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Child Labour in the Home Based Gem Polishing Industry of Jaipur

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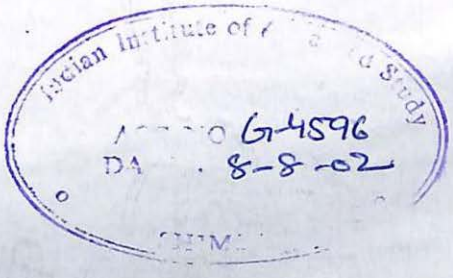

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Contents

Preface

This study is part of a multi-centric study on child labour in the hazardous home-based industries that had been undertaken by V.V.Giri National Labour Institute with the financial assistance of International Labour Organisation. The multi-centric study which covered nine industries spread over five states, attempted to capture the effect of the Child Labour (Prohibition and Regulation) Act, 1986 by bringing under its ambit the children who are working at home based level. This study on the gem-polishing industry of Jaipur (Rajasthan) was conducted in 1999-2000 in collaboration with Institute of Development Studies, Jaipur. The study was jointly done by Dr. Kanchan Mathur of Institute of Development Studies and Dr. Ruma Ghosh of VVGNLI.

It is a well known fact that the gem-polishing industry of Rajasthan employs children in various processes related to cutting of roughs (raw gems) and polishing. While several studies have been conducted earlier on the situation of child labour in this industry, the present study seeks to situate the problem in the context of the Child Labour (Prohibition & Regulation) Act 1986. The findings indicate that since the gem-polishing industry is home based which operates in kinship and close neighbourhood networks, the entry of children into this industry at a very early age becomes naturally easy. Besides, the fact that the industry is home based poses special problems, firstly it becomes very difficult to identify and estimate the number of working children in this industry and secondly implementation of the Child Labour (Prohibition & Regulation) Act 1986 encounters resistance of a peculiar kind.

It is hoped that the present study will be able to guide all stakeholders in identifying the critical variables regarding the

enforcement of the Act and also throw some light on the possible future course of action in the elimination of child labour in gem-polishing industry.

I congratulate the authors for their efforts. My sincere thanks are also due to Institute of Development Studies, Jaipur for their valuable support in conducting the study and ILO-IPEC for sponsoring it.

Uday Kumar Varma

(Uday Kumar Varma)
Director

CHAPTER 1
Introduction

Child Labour has become an important issue of concern during the recent years. Emerging awareness about human rights, changing international economic relations and bilateral trade issues have reinforced child labour concerns in a greater degree than before. Studies on child labour have also enhanced our understanding about its magnitude and sources. In the development debate regarding child labour a number of perspectives have been put forth. Many of them differ to a great extent around descriptions of what constitutes child labour and seem to be influenced by the environments in which the children work. The following section elaborates upon some of these perspectives.

An all-encompassing view of child labour is that all children who are out of the school system are potential child labourers. This perspective ignores the fact that some children may combine work with schooling, and those who attend school, therefore, cannot be termed child labour. In fact, children both in rural and urban areas, especially of poor households do combine work with schooling.

An extreme perspective is that formal education is not necessary for the poor as it does not equip them with the means of livelihood. It is argued that there are circumstances where work may be beneficial to children for it equips them with 'skills' for the future. This perspective assumes that skills alone would give the poor children the wherewithal to earn their livelihoods in a highly competitive market economy. Perhaps, not many subscribe to this perspective.

An economic perspective sees children as constituting a "reserve army of labour", drawn into the labour in order when to

provide extra labour power when required and expelled from work when there is an adequate supply of labour.

Another perspective sees linkages between child labour and poverty. It is often argued that poverty is a 'harsh reality' and in a society where basic needs have not been satisfied, the income of the child is critical to the family's survival. However, children are also put to work even in the not so poor families. Why this situation continues has not been fully explored and this is precisely why the role of different stakeholders other than the state, namely the family, the community and the market system and the interplay between each of these institutions is relevant and important to understand.

Yet another perspective on child labour goes beyond the socio-economic and developmental explanations and looks at it as a structural phenomenon of modern societies (Lavalette, 1994). Accordingly, labour is an economic activity, yet it represents a process that directly involves the participant in a relationship with adults and employers. Thus the dominant perceptions about children, the desired values of the family, the demands of the education system, the legal restrictions on child labour and the inability of the state to ensure the legally sanctioned rights of the child, all shape and impact upon children's labour activities. How and why children work is socially determined. Employment of children is therefore, not just an economic compulsion borne out of poverty and illiteracy but it is also an outcome of a world-view, which is determined by socio-cultural perceptions, ideological factors and market forces. In opposition to the "economic models" it has been suggested that child labour can only be fully understood in its "relational aspect", that is, as it relates to, is affected by and in turn effects other phenomena within society. This perspective suggests that it is possible to

comprehend the present form of child labour only by recognising that children's access to the labour market has been shaped in crucial ways by the historical interaction of ideological, politico-legal and economic phenomena.

In the light of above perspectives, analysis as to why children are employed (supplied) and even preferred (are in demand) can be made.

It is often argued that one of the major causes of child labour is the ***supply*** of children for work, which is otherwise the growth of child population. An increase in the population of children following a demographic transition from high death and birth rates to low death rates and high birth rates often leads to child labour as historically such economies are in a phase of transition where children constitute an important source of cheap labour to the growing industrial economy. While large family size and poverty encourage child labour, child labour in turn encourages high fertility rates since children are viewed as economic assets rather than liabilities on whom investments need to be made. (Rosenzweig and Evenson,1979; Caldwel,1976; Cain,1972; Mamdani,1976; Kanbargi and Kulkarni,1986) . There is thus a positive correlation between poverty and child labour. The Report of the Working Group on the Employment of Children (1982) also reiterates the point. The Report on Child Labour in Indian Industries (1982), taking cognisance of the relationship, observes that the problem of child labour can hardly be legislated away as its root lies in abject poverty. (Singh, 1990; NIPCCD,1980; Salazar,1988). Unemployment and under employment of the adults, unstable occupations and wages as well as the engagement of parents in non-wage based occupations like farming and self-employment also influence the work participation of children. (Rodgers and Standing,1981; Rosenzweig and Evason,1979). The

conditions of poverty and illiteracy, coupled with the inaccessibility and unsuitability of the schooling system to the needs of the children, leaves vagrancy or working as the only available options for children. Official government estimates are that, 60 percent children drop out of school by class five and only 23 percent reach class eight. According to the data of the Department of Education, 62 percent of 11-14 age group is not enrolled.

Besides poverty and population, child labour is many a times due to its ***demand.*** This is because each working child takes the place of one adult unemployed. The working child is generally paid half or at best two-thirds of the adult wage, thereby depressing the adult wage and creating a demand for cheap child labour. The employers therefore have a vested interest in perpetuating child labour in labour-intensive industries which is not always supplied by the poorest but also by those families whose adult workers are unable to get a job or do not have sufficient income .

It needs to be mentioned here that by working, children do not always uplift the economic condition of their families. In fact, child labour makes the poor worse off, because the employment of children drives down the wages of the adults. By ending child labour, the lot of the poor would improve since employers would then be forced to hire adults at higher wages rather than children. It has been argued in several countries that the parents ought not to be allowed to use children to increase their income. To permit this would mean to view the child as the property of the parent. Such a consideration is also an inducement to a high fertility rate. By establishing policies that deny parents the income of their children, children cease to be regarded as economic assets and there is less incentive for increasing their numbers.

Thus there is a need for a social transformation, whereby financial resources within the family will not flow from the children to their parents, but rather downward from parents to children. Children then will no longer be regarded by parents as financial assets contributing to the economic well-being of the family, but become, financial liabilities during the early period of their lives. This will gradually lead to a change in the attitude of the parents towards their children whereby parents would more likely want fewer children as they become more costly.

Legislation and Child labour

In the Western world , the incidence of child labour has witnessed a steady decline by an array of interventions made at different points of time. These interventions range from intra-national legalistic and welfare based to supra-national interventions in the form of labour standards and international conventions. Alternative policies and measures, which have successfully prevented the growth of child labour vary from legal provisions of various kinds (including the ban on employment of child labour in hazardous jobs and ban on imports of goods from the countries and industries using child labour), to more positive interventions in the form of compulsory school education and supportive programmes to promote the enrolment and retention of children at various levels of school education. The effectiveness of these measures has been documented by a number of studies, which has subsequently led to a debate about their usefulness.

Scholliers' (1995) study of child labour in Ghent, Belgium revealed that by the mid-nineteenth century "……the number of children under twelve had diminished substantially, and this without any legislative intervention". By contrast, law played an important role in the decline of child labour in the cotton mills of

Manchester (Bolin-Hort, 1989). Brown Christiansen and Philips (1992) in their study of fruit and vegetable canning industry in the USA, found that between 1880-1920, the major decline in the incidence of child labour was due to both natural economic and legal reasons, though the authors contend that the stronger explanatory variable were to be located in the economic reasons. In the context of developing countries, Wiener argues in favour of legislating for compulsory education instead of simply banning child labour. He points out that if at all legislative fiat is being used to curb the problem of child labour, then it would be effective to have a legislation for compulsory education, rather than one dealing with a ban on the use of child labour. According to him, it is easier to ensure the presence of children in schools rather than to ensure their absence from work. However, there are others who in the context of the historical debate feel that legislation, whether it be for compulsory education or a direct ban on child labour, cannot be as effective as economic progress (Nardinelli 1990, Cunningham and Viazzo 1996).

Another means to combat child labour is through supra-national interventions by which international organisations, such as the ILO, the WTO, and the UNICEF, by establishing conventions and encouraging and cajoling nations to ratify them, have tried to curb child labour. The most powerful and also controversial instrument that the supra-national institutions can use to curb child labour is the imposition of 'international labour standards', that is a set of rules for labour which all countries are expected to satisfy. Since the adoption of such standards makes it possible to take punitive action (such as imposing trade sanctions) against defaulting nations, these can be potentially quite effective.

It has been seen that several developed countries have made legislation in their own countries in order to curb child labour in

developing countries. The Child Labour Deterrence Act, or the so-called "Harkin's Bill" in United States is one such example which disallows the import of goods made with the help of child labour (Basu, 1998). The "Sanders' amendment", which seeks to amend the Tariff Act of 1930 so as to deter the import of goods produced by unfree or bonded child labour, is another example of extra-national intervention. Recent efforts have led to the labelling of "child labour free" goods for the purpose of exporting them.

Coming to India, we have an old history with regard to child labour legislation. In our country, the Factories Act of 1881 for the first time banned the working of children below seven years in the factories. Over the years, many other Acts were enacted which banned children from working in several occupations and processes, thereby increasing the role and responsibility of the State. The legislations were enacted so as to increase the minimum age of work for children, decrease the total working hours of the children, prohibit work during certain hours such as during night. However, all the legislations focused on the organised sector. As 92.5 per cent of the workforce in our country is confined to the informal sector, therefore such enactment covering only the formal sector serve very little purpose. It is well known and documented that the informal sector operations involve a large number of children. The introduction of the Child Labour (Prohibition and Regulation) Act of 1986, which exempted family labour from the purview of law, have provided a fillip to the home based industries which make child labour invisible. Over the years, although the incidence of child labour has reduced in the formal sectors but more and more children are being engaged in hidden areas of work in the informal sector. Legislation to ban child labour in home based industries is being advocated to overcome the grim reality of child labour.

Protagonists of total ban on child labour are in favour of introducing legislation for compulsory education and specifying the obligations of parents (See for example Burra 1999). Thereby, they argue that the State should lay down clearly the rights of children and ensure universality of education. One assumption behind this stand is that all working children are involved in similar nature of work and environment, and therefore require extreme action of banning child labour in all circumstances. The second assumption is that such a ban is desirable in order to ensure equity in granting rights of children. Lastly it also assumes that the only way to intervene is through the State.

The present study on "Child labour in the gem polishing industry of Jaipur in the wake of legislation is based on the above understanding that child labour is a consequence of both internal as well as external factors. Since it is caused by both the supply as well as the demand for it, therefore these two factors should be taken into account for studying the interventions on child labour. It is hypothesised in this study that as the child labour law prohibits the working of children only in the formal sector and ignores the working of children in the home based enterprises, therefore over the years there has been a shift of work from the organised sector to the home based enterprises in order to involve children in the workforce.

Objectives

The present study attempts to understand the extent of the impact of the child labour legislation in the gem polishing industry of Jaipur and understand the fall out of the child labour legislation in this industry. It also attempts to analyse the demand and supply side factors as well as the cultural context that perpetuates child labour in the gem polishing industry. The study suggests a more holistic framework for alternative interventions which calls for a

re-examination of existing legislation and enactment of necessary amendments with the collaboration of different stakeholders to ensure that the objective of providing a better future for the children is met.

The **Specific objectives** of the study are:

i) To trace the history and evolution of the gem polishing industry and understand how and why children get employed in the same,

ii) To assess the socio-economic conditions of working children and their families and also the factors influencing the decision to work in family based occupations,

iii) To understand the demand and supply side factors including working conditions, process of contracting /subcontracting work in the industry,

iv) To review the available schooling facilities for children in the areas where the home-based units of the gem polishing industry are located,

vi) To assess awareness on the issue of child labour and labour legislation.

Methodology

The study is based on primary data collected through multi-stage random sampling. At the first stage all the areas where the gem polishing work is done were identified based on a discussion with the Labour Department, local trade union members and NGOs. Of all the areas that were listed, three areas having the maximum concentration of gem polishing work were identified and information on the number of households involved in the gem polishing work was collected. The number of sample households

in the three areas were then drawn, which is proportional to the total number of households in each of these areas. A total sample of 750 households has been taken for the present study, of which 500 households are those with child labour and the remaining 250 households are the non- child labour households. This was done in order to compare the situation in the child labour households with that of the non-child labour households.

The study was conducted in three *mohallas* of Jaipur city which are called Topkhana Hazuri, Ramchanderji Ki Chawkri and Topkhana Desh, with a sample of 375, 225 and 150 households respectively.

After the selection of the sample households, a pilot study was conducted to test the prepared questionnaire. The pilot study included one per cent of the sample households. After completion of the pilot study, the questionnaire was finalised, following which it was administered with the help of a team of field investigators who were given training for this work.

In addition to the sample survey of households, a survey of schools was undertaken to assess the educational facilities in the study area. The specific objectives of the school survey were as follows:

- To assess the access, quality and demand factors in a sample of schools from the three study areas,
- To identify and analyse the various types of schools (government, private and NGO managed) and the extent to which they have been able to increase the access, quality and demand for education in the community.

In this regard, information was collected from school administrators, teachers and children to elicit their views on education. The functioning of the schools was observed and

community perception of the school was recorded by interactions with the community members. An attempt was thereby made to see the relationship between schooling and working and how they impact each other.

The study, besides obtaining quantitative data, has also sought qualitative information through observation and focus group discussions with different target groups. In an effort to have a deeper understanding of the problem, focus group discussions were held with parents of the working children, employers, education department officials, labour officers and other government officials.

CHAPTER 2

Socio - Economic Profile

The foundation of a new capital, Jaipur, was laid in the year 1727 by Raja Jai Singh. Throughout its checkered history of glory and decay, Jaipur was known for its handicrafts and exquisite jewelry, which combined the Moghul and Rajput traditions. Today, Jaipur is famous for its gems and jewelry all over the world. The country earns about Rs.1490 crores per annum from the export of gems (VVGNLI: 1991). The trade is essentially export oriented. In spite of the long tradition in gems and jewelry, Jaipur's emergence as a major exporter of these is a subsequent phenomena beginning in the first quarter of the twentieth century. Jaipur has also been attracting the attention of the world community for the involvement of child labour in gem cutting and polishing. The involvement of children in the trade could reasonably be assumed to coincide with the export orientation of the trade along with the social, demographic and economic changes that were taking place in the city since the 1950s. In this chapter, an attempt has been made to understand certain relevant aspects relating to the growth and development of the city as they impact on the gem polishing industry.

Origin and Growth of Jaipur

Jaipur is a planned city, one of its kind in northern India. The city is built around the royal palace. The old city, where the gem polishing industry is located is divided into eight almost equal rectangles. There is a main road slightly more than two miles long, running west to east from Chandpole gate to the Surajpole gate. South of this main road are four almost equal rectangles

one of which is again divided into half. Thus altogether there are five rectangles south of the main road which are known as-

1) Top Khana Desh
2) Modi Khana
3) Vishveshwarji
4) Ghat Dharwaja
5) Topkhana Huzuri.

On the north of the main road from west to east are the-

6) Purani Basti
7) The Palace
8) Ramachandraji

The growth in the population of Jaipur in the forties is attributable to both migration as well as natural increase as the death rate had come down considerably, to 10.5 per thousand, from nearly 30 per thousand during the beginning of the century. Migration has been an important factor throughout, but it was especially significant in the forties when Jaipur's emergence as an administrative centre had opened up more opportunities for employment. Since 1930 the population of the city began increasing. From 144179 in 1931 it went up to 175810 in 1941 and to 291130 in 1951. The current population is 1258293, more than a four-fold increase from 1951. The urban city area has also increased from 7.77 Sq. km to 200 sq. km in 1991, part of which has been in the old city area. Thus, the spurt in population, urbanisation and migration have provided the necessary labour for the gem polishing industry which is labour intensive in nature as it emerged as an export oriented industry in the forties (Roy,A. 1978).

The natives as well as the migrants who have been absorbed in the industry constituted a cheap labour force because of their low literacy and economic background. The literacy rate in Jaipur was very low till the second half of this century. Muslims, who dominated the gem polishing industry have not been able to make use of the even limited opportunities because of their traditional beliefs and practices. Though, the situation improved considerably, the literacy rates in the selected areas of the study, especially those of women, continue to be of some concern.

Table 2.1: Literacy Rates: Jaipur City

Year	Male	Female	Total
1901	15.5	0.6	8.4
1931	21.9	3.4	13.3
1961	54.3	28.7	42.5
*1991	80.3	57.9	70.0

Source: Roy,Ashim.K , Jaipur City: 1978, P.48:, * The Census of India 1991, *Final Population Totals*:, Paper 2 of 1992.

Study Areas

For the purposes of the present study three areas were chosen namely Topkhana Desh, Topkhana Hazuri, and Ramchandraji Ki Chowkri which are predominantly gem-polishing areas. Tracing the development of various areas of the old city, Roy (1978) pointed out that the areas now occupied by Ghat Dharwaja, Topkhana Huzuri and Ramachandarji were left completely undeveloped in the beginning and were full of depressions, sand dunes etc. These parts were included within the city limits by completing the city wall at a subsequent date. Topkhana Hazuri was the last to be inhabited. Consequently, unlike other chowkris

where the roads and lanes are straight and intersect each other at right angles, Chowkri Topkhana Hazuri has grown up in a haphazard manner like a slum with winding lanes, having pools of stagnant water on them (Roy, A. 1978). As the population grew, the poor migrants occupied the undeveloped land in Topkhana Hazuri, and Ramchanderji Ki Chowkri, which explains their slum-like status. The fact that these areas were less populated will be evident from the figures obtained in the Census of Jaipur, in 1881 and 1891 as seen from table 2.2.

Table 2.2: Population of the Sample Area 1881 and 1891

Areas	**Population 1881**	**Population 1891**
TopKhana Desh	20,182	20,575
TopKhana Hazuri	12,297	12,512
Ramchandraji ki chowkri	18,729	18,049

Commenting on the growth of the two areas - Chowkri Ramchandraji and Top Khana Hazuri, Roy (1978) makes the following observations:

> "The eastern part of Chowkri Ramchandraji is also not well planned. This chowkri and chowkri Top Khana Hazuri have at present a high Muslim population, Muslims forming nearly 50% and 40% of the total population in the respective chowkris. Chowkri Ramchandraji is predominantly occupied by Muslims engaged in 'Varque Saji' (silver leaves making) and other manual work. Chowkri Top Khana Huzuri, which was primarily meant for keeping the artillery of the king, was later on occupied by artisans engaged in 'Gota' or silver border making. They are at present engaged in 'nagina polishing' (cutting of precious stones) work".

Table 2.3: Literacy Rates in The Study Areas

Area	Male	Female
TopKhana Desh	89	64
TopKhana Hazuri	50	29
Ramchandrajiki	55	37

Source: Roy,Ashim.K , Jaipur City: 1978, P.48:,

We see a difference in the literacy levels of Topkhana Desh which is an old settlement and Topkhana Hazuri and RamchandrajiKi which developed as slums within the walled city comprising of Muslim population which migrated to the city after the forties.

The poor socio-economic conditions of the family, which often had a large number of dependent children, along with inadequate educational facilities could thus be identified as the factors which have made the entry of children into the industry over a period of time.

Coming to the profiles of the areas - Top Khana Desh, Top Khana Hazuri and Ramchandraji Chowkri – which have been chosen for the study, we see they share many common characteristics such as low socio- economic status, predominance of Muslim community, illiteracy, large family size and unhygienic living conditions. In the following section a brief account of the three areas is given which would help in understanding the social-cultural background of the children working in the gem polishing industry.

Chowkri Ramchandra Ji Ki

Ramchandra ji ki Chowkri which is located in front of Hawamahal is spread across nearly two kilometers of thickly

populated area. It is bounded by four major markets, in north by Subhash Chowk, in the east by Ghora Nikas Road, in the south by Ramganj bazar and in the west by Vidhan Sabha. The population of the area is estimated to be approximately 58,000 consisting of 30,000 males and 28,000 females.

The population ratio per household is estimated to be approximately 7 persons. 90 percent of the residents are natives. Only 10 percent of the total population has migrated from other places in search of work. It has been seen that most of the residents own their *pucca* houses. For many, the house is their only asset. Of the total population, 60 percent of the population belong to the Muslim community and 40 percent are Hindus. It has been seen that most of the Muslims are currently engaged in gem-polishing. Residents of this area are mostly Hindi speaking with most being fluent in Urdu, *Khari boli* and Marwari. The total literacy rate is 44 percent with the literacy rates for males and females being 55 percent and 37 percent respectively.

Coming to the different facilities that are available in this area, it is seen that accessibility to health services is better in this area as compared to the other two areas. There are many hospitals and clinics run by private practitioners and also one government Ayurvedic dispensary, besides a private 'Mother and Child Care Centre'. Regarding educational facilities, there are 11 government schools and 17 private schools in the area. Most of the children in this area are going to schools. The working children mostly do the work after the school time. The poor economic condition of their families and the desire to learn the traditional skill which is required for a future vocation are the two most important reasons for the participation of school going children in the gem polishing industry. All the schools of this area are able to enroll children up to 90 percent of their capacity.

Regarding the occupation of people belonging to this area, a majority of the population is involved in skilled and semi skilled crafts like gem-polishing, tie and dye, pottery, paper envelop and kite making work. Around 350 families of which 80-90 percent are Muslims are involved in gem-polishing. In this locality small workshops are found in every street where most people work. Most of the equipment is run on electricity. While the gem polishing workers work for piece-rate/daily wages, the workshop owners own the gem polishing equipment but work for exporters, businessmen who supply the rough stone. Only men participate in the trade in this locality. Women and girls are engaged in kite making and tie and dye printing.

Topkhana Desh

Topkhana Desh is a part of walled area of Jaipur city and constitutes 8 lanes running parallel to Kishanpole Bazar. Another 8 lanes running parallel to Chandpole Bazar intersect them at right angle, which is a typical feature of town planning of the old city. All these roads are approximately two kms. long. Some of them are as wide as twenty five meters. The gem polishing industry is mainly concentrated in Kalyanji ka Rasta, Nindar Rao Ka Rasta, Topkhana ka Rasta and Jhule Walon Ki Gali.

The entire Topkhana Desh is a thickly populated area. This area is fairly congested with an estimated population of 35,000. Both Hindus and Muslims reside in the area. The Muslim population is concentrated in the areas where gem-polishing work is done. The Hindus live in the other part of the Topkhana Desh. There is no clear-cut demarcation between the residential areas of both the communities.

The residential pattern of the areas where the gem polishing work is carried out is quite congested. As many as 4 -5 families reside in the same house with each family having one or two rooms

in its share. The workshops are usually located on ground floor of the house and it is approximately 6 X 20 ft. in area with 5-6 workers in each unit. The living conditions are very poor and unhygienic.

Although gem polishing is the most important occupation in this area, yet one can see that different types of occupations are pursued by the residents. The Khejane Walon Ka Rasta in this area is famous for marble statues. The women who are involved in the gem industry, generally do the 'Aari-Tari' and 'Gota' work. The ratio of women involved in the gem industry is very low in this area.

It was seen that this area is has a large number of schools. Besides government schools and Madarsas, there are a number of private schools in the area. The quality of education that is imparted by these schools is debatable. The majority of children who are working in gem-polishing industry go to the Madarasas or Muslim schools. The poor economic condition of the people in this area prevent them from sending their children to schools and these children are made to work at an early age.

Topkhana Hazuri

Topkhana Hazuri is situated inside the walled city of Jaipur. When Jaipur was a princely state, this place housed the Shahi Topkhana, where all the artillery was kept, hence the name Topkhana Hazuri. It is a large square shaped area of about one square kilometer demarcated by Ramganj Chouper to Surajpole in the north, Surajpole to Paharganj in the east, Paharganj to Ghat Gate in the south and Ghat Gate to Ramganj Chouper in the west. Three sides of this area is surrounded by a city wall and only the western side is open towards the city. The roads were named according to the occupation of people living in that locality viz.- chappar bandhon ka rasta, unt walon ka mohalla, hiran walon ka mohalla, etc.

As per the 1991 census, the total population of the area is 53,139 (females 25,539, males 27,600), though exact figures may far exceed this number as it is almost 10 years since then. Muslims constitute 80 percent of the population (Neelgar, Mahout, Pindare, Teli, Manihar, Julahe, Kumhare, Bhishti) and the rest are Hindus (Koli, Harijan, Rajput). There are approximately 12,000 houses in the area.

The literacy rate of this area is 40 percent. Female literacy rate is very low at 29 percent. Around 70 percent of the working population is engaged in the gem trade in one way or the other, out of which 95 percent are of the labour class and only 5 percent are into dalali, marketing and export of jewelry.

It was seen that most of the houses in the area are of *pucca* type. Many of them are 30-80 years old. Some are even 100 years old or more. Most of the families live in their own houses. It was observed that the houses are built in a very congested way close to one another. Most of the houses are very small with just one room in which all work including cooking is done. Although electricity is available in almost all the houses, yet water facility is not adequate. In most parts of the area water is available from only 3.30 a.m. to 6.00 a.m. The sewage system in this area is bad with blocked drains spilling out dirt to the roads. The roads are also narrow and winding.

It was observed that poverty in the area is comparatively more acute. Many families are not sure of their next meal and most people do not have money to send their children to school. Inspite of this, family size, particularly among the Muslims, is quite large.

This area has about 2,000 workshops in which gem polishing work is done. Men, women and children are all involved in the gem polishing industry unlike in Top Khana Desh where women

are rarely involved. Men and boys work in the workshops and women and girls work for the gem polishing workshops from their houses.

In conclusion it may be said that various historical, cultural and social factors have played a role in the development of gem polishing industry and the participation of children in the city of Jaipur. It is very localised phenomena where both the demand and supply factors converge making child labour an intrinsic part of the industry. The industry's operation and organisation have also been significant in this regard. The next chapter would discuss the same in greater detail.

CHAPTER 3
Demand Factors for Child Labour

The Child Labour (Prohibition and Regulation) Act, 1986 has identified gem polishing industry as a hazardous occupation and has prohibited employment of children in this industry. While generally considering gem polishing as hazardous, the law prohibits employment of children only in the formal sector. However, ninety per cent of the gem polishing work in Jaipur is done at the home based level. While there has been very little effort to enforce law in this industry, the problem of child labour continues unabated in this occupation.

Profile of Gem Polishing Industry in Jaipur

The gem polishing industry of Jaipur is one of the major processing centres of coloured gemstones. Eighty-four precious and semi - precious stones, both natural as well as synthetic, are processed in this city. The traditional gemstone processing which is done here includes bead making, stringing, manufacture of show pieces from coloured stones and jewelry.

It is estimated that more than one lakh persons of both sexes and all age groups are involved in the gem stones industry. (Gems and Jewelry Year Book: 1989) Besides the full time workers, there are many part time workers as well in this industry. Most of the workers in the gem polishing industry are illiterate and are traditionally trained, working manually with age-old tools.

The gem industry of Jaipur depends on the rough stone imported from outside as well as the locally availed gems. Emeralds are imported from Australia, Brazil, Columbia, Myanmar, Russia, South Africa and Srilanka; rubies from Burma;

sapphires from Srilanka; diamonds from Kimberley and many semi- precious stones which are available in different colours come from France, Switzerland, Germany and U.S.A. The polished gems are exported to United States of America, France, Hongkong, Italy, Japan, Kuwait, Saudi Arabia, Singapore, Switzerland, Britain and West Germany.

The jewelry trade of Jaipur is the first in India which has made efforts to organise itself in order to take up the challenge of the changing demands of the market. The Jewellers' Association and Gems and Jewelry Export Promotion Council have started a modernised gem testing laboratory and have started India's first training school for artisans named as the *'Ratna Shilpi Prashikshanalya'*. A 'Gems and Jewelry Information Centre of India' has also been established in the city.

Gem polishing industry is home based requiring limited investments in technology. The study conducted by VVGNLI in 1991 estimates the number of workers and the child labourers engaged in the industry around 60,000 and 13,000. The very nature of the industry which requires no knowledge-based skill, implies total substitutability between adult and child labour at least in some processes. The survey by the Directorate of Economics and Statistics (1988) showed that children are predominantly engaged in gem grinding (52.25 percent) and gem polishing on the machine (15.56 percent). Younger children who are under apprenticeship are engaged in gem polishing while the older children do faceting. The skilled jobs are done by the *Ustads* and adult men.

History of Gem polishing industry

Though the gem polishing industry of Jaipur is a recent phenomenon, yet Jaipur always had its roots in a past where

where the tradition of art and handicrafts was consciously promoted. The most important factor has been the conscious attempt of the rulers to invite artists, businessmen and the bureaucrats to come and settle in the city by providing them various concessions. "All these government officials, business people and jagirdars formed a large population and there was thus a market in Jaipur for costlier luxuries." (Roy, A. 1978) The security and protection provided by the rulers encouraged display of wealth, which fostered the traditional handicrafts including gems and jewelry. It was an ideal refuge for the rich from Agra and Delhi. The political turmoil of the times resulting in the use of alternate trade routes through Jaipur also contributed to its emergence as a major trade centre.

The city and its handicrafts flourished under the patronage of Raja Jaisingh (1700-1743) and later under his able successor, Ramsingh (1835-80). During the latter's reign, the business of gems and jewelry acquired such importance that he ordered the main market place to be known as 'Johari Bazar' meaning market of jewellers, and one of the many city squares as 'Manak Chowk' meaning ruby square. Given the supportive environment, the jewelry trade grew to a flourishing business of precious and semi- precious stones. Yet, the trade was basically oriented to domestic/ local consumption only (Jaipur Darshan, 1978).

As per the 1901 census report, there were only 835 workers engaged in gold, silver and gem industry. However, there were nearly 716 dealers in these precious commodities indicating that Jaipur was a big market for gold and silver ornaments and jewelry. However, gem cutting as such had not till then become an

important industry. (Roy, A.1978) A historical account of the industry is being quoted below which highlights the origins of the industry in Jaipur.

> "...It is not known how and when the industry started here. No large mines of precious stones are found in the vicinity of Jaipur State. There is, however, quite a good source of garnet, semi-precious stone at Sarwar in Kishangarh and in west Raj Mahal. The raw garnets were given finishing touches by the gem-stone cutters of Jaipur. The larger pieces were used for jewelry and towards the end of the nineteenth century, smaller pieces were exported to Switzerland and other European countries for manufacture of watches and musical boxes. It is quite possible that the gem stone cutters of Jaipur obtained their expertise in the craft by cutting garnets. In any case, Jaipur had not specialised in any particular gem until the later part of the 19th century. Starting from the last quarter of the 19th century, the city became one of the largest centres in the world for cutting emeralds. It is generally believed that a merchant named Banjilal Tholia had started his jewelry business at the age of 13 and later on started the direct import of raw, that is, rough emeralds from abroad and made Jaipur internationally famous as a centre of emerald cutting".
>
> (Roy. A. 1978: P.89)

Present Status of the Gem Industry of Jaipur

Today, Jaipur is the main processing centre of Indian coloured gems. Eighty four precious and semi - precious stones, both natural as well as synthetic, are processed in the city. The

traditional gem stone processing work done here includes bead making, stringing, manufacture of show pieces from coloured stones and jewelry. The actual work of cutting and processing of precious stones is also undertaken here. Initially the artisans were brought from Lahore, Delhi, Banaras and were accomplished craftsmen in *meenakari* and *kundan* work and had expertise in jewelry work fitted with gems and embellished with enamel work. It is believed that the jewelers who initially settled in Jaipur, had brought Muslim lapidaries along with them. With the gradual progress of time, the native Muslim families acquired this knowledge. The lapidary work thus remained confined to the Muslim community. The large family size among the Muslim population led to cheap labour force in this industry over the years.

Gem polishing industry of Jaipur is predominantly unorganised in nature, operating through various small workshops situated in residential buildings spread over large areas in the old city. It continues to be a home based industry notwithstanding a few large factories. It is interesting to note that the peculiar nature of the transactions between the different categories of the people involved, the organisation of work as well as the technology used in gem polishing, result in specialisation and segmentation of tasks which can be carried by different individuals in different locations. A significant outcome of such specialisation and segmentation of work facilitates doing of the work in the household, by involving women and children in the family unit. These points would be elaborated in detail in the following sections.

Gem Polishing Process

The rough stone goes through a series of processes before it becomes a valuable gem ready for use. The entire process of gem polishing is as follows:

Assorting of the rough ⟶ sawing (cutting) ⟶ grading ⟶ sorting ⟶ pre-shaping (ghaat) ⟶ grading ⟶ calibration ⟶ faceting (sadhai) ⟶ polishing (jilah).

This is the systematic way in which a stone is converted into a precious gem. There has not been much change in the gem polishing process over the years except that in place of hand driven machines power driven machines are being used in the workshops. In larger factories, sophisticated machines are used but the emphasis is still on the skill and the ability of the artisans to bring out the maximum lustre and beauty of the stone. The processes involved at various stages are described in detail below highlighting the extent of participation of children at each stage.

Cutting of rough stone (sawing): The rough stone is a mass of stone which has to be cut into different sized pieces. Before cutting the rough stone, a decision regarding the purpose for which it is to be used has to be taken as to whether it would be used for making beads, or fitted in a jewelry or carved to a show piece. The rough is cut using a sawing machine. This work is mostly done by adult skilled workers (who are usually males) as a certain knowledge about the stone and how to bring out the best qualities of the stone are very essential. Very few women and children have expertise to do this work.

Kandi lagana: (Sticking the gem on the dopping stick): Once the stone is cut into the desired size, the next stage of work is polishing the stone. Before the stone is faceted or polished it is fixed on a dopping stick so that handling of the stone becomes easier. One end of this stick is coated with lac on which the stone

is fixed. The only equipment required is an oil lamp by which the lac is melted and the gems are fitted on to the sticks. The work is mostly done at homes by women and children who are paid rupees thirty to forty per thousand sticks. Two workers jointly manage to fit gems in 1000 sticks per day. In case of precious stones, 'kandi lagana' or 'fittting the gem on to a stick' also requires skill and is done by a skilled worker.

Pre shaping: It is a process through which the stone is given a rough shape of the ultimate shape of the stone. *Ghaat* is the term used for shaping beads. Some stones after cutting the rough have to be rounded only and then straightaway polished. This rounding is called *dol karna*. For those stones which are to be used for fitting, the process is more elaborate and it is called *pote banana*. This work is mostly carried out in the home-based units by involving children of the family as well as from the neighbourhood.

Sadhai (faceting): Sadhai is the process through which facets or dimensions are given to the stones. The brilliancy of faceted gem stones is obtained by giving them a superior surface finish. The pavilion facets, cut in good cutting angles act as mirrors and reflect the entering light almost completely, thereby increasing the lustrous appearance of the gemstones.(Mathur,K.,1991). This is done on a diamond saan. There is a set rule as to how many facets are to be given to particular stone of a particular shape. It is a skilled work as the stone could be damaged if mishandled. Children, especially boys, learn the skill after two three years of apprenticeship. Usually the semi- precious stones are handled by them. The precious stones are faceted by the Ustad or adult male workers. Boys who master the skill earn rupees thirty to forty per day while adults earn between rupees sixty to ninety. Few girls and women are involved in this work.

***Jilah (Polishing)*:** This work of polishing is done on a *kaansa/ taamba/ranga 'saan'*. Different *saans* are chosen according to the hardness of different stones. It is only after polishing that the real beauty of the gem comes out. Most children are initiated into the gem polishing work through jilah as there is little likelihood of damage to the stones by mishandling and it requires no specific skills.

Ghutai : This is polishing many stones (20-30) together on an atta (rubber saan). This is done mainly in case of small semi-precious stones. One finds very small children aged 5-9 working on the rubber saan. Children are involved in this work as the damage, if any will not cost much.

Bindai (making holes):Making holes in the beads is done using a hand drill machine.

This work is mostly done by women and girls at home. Since it is not an expensive machine it is owned by the households. With the introduction of ultrasonic machines which are faster and better, boys and men are also getting involved in this work and women and girls also go and work on machines owned by others paying a certain rent on them.

Pirai (stringing): This work of putting the beads in a string is exclusively done by women and girls at home.

***Calibration*:** This is a process by which the gem stones are measured by using a gauge to ensure that the specified size (in millimeters) is maintained. This is a skilled job and is carried out by adult skilled workers.

Some of the machines used in the gem polishing industry	
Saan	It is a motor operated disk on which the gem is polished by holding it on the dopping stick. The texture and hardness of the disc varies depending on the purpose and quality of the stone. **'Ranga saan'** is used for pre-shaping and 'Diamond saan' is used for faceting. Working on the san requires skill as the beauty of the stone depends on the accuracy of preshaping and faceting
Patsan	Patsan is a wooden table on which saan are fitted horizontally. A patsan can have two or three saan. Two persons can work on each saan simultaneously.
Jindra	Jindra is a device in which saan are fitted vertically on a wooden stand. Two saan can be fitted on each Jindra.
Israeli machine	Modernised form of 'patsan' which can be used even by an unskilled worker. It costs around Rs.50,000 - 60,000/-. Although wastage is more, yet the quality of cutting and polishing on this machine is very good..
Angoora	It's a type of holding device. Used to polish precious stones with greater accuracy

Organisational Structure of Gem Polishing Industry

The gem polishing industry of Jaipur works with the rough stones imported from various countries and by polishing the rough stones, precious and semi-precious gem stones of varying qualities and shapes for domestic and international market. The trade turn over from gems and jewelry was estimated around 664 crore in 1998-99 as per the Annual Report of Gem and Jewelry Export Promotion Council 1999.

Since the industry is based on import of rough and export of finished products the following levels of operators are found:

Importer ⟶ Broker ⟶ Manufacturer ⟶ Broker ⟶ Trader ⟶ Broker ⟶ Exporter

Importer: Buys the rough stones and sells it to a manufacturer through a broker.

Broker: Broker (*dalaal*) is a very important link in the whole chain of trade activities. He provides smooth linkages between importers, manufacturers and exporters. He is an agent or the middleman who works on a commission basis. He introduces the buyers and sellers and determine the terms of trade and the prices. The *dalaals* are held in great confidence by all the groups. He gets a commission of 2-3 percent on the transaction. *Dalaali* is seen as a very attractive career option by many families especially the middle income groups. They prefer to educate the child up to middle school at least so that he would learn account keeping and language skills which are essential for *dalaali.* Some older children do make their entry in to the trade at this point also.

Manufacturer: Buys the rough stones from the importer, processes the stone (cutting → pre shaping → faceting →

polishing) and then sells it to a trader through a broker. The manufacturer is a major operator who either processes the stones at his own unit set up in his home or is a contractor *(ustad)* who owns a small workshop. The contractor at times gets some of the jobs done at the homes of the labourers, like sticking the gem on the dopping stick by using lac, drilling holes in the stones or beads or stringing the beads. Most of the *ustads* have been child labourers themselves and engage children as apprentices in their workshops. They are the role models for many children who are found to be involved only at the manufacturing stage. Most children engaged in gem polishing industry dream of becoming a *Ustad* one day. Parents also foresee the possibility of their child becoming a *Ustad* through hard work and perseverance. The fact that the *Ustad* who was once a child labourer himself is able to earn a decent living and also employ people to work for him showcases the possibility of upward mobility to the people. Consequently parents find the option of sending children to work more desirable than sending them to schools. This is particularly so in families where poverty is not the sole reason for child labour and also in the case of children who work along with their schooling.

Trader: The trader buys gems from various manufacturers, assorts them grade wise and then sells them to the exporter through a broker. Around 97 to 98 percent of the gems processed are sold to the exporters and the rest in the local market. The trader is a model for many *Ustads* who would like to buy the rough and sell the processed gems themselves if they can ever mobilise the resources required.

Exporter: Exporters buy the processed gems from the market and sells them to foreign customers. He is a major player in the industry and has a very good network world wide. The profit margin is maximum at this level.

Since the material dealt with is expensive and the margins of profit depend on the marketing skills of the traders and exporters there are fears of undercutting by competitors which makes the dealings very secretive. Though there are no formal organisations for redressal, the informal networks ensure that appropriate sanctions are imposed on a broker for betrayal. Often it results in total loss of business for him. They therefore, prefer men of their own community and kin group. The *Ustads* also prefer workers from their own community and kin group as it would minimise the danger of the workers running away with the precious gems or cheating. Therefore, it is difficult for outsiders to get into the gem polishing industry as trust of the *Ustad* is very important. The gem polishing industry thus gets localised and operates in a closed community.

It has been observed that during the last few years the clear cut distinctions between the various levels is getting blurred with many exporters preferring to have their own manufacturing units. The competition in the global market is to an extent responsible for reduction of profit margin and collapsing of various levels. An important factor for the increased competition is the entry of those countries which earlier only exported the rough from their mines into the manufacturing sector for the processing work. Since these countries use advanced machines which help in producing good quality gems in larger quantities, there has been a slump in the prices of the gem stones. To cope up with the changing market scenario some exporters have started buying the rough and then selling the polished gems in the world market. They thus became importers as well as the exporters, thereby eliminating the broker and trader. They are still dependent on the local contractors to get their work done. Some have also started their own manufacturing units/factories, which are organised on established management principles. These units have been

meeting the requirements of the exporters in many ways-

- the work done in a factory is more organised as all the persons are working under one supervisor.
- the time commitments in the delivery of consignments can be easily met as the supply of electricity and labour are ensured.
- the quality of gems produced has improved as workers work on modernised implements which improve precision as well as speed.
- Above all, rejections of the consignments by the foreign buyers have reduced bringing in more profits.

Though such exporters prefer getting the work done at their own units, yet they find it difficult to process the entire volume of the work. Therefore some of it, especially the semi-precious stones and consignments which have no binding time frame, is passed on to the manufacturers or ***Ustads***.

However, the shifting of the gem polishing industry from the home based small workshops to factories is very limited, as it requires lots of investment. Thus, there is a proliferation of small workshops which are more of home-based nature, as skilled workers do manage to mobilise the money required for establishing such units. These units/workshops are run by a family as well as few hired labourers. The minimum monthly income from the workshop is reported to be not more than Rs.3,000, after settling the workers' salary, shop rent, etc. With this small amount of money, the workshop owners have to meet their own family expenditures plus expenditures such as advances to the workers in times of need. This leads to involvement of cheap workers or in other words child labour.

Working Conditions

The gem-polishing work is demanding and payment is determined by output. Yet, one observes a certain flexibility and informality in the work situation. For instance the number of work days are only 22-24 in a month. Muslims observe holiday (jumma) on Fridays and Hindus on Sundays. As Hindus and Muslim live and work together, both the communities end up having two holidays a week. The workers also get one hour lunch break every working day. They work from around 8.00 in the morning till around 5.00 in the evening. There is a lot of camaraderie among the workers. The children are paid pocket expenses and feasts are arranged by some *ustads* during festival seasons. The feasts are called *gotes* and are an occasion to reinforce the community bonds. Sometimes, the workers, especially the children are given new clothes of their choice every year. The *Ustads* find it is more easy to manage children than adults. Since elderly people need to be treated with a certain respect in the Muslim community they feel having older men would undermine their authority and make it difficult to manage the workshop. The employer who is the *ustad* often works along with the workers in the units set up mostly in his home. Apart from supervising the work, the *ustad* goes out in search of new orders, takes back the finished work to the dealer and maintains the workshop.

Wages system

Wages are determined by piece rate. A daily attendance register is maintained at the workshop. If there is power failure after 12 noon then wages are paid for that day. However, no wages are paid if there is a power failure around 8.30 - 9.30a.m. Daily wages range from rupees sixty to rupees ninety five for skilled adult workers depending upon their skill, work out put and in some cases on employer's discretion. Children begin their work as

apprentices with some *ustad* and for about two years, when they are learning the work, they are not paid anything. Advances given to the workers play an important role in determining the wages. Taking advance from the *ustads* is a common practice among the workers, for which no interest is charged by the *ustads*. The amount given as advance is depends on whether the worker is skilled or not. Persons doing faceting receive more advances than the others. The gem industry has a good demand for skilled workers and *Ustads* in order to prevent them from moving out to other workshops, often offer advance money. Sometimes when adults take advance and are not able to work, their children work for the *ustads*. This system of advance is seen as beneficial by both the worker as well as the *ustads*. The workers feel that they get some job security as their ustad cannot fire them until they repay the advance and the employers also do not have fears about their workers quitting job without any notice. However, advances may lead to some kind of bondage at times when the *Ustad* pays less wages knowing well that the workers cannot leave him. It is seen that in such cases, there is a possibility that the worker may approach another *ustad*, take advance from him to pay back the debt of the former *ustad*. Thus, the system of advances acts as a kind of check and balance in the worker-ustad relationships. The amount borrowed by a worker or his parents seldom exceed Rs.10,000. Since, *ustads* try to hire their own relatives, the danger of their running away with the money is minimised. For the workers, who almost have no means of social security, the gesture of giving advance money by the *ustad* is seen as a favour.

Why child labour?

It should be noted that child labour is a structural phenomenon of modern society, the precise form of which will vary historically and cross culturally. Given that ideological, legal and political forces are central in shaping children's economic activities, one

finds that the gradual identification of particular jobs as "children's work" has had the effect of cheapening them. This obviously has little connection with the often arduous activities that the children have to perform. It is the perceived social position of children within families, which devalues children's labour power. In turn, the cheapness of children's jobs reinforces their distinctive character and position within the labour market.

The wage structure of the industry reflects this devaluation of child labour. The Directorate of Economics and Statistics, Government of Rajasthan (DES,1988) enumeration shows that over two third of the child labour (68.08 per cent) do not get any income from their engagement in the gem industry. Only 5.60 percent were getting Rs.12 or more per day. Yet, the children were expected to finish the assigned amount of work per day and put in the required hours of work. The profit margins of engaging child labour are calculated as follows by the VVGNLI (1991) survey:

> "By engaging a child the *ustad* contractor saves around Rs. 150-200 a month at this time.(*i.e during apprenticeship*) After two years the child is paid Rs.50 a month, when he actually does work worth Rs.250-300 a month, at the very least. Once the child has spent 3 or 4 years and has started learning to make more facets, he is worth at least Rs.300 to Rs.400, but he is paid Rs.100 a month. By the time the child is 14 or 15 years old and has acquired the skill of gem polishing he would be earning Rs. 150-200 a month whereas an adult would get Rs.500-600 for the same job".

Several reasons have been cited for the continued presence of children in the industry including the inability of the Child Labour Legislation to pull out the children from work. The socio-

economic context in which the law is supposed to be applicable needs to be analysed carefully along side the supply and demand factors that perpetuate child labour in the industry. The increase in the number of workshops has been given by some exporters and traders as the reason for a reduction in the orders per workshop, which forces the *ustads* to rely more and more on cheap labour of the children. Besides, the adult males find it difficult to enter the industry as a certain period of training is essential to master the skill. Therefore, parents feel that the earlier a child learns the skills, the better it is, since by the time he is fifteen or sixteen years old, he would be able to earn rupees sixty or more per day.

Besides, as the work in the gem polishing process is divided into different segments with only some requiring skill and special equipment, therefore child labour is easily accommodated in all those processes that require no or few skills. Since no special equipment is required for many activities, like kandi lagana, boring holes in the beads and stringing, such activities are shifted from the workshop to the homes of the labourers. This makes the involvement of women and children in the homes easier.

Future of the Industry and Child Labour

During the recent years there has been a slump in the market for gems. This has depressed the profit margin thereby depressing the wages of the workers and thus paving the way for more child labour. During the study, discussion with the various people in the industry revealed the possible causes for slump as follows:

Jaipur is the biggest center in the world for emeralds. Most of the craftsmen involved in the industry are skilled in polishing emeralds and rubies. However, in the international market the demand for these two precious stones has recently reduced considerably and there has been an increasing demand for blue stones (mainly semi precious - amethyst, sapphire, aquamarine,

blue chalcedony etc.). The processing of blue stones require more skill than that required in processing emeralds. Therefore those who reacted swiftly and shifted to semi precious stones were able to survive the changed market scenario.

Secondly, very few countries had cutting and polishing centres earlier. But now countries like China and Columbia have entered the manufacturing field and their prices are comparatively lower. This has resulted in stiff worldwide competition, thereby reducing the profit margins at various levels. As a result, the size of the hierarchy is becoming shorter with the exporters also becoming the importers and manufacturers. Consequently, the most affected by this are the small workshop owners who have to compete for the reduced volume of work.

Besides, in a competitive world market, the quality control of the exported products is very important. The exporters cannot take the risk of getting sub- standard work done by the outside contractors, so they prefer getting the finer and urgent work done at their own units under their supervision. This leaves only the semi-precious stones for the small contractors, the per-carat processing rate of which is much below than that of precious stones.

Introduction of the 'Israeli machine', which is a modern machine for polishing the gems has also come as a great shock for the small workshop owners. This machine makes better faceting and polishing of the stones than the traditional *patsan*. It is also faster and more accurate. This is owned mostly by the big factory owners which has led to reducing the volume of trade for the workshop owners and has also limited the employment prospects of daily wage skilled artisans.

Moreover, the profits are unequally distributed. While from a hundred carats of rough stones, a trader makes a profit of rupees

two-fifty to three hundred, the workshop owner gets rupees eighty to hundred twenty, and the different levels of workers get ten to fifteen rupees. Such low wage structures also create unemployment and under employment conditions which lead to greater poverty projecting a slump which is only a myth.

Thus the structure, organisation processes and the market forces that are operating in the gem polishing industry are all responsible in some way or the other for the problem of child labour in this industry. The increasing divide between the exporter-manufacturers and the workshop owners is likely to further aggravate the problem of child labour. Besides, as the industry operates in a close community depending mainly on the kinship factor, the regulation of child labour therefore becomes all the more difficult.

CHAPTER 4
Children in Gem polishing industry—The Supply Side Factors

This chapter examines the supply side factors of workers in gem polishing industry. It specifically looks into the reasons as to why children are sent to work. The chapter also looks into the educational aspect and the contribution of children to the household income. These findings are based on the data collected of a sample of 750 households of which 500 households are those in which children are working and it is compared with another 250 households of the same community in which children are not working. The main purpose of selecting both child labour households (CLHHs) and non child labour households (non-CLHHs) from the same area is to see the difference in the socio-economic profile of the households and find out the reason as to why some households send their children to work and some to school.

The chapter begins with an analysis of social profile and demographic characteristics of sample households. Consequently, the formation of human capital in these households and the relationship between child work and schooling is examined. This is followed by accounting income generated in gem polishing work both by children and adults and the contribution that children make to household income.

Social Profile of the Sample Households

A large majority of the households involved in the gem polishing industry of Jaipur belong to the Muslim community. It is observed that of the total sample of 750 households, eighty eight per cent families belong to the Muslim community. Coming

to the child labour families, the Muslim community consists of 93.2 per cent of the total child labour families as against the Hindu families which consists of 6.8 per cent. In the non child labour families, the percentage of the Muslim families is 77.6 as compared to the Hindus which is 22.4 per cent. We thus see that child labour is more in the Muslim families as compared to the families belonging to the Hindu community which is evident from table 4.1.

Table 4.1:Social profile of Sample Households

	Religion	No. of HHs	No. of Households		
			M	F	Total
Child Labour Households	Muslim	466 (93.2%)	1974	1426	3400
	Hindu	34 (6.8%)	130	93	223
	Sub-total	500	2104	1519	3623
Non-Child Labour Households	Muslim	194 (77.6%)	817	656	1473
	Hindu	56 (22.4%)	200	141	341
	Sub-total	250	1017	797	1814
	Total	750	6242	4632	10874

Demographic Profile of Sample Households

A common argument with regard to the incidence of child labour is that with the growth of the child population, the supply of child labour also increases. The incidence of child labour would naturally increase if the proportion of children were more in the

population. The problem of child labour is likely to be more when the proportion of children is higher than 30 per cent of the total population. Thus, in order to determine the cause of child labour in the study area, it is important that we examine the demographic context such as the average size of the households etc.

Table 4.2: Profile of Sample Households

Type of Household	Religion	Population	Average Household Size	Sex ratio
Child Labour HHS	Muslims	3400	7.3	722
	Hindus	223	6.6	715
Non-Child Labour HHS	Muslims	1473	7.6	802
	Hindus	341	6.1	705

As per the 1991census, the average household size in Jaipur City is 5.8. If we compare this with the average household size of our sample households, we see that it is significantly larger. The average size of households with child labour among Muslims and Hindus is 7.3 and 6.6 respectively and it is 7.6 and 6.1 among households without child labour. We thus see that there is not much difference in the size of the households between the child labour households and the non-child labour households, but there is a significance difference among the Muslim and the Hindu households. Since our findings show that the size of the households is not primarily responsible for sending children to work, therefore other factors like age structure of the population also needs to be explored.

Table 4.3: Age Structure of the Sample Population

Age Group	Percentage Distribution of Population	
	CLHHs	Non-CLHHs
0-5 years	7	9
6-11 years	21	20
12-14 years	17	13
15-18 years	15	14
19-40 years	28	33
41-60 years	10	10
Above 60	2	1
Total	100	100

The findings of table 4.3 reveal that in the households with child labour, there are more children in the age group of 6-14 as compared to the households without child labour. Besides, there are lesser number of adults in the age group of 19-40, who comprise the working population, in the child labour households. Such factors definitely play a role in contributing to child labour.

Table 4.4: Child-Adult Ratio

Ratio	Households with child labour	Households without child labour
Population 0-14 per every adult 15 and above	0.9	0.7
Population 0-18 per every adult 19 and above	1.6	1.3

A comparison of sex ratio of Jaipur City with households in the sample reveals that sex ratio is lower for the latter and is far more adverse in households with child labour especially in age groups 6 –11 and 12 –14 (See table: 4.5). As we shall see later, more boys than girls are engaged in gem polishing industry. Boys are obviously valued more than the girls. This could be one of the explanatory factors that girls are missing in such large proportions. However, in the absence of data on mortality, it is difficult to reach a satisfactory explanation and requires more research.

Table 4.5: Sex Ratio

Age-group	Jaipur urban	Households with Child labour	Households without Child labour	Total Sample
0-5	924	985	898	951
6-11	892	788	864	811
12-14	898	356	641	424
15-18	846	676	592	649
Above 18	856	881	842	866
Total	874	722	784	742

The child - women ratio in households with child labour is also higher reflecting high fertility rates. As data on mortality is not available, it is difficult to say whether mortality has stimulated excess replacement births. Table 4.6 shows decline in fertility as we move from the reproductive age group 20-55 to 15-49.

Table 4.6: Child- Women Ratio

Ratio	Households with child labour	Household without child labour	Jaipur city*
Population 0-4 per female Population of 15-49	0.39	0.31	0.50
Population 5-9 per female Population of 20-55	1.30	0.74	0.64

* Data for Jaipur city is obtained from Census of India (1991).

A significant factor that emerges from the analysis is that although the average size of the households is similar, yet when we compare the child-adult ratio, we see it is favourable in case of the households without child labour. Significantly higher child-adult ratio along with large household size in households with child labour is a major factor that pushes children into wage labour market.

Migration

As has been mentioned earlier, migrants came to this city more than a hundred years ago. Only 29 households (3.8 percent) migrated into the community since 1981. The gem polishing industry being fiercely competitive, it is unlikely for persons to immigrate to these localities unless there are strong social networks.

Literacy

Significantly lower levels of literacy and education are found in households with child labour compared to other households and the literacy level in Jaipur city. Female illiteracy is also very high. Low levels of education among both women and men limit

the opportunities for upward mobility in gem polishing industry and also opportunities in other economic activities. The workers therefore get tied to low paying jobs with attendant risks and uncertainties.

Table 4.7: Literacy rates of population 6 years and above and education levels (per cent)

	Literacy Rate		Education– Primary and above	
	Male	Female	Male	Female
Households with Child Labour	68.5	54.8	42.2	29.5
Households without Child Labour	78.4	65.5	56.7	36.5
Jaipur city	80.3	57.5	64.2	44.0

We see from table 4.8 that almost two-third of the surveyed population are either illiterate or have basic literacy without attending to any formal school. The situation is far more adverse in case of child labour households and more so among the women population. This therefore is to a great extent responsible for children not attending school but going to work at a very early age. It is seen that the proportion of population who have completed their primary education and have joined middle level education is marginal and the proportion of population who have gone for graduation and post-graduation is negligible. This stands true for both the child labour as well as the non-child labour households.

Table 4.8: Education level of the surveyed population (in percentages)

Education levels	CLHHs			Non-CLHHs		
	M	F	T	M	F	T
Illiterate	31.5	45.2	37.2	21.6	34.5	27.3
Literate but below primary	26.8	30.6	28.4	21.8	29.0	25.1
Primary	29.8	17.7	24.8	33.5	25.7	30.0
Middle and secondary	11.4	6.3	9.3	22.0	10.5	16.9
Higher studies	0.5	0.2	0.3	1.1	0.3	0.7
Total	100	100	100	100	100	100

A community wise comparison of the literacy level among the Hindus and Muslims shows that literacy rate is lower across both the communities in case of child labour households. In case of the non-child labour households, we see that the literacy rate is higher across both the communities. It is seen from table 4.9, that the literacy level is also lower in case of the women population for both the communities in the child labour as well as in the non-child labour households. However, in case of the non-CLHHs, the level of illiteracy among the women population is lower. Based on the above findings, we therefore see a strong correlation between literacy rate and child labour.

Table 4.9: Religion and Literacy

Education Level	CLHHS						Non-CLHHs					
	Muslims			Hindus			Muslims			Hindus		
	M	F	T	M	F	T	M	F	T	M	F	T
Illiterate	21.6	23.9	22.5	7.4	29.6	14.8	10.6	12.5	11.4	5.6	11.9	8.0
Literate but below primary	43.3	54.1	47.2	46.2	37.1	43.2	48.3	53.2	50.5	29.6	33.3	31.0
Primary	32.0	18.9	27.2	37.2	29.6	34.6	37.4	29.2	33.7	62.3	50.0	57.5
Middle and upward	3.1	2.9	3.0	9.2	3.7	7.4	3.8	5.1	4.4	2.8	4.8	3.5
Total	100	100	100	100	100	100	100	100	100	100	100	100

Status of Children

Low levels of female education limit inter-generational shifts in achieving higher levels of education among children. The environment in the household and the community at large does not encourage higher levels of education (beyond primary) for children. This is particularly true in the case of households with child labour as we see (table 4.10) a clear decline in the enrolment and attendance rate as children grow up and become big enough to start working.

Table 4.10: Percent enrolled and attending School

Age Group	Households with Child Labour		Households without Child Labour	
	M	F	M	F
6-11	65.5	68.0	86.4	81.8
12-14	63.0	50.9	91.0	83.8

In the child labour households, only 66.6 per cent and 59.9 per cent children were attending school in the age group of 6-11 and 12-14 respectively. On the other hand, in then non-child labour

households the situation is far better with 84.3 per cent and 88.2 per cent children attending school in the age group of 6-11 and 12-14 respectively.

Coming to the never enrolled category of children, it is evident from table 4.11 that a large number of children in the child labour households have never been enrolled in schools. It is evident that the enrolment of girls is lesser compared to the boys irrespective

Table 4.11:Status of surveyed children in the age group of 6-14

Status of Children		6-11			12-14		
		M	F	T	M	F	T
CLHHS	Enrolled & Attending School	281 (65.6)	229 (68.0)	510 (66.6)	291 (63.0)	84 (50.9)	375 (59.9)
	Never Enrolled	126 (29.4)	101 (30.0)	227 (29.7)	86 (18.6)	54 (32.9)	140 (22.3)
	Enrolled & Long Absenteeism	3 (0.8)	0 (0)	3 (0.4)	4 (0.8)	1 (0.8)	5 (0.8)
	Enrolled & Dropped Out	18 (4.2)	7 (2.0)	25 (3.3)	81 (17.6)	26 (15.8)	107 (17.0)
	Total	428 (100)	337 (100)	765 (100)	462 (100)	165 (100)	627 (100)
Non-CLHHS	Enrolled & Attending School	165 (86.4)	135 (81.8)	300 (84.3)	132 (91.0)	78 (83.8)	210 (88.2)
	Never Enrolled	25 (13.1)	27 (16.3)	52 (14.6)	10 (6.9)	12 (12.9)	22 (9.2)
	Enrolled & Long Absenteeism	0 (0)	1 (0.6)	1 (0.3)	2 (1.4)	3 (3.3)	5 (2.1)
	Enrolled & Dropped Out	1 (0.5)	2 (1.3)	3 (0.8)	1 (0.7)	0 (0)	1 (0.5)
	Total	191 (100)	165 (100)	356 (100)	145 (100)	93 (100)	238 (100)

of child labour and non-child labour households. This reflects the discrimination against girls even among the non-child labour households.

A remarkable factor that is noticed as children grow up is that there is a considerable increase in absenteeism and dropout from schools in the child labour families. On the other hand, the dropout among the non-child labour families is negligible. This explains the fact that in the child labour households, as children grow up they are absorbed in the workforce, which results initially in absenteeism and later on into dropout from schools.

Reasons for dropping out

As the dropout rate of children in the non-child labour households is quite negligible, we therefore tried to analyse the reasons as to why children drop out from schools in the child labour families. Table 4.12 shows that among the drop-out children, 32 per cent have dropped out because they were withdrawn from schools by their parents and another 21 per cent of the children have dropped out because their parents cannot afford to continue with their education. A lot of parents also feel that it is more important for the child to learn the family skill and therefore this is again a reason for pulling out many children from schools. Thus, it is seen that economic factor plays a very crucial role in dropping out of children from schools.

Table 4.12: The Main Reason for Drop out

The Main Reason For Drop out	Percent
Withdrawn by parents for earning	32
Not interested in education	32
Parents cannot afford education	21
Withdrawn for learning traditional crafts	12
Other reasons	03
Total	100

Participation in work force

The table 4.13 reveals that the work participation rate in our sample households is 47 per cent. However, in the child labour households it is much higher at 54 per cent compared to the non-child labour households where it is only 34 per cent. The higher workforce participation in the child labour households can be explained because of the involvement of children in work.

Table 4.13: Work Participation Rate

Households	Total Population			Working Population			Percentage of workers to total population		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
CLHHs	2104	1519	3623	1520	424	1944	72	28	54
Non-CLHHs	1017	797	1814	511	118	629	50	15	34
All	3121	2316	5437	2031	544	2573	65	23	47

A look at 4.14 shows that about 37 per cent of workers in the child labour households are in the age group of 6-14. Therefore if we exclude the workers below 14 years of age we see that the work participation rate of the child labour households becomes much lesser than that of the non-child labour households. It can therefore be said that a large proportion of the workers in the child labour households are the children below fourteen years of age. If these children are not sent to work, then the workforce of the child labour households become very low.

A comparison of the child labour and the non-child labour households (table 4.14) shows that the proportion of workers in the 'above 18' category is much less in the child labour households as compared to the non-child labour households. It is only 43 per cent in case of child labour households as compared to 78.2 per cent in the non-child labour households. As the workforce among the potential workers is very less in the child labour households,

therefore this is probably a reason for greater involvement of children in the child labour households.

Table 4.14: Age-Wise Distribution of Working Population

Age Groups	Households with Child Labour		Households without Child Labour		Total	
	Number of workers	Per-centage	Number of workers	Per-centage	Number of workers	Per-centage
6-11 years	217	11.2	0	0.0	217	8.4
12-14 years	510	26.2	0	0.0	510	19.8
15-18 years	382	19.7	137	21.8	519	20.2
Above 18 years	835	43.0	492	78.2	1327	51.6
Total	1944	100.0	629	100.0	2573	100.0

The work force participation rate of boys is quite high especially in the age group of 12-14 where it is 91 per cent. The workforce participation rate for the 'above 14' age group is 86.6 in case of child labour households and 86.1 in case of non-child labour households.

The participation of women in the workforce is much less in both the child labour and the non-child labour households. It is only 28 per cent of the total women population in case of child labour households as compared to 72 per cent of male workers. In the non-child labour households it is only 15 per cent as compared to 50 per cent of male workers. The work force participation rate among girls is maximum in the age group of 12-14 i.e. 53.3 per cent and declines sharply for the girls who are 'above 14'. This indicates that girls/women's participation in the industry is for a short period of time.

Table 4.15: Workforce participation rates by age group and gender

Age Group	Households with child labour		Non-Child Labour Households	
	Male	Female	Male	Female
6-11	39.2	14.5	-	-
12-14	91.1	53.3	-	-
Above 14	86.6	32.8	86.1	25.6

Occupational Classification

A large number of workers in our sample, both from child labour households as well as from non-child labour households are involved in the gem-polishing industry. In the child labour

Table 4.16: Occupational Classification of the sample population

Occupation	CLHHs		Non-CLHHs	
	No. of workers	Percent	No. of workers	Percent
Gem Polishing	1377	71	355	57
Junk dealer	15	1	0	0
Retail shops	25	1	13	2
Kite making	34	2	4	1
Incense works	23	2	8	2
Mechanic	47	2	21	3
Tailoring	32	2	22	3
Tie and Dye	29	2	6	1
Embroidery	45	2	18	3
Cycle rickshaw puller	25	1	5	1
Carpet weaving	41	2	27	4
Wage labour	47	2	10	2
Government Service	23	1	29	4
Other occupations	181	9	111	17
Total	1944	100	629	100

households, out of the total 1944 workers, 71 per cent are involved in the gem polishing industry alone and in the non-child labour households, out of the total 629 workers, 57 per cent are involved in the gem polishing industry.

The gem polishing industry employs more young workers than other industries. Table 4.17 reveals that of the total 58.5 percent of male working population is in the age group of 15-34, 70 per cent are involved in gem polishing industry. For female workers, this is even more apparent. Out of the 70.0 percent working population in the age group of 15-34, 81.9 percent are working in the gem polishing industry. The workers move out of the industry from age 35 onwards as seen in the relative shares of all working population compared with those working in gem polishing and other occupations in the age-group 35-44.

Table 4.17: Age-wise Distribution of workers in different Occupations

(Percent)

MALE Age Group	All Working Population	Working in gem polishing industry	Working in other occupations
15-24	43.0	52.5	28.7
25-34	15.5	17.5	12.5
35-44	26.7	22.3	33.4
45-54	11.0	6.1	18.3
55-64	3.0	1.3	5.6
64 and above	0.8	0.3	1.6
FEMALES			
15-24	49.4	59.1	40.7
25-34	20.6	22.8	18.7
35-44	23.1	16.6	29.0
45-54	5.2	1.6	8.4
55-64	1.2	0.0	2.3
64 and above	0.5	0.0	0.9

We thus see that while adults have options to choose from a wide range of profession, children are employed mostly in the gem polishing activities. It is seen that there is marked decline in the involvement of workers beyond 14 years of age in the gem polishing industry. Therefore it can be inferred that gem-polishing industry involves more of children as compared to adults. This could be because of the low wages that are paid in the gem industry, which makes it impossible for adults to continue after a period of time. The adults/parents probably find the industry useful for their children who instead of sitting idle can earn some money as well job experience.

Table 4.18: Age-wise distribution of population of sample households in gem polishing work

Age Group	Households with Child Labour		Households without Child Labour	
	Male	Female	Male	Female
6-11	94.6	77.6	-	-
12-14	96.7	79.5	-	-
Above 14	40.3	49.1	-	-
Total	49.9	58.6	59.5	43.2

Income levels of the Households

In order to work out the average monthly income of both the child labour as well as the non-child labour households, we have taken into account individual as well as family income from all sources. It is seen that the average monthly income of the child labour household works out to be Rs.446, whereas in case of the non-child labour households it is Rs.5135. This is inspite of the

lower number of average workers per household in the non-child labour households which is 2.5 as compared to the average worker per household in the child labour households which is 3.8. This indicates the fact that the average income in the non-child labour households is higher than the child labour households. We thus see from table 4.19 that inspite children being involved, the income of the child labour households is lower as compared to the non-child labour households. There is therefore a likelihood that with the removal of children from work their household income will go down further. We will analyse this in the following part.

Table 4.19: Income levels of households

HH Type	No. of HHs	Population	Total Workers	Average Worker	Average HH Income (in Rs.)	
CLHH	500	3623	1944	3.8	4466	53592
Non-CLHH	250	1809	629	2.5	5135	61620

Working Children in the Gem-Polishing Industry

There are a total of 727 working children in the gem polishing industry out of our sample of 500 child labour households which consists of a total of 1944 workers. Children thus constitute 37 per cent of workers in the child labour families and 28 per cent of all the workers in our sample. The minimum age of entry into work is 6 years for both boys and girls in the gem polishing industry. Table 4.20 gives a picture of age of entry and the present age of the child labour.

Table 4.20: Age of Entry for Working Children

Age of Entry in Work	Present Age of Children																	
	6 years		7 years		8 years		9 years		10 years		11 years		12 years		13 years		14 years	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
6 years	1	0	2	1	4	1	0	1	1	0	1	0	0	0	0	0	0	0
7 years	0	0	2	1	15	2	3	3	2	2	0	1	0	2	1	1	2	2
8 years	0	0	0	0	11	2	10	1	13	6	4	2	1	0	7	0	5	0
9 years	0	0	0	0	0	0	8	3	32	8	7	3	13	4	7	4	5	1
10 years	0	0	0	0	0	0	0	0	12	2	31	8	41	14	16	6	24	2
11 years	0	0	0	0	0	0	0	0	0	0	7	1	41	7	29	8	32	6
12 years	0	0	0	0	0	0	0	0	0	0	0	0	13	2	64	7	43	7
13 years	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	1	45	9
14 years	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11	2

Contribution of children to the Family Income

Inspite of having child labour, the average income of the households with child labour is much less if compared to the non-child labour households. Therefore one gets the picture that the contribution of the children to the family income is crucial for the child labour households. However, from table 4.21 we see that in almost 14 per cent of the child labour families, the contribution of children is negligible and in another 42.8 per cent households their contribution is only 10 per cent of the family income. This is because of the fact that in the gem polishing industry, children often start working as apprentices without any pay or with a token payment. In about 37 per cent of the child labour households the contribution made by children is between 10-30 per cent and there are hardly a few households where the contribution of children to the family income is beyond 30 per cent of the family income.

Table 4.21 : Contribution of children to the total family income

Child share in income	Number of households	Percent of households
Negligible	69	13.8
Upto 10%	214	42.8
10-20	134	26.8
21-30	53	10.6
31-40	14	2.8
41-50	7	1.4
51-60	4	0.8
61-70	1	0.2
91-100	4	0.8
Total	500	100

Taking into consideration the above situation, one therefore wonders why children are made to work at such an early age in the child labour families?

An important factor for the involvement of children in the gem polishing industry is the home-based nature of the gem polishing work. These home-based units are not able to bargain for a higher price for their work. Thus, in an attempt to minimise the cost of production, the parents are prompted to involve their children at a very early age. Besides this, the community perceives a choice in sending their children to schools which may not lead them anywhere and sending the children to a gem polishing unit from where the children are likely to pick up skills for the future. Therefore in the initial years of the child, parents try to draw a balance between sending the children to school and work which gradually culminates in to full time work for the children.

CHAPTER 5
Schooling System And Education

To further understand the relationship between work and education an effort has been made in the present study to assess the status of educational facilities in the walled city of Jaipur which have a large concentration of working children who are involved in the gem polishing work.

Various reports on status of educational facilities have highlighted the fact that the situation in many schools is far from what is expected, particularly in the government schools in the rural areas and the urban slums. The resources are grossly inadequate, the buildings are dilapidated and too small for the number of children enrolled, besides the limited availability of teaching aids and facilities like drinking water, toilets, etc. Besides, the sensitivity to the needs of the first generation literates and a supportive environment at home is lacking. Often the children experience cross cutting priorities, which is particularly true in the case of working children. For instance, children are withdrawn from the school temporarily whenever parents need extra hands at work. There is thus a need to build in flexibility in the school timings, schedules and teaching methods to accommodate such needs to bring working children in to the mainstream education. The PROBE report (1998) and the State of the Worlds Children (UNICEF, 1999) have both focused on the need for a change in educational strategy to bring working children into the mainstream education.

This Chapter focuses on understanding both the supply-side and demand-side aspects of educational provision i.e. access to schooling, distribution of schools, teacher-pupil ratio, teacher training, physical infrastructure, community participation etc.

School Survey Findings

In the present study a total of 34 schools were covered in the three identified areas based on the number of schools existing in each locality. Table 5.1 gives a distribution of the schools in the three areas.

Table 5.1: Distribution of Schools according to Area

Area	No. of Schools
Chowkri Ramchandraji Ki	10
Topkhana Hazoori	16
Topkhana Desh	8
Total	34

It is seen from table 5.2 that there are no major, systematic gender disparities in enrolment. While the enrolment of girls is slightly higher in Chowkri Ramachandraji ki the trend is reversed in the other two areas. The variations are less than five percent, and even these can be attributed to the adverse sex ratio. The near absence of gender bias is significant as the sample schools were of varied types and sizes.

Table 5.2: Male/Female Enrolment in Schools

Area	Boys		Girls		Total No.
	No.	%	No.	%	
Chowkri Ramchandraji ki	674	48.1	725	51.9	1399
Topkhana Huzoori	2238	53.7	1922	46.3	4160
TopKhana Desh	679	52.3	619	47.7	1298
Total	3591	52.3	3266	47.7	6857

*enrolment pertains to primary sections only.

Distribution of Schools by Enrolment

The distribution of schools by their enrolment is given in Table 5.3. It is clear that both the small and large schools are represented adequately in the sample. It is seen that the small schools with less than hundred students are mostly private schools.

Table 5.3: Distribution of schools by enrolment*

Area	Total Enrolment In School							
	<100		101-300		301+		Total	
	Govern-ment	Private	Govern-ment	Private	Govern-ment	Private	Govern-ment	Private
Chowkri Ram Chandraji ki	0	2	5	2	1	0	6	4
Topkhana Huzoori	0	4	3	4	2	3	5	11
TopKhana Desh	0	1	0	6	1	0	1	7
Total	0	7	8	12	4	3	12	22

*enrolment pertaining to primary sections alone.

Even among the private schools those with *waqf/madarasa* or some other organisational funding are better organised, for example the Muslim Girls High School and the Ahangaran school in the Topkhana Huzoori area. They enrol a larger number of children for example 528 and 730 students respectively in the primary sections. All the schools draw the children from their neighbourhood and therefore, the catchment area is limited. Yet, admissions are not a problem. The high density of population and the limited capacity of the schools in terms of enrolment still leaves many children out-of school in the area especially, the working children.

Cost of Schooling

The private schools charge fees ranging from Rs 20 to Rs 80 per month apart from the expenses on uniforms, books, and others. Students enrolled in private schools come from the lower middle

class segments - the workshop owners, dealers, government employees etc., rather than the wage labourers. In contrast, the government schools charge no fee till class 3 and for classes 3-5 it is only rupees twenty per year. A majority of students in these schools come from families of workers in the gem polishing industry who find it difficult to meet even sundry expenses on replacing the books and uniforms. According to the teachers, the inability to buy a text book or a note book makes the child absent himself/herself from the school and ultimately drop out of the school. Even the school administrators have attributed inability to meet the expenses as a cause of drop-out. There is a tendency among parents to withdraw children from one school and enroll in another depending on their economic condition at a particular point of time.

Thus, accessibility to schools is limited to those who can afford to incur recurrent expenditure. There are many who dropout for not being able to meet the cost of schooling. Besides, there other factors related to quality of schooling that affect enrolment/ dropout of working children.

Teacher-Pupil Ratio

Lack of sufficient number of teachers is often the cause of poor learning levels in the schools. The quality of education is affected to a great extent because of the adverse teacher-pupil ratio. A single teacher engaging a class of 60 or more children in a class-room setting where there are no teaching aids cannot do justice to the process of teaching. Smaller classes enable the teachers to pay individual attention to the children which would enhance their scholastic performance considerably. Thus teacher -pupil ratio is a very important quality indicator. The teacher-pupil ratio in the selected schools is as follows:

Table 5.4: Teacher-Pupil Ratio

School	<1:20	1:21-1:40	1:41-1:80	>1:80	Total
Government	2	4	5	1	12
Private	16	5	1	0	22
Total	18	9	6	1	34

Table 5.4 indicates the teacher-pupil ratio in government schools is higher than in private Schools. Close to two thirds of the schools are having teacher-pupil ratios of less than 1:20. Even among the government schools 50 percent of the schools have a teacher -pupil ratio of <1:40 which is closer to the norm in government schools. Nevertheless, in one government school the teacher-pupil ratio was more than 1:80.

Women Teachers

The presence of women teachers seems to encourage the enrolment of girls in schools. Data from sample schools shows that there are more number of women teachers (195) as compared to male teachers (100). Around 76 percent teachers in government and 63 percent in private schools are women. The daily turn out of teachers in the schools is reported to be more among women teachers.

While private schools have a low teacher-pupil ratio, the salaries of teachers' range between Rs 800-1000 per month, which is one sixth of a government school teacher. Inspite of low salaries, some NGOs have been able to motivate teachers in the schools run by them to achieve a better quality of education.

Teachers Training

As regards training, all the teachers in government schools have a recognised qualification in teaching, either STC or a B.Ed. In private schools the teachers are not always trained. Post

graduates and graduates are appointed as teachers. No in-service training is given to either. Black board based teaching and rote learning are popular with both. Some of the teachers who come from a similar background as that of the children show sensitivity towards the needs of the children.

Motivation of Teachers

Even some of the teachers with NGO's have no pre-service training yet their performance with regard to engaging the children in the learning process has been found to be better as the case studies of Sagar Janshala and Bodh reveal.

In-service training programmes that sensitise, orient and motivate the teachers to the special needs of the working children and their families, as well as, a systematised community contact component in the programme are found to be important inputs in bridging the gap between community and the schooling system. The training also encourages teachers to be more innovative in their teaching methods. In government schools there is absence of such training inputs. The Sandhan and Bodh experiences highlight the point that continuous assessment and monitoring also facilitate improvements in the quality of education. On the other hand though government schools reported regular inspection visits by the concerned authorities, the purpose of the visit was reported to be administrative rather than academic, with checking of the class-rooms, records and registers being the main activity of the visiting officer.

Though private schools are identical to the government schools as far as training of teachers and monitoring are concerned, yet it was seen that there is a more proactive approach in involving the parents through community surveys, parents meetings, keeping the parents informed through letters, notices

etc in case of the private schools. The case study of Ahangaran Public school highlights the point. Because the schools are run as self-financing institutions there is greater concern about enrolments, retention and achievement of learning skills.

School Infrastructure

The physical infrastructure is an important aspect of quality of schooling. An environment that is clean and safe is essential for the child especially in the primary sections to learn the values of hygiene and safety. Most of the buildings especially the government buildings are in poor condition and they are either rented or belong to some other office/ organisation. Some private schools like the Ahangaran High school and Muslim Girls' High school have multi - storied structures with all facilities such as water, toilets, electricity and class rooms with furniture. During the course of the study, a school with exposed electrical wires and illegal electrical connection was noticed. Besides, the seepage in the walls could increase the chances of a short circuit, which is quite unsafe for the children.

Basic amenities like water and toilets are also not adequate. Of the thirty four schools which have been studied, only twenty three have drinking water facilities while in the others, it is either erratic or non existent. Availability of toilets is much less. Twenty schools have some toilet facilities and four have inadequate toilet facilities where the available single toilet is used by the teachers alone. The rest ten schools have no toilet facilities whatsoever. "Students who take permission to go home for toilet often never return and keep playing on the streets" commented a teacher. The maintenance of the toilets is also very poor, most of them overflowing with filth and emanating unbearable stench. (See Table: 5.5)

Table 5.5: Availability of Water, Toilets and Building by Type of School

Facilities		Government Schools	Private schools	Total
Water	Available	3	20	23
	Not Available	9	2	11
Toilets	Available	4	16	20
	Only for staff	2	2	4
	Not available	6	4	10
Rooms	Adequate	4	19	23
	Inadequate	8	3	11
Play Ground	Available	3	10	13
	Not available	9	12	21
Electricity	Available	8	20	28
	Not available	4	2	6

There is considerable disparity in the conditions prevalent in the government and private schools. Almost three fourths of the former do not have drinking water facility or a playground, two thirds have inadequate classrooms, half of them have no toilets and one fourth of them have no electricity. In contrast, only one out of ten private schools have no water, adequate rooms or electricity, while three out of ten schools have no toilets.

Class room

The environment in the class-rooms is far from stimulating in most schools. The rooms are often poorly ventilated. The walls are bare and there is only a black board in the class-room. Furniture such as tables and chairs are available in only ten schools. In the rest, children sit on mats on the floor. Very few teaching aids are

available with the teachers. The maps and charts, which are available, are not displayed for fear of being defaced by the children and even when displayed they look old and tattered.

Compared to the government schools, the private schools are better furnished and have greater access to play grounds along with equipment for games and sports. It is clear that these schools present a more appealing picture to the parents and children. Yet, inspite of the significant differences in the available infrastructure at government and private schools, the teaching aids and methods are the same.

It is also noticed that the negative attitude of government school teachers is most often pointed out by the teachers who are working in government schools themselves. Some of them thought that teaching these children is futile and were cynical about the entire exercise of learning. The blame is often placed on the social background of the children and the ignorance of the parents rather than the inadequacies in their own methods of instruction.

Illiteracy, ignorance and lack of appreciation of value of education were mentioned by nearly 75 percent of the school administrators interviewed as reasons for low enrolment, attendance and retention rates in schools. Poverty and the desire of the parents to involve the children in gem polishing industry were identified as the second most important reason. Yet the successful schools are those, which have, been able to overcome the apathy of the community.

Community Participation

A number of experiences/initiatives in primary education in Rajasthan have established the importance of community participation and ownership on the quality of primary school education.

It is important to understand the socio- cultural milieu of the walled city to know how it effects the various aspects pertaining to schooling. The schooling facilities are not available to the poorest of the poor who cannot afford the private schools and consider the government schools a waste of time and resources. The Hindi and Urdu medium schools get children from the middle income groups and others opt for English medium schools in the city. A discussion with the school authorities revealed that even those parents who send their children to school have a very casual approach to the whole issue of education.

Perception of Parents

Parents, on the other hand, are more cynical about the benefits of education and feel that there are better prospects in the gem industry for the children. *Dalali,* becoming a trader or the owner of a workshop / show room are the aspirations of most parents for their children.

It was observed that for every child who attends school there are two or more who do not. The inadequacy of the schools to make learning a joyful experience for the children and ensure appropriate levels of learning are responsible for the children opting out of the schooling system. Not all children are capable of learning in the existing system. In the absence of imaginative teachers and pedagogic models they are the misfits who drop out of schooling sooner or later. For a disinterested child or a child weak in studies, working is considered as a viable alternative. It would provide additional income to the family, some of which is utilized in sending children who are interested or good in studies to schools. From the parent's point of view, instead of being a failure in schools, the child can be groomed to be successful in an occupation that he likes to join. It is perhaps, a rational way of distributing their scarce resources. The working children showed considerable pride in their work. Yet, it is interesting to note that they see education as a means of getting a salaried job. They aspire

to become teachers, policemen and doctors rather than continue in the trade.

It is evident from the foregoing analysis that inspite of a large number of schools, access is limited. Private schools are accessed by the middle income groups in the community, while the government schools are utilised by the lower income groups.

The infrastructure is grossly inadequate in government schools while it is comparatively better in the private Schools. Yet there are no major differences in availability of teaching aids and use of teaching methods.

Teacher-pupil ratio, male-female teacher ratios are favourable in most schools. Yet the quality of education in terms of learning levels is below average. The motivation of teachers and in-service training are lacking. There is an urgent need to sensitise the teachers to the specific needs of working children.

The experience of Sandhan points out the ability of motivated children to overcome the pull factors of work and influence their parents and employers to make the necessary adjustments for their schooling. It is apparent that the learning process can be made joyful by investing a little extra in the motivation of teachers and training them within the existing system.

Finally, the parents especially in the middle income groups often see child labour as an viable alternative to vagrancy and unemployment resulting from inefficient education system. A meaningful and sensitive schooling system holds the key to the problem of child labour in such cases. In the case of children who enter the labour market under conditions of extreme poverty, a more convergent approach is recommended which combines sensitive and meaningful educational programmes with other welfare measures in a focused fashion.

CHAPTER 6
Child Labour Legislation and Its Implementation

The context

The Factories Act, 1881 is the first legislative enactment which touched upon the aspect of employment of children, followed by Mines Act of 1901, Ports Act of 1931, Motor Transport Act of 1961, Beedi Cigar Workers Act 1966 which have clauses prohibiting or regulating child labour.

The Children (Pledging of Labour) Act, 1933 maybe said to be the first statutory enactment dealing with child labour. This is followed by the Employment of Children Act, 1938. However, even with the existence of all the above laws very little changes took place with regard tot he employment of children.

The Child Labour (Prohibition and Regulation) Act, 1986 was enacted with the idea to bring about a gradual and sequential elimination of child labour by targetting the most hazardous activities initially from which child labour would be completely removed. The other activities which were less hazardous for the child, there would be regulation so as to see that the child is not exploited. Thus several industries were identified as hazardous for employment of children including the gem polishing industry.

However, in many of these industries which have been identified as hazardous, work takes place in the informal sector, particularly in the home based units. But it is important to note that the definition of child labour is restricted to those children who receive wage for their work. The home-based and tiny sectors are outside the purview of the legislation. Thus there little scope

for punitive action against child labour since most of them are working at homes and are outside the realm the Act. Thus the introduction of the Child Labour (Prohibition and Regulation) Act of 1986, which exempted family labour from the purview of law, seems to have thus, provided a fillip to the home based industries which make child labour invisible.

The Child Labour (Prohibition and Regulation) Act, 1986 repealed the Employment of Children Act, 1938, but reproduces its schedules A and B. The Act consists of four parts of which Section II of the Act prohibits employment of children in certain occupations and processes. Section III of the Act regulates child labour in those establishments where children under 14 maybe permitted to work, namely those establishments where none of the occupations or processes of schedules A and B are carried on.

The provision of Section III of the Act keeps any occupation, a work or process i.e. carried on by the "occupier" with the aid of his "family" out of the purview of the Act. In the context of the Gem polishing industry the "occupier" in relation to the workshop who has the ultimate control over the affairs of the workshop employs child labour from within kinship relationships. Children are usually members of the extended family and it is easy for him to do so. Such action of the "occupier" is outside the purview of the Act. Even if children are not from his kin it is difficult to penalise him or take punitive action against him as the areas where the gem polishing work is done is densely populated and located within the walled city of Jaipur, having a large concentration of children. Therefore, it would be very difficult so as to trace whether a child working in a unit belongs to his family.

Section IV lists the penalties for violation of the Act. In the Gem polishing industry, it is difficult to prosecute employers

under the Child Labour (Prohibition and Regulation) Act of 1986 for employing children, because children work as part of family units. Employers can be booked under the Minimum Wages Act alone. However, in the Gem polishing industry where payments are largely made on a piece-rate basis, even such provisions are of limited use. The tasks are segmented with households engaged in the industry being both concentrated in densely populated pockets in urban areas and widely dispersed even into remote villages. Many of the tasks related to gem polishing work are done in the *havelis* and small workshops and therefore it is very difficult to access them. This also poses problems in establishing the number of workers a manufacturer or exporter employs inside his unit.

Fallout of Legislation

As per the census of India 1991 there are a total of 774,199-child worker in Rajasthan out of which 490, 522 are main child workers and 283, 677 marginal workers. According to Burra (1995), there are 13, 000 child workers engaged in the gem polishing industry of Jaipur also. Approximately 22.6 per cent of the workers involved in gem polishing in Jaipur are child workers.

There is no specific number/data of children engaged in the gem polishing industry. This is because of the home- based nature of the industry which makes it impossible for the Labour Inspectors to enter the households where children work. Besides, the Labour Inspectors do not have *legal rights* to enter in the houses and most of the work in this industry is home based. This also makes it almost impossible for the officials to give any estimates of the number of child labourers in this industry. Despite repeated efforts by the labour department officials to inspect the workshops they have not succeeded because as soon as one employer gets news about the inspection he informs all the others

and children disperse and no child is found working in the workshops.

The 'Rajasthan Shops' and commercial Establishment Act 1958, which prohibits the working of children under 12 years of age in shops and commercial establishments, is not applicable for the children of this industry. Therefore, thousands of children below 12 years still continue to work especially in the gem polishing industry. In an effort to eradicate child labour, the Government of Rajasthan in 1987-88 had planned an 11-point programme with the help of the NGO sector and had set up a State Authority for the Elimination of Child Labour. One of the objectives of this programme was to assess the magnitude of child labour in certain child labour endemic districts of Rajasthan such as Jaipur and Udaipur. Besides, the programme also stressed that the employers should provide educational and health facilities for children employed by them.

The Labour Department of the Government of Rajasthan has made several efforts since 1995 for solving the problem of child labour by collaborating with NGOs, trade unions and enforcement machinery in an effort to sensitise the employers and involve them in awareness generation programmes. Following the Supreme Court Judgement in 1996, a district-wise survey was conducted in 1997 by the District Collectors for which the Labour Department acted as a nodal agency and identified 3026 children in hazardous work. A sum of Rs.5000/- was released by the State Government and deposited in the welfare fund for all these children except for 100 children whose parents were provided with jobs. Of the total 3026 children, 2504 children were withdrawn from work and 2070 children were enrolled in government schools. In relation to non-hazardous work, the survey had identified 5064 children, of which 1475 children were

withdrawn from work and enrolled in schools. The rest of the children could not be withdrawn from work as their addresses could not be located. There also seems to have been a considerable increase in the number of inspections carried out which totaled 58 in 1995, 63 in 1996-97 and 982 in 1998-99. Based on these inspections, notice was given to around 1400 employers for a penalty of rupees 20, 000 to be levied. Ultimately, there were three recoveries only.

Projects launched for elimination of child labour : A review

In 1988, the National Child Labour Project (NCLP) was launched in Jaipur under the National Child Labour Policy of the central government. The objective of the project was expressed as first reduction and then ultimate elimination of child workers from the gem industry by encouraging transitional and formal education.

It is expected that in the project areas, the Acts are enforced more stringently. To enable this enforcement, it was also envisaged that the families engaged in such projects would be covered under ongoing anti-poverty programmes. In addition to this, the children would be provided with formal and non-formal education. Special schools would be set up for child workers, where provisions for education, vocational training, supplementary nutrition and health would be made. If necessary a stipend would also be provided to children who have been affected by the Act, to compensate for their loss in wages.

It is in keeping with this National Policy that the Government of India started the scheme for the children employed in the gem polishing industry in Jaipur. The objective was to improve and provide the possibilities of a holistic development to the children employed in the gem industry.

In April, 1988, under the Societies Registration Act, the National Child Labour Project called as the *Bal Shramik Pariyojana Sansthan* was established in Jaipur. This *Pariyojana* was headed by the Labour Secretary and consisted of twelve other members. The National Child Labour Project in Jaipur has concentrated on identification of children and providing them transitional education through 20 Special schools including non-formal elementary vocational training in low skill vocations like drawing, painting, embroidery etc. The special schools cater to 50 students each. The responsibility of running and managing these schools was given to *Lok Shikshan Sansthan*, a voluntary organization in Jaipur.

A study and review of the special schools in 1991 revealed that though the stated aims and objectives did plan to tackle the issue seriously, in actuality no substantial change was visible in the lives of children attending these schools.

There seemed to be an incongruity between the needs of the children and what the special schools offered. The problem was not so much mismanagement of the intervention as one of a misplaced emphasis in the very concept of special schools. It was found that the possibility of financial gain through 'stipend' leads to stresses in terms of an adherence to very strict selection norms. Even if selection was proper [i.e. of poor children engaged in the gem polishing industry] the idea of selecting one child per family for the school leads nowhere. In a family with five to seven children, one child getting hundred rupees and special bread and milk did not help matters either economically or in terms of health inputs. Many cases of children being made to work after the school hours was observed which made them worse off in terms of being doubly burdened. The Project Director of the Lok Shikshan

Sansthan, the NGO body operating these schools, felt that in the past ten years the flow of funds to run the schools was erratic and therefore they came under a lot of pressure from the community

A decision was taken by the GOI that no new admissions would be made 1996 onwards. A majority of the children, therefore, reached Standard fifth in the last two years. The Special schools were shut down in May 1998 after running for a decade. In July 1998 a decision was taken to once again revive the schools. However, it was also decided that a complete survey would be undertaken to analyse the functioning of the schools and necessary inputs given into areas needing attention. (Mathur, 1999).

In 1999 the International Programme on the Elimination of Child Labour (IPEC) suggested an Integrated Area-Specific Approach against hazardous and exploitative forms of Child Labour in Jaipur for a period of two years. The programme is expected to consist of a diverse but integrated set of components. This approach which has not been used before in the social sector, aims to contribute to the implementation of the December 1996 Supreme Court Judgement regarding the immediate withdrawal of child labour from hazardous work through the provision of an integrated package, including: direct services to child labourers; strengthening the capability of the families of the child labourers; enhancing the capability of government institutions, through training of key functionaries and awareness raising among different segments at the local community and district levels. It therefore, focuses on the following target groups to achieve elimination of employment of child labour in hazardous work: child labourers, families of child labourers, mothers of child labourers, programme staff of NCLP, Government functionaries, community leaders and the general public and media.[1]

Awareness regarding Legislation

Focus group discussions with the parents, children and the workshop owners revealed that very few people are aware of the legislation. In the 500 sample households with working children, only 46 families were aware of Factories Act and 67 families said they knew about the Child labour Prohibition and Regulation Act (1986). People reported very few raids and inspections. Only 5 families claimed that the Labour department officials had warned them against employing children in the industry. However, they were not aware under which Law or Act the warnings had been issued.

Responses during the group discussions were mixed but can be categorised as follows:

- In the absence of opportunities, the parents feel that instead of children doing nothing, they should be inducted into some work which can teach them some skills for future earning.
- Parents are aware that there is a Law that prohibits children from working in hazardous industry but they do not consider the gem-polishing work as hazardous to children's health.
- They feel that children in the age group 6-14 should study but the Law does not seem to provide any alternative for earning their daily bread.
- The parents do not know much about the Acts but are aware that they can be prosecuted if they force children (below 14 years) to work.
- A large majority of the parents strongly felt that though the Law prohibits children from working, but they are compelled to encourage their children to work. If they do not do so, children above the age of 14-15 tend to lose interest in work and become lumpen elements. They therefore feel that it is better to encourage the children to work since childhood.

The authorities on their part feel that implementing the law without the cooperation of the parents and the community is not feasible in the home-based units. They are also of the opinion that parents and children are not serious about the education of their children. However, the parents argue that presently the school facilities in the walled city are not adequate and educational facilities as they exist are unable to hold the interest of the children who find working a better alternative.

It is therefore fairly evident that although there are efforts to identify as well as rehabilitate child labour by putting them in schools, yet legislation and provision of education alone cannot handle the deep rooted problem of child labour. The problem of child labour requires a holistic approach, which will take into consideration the different factors which make children enter the labour market and continue therein. These are discussed in the concluding section of this report.

CHAPTER 7

Gem polishing industry: Alternative Strategies for the Children

The traditional gemstone processing work done in Jaipur with skill includes bead making, stringing, manufacture of show pieces from coloured stones and jewelry. A large part of the work is done at the household level. Majority of the households involved in the gem polishing industry in Jaipur belong to the Muslim community and constitute 70 to 90 per cent of the population in different localities in the walled city where the gem polishing work is concentrated. However, many of the people of this community are involved in the 'manufacturing process' alone i.e. in trading of the rough and the finished products is low due to their inability to mobilise the required resources. The community does not have access to finances, higher education, and the required information and skills to become major players in the industry. Far from assuming the latter role, they continue to involve their children in the roles they themselves play and fail to look beyond their existing roles. Their awareness and participation in the backward and forward linkages of the manufacturing process does not seem to allow their upward mobility in the trade. Presently there are roughly 15,000 children employed by the industry constituting about one-fifth of the total workers employed by the industry.

Gem polishing industry is home based, operating in kinship and close neighbourhood networks, and requiring low investments in capital. In a home – based environment, the attempts to minimise the cost of production prompts the parents to involve

their children in the work. The families perceive the social position of children as low, which has the effect of devaluing children's labour power. Besides, the home based units (working on a put-out system) are unable to bargain for a higher price for the work in the market and a good amount of work is known to be undertaken by children whose work is valued low by the labour market. In fact learners – whether children or adults are initially involved in jobs requiring low levels of skills and values at a lower price. In the last few years though the market has grown appreciably, the real price of work undertaken by the home based units, does not seem to have increased proportionately. Besides, there is wide fluctuation in external demands for gem polishing work. So at times the workshops are able to bargain a higher value for the job but it is not necessarily passed on to the children.

The vicious network in which the children are caught up, is influenced by several factors. While the one hand, the supply side factors of child labour provide cheap and obedient workforce that is bound to the *Ustads* through traditional loyalties of kinship and neighbourhood ties, the structure and processes of the industry have the capacity (demand) to absorb the child labour on the other hand, making it endemic for child labour. Besides, the living conditions of children, kinship ties and community networks, system of advance payments, low chances of upward mobility and poor education facilities all promote the involvement of children in the gem-polishing work. In these circumstances the law also finds itself unable to intervene.

The living conditions of children

The conditions of poverty and illiteracy, coupled with the inaccessibility and unsuitability of the schooling system to the

needs of the children, leaves vagrancy or working as the only available options for children. The situation of children living in the *mohallas* of the old city of Jaipur and the perceived need of sending children to work can be summed up as follows:

Parents feel that children who are neither going to school, nor working will sooner or later go astray and therefore prefer sending them to work which seem to be the best alternative. As the gem polishing workshops are in close proximity to their homes and parents are familiar with the *ustads*, therefore the parents are able to keep a eye on the children. Besides many parents said prefer this trade to other jobs in which the children can be employed such as roadside *dhabas*, auto repair shops carpet weaving etc, as there is a greater chance of exploitation and alienation in other works. Some of the parents felt that the children of the gem polishing industry are not sexually abused, and don't have to sleep on the road-side and are not likely to face health hazards and come to the security of their homes in the evening."

Kinship ties and community networks

It is interesting to note that the relationship between the owner of the workshop *(Ustad)* and the children is not just a professional employer-employee relationship but is overlapped with kinship and neighbourly equations. Consequently, the whole issue of child labour is not seen as an exploitative one by the community or the parents and there is no apparent concern about the lost childhood of these children.

System of Advance payments

Though the burden of debt is often cited as a cause for bondage of child labour, it is a difficult area to probe due to the close

kinship networks that operate in the industry[1]. While the industry provides 'skills' to the children and chances of future upward mobility, small amounts are taken as advances from the employers against the child's work indicating the role of such advances as a means of labour bondage in the industry. Hence kinship and neighbourly ties form the downside of social capital.

Upward mobility of the community

Since the kinship ties and neighbourhood networks propel children to work, in the absence of good quality education for these children, therefore the upward mobility of the community in the future is also restricted. In the last fifty years, the adult members of the community have largely continued to work in low wage and high risk casual labour or self employed occupations.

Education for children and community perceptions

The community perceives a choice between investing in developing children's skills in gem polishing and formal schooling, both essential for their future. Therefore an attempt is made to draw a balance between work and schooling. Earnings of the child in the present are of little concern and constitute only 16 per cent of total income of the poorest households in the sample. Nevertheless, the poor households are also not able to invest more in formal education and are forced to send their children to government schools (whose capacities are also inadequate in the area) where the quality of education is questionable.

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[1]The enumeration survey conducted by DES(1988) found that only 9.67% of the households were in debt in the gem polishing industry. Together these households, aggregating 432, were in debt to the tune of Rs. 43.93 lakh. It is interesting to note that only 7.96% of the loans were taken from employers and others.

Inability of the Law to intervene

Law has identified gem polishing industry as a hazardous occupation and prohibited employment of children in this industry. While generally considering gem polishing as hazardous, the law prohibits employment of children only in the formal sector. However, 90 per cent of the gem polishing work in Jaipur falls under the so- called home based production. Yet there are very few efforts to enforce law in this industry and child labour continues unabated in this occupation. The context in which law is implemented also does not seem to change much. However, it is also amply clear that law alone cannot solve the problem.

Intervention required

The problem of child labour in the gem industry of Jaipur should be looked into by analysing the structural problems such as the employment of the adults, their wages, local education system, etc. Unless these are tackled first, the problem of child labour will remain unabated. Since poverty is a important factor in the area coupled with a not so meaningful education system, the parents find work as a viable alternative and a better career plan for the children.

As most people in this region are in a state of abject poverty, therefore a convergent approach of providing poverty alleviation assistance should be adopted for the entire community. Besides, as the workers in the area have very limited employment opportunities, therefore alternative employment should also be opened for them. It has been seen during the course of the study that most of the workers have learnt the skill as it has been passed on to them from one generation to another. They have therefore not been able to cope up along with the changing demands of the market and increase their bargaining capacity.

Coming to the education system in the area, a more community based approach should be adopted, whereby different partners such as the local panchayat representatives, the bussiness community, the parents could mobilise resources for the upgradation of the schools. Besides, the schools should also adopt more a meaningful education system, with emphasis on vocational skills that are relevant for the people of that area.

Thus together with the overall economic upliftment of the local people and improvement in schooling, it is expected that the problem of child labour can be curbed.

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CASE STUDIES

Case study I

Pahargunj/ Bodh School

Prathmic Vidyalaya, Pahargunj, is one of the oldest schools in the locality, established in 1937 as a Urdu school. Till recently it was having all the problems that are associated with government schools such as low enrolment, poor attendance, retention and learning achievements. The school was a single teacher school and it was difficult to do anything better. The principal of the school, Mr. Yunus Ali has always been interested in improving the teaching standards but could do little in the given circumstance of shortage of funds, space and other facilities. It all changed once the school was identified by Bodh, an NGO working in the field of education, to adapt two classes for implementing 'Joyful Learning' and community based educational model in the school. Under the programme, one co-ordinator and a teacher were deputed to the school. The strategy of the intervention was twofold. Firstly, to develop close links with the guardians and get them involved in the education process of their children and secondly to make the learning process joyful by using singing, dancing, play, theatre and other methods in the teaching process. According to Mr. Ali:

"Before Bodh adopted the classes there was 70% absenteeism in school. Now the situation is reversed. They use tape recorders in the class, take children around the locality to make them understand the concept of a map, have inputs from specialists. We had a drawing teacher with us for a couple of days recently, who had taught the children to draw based on alphabets and

numbers. Children were so excited and learned so fast. Explaining the leaf structure under a microscope appeals to the child more than just a pedantic lesson reading in the class. It is no surprise that children love to come to school now, they feel that if they do not come to school they may miss out on something exciting". The research team found the office room filled with drawings and other craft items prepared by the students and a model of a skeleton. There were a few drawings by the children in the class rooms also.

The regular contacts with the parents help many children continue their education who would otherwise be withdrawn from the school. For example Nafeez who is a twelve year old girl. She has six brothers. Her father and four brothers are engaged in gem polishing at home and two brothers are too young to work. Nafeez is interested in attending school as well as sewing. But her parents felt that she need not continue her schooling as sewing is more appropriate for her. The repeated contacts and convincing by the Bodh teacher made her parents change their mind and finally she could continue her studies.

Recently, the school has been identified as a cluster resource centre under UNSCOPE Janshala programme which had improved the staff position considerably with three teachers being sent on deputation to the school. These teachers were trained under the Janshala programme. Commenting on their performance compared to the Bodh teachers it was observed by Mr.Ali that they were not as successful. "The fact that the postings were managed to stay with their families in the city and the cynicism of a government teacher who is used to a different work culture influenced their performance" he said.

The experience of Pahargunj illustrates the importance of

teacher commitment and community involvement in education process. The school continues to have poor infrastructure facilities. Even today some of the classes are held out-side in the verandas. But with the limited inputs in terms of teaching aids and motivated teachers it was possible to change the attitude of children and parents. An incident was brought to the notice of the research team, where a fifth class girl student had attended the school in the morning session and sough permission to leave only later, when there was a marriage in her own household the same evening. Considering the situation where children abscond from school for days on end when there is any function anywhere in the mohalla, this shows a changing perception of education. The community had also constructed a room for the school and the regular maintenance expenditure is met through a guardians committee which mobilises funds.

Case Study II

Ahangaran School

Ahangar is a Parsi word to denote a lohar - a blacksmith. The school is funded by the Lohar Samaj. . The school was established in 1977 and is having classes up to secondary level. It is one of the popular and successful private schools in the Topkhana Huzoori locality. It has good reputation in the community and has been showing consistent good performance in the past few years in the Board Examinations. Ahangaran school has good infrastructure including building , toilets, furniture, access to a play ground The primary section works between 7.15 to 12 AM. There are 780 children and 17 teachers in the primary section. Only three teachers are trained. The teacher salaries range from Rs.620 - 1100/- per month. The school has 70-75% teacher turn out every year due to the low salaries and predominance of women teachers, who leave jobs for domestic reasons.

There are no teaching aids available with the teachers. The emphasis is on black board based teaching and rote learning. Attempts are made to identify the children lagging behind in studies and provide extra attention to them. Still some students find it difficult to achieve the expected learning levels such children are detained.

The focus group discussions with the secondary school children showed a high degree of awareness and ability to articulate their thoughts. Primary school children said they were happy in the school

The school has taken some important measures to meet the community's needs.

1. Except for class X they have separate sections for boys and girls, since there are reservations among the community members to let girls study along with boys.
2. Urdu is taught as a third language as most parents desire that their children learn the mother tongue. The school has a predominance of Muslim students.
3. Free education to a few poor students and fee concessions where more than one child from the family is enrolled.
4. The management insists that the child be withdrawn from work once he reaches the middle school as the demands of the curriculum cannot be met by the working children.
5. Under Socially Productive and Useful Work (SUPW) the school organises a summer camp for the secondary school students, where they are taught various income generation activities like canning and preservation of food, chalk making etc. They also have a computer lab where children are familiarised with the computers.
6. Under SUPW students are asked to visit the community

members to collect some socio-demographic information about the households. The main purpose of the activity is to make the community members aware of the activities in the school as well as to motivate them about the need to educate children, cleanliness, health and hygiene practices etc.

7. The school has installed four speakers on the four sides of the school building and the prayer meeting is broadcast to the whole community. The management feels that as many important issues are discussed in the prayer meeting twice a day it may be beneficial for the community also to be exposed to the same.

Case Study III

Koti Koliyan Govt. Senior Secondary School.

Koti Koliyan Primary School is called so as it is located in the community building of Koli caste group. The catchment area of the school has a majority of Muslim and Koli community members. The children studying in the school are drawn from these two groups. Their economic background is poor with most them being wage labourers. The children are engaged along with their parents in preparing card board boxes, carpets and Agarbaththis.

The school has poor building facilities which it shares with a police thana. A community tube well and a temple are located in the school. The building also serves as a community centre for the Koli Samaj. The rooms are dark and dingy. There are nine female and one male teachers for the primary section. The teachers depend on blackboard based teaching and rote learning. Charts, maps and blocks are available but are not used.

The main problems of the school are 1) High absenteeism, 2) drop-outs and 3) low learning levels. The teachers feel that the

situation is such because of the ignorance and illiteracy of the parents. The preoccupation of the children with work is also cited as an important factor. Non-co-operation of the parents with the teachers even when the parents- teachers meetings are organised on a Sunday is cited as example of parental apathy.

Case Study IV

Muslim Girls High School.

Muslim girls high school is a governmet aided private school. The school has an impressive three storied building. The catchment area of the school has a majority of Muslim community members. The economic background is good with most children coming from the middle income groups of dealers, salaried employees, workshop owners etc. Some of the children are engaged along with their parents in bindai work at home.

There are nine female and one male teachers for the primary section. The teachers depend on blackboard based teaching and rote learning. Charts, maps and blocks are available but are not used. The main problems of the school are 1) High absenteeism, 2) drop-outs and 3) low learning levels.

The teachers feel that the situation is such because of the ignorance and illiteracy of the parents. The preoccupation of the children with work is also cited as an important factor. Non-co-operation of the parents with the teachers even when the parents-teachers meetings are organised on a Sunday is cited as example of parental apathy.

No specific steps are taken to improve the attendance of children, reduce drop-outs or to improve the learning levels by the teachers. No attention is paid to these aspects by the inspecting officers also who confine their visits to checking records and registers.

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