



Child labour situations in the Tea gardens of Assam.

Nizwm Sona Baro

Department of History, Gauhati University, Guwahati, India

Abstract

Child labour phenomenon in the Assam tea gardens was introduced by the Colonial planters out of poverty stricken immigrant labourers. In spite of the enactment of child labour prohibitory laws incidence of child labour in disguise is more prevalent in the tea gardens because of parental poverty and ignorance as well as management denial. Child labour is not only detrimental to children's meaningful development and schooling but it adversely affects their family that leads to their economic backwardness. Poverty along with several socio-economic factors, management and government heedlessness are responsible for existing child labour in the tea gardens. Besides ensuring children's schooling; measures should be taken to provide economic security to the poor families because of which they cannot withstand without engaging their children in work. Hence, joint efforts of the government, management and civil societies are required besides enforcement of legislations to combat this social menace.

Keywords: Child labour, education, poverty, tea garden.

1. Introduction

Child labour is an old phenomenon in the human society. Despite enactment of child protection and anti-child labour laws as well as initiatives of the international agencies like International Labour Organization (ILO) and the United Nations International Children's Emergency Fund (UNICEF) child labour is a serious threat in the present world. Many developing countries fail to enforce the child labour laws because of the deep rooted socio-economic factors. Still there are 215 million child labourers around the world (ILO, 2010). It continues to exist by and large in poor countries which pose great obstacle in children's attending schools (Khanam, 2008). India is the abode of one of the largest number of child labourers below 14 years of age which consists 1.3% of the total population. Around 28 million children of 5 to 14 years of age are estimated to be involved in work in India (UNICEF, 2011). Although, the 2011 census found a decrease in the child labour from 12.66 million in 2001 to 43,53,000 in 2011; as many as 85% of child labourers cannot be traced who are engaged in

unorganized sector and households (Children in India 2012). The census also reveals considerable increasing trend of child labour in several states including North-eastern region and Assam (5.07%). Child labour paid or unpaid is very existent in the tea gardens of Assam. The Assam Government estimated the employment of 96,535 children in the tea gardens of Assam in 1990 which constituted more than 14% of the total workforce (Saikia, 2008). Most of children of the age group of 6-12 years have to work for a living which deprived them of meaningful childhood and education. Child population comprises school-going children, child labour, non-labour and non-school going (NFHS, 1998-99). Many non-labour and non-school going children are found in the tea gardens and they are also vulnerable to child labour. Children's involvement in work is so unavoidable in their tradition that their parents generally do not consider it child labour. Due to age old dependence on tea garden jobs they lack neither motivation for learning nor children's schooling. Defying various child labour prohibitory acts, tea garden management purportedly employs children in

various menial works in the gardens and pay half wage. The Assam State Commission for Protection of Child Rights (ASPCR) reported an increase of child labourer from 15,000 in 1997 to 64,000 child labourers in Assam in 2010. As per the Commission of 3.4% child labourers in Assam 1.58% children work as labourers in the tea gardens of Assam (The Times of India, 2014). However, the actual number of child labourers in the tea gardens is difficult to trace due to management denial and parental ignorance.

The biggest challenge in eradicating child labour in the tea gardens is inability to identify this acute social menace. Several factors contribute to child labour although poverty proved to be the most compelling reason. Inadequacies in policy, shortcomings in the enforcement mechanisms of labour law, lack of awareness on child rights and consequences of child labour, shortcomings in the education system contribute to the incidence of child labour. Poor families do not find education helpful to cope with poverty for which they acknowledge child labour as a means of learning works for livelihood. Hence, out of school and drop out are alarming and affect children's overall educational attainment in the tea gardens. The study of Khanam (2008) found child labour a great obstacle in children's school attendance in poor countries. Lack of awareness of the parents and the colonial outlook of the tea garden management are the main hindrances in combating child labour in the tea gardens. With this backdrop the study analyses the child labour menace and its factors in the tea gardens of Assam.

2. Methodology and data

The study is based on field survey reports and archival sources as well as on secondary data comprising relevant literature, UNICEF, ILO reports, research papers, news paper reports and web resources. The paper attempts to reveal the child labour situation and its factors in the tea gardens of Assam.

3. Genesis of child labour in the Assam tea gardens

Incidence of child labour in the tea gardens of Assam was coincided with the recruitment of labourers from different parts of the country to work in the tea plantations ever since the establishment of tea industry in the 19th century. Tea plantation industry is an agro-based organized industry. One of the main components of this industry is a large labour force that led to the development of a distinct socio-industrial relation. The family wise recruitment of immigrant labours

necessitated accommodations hence the system of residential labour force came to be associated with tea plantation industry. Along with males, females as well as children were employed in the tea gardens for which a certain daily rate was paid (Report on the Census of Assam, 1921). Family based recruitment of labourers not only facilitated to meet the large labour force demand and cheap labour while family wise earning was essential to the poor labourers for their family sustenance as they were paid abysmally low wage.

The pre-independence system of children employment in the tea gardens has not gone out even after the independence. The feature is very present in the Plantation Labour Act (PLA), 1951. The PLA contains provision of four classes of labourers namely male, female, adolescents and children (Bhowmik, 1992). Both male and female labourers above 18 years of age are included in the adult category with same wage (The Equal Remuneration Act in 1975). Children of 16-18 years of age are categorized as adolescents with lower wage than adults and children of age 12-16 years are put in the child category with half pay of the adult wage. The provision of pay regulations and age category of labourers signify the special feature of the employment of children of 12 years in the tea plantation industry which is lower than the stipulated minimum age of 14 years in other unorganized industries. On the other hand, the International Labour Organisation (ILO) defines children involving in work below 18 years of age as child labourers; as such the tea garden labourers below 18 years both adolescent and children come under category of child labour. The prescribed minimum working hour for children is 27 a week while for adults it is 48 hours weekly in that proportion children are paid an exploitative wage. In comparison to South India incidence of child labour is more in Assam tea gardens.

4. Defining child labour

Child labour has been defined differently within parameters of age and type of works. Edmonds and Pavcnik (2005) defines child labour "as a form of child abuse, when children work in bad conditions and hazardous occupations." Conventional definition of Child Labour implies a working child between 5 to 14 years of age engaged in labour, either paid or unpaid. The United Nations Convention (Article 1) on the Rights of the Child (CRC), 1989 defined child under the age of eighteen. The ILO coined the term 'worst forms' of child labour for works of hazards like bonded labour,

prostitution, pornography, trafficking etc (ILO Convention-182, 1999). It prohibited employment of children below eighteen years in such hazardous works. International Programme on the Elimination of Child Labour (IPEC), ILO defines Child labour as “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development; that interferes with their schooling; depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work”.

The ILO reports (2002) do not consider all kinds of work such as helping parents at home, looking after siblings or working for pocket money after school hours and during holidays performed by children as bad unless it obstructs children's schooling and affect their physical and mental health. The study of Dessy and Pallage (2005) also asserts that children's involvement in some works like newspaper delivery, farm work etc. can be tolerated which provides learning opportunities of social values like discipline and punctuality except worst forms of child labour involving trafficking, prostitution and deep-sea fishing etc.

Considering various definitions; child labour in the tea gardens represents both non-hazardous as well as worst form. Children's engagement in the household work and in certain tea plantation works is not hazardous nor considered as worst form but it deprives of their opportunity to attend school obliging them to drop out from school and otherwise to combine both schooling and domestic chore.

The Plantation Labor Act, 1951 restricts employment of children below 12 years of age in any plantation but adolescents between 15 and 17 years are allowed to be employed on the receipt of a fitness certificate from an authorized medical officer. Although the age regulation in the PLA, 1951 was amended from 12 years to 14 years as per the Child Labour Prohibition and Regulation Act (1986) several children below 14 years are involved in various works in the tea gardens. The management employs children because they are cheaper, docile, obliged and can be easily terminated when labour demand declines. Hence, child labour in the tea gardens cannot be considered accidental. They are mostly employed in pruning, manuring, weeding, nursery work, in the plantations and even in factories and hazardous works. Many non adult labourers are employed in hazardous works in applying fertilizers, chemicals like spraying pesticide, herbicide etc. The PLA has provision of restricting the use of chemical

and the labourers need to wear protective mask, gloves and costumes when they use hazardous chemical. But due to non- mandatory of such protective measure ignorant labourers use such chemicals with bare hand, without wearing mask or costume. Thus they become most vulnerable to various health hazards. The study by the Government of India (2007) on Health problems and Nutritional status of Tea Garden Population of Assam found 59.9% underweight children, 69.8% thinness among adults, 72% anaemic, 65.4% worm infestation, 6.7% respiratory disorders, 1.7% diarrhoea, 0.6% skin infections and filariasis, 11.7% pulmonary tuberculosis, 45.9% hypertension, 25.3% senile cataract, 7.3% epilepsy and 8.7% back pain (Saikia, 2008). Some parents willingly allow their children to do hazardous works since such works yield more earning. The ignorant parents cannot identify the type of work either good or hazardous in which their children are employed. The tea garden medical officer provides them certificate of fitness by manipulating their age instructed by the management. Thus exploiting the parental ignorance the management deceitfully employs children in hazardous works. However, children's involvement in work is either due to parental ignorance or voluntary choice; the predominant reason is acute poverty which compels them to engage their children in such work. Hence, the economic role for the subsistence of child labour in the tea gardens cannot be ruled out that helps the labour family in making ends meet. But due to denial of education they are less likely to get decent job, better and secured future which again throws them to the infinity of poverty.

According to the National Family Health Survey (NFHS)-3 (2005-06) around 11.8% children (5-14 years age) are engaged in own household work or for others in the country. The percentage of children of the same age group engaged in work in Assam is 3.4% with 3.6% in rural areas and 2.1% in urban areas (Annual Health Survey, 2010-11). Engagement of children of 5-14 years of age in domestic work and in others household is a common trend in the tea gardens. Poor labourers adopt allied activities of rearing poultry, cattle and goat to supplement their meager income. Their male children are engaged in subsistence activities like cattle care i.e. grazing, collection of fire wood, fodder, water etc. The study under Assam Sarva Shiksha Abhiyan Mission found 258 children working at home, 183 children engaged in household work and 200 children in tea garden work. Moreover, 149 children were engaged in paid work, 325 children were engaged in sibling care and 83 children were engaged in cattle

care (Fernandes *et al.*, 2003). Children of that age group are engaged in domestic works for more than 27- 45 hours weekly besides involving in some kind of economic activity. Girls need to look after household affairs such as cooking, cleaning, carrying water, taking care of younger siblings that tremendously hamper in their schooling and causes drop out. Many children of the labourers are eloped, enslaved and kept as bonded labour in the known or unknown wealthy families and outside the state. Poor parents induce their children (6-14 years) to work as domestic help and cow herd in other's house for meager wages. The reports on mental, physical assault on those children by their masters establish the fact of victimization of child labour. Child trafficking is a burning issue in the tea gardens of Assam. Many girls in the tea gardens of Udalguri district and other areas in Lower Assam have become victims of this illicit trade and rampant across the North-eastern states including Assam (Satyarthi, The sentinel, 2015). The ignorant illiterate parents are completely unaware that their children are trafficked to work as domestic helps, bonded labour in wealthy families, factories or manufacturing industries only to suffer various untold abuses.

5. Factors of child labour

Several socio-economic factors determine the incidence of child labour in the tea gardens. Poor parents engage their children in economic activity to support their family income. Hence, poverty is one of the key determinants of child labour. Around 85% population in the tea gardens is dependent on tea garden jobs for livelihood (Fernandes *et al.*, 2003). Majority of the labour families live below poverty line in the tea gardens. They are paid a meager wage partly in cash and kind. As per the agreement on 1 March, 2012 they were paid daily wage of Rs. 84, Rs. 89 and Rs. 94 in three phases till the revised agreement on 26 February, 2015. Studies of Basu (1999, 2000), Ranjan (1999, 2001), Edmonds (2004) analyse the issue of child labour from the economic perspective and found poverty to be the main factor of child labour. Lack of firm economic base is the root cause for children's involvement in work in tea gardens. For want of adequate income parents have to depend on children's contributory income for family sustenance. Children's school attending time is a great lose to family. As per the NFHS-3, 2005-06 one in every 7 children 5-14 years belonging to poor economic background are engaged in works.

Family size has a direct bearing on the child labour

in the tea gardens. There are average three to four children in the tea garden labour families. Their parents unable to afford children's basic needs engage them in work. Socio-cultural tradition like early marriage and ignorance of family planning causes high fertility although child mortality rate is also high among them than state and national rate.

Family conditions like broken family and parental lose also contributes to child labour. Children whose parents are died have to work for a living. Moreover, when parents or elders cannot continue their jobs due to disability or illness, they get their jobs done by their children and grandchildren. In the tea gardens most labourers cannot reach retirement age due to ill health. Their premature disability compel their children to get employed in the tea gardens or outside which become essential for their family sustenance.

Female work participation has a close relationship with child labour. Since demand of female labour is high in tea plantation industry and majority of the labour force consists of female labourers it has significant relationship with child labour. The total female labour force comprises 65% in the tea gardens of Assam (Sharma & Das, 2009). Moreover, 12,906 adolescent girls were employed in the tea gardens of Assam in 2010 (Statistical Profile on Women Labour, 2011-2013). They are also engaged to look after household works in absence of their mothers or elders. Many of them combine domestic work with school and in many cases involved in domestic work with no school attendance. Most of the girls under 10 years follow their mothers to learn plucking job.

Several studies have showed that tradition or culture has an influence on child labour. Children are induced by parents to involve in work who considers it as beneficial for learning work skills for future. As a part of tradition children are engaged in the household work as well as in income yielding activities in the tea gardens for which no schooling is required. Although a part of tradition, the reason is deep rooted with poverty. Being immigrant labourers their tradition or culture in the tea gardens of Assam was greatly shaped by extreme poverty. They are the most marginalized and socially excluded group. Hence, they perceive that it is their tradition or culture to learn work at an early age for survival.

Many illiterate parents who never experienced schooling are unaware about the problem of children's working and the consequences of child labour. Children of immature and illiterate parents are more vulnerable to child labour. About 21% tea garden populations are

literate in Assam (Adivasi Sahitya Sabha) and female education is ignored. Parental education especially female education is essential because mother is regarded as the best teacher of a child. The International Labor Organization (ILO) points out the relationship between child labour and the tradition of illiterate parental child labour. The ILO addressed, "Born to parents who themselves were uneducated child workers, many child workers are forced to continue a tradition that leaves them chained to a life of poverty (ILO, 2010).

School factors like lack of available schools, unattractive school environment, poor quality and irrelevant content of education, untrained teachers cannot motivate children to attend school in the tea gardens. Due to lack of motivation many children are found hovering in the tea gardens instead of attending school. Therefore, free education and ban on child labour prove to be ineffective in the tea gardens. International agencies found education to be a key strategy in combating child labour that can keep child aloof from work. The Global Monitoring Report, EFA (2007) reveals some extent progress in achieving universal primary education but still 72 million children of primary school age are out of school (ILO, Combating child labour through education). Consequently, meeting the Millennium Development Goal 2 of achieving universal primary education by 2015 has almost remained unfulfilled.

6. Conclusion

Child labour curbs the basic right of children's meaningful enjoyment of childhood and learning opportunities. Poverty and ignorance induce altruistic parents to push their children in the grave of child labour. Besides parental poverty and ignorance;

government indifference is also responsible for the very existing child labour in the tea gardens. Hence, mere ban cannot be the sole mechanism to do away with child labour in the tea gardens unless measures are taken to improve the economic conditions of the labourers and improve school education. Awareness should be brought among the elders through adult literacy campaign so that they can cooperate in combating child labour. Because child labour cannot bring solution to their economic hardships and child labourers devoid of education will only produce unskilled adult labourers with exploitative wage creating more economic and employment insecurity in the long run. Hence, priority should be laid on parallel measures of poverty eradication and providing effective primary education to all children. The state government should make sincere effort to incorporate the tea garden labour population in the agenda of the Millennium Development Goals of eradicating poverty and achieving universal primary education. The launching of three year programme (2015-17) by UNICEF in collaboration with Ethical Tea Partnership (ETP) for the protection of children from abuse and exploitation in the tea gardens of Assam has provided a ray of hope that can bring some positive change in the colonial-traditional feature of child labour in the tea gardens. The programme set the objective to empower, safeguard and change the lives of children and women by facilitating education and life skill trainings. The support of the state government, Assam Branch of India Tea Association (ABITA) and the Bharatiya Cha Parishad (BCP) to this noble project is expected to help in tackling child abuse and exploitation across the tea gardens in Assam. It will also contribute in realizing the ILO target of eradicating the worst forms of child labour by 2016.

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