



PARADOX OF

THE SWEETEST CROP

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

September 2020



IMPRINT

Published by:

Global March Against Child Labour
Koningskade 30, 2596 AA
The Hague, the Netherlands

Registered Address

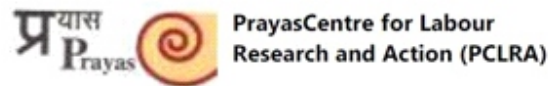
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The report was developed under the programme of Girls Advocacy Alliance, in which Global March Against Child Labour is participating. The views expressed in this report are those of Global March Against Child Labour, participants and stakeholders and do not necessarily represent the views of our funders.

This report will be available online at:

<https://globalmarch.org/resource-centre/research-publications/>

The **Global March Against Child Labour** is a worldwide network of trade unions, teachers and civil society organisations that work together towards the shared development goals of eliminating and preventing all forms of child labour, ensuring access by all children to free, meaningful and good quality public education, and promoting decent work for adults to address household poverty. It mobilises and supports its constituents to contribute to local, national, regional and global efforts and support for a range of international/regional instruments relating to the protection and promotion of children's rights and engages with the United Nations, international and inter-governmental agencies on the same.



Ministry of Foreign Affairs of the
Netherlands

ACKNOWLEDGEMENTS

This research is an outcome of the contributions of many individuals and organisations in India, especially in the four states where the focus of the study lies (Gujarat, Karnataka, Maharashtra, and Uttar Pradesh). PRAYAS – Center for Labour Research and Action extended its support in the state of Gujarat to conduct the fieldwork for this study. In the year 2018, PRAYAS commissioned a crucial report on the status of sugarcane workers (seasonal migrant cane cutters) and their children in the state of Gujarat and Maharashtra, which also proved to be a key learning literature for our understanding of the issue. The staff of their organisation in Gujarat – Sudhir Katiyar, Dennis Macwan, Shantilal Meena, Jayesh Bhai, Jeetu Parmar, and Vaneeta Rathore extended their generous support and guidance during the fieldwork and throughout the project. State coordinators from access to justice teams of our sister organisation Bachpan Bachao Andolan (BBA) in Karnataka and Gujarat and project officers from Bal Mitra Gram (Child Friendly Village) from Kailash Satyarthi Children’s Foundation (KSCF) in Uttar Pradesh and Karnataka helped us in getting access to the sugarcane fields, interviewing families, children and stakeholders from labour, education and agriculture departments. In Maharashtra, we were able to execute the fieldwork with the support and insights from colleagues in trade unions such as General Secretary Subhash Gurav and members of Saakhar Kamgaar Union Kolhapur and General Secretary Suresh Jadhav of Kolhapur District Prathamik Sahakari Dudh Sanstha Karmachari Sangathana. These trade unions have been working towards promoting and protecting the rights of sugarcane workers in farms and factories for more than two decades. We are also thankful to grassroots organisations such as Shantivan and AVNI in Maharashtra, Gujarat Adivasi Sabha in Gujarat, and Vikasana, Reach, Spandana and Antodaya in Karnataka for accompanying us to the fields and also conducting interviews and FGDs on our behalf in some of the districts. Our volunteers from TISS, Snehal Pawar also extended her support in the fieldwork in Maharashtra’s Kolhapur district.

Our heartfelt gratitude is offered to all of them. Most importantly this research would have been impossible without the time and cooperation of sugarcane harvesters including children who shared their personal stories with us. In spite of their busy schedules at the farm, they have given time willingly and provided valuable information even though they were unknown to us. We acknowledge their great contribution.

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ACRONYMS AND TERMINOLOGIES

CII	Confederation of Indian Industry
DEE	District Education Officer
DoL	Department of Labour
FGD	Focus Group Discussion
FAO	Food and Agriculture Organization of the United Nations
FICCI	Federation of Indian Chambers of Commerce and Industry
GMR	Global Monitoring Report
Goi	Government of India
ILO	International Labour Organization
IOM	International Organization for Migration
ILO	International Labour Organization
ITUC	International Trade Union Confederation
INR	Indian National Rupee
ISMA	Indian Sugar Mills Association
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MT	Metric Tonne
NABARD	National Bank for Agriculture and Rural Development
NFSCF	National Federation of Cooperative Sugar Factories Limited
OBC	Other backward castes
PDS	Public Distribution Scheme
ST	Scheduled Tribe
SC	Scheduled Caste
TISS	Tata Institute of Social Sciences
Adivasi	the tribal people referred to as Scheduled Tribe in Indian Constitution, the group of communities that generally reside in hilly tracts and are not a part of the caste society
Dalit	A member of the 'lowest' caste in the Indian traditional caste system
Padav	the temporary residential camp where sugarcane harvesters stay at night near the farms
Tukdi	the unit of 15 to 20 koyta that work together and share the payment equally
Koyta	A sharp edged instrument used for cutting sugarcane. In the present context, it also refers to the unit of labour deployed consisting of two persons, normally husband and wife
Muqaddam	Labour contractor

****For the purpose of this report:**

- Sugarcane workers will be referred to as Koyta
- Contractors will be referred as Muqaddam
- Residential area of workers will be referred to as Padav
- Native region refers to regions where the workers belong to and migrate from every season

DISCLAIMER

All the pictures of children and sugarcane harvesters used in this report were taken and are being used with the permission of their parents/families. Their names have been changed on their request.

PREFACE

This report is based on research conducted before the COVID-19 crisis. It is likely that the most vulnerable communities such as the migrating seasonal workers and their children engaged in extremely laborious work of sugarcane harvesting will be further hit with multidimensional poverty impacted in this pandemic. The working and living conditions of many child labourers and their families working in the sugarcane sector also reflect the larger reality of child labour in agriculture. It is, therefore, the intention of this study to begin a dialogue for improving the situation of millions of workers in the agricultural supply chains such as sugarcane, and work collectively towards building an ecosystem for children where they can assert with dignity their human right to education instead of toiling on the farms.

As Global March, we aim to work towards making the supply chains of agriculture sector more transparent and diligent of child labour and its related gendered risks and impacts by engaging in studies like this and simultaneously creating awareness of the risks and labour rights violations in the sector to support regional and global stakeholders and duty-bearers. With the health and economic impacts affecting the most vulnerable communities it is now more challenging, at the same time crucial to address the issue of child labour in agriculture that can only be done with collective efforts of companies, producer organisations, industry associations, labour unions, civil society organisations, local and national governments ensuring stringent implementation of laws and an increased focus on child labour and other human rights in bilateral trade agreements. There is no doubt that businesses themselves have been impacted by the current COVID-19 crisis and will affect the way business will be done in the future, but we are also certain that this crisis can be used as an opportunity to implement the necessary changes to create sustainable supply chains that respect human rights of all workers and has no place for child labour.

EXECUTIVE SUMMARY

This report provides an overview of the situation of child labour with a gender lens that has existed for decades in sugarcane harvesting in India. The report is based on the field work in four states, namely, Gujarat, Karnataka, Maharashtra and Uttar Pradesh. Commissioned 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.

The fieldwork involved interaction with families of seasonal sugarcane harvesters, also known as koyta, along with their children, the middlemen or contractors, 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 report highlights that the sugarcane supply chain employs child labour, both paid and unpaid during seasonal harvesting. 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. Children are pushed into hazardous labour due to reasons such as structural poverty amongst the harvesters, most of whom are Tribals/Adivasi and Dalit. The structural poverty is not only a reason behind the coercive and deceitful agricultural labour practices such as debt bondage which leaves no choice for migrant workers but also an outcome of the same, making it a vicious cycle.

The working and living conditions were found to be inhumane and hazardous on both farms and padav. Children and women in particular face the worst of its impacts as they remain vulnerable to long working hours, lack of breaks, playing or resting time, snakes and insect bites. Dearth of basic minimum facilities such as clean drinking water and sanitation, forces women and children to work harder to fetch water from miles away, and defecate and bathe in the open. Families that were interviewed were also found to be devoid of access to any welfare schemes in the areas where they migrate to work. Men, women and children who are already forced to migrate from their native areas because of lack of employment, high rates of poverty and unfit land for agriculture do not find any positive change in their conditions when they migrate. In fact, them being migrants, works against them as local welfare schemes often do not have funds to include them and their children.

Bonded labour was found in the sugarcane supply chain's harvesting stage (farm level) investigated during the research. The duty bearers such as the Department of Labour, agriculture and sugar mills and stakeholders such as trade unions and civil society are divided on whether the practice can be treated as bonded labour as the workers enter into a verbal agreement and not any formal contract with contractors willingly and mutually. There is however no doubt that each and every aspect of the sugarcane harvesting work confirms to the legally punishable practices of bonded

labour, forced labour and child labour, as will be explained in the upcoming sections of this report. This practice, for most of the migrant workers, is “a zero sum game”, because they take an advance from the brokers or muqaddam, who take them in groups to the sugarcane fields. The advance is deducted from their wages, which they receive at the end of the season. The interest they must pay for the advance they take comes to a whopping 50 per cent.

While this sort of employment could be easily seen as “voluntary” or based on a “mutual and verbal agreement” the circumstances behind these practices cannot be ignored since a major reason behind them being forced to work at exorbitant rate of interest on their debts is due to lack of employment and earning opportunities in their vulnerable home districts. This situation puts the children in the worst position. Since families are engaged as bonded labourers, their children who are working as child labourers are directly and indirectly a part of this practice and face its consequences as shall be elaborated in the sections that follow.

The intersections of migration, debt bondage, gender-based risks and structured social inequalities such as that of Dalits and Adivasis together play a role in making the problem of child labour more complex. While boys are expected to join their families for cutting of cane and other farm work as soon as they ‘seem’ fit, women and girls who work on the farms have additional responsibilities of household work and childcare. Due to seasonal migration children also face irregularities in their schooling with most of them remaining out of school and some never enrolling due to financial constraints.

The report concludes with risk indicators for human rights violations, especially on child labour and gender in sugarcane supply chains and recommendations, basis the identified issues focusing on the role of duty bearers and stakeholders, especially businesses and government. The recommendations will be used to make greater progress in the elimination of child labour in the sector and the realisation of gender issues as well as other fundamental rights.

WHY GENDER?

This report not only advocates for the need to collect gender-disaggregated and sub-sector data to assess how boys and girls are placed differently as child labourers in the sugarcane supply chain, but also treats gender as a rather cross-cutting issue. Such an approach is adopted to evaluate the impact of gender norms on gendered experiences of child labourers, i.e. shifting from the usual assumed relationship between women and children to a more analytical attention. For instance, the gendered nature of child-care acts as a key factor for young girls to migrate with their families during the season of harvesting of sugarcane to take care of the household chores and the younger children besides working in the farms. This cycle continues for girls until they are married, to be repeated when they become wives, mothers and grandmothers.

Similarly, the gender-based norms that have for centuries pushed women to work in lower-productivity agricultural jobs than their male counterparts plays a key role in preventing their right to equal wages and decent jobs which impacts the household income negatively and creates undesirable circumstances for child labour.

Traditional gender norms play a role in the fact that women don't receive the same income as men but also that they have to work in jobs which are informal and by definition low paid. Besides agriculture, in other informal sectors especially, most of the work given by sub-contractors has extremely low wages for women as compared to men, such as paying per piece/unit in home based work. As a result, to earn more, women need to produce more for a living income and in order to achieve that they need the help of their family and have no choice but engage children to work. Thus, focus on gender in relation to child labour enables one to identify the hidden and traditional forms of child labour and understanding gender norms helps to identify all forms of child labour and how to address them.

Through this research, an attempt is made to highlight the need for integrating a gender perspective and analysis at all stages of assessing and addressing the issue of child labour in agriculture. Nonetheless, the same approach can be applied to other sectors by all relevant stakeholders and duty-bearers.



A close-up photograph of a sugarcane stalk, showing the characteristic yellowish-green color and the dark, fibrous sheath. The stalk is the central focus, with other stalks and green leaves visible in the blurred background. A semi-transparent green horizontal band is overlaid across the middle of the image, containing the text 'CHAPTER 1'.

CHAPTER 1

INTRODUCTION

1.1 Background

In existence for more than two decades, Global March Against Child Labour (Global March) has been working on a range of issues around child labour and its various key themes, particularly agriculture. Global March has renewed interest and focus in addressing nuances of child labour in agriculture with a particular interest in supply chains of various agricultural commodities such as sugarcane, cocoa, spices along with aquaculture commodities such as shrimps. One of the most important factors behind this is that agriculture constitutes 70.9 per cent of child labour globally, accounting for 108 million children in the workforce¹. Most of these children, both girls and boys are working in the agriculture sector in South Asia, Africa and Central Asia, regions that have consistently shown the worst performance for the prevalence of child labour and hazardous work. Additionally, agricultural crops play a crucial role in global supply chains and value chains as they are used in innumerable sectors, from food to fuel, posing serious concerns for businesses as they increasingly strive to establish sustainable and child labour free supply chains.

In India, agriculture is the single largest provider of employment for the country's population and contributes 17 per cent to the country's gross value added. At least 60 per cent of the rural population is dependent on this sector working as farmers, daily wage and seasonal migrant labourers. Sugarcane is one of the most important agricultural commercial crops engaging around 7.5% of the country's rural population in sugarcane farming, contributing to 10% of the agricultural GDP in 2010-11 (Solomon, 2016) and as a whole supporting more than 6 million farmers and their families (Verma, 2015).

Sugarcane cultivation in India has proven to be economically beneficial for both urban and rural populations. **However, like many other agricultural crops in India, sugarcane too has its own share of historically and structurally exploitative practices which are crucial to understand while assessing the situation of human rights in its supply chain, especially concerning child labour and gender inequalities and norms.** Exploitative practices in the sugarcane value chains, particularly its cultivation, can be held responsible for issues such as child labour, gender inequality, forced labour, debt bondage, lack of employment contracts, low wages and appalling work conditions amongst many other concerning challenges for sugarcane supply chain in India.

A crucial agricultural product for local as well as global trade, sugarcane is associated with a history of labour rights issues in India and is one of the cash crops that feature consistently in policy initiatives, academic studies and media reports on the abuse of working children, cane harvesters

¹ https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575499.pdf

and other workers at the margins. The sugarcane supply chain also has poor adherence to the International Labour Organization's **(ILO) core labour principles. According to ILO's report on Child Labour in the Primary Production of Sugarcane** (2017), sugar is the largest and one of the most complex agricultural commodities in the world. Intense competition, weather fluctuations and price volatility make it difficult for smallholders to cover their production costs, which may increase the likelihood of child labour and other decent work deficits and constrain investment in sustainable production practices.

The U.S. Department of Labor (2018) has also identified at least 18 countries producing sugarcane, including India with high risks for child and/or forced labour. The evidence from Asia shows that children working in sugarcane are employed both on smallholder farms as family helpers and on larger commercial plantations. Both girls and boys are engaged in child labour in the sector but the way in which they experience this cruel reality is different. Gendered roles and norms prevent girls from getting an education and they are allocated the additional burden of looking after domestic chores along with working on the field, often neglecting their most basic concerns. This makes them the largest invisible and vulnerable workforce in not only agriculture but other sectors that employ child labourers.

Despite the urgency to tackle the issue of child labour in agriculture, particularly in sugarcane, the number of children, boys and girls separately is unknown and knowledge on nuanced gendered challenges of working in this sector is scant, evidencing a lack of combined sector specific and gender inclusive research. The study conducted by the ILO in 2017 also revealed data gaps on a range of topics related to working conditions in the sugarcane industry, a key aspect which this research attempts to address as well.

With the help of empirical research in four important sugarcane producing states in India - Gujarat, Karnataka, Maharashtra and Uttar Pradesh, this report attempts to understand how labour practices in sugarcane supply chain in India, combined with socio-economic factors, historical patterns of debt bondage and changing agricultural dynamics play a key role in the issue of child labour and gender based inequalities in the sector.

1.2 Child Labour in Agriculture in India

In India, over half the number of child labourers is concentrated in agriculture due to caste based poverty and structural practices such as debt bondage in the agriculture sector that further perpetuates inequalities, combined with limited access to quality education, and traditional (socio-cultural) attitudes towards children's participation in agricultural activities. Children in the households of poor and landless agricultural labourers, many of whom are migrant and seasonal workers are most vulnerable to work as child labourers not only in their own and neighbouring villages, but also in other districts/ states/ areas where there is a shortage of farm labour or demand for cheap labour, especially where the entire family unit is involved.



According to Census 2011² estimates, agriculture has emerged as the largest category employing children. In rural areas, 40.1 per cent children are engaged as agricultural labourers, 31.5 percent as cultivators, 4.6 per cent in the household industry and 23.8 per cent in other areas of work. Despite the decline in child labour with variations between different states and regions within states due to significant interventions, children still continue to be hired as paid or unpaid agricultural labourers in either their native villages or host towns.

² https://censusindia.gov.in/census_And_You/economic_activity.aspx

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 spheres³ and the ambivalence in legal provisions. The Child Labour and Adolescent (Prohibition and Regulation) Act, 2016 in India had many progressive changes welcomed by the civil society. The amendment slashed the list of hazardous occupations for children from 83 to include just mining, explosives, and occupations mentioned in the Factory Act, increasing the chances for children to be engaged in hazardous work in not only farms but also in chemical mixing units, battery recycling units, and brick kilns, among others and the list of hazardous occupations. The amendment also leaves out many hazardous activities from the agriculture sector such as cane cutting and loading of heavy material, quite often late at night at the farms. These processes, though not acknowledged as hazardous are as hazardous as the use of tractors, threshing and harvesting machines that are included in the list.

It also allows child labour in “family or family enterprises” which if applied to the agriculture sector, only makes it more difficult to identify and address the issue of child labour. The changes do not define the hours of work and simply state that children may work after school hours or during vacations⁴. The bill has also been criticised by child rights groups because of the ambiguity of the term “family work” considering nearly 70 per cent of child labour is unpaid family labour (FAO 2016) and the amendments leave enough grey areas for child labour in agriculture to continue. Besides, a lot of work by companies and subcontractors is often outsourced to families where children have been found working. This risks children's health and performance at school eventually leading to children dropping out. It is also difficult to keep track of children working in a home based setting.

Child Labour, Forced Labour and Bonded Labour: Setting the context

The research takes into consideration age group 5-18 and the ILO definition; *child labour as work that is inappropriate for a child's age (any person under age of 18), affects children's education, or is likely to harm their health, safety or morals*. However, as per India's Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, amended in 2016 ("CLPR Act"), a "Child" is defined as any person below the age of 14, whereas children between the age of 14 and 18 are defined as "Adolescent".

³ 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

⁴ [https://pencil.gov.in/THE%20CHILD%20LABOUR%20\(PROHIBITION%20AND%20REGULATION\)%20AMENDMENT%20ACT,%202016\(1\).pdf](https://pencil.gov.in/THE%20CHILD%20LABOUR%20(PROHIBITION%20AND%20REGULATION)%20AMENDMENT%20ACT,%202016(1).pdf)

While the nature of inquiry of this report rests on child labour in sugarcane supply chains, it is also equally critical, in fact non-negotiable, to establish issues of bonded and forced labour for:

- Exploring the relationship between child, bonded and forced labour and simplifying it for practical understanding as well as strategic action
- Establishing legal understanding of constitutional violations that result out of employing children to work
- Making a clear, legal case of child labour and/or bonded child labour to counter the misconception that children are allowed legally to work in family units or family business

The research finds that in the sugarcane sector, like many other agricultural crops and informal sector commodities, children work under some form of compulsion. Most often, the compulsions and expectations are related to their caste and/or the family's economic needs wherein children work to pay off the debt taken by their families from contractors and other such employers (later sections of the report focus on SC and ST categories that constitute a significant portion of the workforce in sugarcane harvesting). Debt-bondage is also a traditional practice in India wherein families take debt for reasons such as bearing the costs of an illness, providing a dowry to a marrying child, or even to put food on the table. In such a scenario, the children can be seen as bonded child labourers⁵ where the labour of a child is cheaper under a situation of bondage.

Domestic Laws and Indian Constitution

Child labour in the sugarcane supply chain arising out of such conditions of debt-bondage violates the several national laws in India that exist for protection of children as well as their families from exploitation. The Bonded Labour System (Abolition) Act of 1976 is one such significant law for the purpose of this report and also the issue of child labour and bonded labour in sugarcane supply chain and largely in agriculture in India. The Bonded Labour System (Abolition) Act prohibits all forms of debt bondage, including that of children, and requires government intervention and rehabilitation of the bonded workers⁶. While the Act, combined with the "Child Labour and Adolescent (Prohibition and Regulation) Act, 2016 can be applied in varying degrees and circumstances to the situation of the child labour in sugarcane and agriculture in general, it most often fails due to extremely low rates of enforcement and prosecutions.

⁵ The United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, defines debt bondage as "the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined." It should be noted that many Indian activists consider all child labor to be a form of bondage, given the child's powerlessness and inability to freely choose to work. This report, however, considers bonded child labor to be that which conforms to the definition of the U.N. Supplementary Convention

⁶ https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081967

As will be established in the proceeding sections, the practice of employing children as well as other forms of labour recruitment and loopholes in the sugarcane supply chain violates the Bonded Labour System (Abolition) Act, the Child Labour and Adolescent (Prohibition and Regulation) Act, 2016 and the constitutional provisions that underlie such Acts.

The practices of employing children widely in various farm activities violates Article 21 of the Constitution of India that guarantees the right to life and liberty which according to the Indian Supreme Court includes, among other things, the right of free movement, the right to eat, sleep and work when one pleases, the right to be free from inhuman and degrading treatment, the right to integrity and dignity of the person, the right to the benefits of protective labour legislation, and the right to speedy justice⁷.

It also violates Article 23 of the Constitution that prohibits the practice of debt bondage and other forms of slavery both modern and ancient and prohibits traffic in human beings and *begar* (an ancient caste-based obligation, a "form of forced labour under which a person is compelled to work without receiving any remuneration) and other similar forms of forced labour⁸.

It has been analysed from the research findings that often the issue of child labour in agriculture is not recognised as 'child labour', let alone 'bonded' and/or 'forced labour' because of the argument that children's work is limited to helping on farms and family work cannot be called child labour. However, in the case of sugarcane it is important to assess the context in which children's engagement on farm work takes place, i.e. as a result of debt-bondage to pay back the contractors, household poverty and migration resulting in full time work for 12-14 hrs on an average and loss of educational opportunities. Below given arguments are aimed at making the 'forced' and 'bonded' aspects of child labour in sugarcane more visible.

Supreme Court of India Judgements

While there is no concrete definition of forced labour as per Indian government, the Supreme Court of India has read this provision expansively, and provided specific guidance on the definition. In the case of People's Union for Democratic Rights vs. Union of India⁹ and Others, 1982, the Supreme Court of India determined that forced labour should be defined as any labour for which the worker receives less than the government-stipulated minimum wage: "ordinarily no one would willingly supply labour or service to another for less than the minimum wage... [unless] he is acting under the force of some compulsion which drives him to work though he is paid less than what he is entitled under law to receive."

⁷ S. K. Singh, *Bonded Labour and the Law* (New Delhi: Deep and Deep Publications, 1994), pp. 48-51

⁸ *People's Union for Democratic Rights v. Union of India [Asiad Workers' Case]*, AIR 1982 S.C. 1473, paragraph 1486

⁹ <https://indiankanoon.org/doc/496663/>

The Supreme Court further provided a helpful rule for determining exactly what situations constitute forced labour¹⁰. "[W]here a person provides labour or service to another for remuneration which is less than minimum wage, the labour or service provided by him clearly falls within the scope and ambit of the word `forced labour'..." All labour rewarded with less than the minimum wage, then, constitutes forced labour and violates the Constitution of India.

In another landmark case¹¹, on behalf of a group of bonded quarry workers in the early 1980s, the Supreme Court ruled that "[i]t is the plainest requirement of Articles 21 and 23 of the Constitution that bonded labourers must be identified and released and on release, they must be suitably rehabilitated.... [A]ny failure of action on the part of the State Government[s] in implementing the provisions of [the Bonded Labour System (Abolition) Act] would be the clearest violation of Article 21 [and] Article 23 of the Constitution."

As shall be explained in following chapters, the research found that all facets of sugarcane cultivation, from hiring practices based on debt-bondage, caste based exploitation and an inherently deceitful, yet organised system of continuing the intergenerational debt bondage confirms to what the Indian Constitution considers as the practice of bonded labour and what the supreme court considers in judgements as explained above as 'forced'. As per the definition provided in the Bonded Labour System (Abolition) Act 1976, the practices of sugarcane supply chain confirm to:

- Having a system of forced (or partly forced) labour in which a debtor enters (or presumed to have entered) into an agreement with the creditor
- Rendering services to the creditor (by himself or through a family member) for a specified (or unspecified) period of time with no wages (or nominal wages)
- Forfeit the right to move freely
- Forfeit the right to appropriate or sell the product or property at the market value from his (or his family members') labour or service
- Agreement of bonded labour resulting into an undeniable loss of freedom on the part of the debtor to look for alternative avenues of employment to sustain a decent livelihood
- Loss of freedom to earn the minimum wage as notified by the Government of India
- Loss of freedom to move from one part of the country to another

¹⁰ People's Union for Democratic Rights v. Union of India, (1982) 3 SCC 235, paragraphs 259-260

¹¹ Neeraja Chaudhary v. State of Madhya Pradesh, 3 SCC 243, paragraph 255 (1984)

Methodological Challenges in Addressing Child Labour in Agriculture

Methodologically, some of the key challenges behind the issue of child labour remaining unaddressed are given below. Though these challenges are country (India) specific, they can also be applied to other countries with similar socio-economic and agricultural challenges.

- The overlapping regional and international definitions and understanding of child labour has been a reason for a substantial proportion of child labour remaining uncounted not only in India but globally as well. A significant number of child workers in India are also hard-to-reach and 'invisible' as they work largely in the informal and unorganised sector such as agriculture
- According to the ILO, progress in eliminating child labour in agriculture globally has been slow due to the sector's unique complexities. These include:
 - limited coverage of agriculture and family undertakings in national labour legislation
 - low capacity of labour inspectors to cover remote rural areas, majority of child labourers working as unpaid family labour without formal contracts, and
 - traditions of children participating in agricultural activities from a young age¹²
 - lack of traceability in the supply chain which means there is no clear idea about the working conditions at the bottom where power relations are not only unequal but also exploitative and where children can be easily found working
- Another challenge lies in the nature of work in child labour which is often informal, sporadic or transient, and therefore difficult to research and quantify. As will be explained below, child labourers have no formal employment relationship since they work as 'helping hands' for their families
- Target groups, such as migrant workers are difficult to track as the agriculture labour force is often transitory and informal labour making it difficult to quantify the number of children

The agriculture sector is also influenced by many factors of its supply chain (from local to global). For example - for cost saving, agro food companies have already begun shifting production to new and remote pockets for cottonseed and okra seed production. Seed companies are relocating and expanding their production to new areas situated in remote pockets where cheap labour is more readily available. The increase in the production area in remote tribal pockets of Gujarat and backward areas of Telangana indicates this trend. In the new locations most of the seed farmers are marginal landholders and tribal people who mostly depend upon their family for labour which includes children¹³.

¹² <https://www.ilo.org/ipecc/areas/Agriculture/lang-en/index.htm>

¹³ <https://www.financialexpress.com/archive/new-study-points-to-child-labour-at-seed-farms-mnacs-under-cloud/633074/>

1.3 Objectives

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 as well as the assessment derived from Global March's own analysis collectively with its various regional partners.

- 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. This also includes studying the differences in labour practices in various states in order to analyse the grey areas of child labour, child work, hazardous work and forced labour along with their root causes
- To identify and analyse the issue of child labour in sugarcane growing with a gender responsive¹⁴ approach by focusing on the nuances i.e. differences in situations of girls and boys such as the invisibility of combination of agricultural and domestic labour done by girls and access to education for girls/gender analysis of child labour in sugarcane. 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 in the sugarcane industry or sugar as an agricultural commodity with a gender as a cross-cutting issue

Potential Uses of the Research

The research can be used by duty-bearers as well as stakeholders for:

- Strengthening local, national and global advocacy efforts on child labour in agriculture-supply chains
- Creating and strengthening multi-stakeholder platforms/networks in countries on addressing child labour in agriculture (sugarcane specifically) that would benefit from the findings of the research
- Making a case and providing evidence of why gender approach in the discourse of child labour is important which can be further used by relevant stakeholders (UN agencies, duty bearers, civil society, governments amongst others) working on child labour
- To suggest potential measures to eliminate the practice of child labour in the identified areas of study - both at the policy level and practice level. This includes delving into remedial measures and interventions for further prevention and mitigation of child labour in the sugarcane industry with a gender responsive approach on the ground with different stakeholders

¹⁴ Being gender-responsive means that rather than only identify gender issues or work under the "the do not do harm" principle, a process will substantially help to overcome historical gender biases—to "do better," so to speak—in order for women to truly engage and benefit from these actions

1.4 Participants' Profile and Geography

Participants' Profile

1. **Koyta** – They are the most crucial participants for this research as it is their group that migrates every harvesting season with families making them the most vulnerable rights holder in the supply chain. Both men and women cane cutters, also called 'Koyta' in regional colloquial language were interviewed as they are hired as couples, either as husband-wife or relatives.
2. **Children of Koyta** – Since the children of cane cutters migrate with their parents every season, they are at high risk of ending up as paid or unpaid labourers at the farm and dropping out of school, making them an important subject of study. Both boys and girls were interviewed to address gendered differences and inequalities. It is also important to note that paid child labourers are referred to koyta as
3. **Muqaddam** – The migrant sugarcane harvesters are recruited as teams through the institution of *muqaddam* who are essentially brokers/middlemen and are also most often employed into cane cutting. Since it is the *muqaddam* who are responsible for labour recruitment and the whole process of migration, interviewing them was crucial.
4. **Farmers** – The role of farmers in sugarcane cultivation is quite obscure and complex. While in most of the states, the farmers completely rely on sugar mill staff to take care of their land and labour employment during seasonal harvesting, in some cases they themselves engage in all processes of farming.
5. **Sugar factories** – Officials from only Kolhapur sugar factories were interviewed due to the non-availability of officials from other 3 states.

Stakeholders

Officials from various government departments and others in the four states were interviewed. They can be listed as

1. Department of Labour
2. Department of District Education
3. Grassroots and local NGOs working on child rights and gender
4. Trade unions working on the rights of sugarcane workers
5. Child Welfare Committee
6. Sugar Mill Management

Geography

Gujarat

The state of Gujarat is home to about 62 million people, 14.8 per cent¹⁵ of which are the tribal population. The Dang district of Gujarat, which sees a lot of seasonal migration to sugarcane growing districts of the state, has nearly 95 per cent ST population¹⁶. According to the planning commission's speculation in 2013, almost half (48.6 per cent) of the ST population in the state of Gujarat lived below the poverty line. Landlessness, lack of employment opportunities and low agricultural yield due to geographical factors are the reasons behind abject tribal poverty and migration in Gujarat¹⁷.

The literacy rate among the ST community of Gujarat is only 47.7 per cent as compared to the overall 78.03 per cent, according to the 2011 census. Low standards of living combined with lack of education and opportunities, keeps the tribal population trapped in the cycle of poverty so much so that they are left with no option but to migrate for survival.

Other than migrants from the tribal regions of Gujarat, the sugarcane sector here also employs migrant workers from Madhya Pradesh and Maharashtra. The total number of sugar mills in Gujarat is around 554 sugar mills under a state cooperative system. The government partially controls its market and production but there are also some mills that are privately owned. Total amount of sugar production in the state is around 190 million MT. It is estimated that the total number of people directly and indirectly associated with the sugar industry in the state is around 0.31 million. The sugar mills in the state covers and employs more than 0.45 million farmers and cultivators.

For migrant, seasonal, contractual and daily wage workers, the sugar mills mostly offer various employment opportunities in the unorganised sector. In fact the harvesting process in the state is entirely dependent on migrant labourers. A factory employee acts as a contractor for both the factories and the labour, also known as "*muqaddam*" who is responsible for approaching labourers from neighbouring districts to arrange for migrant workers to harvest sugarcane. The harvesting is done from November-December until March-April, depending on the sowing period. Gujarat is also the only state in the country with a separate Department of Labour for Agriculture.

Karnataka

Karnataka is a pioneering state when it comes to economic and industrial growth. The capital city of Bengaluru, known to many as the "silicon valley of India" is also home to machine tools, construction machinery industry, aerospace, electronics, garments and a significant automotive hub in India¹⁸. It is one of the progressive states in the country with its economic performance consistently above the national average. However, 13 million or a little more than one-fifth people in Karnataka live in

¹⁵ <https://tribal.gujarat.gov.in/tribal-demography-of-gujarat>

¹⁶ <https://www.news18.com/news/india/in-gujarats-dang-district-tribals-are-left-with-no-option-but-to-migrate-for-survival-2089741.html>

¹⁷ <https://pdfs.semanticscholar.org/bd16/4c09b3ccb2aa84105cc9c3292cfd3a1c51de.pdf>

¹⁸ <https://economictimes.indiatimes.com/small-biz/startups/newsbuzz/karnataka-has-shown-the-way-towards-economic-growth-but-now-it-needs-to-blaze-new-trails/articleshow/62786190.cms?from=mdr>

poverty. High incidences of poverty are recorded in north Karnataka - nine of the ten districts with the lowest per capita income are from the north, with Kalaburgi occupying the very last spot¹⁹. This is indicative of high intra-regional inequality and concentration of growth to only a handful of districts.

The SC and ST community are marginalised groups in Karnataka. They continue to be socially, economically and educationally backward even today. In 2011-12, 33.2 per cent *Dalits* and 31.5 per cent *Adivasis*²⁰ lived below the poverty line, indicating very high levels of inequality. Disparities also exist in enrolling for higher education, while the state has 24 per cent Gross Enrollment Ratio (GER) in higher education, which is more than the national average. Yet, GER for SCs and STs in the state was much lower at 15.4 and 12.7 per cent, respectively.

The sugarcane industry in Karnataka is a significant driver of the rural economy and provides employment to thousands of migrants from within and outside the state. There are 66 sugar factories in Karnataka, of which one-third are co-operatives and the rest are privately owned. Over the past four decades, there has been a substantial rise in sugarcane production in Karnataka and a corresponding increase in the number of sugar factories, with more planned.

Belgaum (also known as Belagavi) and Mandya are the main sugarcane producing regions in Karnataka. Together, they have 40 per cent of the 66 sugar factories. Belgaum alone has 19 sugar factories, the highest number in any region in the state. While Karnataka mills get some of their sugarcane from across the border in Maharashtra, some Karnataka sugarcane also gets diverted to Maharashtra.

Maharashtra

Maharashtra is one of the most industrialised states of India and contributed almost 15 per cent to India's GDP in 2017-18²¹. Despite its booming industrial clusters, 20 million (almost 17 per cent) people in Maharashtra live below the poverty line. In the year 2017, poverty in Maharashtra was below the national average but districts in the northern and eastern regions continued to experience very high levels of poverty²². Over 60 per cent of Maharashtra's tribal populace lives below the poverty line and does not have sufficient access to health and education indicating rampant inequality among social groups in Maharashtra.²³

Like other Indian states, about 55 per cent²⁴ of the population of Maharashtra is directly or indirectly dependent on agriculture. The cultivation of crops is predominantly under rainfed conditions and thereby has low productivity. Droughts have adversely affected regions of Maharashtra, and led to farmer suicides since the late 1980s. The droughts, the floods, credit woes, lack of institutional support and employment opportunities has led to the distressed

¹⁹ <https://theprint.in/economy/north-karnataka-is-in-fact-the-souths-very-poor-cousin-shows-govt-data/92307/>

²⁰ http://granthalayah.com/Articles/Vol7Iss6/16_JRG19_A06_2395.pdf

²¹ <https://www.investindia.gov.in/state/maharashtra>

²² <http://documents1.worldbank.org/curated/en/806671504171811149/pdf/119254-BRI-P157572-Maharashtra-Poverty.pdf>

²³ <https://indianexpress.com/article/india/over-61-per-cent-scheduled-tribes-population-in-maharashtra-lives-below-poverty-line-4414346/>

²⁴ https://niti.gov.in/writereaddata/files/Maharashtra_Report_0.pdf

seasonal migration of sugarcane harvesters to sugar factories in Western Maharashtra and Karnataka from October to April each year. More than 10 lakh small farmers migrate each year after sowing their crop, with Beed being the largest hub.²⁵

Maharashtra is the second-largest producer of sugarcane in the country, after Uttar Pradesh with an approximate area of 1.02 million hectares under sugarcane. It produces around 84 million tons of sugarcane and yields 82 tons per hectare. The state also has the highest recovery of sugar in India. Maharashtra has the largest number (205) of sugar factories in the country. Most of the factories in the state have been established in the last 30 to 40 years as new dams have been built. The state has also benefited from the Green Revolution making it thrive in cultivation of sugarcane. Almost 88 per cent of sugarcane factories are co-operatives and the rest are privately owned. The Fair and Remunerative Price (FRP) is fixed by the central government which is the minimum price that mills must pay for the sugarcane, but individual mills are at liberty to pay more.

Sugarcane sowing in Maharashtra is done at the onset of rains, in July-August, and harvesting is done in the following year from October to April-May. For harvesting, the factory arranges for migrant workers through their muqaddum, mainly from the Beed, Jalna and Jalgaon districts of Maharashtra. The migrant workers also bring their cattle (to pull carts loaded with sugarcane) and the factory provides them carts and other vehicles to load sugarcane.

Uttar Pradesh

With roughly 237 million inhabitants, the state of Uttar Pradesh is the most populated state in India. It has a very meagre (0.1 per cent) ST or tribal population as per the 2011 census, but Other Backward Classes (OBC) and Schedule Caste (SC) constitute approximately 40-45 per cent and 21 per cent respectively of the total population. According to the World Bank, it is also one of the poorest states in the country with at least 30 per cent of its population living below the poverty line. Uttar Pradesh has had slower growth and poverty reduction than other Indian states, leading to socioeconomic challenges such as gender inequality, unemployment, high maternal mortality rates, child labour, low learning levels and high absenteeism in schools, etc.

The economy of Uttar Pradesh is predominantly agrarian with 55 per cent of workers employed in agriculture whereas the sector contributes only 27.5 per cent to the GDP of the state. As per NSSO's 2013 'Situation Assessment Survey', an average farmer in UP is only able to make approximately 60 Euros (INR 4923) per month. In the absence of social safety nets and to make ends meet, small-holding farmers sometimes end up working as seasonal labourers in other farms. Agricultural labourers and small-holding farmers are dependent on large landowners for sustaining as there are not enough economic opportunities for them. The sugar industry alone employs 2.6 lakh workers directly or indirectly in Uttar Pradesh.²⁶

²⁵ <https://ruralindiaonline.org/articles/drought-migration-forces-aged-to-toil-as-farm-hands/>

²⁶ https://www.grantthornton.in/globalassets/1.-member-firms/india/assets/pdfs/upsma_report.pdf

Uttar Pradesh is the primary sugarcane producing state of the country and occupies the first place in both sugarcane and sugar production²⁷. In 2011-12, the land area under sugarcane production in Uttar Pradesh was 2.18 million hectares (Department of Agriculture and Cooperation). The state had produced approximately 123.9 MT of sugarcane with an average yield of 56.73 tons per hectare which was below the national average of 68.10 tons per hectare. Uttar Pradesh has 157 sugar mills, with 106 private and 51 publicly owned. Some of the factories in the state are more than a century old. In 2011-12, the state government announced the State Advisory Price (SAP) at INR 2400 per ton, one of the highest prices in the country. In the two districts visited, Meerut and Lakhimpur Kheri, the majority of the sugarcane growers were small scale and own less than a hectare of land.

Factories in Uttar Pradesh usually buy sugarcane through sugarcane co-operative societies but recently, some factories have been establishing direct contracts with the growers. Contract workers engaged in sowing activities on the small and mostly family-run farms were from the same village or the neighbouring villages. As the land-holdings are small in the region, there is no significant migrant labour. Contractors involve their families in sowing and harvesting activities and some children accompany their parents to the fields to work with them. They attend the village schools throughout the year, except during the harvesting season when attendance in the school becomes irregular.

²⁷ <https://www.financialexpress.com/opinion/sugarcane-industry-makes-weighty-contribution-to-ups-economy-is-main-source-of-livelihood-for-2-67-crore-people/1293002/>

1.5 Research Methodology

Given the scope of enquiry, the research was executed in an interdisciplinary manner. In order to gain an in-depth understanding of the various facets of the lives of child labourers and sugarcane harvesters, both quantitative as well as qualitative methods were assigned.

In India, the population of sugarcane cutters and farmers is in millions and spread across more than 10 states with migration taking place seasonally for agricultural work. It was therefore beyond the bounds of possibility to arrive at a sample size representative of the entire population within the limited scope of this research. Consequently, the research overall focused on the 4 top/largest sugarcane producing states in India and specifically on regions where most of the sugarcane farms and mills are situated to get fair representative samples.

Since structured and close ended questionnaires and surveys cannot provide us data on more than some measurable variables, the research laid more emphasis on qualitative methods such as case-studies, FGDs, detailed interviews and informal conversations to delve into a wider range of otherwise undetectable aspects and in-depth dimension/s of worker's and children's lives as well as nuances pertaining to their ways of perceiving their work and life. Interactions were also held with stakeholders from various departments such as labour, education, agriculture, sugarcane mills to name a few in order to get inner and comprehensive ideas on various dimensions related to the harvesting phase.

All available secondary data sources such as brochures, reports and other records of various associations of different stakeholders as well as other published and printed studies, magazines and newspapers articles and news-items were examined carefully and extensively. This facilitates drawing of relevant data from them and their systematic analysis.

It is important to understand that the harvesting season was specifically chosen for this research as it is the most crucial and the only stage of sugarcane cultivation requiring maximum labour where children are involved. The workers were interviewed in farms where they work and in some cases at the padav.

Analysing existing secondary literature and establishing contacts with potential stakeholders, volunteers and field support organisations and individuals has taken 5 to 6 months. Preliminary visits to two out of four focus states of the research, building trust with stakeholders, collecting data and conducting interviews has taken between 4 to 5 months. To track and contact workers who are spread out in the rural areas of south Gujarat region and to talk to them after their long hours of tiresome work has turned out to be a very time-consuming and arduous task. The final stage of processing of the data and information, and writing of the report has taken another one month and additionally 3-5 months for gathering inputs from various stakeholders. Thus, a total time of approximately a year was taken for accomplishing the present research.

State	Participant Profile	Sample Size Estimated	Sample Size Obtained	No of farms visited	Tools	Sampling Technique
Maharashtra - Kolhapur, Beed, Jalna, Dhule	<i>Koyta:</i>				Qualitative – Case studies, FGDs, In depth - Interviews, Open-Ended and close ended Questionnaire, ***Content Analysis/ Secondary Research	Combination of Purposive Random and Snowball sampling Emergent Incidental
	Men	100-150	167	32		
	Women	100-150	203			
	Children	250-300	312			
	<i>Muqaddam</i>	10-20	7			
Farmers	5-10	3				
Gujarat - Dang, Surat, Tapi, Navsari	<i>Koyta:</i>					
	Men	100-150	131	57		
	Women	100-150	246			
	Children	250-300	543			
	<i>Muqaddam</i>	10-20	27			
Farmers	5-10	0				
Uttar Pradesh - Lakhimpur Kheri, Meerut	<i>Koyta:</i>					
	Men	100-150	106	38		
	Women	100-150	17			
	Children	250-300	270			
	<i>Muqaddam</i>	10-20	8			
Farmers	5-10	29				
Karnataka - Belagavi, Bagalkot, Mandya, Chamarajanagar	<i>Koyta:</i>					
	Men	100-150	104			
	Women	100-150	166			
	Children	250-300	308			
	<i>Muqaddam</i>	10-20	9			
Farmers	5-10	5				

Table 1 - Methodology

Limitations

Given the nature of this research, there were certain unavoidable factors that created hindrances in data collection and reaching out to some target subjects, which must be kept in mind while using the findings of this report. These limitations are described below:

- For any research focusing on an agricultural crop, the harvesting season plays a very crucial role. Sugarcane harvesting is done in a specific period i.e. from October/November to March/April (subject to change depending upon the regions, crop and factors such as rainfall, floods, market dynamics, etc) which limits the research period too as the labour is only available in farms in the harvesting period. As a result of this limitation, the field work was restricted to only the harvesting months.
- It was difficult to connect the farms where child labour was found to the names of the companies or brands due to the complex supply chain and obscure hiring practices. This makes the process of establishing supply chain responsibility and transparency more challenging.
- The sugarcane production area in India amounts to approximately 4.608 million hectares which makes it a challenging and long process to have an estimate of the total number of working children in the farms. Thus, the research focused on four key sugarcane producing states regions with high rates of inter-state and intra - state migration and sugar mills to cover a sample size as mentioned in the methodology.
- Due to long and unpredictable working hours it was challenging to find all respondents at one place which also limits the data collection in the paucity of time. Widely scattered farms and micro distribution of families for farm work made it difficult to access every migrant cluster in the given time.
- In states such as Maharashtra and Karnataka, floods in November and December 2019 destroyed sugarcane crops in some districts where the research was planned. This also led to many factories shutting down or delaying their operations. Thus, limiting the number of farms to be accessed during research.
- Since children who migrate with families are occupied with day to day household work such as fetching water and tending to cattle, not all children in each cluster were available for interviewing.
- Due to inter-state migration, language was a constraint in some regions. Despite the availability of translators and local staff in most of the districts, the specific tribal languages were difficult to translate in Gujarat, Maharashtra and Karnataka.
- In all states except Maharashtra, the sugarcane mills' staff either refused to engage or were not available. Their participation could have generated more insights from the business/ corporate point of view.



CHAPTER 2

KEY FINDINGS

Highlights

- Paid and unpaid child labour exists on sugarcane farms in the harvesting season and child labourers in sugarcane cultivation are as young as 6 and as old as 18 years. While gender does play a role in segregation of activities, both boys and girls are involved in activities such as cutting and tying or binding of cane and loading of sugarcane on trucks
- Girl child labourers are burdened with household work and responsibilities such as taking care of younger children, siblings, cleaning, cooking and fetching water
- 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
- Working and living conditions of cane cutters and their children are appalling and have serious concerns such as absence of rights as basic as clean drinking water, electricity, healthcare, decent shelter and care, protection and education for children. In addition to living in extremely difficult conditions, the work terms are deeply exploitative, violating all existing labour legislation and pinning the workers down in a never-ending cycle of privation
- Migration of cane cutters in every season is the biggest cause behind their children being out of school, drop outs and not motivated to study. Families also lose other welfare entitlements like food grain under the Public Distribution System and many such schemes due to migration
- It can be easily estimated that women workers work for 16 to 20 hours a day and on some days without sleep and food too

State Wise Overview

The 4 states - Gujarat, Karnataka, Maharashtra and Uttar Pradesh were selected as they are some of the most crucial states for sugarcane production in India. Due to the vastness of geographical land under sugarcane cultivation, only the districts with highest sugarcane crushing capacity and migration rates were

selected. While the states of Gujarat, Karnataka and Maharashtra are highly dependent on migrant labourers from within as well as neighbouring states, the districts visited during the research in Uttar Pradesh mostly rely on the local labourers due to higher rates of regional poverty

- Gujarat, out of all 4 states, was found to have the highest number of children migrating from tribal areas such as Dang in Gujarat and Nandurbar, Dhule and Beed in Maharashtra. It also had the highest number of child labourers on farms, both paid and unpaid
- Maharashtra and Karnataka were the only states found to have some very small and semi-functional education facilities such as seasonal hostels and tent schools for children of cane cutters. However, they were either shut or permanently closed even though the harvesting period had started
- Uttar Pradesh's Meerut and Lakhimpur Kheri districts had the lowest participation of women cane cutters in sugarcane cultivation due to gender norms, caste and gender based discrimination. Working on the farm is considered a taboo among many communities of the state which prevents their economic participation and as a result women and girls are mostly confined to the domestic sphere
- While in Uttar Pradesh, the number of child labourers on farms was found to be the lowest, it had the highest number of boys who were out of school and girls who were never enrolled for reasons such as poor education infrastructure and lack of motivation amongst both parents and children
- In all 4 states, conditions of forced labour, abuse, non-payment of wages at the end of the season (6-8 months) and false promises by contractors were reported to be prevalent
- The socio-economic conditions of migrant workers from Maharashtra's Beed, Nandurbar, Amravati, Solapur, Ahmednagar and Jalna was the worst, with families having no land or job opportunities in their native districts

Description of Findings

2.1 Hazardous, Unpaid and Paid Child Labour in the Sugarcane Supply Chain of India

“Hazardous child labour is work that is performed by children in dangerous and unhealthy conditions that can lead to a child being killed, injured or made ill as a result of poor safety and health standards or employment conditions.”

- International Labour Organization

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.

The main activities that may be classified as hazardous in sugarcane cultivation are



- a. **Cutting of cane with a sharp tool during manual harvesting** - This includes machetes, knives, scythes and sickles (the design and sharpness varies from one region to another) that are used to cut the cane from the ground along with hay, weeds, and brushwood. Cuts on children’s hands were found to be frequent with the possibility of even more serious injuries and harm to the musculoskeletal development due to repetitive and forceful actions associated with cutting cane.
- b. **Application of agro-chemicals and pesticides** - Many child labourers also shared that they would sometimes mix, load, and apply pesticides in the farms. Even when they don’t, standing and being exposed to various activities in the field where pesticides are being sprayed can be potentially harmful²⁸ for the respiratory system, may adversely affect brain function, behaviour, and mental health as well. Lack of proper storage facilities for pesticides was also observed in 12 farms from all four states which can result in poisonings or even deaths as most of the children are left unattended while their parents work on the farms.
- c. **Long working hours and physical labour in extreme weather conditions** - During the harvesting period which is a high-activity period, work in the fields can last from dawn to dusk (excluding the transport time to and from the fields). For children, the intensity of work remains as high as for adults with very little chance for rest or breaks, and insufficient time for playing/ leisure. A significant part of the work also extends up to midnight when children help adults load the cut cane into the trucks which have no fixed timing and can involve walking long distances in the dark without any protection. Working in the hot sun or in cold, wet conditions without suitable clothing or protective equipment was commonly found across all farms in the four states of research.

²⁸ <https://labour.gov.in/sites/default/files/THE%20SCHEDULE.pdf>

- d. **Dangers of injury, especially for children** - Children risk falling and injuries from falling objects. Child labourers are especially used to help harvest crops. They may fall off ladders or even out of trees while loading the cane and may be injured. Child labourers are also injured or killed by climbing on or off trailers or other machines while these are still in motion, slipping or missing their footing, falling under them and being crushed or run over.
- e. **Exposure to high levels of harmful particles** - Child labourers were found to be often exposed to high levels of dust at the farm which mostly occurs during the harvesting stage where they are involved. Breathing the dust can result in allergies and respiratory diseases, such as asthma and hypersensitivity. Most of the children were found working barefoot in fields or around livestock also which exposes them to cuts, bruises, thorn injuries and skin disorders. At least 23 children aged 7-13 were identified during the study who suffered skin diseases as the soil in the farms was wet, sticky and even flooded in some regions such as Karnataka.

Girls and boys as young as 6 years were found to be working in hazardous conditions on the sugarcane farms. One such case is that of Ashraf from Meerut District of Uttar Pradesh who dropped out of school at the age of 6 to help his father on the farm. *"I spent 6 months getting training from my father so I could learn how to cut cane and clean it. I am not as fast as my brother but I am learning"* says Ashraf with a hint of pride about his work. Ashraf's brother Aqhlaq who is 2 years older was never enrolled in school but attended a *Madrasa* (A Muslim School usually a part of a Mosque) till the age of 6. He joined his father in cane cutting when he turned 7 and has been working as a cane cutter since to help the family cut maximum quantities of sugarcane for earning more money. Their father who was also present during the conversation shared that they all work on his brother's farm as daily wage labourers as they do not have their own land. His children work with him for 8 to 10 hours a day as he alone is physically not able to cut enough sugarcane to get a good price.

Like many other child labourers in the sector, the brothers also make bundles of the tops of sugarcane stalks that can be sold to the village as fodder to contribute to the family's income. During the course of research in 4 states, the team interacted with a total 1433 children aged 6-18 and 367 children aged 0-5. As already mentioned, due to differences in migrant It is important to note that while the 3 states – Gujarat, Karnataka and Maharashtra are heavily dependent on migrant population for harvesting sugarcane; the state of Uttar Pradesh only relies on local labour from nearby villages due to high levels of unemployment, poverty and no land ownership amongst the local population. Thus, the number of children found on farms in Uttar Pradesh was the lowest of all whereas the number of children found in Gujarat was higher than estimated due to bigger migrant family units.

The nature of child labour during the research was observed as:

Paid Child Labour (koyta) - According to Sahoji Rao Borte, a Muqaddam and also a Koyta from Maharashtra's Parbani district, boys and girls aged between 12 to 16 are hired to cut, clean, bind and load the cane on farms but they are paid only if they are fit enough to perform these tasks consistently with their partner (mother, father, sibling or any other relative) in the unit that a Muqaddam brings for harvesting during the entire season, i.e. 5 to 6 months.

Unpaid Child Labour - 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.

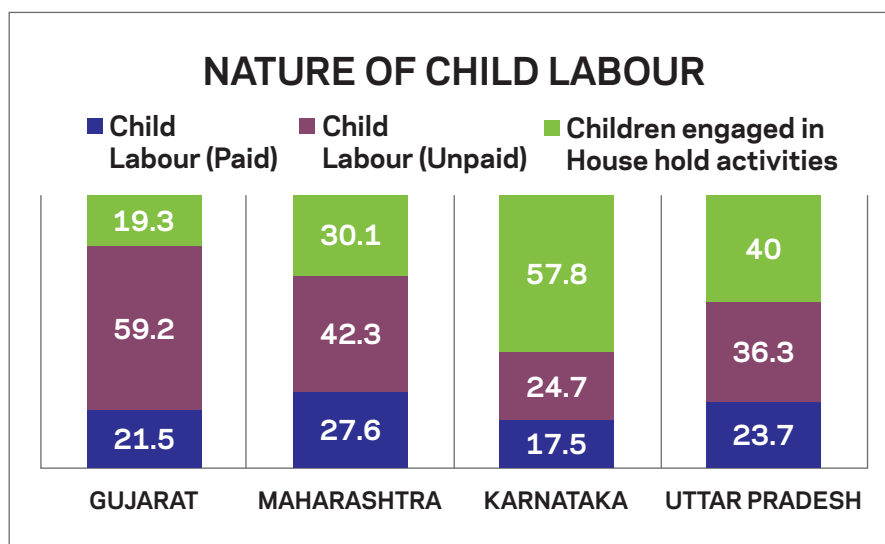


Figure 1, Nature of Child Labour

As can be derived from figure 1, the state of Gujarat had the largest number of unpaid child labourers within the sample studied during the research at 59.2 per cent, followed by Maharashtra at 42.3 per cent, Uttar Pradesh at 36.3 per cent and 24.7 per cent in Karnataka. The largest number of paid child labourers was found in the state of Maharashtra i.e. 27.6 per cent and the lowest in Karnataka at 17.5 per cent. All of the child labourers were the children of cane cutters, mainly engaged in activities such as -

- **cutting of cane to the ground level;**
- **proper cleaning of the cane i.e. removing extraneous matter such as leaves, trash, roots and;**
- **binding of cane which is further loaded on trucks, tractors or bullock carts either arranged by the factory, the contractor or the family itself**

Some children were also found to be loading the cane on trucks on not only farms during the day but also during late night or midnight hours²⁹ as and when the vehicles are sent from the sugarcane mills.

The figure also reflects that a significant number of children are engaged in household work such as cooking, cleaning, and looking after younger children and grandparents who migrate with the families. The highest number of children engaged in household work can be seen in the state of Karnataka i.e. 57.8 per cent and lowest in Gujarat at 19.3 per cent. 40 per cent of children in Uttar Pradesh and 30.1 per cent of children in Maharashtra were found to be engaged in household work. The average number of hours spent by a child in household work was similar across all states, ranging between 6 to 12 hours depending on the age of children and number of family members.

It is also important to note that the unpaid child labourers are perceived as merely supporting or 'helping' their family as 'good children would do', a common cultural and socially acceptable practice amongst not only communities but also authorities in departments such as that of labour and agriculture.

²⁹ https://labour.gov.in/sites/default/files/THE%20CHILD%20LABOUR%20%28PROHIBITION%20AND%20REGULATION%29%20AMENDMENT%20ACT%2C%202016_1.pdf

2.2 Girl Child Labourers Work for Longer Hours, Carrying the Triple Burden

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

The differences in experiences of how girls and boys are placed in the labour market as well as in their homes is extremely crucial for inclusivity of nuances of gender concerns into child labour research and interventions to eliminate it, especially in the informal sectors such as agriculture. Empirical research, policy advocacy and programmes that reflect gender discrepancies provide a more intersectional ground for actions aimed at reducing child labour in agriculture as compared to addressing child labour as an isolated issue. While both boys and girls are employed as paid and unpaid child labourers in the sugarcane supply chain during harvesting the root causes, socio-economic impacts and the lived experiences as well as future prospects for education and decent work for both genders vary significantly.



The work done by girls was not only limited to farm work as they are expected to take the responsibility of household chores such as cleaning, cooking, fetching water and also looking after their siblings. In comparison with the state of Uttar Pradesh, where women and girls were found to be less active in the fields due to caste based taboos and stricter gender norms confining them more within their house, girls in other 3 states worked additionally for 5 to 7 hours on an average to complete domestic chores in their homes. 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.

States	Gujarat	Maharashtra	Karnataka	Uttar Pradesh
Avg. Hours spent by girl child labourers on both farms and homes	14-16	14-16	14-16	10-12
Avg. Hours spent by boy child labourers on both farms and homes	10-12	8-10	8-10	8-10

Table 2, Average hours spent by girl and boy child labourers

The Triple Burden of Girl Child Labourers

Gender roles and birth order often dictate occupations and tasks undertaken by boys and girls, the conditions and hours of work, and educational opportunities. While child labour is mostly identified and recognised only when it is visible, particularly in spaces outside of households for boys and girls alike, household work done by children is not recognised in child labour data. This has crucial implications for the well-being of children who are engaged in household work not as a 'helping hand' for families or to learn certain life-skills but out of reasons such as poverty, lack of education and gender based norms³⁰.



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. **As would be reflected in further sections of the report, one of the most common reasons why young girls migrate with their families during sugarcane harvesting season is to take care of their siblings and household work besides working on the farms.**

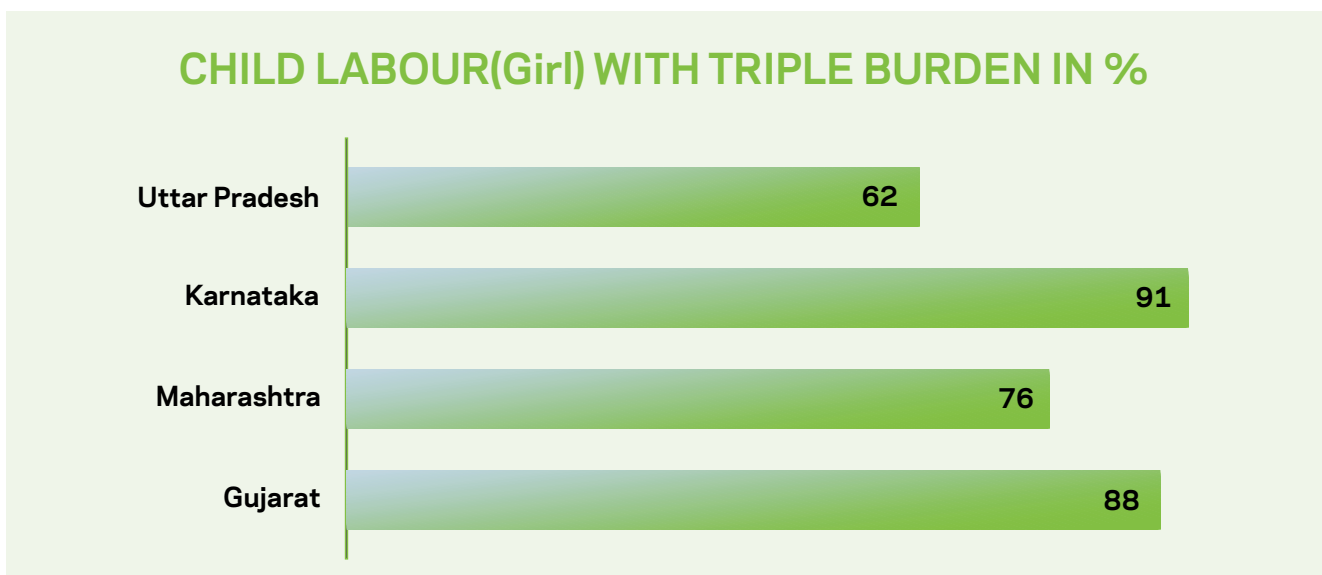


Figure 2, Child Labour (girl) with triple burden

³⁰ Gender norms are social norms that relate specifically to gender differences. In this report we use the term 'gender norms' to refer to informal rules and shared social expectations that distinguish expected behaviour on the basis of gender. For example, a common gender norm is that women and girls will and should do the majority of domestic work

During the course of research, girl child labourers with triple burden were found to be the highest in Karnataka i.e. 91 per cent, followed by Gujarat at 88 per cent and Maharashtra and Uttar Pradesh at 76 per cent and 62 per cent respectively. Girls were expected to care for not only their siblings and the children of fellow migrant workers as they are from the same village, but also complete household tasks ranging from cooking, cleaning, fetching water to attending to livestock and delivering supplies to the families on farms. Girls who were not old enough to be left alone with younger siblings were found accompanying their families to the farm along with other younger children to look after them.

The picture above was taken in Mandya District of Karnataka state at one of the visited sugarcane farms. The oldest girl Surayna (name changed), 12, who migrated with her parents from the Beed district of Maharashtra, looks after all the children every single day at either the farms or in their temporary settlements while parents are working. *"I was asked to accompany my family because I have three younger brothers and sisters. If nobody looks after them, our parents would not be able to work."* Besides caring for the younger children, Surayna also cooks for the family, washes the dishes, clothes and helps her mother in cleaning up every day. She also shared how every year she ends up losing 6 months of education when she has to come to Karnataka with her parents where she has no access to a school, a playground or friends.



Girl Child Marriage

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. While free and compulsory education up to the age of 14 has been an initiative in India, its accessibility was found to be missing amongst most of the households sampled during the research in all four states, especially among girls.

Let's refer to the case of Maheswari and Kavita (name changed) (see picture above) who migrated from the Bellary region of Karnataka to Mandya district, also called the Sugarcane city.

While Maheswari dropped out of school after 5th grade, Kavita was never enrolled in any educational institute. Both of them started working on the sugarcane farm as soon as they dropped out of school and are now going to be married at the age of 15 and 17 respectively into the family of sugarcane harvesters. When asked why they are getting married early, both of them laughed and shared that their parents have to worry about their safety all the time so they will be "given" to a suitable boy and their parents can work peacefully. "I asked my parents to wait for some more time," Kavita said. *"But they told me this is the right age and I am not the only girl getting married at this age"*



Child marriages like those of Kavita and Maheswari amongst the families of sugarcane workers remain common in rural Maharashtra, Karnataka and Gujarat. As per the National Family Health Survey (NFHS) 2015-16, one-third of all the girls in the 20-24 age group in the Maharashtra state's villages got married before turning 18 and in rural Maharashtra alone, 10.4 per cent girls in the 15-19 age range were mothers or pregnant at the time of the survey. The practice is illegal yet prevalent in districts of states where farming incomes are low and migration for sugarcane harvesting has been a norm. In Beed, a very crucial region of migrant sugarcane harvesters, 51.3 per cent women aged 20-24 were married before turning 18 according to the 2015-16 NFHS survey.

"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

The Condition of Women Cane Cutters

Women play a crucial role in the agriculture sector in India as cultivators, labourers and entrepreneurs. The agriculture sector employs³¹ 80% of all economically active women in India; comprising 33% of the agricultural labour force and 48% of the self-employed farmers. However, most women are not recognised as farmers and 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.



A key aspect of this study is also to highlight the interlinkages between the condition of women workers in sugarcane harvesting where 60% of work is done by women³² and its impacts on child labour, especially the perpetuation of gendered forms of labour from an early age. Extreme economic inequalities faced by women not only impact household poverty that creates an ecosystem for children to engage in child labour but also reflects that gender inequality is a cross-cutting issue that needs to be taken into consideration at each and every stage of any sector's supply chain while addressing child labour.

³¹ <https://www.oxfamindia.org/women-empowerment-india-farmers>

³² <http://www.fao.org/3/am307e/am307e00.pdf>

70% of all women engaged in cultivation are from households witnessing migration³³. Women have no choice but to migrate with their husbands and children to look after the household work and also work on the farms. In all four states, women were found to be working for longer duration for at least 16-18 hours on an average in a day as compared to men who worked only on the farms with occasional responsibility of child care and household work. However, regional differences were observed in Uttar Pradesh as compared to Gujarat, Karnataka and Maharashtra where women's farm work participation was low as women were restricted from working due to socio-cultural restrictions and beliefs that 'their role is to look after domestic chores and children and not the farm work'. 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 can also be applied to other three states.

23 women in total from the 3 states - Gujarat, Karnataka and Maharashtra claimed to have worked until the last day of their pregnancy and during all trimesters with no breaks or rest time. Additionally, for women who do not have the support of other family members and older children, there is no other choice but to take their child to the farm and also look after them alongside their work. This increases the burden on women and also impacts children's health and safety as they remain exposed to extreme farm conditions with no safe spaces.

These findings reiterate the fact that gender plays an important role in not only dividing the work for adults as well as children but also has additional repercussions in the lives of marginalised workers such as the sugarcane workers and their children. Lack of safe spaces and support systems in source areas of migrants makes women and children more vulnerable to migration, leaving schools, colleges and shifting from one type of work to another as seasonal work becomes the norm. Women and children are also highly vulnerable on account of their social and gendered conditioning, lack of agency and physical assets coupled with their conditions of extreme poverty and social status resulting in their low or no bargaining power in the labour market.

³³ <https://timesofindia.indiatimes.com/city/patna/Report-Women-form-half-of-agriculture-workforce-in-state/articleshow/39438364.cms>

2.3 Root Causes of Child Labour in Sugarcane Harvesting

The root causes for child labour in the cultivation of sugarcane are:

1. Supporting Family Income: Families living in abject poverty have no choice but to send their children to work in order to supplement the family income. As seen during the course of this research, cane cutters are not paid minimum wage per day³⁴, 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.

In an ideal world children would be taking age appropriate tasks for a limited number of hours, while attending school to help a family member at work but unfortunately, that is not the case here. Household poverty and lack of social security measures force children as young as five years of age away from school and at work in harsh conditions.

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. There is plenty of evidence to suggest that children are more likely to work alongside their mothers, especially boys, while girls may take up caregiving tasks as the mother is away at work.

2. Migration: 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.**

³⁴ 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.

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 conditions.³⁵

3. 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. Having to work because of financial disadvantage is not really a choice. “Children want to work” is often used as a justification for child labour.³⁶

Children 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.

It is understood that not all work carried out by children is child labour. Some activities may help them acquire useful livelihood skills but any work that may put the child at any kind of risk or interferes with education cannot be allowed, no matter how willing to work a child is.

Keshav (name changed) (see image below) 14 years old, was born into a family of seasonal sugarcane harvesters in Dang region of Gujarat. His father passed away in a road accident, leaving three children and a wife who now works as a seasonal labourer in sugarcane harvesting in Surat with her oldest son of 19 years. Due to acute poverty, no child in the family has been able to get an education. Though Keshav is not officially employed for cane cutting on the farm, he works for 6 to 8 hours a day to help his mother and brother in harvesting more volume of cane.



³⁵ <https://www.ilo.org/ipec/Action/Education/ChildlabourandEducationforAll/lang--en/index.htm#:~:text=Children%20with%20no%20access%20to,time%20cannot%20go%20to%20school>

³⁶ <https://www.hrw.org/news/2014/09/05/kids-want-work-poor-justification-laws-legalize-work-10-year-olds>

When approached for a conversation, Keshav politely asked to wait as he wanted to finish cutting a portion of cane before noon. Later, he said, "Yes, I come to the farm every day. I like it here because I am learning some work and also helping my mother and brother."

He also shared that he dropped out of school after his father died. "Earlier my mother used to be at home and father used to work. Now in my father's absence, my mother has to go to work and someone needs to take care of our home". When the harvesting season is over and the family returns to their village, Keshav does not go to school and divides his time between household work and playing. "There is no sister amongst us and my younger brother is too small to work so I have to help my mother with cleaning and fetching water."

Though the children end up on harvesting fields because they have to migrate with their parents, most of them take up full time paid and unpaid work to support family income which can be inferred as the most common reason for them to work.

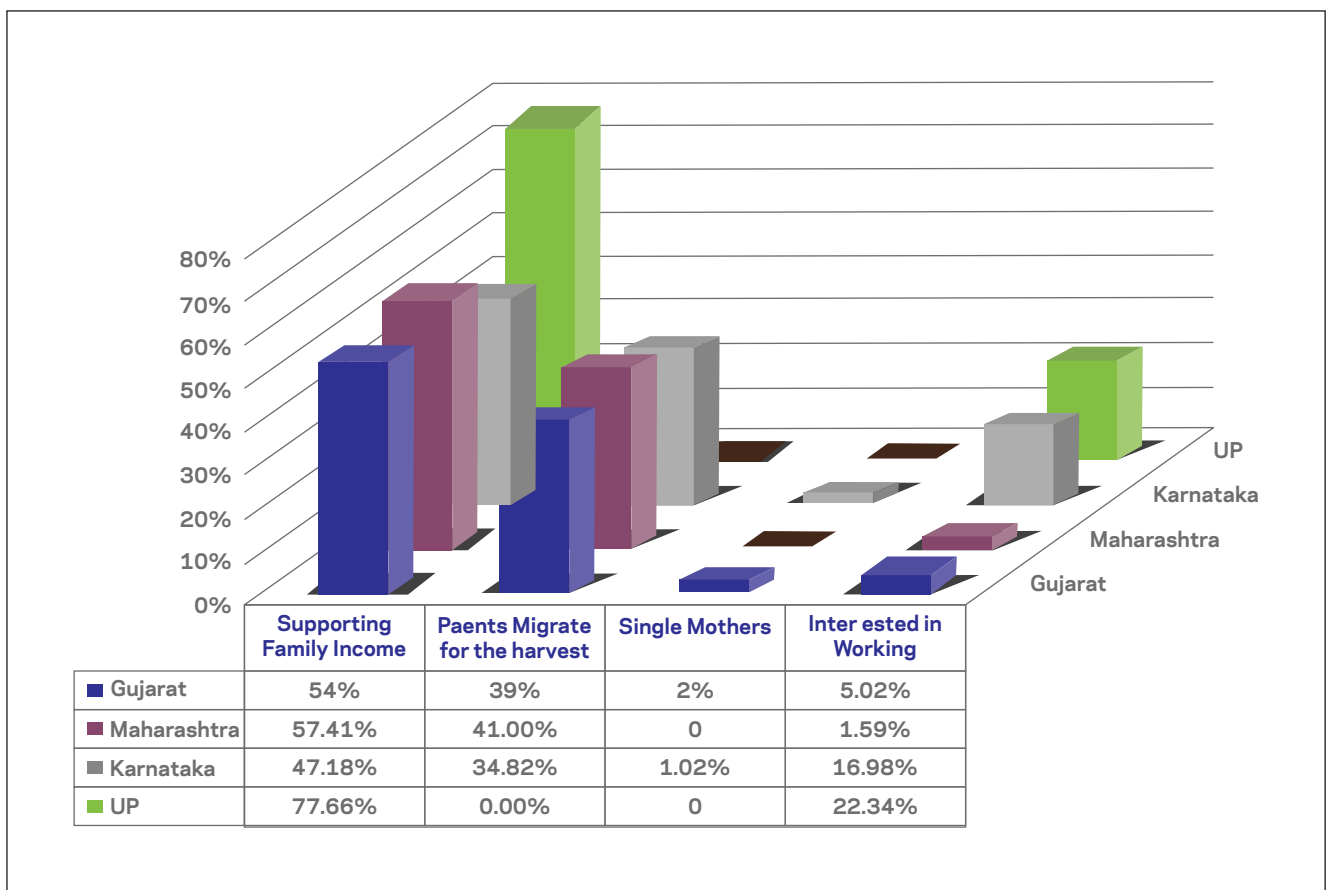


Figure 3, Root causes of child labour

As figure 3 suggests, 57.41 per cent of children in Maharashtra and Gujarat were working in sugarcane harvesting to support the family income. 77.66 per cent, the highest number of children to be found working to support family income was in Uttar Pradesh and the lowest in Karnataka at 47.18 per cent. Every year, the migrant sugarcane harvesters rely on the advance they are given by the muqaddam for seasonal cane cutting for which payments are made towards the end of the season. The higher the volume of the cane harvested, the higher are the chances of repaying the debt and earning some extra income for the family. The children, therefore, have to work to add to the extra volume of harvested cane.

Another key reason found was the migration of parents for harvesting work which as we shall see in upcoming sections also impacts the education of their children. The same is not applicable to the state of Uttar Pradesh since the visited districts had only employed the local labourers from neighbouring villages instead of migrants. In Maharashtra and Gujarat, 41 per cent and 39 per cent of children were engaged in child labour due to migration followed by 34.82 per cent in Karnataka. **The highest number of children who were interested in working was in Uttar Pradesh at 22.34 per cent, followed by Karnataka at almost 17 per cent due to reasons such as the poor condition of schools, the lax attitude of teachers and financial constraints of families which normalises labouring on farms for these children. Some children were also found to be working because of the absence of a male member in the family where single mothers were the main breadwinners. The number was 2 per cent in Gujarat and 1.02 per cent in Karnataka.**

2.4 The Case of Bonded Labour and how it Impacts Children

The issue of child labour in sugarcane supply chain in India is linked with structural forms of caste based exploitation that has still kept the historical practice of forced and bonded labour in agriculture alive. The same pattern can also be seen in many other informal sectors such as brick kilns, carpet weaving, embroidery, textile and garment manufacturing, mining, manual scavenging where majority of those trapped in modern slavery, including child labourers, forced labourers and those engaged in hazardous work, are from the 'lowest' castes or indigenous communities in caste-affected countries.

Majority of bonded labourers in India are predominantly *Dalits*, also known as 'untouchables' 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 Breman³⁷. While the older forms that were a part of the feudal and semi-feudal society in India were exploitative and generated cycles of indebtedness and poverty they gave the workers some security in terms of daily survival, and informalised property rights. The newer forms on the other hand provide no guarantee of income, are solely profit-driven and mostly short-term, mainly relying on seasonal migration and labour intermediaries.

STATE	ST	SC	OBC	Average debt taken every season (EURO)
Gujarat	95.87%	0.16%	3.97%	176-352
UP	4.72%	77.22%	18.06%	140-1755
Maharashtra	74.55%	23.89%	1.56%	292-3511
Karnataka	89.34%	9.12%	1.54%	117-2926

Table 3, Average debt taken, categorised by caste (in percentage)

³⁷ 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

During the research, cane cutter households were categorised to understand how their social identity such as caste plays a role in the system of debt bondage. **As can be seen from table 3, majority of them are from the ST category followed by SC and most of them were found dealing with issues of low pay and a cycle of debt due to exploitative lending practices and dependency on employers such as sugar mills and contractors. During farm site visits in the 4 states, advances were found to be a regular practice in all of the states except Uttar Pradesh, where only 3.6 per cent of workers reported the use of advances. The reason behind this, as already established, is that the state is not very dependent on employing migrant labour owing to its own challenges of rural poverty and lack of livelihood opportunities as well as lack of land ownership amongst the daily wage workers.**

Most bonded labour in the sugarcane sector use a system of wage advances provided by labour contractors at exorbitant rates of interest as high as 50 per cent on the advance taken, which the Koyta have to pay off at the end of the season by working consistently for 5-6 months. Many times, the work that Koyta receive in a season is not enough for them to pay off their debts. The workers then come back again in the next season for harvesting sugarcane to pay off the remaining debt, also taking more debt for survival and remain trapped in the cycle of debt bondage and labour. The advance also allures them as it keeps them afloat in extremely adverse situations but becomes entrapment for a large section of harvesters. During the course of research while meeting harvesters for case studies and detailed interviews, the research team also came across families who had taken advances to marry sons or daughters but could not repay the outstanding sum.

Migration is another issue linked closely to forced and bonded labour. Chronic unemployment, lack of capital such as land and dearth of access to state policies are some of the key reasons for availability of cheap migrant labour in the informal sector in India. The families have no choice, lack the option of negotiation with their agency in the labour market and end up migrating for an economically better but risky life with their children.

Since these families are employed as bonded labourers, it is not an exaggeration to say that the children working on sugarcane farms are not only child labourers but also bonded child labourers. The children are employed as either full time paid cane cutters on sugarcane farms by the contractors or are working on their own with their families to add to the volume of sugarcane cut by the family. In the former, there is no proof of employment for the child as for all other workers there are no contracts signed, only advance given. The workers are recruited by contractors who are given loan money by sugar mill management through banks which is the last step of any formal contract in the supply chain. Since the employee-employer relationship for both the children and their family cannot be proved, the chances of recognising child, forced and bonded labour remain dismal. However, the lack of proof or evidence of a relationship between employer and employee has no legal grounds. It also has no ground in preventing the practices of child labour, forced labour and bonded labour from being addressed and the victims being compensated and rehabilitated.

Thirty seven years old Darawde Munde, from Gujarat's Dang village has been migrating for the last 5 years with his family to the sugarcane farms of Bardoli in Gujarat before having worked for almost 12 years in Kolhapur district of Maharashtra. He has been working as an agricultural labourer ever since he dropped out of school. *"My father spent his entire life repaying the debt to muqaddam. We had no other choice but to accompany him to the farms every season".* He also shared that he does not like the fact that his children are forced to migrate with him and his wife every year because for that period they remain out of school and also have to work hard in the fields. When asked whether he identifies himself as a bonded labourer he said *"It is our helplessness. We have nowhere else to go or nothing else to do. You must think that me and my family are bound but I don't like to think that."*



Key Insights on Bonded and Child Labour in Sugarcane from Labour Department Officials

In order to give effect to the constitutional prohibition of bonded labour as specified under Article 23 of Indian Constitution, Bonded Labour System (Abolition) Act was passed in 1976 to free all bonded labourers, cancel their debts, establish rehabilitative measures and punish offenders through imprisonment and fines. It is the duty of the state to implement this Act regionally but in the case of sugarcane, there are various challenges that are intractable and paradoxical. One of these is the denial of this practice in the first place 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.

Officials from Labour Department of the 4 states were interviewed to understand how they as stakeholders approach and act upon the issue of bonded and child labour in the sugarcane harvesting work. Following are some key findings:

1. Since the families voluntarily take advance from middle men and mutually (verbally) agree with them to repay it by working as cane cutters, it cannot be termed as an act of bonded labour. According to an official from the Agricultural Labour Department, Surat, Gujarat, *"The workers or their families who take advance from Muqaddam are not always the victims. They often take the loan but refuse to go to work when the season comes which has financial disadvantages for the middle man. The workers have nothing to lose."*

The workers are illegally bound by invisible contracts of enslavement resulting in issues such as payment of wages at the end of the harvesting season; labour contractors being the only agent responsible for arranging the advance money; and no separate payments for the extra labour such as for loading harvested cane into trucks. However, the structural system of mutual agreement between the workers and middle men makes it easier for stakeholders to overlook the exploitation.

2. *“The police act when they are informed of cases of bonded labourers anywhere, including farms”* a statement by one of the interviewed labour commissioners reads. To an extent, this can be verified as there have been cases of families working as bonded labourers rescued from sugarcane farms, held captive by contractors in most of the cases. However, while such rescue operations have been made possible with interventions from local NGOs and the police, the role of the labour department in keeping a check on these practices and acting upon them remains more or less passive.
3. Out of all 4 labour department officials, nobody claimed to have received any information or complaint regarding child labourers working on the sugarcane farms. *“If they were working, don’t you think someone would have informed us or the police?”* says an official from the Surat Agricultural Labour Department, a common finding from interviewing officials of all 4 state districts. The research found that there were no complaints received regarding child labour or children working as bonded labourers in either of the departments even though at least 2-3 child labourers were seen to be working under what qualifies as bonded labour and hazardous work in every 3rd farm visited during the research.
4. *“Even if we receive a complaint, what can we do? There is no way to prove that the child has been officially employed by a contractor, a factory or a muqaddam. Who will we charge?”*

Asst. Labour Commissioner, Lakhimpur Kheri, Uttar Pradesh

Counterview

The duty bearers consulted during the research did not encounter, identify or recognise situations of forced or bonded labour in sugarcane sector directly in recent years, let alone child labour. The opinion of the representatives from the district labour departments which suggests that it is difficult to establish a relationship between the child and its employer(s) to recognise children’s work as child labour needs to be countered.

- Bonded labour, based on a long-term relationship between employer and employee, is mostly solidified through a loan, advance or debt which does not necessarily need a formal agreement to be recognised as bonded labour
- The practice of taking advance from the middle men is not only a ‘mutual employment arrangement’ as understood by the representatives of the labour departments. The phenomenon of ‘debt bondage’ goes back to India’s socio-economic culture of caste and class relations, colonial history, and persistent poverty among the marginalised groups
- Often referred to as ‘debt bondage’, bonded labour is a specific form of forced labour in which obligation into servitude and lack of choice and freedom is derived from debt
- The understanding and representation of forced labour and bonded labour entails constraints on the conditions and duration of work by an individual determining a clear case of bonded labour

The Case of Trafficking

Cases of trafficking and kidnapping of children to work in the sugarcane farms have been in the news, especially since the year 2001. Several other news accounts have recounted stories of children being kidnapped in Delhi and sent to work on sugarcane farms in Uttar Pradesh³⁸. A 2011 report from Free the Slaves also details the release of 11 slave labourers, working without pay in sugarcane fields in western Uttar Pradesh³⁹.



In the year 2012, Priyanka Dubey, award winning investigative journalist, was one of the pioneers in delving into the issue of kidnapping of children who were later trafficked to work on sugarcane farms in Uttar Pradesh. In her investigative story '[Where do the missing children of Delhi go?](#) She took on a big task and substantial risk. She wanted to find out what was happening to some of the Indian children who simply go missing. What she found was a well-organized network of child traffickers who pick up kids from the city's slums and railway stations and sell them to sugarcane farmers. The children are forced to work for years without pay and descend into a world of abuse and even torture. For some of her reporting, she posed as a researcher and visited regions where women have little status. Had she been found out, her life could have well been in danger. Her story exposes the dark side of India's sugar crop and the negligent attitude of many law enforcement authorities.

However, no cases of trafficking of children and/or their families were found during the research. One reason for this could also be the planned nature of the field work. Secondly, the existence of a powerful and organised criminal lobby makes it extremely challenging for cases to be reported and complaints filed.

³⁸ <https://www.dw.com/en/delhis-missing-children-forced-into-farm-labor/a-17090804>

³⁹ <https://www.coca-colacompany.com/content/dam/journey/us/en/policies/pdf/human-workplace-rights/addressing-global-issues/india-country-study.pdf>

⁴⁰ <https://www.prsindia.org/billtrack/trafficking-persons-prevention-protection-and-rehabilitation-bill-2018#:~:text=Context,use%20of%20certain%20forceful%20means>

Besides the evident prevalence of trafficking and abduction of children to work on the sugarcane farms as a crucial reason to look into trafficking in addressing child labour in the sugarcane sector, it is also important to take trafficking into consideration due to the bonded and forced labour situation in the sector. Since the means of employment involves abuse of power, lack of choice for the workers, including children, especially considering the vulnerability of the migrants, the key aspect of human trafficking should also be taken into perspective.

If The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 is taken into consideration and applied in the case of the sugarcane sector, one can find an adequate ground to also recognise trafficking as a key aspect of the sugarcane supply chain. The Bill⁴⁰:

- defines trafficking to mean: (i) recruitment, (ii) transportation, (iii) harbouring, (iv) transfer, or (v) receipt of a person for exploitation, by using certain means. These means are the use of threat, force, abduction, fraud, deception, abuse of power or through inducement. Exploitation includes physical or sexual exploitation, slavery, or forced removal of organs
- classifies certain purposes of trafficking as 'aggravated' forms of trafficking. These include trafficking for the purposes of: (i) forced labour, (ii) bearing children, (iii) inducing early sexual maturity by administering chemical substances or hormones, or (iv) begging. The punishment for aggravated trafficking is higher than for simple trafficking

2.5 Migration in the Sugarcane Sector and its Impact on Child Labour

State	Key Migration Regions
Gujarat	Dang, Tapi, Navsari, Narmada, Vyara, Surat, Valsad, Kamrej, Mahuva, Mandavi, Olpad, Palsana, Songadh, Umarpada, Valod, Bardoli
Maharashtra	Beed, Dhule, Parbhani, Amravati, Solapur, Kolhapur, Osmanabad, Ahmednagar, Satara, Sangli, Jalna, Jalgaon, Aurangabad, Nashik
Karnataka	Belagavi, Bagalkot, Mandya, Mysore, Chamarajanagar, Bellary, Hampi, Yadgir, Bidar, Hasan, Raichur, Kopal, Dharwad
Uttar Pradesh	Bareilly, Saharanpur, Muzaffarnagar, Hapur, Meerut, Lakhimpur Kheri, Sitapur

Table 4, States and Key Migration Regions

Socio-economic challenges in the native region of migrants-

- Lack of employment opportunities causing Inter and intra-state migration of mostly the adivasi and dalit population including children
- Structural poverty, poor education infrastructure and lack of access to quality and affordable education
- Dependence on rain-fed agriculture due to droughts
- Lack of alternate agricultural or other livelihood opportunities
- Low rates of land ownership and cultivation
- Gendered division of labour
- Weak intervention of local governance bodies

Findings from destination areas or sugarcane harvesting regions-

- Employment of children as paid and unpaid child labourers, full-time and part time
- Hazardous work conditions and poor occupation safety norms at farms
- Recruitment of seasonal migrants by muqaddam without formalised contracts and liabilities
- Absence of sugar mill management and farmers legally in recruitment practices
- Triple burden on girls and women
- Unorganised workers at the bottom
- Exclusion of migrant workers and child labourers from basic welfare schemes

- Slack attitude of stakeholders, especially the labour department, farmers and sugar factories towards seasonal migrants and their problems
- Lack of coordination between stakeholders and states
- Poor implementation of existing legislations and welfare schemes

Ample evidence about the relationship between migration and child labour exists but little has been done to explore their correlation in India, especially when it comes to agriculture. Development practitioners have also long looked at various cross-cutting issues of migration including caste, gender, poverty but few have been able to establish a discourse for action for the especially vulnerable - the children of migrating adults. When families migrate, children, especially girls remain extremely vulnerable, from carrying the triple burden to being forced to get married and in some cases trafficked. According to a 2010 study by Diane Coffey, incidences of children migrating increase when mothers also migrate. This illustrates the gendered nature of childcare and its influence on household migration decisions and is also evident in the finding of this research. From a destination perspective, analysis in India has found that 90 per cent of young migrants on work sites lacked access to Integrated Child Development Services (ICDS). While 80 per cent of those in the school-going age did not have access to education. Additionally, 40 per cent were engaged in some form of child labour.

The research findings given in this section bring light to some of these facts and the urgency to strengthen the correlation between migration and child labour while simultaneously taking into consideration the cross-cutting issue of gender, caste, decent livelihood and education. Several discussions with cane cutters in the field led to the finding of some deciding factors behind migration of men, women and children and also some key migration patterns.

Gujarat, Karnataka, Maharashtra

- Every respondent during the discussions claimed to have migrated solely for economic reasons
- Demographic factors such as droughts and floods, agricultural depression because of lack of rainfall and no means of land and alternative livelihood were common reasons for workers to migrate
- The migrant labourers belonged to some of the economically backward and tribal districts of Gujarat, Karnataka and Maharashtra
- Increasing number of sugar mills is generating more employment for them despite the exploitation

Uttar Pradesh

- Most of the farm workers were men from nearby villages
- Since the local population is also poverty stricken and has no employment opportunities, the harvesting is not dependent upon migrant labour
- Some cane cutters reported to be migrating to other states such as Punjab, Haryana and Himachal Pradesh for better wages and working conditions
- Most of the farmers were also found to be working on their farms unlike in other 3 states as they cannot afford labour



Prakruthi (name changed), 14, hails from the Bellary district of North-East Karnataka and has been working on the sugarcane farms since she dropped out of school. **When asked when was the last she attended school, she laughs and runs away to work and only comes back again after loading some cane on the truck.** *“I don’t remember clearly. It was long ago. My father just asked me to stop going to school because we were to go to a new place in Karnataka. He said we all have to go and he cannot leave me alone because I have nowhere else to go. But why are you asking me these questions? Nobody has asked me about my life before”* says Prakruthi bursting into laughter. **Ever since she started migrating with her family, all she has known is the sugarcane farms and taking care of her siblings.** *“I hate cooking and cleaning but I have no choice. Amma (mother) says that I should know these things because I will also get married someday. On some days when I don’t feel like cooking and cleaning, I ask my father to give me extra work on the farm. Usually, it works,”* says Prakruthi as she runs off again back to work.

Impacts of migration on the lives of cane cutters and their children

- Hazardous Child Labour
- Burden on women and girls
- Dropping out of school, gap in education
- No access to government schemes
- Disruption of social and cultural equilibrium for tribal communities
- Making the process of tracing children more difficult for stakeholders
- Poor living and working conditions in temporary residential settlements
- Workers remain unorganized and trapped in the vicious cycle of debt and poverty
- Low bargaining power in the market and no choice to change livelihood source due to the debt

A Missing Link For Safe Migration - The Interstate Migrant Workmen Act 1979

There is a specific employment law in India, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, which regulates the employment of inter-state migrant workers and their conditions of service. It is applicable to every establishment in which five or more inter-state migrant workmen (whether or not in addition to other workmen) are employed or who were employed on any day of the preceding twelve months. It is also applicable to every contractor who employs or who employed five or more inter-state migrant workmen (whether or not in addition to other workmen) on any day of the preceding twelve months.

In the case of the sugarcane sector, every worker is entitled to be registered under the Act through contractors and district authorities. However, out of total 53 middlemen interviewed in the research, not a single contractor was aware of the Act or its benefits. The cane cutters, both men and women also were unaware about the Act and how it can benefit them.

Interaction with one of the labour commissioners in Kolhapur district of Maharashtra also confirmed that not only sugarcane but most of the agriculture and informal sector that relies on migrant workers barely implement the Act. "Our department is the only one that has been trying to make use of this Act despite its various flaws. We have implemented the Act for construction sector workers and some other sectors which are more organised and where stakeholders are willing to cooperate. But we have not been able to do the same in the sugarcane sector because a lot of workers, in fact the majority of them are from within the state so they are intra-state migrants and not covered under the Act." He also shared their departments' attempts to rescue children from hazardous work in the district. "We try our best, as child labour is our top priority. But we only have meagre funding to do this and we do our best with five thousand rupees a year (62.60 Euro) and one car available for the entire department."

If the above Act is properly implemented it has the potential to benefit migrant workers and children in the sugarcane sector in the ways below:

- Maintenance of records indicating the details of inter-state workers and for making the same available for scrutiny by the statutory authorities
- Presence of a designated official by employer at the time of disbursement of wages by the contractor
- Renewal and Amendment of Registration and filing of Periodical returns
- Principal employer to be liable to bear the wages and other benefits to inter-state workers in case of failure by the contractor to effect the same
- Entailing liability for the prescribed punishments for violations committed under this Act
- In case of any employment injury or fatal accident, ensuring that the same is informed to authorities of the States concerned and to the kin of the deceased through the contractor
- Issuing of passbook affixed with a passport-sized photograph of the workman indicating the name and place of the establishment where the worker is employed, the period of employment
- Rates of wages, etc. to every inter-state migrant workman (making it easy to also have a consistent and verifiable record of migrants and their children who come along and are at the risk engaging in hazardous child labour)

Majority of migrant workers interviewed were not a part or aware of any trade unions or welfare schemes. They also do not have any platform to express their grievances. According to one of the district labour commissioners from Karnataka (name not to be disclosed), migrant workers have also started to come without contractors which makes the implementation of this Act more challenging and mostly redundant. He also stated that one State Government usually avoids interfering in another state's jurisdiction whereas the responsibility of implementation in reality is of both the States. *"This is the biggest irony for the enforcement of the Act which was meant to protect workers from the exploitation of a contracting or bondage system and also to exterminate the evils of contracting systems. But, it is actually working in favour of the contracting system."* shared the official indicating that inter-state migrant workmen are hired through contractors under just verbal agreements or other arrangement for employment which also makes it difficult to prove employment.

2.6 Key Insights on Education Status

The impact of migration plays a crucial role in pushing the children of harvesters into hazardous child labour as has already been explained in the sections above. If children are engaged as child labourers, it clearly indicates that they are out of school, especially when they are seasonal migrant labourers.

The lack of safe seasonal hostels, schools and absence of family members in native regions act as key factors behind children's migration. As found from discussions with harvester families, the tribal cultural norms and practices, especially in Maharashtra's Beed and Gujarat's Dang regions also makes parents reluctant to stay away from their children despite having the option of a seasonal hostel or relatives to look after the child. 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.

Regional Overview

Gujarat

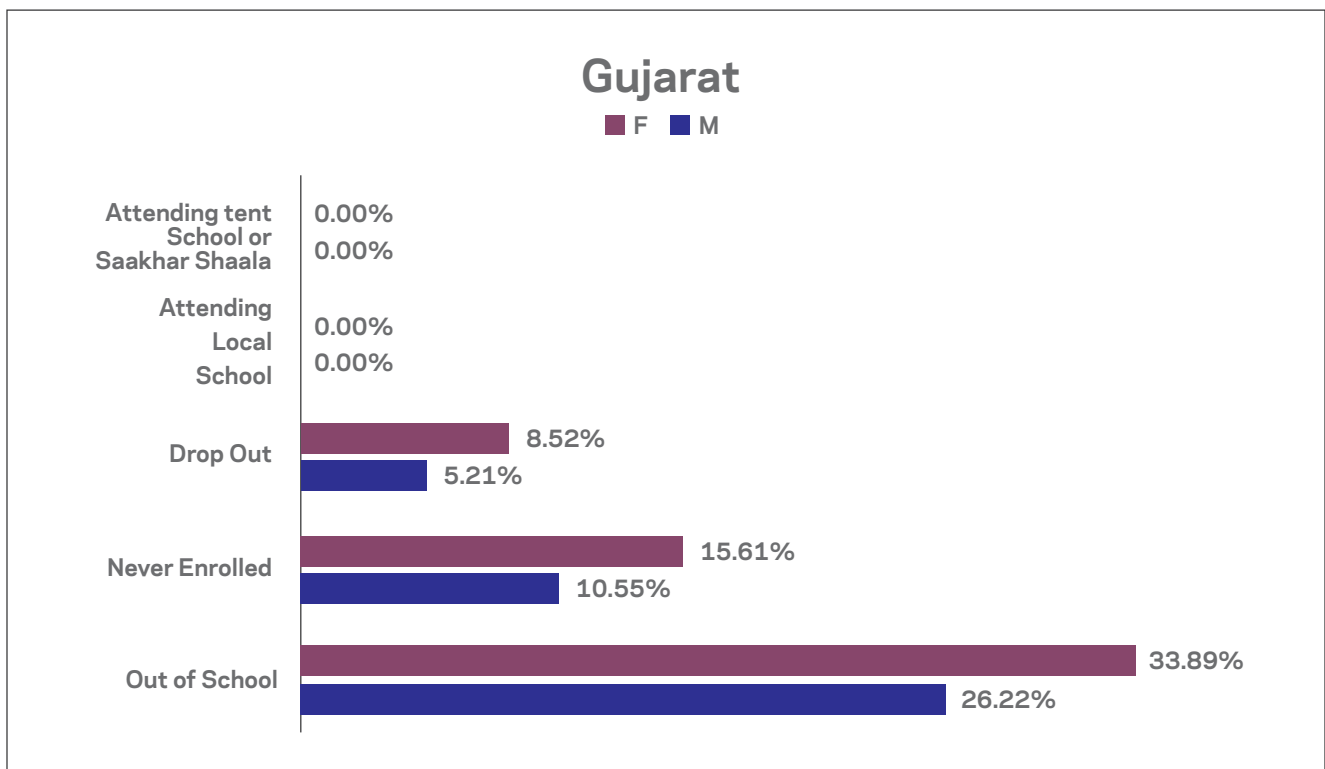


Figure 4, Education status of children in Gujarat

The sample from Gujarat (see figure 4) shows the number of out of school girls at 33.89 per cent as compared to 26.22 per cent boys. 15.61 per cent girls and 10.55 per cent boys were never enrolled in schools whereas 8.52 per cent girls were drop outs as compared to 5.21 per cent boys. No child was attending school in their native regions (where they migrate from in every season) or received any education from other schemes such as tent schools or Saakhar Shaala. The maximum number of children was from the Ahwa and Subir regions of Dang district of Gujarat, a key tribal and migrant labour belt for sugarcane harvesting. Some initiatives such as that of Swapath trusts's LRC (Learning Resource Center) are working towards taking education to the children in Dang where children living in the seasonal hostels come to the center every day, but there is near dearth of such initiatives in the destination areas where these children end up working once they migrate.

Karnataka

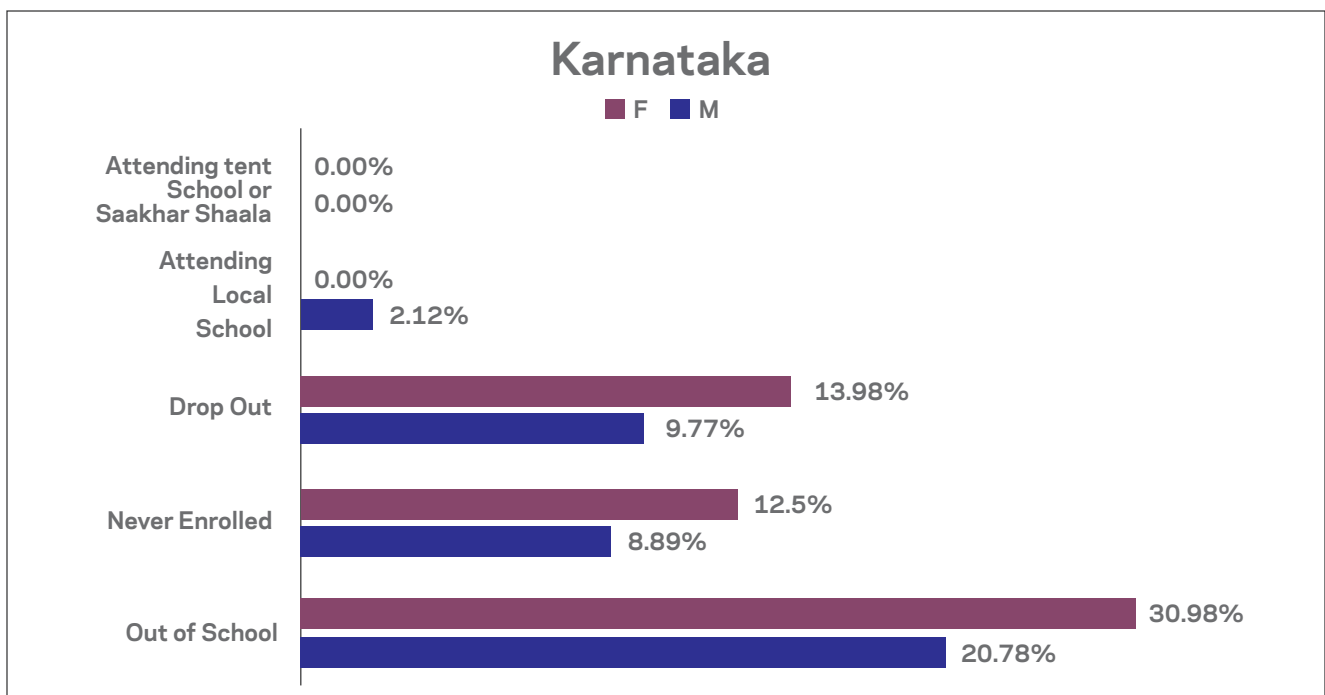


Figure 5, Education status of children in Karnataka

Roshni, 13, from Bellary district of Karnataka was the only girl who was found studying while her parents were away to work on the farms. "I also help my brother and sister when we come here from our village so they don't forget what they have learnt in their classes". The difference between Roshni and other children is that her parents do not let her and her siblings work on the farms. Though they are not able to attend the local school due to the long commuting distance and no means of travel, they remain in touch with their studies, but only on their own and mostly dependent on Roshni who divides her day between household work, studying and teaching her siblings.



During the course of research in sampled regions of Karnataka, 2.12 per cent children, boys, were found to be enrolled in the local school, unlike other states. This was possible because they were the children of the *muqaddam* who with the help of a sugar factory officer has been able to get his children enrolled in the school. However, the situation was not the same for other children. Figure _ indicates that around 31 per cent girls and 21 per cent boys were out of school whereas 13.98 per cent girls and 9.77 boys dropped out of school due to common reasons such as migration, working on the farms and taking care of household work. It also shows that almost 13 per cent of girls and 10 per cent boys never enrolled in school where lack of motivation and financial constraints also came across as prominent reasons. The number of girls remained higher than boys in all three cases.

Until the late years of 2000, tent schools were operational as mandated by the state government as per the district education department officer, Belagavi, Karnataka. "As far as I remember, tent schools were opened for children of the parents who are going for coolie and labour in sugar factories and they were given educational opportunities," said the official. However, he also shared that there is no official data available for the exact number of tent schools. **Interaction with some of the local NGOs such as Reach, Vikasana, Spandana and Antodaya suggests that the tent schools are now barely functional, mainly because of the lack of number of children required to start the schools. The education department advises tent schools for such migrating students. But, it is still on paper and is not implemented. The department has also spared a teacher for the tent school in other languages such as Telugu as the migrant workers employed also hail from Andhra Pradesh. No child was found to be attending or aware of these tent schools.**

Maharashtra

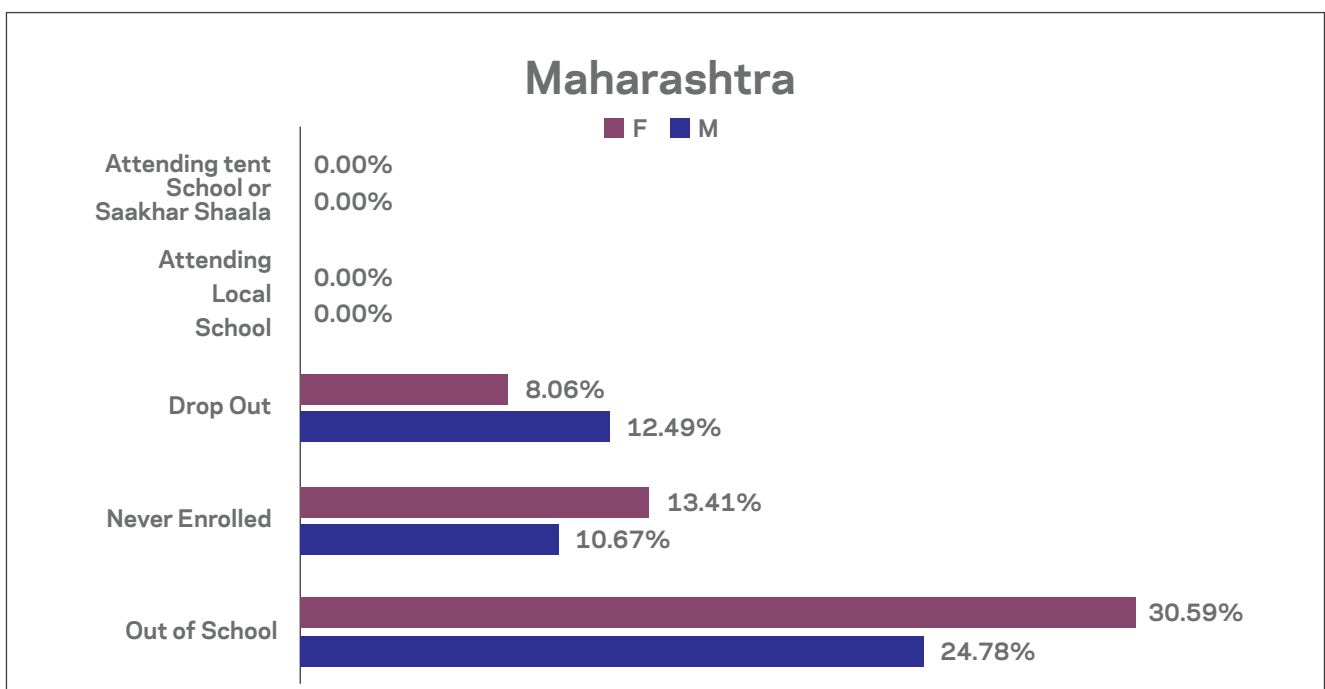


Figure 6, Education status of children in Maharashtra

As the figure 6 suggests, 30.59 per cent girls and 24.78 per cent were out of school interviewed in different work/farm sites and residential units in Maharashtra's Kolhapur district. However, they were officially still enrolled as per school records but did not attend school regularly due to migration in every season. The out of school children stay away from school for five to six months during their stay in the region where they have migrated with their parents. Some of them left school despite having relatives to look after in their native village because they could not live without their parents.

13.41 per cent girls and 10.67 per cent boys were never enrolled in school mainly because of financial constraints, having to work to support family income, migration and lack of motivation. The same reasons can be applied to children dropping out of the school, mostly after the 4th or 5th grade. In all the cases, the number of girls lacking education was high except in the case of drop outs which could be attributed to the fact that boys are expected to join their family as full time labourers on farms due to the physical assets and also because girls are also required to be at home for domestic work.

Uttar Pradesh

As established in the previous sections, the two districts visited in Uttar Pradesh had no migrant labourers, men or women working in the sugarcane farms. Therefore, the variables - children being enrolled in schools in 'destination areas' and enrolled in *Saakhar Shaala* or tent schools are not used for this state

Children found in the two districts of Uttar Pradesh during the visits belonged to the district and

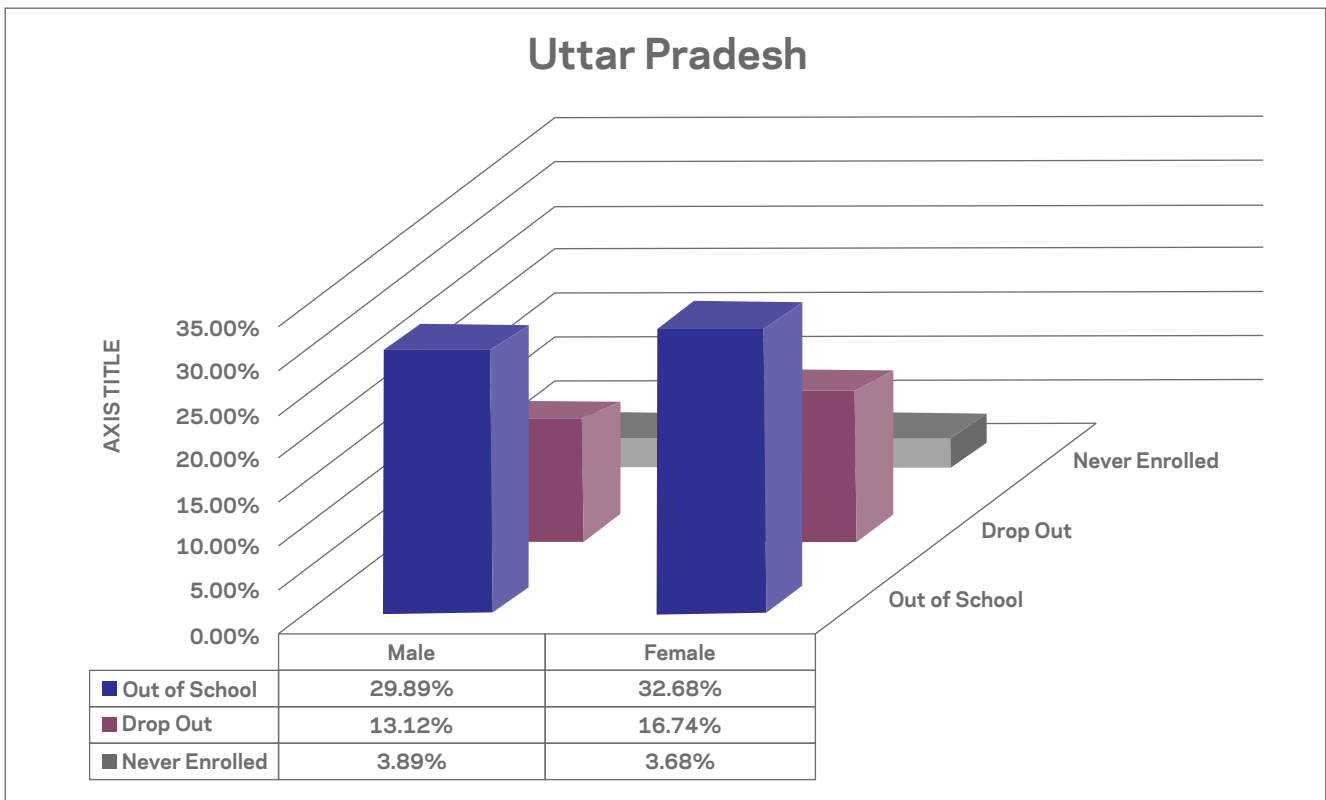


Figure 7, Education status of children in Uttar Pradesh

were natives and none of them was found to have migrated from another state. While existing literature suggests a high dependence on migrated children from neighbouring states for sugarcane harvesting, the same could not be confirmed from at least the sample of this research.

Most of the children found on farms were either the children of daily wage labourers who worked as cane cutters or small scale farmers out of which 29.89 per cent boys were out of school. The girls were questioned inside their homes as they were not allowed to be working on the farms except for running small errands and only on 5 farms were girls found to be working. 32.68 per cent of girls were out of school and 16.74 per cent were dropouts. In this case however, the main reason was lack of motivation to attend school and responsibility for household work. 3.68 per cent girls and 3.89 per cent boys were not enrolled in school because of financial constraints and helping parents with their work. Unlike migration in other 3 states, low wages, lack of women's participation and other decent livelihood opportunities for sugarcane harvesters in Uttar Pradesh acts as key reasons for poor education status indicators.

A significant reason behind not attending school regularly or dropping out, mainly amongst boys was lack of motivation. Basis the FGDs with boys aged 7 to 18 in both districts; the following observations were made to understand the reasons for being unmotivated to attend school regularly:

- Low economic status of guardians, mostly sugarcane daily wage harvesters and small scale farmers
- Poor participation of family, community and schools in motivating the child
- 'Making money' to be independent from a very young age
- Poor infrastructure and lack of facilities such as basic as chairs to sit, a proper ceiling and roof, toilets, electricity, ventilation and drinking water
- Teacher absenteeism and lack of interest in teaching
- Children, especially girls are needed at home to help parents with household work
- Caste and religion based discrimination of students by fellow students
- Use of harsh punishments and derogatory communal words by teachers
- Poor coordination between the school management committee and parents during the time of enrolments
- Laxity of district education departments in taking immediate and effective steps

Access to Education

Guesstimates of a project by an organisation Global Giving⁴¹, states a staggering number of 0.2 million children of migrant sugarcane cutters, below 14 years of age, who accompany their parents to districts all over the state. Over half of them end up being deprived of primary schooling. When these school children migrate with their families they lose their schooling period and fail in their examinations.

The research found that the state of Uttar Pradesh that hosts India's largest child population ironically has the worst teacher-student ratio and lowest learning indicators amongst students. According to one of the school teachers from a *Zila Parishad* school in Lakhimpur Kheri *“low learning outcomes are mostly because of low attendance and little interest from parents to help their children at home”*. The teacher also blamed private schools for the condition of children's education as parents have started losing faith in the government schools which are already coping with insufficient resources, infrastructure, and teachers.

In Maharashtra, districts such as Parbani, Beed, Jalna, Amravati, Ahmednagar, Solapur, Dhule and Nandurbar dominated by tribal and *dalit* population have made little progress in terms of ensuring prevention on children from migration. The state recognises that sugarcane harvesters migrate every season taking their children along, yet, little has been done to create safe spaces for children to stay back and continue their education. In the Kolhapur district of Maharashtra where the study took place, only 3 per cent of parents had left one of their children back in their native region in the seasonal hostel made available by the government.

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. *“I am aware that my children's education suffers when we come here for work but the condition of hostels in our village is worse than our condition here. I have two daughters and I cannot leave them in that kind of a place”* shared Manoj from the Dang region of Gujarat who left his 13 year old son with his cousin so he could study and brought his two daughters to Surat where he migrated for work.

The state of Maharashtra is however one of the few pioneers in working towards education of migrant child labourers and children of sugarcane harvesters. In the early 1990s the state government, sugar factories and local NGOs had started working together on the concept of *“Saakharsaala”* a special seasonal school. The scheme became a part of the *Sarv Shikshan Abhiyan* (Education for All) program of RTE (Right to Education Act) but after the amendments in the Act the focus shifted towards the *zila parishad* (District) schools and *Saakhar Shaalas* started to lose their impact.

⁴¹ <http://southernvoice.org/wp-content/uploads/2015/04/Global-Development-Goals-2014-UNA-UK-debapriya-bhattacharya.pdf>

From the year 2001-02, at least 35 sugarcane factories had also introduced programmes to educate the children of sugarcane migrant workers. During the research one such factory was visited. The Jawahar Sugar factory in Kolhapur, also known to be Asia's largest factory in terms of crushing capacity, was running a seasonal school for the children of migrant harvesters who work for them. "In 2018, after the state mandated that all children must be sent to zila parishad schools, we had to shut down our own school. Now we try to ensure that children of our harvesters get enrolled in the zila parishad schools here" informed Manoj Dave, former teacher of the school run by the factory.

The seasonal hostels in some parts of the state still 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.

Present Situation

In a [press release](#) by the Ministry of Human Resource Development dated June 27, 2019, it is stated that under *Samagra Shiksha* (a central government scheme through which provisions of Right to Education are implemented), approval has been given for setting up 2.04 lakh primary and 1.59 lakh upper primary schools across the country. In addition to regular schools, 1,020 residential facilities with sanctioned capacity of 1,08,275 have been sanctioned to States. It includes 333 residential schools and 687 hostels attached with existing schools for children living in remote and sparsely populated habitations of rural and deprived children of urban areas. These residential facilities are in addition to 5,970 Kasturba Gandhi Balika Vidyalayas (KGBVs, Girls



Picture of the Saakhar Shaala from the archive of Jawahar Sugar Factory from 1997

residential school at upper level) with a total capacity of 7.25 lakh girls have also been sanctioned to the states for improving access to marginalised girls. Under the same scheme to further address the issue of migrant workers, all states and union territories of India are required to do household surveys annually to identify out of school children.

UNESCO estimates that almost 15 million children in India lead transient lives, as they move across the country with their parents in search of livelihood⁴². The government is building schools and hostels but according to GMR, 80 per cent children of seasonal migrant workers have never had access to school education. **Despite the Right to Education Act of 2009, education remains a distant dream for the children of internal migrants in India. GMR⁴³ report, 2019 points out that this is because most interventions focus on retaining children in their home communities rather than extending support to children who migrate. Migrant children with disabilities are even more likely to never attend or drop out of school in the absence of appropriate psychosocial support.**

It is more than evident that children of migrant labourers are a highly vulnerable yet neglected group. There is no official data or tracking of these children for the purpose of their well-being and education. Few gaps in the system that require immediate redressal from relevant state and central government authorities are:

- Lack of effective systems at both source and destination points to monitor movement of children of school going age. This data should be maintained at school or community level to track movement of children during the school year.
- Institutional support with regards to accessing education at destination points through helping parents locate a school, simplifying enrollment procedure for migrant children and coping with language barriers and differences in curriculum.
- Ensuring continuity of education for children of seasonal migrant workers by simplifying the process of getting school transfers anytime during the school year.

Teachers play a crucial role in keeping children in school but there is enough evidence to suggest that teachers in destination areas are generally not equipped to deal with a child that speaks a different language or comes from a different culture. There is also anecdotal evidence that most commonly, migrant children are met with apathy and even mistreatment due to stereotypes about them⁴⁴.

While it's important that the government builds infrastructure for education, but infrastructure alone is not enough. It has to be aided with providing institutional support to parents, teacher training and creating comprehensive systems to ensure continuity of education for migrant children.

During the stage of literature analysis for this research, RTIs (Right to Information⁴⁵) were also filed to seek details about the current number of seasonal schools and hostels, the state-wise allocation of budget and other details. However, there was no adequate response received from the authorities. The details of the RTI can be found in annexure C.

⁴² <https://unesdoc.unesco.org/images/0026/002659/265996e.pdf>

⁴³ <https://www.indiatoday.in/education-today/featurephilia/story/how-seasonal-migration-of-indians-is-destroying-educational-opportunities-for-children-1406369-2018-12-11>

⁴⁴ <https://citizenmatters.in/school-education-children-migrant-labour-rte-9811>

Good Practices

AVANI, Kolhapur

Kolhapur based NGO Avani is one of the few organisations working towards the education of migrant children, including that of the sugarcane sector. The organisation also initiated schools for the children of brick kiln workers in Kolhapur, Satara and Sangli region of Maharashtra. According to Anuradha Bhonsle, Director of the organisation, "Children of migrant workers are one of the most vulnerable when they migrate because they not only drop out of school when they leave their villages but also live a life full of hardships including engaging in hazardous labour". She also shared that the state funding for child rights and protection programmes needs significant improvement as NGOs alone cannot ensure the protection and education of children. The NGO shares a good relationship with sugar factories as they set up seasonal schools every year on factory premises which show how businesses can work in tandem with the civil society. Besides setting up schools for the children of migrant workers, the NGO's volunteers and staff also ensures that the child is enrolled in school, attends classes regularly and gives exams once he/she goes back to the village by working together with teachers, school authorities and parents on creating awareness and monitoring the children's attendance and academic performance.

Shantivan, Beed

One of the good practices was seen at Shantivan in the Arvi region of Beed district in Maharashtra during the field visit. Started by Deepak and Kaveri Nagargoje, the organisation focuses strictly on the most vulnerable and destitute children. The organisation runs a residential school facility for the children of sugarcane workers in the drought prone district Beed of Maharashtra. The school caters to about 1,000 children from nearby villages and also about 400 residential students from families affected by the



A school building being constructed at Shantivan

continuing rural distress in Marathwada. Shantivan also provides support to destitute women and suicide stricken families of farmers and also helps surrounding villages with 'Shet-tale' man-made pond in the farm to help with farming in the drought stricken district. The farm pond now contains around 50 million litres of water in what can be termed as one of the driest regions of the state which has inspired others to emulate the example and there are already 10 such capable of providing water to 100 acres of agricultural land.

2.7 Lack of Access to Child Care

In every focus district of all 4 states, children below 6 years of age were found unattended, uncared for and some in need of protection. This can be simplified with the categorisation below:

- Children found at the *Padav* - Every cluster of cane cutters household had a minimum of 5 and a maximum of 20 children under the age of 6
- Children found at the Farms - Every sugarcane farm had a minimum of 2 and a maximum of 10 children under the age of 6

While older children, both girls and boys are engaged as paid or unpaid child labourers on sugarcane farms, the younger ones are dependent on their older siblings, usually girls, to be looked after. The interactions with girls suggests that looking after their siblings is the most common factor behind their migration and remaining out of school. The mothers have to work in sugarcane farms for the entire day and have no other source of support which can ensure their children's safety. As a result the mothers either leave younger children with their siblings at their temporary shelter/*padav* or take them to the farms where cane waste can often be seen being used as a shelter to protect the young ones from rain, sunlight and cold.

The gendered norms and expectations in the case of sugarcane supply chain also impact women and children directly and indirectly in this way:

- Women are expected to migrate with their family so that they can work on the farm and also take care of the house and children
- Since women also have to work on the farms, they have no other option but to bring along their older daughters to look after siblings
- This leaves both the older sibling and the younger children unattended, uncared for and exposed to harsh weather and farm conditions
- In the absence of women, young girls work the share of household chores, from cleaning to cooking
- Since it acts as a determining factor for girls to migrate, they often also end up working on the farms, mostly as unpaid child labourers

Access to Anganwadi

The *Anganwadi* is a type of rural child care centre in India started by the Indian government in 1975 under the [Integrated Child Development Services](#) programme of the Women and Child Development Ministry. Currently, a total of 1.37 million *anganwadi* centres are operational in the country with a strength of 1.28 million workers and 1.16 million helpers, as per the official data (Ministry of Women and Child Development) to combat child hunger and malnutrition and deliver early education, health, and nutrition services. However, inclusion of children of migrant workers has been a key challenge for the success of this programme in the country.



On one hand, the Government of India has recently announced the upgrading of services at the centres with facilities such as creche and smart teaching/learning aid at about 0.25 million *anganwadi* centres across the country in the next five years (Women and Child Development Ministry) with an objective to make *anganwadi* centres interactive and more child-friendly. On the other hand, from interactions with mothers and stakeholders such as *anganwadi* workers, the study found that the benefits of *anganwadis* have still not reached the children of sugarcane workers. While most of the children under the age of 6 have access to *anganwadi* in their native village, there exists an opposite reality when they migrate.

From the research sample it was found (see figure 8 below) that almost 87 per cent of children were in need of *anganwadis* in Gujarat, followed by a 100 per cent in Maharashtra and 94.05 per cent and 76.47 per cent in Karnataka and Uttar Pradesh respectively. The remaining children had been to *anganwadis* for a short time but because the families keep migrating to different sugarcane fields as per the demand making it difficult to keep the child in the *anganwadi* regularly.

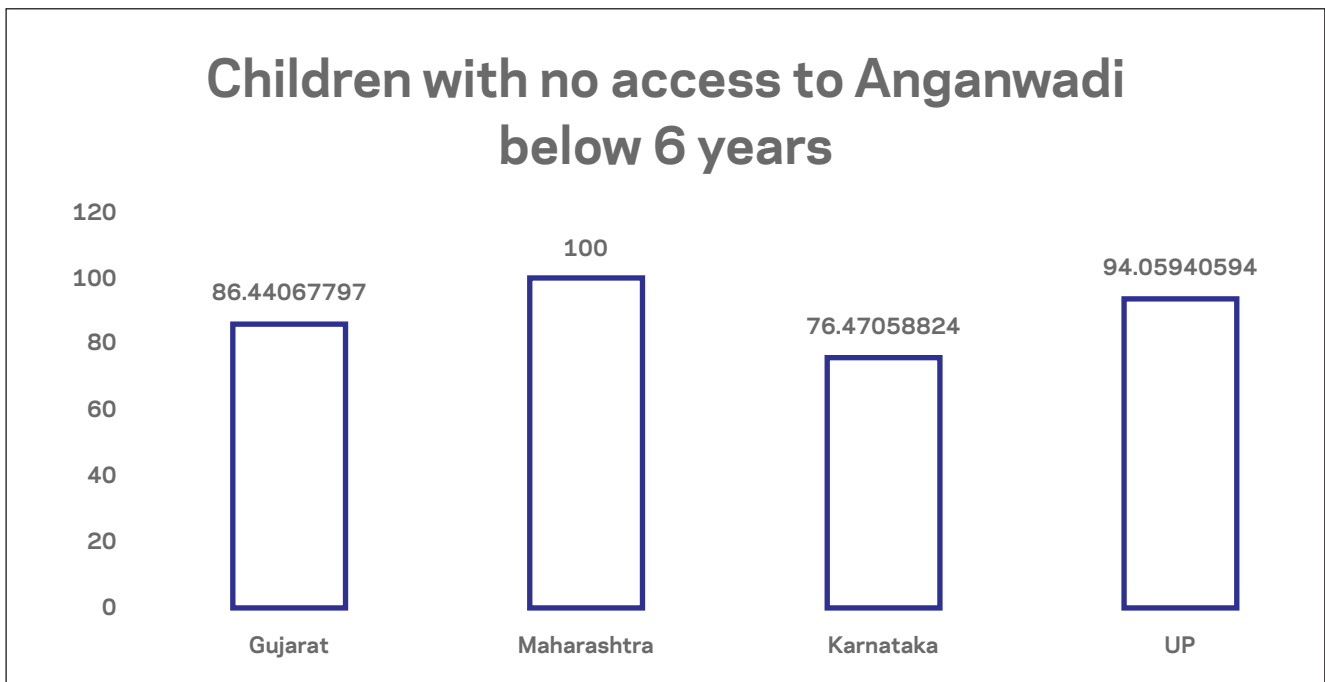


Figure 8, Children without access to Anganwadi

Some of the key factors that keep the children in need of care and protection away from the anganwadis can be analysed basis focused group discussions with anganwadi workers from Kolhapur, Surat and Meerut.

- The district *anganwadi* do not have enough budget to include an additional number of migrant children. As such, the anganwadis struggle with allocation of funding for the local children
- Tracing and reaching out to children of sugarcane workers has been done through surveys but never continued due to constant migration of families to different sugarcane farms
- Many of the workers shared that they have officially never been asked to contact the families of these children in order to reach out to them
- The infrastructure of *anganwadi* centres is poor in many villages in these states and lack facilities as basic as toilets, a solid concrete roof, furniture and drinking water
- *Anganwadi* workers themselves are alarmingly underpaid keeping them demotivated to work towards inclusion of these children into the structure
- The average salary of an *anganwadi* worker varies from 20 to 75 Euros (INR 1735 to 6518) a month depending on the state and has only been recently increased to 95 Euros after various protests and strikes

Hasmukh was abandoned by his father after his mother passed away due to prolonged illness. His father married someone else and left Has Mukh with his aunt who works in the sugarcane farms as a harvester.

He can be seen wearing a school uniform in the picture, but he cannot afford school anymore as he has to depend on his aunt who is a mother of three for everything.

"My aunt's children are very young. I am the oldest one out of all the children so I have to look after them and also work on the farm so I can help my aunt with some cane cutting," says Has Mukh who also had to drop out of school at the age of 9 when his father left.



Psycho-Social Impact on Children of Sugarcane Harvesters

Not only is migration impacting the education of the children of sugarcane harvesters, but the continuous exposure to nothing else but the sugarcane farms and work done by them also impact their psycho-social development, another crucial aspect of education and a healthy growth and development of children which was found absent amongst the interviewed children. **In the Tapi region of Surat, Gujarat, a peculiar case was observed where the children of some cane cutters were engaged in making imitation cane out of wet soil. The local shops sell plastic toys that are imitation of trucks, carts and tractors and the children were found to be creating imitation of cane by rolling out wet soil/clay and putting it on the toys such as the truck until it was full to the top.** When asked how he learnt it, Rahul, 11, from the Dang region of Gujarat said, *"I do this every day with my parents when the truck comes"*. No other example could be more symbolic of how the lives and childhood of these children is affected by working in the sugarcane sector.



In one of the padav visited during the fieldwork, families did not go to the farm to work for two weeks. The reason was the delay in opening up of sugarcane mills due to the recent floods. In that Padav, many children were found playing cards with adults using little money. Some were also found in cleaning fresh chillies, a regular job given by the locals in the village to these children in exchange for candies and toys or 10-20 rupees (0.14 Euro approx).



CHAPTER 3

LIVING AND WORKING CONDITIONS

Thousands of families are brought to sugarcane cultivating regions of Gujarat, Karnataka and Maharashtra every year from their native areas. Trucks are provided by factories to bring the families, their children and belongings which include all tolls of sustenance from raw material to make huts to groceries, cattle and in some cases bullock carts. Once they arrive, makeshift shanties and huts also known as padav are set up each season on empty and unused land.

There was nothing human about these settlements that can host a minimum of 4 and a maximum of hundreds of children depending upon the number of families and land size. Children work and play in these conditions with hardly any access to drinking water and other basic amenities. **Out of total 167 Padav visited in the four states, not a single one had a toilet which**

means that everyone has to defecate and bathe in the open which especially makes girls and women vulnerable to sexual abuse. Some of the clusters had their own small toilets with wooden logs and waste clothes to bathe but it hardly makes up for a proper toilet without any roof, water tap and drainage. Almost every site was situated near contaminated water bodies as well as waste dumping sites that are breeding ground for mosquitoes and other diseases.



A temporary toilet in one of the residential areas

The so called dwellings are vulnerable to extreme weather conditions and can hardly give protection from extreme weather conditions such as rainfall, storms and harsh sunlight. **During one of the visits in Kolhapur district of Maharashtra, the death of a 3 months old child of a cane cutter couple was reported due to pneumonia, close proximity of their hut to the river and lack of immediate medical care.** In Belagavi district of Karnataka, 6 girls and 2 boys were found to be suffering from high fever and without any medical assistance.

Some common findings related to the living conditions across the research regions are:

- The child labourers not only work but also live in hazardous conditions and do not get enough nutritious food for the amount of physical labour they are engaged in
- Dependence on natural resources such as rivers, village wells and streams for water. It is mostly the children and women who walk a long distance every day to collect water
- Barring the smaller clusters, electricity is provided in the form of one common bulb and power connection for charging phones. Many households bring their own solar plates for electricity
- Infections are common due to lack of clean drinking water and safe sanitation places
- Accidents at night are also common due to lack of proper road connectivity to their huts and proper electricity
- While some food items such as millets are provided by the factory most of the migrants reported the supply to be inconsistent and of poor quality, often infested by insects

3.1 Working Conditions and Labour Rights

Recruitment and Structure

In the rural sugarcane nomenclature, the migrant sugarcane workers engaged as seasonal cane cutters/harvesters are known as *koyta* and their groups as gangs. Women, men and children from a family, all considered as *koyta* are engaged in cane cutting, peeling, binding and loading of cane. The sugar factories do not hire harvesters directly and every factory has a group of brokers or *Muqaddam* who employ seasonal migrant labourers, often belonging to the same native region and caste as his own. The factories sign official contracts with the contractors but no contract of employment is signed between the contractors and harvesters. The factories give advance money to contractors through district and cooperative banks which is further given to the harvesters on high rates of interest for which they commit to work as seasonal cane cutters for 5-6 months and get their wages at the end of the season when the total harvested cane is counted.

The Advance System

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 most exploitative aspect however in this case is that the advance is given out by the *muqaddam* at exorbitant rates of interest. The harvesters have no choice but to take it and usually use the advance money for weddings, repairing their houses, repaying other debts and buying items of food, clothing, etc. It is very rare that a family is able to repay the entire advance amount with the sugarcane harvesting work they get in each season, thus remaining trapped in the vicious cycle of debt, poverty and bondage.

Wages

The wages are not paid according to the state's minimum wage standard but the volume of harvested cane at the end of the season. The *muqaddam* makes payment by dividing the amount equally in the team where it is impossible to count individual labour. The fact that harvesters also work as couples makes the wages even worse when divided between two and often comes out to be appallingly less than minimum wage per day.

In Gujarat, daily wages of cane cutters per day was 3.07 Euro (INR 266.55) per metric ton for a pair of harvesters which is lower than the daily minimum wage rate of 2.34 Euro (INR 203.27) per day for agricultural labour in the state. For instance ([A Bitter Harvest, 2017, Prayas Centre for Labor Research and Action](#)), in Gujarat, on an average a single unit of *koyta* harvests 1 ton of sugarcane per day which means that 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. In other words, wages are appallingly low signifying the highly exploitative nature of work.

The same is applicable for Maharashtra and Karnataka where the minimum wage is 203 rupees (2.45 Euro) and 249 rupees (3 Euro) respectively. In Uttar Pradesh where the advance system is not so prevalent, only men were found to be receiving the minimum wage between 200-250 rupees (2-3 Euro) per day whereas women were only receiving 100-150 rupees (1.2 to 1.8 Euro) on an average in a day for the same amount of work.

According to one of the *muqaddam* (name not to be disclosed) "This system is the most profitable for the sugar mills. It is not what we prefer because the workers are from our own village and we don't want to exploit them but there is no choice".

Hazards at Work

Occupational safety at farms also reflects poor indicators in the sugarcane sector for both adults and children. Compared to the taxing nature of physical labour required for cane cutting, the safety measures are negligible. Most of the harvesters, including children were found to be only wearing a cotton shirt on top of their clothes and without proper shoes. 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.



3.2 Livelihood Opportunities and Acc

Employment received under MGNREGA or other government employment schemes

As shared in sections above, lack of employment in native areas of migrant workers is the most common factor for them to migrate to neighbouring states for seasonal work. The rural employment schemes in India are therefore deemed necessary to look into as its failure has not only impacted the rural migrants but also their children who are forced to drop out of school and work to support family income. For the purpose of this research we focused on the most crucial rural employment scheme of India, Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). Significant investments amounting to 4.72 billion EURO (Ministry of Rural Development, 2013-14) or 0.3 per cent of the gross domestic product have been made by the government. Considering its size and substantial amount of public money invested, it is important to ascertain the extent to which MGNREGA has reached the sugarcane sector's migrant workers.

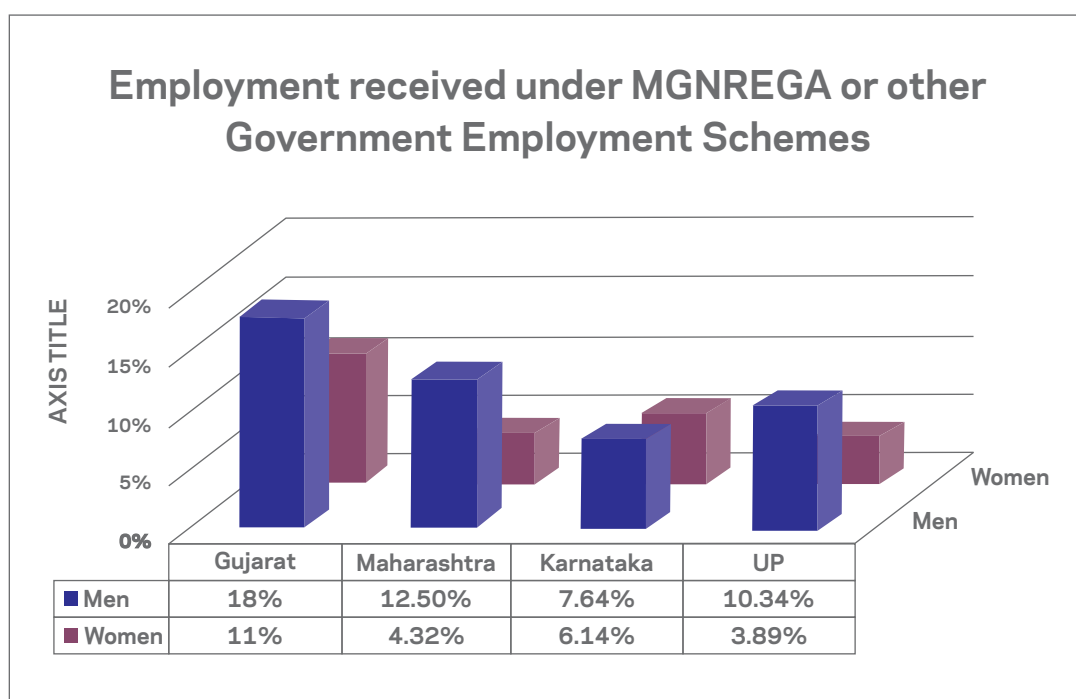


Figure 9, Employment received under MNREGA

Based on the research sample of cane cutters, both men and women, it is evident that the rural employment schemes have failed to have an impact on migration and generate livelihood. Only 18 per cent of men and 11 per cent of women claimed to have availed work under the most crucial rural employment scheme MGNREGA in their native region. Similarly, only 12.5 per cent men and 4.32 per cent women amongst migrant workers from Maharashtra claimed to have benefited from MNREGA at some point but it only lasted for a short duration of about 2-3 years. The numbers were lowest in Karnataka and Uttar Pradesh at 7.64 per cent for men, 6.14 per cent for women and 10.34 per cent for men and 3.89 per cent women respectively.

A similar trend was found in the access to other welfare schemes such as Public Distribution System for subsidised ration, health cards for free treatment in government hospitals and other healthcare schemes for women, access to *anganwadi* and *zila parishad* schools.

This finding can further be confirmed by looking at the country's official data and reports. A survey by the Institute for Economic Growth in India in 2017 was conducted in 21 states in 14 agro-climatic zones. The results showed that even though there was an 11 per cent increase in rural incomes after MGNREGA, around 80 per cent of the surveyed districts did not show any change in migration. The survey also found instances of delay in wage payment beyond the mandatory 15 days in some cases and in many regions, the average wage earned by an MGNREGA worker was lower than the market rate, while in some it was even lower than the minimum wage.

Practices such as corruption have been cited as a problem in MGNREGA implementation, underpayment and delay of wages by the administrators. Other identified instances of systemic corruption include misappropriation of funds for materials and overall unaccounted financial leakage within the programme.

Shanti (name changed), 37, a cane cutter and mother of 3 children aged 4 to 15 was one of the women who had worked under MGNREGA for 3 consecutive years in her native district of Yadgir, Karnataka. She received employment under the scheme from 2013 to 2016 along with other women from her village at a construction site. *"When we worked in our village, we were satisfied with MGNREGA because we were treated better. The money was less but at least it worked for mothers like us with childcare responsibilities."* She also reported that there was a small childcare centre that worked for them. Another woman, Renuka, 40, from Parbani district of Maharashtra shared a different experience. *"We were treated in very inhuman ways on MGNREGA worksite. It was always a last resort."*



Interactions with women who had worked under MGNREGA can be recognised as disadvantaged workers. In addition to receiving lower wages most of the women reported ill treatment by their supervisors and given work that was physically too taxing for them which only made their situation worse due to their household and childcare responsibilities.

The loss of identity

An individual should be called by his/her name. Koyta is the name of the tool used to cut sugarcane. How can millions of people who work as sugarcane harvesters be called by the name of a tool?

Advocate Paresh Choudhary, Gujarat Adivasi Sabha, President

The colloquial term used to refer to the sugarcane harvesters is *Koyta*, a sharp tool cane for cutting cane. In Karnataka, they are called *gangs*. **The nomenclature suggests how the identity of these workers is just reduced to a tool and their lives are designed around the same. Identity is also lost for them as they consistently migrate and remain alienated from the society in their native areas as well as destination areas culturally, socially and economically. In the supply chain hierarchy as well, these workers remain invisible, at the bottom and considered only important during recruitment for harvesting while being nobody's responsibility when it comes to being accountable for them.**



What has changed?

In the Dang district of Gujarat, one can easily find the 3rd and 4th generation of koyta. A focused group discussion with some of the 3rd and 4th generation workers was done in one of the village households. One of the women, mostly in their late 60s who has had decades of experience working on the sugarcane farms recalled, "Women were living a hard life then, are living the same life even now". The attitude of employers towards issues of women has mostly remained indifferent and the *muqaddam* does not have the power and will to protect the rights of women and children who are the most affected in this supply chain.



"At least we used to get paid for overtime and extra work that we did. We always received extra money for loading cane at odd hours" says Shantaram, 73 whose son is now a *muqaddam* who shared that because of wages being paid together at the end of the season, there is no concept of individual work or overtime wages.

Jan Breman, a Dutch Sociologist was one of the first few to write about the working and living conditions of the *koyta*, including the practices of child, forced and bonded labour in the sugarcane sector. The observations made by him in the year 1978 stand true until today except in a more exploitative system of recruitment and wages which terms as 'neo-slavery' or

What is also interesting to note is that decades of practices of exploitation have influenced the perception of exploitation amongst koyta. As Gorane Munder puts it, "*We have worked very hard but it has all been worth the effort. Today, I have my own house, my son has a bike and we live a comfortable life. I could not educate my son or daughter but my granddaughter is studying pharmacy in Pune. All this has been made possible because of sugarcane work*". This is however true for only very few *koyta* who are able to become *muqaddam* and improve their socio-economic condition. **The systemic and programmed structure of exploitation has made the workers accustomed to hazardous living and working conditions. Most of the workers interviewed see their children, especially boys, as also taking up this occupation. *Koyta ka ladka to koyta he banega na? Padh likh kar kya karega?* (Will a koyta's son not become a koyta? What can education do to him?) was a commonly heard sentence accompanied by laughter of families during interactions in the field.**



CHAPTER 4



SUSTAINABILITY IN SUGARCANE SUPPLY CHAIN

Interaction with stakeholders such as farmers and sugar factory staff helped in getting an idea about existing sustainability (environmental, economical and social) issues and how it intersects with child labour. Out of the four states, discussions took place with only 5 farmers in Karnataka and 7 in Maharashtra. The reason for this low number is that sugarcane farms are owned by farmers but managed by contractors and factories, especially where cooperatives are in majority. The farmers, especially the ones who own bigger farms are from dominating castes and often engaged in other businesses or residing abroad, a common observation amongst farmers of Gujarat, Maharashtra and Karnataka. On the other hand, in Uttar Pradesh, the total number of farmers met was 29 due to the small landholding size. The farmers also work on the farms themselves due to lack of resources to hire a large number of harvesters.

Many argue that child labour itself is a challenge in making the agriculture sector 'sustainable' but 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, the 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. The struggle to eliminate child labour from agriculture cannot be separated from the struggle against all forms of exploitation, including landlordism, caste discrimination and gender discrimination of the kind that we see in the agriculture sector in India today.



While mechanisation has often been quoted as a better alternative to avoid exploitative labour practices including child labour, there is scant evidence that mechanisation can reverse the unequal power relationships in the agrarian sector in India, largely responsible for child labour. In circumstances where a farmer might want to opt for mechanisation, the lack of affordability and unfit terrains for machineries makes it difficult to not rely on manual harvesting thereby keeping alive the demand for cheap labour. The demand is also fulfilled by the availability due to poverty and lack of decent livelihood in the native land of migrant workers that keeps the practice of migration, debt bondage and child labour alive.

Besides the above mentioned sustainability challenges of the sugarcane supply chain, some serious issues of the sector are:

- **Extensive use of water and exploitation of ecosystems** - Sugarcane is a water-thirsty crop and still relies on the irrigation system in India. Not only does it put pressure on the natural water supplies but also causes water pollution further impacting biodiversity and ecosystems.
- In states such as Uttar Pradesh and Karnataka, smallholders face further challenges when it comes to accessing markets, sustainable farming techniques and knowledge
- The farmers also complained of the prices of sugarcane as they are not enough to cover the costs of production and often forces them to take debt for investments and farm maintenance
- Women remain significantly absent from most of the aspects of the supply chain. Gender and caste-based inequalities prevent their participation on various levels such as land owning, engaging with stakeholders, working on the farms and decision making in the absence of the male head of the family

Discussions with the staff of some sugarcane factories also give an overview of sustainability issues related to technicalities of sugarcane that plays a key role in shaping the course for how workers at the bottom are treated and communities impacted. In Maharashtra, 3 out of 6 sugar factories reported having adopted mechanisation practices during harvesting. According to a field officer from Shri Bhogawati Sugar Factory, Kolhapur, *“lack of mechanisation leads to dependence on cheap migrant labour and their exploitation and at the same time complete mechanisation would replace manual labourer’s only source of livelihood”*. However, despite the mechanisation, the factories reported no decline in the number of migrant labourers for which the reason according to one of the officials is the high cost of machines and scattered, uneven land where mechanisation might not be successful. A shared response amongst factory officials was also the concern of the scattered nature of the sugarcane supply chain which operates with the participation of diverse stakeholders in each state.

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. From local suppliers, traders, mill management to contractors, farmers and corporations, the role of businesses needs a big shift from what the current situation is. The diverse nature and usage of sugarcane and its by-products, sugar being the most common, has made it a crucial global trade commodity. Global production of sugarcane doubled⁴⁷ over the last two decades and its demand is expected to continue rising in line with a growing population and rising incomes which favour sweetened foods, as well as on-going demand for sugarcane as a feedstock to produce biofuels.

The fact that sugarcane is produced in around 100 countries of the world, mostly the developing ones and in tropical regions, should be a supply chain risk for businesses, big or small. As the world's second largest producer, after Brazil, India's sugarcane sector has been a key business interest for leading food and agro-commodities who themselves have highly complicated and fragmented supply chains. While the country has been in the news as its sugarcane industry has recently faced criticism by countries like Brazil, Guatemala and Australia over its subsidiary programmes including administered mandatory minimum prices, little is discussed about human rights violations in the sector. Imported global buyers of sugar and its by-products from India are at high risk of tainted supply chains with practices such as child labour, forced labour and bonded labour amongst other severe human rights violations. The limitations over supply chain concerns that do not address lower tiers of production in the supply chain of agricultural products need to be challenged as the lowest tiers ought to be an equally important concern for businesses.

In India, the business case is still currently insufficient for adopting more sustainable production and procurement practices and addressing agricultural sustainability issues mainly because of the vastness and distinctiveness of the region and agricultural practices. **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.**

⁴⁷ <https://books.google.com/books?id=HH6hDwAAQBAJ&pg=PA88&lpg=PA88&dq=global+production+of+sugarcane+doubled+over+the+last+two+decades&source=bl&ots=lqan5kfeRr&sig=ACfU3U1tkzhaBl7zg1OlmbYDssMuWh1BaQ&hl=en>

CHAPTER 5



RECOMMENDATIONS

These recommendations are based on:

- Interactions with the rights holders i.e. migrant sugarcane harvesters/*koyta*, both men and women as well as children
- Consultations with relevant government representatives such as the department of labour, agricultural labour
- Stakeholders such as grassroots NGOs, trade unions, sugar mills, middlemen
- Global March's continuous work in the field of agriculture for addressing child labour
- Pre-existing reports from ILO, Oxfam, PRAYAS

Recommendations have been given based on the broad areas of intervention in which the state, businesses, civil society should begin engaging with key industry actors, social partners and most importantly the rights holders to address key labour deficits, promote decent work in the sugarcane sector and work towards the elimination of child labour in the sector. This should be done whilst taking nuances such as gender as a cross-cutting issue along with particular caste and indigenous community based needs and challenges, especially ensuring that the interventions designed cater to their most pressing challenges in a positive manner without reinventing the wheel.

A summary of the recommendations is provided in the table given below and the same is also described in detail following the table:

Mapping of the Stakeholders

- Duty-bearers: Centre, state as well as district level government departments
- Businesses/Private Sector: Sugarcane mills, Agro-food and beverage companies outsourcing sugarcane related products from India
- Civil Society and International Organisations
- Rights-holders/Community: Migrant workers in the supply chain including children, adolescents and middle-men

Thematic Area	Recommendations	Stakeholders
<p>Decent Work and Elimination of Child Labour</p>	<ol style="list-style-type: none"> 1. No child labour policy at farms that strictly needs to be monitored by respective stakeholders 2. Recognising the labour and hiring practices for sugarcane cultivation as bonded labour and providing immediate compensation as well as rehabilitation measures to the families 3. Recognising children’s work on farms as child labour and rehabilitating with a sequential approach under the Central Sector Scheme 4. Encouraging the workers at the farm level to organise or be a part of trade unions and other grassroots NGOs for representing and addressing their grievances 5. Recognising and including certain activities of sugarcane harvesting hazardous such as using of sharp tools manually for cane cutting, loading of cane in the night, dangerous farm conditions 	<p>Ministry of Labour and Employment; National Child Labour Project; Sugarcane Cooperatives and Mills, Brands procuring sugar and its by-products</p>
<p>Rural Livelihoods, Agriculture and Governance</p>	<ol style="list-style-type: none"> 1. Strengthening rural livelihoods such as access to jobs under MGNREGA 2. Enhancing agriculture opportunities and systems in the rural regions, especially where continuous droughts have made the land unfit for agriculture and landlessness prevails amongst marginalised groups 3. Strengthening the role and autonomy of rural governance bodies to ensure that people of their villages do not migrate to be hired as cheap labourers and that rural livelihoods, as well as educational opportunities, are strengthened 	<p>Ministry of Rural Development, Agriculture and farmers welfare and Panchayati Raj; NABARD</p>

Thematic Area	Recommendations	Stakeholders
Strengthening of the Labour Department's Role	<ol style="list-style-type: none"> 1. Increasing district level budgets of labour departments allotted for the elimination of child labour for departments to function effectively 2. Better coordination between labour departments of native as well as destination regions where migrant workers, including children, work in the sugarcane sector 3. Improving implementation of laws and punishments such as the Inter-State Migrant Workmen Act 4. Ensuring coordination and willingness to seriously approach the issues of informal sector workers, including children 	Ministry of Labour and Employment; Sugarcane Cooperatives, Mills and District Collectors
Migrant Workers' Rights and Inclusivity	<ol style="list-style-type: none"> 1. Ensuring every migrant worker and his/her family member is registered under the inter-state migrant workmen act and records are maintained with the sugar mills with legally verified employment contracts 2. In the case of intra-state migration, local labour authorities must ensure registration of migrating workers and their family members 3. Inclusion of migrant workers in key basic and social welfare schemes such as <ul style="list-style-type: none"> - Ayushman Bharat, Public Distribution System for access to ration, MGNREGA, Pradhan Mantri Suraksha Bima Yojana (PMSBY) and other insurance schemes - Atal Pension Yojana (APY), Pradhan Mantri Jan Dhan Yojana, Pradhan Mantri Mudra Yojana for easy loan - Indira Gandhi National Widow Pension Scheme (IGNWPS), National Family Benefit Scheme (NFBS), Deendayal Antyodaya Yojana, and several others 	Ministry of Labour and Employment; Sugarcane Cooperatives and Mills; Food and Beverage companies outsourcing sugarcane products; Ministry of Health and Family Welfare, Ministry of Finance, Ministry of Social Welfare, Ministry of Housing and Urban Poverty Alleviation, Ministry of Rural Development, Agriculture and Farmers Welfare and Panchayati Raj

Thematic Area	Recommendations	Stakeholders
<p>Decent Working and Living Conditions</p>	<ol style="list-style-type: none"> 1. Providing clean and safe drinking water, and basic sanitation and hygiene facilities at the worksites as well as farms 2. Providing electricity for all households and aligning housing services with the ISMW Act that sets standards for housing. Provision of accommodation must also be away from unhygienic and unsafe conditions such as dumping grounds 3. Regulating and monitoring of working hours, adequate breaks for resting and putting a stop to late night and midnight loading of cane 4. Providing good quality ration to families (where factories are responsible) instead of defected grains, pulses, rice etc and keeping in mind the distinct food and nutritional needs of tribal groups 	<p>Sugarcane Cooperatives and Mills, Ministry of Labour and Employment; Ministry of Consumer Affairs, food and public distribution</p>
<p>Access to Quality and Uninterrupted Education</p>	<ol style="list-style-type: none"> 1. 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 2. Cooperation of central, state as well as district authorities is inevitable to implement (1) and should be done with the support of stakeholders at all levels geographically and experientially 3. Where schools are far away for children, especially in destination/host regions, the duty-bearers must ensure that children have access to mobile education, seasonal schools and tent schools and that the provisions are gender-sensitive 4. Strengthening of infrastructure for gender-sensitive and safe spaces such as seasonal hostels where children can continue their education and stay so they don't have to migrate every year 	<p>Ministry of Human Resource Development; Civil Society; State Education Departments</p>

Thematic Area	Recommendations	Stakeholders
<p>Children in Need of Care and Protection</p>	<ol style="list-style-type: none"> 1. Ensuring that ICDS allocates adequate budget to district Anganwaadi in order to accommodate children of migrant workers 2. Linking Anganwaadi to key social welfare schemes for regular health check-up of children aged 0-6 as well as their mothers 3. Conducting regular surveys to maintain a record of children of migrant workers with the support from sugar mill staff and unions on the grassroots 4. Ensuring all key vaccinations for infants are linked with the ICDS scheme 	<p>Ministry of Women and Child Development</p>
<p>Knowledge and Data Gaps</p>	<ol style="list-style-type: none"> 1. Collecting sex-disaggregated data on child labour in agriculture, its sub-sectors focusing on key activities performed by girls and boys with gender as a cross cutting issue 2. Linking global collective platforms such as alliance 8.7, ILO and IOM with local action for an urgent emphasis on the condition of workers including child labourers in the sugarcane and broadly the agriculture sector 3. Strengthening the discourse on interlinkages between caste, debt bondage, bonded labour, gender, migration and child labour 4. Re-evaluating other aspects of child labour such as household work, triple burden, unpaid tertiary activities, gender differences amongst other nuances to effectively measure risks in the agriculture sector 5. Re-evaluating the issue of child labour by delving deep into structural practices and how they are shaping up in the ever-evolving and fragmented supply chains 	<p>Ministry of Statistics and Programme Implementation; Child Rights Organisations; National Child Labour Project; ILO; Alliance 8.7, IOM; FAO; ITUC</p>

Thematic Area	Recommendations	Stakeholders
<p>Role of Private sector</p>	<ol style="list-style-type: none"> 1. Engaging with the suppliers at all tiers at policy and implementation level to ensure adoption of fair practices throughout the supply chain, from factory to farm level 2. Ensuring each and every worker linked with a company's supply chain directly or indirectly has a formalised and legal contract of employment and access to a grievance mechanism 3. 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 4. Stringently implementing zero child labour policy at the farm level and ensuring every child who migrates with his/her family is connected to the closest school and anganwadi 5. Supporting sustainability policies in producer countries, whether at the national or local level for better standards of decent work in sugarcane production through supplier codes of conduct and third-party monitoring 6. Acknowledging responsibility and taking accountability for the farmers and workers and taking strong measures to protect and support their rights and address their grievances in a transparent, timely and effective manner 	<p>Food and Beverage Companies in global supply chains and value chains; Sugarcane Mills; Suppliers at all tiers</p>
<p>Wages and Advance System</p>	<ol style="list-style-type: none"> 1. Ensuring minimum agricultural wage for the cane cutters 2. Linking of the piece-rate wage payment to a scientific time-motion study to determine the average output in eight hours. It is set at very low levels forcing workers to work for 12 hours and employ children in the workforce 3. Strengthening micro-credit at the local level along with other economic welfare schemes to prevent the accumulation of debt and advance system 	<p>Ministry of Labour and Employment; NABARD; Civil Society and government self-help groups</p>

Thematic Area	Recommendations	Stakeholders
<p>Role of Government</p>	<ol style="list-style-type: none"> 1. Replicating successful models of intervention from other countries and sectors for tackling child labour and other violations of human rights supplemented by adequate funding labour inspection and law enforcement in agriculture 2. Creating decent work opportunities for adults through rural livelihood schemes, vocational training creating better labour-market opportunities for youth 3. Ensuring implementation of RTE for migrant children, especially girls by collaborating with different stakeholders, setting up interdepartmental convergence, easy school migration, and encouraging & motivating parents, establishing work-site education centres, seasonal hostels 4. Developing gender-sensitive and age-sensitive policies and practices for internal migrants 5. Mainstreaming internal migration into national development policy, and regional and urban planning 6. Building awareness for a better understanding of internal migrants' positive contribution to society 7. Creating portability of social protection entitlements for internal migrants 	<p>Ministry of Labour and Employment; National Child Labour Project; Ministry of Skill Development and entrepreneurship; Ministry of Human Resource Development; The representative bodies of ISMA and NFCSF</p>
<p>Protecting Tribal Rights</p>	<ol style="list-style-type: none"> 1. Ensuring transformative and sustainable measures to address tribal poverty and migration such as restoring access to forest land and natural resources 2. Cross-sectoral measures to mitigate vulnerabilities of tribals such as loss of traditional livelihood 3. Advocating for the strengthening of currently toothless PESA for protecting traditional customs and culture of tribal self-governance and entrusting more power with the traditional leaders of the villages 	<p>Ministry of Tribal Affairs; Ministry of Rural Development, Agriculture and Farmers Welfare and Panchayati Raj; Civil Society; Tribal Rights Activists</p>

Thematic Area	Recommendations	Stakeholders
<p>Role of Civil society</p>	<ol style="list-style-type: none"> 1. Strengthening of certifications beyond 'sustainable agriculture' and training of farmers to cover child labour as a key issue to be addressed at all farms linked with sugarcane mills' supply chains 2. Playing an active role in promoting fair practices in line with growing demands on supply chain transparency among international companies and investors 3. Inclusion of self-employed, informal labourers or unpaid family helpers in collective bargaining structures is crucial 4. Including action interventions in Child Labour platform to create a dialogue with employers who knowingly or unknowingly employ children in the production of sugarcane and forge alliances with them to undertake further research and action 5. Creating campaigns to lobby for buyers to act responsibly in sourcing sugarcane and address the weak and fragmented social dialogue in the sector 6. Assisting governments and other stakeholders in area-based, cross-sectoral approaches to address the root causes of child labour to prevent children from simply switching sectors 7. Creating and funding interventions to meet the specific needs of target groups such as Dalit and Adivasi migrant workers and their children 	<p>Certifications; ILO; International Organisation of Employers (IOE); International Trade Union Confederation (ITUC); FAO; IOM; All India Organisation of Employers (AIOE); the Employers' Federation of India (EFI); the Standing Conference of Public Enterprises (SCOPE); and the Council of Indian Employers; Grassroots organisations</p>

Rights of Migrant Workers

Since sugarcane harvesting is the most vulnerable part of supply chain comprising human rights violations of workers across age and gender and involves both inter-state and intra-state migration, a collective sentiment shared by stakeholders was that a committee or a network of stakeholders be set up to look into the most pressing concerns of sugarcane harvesters and child labourers.

Migrant workers are the most exploited and excluded from state policies and basic minimum rights and recognising them as a vulnerable category within policies and legislations must also be considered. The tribal population also needs additional protection and welfare mechanisms. There is poor enforcement of specific acts made for the protection of tribals in many rural areas of the country such as The Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) which has been extended to most of the states with tribal populations in India in order to safeguard their rights, customary laws, social and religious practices and traditional management practices of community resources. Ambiguity of the Forest Rights Act in India also impacts the rights of tribal communities negatively leaving them with no choice but to migrate for work to neighbouring.

A previous section of this report discussed the unavailability of employment in the origin area as one of the main causes behind migration. Although social security measures like MGNREGA exist, the findings from the report and government data suggest that a very small number of people have availed any work under the rural employment guarantee scheme in their native region. Despite its many failures and problems, MGNREGA has helped evolve a “rights based” framework for workers. The Indian state of Rajasthan relaunched the *Kaam Maango Abhiyan* (Demand work campaign) in the year 2019, to generate awareness around the provisions of MGNREGA. According to Rajasthan government officials, the campaign was very successful and helped Rajasthan achieve record breaking numbers, both in terms of the mandays generation and the number of persons completing 100 days of employment. This indicates that another reason behind MGNREGA’s low reach and impact is lack of awareness around its provisions.

As millions of migrant workers in India return to their native regions after losing their source of income to COVID-19, many have found work through MGNREGA. A record 48.9 million persons belonging to 34.4 million households (as compared to 31.8 million persons from 22.6 million households for May, 2019) sought work under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) in May, 2020.

It is therefore important that policymakers revisit social security schemes like MGNREGA in the light of the recent coronavirus migration crisis. Civil society and trade unions in India are also worried about several Indian states relaxing labour laws to kickstart the economy post COVID-19. Even in the absence of these relaxations, child labour and bonded labour is present across sectors and supply chains in India. It is feared that these relaxations in norms will lead to longer working hours, increase in insecurity and informality, further deterioration of working conditions and loss of bargaining power of the labourer. Women and children will suffer the most with increased working hours and suspension of labour rights leading to lax enforcement.

Adopting a Gender-Responsive Approach

The concept of gender, for sustainability stakeholders, especially businesses that are trying to be more cautious of child labour and other human rights risks in their supply chain is an important phenomenon. While the international legislations are prioritising gender in assessing various human rights risks for companies to address, it is also the need of the hour to go beyond the 'gender lens'. Various development organisations, feminists and academic groups have tried to establish gender as a separate topic to be assessed and understood. While it does work as a strategy, it overlooks gender as a reality that already exists within key human rights issues such as child labour, occupational hazards, minimum wages, environment and land rights to name a few.

Amongst many sectors, agriculture can be seen as an example of how gender plays a key role in determining risks for the sector and businesses associated with it. In India's sugarcane supply chain, the gender inequalities are already embedded in most of the root causes of child labour. For instance, the acceptance and practice of 'triple burden' on women and girls ensures their availability as cane cutters for harvesting (mostly unpaid), household work (not categorised as child labour) and their participation in the seasonal migration.

Gender inequalities are not only detrimental to women and men (differently) but also to the businesses/supply chains as can be observed in domains such as lack of access to resources and opportunities leading to poor working conditions, child labour and other human and labour rights risks and violations. Thus, it is necessary to recognise that all risks have a gender component to it rather than seeing gender inequality as a separate phenomenon. **The absence of such an approach and only relying on a gender-sensitive understanding can lead to risk mapping results which might not be effective in meaningfully addressing gender issues and later impact access to remedy.** For instance, the problems of tribal women and children can culturally vary from one region to other thus requiring culturally sensitive interventions. Inclusion of women in state welfare schemes for better health, labour rights as well as redressal mechanisms can ensure that the burden does not fall on them entirely as it not only impacts them but also the children.

CONCLUSION

Hazardous child labour and grievous gender inequalities in sugarcane supply chain exist in an historically established and normalised system of exploitation of bonded labour, the extent of which can be estimated by two juxtaposing realities. One, the practices which clearly confirm to all indicators and legal standards of bonded labour are neither accepted nor recognised as bondage. Second, exploring the realities of the phenomenon of child labour in the sector most often leads to a further set of complicated inter-related issues such as caste, gender and migration. The former has its pros and cons. While it makes it impossible to focus on children alone considering all the interconnected facets, at the same time presents us with reasonably strong empirical evidence to pay attention to the intersectionality instead of ignoring them or seeing them as separate issues.

The case of sugarcane and bonded labour dependent on seasonal migration sets precedent for reevaluating child labour and gender in the informal sector, especially agriculture. Most of the cane cutters remain indebted and bound to work as cane cutters for generations, despite working endlessly at the camp sites (sugarcane cultivating farms) during the harvest. These circumstances force their children to drop out of school or attend classes only when they go back to their native villages, while they toil their time away engaging in paid and unpaid labour, cooking, cleaning and taking care of their siblings during the seasonal harvesting period.

While smaller grassroots organisations in some parts of India have been taking steps to educate the children of sugarcane workers by providing them residential schools and also addressing their health as well psycho-social needs, interventions from the state and central government are quite weak. This also reflects the paradox of acceptance of child labour, bonded labour and forced labour and at the same time the denial of these practices. The ones who have steering power over the social order of sugarcane growing zones as well as the political economy of sugar production have failed to pay serious attention towards the pathetic working and living conditions and inhuman state of existence of sugarcane harvesters and their children. A key example is the exclusion of migrant workers and their children from the most basic minimum rights.

Along with human rights violations such as child and forced labour and debt bondage, the sugarcane crop also has a history and presence of land acquisitions and conflict over natural resources with the government as well as the companies at the expense of small scale food producers, marginalised farmers and tribal population. While the food and beverage companies as well as businesses procuring the by-products of sugarcane do not directly own many resources such as land and water, they are collectively the biggest buyers of products grown in countries plagued by human rights violations and bought by millions. For instance, world's top 10 companies collectively generate revenues of over \$1.1bn a day that comes from commodities grown and labour procured from countries with a record of labour rights violations where men, women and children put in endless number of hours for labour that does not even pay them close to the minimum wage, or where labour is counted as a repayment of never ending debt.

On a positive note, there sure have been some collaborative efforts from the buyers' end to maintain cleaner supply chains and ensure decent work and better standards in sugarcane. Initiatives such as due diligence, risk assessments, supply chain mapping, supporting smallholders, and driving improvements in decent work through supplier codes of conduct and third-party monitoring are some measures increasingly being used by companies. However, it is extremely important for businesses to consider the socio-economic inequalities in regions where their supply chains are connected, which requires transparency and knowledge of the most inaccessible tiers of supply chain, such as the farm level working condition of the marginalised migrant labourers.

The complexities of supply chains can no longer be used to rationalise the existence of practices such as child labour, forced labour, debt bondage and how these structurally have worse consequences for millions of young boys and girls, men and women. This would only be made possible if child labour as an issue is seen with its various intersectionalities along with issues of the communities and social groups that are engaged in the supply chains. The stakeholders benefiting from agricultural crops such as sugarcane must take the accountability of ensuring the rights of the most marginalised workers and their children in the supply chain and be extremely diligent of how these complex social and political realities shape issues of child and forced labour thereby fulfilling the needs of global trade and consumer demands.

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ANNEXURE A: QUESTIONNAIRES – OPEN ENDED

Group - Cane Cutters (Both Men and Women)

1. What is the nature of your work and how long have you been engaged in this form of work? Were you in a different occupation before this?
2. Do you and your family have to migrate to the farms every season? Can you tell more about the process?
3. Do your children also migrate with you? If not, who looks after them in the village?
4. Are your children (both boys and girls) attending school?
5. What are the regions that you migrate to? Do they change with time or circumstances?
6. Let's talk more about the transition during and post-migration.
7. How do you get to know about the requirement of work in Sugarcane farms?
8. Do your children accompany you to the farms? Why? What do they do? Do these tasks differ by gender?
9. If the children do not accompany you, then do they go to school or only remain at home. Who looks after them and what do they do besides attending school?
10. Have any of the children been involved in an accident while at the field? If yes, explain.
11. Do you think girls work more than boys inside and outside the home?
12. What is your source of income in the days when you are back in your hometown? Do you travel to other regions for work in other sectors? Can you elaborate more about this process?

Questions targeted at confirming the reported situation of bonded/forced labour:

Group - Cane Cutters

1. Have you ever paid to get a job/seasonal work in the sugarcane farms? How did you arrange that money? Can you talk more about the people you pay to and what their role is?
2. Do you migrate only with your family? Are there other families/groups that migrate with you?
3. Please describe a typical day of your work at the farm?
4. Are you aware of the owner of the farm/s that you work on? If yes, can you discuss more about your engagement with her/him?
5. Are you paid a daily minimum wage for the work that you do? Can you share more information about how much each working member of the family gets paid?
6. Let's talk more about the working conditions on the farm.
7. What do you understand by the terms - Koyta and Muqaddam?
8. Are you under any kind of debt because of your work or for getting work? Has it ever been deducted from the working wages that you ought to receive?

Gender-Focused

1. Please tell us about the typical tasks performed by you at home and at work.
2. Are there any challenges that you face in performing these tasks? How have they been dealt with by the concerned people?
3. What are some of the common illnesses that you have been suffering from due to the nature of your work? When was the last time you went for a medical check-up and for what purpose?
4. Do you get a daily minimum wage for the work that you do? Does your husband/son/fellow male worker get the same wage?
5. Who helps you with the household chores?
6. Are you able to take day/s off from work during sickness? If not, why?
7. How far are the basic facilities (toilet, drinking water) from your area of work?
8. Have you ever experienced any form of harassment by anyone at the workplace?

For Middlemen

1. Which tribal/caste community do you belong to and from which region?
2. Since when are you working as a labour supplier to the sugarcane farms?
3. Do you give or take money to the labourers before they migrate to the farms? How do they return it?
4. Have you ever discussed the working conditions of the labourers with the landowners and how they can be made better?
5. Have you been informed of/witnessed children working on the farms? If yes, what kind of activities are they involved in?
6. Do you think it is normal for children to be working on the farms even if they are just 'helping' their parents?
7. Do you think harvesters receive sufficient wages for their work? How can the situation be improved?

Community members and elders such as members of the Panchayat (village council)

1. Please tell us about your village. What kind of agricultural and other livelihood activities are done and what are the main crops grown?
2. Are children in your village working? Where do you think most of them are employed?
3. Do a lot of farmers in your village have their own farms?
4. Have you observed children working on these farms? If yes, is there a difference between the nature of work done by boys and girls?
5. Why do you think children end up working and not going to school? Do you think this can be changed? How?

ANNEXURE B: HOUSEHOLD SURVEY

SURVEY FOR ASSESSMENT OF CHILD LABOUR IN SUGARCANE PRODUCTION IN INDIA

General Information	
1. State Name:	
2. District:	
3. Village:	

Household Identification No: _____

Survey Start Date (dd:mm:yyyy): _____

Sr. No.	1	2	3	4	5	6
No. of Child	Name of the Child	Gender	Date of Birth	Age	Caste/Tribe	Religion
		1- Male 2- Female			1- Schedule Tribe 2- Schedule Caste 3- Other Backward Caste 4- General 5- Others, Please name the caste	1- Hinduism 2- Islam 3- Christianity 4- Sikh 5 Jain 6- Budh 7- Others specify

Sr. No.	1	2	3	4	5	6
No. of Child	Name of the Child	Gender	Date of Birth	Age	Caste/Tribe	Religion
		1- Male 2- Female			1- Schedule Tribe 2- Schedule Caste 3- Other Backward Caste 4- General 5- Others, Please name the caste	1- Hinduism 2- Islam 3- Christianity 4- Sikh 5 Jain 6- Budh 7- Others specify

Sr. No.	7	8	9
No. of Child	Father's name	Mother's name	Home address

Sr. No.	10	11	12	12.1	13	14	14.1
No. of Child	Identification proof availability	Any Disability	Whether family has migrated	If migrated, specify purpose of migration	Head of Household	Main Earner in Family?	Occupation of the Earner?
	1- Yes 2-No	1-Yes 2- No If Yes, Specify Disability	1- Yes 2-No	1- Employment 2-New Business 3-Education 4-Security 5-Natural Disaster/ Calamity 6-Other, specify	1-Parent 2-Grandparent 3-Child 4-Sibling 5-Other Specify:	1-Parent 2-Grandparent 3-Child 4-Sibling 5-Other Specify:	Specify

Sr. No.	14.2	15	15.1	15.2	15.3	15.4	15.5
No. of Child	Annual Income of Earner	Child Schooling status	If in School, specify	Grade	School Name	Enrollment Date (dd:mm:yyyy)	How often in a week do you attend School?
	Specify	1-In School, Enrolled 2-Out of school, Not Enrolled 3-Drop Out 4-Never Enrolled	1-Formal Education 2-NonFormal Education 3-Vocational Education				1. 4 to 6 Days 2. 3 to 5 Days 3. 2 to 3 Days 4. 1 to 2 Days 5. 0 to 1 Days

Sr. No.	15.6	16	17	18	19
No. of Child	Reasons for not attending School Regularly	If Out-of-School, Last grade/year attended	Reason for Out-of-School	Drop Out reason	Child's Working Status
	1. Illness 2. Work at Home 3. Accompanying Parents to their work place 4. Not interested in attending school/ school environment is not motivating 5. Other Specify	Specify	1-Working 2-Family Migrated 3-Financial Constraint 4-Social Discrimination 5-Age Problem 6-Want to undertake Vocational Education 7-Lack of motivation 8-Others Specify	Specify	1- Not Working 2- Working at Home 3- Working out of Home

Sr. No.	20	20.1	21	21.1
No. of Child	If Child Working At Home, what is he/she doing:	Number of hours spent doing household work everyday	Have you ever been mistreated at work?	Type of mistreatment
	1-Taking care of siblings 2- Doing household chores 3-Helping parents/family with their work 4-Others specify		1-Yes 2-No	1- Rude behavior 2-Physical harm 3- Verbal abuse 4-Bad touch 5-Denied food/break 6-Others Specify

22. HAZARDS (select hazardous conditions apply to the child's current work situation?)

Sr. No.	22.1	22.2	22.3
No. of Child	Agriculture-related	Domestic work	Sugarcane cultivation related
	1- exposure to the elements (sun, rain) and harmful animals and insects 2- use of sharp tools, machines 3-exposure to tough stems and sharp abrasive leaves 4- exposure to pesticides/other chemicals 5- carrying heavy load 6-violence at work (verbal, physical, mental, sexual) 7- others, specify	1-exposure to cruel treatment, excessive hours of work 2-prohibition to attend school 3-deprived of sleep 4-inadequate food 5-hazardous jobs 6-violence at work (verbal, physical, mental, sexual) 7- others, specify	1- exposure to cruel treatment, excessive hours of work 2- prohibition to attend school 3- deprived of sleep 4- inadequate food 5- sowing of cane 6- polishing, grinding, drying, packaging 7- violence at work (verbal, physical, mental, sexual) 8- others, specify

23. Only if Child is attending school, after school what does the Child usually do?

ANNEXURE C: RTIs FILED



महाराष्ट्र शासन

ऑनलाईन माहितीचा अधिकार

सामान्य प्रशासन विभाग, मंत्रालय, मुंबई यांच्या पुढाकाराने

मुख्यपृष्ठ अर्ज सादर करा प्रथम अपील सादर करा सद्यस्थिती पाहा नेहमीचे प्रश्न संपर्क

Online RTI Status Form/ऑनलाईन आरटीआय सद्यस्थिती अर्ज

Note/सूचना: Fields marked with * are Mandatory/ * चिन्हांकित रकान्यात तपसिल्याची नोंद अनिवार्य आहे

Registration Number /नॉदणी क्रमांक :	SEASD/R/2019/60676
Name /नाव	Mohd Javed
Date of Filing /भरणे तारीख :	17/10/2019
Status /स्थिती :	REQUEST DISPOSED OF /विनंती निकामी as on 06/11/2019
Reply :-	सदर माहिती अधिकार अर्ज उचित कार्यवाहीसाठी राज्य जन माहिती अधिकारी, राज्य प्रकल्प संचालक, महाराष्ट्र राज्य शिक्षण परिषद, मुंबई यांचेकडे हस्तांतरित करण्यात आलेला आहे.
View Document /दस्तऐवज पहा :	Reply Document Not Attached
Nodal Officer Details	
Telephone Number /टेलिफोन क्रमांक :	02222871497
Email Id /ई-मेल आयडी :	ravindra.ate@nic.in

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Registration Number	DPBED/R/2019/60022
Name	Mohd Javed
Date of Filing	17/10/2019
Status	REQUEST FORWARDED TO PIO as on 18/10/2019
Details of PIO :- Telephone Number:- 9454412090, Email Id:- basiceducationfive@gmail.com	
Note :- You are advised to contact the above mentioned officer for further details.	
Nodal Officer Details	
Telephone Number	9454411388
Email-ID	educationbasic.2@gmail.com

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GLOBAL MARCH

Against Child Labour
Contra el Trabajo Infantil
Contre le Travail des Enfants

Global March Against Child Labour (Foundation):
Koningskade 30, 2596 AA
The Hague, The Netherlands

Global March International Secretariat:
L-6, Kalkaji, New Delhi-110 019, India
Tel: +91 11 47511111 Fax: +91 11 4921 1138

 /GlobalMarch

 @kNOwChildLabour

 info@globalmarch.org

 www.globalmarch.org