There's Blood on Those Matchsticks: Child Labour in Sivakasi

Most studies on child labour have focussed on the economic factors leading to employment of children and their recommendations have stopped at stressing the need for improvement of working conditions, payment of better wage, provision of facilities for schooling and stricter enforcement of applicable laws. This study of child labour in Sivakasi, where 45,000 children work in the match and fireworks industries seeks to go beyond the surface reality and investigate:

1) the basic socio-economic reasons for perpetuation of child labour in Sivakasi;
2) extent to which the local and Central government have been negligent and apathetic to the plight of the working children;
3) how government policy affects the Sivakasi match industry;
4) extent of violation to child labour in general;
5) laws relating to child labour in general.

The other issues discussed here are the working conditions of child labour, occupational hazards, rights child workers have in a factory, employer-labour relationship, and the compulsions that force parents to send their children to work.

Various reports of the high incidence of child labour in the match and fireworks industries in the Ramanathapuram district of Tamil Nadu and the inhuman working conditions there (long working hours, exploitative wages, non-existence of safety measures) prompted the present study.

45,000 children work in these factories, most situated in and around Sivakasi. It is the largest single concentration of child labour in the world. The ages of the children range from 3½ years to 15 years and they work as long as 12 hours a day in degrading and hazardous working conditions.

So far most studies on child labour have highlighted the economic aspects leading to the employment of children and recommendations have stopped at stressing the need for improvement of working conditions, payment of better wages, schooling and stricter enforcement of applicable laws.

Going beyond this obvious reality, it was necessary to investigate:

1) The fundamental socio-economic reasons for the perpetuation of child labour in Sivakasi;
2) the extent to which local and Central government are negligent and apathetic to the plight of the working children;
3) how government policy affects the health of the match industry;
4) the extent of violation of laws binding on employers of children; and
5) the laws relating to child labour in general.

The other questions we addressed ourselves to were: what are the working conditions of child labour? What are occupational hazards? What rights does a child have in a factory?
What is the employer-labour relationship? And what are the compulsions that force parents to send their children to work?

We met in Madurai, 70 kilometers from Sivakasi town and spent two days studying various documents and meeting government officials and academicians, before proceeding to Sivakasi. In Sivakasi and its neighboring villages, we visited cottage and small industries. Besides meeting the children and their parents, we met owners, managers, foremen, distributors, government officials and leaders of various political organisations.

I. Profile of Sivakasi

Sivakasi is a small municipal town in Ramanathapuram district. In the immediate vicinity of the town are two other municipal areas, Thiruthangal and Sattur.

The entire production of matches in this area is non-mechanised. Out of a population of 1 lakh workers in the match and fireworks industries, the combined child worker population below 15 years of age is around 45,000 (see table 1). The children mostly belonging to the neighbouring villages, either work in small cottage units in their own villages or are brought by organised transport to the small-scale factories scattered in the neighbouring villages or in Sivakasi town.

Between 3 and 5 a.m. every morning children in these villages, some as far as 30 kilometers away woken-up and loaded onto buses or vans belonging to the industries in Sivakasi town. In most cases over 200 of them are jam-packed into a single bus that takes them to their factory. According to a UNICEF study, surveying 33 buses, an average bus visits about 20 villages, 5-30 Kms. from Sivakasi carrying approximately 150 children each (see Table 2).

The transport drops them back to their respective villages between 6 and 9 p.m. The children, who put in a nearly 12-hour working day, are, therefore, away from their homes for over fifteen hours. This is against the legally stipulated 4½ hours of work. Each of these villages has an agent who enrolls children and who ensures that the children are awake when the transport arrives. The agents are paid a monthly salary of Rs 150. These agents are also authorised to offer parents a salary advance of upto Rs 200 for each child labourer they can enroll, this advance being subsequently deducted from the salary of the child.

The age of the youngest child whom we found working was 3½ years. Legally, the children employed at these industries have to acquire a doctor's certificate clearing them for employment. At the large villages and in Sivakasi town, we found that a racket flourished where doctors, some on the grounds of compassion, issued certificates, without ensuring the age and health of the child.

In many factories, some activities were fully undertaken by children below 7 years of age. Girls outnumber boys, three to one. In the match industries, they work in filling frames, making boxes, counting, pasting labels etc, while in the fireworks industry,
children are employed to dye outer paper, make small crackers, roll gunpowder and pack the final product (see Appendix II).

The working conditions in the industries are unsafe and detrimental to the mental and physical health of the child. Staying a total of fifteen hours away from home, twelve at work, they work in cramped environments with hazardous chemicals and inadequate ventilation. Dust from the chemical powders and strong vapours in both the storeroom and the boiler room were obvious at practically every site we visited. Minimum safety standards were not maintained in most of these units (see Appendix III).

Most working children have not been to school at all. According to a sample survey conducted in 16 factories covering 4,181 children, 3,323 (79.48 per cent) are illiterate; 474 children (11.34 per cent) were educated upto primary school level. Dropouts were 384 (9.2 per cent).

Most of this activity is on a piece rate basis. According to the official Harban Singh Report (which investigated child labour in Sivakasi in 1976 and which have not been made public), the piece-rate wages fixed under the Minimum Wages Act works to less than the minimum daily wage (see Appendix I). As the piece-rate system is prevalent in Sivakasi, the children work feverishly to ensure maximum output. Their own requirements of food, relaxation etc, are completely neglected and in many factories children looked unhealthy and weak. In spite of an over twelve-hour workday and this feverish activity, the younger children between four and ten years earn an average of Rs. 2 a day. The older children earn a maximum of Rs 6-7 per day.

Recognising that they are involved in an illegal activity, most owners do not maintain proper records of the children they employ. In the fireworks industries, every worker is supposed to keep a pocket diary in which attendance is marked by the supervisor. Many workers did not have these notebooks and in fact some of them complained that in spite of twelve-hour workdays, they were not paid overtime. Except for a yearly bonus in a few recognised units, particularly no other benefits are given to children.

In village after village we found cases where children were induced to leave school to support the family economically. We met many children who had been working continuously for over 5 years. With no other option available, and having no time for schooling or other vocational guidance, they would be restricted to a limited standard of life.

We need to stress two additional points before proceeding to the specific working conditions.

1) In most small scale and some cottage factories, the security arrangements were very thorough. We were stopped at the gates of almost all the units we visited. Since these units are owned by established Nadar families (the Nadar community owns a majority of the match and fireworks units) who are members of the Sivakasi Chamber of Match Industry, they were bound by stipulation of the Chamber (issued on October 2, 1976) that no member should employ children below 10 but also violated other acts binding on
the strict security was meant as we discovered, to act both as a deterrent to visitors and as a warning in case there is an extremely rare official surprise check.

2) The administrative authority has no powers to suspend the licenses of industries violating the law. Except for their ceremonial duty-bound visits, it is only in case of accidents, and that also serious ones which cannot be suppressed, that they move into action. Here too the defaulting industry is usually back into production a few days after the accident.

In February 1982, a cracker factory in Chellapathi village, 20 kilometers from Sankaran Koil went up in flames. Six children were charred to death in the fire. They had been engaged in stuffing cracker powder into firecrackers when the accident occurred. There were two versions of the cause. One was that the children were playfully throwing stones at each other when one of the stones stuck the stone floor causing a spark. Another was that an intruding snake frightened the children, who in trying to ward it away, struck the powder.

A case was registered under the Indian Penal code and the Explosives Act, an investigation was launched but, subsequent reports confirm that no effective action was taken and the owner of the factory was back in production.

In another accident, on September 19, 1981, thirty-two persons including six children died following a massive explosion at the Arunachalam Fireworks on the outskirts of Sivakasi. In a report, in the Indian Express of November 24, 1981, T.N. Gopalan wrote that a major hullabaloo had been raised decrying the practice of giving doles to the victims' families without taking any steps to eradicate the causes of these tragedies. In a subsequent report, Gopalan stated that even in the matter of doles, the dependents of the victims were being cheated by all concerned.

The factory's lawyer succeeded in "browbeating the dependents to accept a lower compensation". The government machinery preferred to side with the factory management by advising them against staking claims for a higher compensation.

According to Rukmani (23), wife of one of the victims, the Deputy Labour Commissioner said that she should accept Rs 10,000 (as against Rs 25,000 due to her) and if she did not, he warned her to 'be prepared for a protracted legal battle. We know how to keep on adjourning'.

In fact, when the government conducted its 'enquiry' no questions were asked, there were no cross-examinations, no depositions, nothing. the monthly wages were calculatedly put at between Rs 60 and 90, Rs 10,000 was computed on this basis and offered to the dependents. The real wages were over twice the sum.

Gopalan's investigations also uncovered that no worker engaged in manufacturing crackers was given any pay-slip. Not were their signatures obtained on any voucher. Only a record of what was produced each day was kept in a diary maintained by the worker. A lot of these records were burnt in the explosion but notebooks of the other workers
conclusively showed that the average earning was between Rs 7 and Rs 12. Gopalan says, "Is the Rs 2 to Rs 3.50 a day recorded by officials, more that the presumed minimum wage? Do the factory owners show the same amount, as has been given, to the Deputy Labour Commissioner for compensation purposes to the Income Tax authorities too?"

Many people in the villages we visited informed us that such casualties in fire accidents were a common phenomenon. When asked how the officials reacted, one then said, "There are many ways of suppressing the incidents. The Nadars know the ways to pacify the people. No one can do anything against them. After all there is no trade union in these industries.

II. Some Case Studies
In the 'D' unit of the Standard match industries (a small scale unit) at the Madathupatti village crossing, we found 250 children, most below 10 years of age, working in a long hall filling in a slotted frame with sticks. Row upon row of children, some barely 5 years old were involved in their work. The incentive to keep filling the frames must have been so great that most of them scarcely looked up and even when they did their hands mechanically continued their activity. The children were paid 15 paise for filling each frame and they earned, depending their day's output, between Rs 2 to 5.

In the chemical dipping section, though only older children were employed, other younger children helped in bringing the frames for dipping. The fingers of many children were coated with these chemicals. Copious vapours were apparent and a strong odour emanated from the room.

In the other sections where box-filling, hand rolling (putting the striking surface bans) and labeling activities were going on, the workers were between the ages of 13 and 22 years. What was striking was that throughout the entire unit there was a high percentage of girls employed. In the latter sections, almost all the workers were female.

We were constantly followed by the foreman of the unit and were dissuaded from talking to the children. However, we were able to speak to some of the children who confirmed their long working hours. When asked why they worked, most answered that they had to earn for their families. Most had never been to schools in their villages. One of the children interjected that there was no time even to rest.

We then went to Kangerseval village (voter population 850). The bus to pick up children comes from Standard match Industries in Sivakasi town at 3 am while a van from a different unit of the same business group comes at 5.30 a.m. Roughly 130 children go from the village during these times, returning at 7 p.m. For nearly 80 children, this works to a staggering 16 hours away from home. The children are aged 6-12 and nearly 80 per cent of them are girls.

At Tayyalpatti village, we visited a unit of Standard Fireworks. Standard has five such units spread in the taluk. Each unit employs between 100 to 300 people. In this specific unit, most of the workers were above 14 years of age but we did find younger children working in various operations. In fact, the foreman told us that the management of many
units had an efficient mechanism to hide children. When strangers approached the different production units, the children were asked to run away to the surrounding fields or hide in one of the large storage sheds. (We were also informed of this practice by many villagers. The Harbans Singh Report also corroborates this.)

Physically, safety precautions seemed to have been maintained, but on closer scrutiny we found that small sheds with a pile of gunpowder in the center of watch room where legally only four people making fireworks. In two sheds, dust from the activities was evident all over the room. Village doctors in Kangerseval mentioned a high incidence of respiratory complaints. However, no systemic investigation has, as far as we could find out, been undertaken. In the dyeing section, where newsprint is dyed the characteristic red for the outer wrap of the fireworks, all the workers were children. Even in the packaging department, a majority of the workers were male children.

We subsequently visited over half a dozen more fireworks units. The conditions were more or less the same as outlines, except in two small units close to the Standard unit at Tayyalpatti where we found two kerosene lanterns in the corner of a shed. Legally work in the entire fireworks industry has to stop at sundown. When asked about the lanterns, the foreman said that they belonged to some workers, who had to walk a long distance to their village in the night. It is common knowledge that in many of these units, work goes on in the night. This is particularly so when festivals like Diwali are approaching. Accidents are frequent and, as documented earlier, can be caused by just a spark.

We subsequently visited various cottage units where matches were made. In Duraisamipuram village (population 2,000) we visited the shed of Velmurugan Matches, where 25 people out of whom 7 were children below 14 were working. Two children were 5 years old. In each of the activities, i.e., frame-filling, box-filling etc., the average daily wage was Rs. 3 to Rs. 7. The foreman got a monthly salary of Rs 250. Children who worked in this shed went to school.

At the Thirupathi Match Works, fifteen people were working. Six children were below 14. We spoke to three of them. Chellathayi, Pannathayi and Muthu. Muthu had been to school for one year and had dropped out. The other two had never been to school. When asked whether their parents worked, Pannathayi said that her parents owned land, but could not cultivate it. Her elder sister also worked in a match unit and both of them supported the family. Could not the parents work, so that they could go to school and not work, we asked. Both of them go to occasional work, which was not enough for the family, they replied.

We also spoke to Dharman, the foreman. Besides defending the employment of children ("this is not the job for an adult") his main complaints were entirely different. The unit was making no profit. They were finding it very difficult to market their product. This was a general complaint in the cottage sector. In Ampatti village, V Alagirsami, who runs the Chellapandian Match Works said ".......we are really suffering. There was no profit in agriculture so I started this industry in matches but, here too there is no profit. My debts are mounting. The government does not favour the cottage sector. The competition from WIMCO [Western Match Company, which monopolises the mechanised sector] is killing
us. The government should impose the earlier ceiling on them. otherwise we are finished.” (See next section for details of government excise policy.)

The general working environment in most of these cottage industries was as mentioned, appalling. Cramped spaces, practically no ventilation and filthy floors were evident in about every unit we visited. Puddles of chemicals around vats of chemicals were also evident in most units.

III. A Socio-Economic Profile
A combination of historical, economic and political factors make for the extent and perpetuation of child labour in Sivakasi. The underdeveloped drought prone conditions of the district have made possible the recruitment of children in a growing cottage and small-scale match industry. Interrelated with the growth is the social and political rise of a once 'untouchable' caste. The Government of India in the post-1947 period, in its efforts to encourage the small scale and cottage sectors has given all help through an excise policy.

Table 1: Number Of Child Labourers

<table>
<thead>
<tr>
<th>S/No.</th>
<th>Name of Place</th>
<th>Population</th>
<th>No. of Match Industries</th>
<th>No. of Labourers</th>
<th>Children below 15 Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sivakasi (including workers outside Sivakasi)</td>
<td>73,000</td>
<td>83</td>
<td>60,000</td>
<td>27,000</td>
</tr>
<tr>
<td>2</td>
<td>Thiruthangal Municipal</td>
<td>30,300</td>
<td>33</td>
<td>8,274</td>
<td>3,136</td>
</tr>
<tr>
<td>3</td>
<td>Sivakasi Panchayat</td>
<td>80,000</td>
<td>168</td>
<td>16,997</td>
<td>5,793</td>
</tr>
<tr>
<td>4</td>
<td>Sattur Town (including workers outside)</td>
<td>45,000</td>
<td>256</td>
<td>1,200</td>
<td>5,400</td>
</tr>
<tr>
<td>5</td>
<td>Sattur Panchayat</td>
<td>85,700</td>
<td>892</td>
<td>9,377</td>
<td>3,940</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>3,11,000</strong></td>
<td><strong>1,432</strong></td>
<td><strong>1,06,648</strong></td>
<td><strong>45,269</strong></td>
</tr>
</tbody>
</table>

Source: Area Development Programme Report Ramanathapuram

as well as other infrastructure. However, in the process, it has turned a blind eye to the continued utilisation of children at exploitative wages in hazardous conditions, a fact that its own jurisprudence has considered illegal. And now, in the past tow years, with its excise policy encouraging the multinational dominated mehcanised industry, the condition of child labour is necessitated to make the small scale and particularly the cottage sector competitive.

There are thus five interrelated factors which make for the continued exploitation of children in Sivakasi.
1) A drought prone backward district.
2) The growth of match industry both in this district and in competition with a multinational.
3) The remarkable mobility of an 'untouchable' caste into a dominant, exploitative class.
4) The evolution of the government’s excise policy first to support the cottage and small scale sectors and then to favour the mechanised sector. The official apathy both in keeping the area underdeveloped, thus favouring the employers, and the non-responsiveness to the serious violation of almost all laws.
5) The entry of KVIC to support both co-operation and the cottage sector, but negligent to the extensive employment of children in its own units.

**Ramanathapuram**

Ramanathapuram district in Tamil Nadu stretches from the Bay of Bengal to the Western Ghats. It forms a region of low development according to almost all indicators of economic backwardness - e.g., the value of output per acre is lower than the state average. The district basically depends on rainfall which occurs during two months in winter, the rest of the year being dry. Only 45,000 hectares (7 per cent of the net area sown) has assured irrigation facilities — area served by the Vaigai, the only major river in the district. The remaining area depends almost entirely on rain fed tanks and water for irrigation from them is available only for a few months immediately after the rains. During the rest of the year little water is available and dry farming is practiced. Due to paucity of water in the region, only a small proportion of the cultivated area can sustain more than one crop a year. Over 50 per cent of the district’s working force are cultivators but most remain dependent on external sources for employment. The match and fireworks industries thus found an ideal place for productions as the climate was dry and the drought conditions greatly facilitated the employment of labour.

The match and fireworks producing units are scattered all over the combined areas of Sivakasi town, Thirutangal Municipal Union, Sivakasi Panchayat, Sattur Town and Sattur Panchayat located at the western end of the district. More than 50 percent of matches and 75 per cent of fireworks output of India are produced in this area. Matches generate a total estimated revenue of Rs 120 crore per year, and fireworks Rs 18-20 crore. The combined population of these areas is a little over 3 lakh and the total number of match industries here are 1432.

**Match Industry**

Matches are produced in three main sectors in India. The mechanised sector is monopolised by a Swedish multinational, Western India Match Company (WIMCO) which has production at 5 centres in India. In Sivakasi, the other two sectors, small scale and cottage are prevalent. A small-scale factory is one which produces more than 750 lakh matchsticks a year while cottage industry is one which produces less than 750 lakh matches a year.

Tamil Nadu with 2,195 units accounts for 90 per cent of matches produced in the non-mechanised sector and 66 per cent of the total output of matches in India, the largest concentration of which is in and around Sivakasi (see Table 3). Ramanathapuram and Tirunelveli have 730 small scale and 1330 cottage units between them.

The first Indian match units were set up in 1894-95 in Bilaspur and Ahmedabad. However, till 1920 most safety matches were being imported from Sweden, Japan and Czechoslovakia. Initially, raw materials like splints and veneers had to be imported from Japan. Later indigenous resources particularly softwood trees like Pollai, Palai, Matti and Ambalam found in Kerala and Mysore were used.
Bengal was one of the first places where matches manufactured in the cottage sector. In the 1910s, some entrepreneurs brought some Japanese families to Calcutta to teach their skills to the local people employed in these small factories. However, these units could not sustain competition from the Swedish match company which was importing matches into India. To protect indigenous manufacturers, in 1921, a tariff barrier was imposed on the imported goods.

Subsequently, to avoid these duties the Swedish match company decided to set up its own manufacturing units in India. WIMCO thus came into being. Mechanised units with imported machinery and raw materials were set up all over the country.

Three distinct market interests evolved: India machine-made, with mainly Japanese machinery, Indian hand-made and WIMCO. In the ensuing triangular contest to meet the indigenous market for matches, WIMCO had a distinct advantage owing to large capital resources and sophisticated machinery for mass production and, as a result of an extensive market structure; by 1927 it had acquired nearly 30 percent of the market share in the country.

### Table 2: Child Labourers Coming To Sivakasi

<table>
<thead>
<tr>
<th>No. of factories</th>
<th>No. of Villagers from Child Labourers come</th>
<th>Distance of the Village from Sivakasi (km)</th>
<th>Total Workers</th>
<th>Below 15 Years</th>
<th>No of Buses or Vans</th>
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<tbody>
<tr>
<td>1</td>
<td>39</td>
<td>5-30</td>
<td>850</td>
<td>500</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>21</td>
<td>6-25</td>
<td>600</td>
<td>400</td>
<td>4</td>
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<tr>
<td>3</td>
<td>25</td>
<td>10-28</td>
<td>500</td>
<td>300</td>
<td>3</td>
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<tr>
<td>4</td>
<td>23</td>
<td>6-25</td>
<td>600</td>
<td>375</td>
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<td>500</td>
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<tr>
<td>6</td>
<td>16</td>
<td>3-30</td>
<td>300</td>
<td>200</td>
<td>2</td>
</tr>
<tr>
<td>7</td>
<td>18</td>
<td>1-15</td>
<td>200</td>
<td>125</td>
<td>2</td>
</tr>
<tr>
<td>8</td>
<td>18</td>
<td>2-22</td>
<td>250</td>
<td>150</td>
<td>2</td>
</tr>
<tr>
<td>9</td>
<td>19</td>
<td>1-14</td>
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<td>11</td>
<td>5-15</td>
<td>125</td>
<td>80</td>
<td>1</td>
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<tr>
<td>13</td>
<td>10</td>
<td>2-15</td>
<td>120</td>
<td>70</td>
<td>1</td>
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<tr>
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<tr>
<td>15</td>
<td>10</td>
<td>3-16</td>
<td>100</td>
<td>58</td>
<td>1</td>
</tr>
<tr>
<td>16</td>
<td>12</td>
<td>2-16</td>
<td>120</td>
<td>80</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td><strong>4,990</strong></td>
<td><strong>3,070</strong></td>
<td>33</td>
</tr>
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</table>

*Source: Area Development Programme Report, Ramanathapuram*

**Nadar Community**

In Sivakasi, the Nadars, who had started match factories in 1923, rapidly expanded their activities to captive printing presses and the manufacture of fireworks. The Nadars were traditionally communities of toddy-tappers. There were forbidden entry into Hindu temples and prohibited the use of public wells. Above the lowest untouchables, they could have access to the Brahmin household, but shared with the other untouchables the prohibition of spatial distance from the Brahmins. (In Ramanathapuram, the Brahmin population was relatively small, mostly members of the Vellali community. Below them,
ranged the 'clean' castes of Telugu Naickers, Reddiars and Maravas and lastly after them came the Nadar caste.)

By the early nineteenth century, nearly 5000 Nadars of Thirunelveli were converted to Christianity. As a result, Nadars started going to church-run schools, thus acquiring an English language education. Some Nadars migrated to Ceylon and Malaya and their remittances were used for the profitable investment. Initially most of the money was invested in land but later it was used to start trading activity. The organisational base provided by Church brought a new unity among Nadars. Christianity thus provided the base for the economic and social rise of a traditionally depressed caste.

In the beginning of the nineteenth century some of the Nadars traded in the business of palm products, specially, jaggery. As a result of the growth of market infrastructure (mainly roads), the Nadar traders started spreading out. They established pettai (fortified enclosures) around the travel routes and six primary centers where they settled were Sivakasi, Virudhunagar, Thirumangalam, Sattankudi, Palayampatti and Aruppukottai.

Sivakasi was the first to be settled in 1821 and became a predominantly Nadar town. The surrounding countryside was, however, dominated by Naickers, Maravas and Reddiars, and an animosity developed between the latter and the Nadars.

The tobacco and cotton trade was consolidated by them and Sivakasi because a major trading centre. But in 1899, a riot broke out between the Nadars and the upper castes resulting in a gradual decline in trading activity in Sivakasi.

Most of the Nadars were merchant Hindus and because of the surrounding animosity, they sought to establish a tight cohesive organisation to protect the community. All contact with members of their caste was through this organisation. Every family contributed to this central organisation and as wealth grew the common funds were utilised for the welfare of the community as a whole. Schools were established and it was now that they started using sanskritised customs to elevate their social status.

It was in 1910 that this organisation institutionalised. The Nadar Mahajam Sangham was formed. After remaining weak for nearly ten years (owing to inter-caste conflict), the Sangham consolidated itself. Subsequently, the Sangham founded a cooperative bank and gradually the Nadar traders reacquired their monopoly in the trade of food grains and groceries.

In 1922, two cousins P. Ayya Nadar and A Shanmuga Nadar read that the match industry offered good profit and went to Calcutta to learn the process. They imported machinery from Germany and jointly set up a factory. Mechanised production at that time was expensive (only selective types of wood could be used) but labour was cheap because of the economically depressed conditions in the region. A year and half later, they decided to switch to hand production. In 1926, the two Nadars parted to establish separate match industries. Gradually, other Nadar families moved into the activity. Capital expansion was rapid. New independent units were formed by family members and with new entrepreneurs also joining in, the industry proliferated.
The Nadar community received a tremendous boost when Kamraj, himself a Nadar became Chief Minister of Tamil Nadu in 1953. In Sivakasi, this was to have an immediate effect. The local branch of the State bank of India was expanded and loans on very easy terms were given to the Nadars who were able to considerably expand their base of trading activities. This bank finance has played a vital role in supporting and developing Sivakasi’s match and fireworks industry.

After Kamraj came to power, the Nadars, who earlier had tried to fight for the status of a pure caste, took up an effort to be recognised as a backward caste as this would officially obtain numerous benefits for the community. They were given this status in 1963.

Endowed with the necessary finances, they developed a marketing organisation to establish a countrywide sales arrangement for securing better rice for their products. The All-India Chamber of Match Industries, based in Sivakasi and representing 115 units mostly managed by these families, is quick to point out that this arrangement only constitutes a marketing consortium and not an indication of unified control. However, in the process of capital expansion these families have a distinct advantage in maintaining control over most of the industry.

The extent of their control is obvious from the fact that 11 families of Sivakasi and Kovilpatti control over 70 per cent of the matches produced in the non-mechanised sector. These eleven groups alone produced more than the entire mechanised sector. In 1978, they produced 3,13,14,150 gross boxes compared to 3,00,76,380 gross boxes produced in the mechanised sector (see Table 4).

**Excise Policy**

In 1927, when WIMCO launched production in India and acquired 30 per cent of the market share, these small scale manufacturers’ associations has lobbied for protection and prevailing upon the government to impose excise duty on mechanised production. In 1943, the government evolved two categories for the purpose of levy of excise duty. Subsidies were granted to the cottage and small scale sector (producing less than 100 gross per day) and Rs 1.50 per gross boxes was charged on machine-made matches. Producers of low volume were thus protected and the concessions enabled a phenomenal spread and growth of small and cottage sector industry. From 27 match units in 1928, the number of units rose to 192, by 1949 and to 3,500 by 1978. The non-mechanised match sector today produces more matches than WIMCO. In 1978, this accounted for 70.24 per cent of total production and the top 18 small scale match groups produced a total of 540 crore match boxes versus WIMCO’s 432 crore match boxes. The estimated number of people employed in the non-mechanised sectors is 2.5 lakhs while the entire mechanised sector employs only 6,000 people.

In 1979, the Janata government gave further benefits to the small and cottage sectors. The excise duty on matches made in the cottage, small scale and large scale sectors was pegged at Rs 1.60, Rs 4.50 and Rs 7.20 per gross boxes respectively. (From Rs 3.42, Rs 4.52 and Rs 4.83 in 1978). This step expanded the cottage-sector further as units split up to avoid payment of higher excise. Recent Central government policy, however favours
the multinational WIMCO. In the 1980 budget the duty on the mechanised sector was reduced to Rs 5.50. The 1980 budget also redefined those who could avail of the lowest excise slab – only those who sold their matches through KVIC or co-operatives. KVIC also launched a Rapid Expansion Programme a result of which the cottage sector expanded substantially. All other units in the cottage sector now had to pay Rs 4.50 per gross boxes. Hundreds of units closed down and an overall policy favouring WIMCO made it increasingly difficult for small and cottage sectors to compete. This policy also forced the employers to continue to pay exploitative wages, besides perpetuating child labour.

As for fireworks, there are about 200 factories in the Sivakasi area by the distribution of production again favours Nadars, five of them (with more than five units each) manufacturing fireworks worth more than 5 crore. A few of over Rs 50 lakh. All the others are small units. Children are employed though in a much smaller percentage than in the match factories.

Khadi And Village Industries Commission
In February 1953, the government constituted KVIC for the development of village industries to provide employment for unemployed adults and extend facilities for non-formal education and recreation for children such that the children develop mentally and physically. In 1956, funds were released for assistance to develop cottage match manufacture.

Most cottage units were selling their output to local financiers or wholesalers who supplied credit to them. The KVIC became a marketing agency for some of these cottage units.

In effect, the government superimposed KVIC on an existing structure which exploited children. In turn KVIC also turned a blind eye to the existence of child labour. KVIC officials admit that they cannot do anything about both the low procurement prices (which is threatening the cottage sector itself) and child labour in the area and that their role is limited to procuring and marketing matches. Even though the entry of KVIC was meant to increase profitability of these units, their efforts to effectively market the matches have miserably failed. The cottage sector has been forced to market its matches at less than Rs 60 per 5 gross boxes (720 boxes) while WIMCO with a well-organised network is comfortably able to market the same volume for twice the prices, Rs 120 per 5 gross boxes.

Role Of Government
This brings us to our final contention. The community of interest represented by the Nadars and the government is deliberately keeping the area underdeveloped. This forces the parents of working children, who own land but due to the drought prone conditions cannot make it productive, to send their children to work in these factories.

Farmers in the district do not get water for more than four months in a year. Regular demands to launch irrigation schemes have met with official silence. In fact, even the Tamil Nadu Vivasaiyal Sangham which is a state-wide peasant organisation representing
mostly the middle and small peasants and which has had some success in other districts in Tamil Nadu has failed to get any relief for the peasants of Ramanathapuram.

The ground water is quite accessible and one of the state’s largest afforestation programme is in the district but inability of the small peasant communities to regularly irrigate their land has forced them to supplement the family economy.

In 1937, the British had drawn up a plan to build the Keerayan Alagar Dam in the Western Ghats which would, once built, irrigate 3.5 lakh acres in Ramanathapuram. This scheme had come up for review several times but has been shelved. The only dam in the area is located in Madurai district. Even though the dam is constructed on the Vaigai river, which flows through Ramanathapuram, it provides water for Ramanathapuram’s tanks only in times of need. Various other schemes that have been drawn up for implementation are only to modernise the Vaigai channels or deepen the existing wells. This barely scratches the surface of the drought prone situation. No effort has also been made to improve and spread dry farming techniques.

The apathy to the exploitation of child labour is also obvious from the fact that at the instance of the Secretary, Industrial Development, Government of India, the multinational WIMCO and KVIC prepared a joint report which identified areas of cooperation between them. WIMCO produces major raw materials and a plan to extend its assistance to KVIC to establish raw material banks and also to supply chemicals was drawn up. WIMCO has also launched a scheme to encourage plantation of fast growing soft wood species to the shortage in softwood. KVC units are also going to be major consumers of this wood. No mention is made anywhere of children that are employed in the industry.

This official apathy is, of course not resisted to child labour in Sivakasi only but is the plight of working children all over the country.

In March 1981, the government rejected a recommendation by the Committee on Child labour that the minimum age for employment of children should be 1 years on the ground that “the time is not ripe” for acceptance of this recommendation. A child labour cell has been functioning at the Ministry of Labour with an Under Secretary in charge but aside from generating some sketchy research, has not been forthcoming with even recommendations in almost two years of its existence. An Advisory Board on Child Labour with the Labour Minister as chairman has also been functioning to review implementation of existing legislation, suggest legislative and other measures for the welfare of working children. It is also supposed to recommend the industries and areas where there must be progressive elimination of child labour. There has been almost no progress.

IV. Child labour and Legislation
In India, today there are as many as twelve legislations that deal with child labour in one form or other. In addition to these legislation, Article 244 of the Constitution states that "no child shall be employed to work in any factory or mine or engaged in any other
hazardous employment”. Article 15 of the Constitution also permits the state to make special provision to protect women and children.

Statutory protection of child labour has its beginning in the Indian Factories Act of 1811 which provided, among other things, protection for children in employment in factories. The minimum age for employment was seven years and work time was stipulated at nine hours. In 1891, this was revised to seven hours with age limit to nine.

In the period between 1920 and 1930 some more progress in protecting children was made. With the formation of the International Labour Organisation in 1919 and the All India Trade Union Congress in 1920 certain laws relating to conditions of labour in general were framed. This helped in reforming measures dealing with child labour. In this ten-year period, legislation relating to factories, mines and ports were passes and these increased protection of children employed. By the Factories Act, 1922, the minimum age was increased to 15, working hours reduced to 6. The Act also made a medical fitness certificate necessary.

In this period between 1931 and 1949 there were more concentrated efforts to deal with the problems of child labour. The report of the Royal Commission of Labour gave recommendation which helped to frame many acts. The Tea Districts Emigrants labour Act was passed to check the migration of labour to tea cultivating districts. In 1933, the Children (pledging of Labour) Act was passed. This Act prohibited pledging of a child for getting any work done. The Factory Legislation also underwent changes. The Factories Act of 1934 evolved elaborate provisions regulating employment in respect of various age-groups in regard to factories.

The ILO Convention in 1937 adopted a resolution fixing minimum age at which children were to be employed. As a result, the government passed the Employment of Children Act of 1938 prohibiting employment of children under 15 in occupations like transport and railways. By this Act, employment was regulated according to age group. This Act deals with those whose employment does not come under the Factories Act.

Article 39 of the Directive Principles of the State Policy, on the other hand, states that (a) the tender age of children should not be abused and citizens should not be forced by economic necessity to enter vocations unsuited to their age and strength, and (b) children should be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood any youth would be protected against exploitation and against moral and material abandonment.

This article which ensures dignity to childhood is substantiated by other articles such as Article 45 directing the State to ensure compulsory education for all children under fourteen years and Article 47 requiring the state to raise the level of nutrition and standard of living of its people.

In spite of these directives and numerous legislations, why is it that children continue to be exploited?
One of our major criticisms of the legislations on child labour (12 of them, see Appendix V) is the lack of uniformity. These legislations do not conform to a single agreed minimum age. The minimum age differs from Act to Act, state to state and industry to industry. This not only true of the definition of minimum age, but also the working hours, rest periods, night employment.

Even where legislations apply, the employers do not implement them. There are also hardly any cases of government taking employers to court for disregarding the various stipulations of the Acts. Sivakasi, where the Factories Act applies in some units, represents on such area where employees have consciously convinced to see that none of the stipulations enjoined upon them under the factories Act applies to the industry.

The following are some of the stipulations enforceable under the Factories Act of 1948.

1) Under this Act a child who had completed his fourteenth year may be employed or permitted to work under certain circumstances (Section 71 with Section 68). Under the same Act, a child who has completed his fourteenth year but not completed this eighteen year is permitted to work provided he has a certificate of fitness (Section 68).

2) Section 71 also states that a child who has completed fourteen years should not be allowed to work in a factory for more than four and hours on any day or during night.

3) Section 13 of the Factories Act provides ventilation and circulation of air and Section 16 stipulates at least 500 cubic feet of workspace to every worker to forestall overcrowding.

4) Section 18 and 19 provide for that wherever fireworks are made, no electric wiring be present and wooden slippers should be provided to prevent sparks which may ignite the chemicals. Asbestos overcoats and other safety items also needed to be provided.

Our observations indicate that none of these provisions are being implemented. Most of the units in Sivakasi are not registered under this Act and when they are, the employers do not maintain proper records, do not provide adequate facilities. In most cases, the inspectors are bribed or children hidden away. One of the regular ways in which the employers evade the statutes is by not keeping ledgers recording the employment of children. Another method of evasion by not employing the workers continuously for one year.

V. Child Labour: Brief Historical Note

Children have always been used in economic activities. In pre-capitalist societies societies including India, children had been employed in guilds and in trade occupations. In these societies, their workplace was an extension of the home and work relationships. The child grew up and found work within the family environment – where the child was not given hazardous and difficult tasks. Work was a central aspect of their socialisation and training.

Within the advent of capitalist industrialisation, the situation changed. The new economic forces unleashed by capitalism destroyed the family based economy, a large number of labourers were displaced due to mechanisation of agriculture – the farmer was alienated from the land and drafts people from their home-based workplace. They became wage
earning labourers. Extreme poverty made possible a situation in which the child had to be introduced in the labour market, lack of alternative employment for adults and lack of education for children reinforcing this process.

Children were now introduced to a situation where they have to earn wages for themselves and their family. The workplace was separated from the family environment and work now exposed the child to unhealthy environments. The hours of work stretched from morning to night and yet the earnings were meagre. The child’s ability to grow and develop into a mentally and physically sound adult was severely restricted.

In the organised sector, when unionisation took place, and adults acquired some benefits, some relief also accrued to working children, underpaid wages or hazardous situations were gradually discontinued as the pressure from trade union organisations made it difficult for employers not to follow statutory regulations. However, a very small sector of the economy is under the organised sector, the rest of the population facing further impoverishment. The child was thus pushed into the informal unorganised sector. The National Commission of Labour in 1969 defined unorganised workers as those who “have not been able to recognise in pursuit of a common objective because of constraints such as (a) casual nature of employment, (b) ignorance and illiteracy, (c) small size of establishment with low investment per person employed, (d) scattered nature of establishments, and (e) superior strength of the employer operating singly or in combination”.

The rural sector also forms part of the informal sector. Yet, in this sector, if the family works as a unit, the child has some relief. Usually, children employed in the rural areas perform simple activities like looking after domestic animals or doing household chores. They assist their parents in the fields. Most of these children are at least assured of parental affection and care in spite of poverty and other inadequacies. This situation is of course rapidly deteriorating.

However, in the urban-based industries of the unorganised sector, the children are employed in factories, and shops far from their homes. They are required to work beyond their physical capacity and are paid exploitative wages. They do not get enough rest and recreation and are exposed to various pollutants and chemicals. In some cases, by the time children reach adulthood, their health has been debilitated that they cannot find gainful employment as adults.

It must be understood that the unorganised sector is not an extension of the past, in its feudal or semi-feudal forms, not is it a transitory phenomenon. Family units of production have been usurped by the capitalist system which makes tremendous profits through exploitation of male laborers at the minimum wages – wages which are most often not enough to support the family. As a result women and children are forced into the workforce.

India has the largest child labour force in the world. In 1971, India’s population was 548.2 million. Of this, 230.3 million (42.03) were children (0 – 14 years). Of these, there are at least 10.71 million child workers. They constitute 4.66 per cent of the total labour
force. There are 7.9 million boys and 2.8 million girls. No doubt the above figures are very conservative. The national Sample Survey (1972 – 1973) mentions a figure of 16.3 million in the age group 5 – 15 years.

Child labour, as the 1971 census indicates, is more prevalent in rural areas than in urban areas. About 42 per cent of the boys and 39 per cent of the girls are employed in the rural areas. The highest incidence (15.2 per cent) of child labour was recorded in Andhra Pradesh.

The working days and time vary extensively in agrarian areas. The rural Labour Enquiry Committee calculates an average of 280 days employment. The committee also states that children earn roughly 50 percent of the adult workers salary. In plantations, they are employed as part of the family group. Sometimes in plantations they work 40 hours a week compared to the 54 hours a week for adults.

The worse exploitation of children as labourers take place, as stated earlier, in the unorganised, informal and unregulated sectors. Nearly 40 per cent of India’s total working population in 1961 was in this sector. In the organised sector as explained earlier, child labour has declined from 0.48 per cent in 1948 to 0.05 per cent in 1971.

Child labour has increased sharply both in the old traditional handicraft industries, now part of the capitalist market, and in the new labour intensive industries where there is low investment per person employed. Examples of the former are carpet-making, sari-making, brassware, and precious stone polishing. Examples of the latter are match-making and fireworks, bidi-making, glass industry and brick-making. In the former the child still learns some skill and is employed with the family which inherits a tradition. Here the exploitation of children is a little less severe that in the latter where the child introduced to a factory and alienated from the household and where little or no skill is learnt.

A large number of migrant child workers are also employed in the cities. 80 per cent of the children of migrants are employed compared to 19 per cent of those of a relatively settled labour population. They are employed as housekeepers, servants, maids, cooks, waiters, bartenders and shop assistants. In addition, they are also employed in the construction industry which is a major industry in the informal sector.

In 1959, there were 0.2 million child workers engaged in the bidi industry. Various studies have established the debilitating effects of bidi making on these children, who have contracted chronic bronchitis and T.B. In addition to long hours of work and overcrowding, peculiar postures impede their physical development. In the Sivakasi match and fireworks industry, this report indicates the same situation.

Children working in other industries face similar hazards. Glass factories work only at night and children constitute 20 percent of the labour force. The temperature inside the industry is 40-45 degrees centigrade which makes working in summer miserable. In addition to TB, the children get various eye diseases.
The carpet making industry in Jammu and Kashmir employs 6,500 children of 8 to 10 years of age. They usually work for over eight hours for which they are paid an average of eighty rupees a month. The children work in congested sheds in long rows behind giant looms. The air is thick with particles of fluff and wool. A study indicated that nearly 60 percent of the children suffer from asthma and T.B.

In the handloom, sari-making and embroidery industry, the child’s physical growth and development are marred by the crouched position. Older children in the handloom industry earn Rs 60 to Rs 100 a month while the younger ones earn as little as Rs 15. In the zari-making industry, lack of adequate lighting and ventilation has resulted in children suffering from a variety of eye infections.

The precious stone industry also leads to very high incidence of eye diseases. It is also one industry where there is high rate of displacement of children from employment.

These case studies briefly illustrate the costs that children have to bear as families are increasingly marginalised by capitalist industrialisation.

**VI. Conclusion.**

Scant attention has been paid by trade unions and concerned organisations to the problem of child labour. In the present context of capitalist development and global power relations, it cannot be eliminated or even substantially reduced:

When considering interventions, we are faced with a grim reality where we have to accept that in this situation we can at best, humanize this development, whilst continuing our other interventionist activities.

The other temporary and limited role can be that which the Supreme Court can play. But even this depends on effective implementation which is not the Court’s role. This raises the basic question of the limitations of the Supreme Court in defending and upholding civil and democratic rights. The Court can only displace the child worker.

Displacing the 45,000 children in Sivakasi, for instance raises another serious dilemma. The displacement will not only affect the livelihood of their parents but will give a boost to the multinational WIMCO as the small and cottage sectors will definitely be hit by this step. An alternative could be for these sectors to semi-mechanise their operations. In fact, simple machines costing Rs. 1000 have been designed to perform the frame-filling operations. Ironically, the small-scale sector has refused to use these on the plea that it would displace employment. Obviously this resistance also reflects the fact that the children are a docile workforce which cannot be unionized.

The only really significant change that can reduce child labour is to launch a massive irrigation programme in the area. Not only will substantial land be made productive, parents of working children who own this land will experience economic recovery. But as pointed out earlier, there will be tremendous resistance to this from owners of industry.
If, therefore, only displacement takes place, can their parents who because of economic compulsion send their children to work, work in their place? This will of course mean a final step in their alienation from their lands.

And finally, another implication, if in the current set-up child labour cannot be eliminated in Sivakasi, is to mechanise the entire production of matches. This of course, raises the question of the very existence of the cottage sector. Mechanisation also implies heavy investments and additional displacement of labour.

We can therefore conclude that there is only a political solution to the problem. Solutions have to be conceived and activised outside the present framework. Meanwhile only a major movement by action groups and/or trade unions, which agitate for the children’s rights can change the plight of child labour not only in Sivakasi but all over the country. Till then, while we can gradually improve the working conditions and help create public opinion, children will continue to face shortened lives of drudgery.

Appendix I

Harbans Singh Report

Child labour is one of the most crucial factors for the development of the match and fireworks industries in Ramanathapuram area… a community of interest has developed between the employers and employees as a result of which employment of children continues without protest. The government agencies have also been partly responsible for this – Para 10:4, Harbans Singh Report.

It was one of the several official indictments of government apathy in Sivakasi and the conditions of child labour there. In 1976, the government set up a one-man commission headed by Harbans Singh, former member, Board of Revenue, to investigate ‘the problems of Child Labour in Various Factories and Industries in Ramanathapuram District”, Tamil Nadu was then under President’s rule. The report was submitted in 1977 and was not made public.

The appalling state of affairs detailed in the report underline the need for the urgent protection of children not only from rapacious employers but also their poverty stricken families. The report states that 40 to 45 percent of the total labourers employed in the match industry are children. Girls outnumber boys, three-to-one. Children are employed “longer than the stipulated hours of work, namely four and half hours per day”. Leaving their homes as early as 3 am, herded into buses and transported to the factories over a distance of upto 30 kilometers, the children spend nearly 16 hours away from home.

Accidents are a common occurrence in the area. “The provisions of both the Factories Act and Employment of Children Act are being violated with impunity”. Neither are amenities prescribed under the law provided to the children.

The commission admits that factory owners face only “normal” punishment if caught violating the provisions of the above Acts. Besides, the administrative authorities have no powers to suspend licenses of a factory violating the law. And in fact, this conveniently
ensures that no effective steps are taken to alleviate the inhuman conditions of work, leave alone an effective implementation of existing laws. Accepting that banning child labour would not necessarily result in the stoppage of work by children altogether, the report suggests that working hours should be reduced, wages increased and coupled with incentives for production. Stating that the “minimum wages for the match industry have not been raised since 1968”, the committee recommends that the piece-rate system be abolished and wages be linked to the cost of living index.

The report also states that extremely long hours of work, that too in once fixed monotonous activity, forecloses the child from exercising any choice in later years. Condemned to these harrowing work conditions they have access to little rest or play.

Recommending that non-formal education be given to children in the factories, the report adds that “school attendance should be made compulsory and it should be a condition precedent for employment in factories”.

However, none of the 57 conclusions and recommendations suggest radical measures to end the scourge of child labour. In fact, the committee report is more concerned about the match industry’s health than that of the children. The bias is clear when it points out that child labour is an economic problem and should be tackled accordingly without causing hardship to the parents or the industries.

M.S. Gurupadaswamy Report

The Ministry of Labour appointed a committee under the chairmanship of M.S. Gurupadaswamy in 1979 to investigate the causes relating to the existence of child labour in India.

The Committee’s report is an exhaustive survey on the nature of child labour in India. After making a statistical survey, the report documents the nature of exploitation of child labour in rural and urban activities. It quotes various studies and personal impressions highlight the conditions of child labour in the handloom and carpet industry, glass bangle industry, zari-making and embroidery industry, precious stone polishing industry, in domestic work and machine tool and repair shops. The Committee made special visits to investigate the situation in match and fireworks industry in Sivakasi.

The Committee visited Sivakasi and had extensive discussions with employers, representatives of trade unions, as also with individual child workers and their guardians. The report estimates that nearly 50,000 child workers are employed in this area. There is an organised system to arrange for their transport from the neighbouring villages and to bring them to the factory sites. The Children have to leave their homes in the early hours of morning to catch the factory bus. An incredibly large number of them are jam-packed into ramshackle buses. Because the wages are determined on the basis of piece-rates (and this system generally prevails in other areas also where children are employed), they all work feverishly in the time available to them to show the maximum neglect of their own requirements and many of the children were frail and anaemic. There was no medical assistance available to them; and children even in sick conditions had no option except to
sit in the factory and work on box-making, frame-filling, box-filling, labeling and band roll pasting. Despite their best efforts for the day, their return was a very meager one.

The Committee concludes its investigation with the following observations: Briefly, existing situation in respect of child labour in India can still be summarized as one of the ‘continuing drift’. Though there is little evidence of children at work in the organised sector of industry and in certain pockets in the country, the overall position is as had been observed by the Whitley Commission nearly 50 years ago. Bulk of the children continues to be employed in rural environment. While most of them work without wages, there is an increasing number amongst them of children employed for wages and also of many working on jobs which are hazardous. They handle dangerous chemicals (pesticides, fertilizers, etc) and they are also employed on machines with sharp edges and blades. Definite efforts are called for to prohibit their working in such occupations. Quite a large number of children residing in rural areas are also employed in cotton industries, where again the regulation by law is minimal, and the positive adjuncts which ought to be there to help the working children are not at all institutionalized. There is still large-scale migration of children from rural environment to urban areas. These children take to employment in smaller establishments in cities under varying exploitative conditions. The regulation by law of employment of children covers only a fringe of these occupations and ironically even where regulation has been sought, the enforcement is extremely half-hearted and tardy. The Committee would wish to emphasise unequivocally that unless a systematic evaluation is made from time to time in respect of jobs in which children are employed and certain purposeful policy decisions are taken to meet the deficiencies, the existing situation is not likely to undergo any dimensional, qualitative or quantitative change.

The Committee has examined in detail the anomalies in various legislations that deal with children. After examining the differences in various clauses regarding the minimum age of employment, medical examination, working hours, penalties and trial of offences provided in these enactments, the Committee concludes that there is a need for a single model legislation on child labour in India such that there are no anomalies on the above mentioned issues.

The existing legal framework for employment of children in India is rather dispersed and patchy. This has been one of the prime reasons for a missing focus in the efforts which have so far been made to regulate the employment of children in some of the sectors of economic activity. Some of the laws also suffer from certain internal contradictions. The Committee was unable to locate in most cases the precise rationale for the varying definitions of the ‘child’ for purposes of employment of children in many of these enactments is so much mixed up with other matters and requirements that the kind of emphasis which is intended in respect of children is more or less lost. The feeling was considerably reinforced amongst the members of the Committee, when they wanted to procure data in respect of implementation of the specific provisions relating to children from the state governments. In most cases this data was not forthcoming. There was hardly any administrative data available of any prosecutions having been made for violation of the provisions in Acts relating to employment of children. The annual reports
relating to the administration of such laws also contained hardly any mention about this respect.

Considering the situation, the Committee is strongly of the view that there is a paramount need for urgent action on the part of the government to bring the law relating to employment of children into proper focus. To avoid any ambiguity in respect of the basic objectives in this direction, it will be necessary to consolidate the existing laws relating to prohibition and regulation of employment of children into a single comprehensive one. The new legislation should adopt uniform definitions of the expressions of ‘child’ and ‘adolescent’ and prescribe the ‘hours of work’, ‘conditions of work’ etc. The new law should also have flexibility of extending gradually the provisions contained therein to other occupations, such as, mechanized agriculture, horticulture forestry, fisheries, etc.

Of all the existing Acts, the Employment of children Act, 1938, enjoys a comparatively pre-eminent position. The Committee feels that the structure of this Act could be easily rationalized to provide for a clearer enunciation of the overall intention of the government in respect of employment of children. It should be a model and uniform legislation for giving protection to child labour as a class. A schedule of industries could be added to it to which it can me made applicable by the appropriate authority which is either Central or state government, so as to have sufficient flexibility in the application of the Act to industry or a branch of industry or to any employment. Here the word industry is not used in its ordinary sense but to cover all types of occupants where the employer-employee relationship exists.

The Committee took pains to highlight that enactment of law does not solve the question of child labour. There has to be a will to enforce the legislations. The Committee wanted these forums of working children to participate in the process of collective bargaining.

Various supportive measures are needed to lessen the exploitation of children in the country. The following were the suggestions of the Committee. Removal of poverty and unemployment, ensuring minimum wages, a meaningful educational policy whereby the curriculum is related to vocational training, medical and health support, ensuring higher nutrition and cultural activities and protection from health hazards.

In spite of the strong and immediate tenor of the report, almost none of the recommendations, have been given serious attention, leave alone action.

Appendix II

Match Industry
The production of matches, though it takes place in many stages, is a fairly simple process. The splints (for the matchsticks) and the veneers (for the outer boxes) are acquired from soft wood trees found in Kerala and Mysore.

The first operation in the small scale or cottage unit is frame-filling. A pile of splints (which are the length of matchsticks without the chemical tip) is arranged into a long strip of wood which ahs grooves embedded in it. As soon as one strip is filled another one
is put on it until the specified height is reached. Then the entire pile is locked into a frame. This also locks the hundreds of sticks whose exposed tips are now dipped into a hot solution of gum and chemicals and subsequently, put to dry.

Once dry, the frame is unlocked and the matchsticks are placed in round vessels where they are cleaned and polished. Piles of coated sticks are then given to another set of workers who put approximately fifty of them in each matchbox.) The Matchbox is simply a thin strip of veneer bound together with the characteristic purple paper.) The outer striking surfaces are then coated with chemicals with either a brush or a roller.

After the sticks are placed in the matchbox, brand labels and the excise labels are applied and a dozen boxes packed together. A dozen of these packets comprise one case (144 match boxes).

Appendix III

Occupational Hazards
“….. nearly all workers are exposed to airborne concentrations of substances. Diseases are only detected after cumulative poisons accumulated late. These risks are more insidious than mechanical hazards as cumulative poisons take effect after perhaps 20 years of continued exposure.’’

- Area Development Programme Report, Ramanathapuram (prepared by UNICEF).

The following chemicals are used in the process of production.

- Tetraphosphorus Trisulphate: used for the head of strike-anywhere matches.
- Amorphous Red Phosphorus: Mixed with sand, powdered glass or similar material, this chemical is employed on the friction strip for use with safety matches.
- Potassium Chlorate, Antimony Trisulphate: used for the head of safety matches.
- Zinc, Oxide, Calcium Sulphate, Hemihydrate Asbestos powder and gum Arabic are used for fillers, binders and as adhesives.

The working conditions particularly in the cottage units are very poor. As is evident from the above list, the occupational conditions in the various production stages are hazardous. Very few units have proper ventilation. In the room where the chemical gum is prepared for tipping the sticks, dust and fumes were evident in all the units we visited. The risk of fire and explosion are ever present, the danger in the fireworks unites being, of course, more. As mentioned earlier, no systematic study has been undertaken to investigate the various kinds of respiratory and other diseases that would definitely be ensuing from this kind of activity. The situation is, in fact, even more critical in the small cottage units where the rooms are small and all the activities take place in one room. As mentioned earlier in the report, puddles of chemicals, chemical dust, poor ventilation and overcrowding were evident in most of these units. Besides, in all the activities requiring squatting, like frame-filling, box-filling and labeling, women and children suffer from discomfort and postural defects.
There is a high risk of acquiring non-specific diseases of the upper-respiratory passage such as pharyngitis from the dust given off when the splints are polished. Dermatitis is also a risk at many stages of manufacture, e.g., when troughs are replenished with combustible paste.

The nature of medical services available are also heavily weighted in favour of the towns of Sivakasi and Sattur. In fact, compared to 27 medical institutions in Sivakasi city, where the doctor-population ratio is 1:2121, there is only one clinic in the entire Sivakasi Block and the equivalent ration is 1:80,000! Table A illustrates the wide gap in the rural areas, where most of the match and fireworks units are spread, between the demand and supply of medical services.

Appendix IV

Non-formal Education

In many of the villages we visited, the branches of the village schools were empty. Most children work either in neighbouring villages or in the industries at Sivakasi. The contrasts with the situation in Sivakasi from where there are six higher secondary schools, two high schools, a polytechnic for men and a number of middle and elementary schools.

In a situation where 45,000 children are either drop-outs or those who have not been to school at all, what efforts have been made to provide education to them… A number of efforts to convince the employers to provide time-off to the children has failed.

Over two years ago, Stella Soundarajan, Director of the Non-Formal Education Programme in Tamil Nadu, prepared a report to launch a systematic non-formal education for the education in Sivakasi industries. The implementation also reflects the official apathy and the disinterest among owners for the welfare of the exploited children. We met Ram Dass, the enthusiastic field officer of the Non-Formal Education Programme in Sivakasi.

The Programme briefly, envisages compressing a 10-month syllabus into a 6-month intensive programme of 2-hour sessions between working hours. Teachers are specially trained and are given a uniform salary of Rs. 500.

Thirty young drop-outs are selected for each factory and after two months of intensive reading and writing, are put onto a three-year programme of continuous education which would supposedly prepare the children for the standard of examination.

Since there was no Government Order to acquire classroom facilities, the Sivakasi Chamber of Match Industries was requested to provide these facilities plus the equivalent money for loss of wages (2 hours wage per child). The cost of teaching
900 children (30 children each at 30 centres), including the loss of wages is Rs. 1.8 lakh.
It is ironical that in the face of such a high incidence of child labour, only 900 out of 45,000 children are provided with this support. In fact, Ram, Dass outlined to us how difficult it was to convince the owners to allow the children to learn for two hours a day.

Appendix V

Enactment Dealing with Employment of Children
1) The Children (Pledging of Labour) Act, 1933
2) The Employment of Children Act, 1938
4) The Factories Act 1948
5) The Plantations Labour Act, 1951
6) The Mines Act, 1952
7) The merchant Shipping Act, 1958
8) The Motor Transport Workers Act, 1961
9) The Apprentices Act, 1961
11) The Beedi and Cigar Workers (Conditions of Employment) Act, 1966
12) The Shops and Establishments Act in various states.

Table A

Demand and Supply of Medical Services

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<th>Population</th>
<th>Medical Institutions</th>
<th>No. of Doctors</th>
<th>Doctor/Population Ration</th>
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Smitu Kothari