status, and they have to move heaven and earth to make money for meeting their daily breads. This sometimes compels them to send their children to work as coolies in different industries. This apart, these people fully rely upon certain local money lenders for getting money for which they in turn pay back more not only in terms of money and also in terms of laborious labour.

Especially the adolescent girls of that community, with a longing desire like other elite upper caste groups, find interest in making money by joining with this scheme. This results in accelerating interest among the girls for working in the garment and textile industries without analyzing the consequences or the after effect of being with these industries. The industries also have been trying to tap their situation of Arunthaiyar Community girls for their benefit.

3. AIMS OF THE STUDY:

To study the conditions of the Sumangali Scheme Woman workers of Arunthathiyar Community in garment and textile Mills and to find out the pushing and pulling factors which influence the recruitment of the woman work force under this scheme.

This sorry state of affairs will be a social misery of titanic nature which has to be annihilated by any hook or crook for ensuring welfare of the feminine our nation. Realizing the significant importance of this issue, the present work is undertaken in order to quantify the quantum of the cited problem and its magnitude of the severity of this problem. Thus, the present study envisages the following aim and objectives.

4. OBJECTIVES OF THE STUDY:

- a. To study the Sumangali Thittam's impact on young Arunthathiyars girls specifically which regard to the following: working environment, violence and abuse, health-physical, mental and psychological etc
- b. To asses of the Socio-economic-cultural factors due to which parents send their young girls to work under the Sumangali Thittam scheme
- c. To collect information about network of the brokers who are involved in the recruitment of young children as cheap labour force from Arunthathiyar Community for the Sumangali scheme.
- d. To ascertain the violation of existing labour laws under the Sumangali Thittam scheme. (labour law, Child labour Act, Bonded labour Act, Juvenile Justice Act etc).
- e. To evolve possible recommendations to address child rights violations of young Arunthathiyar girls under the Sumangali Thittam scheme and to explore strategies for ensuring protection and development of these girls.

5. RESEARCH METHODOLOGY:

5.1. Design of the research

The present research employs a descriptive cum diagnostic approach in order to unearth the ground reality and to advocate suitable remedial strategies for ensuring upward movement in the social aspect of these young workers through qualitative and quantitative analysis.

5.2 Methodology: Selection of geographical area for study

Five districts in Tamilnadu state were selected for the purpose of data collection for the study namely Erode, Coimbatore, Tirupur, Viruthunagar & Dindigul districts. The selection criteria used to include these districts amongst other reasons were mainly because:

- Arunthaiyar population is relatively higher in these districts
- High number of textile industries in these districts.

SCOPE OF THE STUDY:

The study aimed at the assessment of the status Arunthaiyar girl children who were working in the textile industries under the Sumangali Thittam Scheme. The study districts had more Arunthaiyars population as well as more number of textile industries which widely implement Sumangali Scheme. So, it was felt appropriate to conduct the study in the selected districts to achieve the objectives enlisted previously.

SAMPLING:

The total no of respondents to be interviewed for the study was fixed as 250 with 50 per district. The respondents were divided into 3 major categories namely:

- I. Those girls who have already worked in the Sumangali Scheme
- II. Those girls who are working at present in the scheme and
- III. Those girls who are willing and ready to join the Sumangali Scheme.

The sample of 50 in each district will include 35 respondents in category 1, 10 respondents in category 2, and 5 in category 3 to add up a total of 250 in all districts.

Apart from the girl respondents, the other stakeholders of the present issue namely the agents who send the girls from their village to industries, the employees family members, government officials, mill supervisors, trade union leaders and the representatives of the non governmental organizations were interviewed to document their views.

TOOLS OF DATA COLLECTION:

1. A structured interview schedule to collect as much data as possible from the affected girls.
2. Focus group discussion to collect data from respondent girls collectively along with their parents.
3. Direct interview to document the views of the other stakeholders.
4. Case studies to collect the history of the issue from affected children.

Apart from the above tools to collect primary data, a number of other secondary sources were also used to gather relevant information required to substantiate the findings. They were:

1. Previous research studies
2. Court verdicts
3. Documents used in the industries
4. Newspaper clippings
5. Photographs
6. Law books

DIFFICULTIES EXPERIENCED IN DATA COLLECTION:

The researchers faced several difficulties when they were gathering information in the field. First the respondents were very much hesitant to provide the required information to the

researchers. Every time, the respondents were made to understand the objectives of the study with the help of local AHRF Members. Thereafter the researchers could collect more information about the scheme. Especially when the respondents were asked about the sexual harassment issues faced by them in the factories, the girls reluctantly admitted that they had heard such incidents from other girls. The researchers could not identify any victim of sexual harassment directly.

Only during the field visits, the researchers could find that not all girls were staying in the hostels, but there were girls who commuted via the factory van from their homes outside the factory premises. They also found there were girls who were working under the one year scheme whose terms and conditions were the same except the duration of the scheme and those girls were not included in this study considering the restricted scope of the research project.

No attempts was made to meet the respondent girls at their work place or work time because of the assumption that researchers would not be granted permission to enter the factory and interview the workers at the work time. Moreover, the respondents would not feel comfortable to answer the queries. All respondents were met either at their homes or outside factory premises when they came out for shopping or any other purpose which was very rarely, this took a lot of researcher's time thus causing delay in data collection work. The appointment with government officials could not be made easily they used to evade and not give appointments. Even if they gave appointments they did not admit the responsibility they had as a government official, which also caused some delay in gathering required information.

6. DATA ANALYSIS:

The data gathered was analyzed through statistical techniques and inferred the appropriate relationship with variable. Data was represented through simple graph, diagrams, tables and tests and inferences and suggestions were drawn.

7. SCHEME OF PRESENTATION:

The analyzed results were presented in the form of a report with relevant statistical data and tables besides graphs and detailed text.

8. SOCIAL RELEVANCE:

If this study is undertaken one can understand the ground reality of this serious issue, thereby certain strategic planning could be devised for eradicating the problem of young girl workers and develop an understanding of the root causes to provide suitable remedial, corrective measures to ascertain social and economic betterment of girl children of Tamilnadu. On the basis of the study one can carry out the Advocacy and lobbying activities with the state government of Tamilnadu.

CHAPTER: 3

Origin of Sumangali Scheme

In 1980's the trade union in the textile industries in Tamilnadu was comparatively stronger than the previous years. The employers of the Textile industry had to give their employees all rights that they are legally entitled for. They had to adjust with the trade unions to smoothly run their factories. Even though the rights are legal, the employers' thoughts were that the trade unions were creating losses to the factories by way of strikes and lock outs and providing all benefits to the employers. They believed that the workers in the cities like Coimbatore were better aware of their legal rights and the people in the remote rural areas did not know anything about the rights of an employee working in the textile factory. One Mr. Jagadeesh Chandran, the then president of "South India Mills Association (SIMA) made a clever attempt to start a new branch of his mills in a remote location in Bogalur Village near Krishnagiri, Tamil Nadu where three adjacent state borders converge. There were chances for getting labour force from other states of Karnataka and Andhra Pradesh also who differed in language and culture from each other and the possibility of being united and creating disputes inside the factory was very less. Apart from all his hopes, the employees formed trade unions within two years and succeeded in their attempt to obtain legal rights.

Hostel system:

However, this became an eye opener to the employers of the textile industry. The workers who were coming to the factory from outside could unite together to form trade unions whereas if they are made to live inside the factory their contact with external world would be minimized. So, if the workers were provided with all facilities to stay inside the factory premises they could not form trade union and thus the camp coolly (term used to define the jail-like setting for the child workers) system came into the employers mind. Both male and female workers were arranged to stay in the separately hostels especially started for them. This new arrangement worked out well as the employers expected and adopted this methodology in

the mills at Poolinginar, Tamil Nadu and after that it was expanded it to other mills in Kanjikodu and Coimbatore in Tamil Nadu as well.

These workers were appointed on an agreement for a period of three years and the scheme was found successful because even though the other disputes occurred as they occurred previously but the difference was that there were no strikes. Seeing the success of this arrangement in these mills, the other employers in other districts started following the scheme.

However, the women workers were not permitted to work after 6.00 pm and before 7.00 am next day, according to the factories act 1947. The Supreme Court in an order relaxed this rule and allowed women to work in night shifts also. So, those women who were staying in the hostels were allotted night shifts.

Model standing order rules 1947:

In the meanwhile, in the year before 1990, the Government of India under the Prime Minister ship of late Mr. Rajiv Gandhi adopted a new textile policy in which the licensing system was liberalized no license and there was needed to the new mills with below 2500 spindles. This created a boom in the textile industry and a number of new mills were started especially in the rural areas where employees' source was easier and cheaper. At this juncture, the employers meticulously avoided male workers and used the concept of apprenticeship or trainee to take the female workers to work in their factories. They also used the Tamilnadu Industrial Model Standing order rule which was amended in 1977 to extend the apprenticeship period from one year to three years, which was not used but taken up as tool (**Govt. of T.N. Model standing order rules 1947 section 21(G) SMW 715, dated 04.10.1977**) to make contracts (See annexure). The contracts were entered into on a one to one basis with sub – clauses inconsistent with **Industrial dispute act 1947 section 18 (1)**. The poor, rural women joined the scheme largely. They did not have education and knowledge to understand the clauses and sub clauses of the agreement they or their parents entered into.

The new Textile Policy:

At the same time in the 90s, the new textile policy affected the industry in another way. The newly started industries could show productivity because of cheaper labour available to them. The already existing mills with permanent labour force could not compete with the new mills because of the higher cost of production due to expenses of high labour benefits, and other factors such as high power cost, taxes, for licensed industries with the trend of Globalization, Privatization, and Liberalization. So they wanted to prevent the loss, and took steps to resize the human resources, the only factor that was under the control of the employers at that time. The banks that provided financial support to the industries too demanded to take steps to cut the loss and improve productivity.

Technology up-gradation Fund:

The employers started new industries using the old machinery from the existing mills and renovate the old mills by availing the industrial technology up gradation fund from the Government. They started new mills in the rural areas where they adopted only Sumangali Scheme for recruitment of workers.

Women laborers utilized in textile industry – SITRA study

Spinners hike output to overcome losses

Aijt Kumar V

Coimbatore, Sept 26, 1999: Productivity improvement is the new mantra for cotton spinners looking for ways to arrest declining profits. The south-based spinning industry, hit by high labour cost and low productivity levels, has taken up labour rationalization seriously. In fact, productivity improvement through training to bring down labour cost is an area identified by the Southern India Mills' Association (SIMA) for its three-point long-term strategy.

According to South India Textile Research Association (SITRA) studies, spinning mills have realized the need to cut labour cost drastically to maintain a healthier bottom-line. "In order to operate profitably under the present high conversion cost structure characterized by high cotton and power costs, the only course open to mills is to maintain salaries and wages component at less than 10 per cent of sales. This would mean attaining a spinning HOK of 20 or less for the prevailing wages," the study has pointed out.

A productivity survey carried out by the search body has brought to light ongoing efforts in the spinning industry to attain higher productivity levels. The industry, after four years of declining productivity rates reversed the trend registering an increase of five per cent during the last two years.

For the first time in SITRA productivity surveys, an all time high spinning HOK (operating hours to produce 100 kg of yarn) of 11 has been achieved by a mill with built-in doffers for ring frames. Six other mills without built-in doffers too achieved remarkably good productivity levels of around 12 to 14.

The same survey has pointed out that the prosperous export oriented spinning mills maintain wages cost of 3.50 per cent of sales, an average spinning HOK of 20 and a high level of production per spindle and spindle utilization.

“High input costs coupled with low sale value leave practically no contribution in low profit making mills. The poor performance of these mills is due to low commercial efficiency, production of less value added yarn and below average productivity levels at an average HOK of 34, production per spindle of 81 g and spindle utilization of 84 per cent,” SITRA Director Indra Doraiswamy claimed.

SITRA has been sending the alarm signals on low productivity for the last one year. The average HOK, according to the survey of 203 mills, is 29.2 adjusted to 40s and these varied between a low of 11 to a high of 62. A little over 20 per cent of the mills achieve total HOK norm of 21.50.

The most significant finding of the survey is that in the case of mills which were covered during the 1996 survey and the present survey too there has been a 2.30 per cent per annum improvement in labour productivity. SIMA Chairman M Ramaswami had earlier claimed that the association would take all steps to combat low productivity and high labour cost in the textile spinning industry. The association of spinners would initiate steps to market and promote the culture of high productivity in mills. SIMA is strengthening its industrial engineering department right away.

Labour cost in some of the spinning mills in Tamilnadu, especially those in the Coimbatore region, has been hovering around a high of 14 to 18 per cent. Some units have already implemented massive VRS plans and some others have closed shop to force a “militant labour” negotiate higher productivity levels.

There is also a growing tendency among the mills to employ women workers. Mills in Tamilnadu lead in employing women workers (13 per cent), followed by Andhra Pradesh (11.40 per cent), Madhya Pradesh (10.60 per cent), Kerala (10.10 per cent) and Karnataka (8.20 per cent). According to Sitra, “increasing management awareness of the aptitude of women workers, shortage of male workers, better discipline and attendance, passive union activity and easy supervision are the strengths of women.”

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As seen in the above study, the findings of the study were an impelling point to decide that the women employees alone were to be utilized in the proposed scheme:

Private institution like IL & FS provided training to the young girls of below Poverty Line families through Panchayat Raj Institutions and Government skills in Garment industries in towns like Tirupur. Some of them got regular employment and some of them got work through Sumangali Scheme, of the scheme is rapidly spreading to the other Garment industries also.

Textile industrial environment before and after Sumangali Scheme:

The implementation of Sumangali Scheme in the textile industry has brought about so many changes in the style of its functioning. The working condition in the previous set up was meant to work for the adult workers, which was run by abiding all legal procedures and conducive for impressing productivity in the mill. The present context, the work in the textile factory is implemented violating all Labor Welfare acts and take no security for workers job as well as their life.

Industrial Relations:

If we take up industrial relations, for example, when trade unions were active, the health and safety of the workers in the textile mills were taken care off very well. To prevent occupational diseases like Asthma, etc due to inhalation of dust, the workers were provided with palm jaggery to eat which has the medicinal value against dust deposit in the lungs. . The mills ran crèches for the babies of the workers and helpers were employed to look after the Children. Now there was no need for running a crèche because all the workers were only unmarried girls. Earlier the canteens provided quality food items for subsidized prices which were run by the management itself. Now the canteens were on a contractual basis and with profit motive. Earlier the employers appointed permanent nursing assistants to attend medical emergencies during work time and a visiting doctor would do health check-up periodically. The management allowed to run a labour co-operative store in the factory premises and provided the employees with all provisions with a concession rate, and the PDS shop was also run by the same society. Nowadays the workers are suffering from serious health issues and avail no such services of provisions and PDS shops.

Earlier during the festive seasons and anniversaries the employees received gifts from the management; they also ran charitable trusts through which the children of the employees benefited for their education. The relationship between the management and the employees was cordial because the employees enjoyed freedom and rights from the employers. It is totally reversed in the factory environment in the present days; the employers keep themselves away from the welfare of the employees.

Previously, the workers recruited were promoted to the next position in the hierarchy of designations. A worker who entered as an apprentice was elevated to the next position as seasonal worker after a training for 6-12 months. Then the person would be designated as a daily wage worker and then as a temporary worker. After one year of being under probation, the person became a *Badli* worker (contractual worker for less than three years). Within three years of joining as apprentice a worker was promoted to a permanent position. Whereas, nowadays, within three years, the worker who enters the factory as an apprentice is expected to work as an apprentice without any change in position and after the completion of the term the worker's job is terminated. Previously, the workers family depended on the workers job and the whole family enjoyed the privileges of being a mill worker. They had job security till their retirement till the age of 60 years. The same mills have now changed their minds to employ thousands of families. The concept of permanent employment in the textile industry has vanished as the Sumangali Scheme encroached slowly.

Working conditions:

The working conditions of the labour in the textile industries were very good till the changes occurred. Both male and female workers were working. They were treated equally. They were rewarded equal remuneration. They enjoyed all rights a labour was legally entitled for. There were hardly any complaints of physical or sexual harassment at the work place. Because the age group of the workers ranged from 18 to 60 years, the environment inside the factory was not conducive for any violation of human rights like sexual abuse etc. In the presence of elder and mature people the youngsters or any one for that matter could not go violate the rights of the workers. In the same way when some dispute arose, they could come to a settlement with the support of mature and experienced workers. The newly married

woman were allowed pregnancy leave and other maternity benefits etc. Moreover, the female workers were not permitted to work during night hours. However, the condition of the present day work environment in a textile mill is exploitative and hostile. Only female children below the age of 18 years have occupied the workplace and they enjoy no legal right. They suffer from physical, mental and sexual harassment. They do not have remedial measures for their problems and nobody assists them or supports them to claim their rights. (Varadhan award was the best settlement arrived in settling disputes in the year 1996)

Wage Settlement:

Previous wage agreements before Varadhan award:

- During the early 1940s the workers started demanding higher wages and Dearness Allowance (DA).
- In 1946, the workers were successful in getting the DA along with the wages.
- 1948: First Wage Board
- 1956: Agreement between South Indian Mill Owners
- 1960: Association (SIMA) and Labour Unions 1986-Second wage board
- 1996: Varadhan Award

Source: “**Report on Bonded Labour in Tamilnadu**” - the study by Centre for Education and Communication

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 mills. The first shift started at 7 in the morning and ended at 3.30 in the afternoon (day shift). The second shift started immediately after the first shift was over and ended at 12.00 mid night (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. 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 benefit and they do not get sufficient intervals during the working hours.

Labour Welfare fund:

Previously they had labour welfare fund in which both workers and employers contribute to subscription. The fund benefited the employee members in different ways. It helped their children's education etc, every year.

Holidays:

The weekly holidays were mandatory for the workers before the implementation of the Sumangali Scheme. They availed all national and festival holiday provided to them by the Government. They also availed all casual leave, medical leave with wage etc. But in the current scenario, no leaves are available to the workers of Sumangali Scheme.

Wage system:

The wage system in the current scenario is also entirely different from that of the previous years. Earlier they had a basic salary with dearness allowances, interval allowances, production wage, overtime wage, etc. Every year they availed production bonus. Those workers were eligible for social security schemes like ESI, EPF and gratuity. The present day workers are treated as apprentices for name sake and so they are not entitled for any of the above mentioned legally entitled benefits. Previously workers were given identity cards with their designation and their code numbers of ESI and EPF printed on it. 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. Those employees were assigned duties and responsibilities to their designation and they became skilled in the particular task. The recent trend is that all workers should know all jobs in other sections. So the workers do not develop any specialized skill.

Trade unions:

The trade unions were active in those years. In each mill 6 to 7 trade unions had their branches or units. All workers used to be a member in any one of the trade union. Even the employers would come forward to pay subscription on behalf of the workers. Any major

decision-making activity in the mill work was not possible without consulting the trade unions- be it bonus or any dispute between the workers. If there was any strike or the employees supported any political issue in the state or nation, the employers usually announced holiday for the mill. The trade union movement in Tamilnadu was developed by eminent leaders like Singaravelar, P.Ramamoorthi, Mr. Jeevanantham, and N.G. Ramasamy, etc who struggled hard and some of them sacrificed their lives too for that (as per the provisions of the trade union act 1926.)

Since, the workers of Sumangali scheme were not a member of any trade union, the trade unions had no work inside the factory. There was no strike or lockout in the factory and factory kept running silently since no voice was raised against any violation of law or human rights or labour rights. However many news leaked out and were published in newspapers regularly about the abuses and atrocities- verbal, physical and of sexual nature and the number of suicides and deaths due to unknown causes (see annexure).

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 children below the age of 18 years. The over lighting inside the factories also disturb the Children and affects them mentally and physically.

Implementing labour laws:

The Government departments are by law required to be strict in implementing labour laws. Earlier, the Inspector of factories frequent visits to the factories and inspected the health and safety conditions of the labourers. They inspected the records and other documents regarding the same. The Government Labor Minister) usually intervened in the settlement of dispute in the factories and entered into tripartite agreements involving the employers, trade unions and the statutory bodies headed by officials which were functioning at different levels to settle different level disputes. The lower level settlement official was Assistant Commissioner of labour and from that the ascending order is the Deputy Commissioner of

Labour and Joint Commissioner of Labour at district level, Commissioner of Labour at the state level and labour courts and labour tribunals award at the top most level for settlement of all industrial disputes. Now the present system has no need to intervene in any settlement because there is no settlement of dispute in practice. Many of the co-operative mills and mills under NTC have been closed or adopted schemes of daily wage workers.

The labour department does not intervene in the slackness of implementing minimum wage act, social security schemes, and benefits of various kinds which the labour department is supposed to do.

Hostels:

Earlier there was no hostel facility inside the factory premises before the entry of Sumangali Scheme. The workers did not stay in the factory itself all 24 hours. There were staff quarters for the convenience of higher level management staff who were more responsible for the factory functioning.

But in the modern mills, there are workers' 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, 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. (See annexure)

Moreover, the facilities in the hostels are very poor. Toilet and bath room 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 times 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.

CHAPTER: 4

ANALYSIS AND INTERPRETATION

According to sampling design, the Districts Erode, Coimbatore, Tirupur, Virudhunagar and Dindigul districts of Tamilnadu State were selected to study the current status of the female children under eighteen years who belong to Arunthaiyar community working under Sumangali Scheme in the Textile Industries spread across the state. The data collected from the area under study has been presented and analyzed.

Before we analyse the current status, it will be much easier to understand the issue in the right perspective if we look at the background of these children and where they are coming from. The first few tables in the following section will provide us with data on the economic conditions of the children's family which is vital for the study.

Table 1- The sample distribution of respondents in the area under study

District	Already worked	At present working	To start work	Total
Erode	35 (70)	10 (20)	5 (10)	50 (100)
Coimbatore	35 (70)	10 (20)	5 (10)	50 (100)
Tirupur	35 (70)	10 (20)	5 (10)	50 (100)
Virudhu nagar	35 (70)	10 (20)	5 (10)	50 (100)
Dindigul	35 (70)	10 (20)	5 (10)	50 (100)
Total	175 (70)	50 (20)	25 (10)	250 (100)

Table 1 shows the distribution of the sample in the study districts namely Erode, Coimbatore, Tirupur, Virudhunagar and Dindigul. The respondents were divided into three major categories viz 1) girls who have worked and relieved from their employment 2) girls who are still working and 3) the young girls who are willing to enter the scheme. The category 1 constitutes 70% of the sample i.e. 35 respondents in each study district. The working labourers

constitute 20% of the sample i.e. 10 in each sample district. The remaining 10% of the sample is constituted by the respondent girls who are willing to enter the scheme i.e. 5 in each district. Therefore, the sample size of the study is 250. We have taken the first two categories (225) to study the status of the children and the third category (25) separately to study the demographic variables.

Table 2 – The size of the family of the girl children who are working under the Sumangali scheme

Family size	Erode	Coimbatore	Tirupur	Virudhunagar	Dindigul	Total
3	3 (7)	2 (4)	1 (2)	3 (7)	3 (7)	12 (5)
4	12 (27)	7 (16)	8 (18)	5 (11)	6 (13)	38 (17)
5	9 (20)	8 (18)	12 (27)	12 (27)	12 (27)	53 (24)
6	12 (27)	15 (33)	13 (29)	13 (29)	14 (31)	67 (30)
7	6 (13)	7 (16)	6 (13)	7 (16)	6 (13)	32 (14)
8	3 (7)	6 (13)	5 (11)	5 (11)	4 (9)	23 (10)
Total	45 (100)	45 (100)	45 (100)	45 (100)	45 (100)	225 (100)

Table 2 shows the number of members in each family of the children who were working under the Sumangali scheme. The respondents include those girls who had already worked and had been relieved from the employment for one or the other reason and those girls who were working at that time of interview (225). Further inspection of the table revealed that more than one fourth of the Arunthiyar families had got a size of six. If we clubbed the percentages of family size 6, 7 & 8 together we got more than half of the families having a size of 6 or more. It is a common fact that the larger the size of the family the more the difficulty in maintaining

it. If we looked at the districts, Coimbatore topped the list having more than 60% of the family consisting of more than six members. Therefore, the difficulty in managing the expenditure of in the family led to the head of the family and also the other members to look for an economic activity which supported them considerably. Thus, the size of the family became an unavoidable factor which pushed a girl child to enter a scheme like Sumangali Scheme.

Table 3 - The family assets of the girl children of Arunthatiyar family working under Sumangali scheme

Family Assets	No Asset	Below 10000	10,000 - 25,000	25000 - 50000	50000 - 1,00,000	Above 1,00,000	Total
Own House	12 (5)	-	32 (14)	86 (38)	62 (28)	33 (15)	225 (100)
Cattle	10 (4)	212 (94)	3 (2)	0	0	0	225 (100)
TV	0	225 (100)	0	0	0	0	225 (100)
Jewelry	0	68 (30)	127 (56)	28 (13)	2 (1)	0	225 (100)
Cycle	9 (4)	216 (96)	0	0	0	0	225 (100)
Two Wheelers	204 (91)	13 (6)	8 (3)	0	0	0	225 (100)
Bank savings	139 (62)	86 (38)	0	0	0	0	225 (100)

Table 3 shows the assets that an Arunthatiyar family possessed and its worth in terms of money. If we look at the 'no asset' column in the table, we observe that 5% of the families had no house of their own, which means 95% of them owned a house for their family. We will see the housing status when we analyze the next table.

Here, if we see the money worth of the houses- 14% of the houses worth below Rs. 25,000/- and 38% of them were worth below Rs. 50,000/-. More than one fourth of the houses were worth upto Rs. 1,00,000 and 15% of them valued above Rs. 1,00,000. Most of the Arunthathiyars in cities lived in group houses which were constructed and handed over to them by the State Government. In other places they constructed small houses with partial financial support by the Government and the remaining amount was borne by the beneficiary, which ultimately added to his debts. The huts were being built in the Government lands and so they did not have the right to own the land. Even if they were given pattas (small piece of land), they were prohibited to transfer the land to others.

Most of the Arunthathiyar had cattle at home whose worth was only below Rs. 10,000/- More interestingly, all the families had a television set of their own. However, they were given to them free of cost under the Government Welfare Scheme. Most of them had some jewellery worth below Rs. 25,000/- Almost all families had a bicycle, however only very few families had two wheelers worth below Rs. 10,000/-. One third of the families claimed to have a bank account and savings; however the credit went to the self help group's scheme promoted by the Government. Thus, the assets that belonged to an Arunthathiyar family worth maximum of Rs. 1,00,000 and the major asset being the house, which had no liquidity value. So, a family could not depend on its assets for its continued survival.

Table 4 - The housing status of the Arunthathiyar girl children's family who were working under Sumangali scheme by number and percentage

Housing status details	Number of families	Percentage
Mud Wall Thatched roof	15	7
Mud wall tiles roof	36	16
Brick wall tiles roof	29	13
Brick wall concrete roof	145	64
Total	225	100

Table 4 shows the housing status of the families of Arunthathiyar Children who were working under the Sumangali Scheme. Further inspection of the table revealed that nearly two third of the families lived in houses with brick walls and concrete roofing. However as we discussed earlier, the houses were being built with financial support from Government and had no resale value. The other housing type included the one with brick wall and tiled roofing, mud walls with tiled roofing and finally mud walls with thatched roofing. These houses measure approximately 10' x16' (160 square feet) and possessed no basic amenities. The housing facilities of Arunthathiyar families were not enough for any family size.

Table 5 – The occupation of the parents/ family members of the girl children and Sumangali Scheme by its number and percentage

Parents / family members Occupation	Number of families	Percentage
Agriculture coolie	99	44
Construction work	26	12
Fire work	29	13
Textile work	23	10
Scavengers work	14	6
Unorganized work	34	15
Total	225	100

Table 5 shows the occupation of the other members in the family of the children who were working under Sumangali Scheme. It was observed from the table that nearly half the parents were engaged as agricultural coolly workers. Many of the Arunthathiyars who were working in agricultural sector were bonded labourers. Next to agricultural sector, Arunthathiyars are largely engaged in unorganized work like Vegetable vendors, loading and unloading works, road laying, etc. 13% of them were working in fire-work factories which are concentrated in the districts south of Madurai. These places are popularly known as “Tiny Japan”. However

the same places are famous for child labour too. So, people who work here naturally will be dying for an escape from the trap. 12% of the parents were engaged in building construction jobs which was again not perennial employment and which kept them on the move, changing from place to place. 10% of the parents were in the textile industries which might be considered a better opportunity for the community people. During their tenure they received all legal benefits of being a labourer. However these parents send their children to textile jobs expecting the same benefits from the job if not immediately when they become permanent in the future. Small portions of Arunthathiyars are working as scavengers in the local bodies and private organizations, which is not considered as a dignified occupation in the society. Therefore, some characteristic in the present occupation of the parents or members of the family played a vital role in making a decision to look for an alternate job for their off-springs, which would be more decent, dignified and fetching them consistent income.

Table 6 - The monthly income of the family of the girl children working under Sumangali scheme by districts

Income (Rs.)	Erode	Coimbatore	Tirupur	Virudhunagar	Dindigul	Total
Below 2000	3 (7)	3 (7)	2 (4)	8 (17)	7 (16)	23 (10)
2001 to 3000	10 (22)	8 (17)	9 (20)	13 (29)	14 (31)	54 (24)
3001 to 4000	15 (33)	13 (29)	15 (33)	17 (38)	17 (37)	77 (34)
4001 to 5000	12 (27)	12 (27)	12 (27)	4 (9)	4 (9)	44 (20)
Above 5000	5 (11)	9 (20)	7 (16)	3 (7)	3 (7)	27 (12)
Total	45 (100)	45 (100)	45 (100)	45 (100)	45 (100)	225 (100)

Table 6 shows the slabs of monthly total family income of the children of Arunthaiyar community who were working under the scheme in textile industries in the districts under study. If we inspect the figures in the table, we find that a large number of families (34%) had monthly income between Rs. 3001 – 4000/-. When we clubbed the first three slabs together, we got two third of the families income not exceeding Rs. 4000/- per month which was not sufficient to maintain such large families with a size of 6 or 7.

The families with an income of above Rs. 5,000/- constituted only 12% of the population. We observed more or less the same pattern of income in study districts too. The figures in this table emphasized that there exists a serious need for the members of the family to find ways and means of better income for their mere survival.

Table 7 - The average annual expenditures of the families of Arunthaiyar girl children working under Sumangali Scheme by number and percentage

Expenditure Items	Amount spend per family	Percentage
Food	15420	40.91
Electricity	348	.92
Entertainment	324	.85
Transport	600	1.59
Alcohol consumption	4080	10.82
Repay the interest	4716	12.52
Education	408	1.08
Marriage/Death expenditure	900	2.39
Festival	3120	8.28
Medical	1800	4.78
Dress	2832	7.52

Repay the loan	3144	8.34
Total	37692	100

Expenditure on food fulfills the first among the three fundamental needs of survival which is an unavoidable expense in one's income and only the remaining portion of the income can be spent on the other needs of life. The larger the remaining portion of the income after food expenses the better the life style of individual. Here in table 7, we observed that food expenses take the major portion of the income. Repayment of interest for loan (12.5%) and repayment of the loan capital (8.34%) took another major portion from the income. If we added these 3 expenditure items and another major item i.e alcohol consumption (10.82 %) together, then these items covered three fourth of the total expenditure. Among the other expenses education got a meager allocation and hence pointed to more dropout rate of these children. This table also proved that there is a need for more money to maintain the family.

Table 8 - Debt in the families of girl children working under Sumangali Scheme by no. of families and percentage

Family Debt	Number of families	Percentage
Below 10000	24	11
10000 to 25000	54	24
25000 to 50000	106	47
50000 to 100000	29	13
Above 100000	12	5
Total	225	100

A large no. of families had debt up to Rs. 50,000/- and a few percentage of the families had more than Rs. 1, 00,000/- as debt. It was interesting to observe that no family was without any debt.

Table 9 – Sources of family debt by number of families and the percentage

Debt source	Number of families	Percentage
Money Lenders	225	100
Employers	50	22
Relative	84	37
Bank / Society / Others	43	19
Total	225	100

It is quite explicit from the table 9 that all the Arunthatiyar families of the children working under Sumangali Scheme were trapped into the hands of the local money lenders for which they had to spend one fifth of their income to replace (Table 7). They had received debts from their employers and relatives also which gave them pressure to earn more money to replace. Only a few percent of the families had obtained loans from banks and societies which were the right sources to get a loan. It could be observed that there was a favorable shift of debt sources to Govt. authorized organizations which might be an outcome of the implementation of the self help group scheme promoted by Government.

Thus, the family back ground of the children who were working under Sumangali Scheme clearly shows that there was an enormous pressure exerted on the members of the family to seek an alternate income generation activity which would enable them to manage the financial needs of the present and future.

In the following section we will discuss the status of the Arunthatiyar children in the textile industry under Sumangali Scheme.

Table 10 – Age wise distribution of sample of girl children working under Sumangali Scheme by sample districts at the time of entry

District	Already worked labour			At present working labour		
	Below 14	14 to 18	Total	Below 14	14 to 18	Total
Erode	4 (11)	31 (89)	35 (100)	3 (30)	7 (70)	10 (100)
Coimbatore	2 (6)	33 (94)	35 (100)	1 (10)	9 (90)	10 (100)
Tirupur	5 (14)	30 (86)	35 (100)	2 (20)	8 (80)	10 (100)
Virudhu nagar	4 (11)	31 (89)	35 (100)	1 (10)	9 (90)	10 (100)
Dindigul	3 (9)	32 (91)	35 (100)	2 (20)	8 (80)	10 (100)
Total	18 (10)	157 (90)	175 (100)	9 (18)	41 (82)	50 (100)

The Sumangali Scheme was promoted by the employers of the textile industries in Tamil Nadu. When they started the scheme they claimed that this scheme was going to serve as a tool of improving the downtrodden women folk and the weaker section of the rural society. However, as it gained momentum in the last ten years it gathered dust too.

As we observed in Table 10, the age at entry into the scheme for the girl children starts from below 14 years (refer annexure for evidence). 10% of those girls who have come out of the job for one or the other reason and 18% of those girls who are still in this scheme have stated that they joined the scheme when they were below 14 years of age. This is a blatant violation of Indian Child Labour (Abolition) Act 1986 which prevents employing a child aged below 14 years in any income generation activity. For that 90% of the stopped labourers and 82% of the continuing labourers report that they were below 18 years when they joined this job. Though it is employable age, there are many restriction in working hours and nature of work to be allotted to these children. Restrictions are very much breached in Sumangali Scheme about which we will discuss later in this section. It can be inferred from the data that legal violations starts from the entry into the scheme itself.

The District wise data shows that the child labour (Abolition) Act 1986 has been violated mostly in Erode and Tirupur Districts; large number of girl children between age of 14 years and 18 years are working in Viruthunagar District.

Table 11 - Educational back ground of the girl children working under Sumangali scheme by study districts

District	Illiterate	I to V standard	VI to VIII standard	Above VIII	Total
Erode	6 (13)	9 (20)	16 (36)	14 (31)	45 (100)
Coimbatore	4 (9)	8 (17)	22 (50)	11 (24)	45 (100)
Tirupur	3 (7)	7 (16)	21 (47)	14 (31)	45 (100)
Virudhu nagar	4 (9)	8 (18)	21 (46)	12 (27)	45 (100)
Dindigul	4 (9)	7 (16)	18 (40)	16 (35)	45 (100)
Total	21 (9)	39 (17)	98 (44)	67 (30)	225 (100)

From the Table 11, we infer that 1/5th of the children who were working under the Sumangali scheme were illiterate. Though, Government offers free school education to these children along with all support (uniform, scholarship, books, note books, bicycle, meals, etc) completely free of cost, these children are not able to avail the facilities, because first, they do not go to school or they could never learn anything from the school-even to spell their name, if at all they were enrolled in any school. The table further shows that only 30% of the girls had gone beyond eighth standard. The data found in this table witnessed that the whole lot of female labourers working under the Sumangali Scheme were sheer school drop outs. In spite of all the facilities made available to those children to attend school, the phenomenon of drop out still continued to exist which means the actual problem did not lie with the children, per se,

but with others in the vicinity which needed to be pinpointed and rooted out to prevent drop out, and that in turn, would prevent exploitation of young girls.

Table 12 - List of intermediaries through whom the girls enter into Sumangali Scheme by number of girls and percentage

Influencing person	Number of Sumangali workers	Percentage
Agent / Villagers	107	48
Relatives	32	14
Parents	27	12
Neighbors	9	4
Friends	20	9
Working mill worker	14	6
Private employment agency	7	3
Previous employee	7	3
Family members	2	1
Total	225	100

Employers appointed agents in the rural areas who sent unmarried girls to the industry to join the Sumangali Scheme. This agent was normally a person who was residing in the same area, who knew details about the families in the surrounding villages. He would keep canvassing the poor Arunthaiyar parents on behalf of the employer to persuade them to send their children to the mills. He gave promises like an attractive lump sum after three years (it was Rs. 30,000/- in the beginning and now it is Rs. 50,000/-) monthly salary, free accommodation, food at deducted cost, employee state insurance, Employee Provident Fund, leave facilities and so on which were mostly an eye wash because these promises were not kept

after the girl children entered the scheme. The agents used printed hand bills for this purpose. (Refer annexure for copies of handbills).

From the table 12 we find that nearly half of the girl laborers had joined the scheme through these agents. These agents were paid heavily for their job. Further, the private employment agencies also sent those girls who register with them for employment on employer's requirement. Other people like relatives, parents, neighbors, friends, present and past workers and other family members who heard of the Sumangali Scheme acted as an agent and sent the girls to join the scheme, however, they did not receive any monetary benefit from any party. This group was actually unaware of the disadvantages of the Sumangali Scheme and they did it thinking that they were doing well for the girls and her family. Half the children of this scheme joined through these free service agents.

Table 13 – Reasons for joining the Sumangali Scheme by the number of girl children's stated reasons with percentage

Reason for joined the Sumangali Scheme	Number of Sumangali workers	Percentage
Pushing factors		
Poverty	206	92
Debt	194	86
High rate of interest	132	57
Meet family expenditure	225	100
Parents irregular employment	143	64
Pulling factors		
Marriage / marriage expenditure	225	100
Decent job	107	48
Safety atmosphere	225	100
Construction of house	34	15

Lump sum amount	201	89
Live independent	38	17
Total	225	100

Most of the girls quoted ‘poverty’ as the reason for joining the Sumangali Scheme. In table 13, a number of factors had been listed that pushed and pulled the children into the scheme. In general, the major push factors were related to the family situation. The children had given multiple responses in which all have agreed that they had joined the scheme to meet the family expenditure. Further, we could infer from the data that their family income was inconsistent because of their parents irregular employment. To manage the family expenditure, they had to go for loans usually at higher rate of interest. The repayment of loan capital and high rate of interest became the major items in the families’ expenditure pattern. They needed an alternate to the issue outside the family to get rid of the vicious cycle and hence decided to join Sumangali Scheme.

The highly attractive factor of the scheme was doubtlessly the agreed lump sum after the agreement period of three years which was supposed to be utilized for the expenses incurred on marriage of the working girl children and hence the name ‘Sumangali’ meaning a married woman. The girls also stated that it had attracted them because this job was a decent one and safer. Safer in the sense it was an in – house work and not a field work. A few of them had been attracted by the earning to lead an independent life reducing their dependency on the parents and family members and after marriage, the husband. Few came to this job to support the parents to complete their house construction. It was true that all children had joined the scheme with colorful dreams which of course is characteristic of their adolescent age.

Table 14 - Nature of work in the textile industries that girl children of Sumangali Scheme are doing (the work listed relate to spinning mill)

Nature of work (Departments)	Number of Sumangali workers	Percentage
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Spinning	89	40
Cleaning group	36	16
Cone winding	48	21
Simplex	24	11
Carding	5	2
Drawing (cotton processing)	12	5
Blow room	2	1
Spinning toppler	9	4
Total	225	100

Blow room: First operation in spinning mills. The cotton bales are opened and are processed into cotton-mats. This is a tiring job and dangerous, mostly accidents happen and person's fingers can be cut.

Carding: Second major operation in textile mills after blow room. This is an extremely dangerous operation which involves making of cotton-ropes on a machine. The person involved in doing this is required to use his bare hands inside the cylinders of the machine to pull the cotton ropes. Most accidents happen in this operation and person's hands and fingers are injured while handling the steel wire on which the rope is made.

Simplex: The processing of cotton before spinning. This is also very tiring since the person is continuously walking to and fro to manage the spindles and it is a heavily lit- area.

Spinning sider: A spinning machine has two sides, minimum 300-500 spindles on which the thread is yarned. The spinning sider comprises of three-four machines which is handled by a single person managing atleast six sides. The job is extremely exhaustive and tiring for the single person. The wages are calculated on side basis.

Spinning toppler: This work involves removing the thread rolls from the machines and put new rolls to roll the thread.

Cleaning group: engaged in regular maintenance work

Cone-winding: There are two types: In Automatic cone winding, the machine is run on high speed. Regular cone winding is at normal speed. Most of spinning mills have auto cone-winding which requires speedier labour by the person managing the cone-winding work. This leads to high-production and profits but is extremely tiring.

Drawing: After combing the cotton, the drawing operation begins. This involves sorting the cotton to maintain the cotton thickness. This is a tiring job involving the person to continue standing in their position for long hours.



Blow room



Carding Machine



Drawing



Simplex machines



Spinning



Spinning draw frame



Doubling frame



Cone winding



Auto cone winding

Table 14 shows the sections or departments in which the children of Sumangali Scheme were working in, then 1/3 of the children worked in spinning section. It could be inferred from the data available in the table that in all section of a textile industry girl children were working. In other words, these children had gradually replaced the permanent male adult worker's in all the sections. This step actually opened up the doors for all legal violations. These children did not have affiliation with any registered trade union because they had entered the industry in the name of an apprentice or trainee on the basis Govt. of Tamilnadu. This had expanded the apprentice period from one year to three years in 1977. [Model standing orders rules 1947 Section 21(G) SMW No. 713 dated 04.10.1977. (Refer annexure for specimen contract).

Since they worked as apprentice, the children were not recognized as full-fledged labourers and were not entitled for all benefits that a regular permanent labourer legally availed. However, the printed hand outs distributed to the public to call for the job contains all benefits like ESI, PF, leave, lump sum amount etc. (refer annexure for copy of the hand out). The employer was not legally bound to fulfill all the promises made through his publicity materials or oral statements.

Table 15 – Working hour of the girl children- working under Sumangali Scheme by number and percentage

Working hours	Number of Sumangali workers	Percentage
8 hours	32	14
10 hours	47	21
12 hours	128	57
12 to 16 hours (Including night work)	18	8
Total	225	100

Most of the children were working 12 hours per day. For a portion the children, the working hours extended to 16 hours per day. 1/5th of the children were working for ten hours a day. Only 14% of the girl labourers of Sumangali Scheme have reported to be working for eight hours.

The Factories Act 1948 and the Tamil Nadu Factories Rules 1950 clearly states in section 51-66 that an adult worker shall work for not more than 48 hours in a 6 day week, which means 8 hours a day on an average. This section applies only to adult labourers who are 18 years and above. However, only 10% of the workers of Sumangali Scheme i.e. 18 years and above (table 10) for whom the other patterns of working hours shall not apply (10, 12, 16 hours / day).

From the table 10, it is learnt that 90% percent of the girl labourers of Sumangali scheme were aged below 18 years. The law permits children aged above 15 years to be employed only after obtaining a fitness certificate. The other sub clauses of the law puts more restrictions in the case of child labour like their working hours is only four and a half hours per day, no night shift and no over-time shall be given to the children. All the more these children should be given compulsory weekly holiday. But we found that these children were working more than 16 hours a day.

Table 16- Holidays for girl children working under Sumangali Scheme by number and percentage

Holiday	Number of Sumangali workers	Percentage
Weekly 6 days working (one days leave)	39	17
Weekly 7 days working	186	83
Other holidays		
Festival holidays 7 days	108	48
Public holidays	13	6
Casual leave	0	0
Medical leave	0	0
Earn leave	0	0
Total	225	100

Table 16 shows that 17% of the children have got one weekly holiday and 83% of them got no weekly holiday. Section 51 of the Factories Act 1948 clearly states that the first day of the week i.e. Sunday shall be the weekly holiday. In case Sunday is not weekly holiday for a worker, he/she shall be given a holiday on one of the 3 days immediately before or after the weekly holiday. Another sub clause in the same section states that no worker shall work for 10 days consecutively. As far as weekly holiday is concerned, Sumangali scheme had totally violated the Factories Act. From the table, 48% of the labourers enjoyed five festival holidays and only 6% of the labourers enjoyed the four national holidays which the Government of Tamilnadu made it compulsory by the-“The Tamilnadu industrial establishments (National & festival holidays) Act 1958. More than half of the employees of Sumangali scheme were deprived of those holidays thus violating the act. Very particularly, the workers of Sumangali Scheme did not get any casual leave, medical leave or earned leave, which obviously meant that no law was operational in the textile industries.

Table 17-Wage details of girl children under Sumangali Scheme by number and percentage

Agreement wage (in Rs.)	Number of Sumangali workers	Percentage
30000	104	46
35000	71	31
40000	24	11
45000	17	8
50000	9	4
Total	225	100
Per day wage (in Rs.)		
30	41	18
35	48	21
40	67	30
45	43	19
50	17	8
55	9	4
Total	225	100

Nearly half of the workers of Sumangali Scheme had worked or had been working with an agreed amount of Rs. 30,000/- after an agreement period of three years. The lump sum amount had been revised year after year and about 4% of them were working for Rs. 50,000/- to be given after the agreement period of 3 years. In addition to the lump sum amount, they were paid on daily basis also. From the table we find that 30% of them were paid a daily wage of Rs. 45/- and at the maximum of Rs. 55/- per day had been paid to only 4% of the workers

which was quit less than the minimum wages of Rs.142.20/- fixed by the agreement with Government and according to the Minimum Wages Act 1948 and G.O. No. 2(d) 61 dated 07.11.2008 enclosure public hearing judgment.

Table 18 – Types of accommodation for girl children working under Sumangali Scheme by districts

District	Stay at hostel	Stay at their residence	Total
Erode	45 (100)	0	45 (100)
Coimbatore	29 (64)	16 (36)	45 (100)
Tirupur	12 (27)	33 (73)	45 (100)
Virudhunagar	45 (100)	0	45 (100)
Dindigul	14 (31)	31 (69)	45 (100)
Total	145 (64)	80 (36)	225 (100)

Table 18 shows that most of the children working under Sumangali Scheme were staying in hostel provided to them by employers at the factory premises. It threw light on the fact that most children were staying outside the factory in the hostel and the remaining children were staying in their homes. The children staying in the hostel were more convenient for the employers to call for work at any time. Since all the workers were coming from distant places, they naturally preferred to stay in the hostel and only those who belonged to local areas commuted by the company vehicle.

Table 19 - Facilities provided to the hostellers of Sumangali scheme by quality of the facility

Facilities at working place	Good		Normal		Poor		Overall Total	
	Nos	%	Nos	%	Nos	%	Nos	%

Food	20	14	82	57	43	23	145	100
Staying room (enough space)	23	16	76	52	46	32	145	100
Toilet	9	6	72	50	64	44	145	100
Bathing	12	8	76	52	57	40	145	100
Fan	26	18	74	51	45	31	145	100
Chair	4	3	16	11	125	86	145	100
Bed/Mat	6	4	11	8	128	88	145	100
TV (Entertainment)	52	36	63	44	30	20	145	100
Playing material	24	17	92	63	29	20	145	100
Library	10	7	41	28	94	64	145	100
Education facilities	10	7	41	28	94	64	145	100
Full equipped Medical facilities	5	4	46	31	94	65	145	100
Shopping facilities	3	2	12	8	130	89	145	100

Before going into the details given in the table 19, one has to recollect the information gathered in the beginning of this section on the family back ground of the children especially the poor housing facilities which had an effect on the responses found in the table 19. Slightly more than half of the hostellers felt the quality of food served to them in the hostel was normal. However, 1/4 of them felt that the quality of food at the hostel was poor. The living space seemed to be normal for half of the children, however the other 1/3 of them felt the space was not enough to use it comfortably. Only 16% of them had good accommodation in the hostel. Toilets, and bathing facility in the hostel was normal or poor for almost all children. Fan

facility was normal for half of them and poor for 1/3 of them. They did not have good beds or mattresses to sleep and good chairs to sit. Most of them had normal or poor Television viewing facility and only 1/3 of these children had good facility to watch television in the hostel. In the same way, most of them have no proper playing materials. Facility to read or education was very poor in the hostels. If the children continued education in the distance mode, the cost of it was recovered every month salary. The medical and shopping facilities were poorer than any other facility. In an overall view, the facilities available are not satisfactory to the poor children who are accustomed to the poor facilities at home. There is no law to regulate or control the quality of facilities to be provided to the hostellers in a factory. To run a working woman's hostel the management has to inform to the social welfare department and to construct the building of a hostel, the approval of the plan of the building from local building authority is mandatory which is not done in the case of these hostels.

Table 20 – Issues at work place for the girl children working under Sumangali Scheme by number and percentage

Issues at working place	Number of Sumangali workers	Percentage
Forced to work	225	100
Verbal abuse	184	82
Physical abuse	42	19
Discrimination	5	2
Long working hours	193	86
No rest at working time	225	100
Very short time for lunch and tea break	225	100
Not allowing for toilet at work time	108	48
Sexual harassment to co workers	12	5
Over speed of machinery	98	44

Over lighting	128	57
Total	225	100

Table 20 lists a number of issues that the girl children who were working under Sumangali Scheme face in their work place. According to data found in this table, we found that all children state that they were somehow forced to attend the work which was against the forced labour (ILO convention) act. The other major issues that all children invariably experienced were no rest intervals and very short time for lunch and tea break and not even allowed to go to toilet in between the work hours. If one set of the workers has got to toilet, the other set had to wait for the previous set to come back.

Accordingly to the Factories act 1948 and Tamilnadu factories rules 1950 section 52 an interval of rest for at least 30 minutes should be given for a minimum working period of 5 hours and thus this rule had been violated. The other clause in the same section had been violated by giving the children long working hours.

Verbal abuse was very common which was indicated by the large percentage of workers statement which was considered a violation of human rights. One portion of the girl employees stated the over speeding machineries and over lighting were an issue to them. Naturally it affected their eyes and ears causing physical hazards and mental disturbances. According to the rules, sufficient lighting should be there, however, over lighting should be avoided, (section 14 of factories act 1948). Physical abuse was reported by few workers. The children stated that sexual harassment also took place against their co-workers but none reported that they were subjected to one. Very few percentage of children stated that they were shown some discrimination or partiality as against the others.

The discrimination in the textile industries nowadays is not apparent. The workers of different socio economic strata are treated equally as far as their remuneration is concerned. They were treated equals in all respects, till there arise an issue for which the management has to accept responsibility. For example if some accident or death occurs in the factory the treatment or compensation would be provided to the victim depending on the strata the worker

belongs to. If the victim belongs to a comparatively lower caste or a low income group, it is taken as an advantage on the management side to pay her a relatively lower compensation utilizing the family members' inability to negotiate or bargain with the employer. Therefore, it could not be denied that the victims who belonged to lower social strata got a lower compensation and that of higher strata got a higher compensation giving proof to the existence of discrimination in the industries if not apparent in daily activities but is latent and comes to the surface at the time it requires exploitation.

Table 21 – List of legally approved monetary and other benefits received by the children working under Sumangali Scheme by number and percentage

Benefit received Sumangali workers as per labour laws	Number of Sumangali workers	Percentage
Gratuity	0	0
Bonus	32	14
Permanent labour	0	0
Minimum wage	0	0
ESI	4	2
PF	28	12
Leave and holiday wage	2	1
Extra working double wage	0	0
Role of Visaka committee	2	1
Trade union	0	0
Compensation	0	0
Night allowance	0	0
Interval work allowance	0	0

Medical leave (with wage)	0	0
Production wage	0	0

There are 12 items listed in the table 21 were the legally approved monetary and other benefits that a regular labour of a factor is entitled for. From the table we found that only a few benefits had been received by very few workers. 14% of the workers have received annual bonus from their factories 12% of them received Employee Provident fund 2% of them had benefited from Employee State Insurance. 1% of them received leave with holiday wage (Section 78-89 of Factories Act 1948).

None of them received gratuity, more particularly none of them received their minimum wage too (refer table 17 also). None could receive double wage for overtime work, night work allowance, interval work allowance, medical leave with wage and production wage depending on the volume of production. Amazingly, those benefits were mandatory under various labour laws in force exclusively for each benefit mentioned here such as minimum wage act, factories act, etc.

Regarding other legal benefits also, none of them were granted the status of permanent labour which was also mandatory under law. The Tamilnadu Industrial Establishments (conferment of permanent status to workmen) if the labourer had worked for 480 days spread over to 24 months. None of them had become member of any registered trade union which also a right to labour under industrial dispute act. Only one percent of the workers reported that they knew about Vishaka committee to prevent Sexual Harassment at Workplace as per the 1996 Supreme Court Judgment. In general, there existed lawlessness in the textile industries in which Sumangali Scheme was implemented.

Table 22 - Non settlement of monetary benefits after termination of contract by types of termination

Types of Termination /Issue	Tenure completed (118)		Incomplete tenure (57)	
	Number	Percentage	Number	Percentage
Lump sum amount unsettled	13	11	57	100
Provident Fund unsettled	90	76	57	100

As per the contract made between the employer and the apprentice, the employer must pay the apprentice the promised compensations. Eleven percent of workers of Sumangali Scheme were not yet paid their lump sum amount few months after the completion of the contract period. In the same way seventy six percent of workers' Employee Provident Fund had not been settled after serving for full term.

However, none of the workers who terminated for one or the other reasons had been paid their lump sum amount promised in the contract or the EPF, the share amount for which was deducted from the stipend every month. Section 7 of the Apprentice Act 1961 says that the contract of apprenticeship terminates on the completion of training. It can, however be terminated earlier by the apprentice or the employer, with the approval of the apprenticeship adviser and on payment of the prescribed compensation. However, the apprentice was not eligible for EPF and ESI as the employer promised in the hand outs and also made deduction from the stipend of the apprentice. The EPF office never refuse any new membership recommended by an employer . The membership codes were not intimated to the workers. So they could not claim for the amount after their termination.

Table 23 - Major health issues faced by the girl children under Sumangali Scheme by their working status

Major health issue	Already worked Labour (Percentage)	At present working labour (Percentage)
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Head Ache	100	80
Anemia	42	4
TB	6	2
Paralytic attack (Hands, legs are affected)	5	0
Body pain	88	62
Hip pain	88	62
Leg pain	90	62
Back pain	68	54
Asthma	10	6
Eye irritation	22	16
Weight loss	35	4
Mental restless (Tension)	61	54
Accident at mill (loss of fingers)	2	0
Falling of hair	38	4
Fever	93	42
Chicken fox	2	0
Skin problem	64	52
White discharges	41	28
Total	175	50

Aches and pains had occupied major place among the health issues of the girl children of Sumangali Scheme. All children who had already worked in the scheme had complaints of head ache. A large percentage of girls suffered from body pain, hip pain, leg pain and back pain. In addition to aches and pains, they also suffered from fever. 61% of the girls had a

stressful living environment thereby experiencing a psychological tension during their period of employment in textile industries. Further, 10% of the girl labourers had skin problems. More than 1/3rd of the girls had gynaecological issues such as white discharge and same percentage of them were anemic. Asthma and eye irritation caused mostly by dust which comprised small portion of the health issues. Same percentage of girls had hairfall. A small portion of the girls had attacks of Tuberculosis also. Few girls were suffering from Paralysis and their limb movement was affected. Few met with accidents during their work while handling the machinery and had lost their fingers. Some girls reported that they were suffering from chickenpox.

If we take a look at the column in the table under the head ‘at present working labour’ we found that the girls who were working under the Sumangali Scheme at present also suffered from the same health issues and more or less in the same proportion and made a pattern of health issues of Sumangali Scheme.

An attempt was made to uncover the attitudinal formation among the adolescent girl children of Arunthatiyar Community in the study districts towards the Sumangali Scheme, who had an inclination to enter into the scheme.

Table 24-Age of the Arunthatiyar girl children who are willing to join Sumangali Scheme

Age of the girl children willing to join Sumangali Scheme	%	
Below 14	3	12
14 to 18	22	88
18 to 22	0	0
Total	25	100

Table 24 shows the age group of the sub-study on the willingness of the children to join Sumangali scheme. 88% of them were above 14 and below 18 years of age and 12% of them were below 14 years of age. Not being aware of the fact, that they become child labourers by making entry in Sumangali Scheme, they showed eagerness to their entry.

Table 25 – Educational back ground of the Arunthatiyar girl children who are willing to join Sumangali Scheme

Educational Back ground		%
I to V standard	4	16
VI to VIII standard	16	64
Above VIII	5	20
Total	25	100

Most of these girls had studied up to 8th standard and a few of them had gone above that. Another portion of the girls had completed with primary level. The undeniable fact was that all these girls were school drop outs and now waiting for employment.

Table – 26 – Family size

Family size		%
4	5	20
5	9	36
6	7	28
7	4	16
Total	25	100

Table 26: Shows the size of families of Arunthatiyar community. 36 percent of the families had the size of 5 and 28 percent of the families had the size of 6. If we club item 3 and 4 of the rows in the table together, we would find that nearly half of the Arunthatiyar families had a family size of above 6, which was comparatively larger than the normal nuclear family.

Table 27 – Income pattern of the family of the Arunthatiyar girl children who were willing to join Sumangali Scheme

Monthly parents family income		%
Below 2000	3	12
2001 to 3000	16	64
3001 to 4000	6	24
Total	25	100

The upper limit of the family income of these children is Rs.4000/- month and 1/4 of the families reported to earn this amount. However, 64% of the families got a monthly income between Rs. 2001 to Rs. 3000/- only. The remaining families got an income of below Rs.2000/- per month, because of the low income in the family, these families became vulnerable to income plans such as Sumangali Scheme, etc.

Table 28 – Family debt of girl children of Arunthatiyar community

Below 10000	1	4
10000 to 25000	2	8
25000 to 50000	12	48
50000 to 100000	7	28
Above 100000	3	12
Total	25	100

Most of the families had a debt amount between Rs. 25,000/- to Rs. 50,000/-. The maximum debt amount Rs.1,00,000 to 12% of the families. From the table 26 we inferred that all families had some debt ranging from below Rs. 10,000/- to above Rs. 1,00, 000, which played a major role in pushing their children to enter Sumangali Scheme.

Table 29 – Reasons for joining Sumangali Scheme stated by the girl children of Arunthatiyar community

Poverty	25	100
Debt	21	84
Parents irregular employment	17	68
Failure in education	13	52
Lump sum amount	16	64
Employment	18	72
Marriage	14	56
Total	25	100

In the table 29, there is a list of reasons stated by the girl children of Arunthatiyar community who were willing to join the Sumangali Scheme. The major reason stated by these girl children was that the poor economic condition of the family. Most of these girls liked to replace their family's debt by earning after joining the scheme. They are happy that they were getting an employment in which they could earn and hoped to lead a better life. More over the girls got a lump sum amount after an agreement period only in Sumangali Scheme. Since their education was disrupted , they decided to go for work to earn for themselves and for their family. In essence, these girl children came to the scheme full of dreams, but only to become victim to the trap of Sumangali Scheme.

IMPORTANT FINDINGS:

1. Family size of Arunthatiyar community was relatively larger which was one of the factors that pushed the children to seek alternate jobs.

2. The family assets of Arunthatiyar family were very less most of which did not have liquidity value.
3. The families of Arunthatiyar community lived with poor housing facilities.
4. The family members of Arunthatiyar community were engaged in low income unorganized jobs and many of them were laborers in agriculture or industrial sector.
5. Most of the families of Arunthatiyar community earned a monthly income of Rs. 4,000/- per month.
6. Major portion of the income of the family of Arunthatiyar community was spent on food, repayment of loan and alcohol consumption and festivals. So there was a need for more money.
7. All the families had debt.
8. All the families of Arunthatiyar community had taken debt from local money lenders.
9. More than $\frac{3}{4}$ of the children working under Sumangali Scheme were aged less than 18 years.
10. Most of the children working under Sumangali scheme had studied up to 8th standard.
11. Half of the children joined the scheme through agents who worked for money and the other half joined the scheme by hearing the message from others around them who acted only as catalyts. Thus the scheme had become popular among the public.
12. The attractions of the Sumangali scheme were complementary to the factors that were pushing the children out of the family.
13. Workers of Sumangali scheme had replaced all the adult, regular male workers in all the sections of the industry.
14. The child labourers were working up to 16 hours per day even without weekly holidays.
15. They availed only festival holidays and not any other leave facility.
16. They worked on the agreement to accept a lump sum amount after the completion of the term for very low daily wages which were lower than the allowed minimum wages.
17. Most of the workers of Sumangali scheme were staying in the hostel provided by the employer.

18. The facilities provided to the workers of Sumangali scheme at their hostel were normal or poor to the satisfaction of the workers.
19. The workers of Sumangali scheme faced several issues at the work place including forced labour.
20. The monetary benefits and other non monetary benefits the workers were entitled to were not provided to them.
21. The Sumangali Scheme workers were suffering from a number of health issues which sometime stopped them from employment.
22. The girls who belonged to the same type of family environment and in the same age group were willing to enter Sumangali Scheme aiming for the same type of benefits.

Who is an apprentice?

Who is an apprentice according to the law? The apprentice act 1961 Sec. 2(aa) and 3 states that any person, including a graduate engineer or diploma holder, who is not less than 14 years of age and satisfies the prescribed standards of education and physical fitness, can undergo apprenticeship training in the designated trade under an employer.

Here, we shall try to fit the workers of Sumangali Scheme to the criteria of apprentices mentioned in the law. First we take up age criteria for the purpose. According to the table No.10 in our study, eighteen percent of the girls who are working under the scheme at present have joined the scheme when they were at the age below thirteen years. Therefore, many children do not satisfy one of the most important criteria to become an apprentice i.e. age.

Textile trades come under designated trades. The minimum educational qualifications and standard of physical fitness have been specified under schedule 1 and schedule 11, prospectively, of the Apprenticeship rules 1991. In general a designated trade 'means any trade or occupation or any subject field in engineering or technology or any vocational course.

The Sumangali Scheme includes nine percent illiterates and seventeen percent primary educated children (table 11 of this study) which obviously means that they do not satisfy educational criteria to become an apprentice in any vocational course particularly in textile trades.

Whatever is the prescribed fitness standard in the designated trade of textiles, that is ignored. The children do not undergo any fitness test before they join Sumangali Scheme.

Under the obligation of employers they shall not engage a person as an apprentice, unless he satisfies the standards of age, education and physical fitness prescribed for the designated trade and such an action is treated as offence under section 30 of the Apprentice act 1961 and shall be punishable with imprisonment up to 6 months with fine or with both.

Contract of apprentice:

The employer and the apprentice, his/her guardian in case she is a minor, must enter into contract of apprenticeship, containing such terms and conditions as are not inconsistent with the apprentice act and agreed to by them, whereas, the contracts of Sumangali Scheme are made under the section 18(1) of the industrial dispute act 1947, which is relevant to the context of settlement of a dispute between the existing employee and the employer and without third party intervention. It has no relevance and out of scope with entering into a contract with an outsider or non worker. The contract of Sumangali Scheme has no legal sanctity.

The employer has the obligation of submitting the contract of apprenticeship within 3 months to the Apprenticeship adviser for registration, which is not done in the case of Sumangali Scheme employees. Since these children do not satisfy the criteria to become an apprentice, the employers can not show him as apprentice to the apprentice ship adviser. However, at the same time they have another legal mandate to submit to the government the form No. 21 under sub rule (1) of the rule 100 of the Tamilnadu Factories Rules 1950 in which they have to submit half yearly return of the average number of workers employed daily. It asks for three categories of employees namely male and female workers of 1. Adult, 2. Adolescents and 3 children. Since the workers of Sumangali scheme are appointed as apprentices and the employer can not show them as workers to the Government, this form 21 is not be sent with proper details. If proper details are being submitted, then action needs to be taken against the employer under sections relevant to child labour and their working hours, holidays, minimum wages, etc.

TRAINEE OR WORKER:

The workers of Sumangali Scheme are neither trainees nor workers and they need to be classified under a third category. If they are appointed as trainee or apprentice properly as per the existing rules of the Government, then the apprentice is a trainee and not a worker to the employer according to the section 18 of the Apprentice Act 1961. The apprentice will not become a “workman” merely by operating a machine during his training. Generally, provisions of any labour law do not apply to apprentices. The apprentices are not entitled for Employees provident fund benefit under EPF Act, Employees State Insurance benefits under ESI Act or bonus under payment of bonus act.

However, these benefits appear as special attractions of Sumangali Scheme in the hand outs that are distributed to the public (See annexure for copies of hand outs). The Minimum Wages Act and Industrial Disputes Act apply to apprentices also. According to the table 17 of our study, none of the workers of Sumangali Scheme are getting their minimum wage. An apprentice should not be engaged in night shifts or overtime. She should be allowed causal leave, medical leave and extraordinary leave as prescribed under the rules and holidays observed in the factory or establishment according to section 15 of the Apprentice Act 1961.

The employer is required to pay accident benefit compensation to an apprentice, who has suffered a personal injury in the course of his training in accordance with the Workers Compensation Act and the Schedule appended to the Apprentice Act 1961. (Section 16 rule 12 and 13). The apprentices under the Sumangali scheme do not get any of these benefits. A clause in the contract demands the apprentice to work for 288 days in a year which is not mentioned anywhere in the Act.

Accordingly to section 7 of the Apprentice Act 1961 the contract of apprenticeship can, however be terminates earlier by the apprentice or the employer, with the approval of the apprenticeship adviser and on the payment of prescribed compensation, whereas the contract of Sumangali Scheme contains a clause that no benefits will be given to the apprentice if she happens to be terminated for whatsoever reason in the middle of the contract period, which is inconsistent with the Apprentice Act and such a contract cannot be registered with apprentice adviser.

Many Sumangali Scheme workers were not paid their promised monetary benefits since they were terminated in the middle of the agreement period (see table 22 in this chapter). Thus, we are able to observe that the contract of Sumangali Scheme and the nature of duties that the workers of this scheme do not follow any section of sub rules of the Apprentice Act 1961. However the employers claim it as an apprentice scheme on the basis of one point that the contract period is three years.

CHAPTER: 5

CONCLUSION & RECOMMENDATIONS

Textile constitutes the single largest industry in India. The modern textile industry has its origin nearly about two centuries ago when the first textile mill was established in 1818 near Kolkata. In due course, in the later part of the century the industry spread to Bombay in 1850's and in Alagabad, in 1860's mainly by the Gujarati trading class. In the same way, the industry in the beginning of the twentieth century was established in Madras, Madurai and Coimbatore region of Tamil Nadu State.

The workforce engaged in the textile industry at the time of Independence was only 5,00,000. However in number has now rapidly increased and it provides life to several families. In the beginning when labour disputes arose, then was no law to control and regulate them. At the end of the 19th century, the first ever demand for regulation of the working condition of the workers in the Indian factories came from the Lancashire textile capitalist lobby. They appointed a Commission to investigate working condition of the labourers. The laws executed after 1881, prohibited the employment of children under the age of 7. The Act also limited the working hours of the children below the age of 12 years.

This gave impetus to the trade union movement in British India when Bombay Mill Hands Association was formed for the first time in India on 24 April 1890. The establishment of ILO in 1919 provided a source of inspiration for the workers to become politically conscious. Indian's membership of the same exerted great influence in the formation of a central organization of workers called 'All India Trade Union Congress' (AITUC) in 1920 for the purpose conducting and coordinating the activities of the labour organizations.

The period from 1924 to 1935 can be considered as the era of revolutionary trade union movement. Persons like MN Roy, Muzaffer Ahmed, S.A. Dange and Shawkat Osmani, Lala Lajabathirai and other National Leaders closely associated with trade unions were C.R. Dass, V.V Giri, Sarojini Naidu, Jawaharlal Nehru, Com. Jevanantham, P. Ramamoorthy, Sakkarai Chettiar and Thiruveka V. Subbaiya. Many of these leaders after independence became the

rulers of India and were instrumental in enacting laws favoring labour force and the working conditions.

As a result, it is interesting to observe that within a decade or so, in the State of Tamilnadu, the system of organizing labour had become the norm. Till late 80's and the beginning of 90's the labour force enjoyed the all legal benefits and entitlements and the labour union fought for the rights of the workers. The unions were given due respect and invited to participate to make any decision related to labour force. The Government also favoured in several aspects to increase the benefits of the labourers.

In the 90's, the textile industry underwent a dramatic change due to the Government of India's new textile policy and the components of GATT agreement such as globalization, liberalization and privatization. The industry was in such a condition to survive an international competition due to policy changes. They need to do industrial modernization, technology up gradation and reduction of production cost. Government of India came forward to provide financial support to the industries modernization and technology upgradation. However the issue of reduction of production cost was left to the industries themselves. In Tamilnadu, based on the research study conducted by SITRA and SIMA, started an experiment to utilize the women work force in the place of regular workers.

So, they vigorously implemented policies like VRS and CRS as well to resize the regular workforce to a minimum and finally to become nil. Instead they introduced, trainee schemes, consisting of young adolescent girls and children below fourteen years to run the factory. They utilize the clause modified in the Tamilnadu Industrial employment (standing orders) Rules 1947 which state that the apprentice's period can be extended to 3 years from 1 year. Based on that and the clause 18(1) of Industrial Disputed Act 1947-they entered an agreement with the girls and their parents, to provide a small amount of compensation which is well below the minimum wage paid to them as per the laws.

Various acts in India define child in various terms, like according to the Juvenile Justice Act definition of a child- a child is a person below 18 years. The International labour organization convention defines the child in the same manner-this is lobbied by the groups for the Indian Government to implement in India. According to the Tamilnadu Registration Act, the children below 18 years are minors. Above all those, the Child Rights Convention of

United Nations-in Article 1 states: For the purpose of the present convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier. (The Government of India acceded to this convention on 11 December, 1992 to implement in India)

However the labour laws in India still says that a child below 14 years is considered to be a child for the purposes of child labour and not below 18 years. For example in the Act, enforced in the year 2005, on prohibiting child labour in even non hazardous occupation, it is stated that the child below 14 should not be employed in non hazardous occupations. These contradictions in the laws are well utilized by the owner of industries to employ children below 18 years.

The industries created financial schemes to attract workers. The lower socio economics strata are the first targets by the industries in Tamilnadu. The Dalits and the Dalits among Dalits-Arunthatiyar community is living in extreme poverty-below the poverty line-who got trapped into these schemes very easily.

When this study was conducted, it came to light that abuses were faced by the children from this vulnerable community. It was observed that the girl children were abused-verbally, physically and faced sexual harassment. Due to the abuse, these are many who suffered mental agony, faced health hazards-losing their limbs, suffering illnesses of various kinds etc. The children were denied their monetary settlement like full agreed lump sum payment; monthly working wages; deducted PF amount; medical compensation etc.

As a result of this study, the following points of recommendations are listed for the betterment of the prevailing pathetic condition in the textile industry to the implemented together by the Government authorities, non government agencies and all political parties' trade union and social activists.

Recommendations:

Textile Industry is not found in the list of hazardous occupations. However, when keenly observed some of the operations in particular departments, like carding and blow room sections, are highly hazardous. The dabber cylinder work and blow room are very dangerous

operations in which the fingers of a person will be pulled due to the force and can be cut off if there is a slight ignorance or carelessness. The carding section work is equally dangerous and the workers' fingers can be cut off in case of slight ignorance. The children who work in this section do not have enough strength to manage the force of the machineries. So there is a huge possibility of fatal accidents in these operations. For coloring Cotton, the colours are made from (polyester and synthetic) chemical dyes in powder form or liquid spray which is hazardous for the hands of the workers and their lungs and leads to complicated health problems. The children who are working in this environment for a relatively longer period are exposed to such health hazards.

Working in the Textile industry is considered skilled work and the assumption that anyone could do the work without any training is not true. The work place is adverse to the children in several ways. In such a scenario children are made to do this hazardous work without any skills and this impacts their physical, psychological and emotional well being.

The age of children is such that they should be with their family. On the contrary they work in this slave-type-camp setting under the Sumangali Thittam. They are deprived of a family environment all together. They do not have an outlet for their trauma and continue to work in hazardous conditions.

From our study it is quite clear that the hostels too are unsafe for the children. There are reports of food poisoning, missing girls, deaths from unknown reasons and several health issues to those who have come out after completing their contract period etc.

The Arunthaiyar Community is basically a dormant and voiceless group of people who have after years of exploitation become tolerant of the violations and accept their exploitation and survival in hazardous circumstances. The uneducated community is the prime victim for this seemingly attractive scheme.

Therefore, it is strongly recommended that the Sumangali Thittam Scheme (Camp Coolie System) is totally abolished by the intervention of the State Government.

Key recommendations:

1. The girl children who were exploited from the Arunthaiyar community and other vulnerable situations faced child rights violations of all kinds under the Sumangali

thittam scheme- in such a scenario, the employment of children in the scheme should be immediately banned.

2. The child rights violations should be explored through a fact finding committee and reports send to key stakeholders.
3. The age of the child should be uniformly defined in all domestic legal enactments.
4. The exploiters exploiting children under the scheme should be punished in accordance with criminal law and also under the prevention of atrocities under the SC/ST Atrocities Act.
5. The proceedings under the case pending at the High Court of Tamil Nadu, at Chennai on the issues of the affected girls under the Sumangali Scheme should be expedited.
6. Necessary action should be taken to monitor the payment of minimum wages to the textile industry workers.
7. A Vigilance Committee need to be constituted to monitor the formation and implementation of *Vishakha Guidelines* to prevent sexual harassment at workplace faced by young girls under the Sumangali thittam scheme in all the industries.
8. The children aged below 14 years who are working as child labour in the textile industries should be rescued and admitted in school as per the law of Free and compulsory education for children 2009.
9. Government of Tamilnadu model standing order which was amended in 1977 to extend the apprentice period from one year to three years, which paved a base for the origin of Sumangali Scheme in mid 90's. On demand from trade union side, Tamilnadu Government in the year 2008 passed a bill in the Assembly recommending to the Government of India to reverse the amendment and sent it to the Central Government. However, this is still pending for approval. Government of Tamilnadu has to pressurize the Central Government to expedite the approval, which will enable the judiciary to deal with the Sumangali Scheme contracts.
10. The Government has to strictly implement the labour related laws and rules of ILO convention and UN child rights convention.

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