



Paradox of the Sweetest Crop

Child Labour and its Gendered Dimensions in the Sugarcane Supply Chain in India

Report Summary

Agriculture in India is the single largest provider of employment for the country with at least 60 per cent rural population dependent on the sector engaged as farmers, daily wage and seasonal migrant labourers. At the same time, agriculture is also a leading employer of children in high risk work, from using sharp tools and operating dangerous machinery to being exposed to extreme environmental conditions and agrochemicals. Over half the number of child labourers in India is concentrated in agriculture due to poverty, limited access to quality education, and traditional attitudes towards children's participation in agricultural activities, among other things.

Child labour, along with bonded labour is especially found in key commercial crops in India, sugarcane being one of them. The report 'Paradox of the Sweetest Crop' makes an attempt to delve further into the nuanced root causes of child labour and its gendered dimensions in the sugarcane sector. Commenced in the year 2019, the focus of this report is to use evidence-based information to highlight the issue of child labour in the sugarcane sector within its key socio-economic intersections such as gender, caste, migration and structural inequalities in the Indian agriculture sector. Gender, in particular has been emphasised as a crucial cross-cutting issue in determining the impacts of gender based inequalities and norms on the lived gendered experiences of child labourers.

The report is based on the field work in four states, namely, Gujarat, Karnataka, Maharashtra and Uttar Pradesh. The field work involved interaction with families of seasonal sugarcane harvesters, also known as *koyta*, along with their children (child labourers), the middle men or *muqaddam*, farmers, sugarcane mill staff and regional stakeholders and duty bearers. The findings and situational analysis as well as recommendations also take into consideration the publicly available primary and secondary sources, such as articles, academic research and online media reports, as well as telephone conversations with a small sample of industry actors and stakeholders.

The objectives of this research are focused at both policy as well as practice level and are based on the key pre-existing gaps, challenges and recommendations from relevant civil society members and the assessment derived from Global March's own analysis collectively with its various regional partners. The key objectives are:

- To identify, assess and reevaluate the practice of child labour and its related issues in the sugarcane supply chain in India through a sampled child labour analysis in sugarcane sector hotspots of India
- To identify and analyse the issue of child labour in sugarcane growing with gender as a cross cutting issue and additionally, exploring gender-based challenges and differences with respect to lived labour realities among child labourers
- To identify and cover the existing knowledge gaps on child labour such as the interlinkages of debt bondage, caste based exploitation and child labour in the sugarcane industry or sugar as an agricultural commodity
- To initiate a dialogue towards cross-sectoral programmatic interventions to ensure that children can access quality, uninterrupted education and their families have rightful opportunities for decent work

Key Findings

The report highlights that the sugarcane supply chain employs child labour, both paid and unpaid during seasonal harvesting within a larger system of organised and normalised practices of debt bondage leading to bonded and child labour. Some of the key findings of the report are:

1. Child Labourers are Employed in Sugarcane Harvesting

During the course of research it was found that child labourers in sugarcane cultivation are as young as 6 and as old as 14 years. They work as both paid and unpaid labourers alongside their family members. Children can be categorised as seasonal workers who migrate every year for 5 to 6 months with their parents to the neighbouring states and districts. Many children, who do not have to look after their siblings or household work, particularly boys, accompany their family to the farms where they can easily spend 5 to 8 hours doing the same work as paid child labourers. Since such children are too young and not entirely fit to consistently work, they do not get paid or recognised as child labourers or cane cutters.

In all the four states, all children, both boys and girls working in sugarcane cultivation were found to be engaged in the worst forms of child labour, particularly hazardous work (please note that the work is not legally categorised as 'hazardous' by the Indian government but the nature of work is hazardous) such as cutting of cane with a sharp tool during manual harvesting, application of agro-chemicals and pesticides, working for long hours and physical labour in harsh conditions, and prolonged exposure to harmful particles.

2. Gendered Dimensions of Child Labour

In most of the rural communities girls often start working at an earlier age than boys. In the case of sugarcane, like in many agricultural crops of India highly dependent on rural migrant labour, taking care of household work plays a big role for migration of girls as compared to boys. Girls start learning cooking, cleaning, washing clothes and dishes at the age of 5 and play an important role in taking care of their younger siblings when parents are working on the farms.

Children, especially girls can be found engaged in domestic household tasks, besides working on the farms and are often denied education, thus carrying a 'triple burden'.

The average number of hours spent by girls on their household work across all states was between 6-8 hours, besides working on the farms which suggests that they work for 14-16 hours in a day, leaving no time for playing or resting.

The socio-economic conditions, combined with cultural practices and lack of education amongst many sugarcane harvesters in India is also responsible for many girls being married before they enter the legal age of 18 or complete basic schooling. *"When families keep migrating for work, looking after a girl child becomes a challenge. You cannot trust anyone to look after them"* says Mala, one of the women cane cutters and a mother of three daughters from Parbhani district of Maharashtra state, two of whom were married before they turned 18.

The Condition of Women Cane Cutters - Women play a crucial role in the agriculture sector in India as cultivators, labourers and entrepreneurs. However, most women are not recognised as farmers. Women daily wage workers still struggle for equal wages and decision making at the same time taking care of the household chores, childcare and unpaid care work.

It was found that women had no engagements with employers such as contractors, farmers and sugar mill management. There was also no woman found to be working as a contractor, owning land or directly dealing with employers for payment of wages.

This gendered nature of work becomes applicable for young girls in the household who end up dropping out of school as a result of seasonal migration every year to take care of household chores and younger siblings besides working on the farms as paid or unpaid child labourers.

3. Lack of Support to Access Quality and Uninterrupted Education

The impact of migration plays a crucial role in pushing the children of harvesters into hazardous child labour and further away from education. Once the child migrates, he/she most often ends up working on farms, at home and unable to access the local schools near the fields. Girls in particular, are more vulnerable to migrating and dropping out of school due to safety concerns in absence of their parents and have no other option than looking after their siblings and performing household chores when they might already be working on the sugarcane farms.

As understood during the course of research, the lack of safe seasonal hostels, schools and absence of family members in native regions act as key factors behind children's migration. Cultural norms and practices makes parents reluctant to stay away from their children despite having the option of a seasonal hostel or relatives to look after the child.

In Gujarat, the discussions with parents revealed that even if seasonal hostels are available in their native regions, their condition is very poor in terms of infrastructure and safety, especially for girls. They also shared that these hostels are not completely free of cost and whatever the cost is, they cannot afford it for all of their children.

The seasonal hostels in some parts of Maharashtra exist but remain empty. Sugar factories have provided some space for makeshift schools but most of them remain stalled due to bureaucratic reasons, lack of funding and interventions from stakeholders. Another reason for the failure of these schools is the timing which is not compatible with the routine of harvesters as they remain on the farms for more than 10 hours but these schools only run for a few hours.

4. Bonded Labour in Sugarcane Farming in India

As a part of the recruitment system that relies heavily on loans with massive interests and historical structural practices of bonded labour in agriculture, most of the children of cane cutters can be categorised as bonded labourers, as they are linked to the repayment of wages to the contractors when they work with their families.

Bonded labour was found in the sugarcane supply chain's harvesting stage (farm level). Duty bearers and other stakeholders such as trade unions and civil society are divided on whether this practise can be treated as bonded labour since workers enter into a verbal agreement with the contractor willingly and mutually. This arrangement is a "zero-sum game" for the workers because they have no choice but to take advance against their wages at a very high rate of interest but their wages are not enough to pay off the debt in one harvesting season.

Majority of bonded labourers in India are predominantly *Dalits*, wherein women and children become the main targets of exploitation. Bondage, mostly arising out of a vicious cycle of debt, lack of alternative livelihood, absence of land and such reasons is usually passed on from one generation to another and confirms to the definition of 'neo-bondage' as described by the Dutch Sociologist Jan Breman¹.

5. Deplorable Living and Working Conditions

The living conditions of migrant families in temporary settlements called *padav* is not suitable for human dwelling. There is hardly any access to drinking water and other basic amenities such as toilets. They are vulnerable to extreme weather conditions and can hardly give protection from extreme weather conditions such as rainfall, storms and harsh sunlight. Children living in *padav* have no access to *anganwadi* centers and nutritious food. They are also prone to infections and diseases due to lack of clean drinking water and sanitation. A dependence on natural resources such as rivers, village wells and streams for water was noticed across regions. It is mostly women and children who walk a long distance everyday to fetch water.

The working conditions of migrant cane cutters were also found to be highly exploitative. The factories sign official contracts with the contractors but no contract of employment is signed between the contractors and harvesters. Recruiting harvesters by giving advance is a very common practice in the sugarcane sector. The life of sugarcane-harvesters revolves around the hope of this advance every year as there is no other source of income for them in their native regions. The wages were found to be lower than the state's minimum wage standard and is not sufficient to pay off the debt taken in the beginning of the season. Low wages and the advance system perpetuate the cycle of debt, poverty and bondage.

Occupational safety standards were also not followed while cutting sugarcane in the farms. Workers, including children were not seen wearing any protective gear while working in the farms. Insect and snake bites are also very common on the farms but there is no protection mechanism to prevent those. The working hours are long, unpredictable and constitute breaks and rest time for a maximum of half an hour because everyone wants to cut as much cane as possible. None of the harvesters claimed to have been paid for doing overtime at work.

¹ Neo-Bondage: A Fieldwork-Based Account; Jan Breman, International Labor and Working-Class History No. 78 (FALL 2010), pp. 48-62, Published by: Cambridge University Press

Root Causes of Child Labour

The root causes of child labour are based on an intersectional approach instead of oversimplifying the issue and linking it to poverty exclusively. Rather, an attempt is made to delve deeper into the context in which the practice of child labour takes place to understand how structural inequalities create the ecosystem for children to engage in child labour. The root causes are briefly described below:

1. Migration of Families for Seasonal Harvesting

Due to cultural norms, safety concerns and the absence of suitable facilities back home, seasonal migrants usually end up taking their children with them for the sugarcane harvesting season. Children who migrate frequently with their caregivers or families seldom find school education accessible to them; most of them have never enrolled in a school and the ones who did end up dropping out because there is no effective system at the community/school level.

At the destination they are unable to access education due to their migratory status, linguistic barriers, school being too far away from the work site, different enrollment procedures and curriculum. Children with no access to quality education have little alternative but to enter the labour market, where they are often forced to work in dangerous and exploitative conditions².

2. Supporting Family Income

As seen during the course of this research, cane cutters are not paid minimum wage per day³, instead they are paid towards the end of the harvest for the quantity of sugarcane they cut. Migrant workers take advance against their wages from the contractor on extremely high rates of interest, in the beginning of the season, and then pay it back through their labour. In this exploitative arrangement families have to work really hard in order to repay the debt and make some extra money. Children support family income by helping their guardians cut sugarcane in the field or by doing household chores and taking care of younger siblings when parents are away at work. Sometimes, especially in the case of young girls, they end up doing both.

Children with a single parent, especially a single mother, are also prone to start working from an early age in order to contribute to the household income. Lack of social safety nets and gender sensitive labour policies while living in a patriarchal society, may impel women to depend on their sons for the labour of an adult male partner.

² <https://www.ilo.org/ipecc/Action/Education/ChildlabourandEducationforAll/lang-en/index.htm#:~:text=Children%20with%20no%20access%20to,time%20cannot%20go%20to%20school.>

³ The daily wages of harvesters is 238 rupees per day per koyta as that is the current wage rate for cutting one metric ton. Taking into consideration the current daily minimum wage rate for agricultural labourers in Gujarat, which is 178 rupees a day, wage rates of harvesters can be considered very low. As one koyta unit consists of two persons-a male and a female, as per state's minimum wage rate they should get 356 rupees for day's work.

3. Children's 'Interest' in Working

Children that grow up in poverty may experience a desire to be financially independent at an early age or a sense of duty to assist their families in making ends meet. Some children may say that they are interested in the work but it is only valid when they have a real choice as having to work because of financial disadvantage is not really a choice. "Children want to work" is often as a justification for child labour and may also be "interested in working" because they do not understand the potential risk of injury and other health hazards that may even have a lifelong impact on their lives.

In the state of Uttar Pradesh, poor infrastructure of education and lack of support for children from the vulnerable groups was a key reason behind children dropping out of school to work. Even if children are enrolled in school, the absence of any monitoring and collective support from duty-bearers diminishes their chances of accessing quality education.

4. Legislative and Policy Gaps

Protection of child labourers from exploitation by employers and contractors, whether in terms of lower wage payments or employment and working conditions, is made more difficult due to the socially acceptable utilisation of children in work spheres⁴ and the ambivalence in legal provisions.

The Child Labour and Adolescent (Prohibition and Regulation) Act, 2016 in India does not recognise many farming practices that children are involved in as 'hazardous'. However, activities in sugarcane harvesting such as cane cutting and loading of heavy material, quite often late at night at the farms have severe consequences for the children. Besides, the overall poor safety and health standards and working arrangements on farms are dangerous that could result in a child being killed, or injured or made ill as a consequence of. As a result of these activities and working conditions not being acknowledged, a significant number of child labourers remain invisible and countless whilst toiling for months in hazardous working conditions.

The Case of Bonded Labour and How it Impacts Children

The research found that practices of recruitment, debt bondage, lack of choice and working conditions and inequalities present in the sugarcane cultivation confirm to key indicators of bonded labour as per the definition provided in the Bonded Labour System (Abolition) Act 1976. It also found that there is a shared reluctance amongst some duty-bearers to acknowledge the practice as bonded labour despite the innumerable cases of migrant sugarcane workers and their families including children trapped in cycles of debt and low pay, especially in Gujarat and Maharashtra surfacing in the news and documented on various platforms in the last few years. This is mainly due to the lack of proof or evidence of a relationship between employer and employee since there are formal contracts involved. However, it has no ground in preventing the practices of child labour, forced labour and bonded labour from being recognised and addressed as well as for compensation and rehabilitated.

⁴ Rural Child Labour Markets in India: Nature of Child Work Participation and Role of the Family, Preet Rustagi, INSTITUTE FOR HUMAN DEVELOPMENT NEW DELHI 2008, pp 1

Sustainability Challenges in the Sugarcane Supply Chain

Child labour is considered as a challenge in making the agriculture sector 'sustainable'. However, on the contrary, structural socio-economic practices of the agricultural supply chain are themselves directly and indirectly a crucial cause of child labour and decent work deficits in the supply chain. Like many other agricultural crops in India, sugarcane supply chain is based on historically deep rooted caste based relations that reflect prominently in high caste landlords on one hand and Dalits and Adivasis as marginalised workers on the other.

Besides the challenges of child labour, casteism, gender discrimination and debt bondage, some other issues of the sector are, extensive use of water and exploitation of ecosystems; poor public procurement practices and transparency; strong political and cooperatives sector lobbying; lack of pro farmer policies and; lack of mechanisation due to difficult terrain and affordability.

Engagement of businesses in the supply chain of sugarcane is also a key missing link in addressing the issues of sustainability in the sugarcane sector. Despite several sustainability interventions and certifications, millions of children and adults are still working in hazardous conditions in the sugarcane sector. While certifications can be considered a benchmark for a safe and sustainable product, they are not enough to address deeply rooted and evolving human rights abuses and risks of the vast informal agriculture sector. As a duty-bearer, it is therefore an important part of due diligence for businesses to take account of human rights issues in the supply chain of sugar and related products when they are procuring it from countries like India.

Recommendations

The report contains detailed recommendations on all issues related to child labour and labour rights violations in the sugarcane supply chain in India. A summary of those recommendation is provided below:

1. Role of the Private Sector

The private sector can help create a sustainable supply chain for sugarcane products by ensuring due diligence with a focus on risks posed to supply chains by structural issues such as caste along with gender as an intersecting issue through engaging with suppliers at all tiers of supply chain. Buyers along with Sugar Mills will need to implement stringent zero child labour policy at farm level and ensure each and every worker linked with a company's supply chain directly or indirectly has a formalised and legal contract of employment.

The private sector must also support sustainability policies in producer countries and acknowledge their responsibility in ensuring labour rights in all tiers of the supply chain. Global F&B companies need to ensure that workers' right to bargain collectively and the freedom of association is not met with hostility at the supplier level.

2. Role of the Government

Governments of sugarcane producing countries must replicate successful models of intervention from other countries and sectors for tackling child labour and other violations of human rights. Children's and their families' work in farms must be recognised as child labour and bonded labour and immediate efforts must be made towards their rehabilitation.

Since it is evident that the migrant cane cutters are not receiving fair compensation for their work, linking of the piece rate wage payment to a scientific time motion study to determine the average output in eight hours might be considered by relevant authorities. To prevent debt bondage that arises as a result of the faulty advance system, the government should strengthen micro credit at local level along with other economic welfare schemes. Overall the working and living conditions of the migrant workers should be regulated by the government by increasing the capacity of district level labour offices. The Inter-state Migrant Workmen Act's provisions must be implemented thoroughly across source and destination states.

The social safety net must be extended to the migrant population by making key social welfare schemes accessible and portable for the seasonal migrant population.

Stringent implementation of RTE guidelines to ensure all children of migrant workers are registered, their education status updated and their attendance followed up by the school management committees in both native as well as host/destination regions. Where schools are not accessible for migrant children the duty-bearers must ensure that children have access to mobile education, seasonal schools and tent schools and that the provisions are gender sensitive. ICDS and Anganwaadi services must be allocated enough funds to accommodate seasonal migrant mother and child populations.

3. Role of the Civil Society

Civil society can play an active role in promoting fair practices in line with growing demands on supply chain transparency among international companies and investors. Lobbying for buyers to act responsibly, assisting governments and other stakeholders in area-based, cross sectoral approaches to address the root causes of child labour and collecting gender-disaggregated data on child labour in agriculture are some of the key areas where the civil society can make its contribution.

Grassroots organisations can help create awareness among sugarcane farmers on sustainable agriculture practices and encourage self employed labourers to join collective bargaining structures.



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