

Child Labour in India

by

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International Labour Office

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Continuing the series of articles already published in the International Labour Review¹ on various aspects of conditions of labour in India, Dr. Das deals in the following study with the question of child labour. He shows that in India, as in all predominantly agricultural and relatively little industrialised countries, the labour of children is an important factor in production; indeed, owing to the shortness of adult life as compared with Western countries, as well as the absence of compulsory education and the earlier age at which children begin to work, the burden of producing the national wealth falls heavily on the younger generations. Nevertheless, the adoption of protective legislation and the increase of industrial efficiency have greatly reduced the amount of child labour in organised industries. The vast mass of working children are engaged in assisting their families in agriculture, which is followed in order of importance as regards the employment of children by the traditional handicrafts and those numerous small undertakings that are not at present covered by the Factories Acts. The widening of the scope of the Indian Factories Act is now under consideration by the Government and Legislature of India, and this is without doubt the most urgent immediate task for the protection of Indian childhood. But, as the author of this article suggests, both the problem of restricting the employment of young children and that of the more efficient utilisation of juvenile labour call for the extension of compulsory primary education and the development of vocational training. It is only by progress in these directions that the wider problems of the employment of children in India can be met. Meanwhile, much has been done for the restriction and protection of child labour in factories, mines, and plantations; the extent of child labour in these industries in the British provinces of India, the systems of regulation, and the more immediate problems both in these industries and those which are still unregulated are the main subjects of this article.

Vol. . . . , No. 5, Nov. 1930 : "Labour Legislation in India" ; Vol. XXIV, Nos 4-5, Oct.-Nov. 1931 : "Woman Labour in India".

ACCORDING to the Census of 1931, the total population of all India is about 353 million¹, of whom 141 million are children under 15 years of age. In comparison with most other countries, the proportion of children to the total population is high, being 39.9 per cent., as against, for instance, 23.3 per cent. in England and Wales.² This comparatively high proportion of children and the consequent low proportion of adults have great significance for the social and economic conditions of India. Among other things, they mean that juveniles play a larger part in production in India than in most other countries.

From the point of view of child labour, the most important age group is that of children from 5 to 14 years of age. The exact number of such children in India will not be known until the publication of the final report of the Census of 1931³, but, on the basis of the Census of 1921⁴, the number in 1931 would be roughly 93 million, or 52 million children from 5 to 9 years of age and 41 million from 10 to 14 years of age. The corresponding figures for British India would be about 72 million, or 40 million from 5 to 9 years of age and 32 million from 10 to 14 years.

No information is available to show how many of these children are working. The Census of 1931 gave the total number of persons engaged in gainful occupations—i.e. persons, excluding dependants, who obtain their livelihood by some form of labour, wage-earning or other—as 154 million⁵, but the number of children included in this total was not given. Moreover, it may be assumed that, following the example of the Census of 1921⁶, the Census of 1931 included only the children over 12 years of age among those who were helping in field work. It is unquestionable, however, that large numbers of young children are working both in agriculture and in handicrafts.

¹ The actual population of all India is 352,827,778; cf. *East India (Census 1931): Abstract of Tables* (Cmd. 4194; London, H.M. Stationery Office, 1932), p. 4. The population of British India, with which this article is mainly concerned, is about 272 million, of whom 108 million are children under 15 years of age.

² Cf. *The Registrar-General's Statistical Review of England and Wales, 1931*, Tables, Part II, p. 1.

³ Since this article was written, the final report of the Census of 1931 has been published in India, but no copy has as yet been available to the writer.

⁴ *Census of India, 1921*, Vol. I, Part I, Report, p. 135; and Vol. I, Part II, Tables, p. 46. (This document is hereafter referred to as *Census of India*.) Out of a population of 319 million in 1921, detailed accounts were available only for 315 million, of whom 14.8 per cent. were children from 5 to 9 years of age, and 11.7 per cent. from 10 to 14 years of age. See also footnote on p. 79 below.

⁵ *East India (Census 1931): Abstract of Tables*, p. 12.

⁶ *Census of India, 1921*, p. 240.

It is equally impossible to estimate with any degree of accuracy the number of children employed as wage earners. Of the total number of persons gainfully occupied in 1931, 31.4 million¹ were agricultural labourers, of whom 23 million were landless labourers or farm servants entirely dependent upon employers for a livelihood, while the non-agricultural or industrial labour population in British India was estimated by the Indian Franchise Committee of 1932 to be about 25 million, including labourers employed in organised and unorganised industries, commerce, and other kindred occupations.² Although no estimate has been made as to the number of wage-earning children, there is no doubt that considerable numbers of these wage workers are children. The Royal Commission on Labour in India found that children of 6 and 7 years of age were employed in organised industries, such as plantations and unregulated factories.³

As regards the employment of children in large-scale organised industries, such as plantations, factories, mines, and transport industries including shipping and harbours, to which the present study is mainly confined, this is directly and indirectly regulated by labour legislation and considerable and reliable information is available.

CHILDREN IN ORGANISED INDUSTRIES

According to the Census reports, the number of workers in organised undertakings employing 20 persons or more was 2,105,824 in 1911 and 2,608,122 in 1921 ; including undertakings employing 10 persons or more, the total number of workers amounted to 2,681,125 in 1921.⁴ The results of the Census of 1931 are not yet available, but if the rate of increase was about the same as in the previous decade, the present number of labourers in organised industries would be between 3.25 and 5 millions ; the Indian Franchise Committee considered that the number of workers would approach the latter figure.⁵

Of the 2,681,125 workers recorded by the Census of 1921, 225,172, or 8.4 per cent., were children under 15 years of age. They were employed mainly in such industries as plantations,

¹ *East India (Census 1931) : Abstract of Tables*, p. 12.

² *India (Constitutional Reforms) : Report of the Indian Franchise Committee*, Vol. I, pp. 91-92. Cmd. 4086. London, H.M. Stationery Office, 1932.

³ See below, under "Age of Admission to Employment".

⁴ *Census of India, 1921*, pp. 292-293.

⁵ *Report of the Indian Franchise Committee*, p. 91.

textile and connected industries, and mines and quarries, which employed respectively 56.0, 21.7, and 10.1 per cent., or together nearly nine-tenths, of the children, as shown in the table below.

CHILDREN IN ORGANISED INDUSTRIES IN INDIA IN 1921¹

Industry	Boys	Girls	Total	
			Number	Per cent. of total
Plantation industries	64,928	61,183	126,111	56.0
Textile and connected industries	38,854	10,119	48,973	21.7
Mines and quarries	12,586	10,071	22,657	10.1
Metal, glass, earthenware, and chemical industries	9,887	3,860	13,747	6.1
Food industries	3,676	1,440	5,116	2.3
Building and construction	3,084	1,261	4,345	1.9
Others	3,974	249	4,223	1.9
Total	136,989	88,183	225,172	100.0

¹ Adapted from *Census of India, 1921*, p. 292.

The corresponding figures for the Census of 1931 have not yet been published, but there are more recent statistics for the various groups of industries. In considering these figures, however, regard must be had to the differing definitions of a "child" in the different groups. The Census of 1921, as noted above, regarded all persons under 15 years of age as children, and the statistics of persons gainfully occupied included all persons over 12 years of age. The Indian Factories Act also classes all persons between the ages of 12 and 15 years as children. The Indian Mines Act, however, while excluding all children under 13 years of age from employment in mines, permits the employment of persons over 13 years of age as adults. Plantation legislation, on the other hand, regards all persons who have reached the age of 16 years as adults and they are so employed, and classes those who are below 16 years of age as children.

Plantations

The plantation industry is one of the largest organised industries in India. The total number of workers on all kinds of

plantations was 741,691 in 1911 and 1,003,458 in 1921¹, showing an increase of 35 per cent. in a decade. The total number of workers at present employed on all classes of plantations is not known, but the number on tea gardens is 877,491², on coffee estates 103,766³, and on rubber estates 19,157⁴, or a total of 1,000,414 on the three most important classes of plantations. Exact statistics showing the number of children among these workers are not available, except in the case of the Assam tea gardens, which employ the largest number of plantation workers. In 1931, for instance, out of a total of 877,491 workers in the tea industry in the whole of India, 530,996, or over 60 per cent., were employed on the tea gardens of Assam.⁵ Moreover, Assam is the only province where the recruitment and employment of plantation labour have been brought under legislative control.

The first available records showing the number of children living on the Assam tea gardens are for 1877, when, out of a labour population of 157,219, 46,544 were children under the age of 16 years. The figures rose to 1,069,426 and 448,999 respectively in 1931-1932, as shown in the table below, the increase in the proportion of children as compared with the total labour population being from 30 to 42 per cent.

CHILDREN LIVING ON ASSAM TEA GARDENS IN SPECIFIED YEARS¹

Year	Total labour population ²	Children	
		Number ³	Per cent. of total
1877	157,219	46,544	30
1900	662,471	252,376	38
1919-1920	1,110,364	480,733	44
1931-1932	1,069,426	448,999	42

¹ Compiled from *Report on Immigrant Labour in the Province of Assam* for the respective years. The years chosen are those when there were the largest numbers of workers in the gardens.

² Average annual strength.

There are various reasons for the increase in the proportion of children living on the tea gardens. Changes have taken place

¹ *Census of India*, 1911, p. 440; 1921, p. 285.

² GOVERNMENT OF INDIA: *Indian Tea Statistics*, 1931, pp. 10-11.

³ Figures for the year 1931-1932. Cf. *The Planters' Journal and Agriculturist*, 1 Aug. 1933, p. 462.

⁴ GOVERNMENT OF INDIA: *Indian Rubber Statistics*, 1931, p. 1.

⁵ Compiled from *Indian Tea Statistics*, 1931, p. 10.

in recruiting policy, and whereas in the early days of the tea plantations recruiting was largely restricted to adults, at a later date the policy of recruiting families was adopted. Moreover, with increasing transport facilities, more men were willing to go to the plantations with their families, and the gradual improvement in health conditions not only had the effect of encouraging a larger number of migrants to take their families to the tea gardens, but also reduced the child mortality rate on the plantations.

The number of children actually employed on the tea gardens is, of course, not the same as that of those living with their parents on the plantations. In 1927-1928, when exact figures of children employed first became available, only a little over one-fourth of the children living on the gardens were registered in the labour books, i.e. actually working, and on the basis of the average daily working strength the number was less than one-fifth. Since then there has been a definite decline in the number of children employed on the tea gardens, as shown in the table below. It will be seen that during the past five years the number of children registered in the labour books of the tea gardens declined from 26 per cent. to 18 per cent. of the number of children living on the gardens, and, on the basis of the average daily strength, from 18 per cent. to 12 per cent. It is noteworthy that this decline followed the visit of the Royal Commission on Labour in India to Assam in 1929, as a result of which the Commission recommended a minimum age of 10 years for employment on the tea gardens.

EMPLOYMENT OF CHILDREN ON ASSAM TEA GARDENS,
1927-1928 TO 1931-1932 ¹

Year	Total number of children living on gardens ²	Children registered on labour books ³		Average daily working strength	
		Number	Per cent. of total	Number	Per cent. of total
1927-1928	376,791	96,613	26	67,281	18
1929-1929	446,150	93,378	21	64,608	14
1929-1930	457,917	89,394	20	62,493	13
1930-1931	452,649	84,394	19	56,158	12
1931-1932	448,999	79,680	18	52,565	12

¹ Compiled from *Report on Immigrant Labour in the Province of Assam* for the respective years.

² Average annual strength.

³ Average of two months only.

As an indication of the number of children actually employed, the figures for children registered in the labour books of the tea gardens are most important. The plantation industry is seasonal in character, a large number of labourers being laid off during the slack season, and the average daily number of children employed on the tea gardens is calculated on the basis of the actual number of working days in the year.

As regards the distribution of children in the Assam Valley and the Surma Valley, the two great geographical divisions of Assam, it may be noted that over two-thirds of the children are found in the Assam Valley. The proportion of children working, as compared with the total number living on the gardens, is, however, slightly larger in the Surma Valley, as shown below :

GEOGRAPHICAL DISTRIBUTION OF CHILDREN ON ASSAM TEA GARDENS, 1931-1932 ¹

Division	Children living on gardens		Children registered on labour books ²		Average daily working strength	
	Number ²	Per cent. of total	Number	Per cent. of total	Number	Per cent. of total
Assam Valley	313,583	70	51,890	65	36,243	69
Surma Valley	135,416	30	27,790	35	16,322	31
Total	448,999	100	79,680	100	52,565	100

¹ Compiled from *Report on Immigrant Labour in the Province of Assam, 1931-1932.*

² Average annual strength.

³ Average of two months.

Factories

There was considerable employment of child labour in the early years of factory industry in India, and particularly in the cotton and jute mills, which were started in the middle of the nineteenth century. ¹ No figures are, however, available regarding the number of children employed in the earlier years, the records for workers in all classes of factories beginning with the year 1892, when, out of 316,816 workers, 18,888 were children. In 1931, these figures stood respectively at 1,431,487 and 26,932, as shown in the table below, indicating a decline in the number of children employed in factories from 6.0 per cent. of all workers in 1892 to 1.9 per cent. in 1931.

¹ *Imperial Gazetteer of India, 1908, Vol. III, pp. 197 and 205.*

AVERAGE DAILY NUMBER OF WORKERS EMPLOYED IN FACTORIES
IN SPECIFIED YEARS ¹

Year	Factories	All workers	Children	
			Number	Per cent. of all workers
1892	656	316,816	18,888	6.0
1912	2,654	869,643	53,796	6.2
1923	5,985	1,409,173	74,620	5.3
1931	8,143	1,431,487	26,932	1.9

¹ *Statistical Abstract for British India, 1900-1901, p. 265 ; 1923, p. 654 ; Statistics of Factories subject to the Indian Factories Act, 1922, 1930, 1931.* The years chosen are those in which a new or amended Factories Act came into force.

This table shows that the decline in the number of children employed in factories has been both relative to the total number of workers since 1912, and also absolute in the number of the children themselves since 1923. Moreover, from 1923 onwards, the decline has been steady and rapid, amounting to about two-thirds in the course of nine years. In a single year, from 1930 to 1931, the number decreased from 37,972 to 26,932, i.e. by 11,040 or 29 per cent. ¹ This decline in the number of children in factories is to be ascribed partly to the stricter enforcement of legal provisions relating to the employment of children, and partly to the change in the policy of some employers who have substituted adult workers for children on economic grounds. Temporary causes are also to some extent operating during the present trade depression ; thus the decline in child labour between 1930 and 1931 must be considered in relation to the reduction in the total number of factory workers from 1,528,302 in 1930 to 1,431,487 in 1931, i.e. by 96,815.

Nevertheless, there has been a reduction in the number of children employed in factories which is much larger even than that shown in the table above. The table does not take into account the fact that since 1881 there has been a gradual increase in both the minimum and the maximum ages of children. Whereas between 1892 and 1921 all persons between the ages of 9 and 12 years were regarded as children, since 1922 all persons below the age of 12 years have been entirely excluded from employment

¹ *Statistics of Factories subject to the Indian Factories Act, 1931, p. 2.* The number of children was 72,531 in 1924 ; 68,725 in 1925 ; 60,094 in 1926 ; 57,562 in 1927 ; 50,911 in 1928 ; and 46,843 in 1929.

in factories and only persons between the ages of 12 and 15 years have been enumerated as children.

Reference has already been made to the employment of children in cotton and jute mills. From the beginning of the factory system in India, the largest number of children has been employed in these industries, although there has been a distinct decline in recent years. In 1920, more than three-fourths of the factory children were in cotton and jute mills, but this number declined to under two-thirds in 1923 and to one-half in 1931, as shown below.

CHILDREN IN TEXTILE FACTORIES IN SPECIFIED YEARS ¹

Year	Children in all factories	Children in textile factories			
		Cotton mills	Jute mills	Total	
				Number	Per cent. of all factory children
1920	67,436	24,910	28,680	53,590	79
1923	74,620	18,087	28,612	46,699	63
1931	26,932	9,812	3,770	13,582	50

¹ Adapted from *Statistics of Factories subject to the Indian Factories Act* for the years indicated. The years chosen are those when a new or amended Act came into force or the number of workers reached the highest or lowest point.

The following table shows that much the larger proportion of children employed are boys, the number of girls being only about one-fifth of the total ; but the number of boys to each girl, which was 6.3 in 1892, fell to 4.4 in 1931, showing a slightly increasing tendency to employ girls.

PROPORTION OF BOYS TO GIRLS IN FACTORIES IN SPECIFIED YEARS ¹

Year	Boys	Girls	Number of boys to each girl
1892	16,299	2,589	6.3
1912	44,132	9,664	4.6
1923	61,841	12,779	4.8
1931	21,920	5,012	4.4

¹ Compiled from the *Bulletin of Indian Industries and Labour*, No. 37, and *Statistics of Factories subject to the Indian Factories Act*, 1923 and 1931.

Among the reasons for the comparatively small number of girls in factories may be mentioned the customs of early marriage and of the universality of marriage, owing to which a considerable number of girls marry before the minimum age for admission to employment.¹ The Child Marriage Restraint Act of 1930 has indeed raised the age of marriage for girls to 14 years², but it would seem that it will be some time before the effects of the Act become noticeable. Other influences which keep girls away from the factories are the *purdah* system, the caste system, and the joint family system, which tend to prevent both adult women and grown-up girls as well as young girls from entering industrial occupations outside the household. The recent proportional increase in the employment of girls as compared with boys is to some extent due to the gradual breakdown of these social customs.

It is of interest to note that the proportion of girls among all workers employed in factories is smaller in India than in Japan. In making this comparison, however, it should be remembered that Japan is more industrialised than India. Moreover, statistics of Japanese factories include all undertakings employing 5 or more persons, while those of Indian factories include mostly the undertakings employing 20 persons or more.³ Finally, the statistics of factory children include all persons between the ages of 12 and 16 years in Japan and only persons from 12 to 15 years in India. It should also be borne in mind that the general minimum age for admission to employment in Japan is 14 years, although children may begin work at 12 years of age if they have finished the course in an elementary school; on the other hand, there is no limitation of the hours of work of children under 15 years of age as in India.

A comparative table of the number of children employed is given below. It will be seen that only 2.4 per cent. of the total

¹ According to the Census of 1921, out of 1,000 women 11 were married before the age of 5, 88 between the ages of 5 and 10, and 382 between the ages of 10 and 15. The average age of marriage for women has been estimated at only 12½ years in Bengal. (*Census of India, 1921*, pp. 153-154.)

² *Statement exhibiting the Moral and Material Progress and Condition of India, 1930-1931*, pp. 121-122.

³ In 1930 the total number of factories in Japan was 62,787, of which 36,015 employed from 5 to 9 persons and 8,125 from 10 to 14 persons. On the other hand, only 202 factories out of a total of 8,148 undertakings in India included in the statistics for the same year employed from 10 to 19 persons. Cf. *Rodo Tokei Yoran* (Japanese Statistical Year Book), 1932, and *Statistics of Factories subject to the Indian Factories Act, 1930*, p. 1.

number of factory workers were children in India, as compared with 10.2 per cent. in Japan. The proportion of boys as compared with all male workers is about the same in both countries, but the proportion of girls as compared with all female workers is only 2.1 per cent. in India as compared with 17.5 per cent. in Japan. It is also noticeable that only one-sixth of all factory workers are females in India, as compared with more than one-half in Japan.

FACTORY CHILDREN COMPARED WITH ALL FACTORY WORKERS IN INDIA AND JAPAN IN 1930¹

Sex of workers	Japan			India		
	Total number of workers	Between 12 and 16		Total number of workers	Between 12 and 15	
		Number	Per cent. of total		Number	Per cent. of total
Males	893,036	23,624	2.6	1,268,022	32,597	2.6
Females	911,845	159,806	17.5	260,280	5,375	2.1
Total	1,804,881	183,430	10.2	1,528,302	37,972	2.5

¹ Compiled from *Itodo Tokei Yoran*, 1932, p. 62, and *Statistics of Factories subject to the Indian Factories Act*, 1930, p. 26.

Most of the children employed in factories in India are found in perennial industries ; in 1931, for instance, over two-thirds of all such children were employed in perennial factories. On the other hand, as shown by the following table, the proportion of girls employed in seasonal factories is much larger than that of boys.

DISTRIBUTION BY CLASS OF INDUSTRY OF FACTORY CHILDREN IN 1931¹

Class of industry	Number of factories	Boys	Girls	All children	
				Number	Per cent. of total
Perennial	3,737	15,997	2,960	18,957	70
Seasonal	4,406	5,923	2,052	7,975	30
Total	8,143	21,920	5,012	26,932	100

¹ Compiled from *Statistics of Factories subject to the Indian Factories Act*, 1931, p. 30.

From the point of view of the well-being of child workers it is not unimportant that a larger proportion should be employed in perennial factories, in which conditions are generally better and inspection stricter than in seasonal factories. The latter are mostly small and are not within easy reach of inspectors. Moreover, the draft Bill for the amendment of the Factories Act, which is now under consideration, makes stricter provisions for perennial factories than for seasonal factories. ¹

The geographical distribution of children is also an important matter in regard to their health, education, and social welfare, since health and educational conditions are better in some provinces and towns than in others. Most of the children are employed in Bengal, Madras, Assam, and Bombay ; the jute mills of Bengal and the cotton mills of Madras employ the largest numbers of boys, while the cotton ginneries of Madras and the tea factories of Assam employ the largest numbers of girls.

DISTRIBUTION BY PROVINCE OF FACTORY CHILDREN IN 1931 ¹

Province	Boys	Girls	Total number of children
Bengal	6,897	384	7,281
Madras	4,094	2,388	6,482
Assam	3,908	1,291	5,199
Bombay	3,103	738	3,841
Others	3,918	211	4,129
Total	21,920	5,012	26,932

¹ Compiled from *Statistics of Factories subject to the Indian Factories Act, 1931*, pp. 30-31.

The influence of social customs is seen in the distribution by province of girl workers. There is no *purdah* system in Madras and the girls take advantage of the opportunities offered by cotton mills, while in Bengal, where the *purdah* system is rigorous, the number of girls is very low. Most of the girls in Assam are employed in tea factories, which they can easily attend while living with their parents on the tea gardens.

¹ See below, under "Child Labour Legislation".

The information given above applies, of course, only to those factories which are covered by the Indian Factories Act. It leaves out of account the large number of children who are employed in unregulated factories or undertakings which have not yet come under the scope of the Indian Factories Act, and for which no statistics of employment are available. These factories are of two kinds. There are, firstly, those which use power machinery but employ fewer than 20 persons and thus remain outside the jurisdiction of the Indian Factories Act; it has been estimated that the number of such undertakings is not less than 2,000.¹ The scope of work for children is, however, limited in these undertakings. Secondly, there are those undertakings which do not use power machinery but employ in some cases as many as 50 persons or more. The exact number of these undertakings is not known, but those which employ 50 persons or more have been estimated to be about 1,000.²

The most important of these undertakings are the following : (1) mica factories, only one out of 127 such factories being at present under the Indian Factories Act; (2) wool cleaning factories; (3) shellac factories, only 15 out of 149 such factories being under the Indian Factories Act; (4) *bidi* (indigenous cigarette) factories, which exist in almost all large cities; (5) carpet factories; and (6) tanneries.³ These undertakings employ large numbers of children, as many as one-tenth of the total number of workers in shellac factories⁴ and one-third in mica factories. Although the exact number of children in *bidi* factories is not known, "it is sufficiently large in certain areas to constitute an evil which demands immediate remedy"⁵; *bidi* making is in fact a "sweated" industry employing *purdah* women and girls in their homes as well as young boys in small workshops.⁶

Although local governments have been empowered, under section 2 (3) (b) of the Indian Factories Act, to apply, by

¹ *Report of the Royal Commission on Labour in India*, p. 93.

² *Idem*, p. 100.

³ *Idem*, pp. 94-98.

⁴ *Idem*, p. 95.

⁵ *Idem*, p. 97. An enquiry carried out by a member of the Madras Legislative Council in 1931 showed that 14,000 children (6,000 of them under 12) were employed in the Madras *bidi* (cigarette) factories alone, and 16,500 in other places in the Presidency. It is also estimated that over 150,000 persons are engaged in the *bidi* industry in the Central Provinces, which is the largest centre of *bidi* manufacture. Much of it is regarded as a cottage industry in rural areas. Cf. *The Guardian* (Madras), 19 Jan. 1933.

⁶ *Report of the Royal Commission on Labour in India*, p. 214.

notification, factory law to some of these undertakings, the number of factories so notified was only 202 in 1930 and 173 in 1931. ¹

Mines

A third important class of organised industries employing children is mining. The Indian Mines Act of 1923, which prohibited the employment of children under 13 years of age, came into force on 1 July 1924, but, owing to misinterpretation of its provisions, a considerable number of children under 13 years of age were still employed in 1925, so that the Act became effective only in 1926. ² Since children of 13 years of age and over are still employed both above and underground in mines, the mining industry is still important from the point of view of child labour.

The earliest year for which records of mining labour are available is 1901, when, out of 104,660 workers, 5,147 were children under 12 years of age. ³ These numbers stood at 253,857 and 4,135 respectively in 1925, indicating a decline in the proportion of children as compared with the total number of workers from 4.9 per cent. to 1.6 per cent. From the following table it will be seen that the number of children rose as high as 8,548 in 1921, which was the largest number on record, but the proportion of children to the total number of workers was only 3.5 per cent. There was thus a relative decline of children even before the enactment in 1923 of the Act prohibiting the employment of children under 13 years of age.

CHILDREN IN MINES IN SPECIFIED YEARS ¹

Year	Total number of workers	Children	
		Number	Per cent. of total
1901	104,660	5,147	4.9
1921	249,663	8,548	3.5
1925	253,857	4,135	1.6

¹ Compiled from the *Report of the Chief Inspector of Mines in India* for the respective years. The years chosen are those when a new or amended Act came into force, or the number of children reached the highest figure.

¹ *Statistics of Factories subject to the Indian Factories Act, 1931*, p. 1.

² *Report of the Chief Inspector of Mines in India under the Indian Mines Act, 1925*, pp. 40-42.

³ *Idem*, p. 40.

Since 1925 the mining industry has made further progress, although, like other industries, it is at present suffering from the economic depression. In 1931, the average daily number of workers in mines was 230,782¹, but it is not known how many of these workers were children between 13 and 15 years of age.

Of the various mining industries, such as coal, manganese, mica, iron, and lead, the most important is coal mining, which in 1925, for instance, employed 173,637 workers out of a total of 253,857 in all mines, or 68 per cent.² The largest numbers of children employed in mining industries were in mica and coal mines, which employed 49 and 27 per cent. respectively of all the children in mines in 1925, as shown below.

DISTRIBUTION BY INDUSTRY OF CHILDREN IN MINES IN 1925¹

Industry	Children	
	Number	Per cent. of total
Mica mines	2,031	49.1
Coal mines	1,210	29.3
Limestone quarries	463	11.2
Others	431	10.4
Total	4,135	100.0

¹ Compiled from *Report of the Chief Inspector of Mines in India, 1925.*

These statistics relate, of course, to the past and no children under 13 years of age are now employed in mines.³ On the other hand, children over 13 years of age may still be employed in mining work, both underground and on the surface, in the same conditions as adults, but no statistics are available to show the extent of this employment.

Other Employments

Of the other organised industries, the most important is transport, including railways, shipping, tramways, motor buses,

¹ *Idem*, 1931, p. 2.

² *Idem*, 1925, p. 1.

³ The statistics of the Government of India show that in 1931 51 out of the 173,175 persons employed in coal mines were children, but no indication is given of their exact age. Cf. GOVERNMENT OF INDIA : *Indian Coal Statistics, 1931*, p. 6.

and other means of communication. There is very little scope for the employment of children in these industries except on board ship and in docks. No figures are available as to the exact number of children employed in these industries.

Various non-industrial occupations also employ considerable numbers of children. The most important of these occupations are in Government and municipal offices, banks and commercial houses, shops and department stores, hotels and restaurants, and cinemas and theatres, but no data are available as to the extent of child labour in these occupations.

CHILD LABOUR LEGISLATION ¹

The legal provisions dealing with child labour in India are found in the legislation covering the various classes of industries ; except for a recent Act regulating the recruitment of children, no legislation has been passed exclusively for the regulation of child labour. Each of the organised industries in which child labour is mainly employed—plantations, factories, mines, and shipping, including work on board ship and in harbours—is subject to separate legislation. It is proposed in this section to refer to this legislation in so far as it affects, directly or indirectly, the employment of children in organised industries, as well as to the historical development of this legislation, present tendencies, and systems of administration.

Although the Government of India as the Central Government has authority to initiate legislative and administrative measures relating to labour for the whole of India, provincial Governments may undertake, with the sanction of the Governor General in Council, both the enactment and the administration of labour legislation. Labour legislation in India may thus fall under three distinct headings : (1) Acts which are both enacted and administered by the Central Government, e.g. the Indian Mines Act ; (2) Acts which are enacted by the Central Government, but administered by local Governments, e.g. the Indian Factories Act, which local Governments are also granted powers to apply, subject to notification, to undertakings other than those to which the Act applies automatically ; and (3) Acts which are

¹ Cf. the article on "Labour Legislation in India", in *International Labour Review*, Vol. XXII, No. 5, Nov. 1930, and also *Factory Legislation in India*, Berlin, 1923, and *Plantation Labour in India*, Calcutta, 1931, by the present writer.

both enacted and administered by local Governments, e.g. the Bombay Maternity Benefit Act.

Plantations

There are no provisions in the legislation relating to plantations which deal specifically with the employment of children. Nevertheless, this legislation is not without importance in its effects on child labour. Legislation relating to labour on plantations was first adopted in 1863. With the development of tea gardens in Assam, the importation of labour from outside the Province became necessary, and an Act was passed in 1863 in order to regulate the recruitment and employment of emigrant labourers under the indenture system. The main objects of this legislation were to guarantee to the planters the services of their labourers, safeguard the health of the labourers, and ensure to them regular work and fixed wages. This Act was amended from time to time, the first important amendment being the Assam Labour and Emigration Act of 1901, which granted power to local Governments to enforce recruitment regulations and to close any area to recruitment except to licensed contractors and certified *sardars*. Further revisions of plantation legislation took place in 1908 and 1915 : the amending Act of 1908 abolished recruitment by unlicensed contractors and prohibited the right of arrest by planters, while the Assam Labour and Emigration (Amendment) Act of 1915 abolished the indenture system and provided for the creation of an Assam Labour Board for the supervision of recruitment by local agents and garden *sardars*. The repeal in 1925 of the Workmen's Breach of Contract Act of 1859 and of certain sections of the Indian Penal Code destroyed the last vestiges of the penal sanction contract system in Assam, and the subsequent repeal of similar legislation in other provinces completed the abolition of penal sanctions in British India.

Nevertheless, in recent years, the existing legislation was increasingly felt to be inadequate, and the Royal Commission on Labour made several important recommendations regarding the recruitment of labour for Assam tea gardens¹, on the basis of which the Tea Districts Emigrant Labour Act was passed in 1932. This Act empowers local Governments, subject to the sanction of the Government of India, to regulate the recruitment and forwarding of assisted emigrants, secures to emigrant labour-

¹ *Report of the Royal Commission on Labour in India*, pp. 359-362.

ers the right to repatriation at the cost of the employer after three years from the date of entry into employment, or earlier under certain conditions, and entrusts the discharge of the duties prescribed in the Act to a Controller of Emigrant Labour, to be appointed by the Governor-General in Council.¹ The Act repeals the Act of 1901 and its subsequent amendments, and applies to the whole of British India ; it came into operation on 1 April 1933.

The provisions of this Act affect the employment of children in various ways : for instance, those relating to the regulation of the recruitment, forwarding, and repatriation of adults apply also to the children who accompany them, and the provisions regarding the conditions of labour in the tea gardens directly affect children, especially as far as sanitation, hours, wages, and housing are concerned. The Royal Commission on Labour also made several recommendations for the regulation of child labour on plantations, but, in the opinion of the Government of India, legislation to give effect to these recommendations is within the competence of the Government of Assam.²

The administration of the Act is entrusted, as regards recruiting, to the provinces in which the recruiting takes place, and, as regards employment, to the Government of Assam, the province in which the plantations are situated. The Controller of Emigrant Labour has power to supervise the recruiting, forwarding, repatriation, and employment of assisted emigrants.

In Assam, the number of tea gardens subject to inspection varies from year to year. At present the gardens are subject to biennial inspection, but some of the gardens may be selected for annual inspection if the health conditions have not been satisfactory during the previous year, or if they have been declared "unhealthy"³ on account of the high rate of mortality. Out of a total of 766 gardens employing more than 50 persons in 1931-1932, only 465 gardens became liable to inspection, and 439 were inspected.⁴

¹ *Gazette of India*, 10 Sept. 1932, Part V, pp. 179-189 ; 15 Oct. 1932, Part IV, pp. 59-68.

² Cf. the speech of Mr. Gaya Prosad SINGH, *Legislative Assembly Debates*, 23 Sept. 1932, p. 1291.

³ An "unhealthy" garden is one in which the death rate exceeds 70 per 1,000 inhabitants and the total number of deaths is 10 or more. (*Report on Immigrant Labour in the Province of Assam, 1921-1922*, Statement XI.)

⁴ Compiled from *Report on Immigrant Labour in the Province of Assam, 1931-1932*, Statement XI.

Factories

Child labour legislation in India began with the regulation of the employment of children in factories. In the early period of factory industry in India, the unrestricted employment of women and children gave rise to many abuses, particularly in the cotton industry in the Presidency of Bombay, and in 1875 a Factory Commission was appointed by the Government of that Presidency. It was not, however, until 1881 that the first Indian Factories Act was passed. By this Act a factory was defined as being any premises in which mechanical power was used and 100 or more persons were employed. In such factories, the employment of children under 7 years of age was prohibited, while the hours of work of children between the ages of 7 and 12 years were limited to 9 a day, with an interval of one hour for rest ; four rest days in the month were also prescribed.

While this Act was still in force, the International Labour Conference, held in Berlin in 1890, recommended, *inter alia*, that the minimum age for admission of children to employment should be fixed at 12 years in northern countries and 10 years in southern countries, and the hours of work limited to 6 per day, with an interval of rest of at least half-an-hour. In the same year, the Government of India appointed a Factory Commission and, on its recommendation, passed the second Indian Factories Act in 1891. This Act extended the definition of a factory to cover any undertaking in which 50 or more persons were employed, and empowered local Governments to apply its provisions also to undertakings in which 20 persons were employed ; the minimum age was raised to 9 years and the hours of work of children between the ages of 9 and 14 years were reduced to 7 a day, and limited to the period between 5 a.m. and 8 p.m., with half-an-hour's interval of rest for every 6 hours' continuous work ; certificates of age were made compulsory.

Further enquiries into labour conditions were made by the Textile Factory Commission in 1906 and by the Factory Labour Commission in 1907, and on their recommendations a third Indian Factories Act was passed in 1911, by which the hours of work of children in textile industries were limited to 6 a day and to the period between 5.30 a.m. and 7 p.m., the hours of work remaining 7 a day as before in other factories. Under this Act, in addition to certificates of age, children seeking factory employment were required to produce certificates of physical fitness.

The third Indian Factories Act remained in force until after the World War, the foundation of the International Labour Organisation, and the adoption by the First Session of the International Labour Conference, held in Washington in 1919, of the Minimum Age, Night Work of Women, and Night Work of Young Persons Conventions. The Minimum Age Convention fixed 14 years as the minimum age for the admission of children to employment in industrial occupations for all countries except Japan and India, for which the age of 12 years was provided ; in the case of Japan, however, it was also provided that children over 12 years of age might only be admitted to employment if they had finished the course in the elementary school. The Night Work of Women Convention prohibited the employment of all women and girls at night, although it permitted India to suspend the prohibition in respect of industrial undertakings other than factories as defined by the Factories Act. The Night Work of Young Persons Convention, while generally prohibiting the employment of young persons under 18 years of age at night, fixed the ages of 16 and 14 years for Japan and India respectively, and in the case of India limited the application of the Convention to factories.

Of these Conventions, those relating to the night work of women and young persons were ratified by the Government of India in 1921, while the principles of the Minimum Age Convention, which has not been ratified, were accepted as regards factories covered by the Indian Factories Act. In consequence, the Indian Factories Act of 1911 was amended in 1922, with the effect of extending the scope of the Act to include all industrial undertakings using mechanical power and employing 20 or more persons, and giving local Governments the power to apply the law, by notification, to establishments employing not less than 10 persons and working with or without mechanical power. The minimum age for admission of children to employment was raised to 12 years, the hours of work of children between 12 and 15 years of age were limited to 6 a day, and night work was prohibited. In addition to the medical examination for age and physical fitness before admission to employment in factories, children were required to undergo a re-examination for continuing work, if thought necessary by an inspector. The employment of young persons under 18 years was prohibited in certain lead processes.

The Factories Act was again amended in 1923, 1926, and 1931

with a view to effecting minor changes, the most important amendment being that of 1926, which provided penalties for parents and guardians who permitted their children to work in two mills on the same day.

The Royal Commission on Labour in India made several recommendations for the amendment of the Indian Factories Act, and with a view to giving effect to these recommendations and to consolidating and amending the law regulating labour in factories, the Government of India circulated a draft Bill to local Governments and Administrations on 10 June 1932 in order to elicit public opinion. The Bill has three main objects : (1) the reduction of hours of work ; (2) the improvement of working conditions ; and (3) better observance, on the part of factory occupiers, of the requirements of the Act. ¹

The draft Bill makes a distinction between perennial and seasonal factories, defining the latter as factories working less than 180 days in the year, and provides a 10-hour day and a 54-hour week for the former, while retaining the existing hours, i.e. an 11-hour day and a 60-hour week, for the latter. As far as the employment of children is concerned, the Bill proposes the reduction of hours of work from 6 to 5 a day, the fixing of a minimum height, to be prescribed by local Governments, for children seeking admission to factory employment, the creation of a " young persons " class between the ages of 15 and 16, who would be required to have certificates of age and physical fitness for adult employment, and the prohibition of the night work of " young persons " and of overtime of all persons under 16 years of age.

The most serious problem of child labour at present is that of the employment of children in unregulated factories, i.e. factories which are not covered by the Indian Factories Act. In order to regulate conditions in these factories, the Royal Commission on Labour has recommended the enactment of a separate Act, brief and simple, to be applicable to those undertakings which use no power machinery, but employ 50¹ or more

¹ GOVERNMENT OF INDIA, DEPARTMENT OF INDUSTRIES AND LABOUR : Circular Letter No. L/301, 10 June 1932 ; *Labour Gazette* (Bombay), Jan. 1933, pp. 357-359.

Since this article was written, the Factories Bill has been introduced into the Legislative Assembly. For a summary of its provisions cf. *Industrial and Labour Information*, Vol. XLVIII, No. 7, 13 Nov. 1933, pp. 203-205.

² Mr. Cliff, Mr. Joshi, and Diwan Chaman Lall, representing labour on the Commission, considered that this recommendation should be extended so as to include all undertakings employing 25 persons. Cf. *Report of the Royal Commission on Labour in India*, p. 100, footnote.

persons, and during any part of the year. Regarding child labour, the Commission recommended that the proposed Act should fix the minimum age for admission to employment at 10 years, that the hours of work of children between 10 and 14 years of age should be limited to 7 a day, to be worked within a period of 9 consecutive hours, with an interval of rest of at least one hour, and that overtime and the taking home of work by children should be prohibited.¹

For the same purpose of regulating conditions in factories and workshops which are not at present subject to factory legislation, the Government of Madras has given permission for the introduction of two private Bills, namely, the Artisan Bill and the *Bidi* (cigarette) Factories Bill, into the Legislative Council. The introduction of these Bills has also received the sanction of the Governor-General, and the *Bidi* Factories Bill was presented to the Legislative Council on 31 November 1932.²

The object of these Bills is to regulate the employment of labour in handicraft workshops (in which gold, silver, and other metals, as well as wood, stone, and ivory are worked) and also in *bidi* (cigarette) factories which employ more than 10 persons. The provisions regarding the employment of children are almost identical in both these Bills and are largely based on the provisions of the Indian Factories Act as far as minimum age, certificate of age and physical fitness, and holidays are concerned. The age below which hours of work are to be limited to 7 a day, with half-an-hour's rest after every 4 hours worked is, however, raised to 16 years. Moreover, it is provided that no kind of corporal punishment may be inflicted on any child for any kind of dereliction of duty, including absence from work without leave.

As noted above, the administration of factory legislation is entrusted to provincial or local Governments. Most of the provinces have a chief inspector, several inspectors and assistant inspectors, and other officials who act as *ex-officio* inspectors. There are also boiler inspectors, and special medical officers, called certifying surgeons, who issue certificates of minimum age and physical fitness. There has been a lack of co-ordination in this and other departments for administrative purposes; and the Royal Commission on Labour recommended the appointment of a Labour

¹ *Report of the Royal Commission on Labour in India*, pp. 100-102.

² Cf. GOVERNMENT OF MADRAS : Bills Nos. 22 and 36 of 1932 ; *Labour Gazette* (Bombay), March 1933, p. 516.

Commissioner in each province, except Assam, who should be responsible for the administration of all labour subjects. Following this recommendation, the Government of Bombay has appointed a Commissioner of Labour, who took office on 1 May 1933, and the administrative control of the factory and boiler inspection departments has been transferred from the Collector of Bombay to the Labour Commissioner.¹

The efficiency of factory inspection is indicated by the fact that out of 8,143 factories, 7,229, or 89 per cent. of the total, were inspected in 1931, some being inspected more than once. As a rule, the majority of perennial factories are inspected. The proportion of perennial and seasonal factories inspected to the total number of such factories was 95 and 83 per cent. respectively, the lower percentage of inspection of seasonal factories being explained by the fact that they are often located in out-of-the-way places. The total number of uninspected seasonal factories in 1931 was 743.²

Mines

The next important class of labour legislation relates to the employment of children in mines. The increasing employment of women and children in mines, where conditions are particularly insanitary and the risk of accidents considerable, was one of the main reasons for the enactment of the first Mines Act in 1901. By this Act a mine was defined to be any excavation for minerals which was deeper than twenty feet below the level of the adjacent ground. Among other things, provision was made for the appointment of a chief inspector of mines, who was granted powers to prohibit the employment of children under 12 years of age in any mine where conditions, in his opinion, were dangerous to their health and safety.

The Act of 1901 was amended in 1923, among other things to give effect to the Hours Convention, ratified by India in 1921, and to the Minimum Age Convention, the principles of which were accepted by the Government of India, although it was not able to ratify the Convention. By the 1923 Act a mine was defined to be any excavation, irrespective of depth, for searching for or obtaining minerals, and the employment of children under

¹ *Report of the Royal Commission on Labour in India*, pp. 452-453; *Labour Gazette* (Bombay), April 1933, p. 561.

² *Statistics of Factories subject to the Indian Factories Act. 1931*, p. 7 and 37.

13 years of age was prohibited in or about mines. The weekly hours of work were restricted to 60 above ground and to 54 underground. The Act of 1923 came into force on 1 July 1924, but in view of the continued employment of children over 13 years of age, mining legislation is still very important to child labour. ¹

In 1928, a further amending Act was passed restricting hours of work in mines to 12 in any one day. It was followed by regulations, promulgated in 1929, prohibiting the underground employment of women in some mines and providing for their gradual elimination in others. These regulations became effective on 1 April 1929 and the underground employment of women, including girls of 13 years of age and over, will come to an end in 1939. In 1931 the Act was again amended for some minor purposes. ² In the meantime, the Government of India has taken further steps to amend the Indian Mines Act, and on 21 September 1932 it circulated proposals on the basis of several recommendations, of which the most important are those of the Royal Commission on Labour for limiting hours of surface work to 54 a week and for raising the minimum age for admission of children to employment in or about mines from 13 to 14 years.

The administration of the Indian Mines Act is entrusted to a Chief Inspector of Mines and his assistants, all of whom are appointed by the Government of India. The number of mines subject to the operation of the Indian Mines Act was 1,417 in 1931, of which 988, or 70 per cent., were inspected, many of them more than once. ³

Transport

As noted above, there is no scope for the employment of children in transport industries except on board ship and in harbours, for which separate legislation has been enacted.

For the regulation of shipping, a series of Acts passed since the middle of the nineteenth century were consolidated and amended by the Indian Merchant Shipping Act (XXI) of 1923. This Act was again amended in 1931 ⁴, in order, *inter alia*, to give effect to the Minimum Age (Sea) Convention, which the Government of India has not, however, ratified on the ground

¹ Cf. *Report of the Chief Inspector of Mines in India*, 1925, pp. 40-41.

² Cf. *Labour Gazette* (Bombay), Oct. 1931, p. 137.

³ *Report of the Chief Inspector of Mines in India*, 1925, pp. 40-42 ; 1931, p. 36.

⁴ Indian Merchant Shipping (Amendment) Act (LX), 1931, assented to on 17 March 1931.

that Indian children are accustomed to accompany their relatives to sea as apprentices at nominal wages, and the Minimum Age (Trimmers and Stokers) Convention and the Medical Examination of Young Persons (Sea) Convention, both of which have been ratified by India. The Government of India has also ratified the Seamen's Articles of Agreement Convention, adopted by the International Labour Conference in 1926.¹

As it now stands, the Indian Merchant Shipping Act provides that no young person under the age of 14 years may be employed on board ship, except under certain conditions, e.g. when they are employed on nominal wages and are under the charge of their fathers or other near relatives, that no young person under the age of 18 years may be employed as a trimmer or stoker, subject to the exceptions provided for in the relevant Convention, and that no young person under the age of 18 years may be employed in a ship without a medical certificate of physical fitness. Under Notification of 5 December 1931, the Government of India also restricted the hours and nature of the work of trimmers and stokers.²

Legislation relating to harbours or ports is contained in the Indian Ports Acts. These Acts were consolidated by the Act (XV) of 1908, which was amended in 1922³ in order to give effect to Article 6 of the Minimum Age (Industry) Convention. By this amendment local Governments were required to frame rules prohibiting the employment of children under 12 years of age at piers, jetties, landing places, docks, quays, wharves, warehouses, and sheds. Children below the prescribed age were, however, still employed in coaling ships, and this defect was rectified by an amending Act (XI) of 1931 prohibiting the employment of children under the age of 12 years in handling goods anywhere within the ports to which the Act applies.

The Royal Commission on Labour in India recommended that the minimum age for admission of children to employment in ports should be raised to 14 years, on the ground that the work is too heavy for children of 12 years of age and that a system of half-time employment is not practicable.⁴ The Commission also recommended that the normal daily hours prescribed by

¹ Cf. *Industrial and Labour Information*, Vol. XLIV, No. 8, 21 Nov. 1932, p. 227.

² *Gazette of India*, 5 Dec. 1931, Part I, p. 1146.

³ Act No. XV of 1922, to regulate the employment of child labour in ports in British India, dated 29 March 1922.

⁴ *Report of the Royal Commission on Labour in India*, p. 189.

law should be fixed at 9, but that overtime should be allowed up to a maximum of 3 additional hours on any one day, to be paid at an increased rate of at least 33½ per cent. over the ordinary rates. On 3 November 1932 the Government of India addressed a circular letter to all local Governments controlling major or minor ports asking their opinion on these recommendations.¹

Non-Industrial Occupations

The employment of children in non-industrial occupations is not yet regulated in India. When the Minimum Age (Non-Industrial Employment) Convention was under consideration by the International Labour Conference in 1932, the Government of India was prepared to accept provisions fixing the minimum age at 10 years in certain specified occupations. Article 9 of the Convention fixes the minimum age at 10 years in the case of India, but the Conference did not adopt the proposal to limit its application to specified occupations. The Indian Legislature has therefore rejected the ratification of the Convention, on the ground that it is impossible to give effect to it in its present form owing to the absence of adequate machinery to enforce it in all kinds of occupations in India.²

Regulation of Engagement

As already noted, the first Act directly enacted for the welfare of children is one affecting the methods of obtaining child labour, which has recently been passed under the name of the Children (Pledging of Labour) Act. This Act is based on the recommendation of the Royal Commission on Labour, which found many instances of the practice of pledging, by which parents or guardians secured loans or advances on agreements, either written or oral, mortgaging the labour of children.³ The Bill was submitted by the Government of India to the Legislative Assembly on 5 September 1932 ; it was passed by the Legislative Assembly and the Council of State on 16 and 20 February 1933 respectively and assented to by the Governor-General on 24 February.⁴

¹ *Labour Gazette* (Bombay), March 1933, pp. 529-530.

² *Council of State Debates*, 8 Dec. 1932 ; *Labour Gazette* (Bombay), 19 March 1932, p. 709.

³ *Report of the Royal Commission on Labour in India*, pp. 96-98 and 102.

⁴ *Legislative Assembly Debates*, 1 and 6 Feb. 1933.

The most important provisions of the Act are as follows : (1) any agreement to pledge the labour of a child, that is, a person under 15 years of age, is to be void ; (2) an agreement made without detriment to a child, and not made in consideration of any benefit other than reasonable wages to be paid for the child's services, and terminable at not more than a week's notice, is not an agreement within the meaning of this definition ; (3) parents or guardians making an agreement to pledge their children are to be liable to a fine not exceeding Rs.50, and employers taking part in the pledging, or employing children whose labour has been pledged, are to be liable to a fine not exceeding Rs.200.

Except for the penal clause, which came into force on 1 July 1933, the Act came into operation immediately.¹

Other Legislation affecting Child Workers

Other legislation which directly or indirectly affects child workers is that relating to workmen's compensation, trade unionism, industrial relations, maternity, payment of wages, and workers' housing. It would be out of place in this article to analyse the provisions of this general legislation, but it may be noted that the Maternity Benefit Acts, which as yet have only been adopted by Bombay and the Central Provinces, may affect children directly as well as indirectly, since girls below the age of 15 years may still be mothers in India, while the proposed legislation relating to payment of wages, a Bill for which was circulated for opinion on 14 February 1933, would prohibit deductions by way of fines from the wages of children under 15 years of age.

CONDITIONS OF EMPLOYMENT

Systems of Engagement

The majority of children employed in organised industries in India are engaged together with their parents or guardians. The methods of obtaining labour differ from industry to industry and from centre to centre, but they may be broadly divided into direct and indirect methods, i.e. engagement by employers themselves or their paid and accredited officers, and engagement through intermediaries. In some cases these two methods may be modified or combined.

¹ *Gazette of India*, 24 Sept. 1932, Part V, p. 211 ; 4 March 1933, Part IV, p. 2.

Most of the workers for plantations in the South are obtained by recruiting through contractors called *kanganis* or *maistries*, while planters in Bengal recruit their labour through *sardars* or agents. Recruiting for the Assam tea gardens, which are located far away from the centres of the labour supply, has become very complicated and has long been brought under legislative control. It was at first carried on by contractors, and later by the *sardar* system working under the supervision of the Assam Labour Board. Under the present Act, which came into force on 9 April 1933, the recruiting and forwarding of assisted emigrants are to be carried on by local licensed agents or recruiters and certified tea garden *sardars*, and are to be supervised by the Controller of Emigrant Labour.

Sardars are ordinary plantation workers who are sent to their native villages to recruit. In 1931-1932, 22,934 *sardars* were sent out; the number of workers recruited amounted to 49,857, including 11,170 dependants, most of whom were children. The average number of recruits per *sardar* was 1.69 in the case of adults and 2.17 in the case of all persons including dependants. This low figure for the number of recruits shows the costliness of the present recruiting system. In fact, out of 22,934 *sardars* sent out in 1931-1932, 9,306, or over 40 per cent., returned to the gardens without a single recruit.¹

Almost from the beginning, the policy of plantations has been to recruit families rather than individuals. This policy has been followed up to the present time, and immigration has thus been a constant source of supply of child labour to the Assam tea gardens, although, as shown above, only a part of the child immigrants are actually employed.

IMMIGRANT CHILDREN IN ASSAM TEA GARDENS IN SPECIFIED YEARS¹

Year	All immigrants	Children	
		Number	Per cent. of total
1900	62,733	17,689	28
1918-1919	222,171	87,143	39
1931-1932	50,997	12,764	25

¹ Compiled from *Report of the Assam Labour Enquiry Committee, 1921-1922*, p. 103; *Report on Immigrant Labour in the Province of Assam, 1931-1932*. The years chosen are those when the largest numbers of children accompanied their parents to Assam tea gardens.

¹ GOVERNMENT OF INDIA : *Annual Report on the Working of the Assam Labour Board, 1931-1932*, p. 5.

Besides immigrant children, considerable numbers of children are born in tea gardens or in their neighbourhood. A considerable proportion of the workers are now settled on the tea gardens both in Assam and in Bengal, and some of them have also settled down outside the gardens. In 1921, for instance, out of 119,366 labourers on the tea gardens of the Jahpaiguri District in Bengal, 29,018, or about one-fourth, were born of immigrant parents on the gardens themselves.¹ Moreover, in 1931, 61,792 workers in Assam and 11,544 workers in Bengal were living outside the gardens.²

A serious charge that has been made against the recruiting of plantation labour for Assam is that many minors or children under 16 years of age have been enticed away without the consent of their parents or guardians. The existence of such abuses cannot be denied, but the scope of their occurrence has been very much limited by successive legislative and administrative measures : first, it has been made unlawful to assist minors to emigrate to Assam without being accompanied by parents or guardians ; secondly, local Governments have been granted power to check these evils by insisting on registration and production before a magistrate of all such minors ; thirdly, in accordance with the rules framed by local Governments, such minors are detained at the depot for certain fixed periods, during which local agents institute enquiries as to whether there is any objection on the part of their parents or guardians to their proceeding to Assam ; and finally, the industry itself is interested in controlling such abuses for the sake of creating good will among the possible recruits.³

There are several systems of recruiting labour for mines, such as the contractor system, the *sardar* system, and the agency system, the last being direct recruitment by members of the staff of the mine who visit workers' villages. Most of the mines, however, engage raising contractors for mining coal and loading wagons for a fixed rate of payment.⁴ These contractors recruit and generally employ the whole family, including the parents and the children. Besides these families recruited from the neighbouring villages, there are also considerable numbers of workers

¹ *Census of India*, 1921, p. 247.

² Compiled from *Indian Tea Statistics*, 1931, p. 11.

³ Cf. *Report of the Royal Commission on Labour in India*, p. 368.

⁴ *Census of India*, 1921. p. 293 ; *Report of the Royal Commission on Labour in India*, pp. 116-119

who live in the mining areas and supply child labour to mines, whenever necessary.

Factory labour in such cities as Bombay and Calcutta is still largely migrant labour, but a growing class of workers dependent chiefly upon industrial occupation for their livelihood is now to be found in such industrial centres as Cawnpore, Ahmedabad, and Bombay. Migrant labourers are frequently not accompanied by their families; it follows, therefore, that the child labour available for factory employment comes to a large extent from settled families and only to a smaller degree from the families of migrants. In either case, however, the great majority of the children are members of families. In Ahmedabad, for instance, in 1925, 96 per cent. of the children employed in factories lived with their parents.¹

The system of engaging factory labour differs in different centres, but most of the workers, adults as well as children, are engaged by supervisors or foremen, both men and women, who are variously called jobbers, *sardars*, *mukhadems*, or *maistries*. The workers engaged by a jobber or *sardar* are employed directly under him and he has control over his workers as long as the work lasts. The system makes the workers depend entirely upon the good will of the jobber or *sardar* for the security of their position and affords many opportunities for bribery and corruption.

One of the abuses in connection with the engaging of child labour is the practice of pledging, to which reference has already been made. This practice is widespread throughout India and is often resorted to for obtaining child labour for agriculture and domestic service²; it also exists in factories such as carpet factories in Amritsar, textile mills in Ahmedabad, and *bidi* (cigarette) factories in Madras.³ As already explained, the pledging of children has been forbidden by a recent Act, the enforcement of which will no doubt bring these abuses to an end.

The method of obtaining children for carpet factories presents some special characteristics. Where the child is not the son or a near relative of the weaving master, he is normally the child of a man who, in return for a loan of money from the weaving master, contracts out the labour of his child at so many rupees (7, 9, etc., according to the age of the child) per month. The

¹ *Statistics of Factories subject to the Indian Factories Act, 1925*, p. 1.

² *Legislative Assembly Debates, 1932*, Vol. IV, No. 5, pp. 480-492.

³ *Report of the Royal Commission on Labour in India*, pp. 96-98, 102.

duration of the contract, which is sometimes set out in the formal document, would appear to be determined by the repayment of the loan.¹

Closely allied to pledging is the *sathi* system, under which children are brought in from the villages to work in mills under agreements whereby they are maintained by others who secure their wages. Enquiries made into the matter showed, however, that the *sathi* system was not in operation to a large extent.² The Government of Bombay in its *Memorandum to the Royal Commission on Labour* also points out that some of the jobbers secure children by entering into a contract with the parents to pay Rs.30 per annum to the parents and to feed, clothe, and house the children in return for their services. In the case of grown-up boys who can work full time, the amount offered per annum varies from Rs.100 to Rs.125. The contract is generally entered into for two or three years.³

The practice of taking *dasturi*, or bribes, by jobbers or *sardars* is another abuse in connection with engagement, which affects children, especially in the mills of Bombay. Both the jobber and his female counterpart, the *naikin*, levy contributions from their workers for securing jobs.⁴ It has been reported that besides paying fees for a job, the workers have to pay a part of their wages during the continuance of their service.⁵ It was partly in order to prevent this form of corruption that the Royal Commission on Labour recommended the elimination of the jobber or *sardar* from the engagement and dismissal of labour and the introduction of the direct system of employment by managers or other responsible officers.⁶

Nature of Occupations

In spite of the new opportunities offered by organised industries, both the kind and the number of occupations which are open to children are very limited. The nature of their work naturally varies with the kind of industry in which they are employed.

¹ *Idem*, p. 97.

² *Statistics of Factories subject to the Indian Factories Act, 1925*, p. 1.

³ GOVERNMENT OF BOMBAY : *Memorandum to the Royal Commission on Labour in India*, p. 10.

⁴ *Idem*, pp. 8-9.

⁵ *Memorandum of the Bombay Textile Union to the Royal Commission on Labour, 1930*, p. 7.

⁶ *Report of the Royal Commission on Labour in India*, pp. 24-25.

In tea gardens, the main work of the children is plucking. In coal mines, they are employed to assist their parents or other relatives in loading tubs underground and carrying loads above ground. In mica mines, they are employed along with their parents and relatives in splitting and cutting.¹ In unregulated factories, children have to perform a variety of work, such as cleaning wool in woollen mills, melting and drying lac in shellac factories, and attending to the vats in tanneries.² In seasonal industries, children are mostly employed in cotton ginneries and tea factories, and some are also employed as carriers of paddy in rice mills or as "sawdust boys" in saw mills.³ In perennial factories most of the children are employed in cotton and jute mills.

Detailed information on occupations is available only in the case of children in the cotton mills of the Presidency of Bombay. The following table shows the number of boys from 14 to 18 years of age in different occupations in Bombay City cotton mills in 1923.⁴ It will be seen that the very great majority of these older boys were employed as spinners and rovers in doffing departments.

Department and occupation	Number
<i>Cording :</i>	
Can carriers and can minders	417
<i>Ring spinning :</i>	
Side boys or piecers	1,049
Followers	518
Doffers, gaiters, doublers, etc.	347
<i>Doffing :</i>	
Roving boys	3,305
Spinning boys	5,251
Followers, creelers, and reachers	1,032
<i>Drawing :</i>	
Drawing boys	124
Total	12,043

Besides the older boys, there were also 739 half-timers, both boys and girls, employed in roving, spinning, doubling, and reaching in 1923.⁵ Since 1923, however, the employment of children in Bombay City Cotton mills has been materially reduced.

¹ *Idem*, pp. 94-98.

² *Ibid.*

³ GOVERNMENT OF BURMA : *Report of an Enquiry into the Standard and Cost of Living of the Working Classes in Rangoon*, 1928, p. 89.

⁴ Adapted from : GOVERNMENT OF BOMBAY : *Report on an Enquiry into the Wages and Hours of Labour in the Cotton Mill Industry in 1923* (1925), p. 41.

⁵ *Idem*, p. 41.

Out of 736 children in the cities of Ahmedabad and Sholapur in 1926, 669 were in ring-spinning departments and the remainder were in slubbing, intermediate, and roving departments.¹

Age for Admission to Employment

As was pointed out above in describing the legal protection of child workers, the minimum age for admission of children to employment varies in different industries and is subject to varying degrees of legal regulation.

Except for the tea gardens of Assam, plantation industries in India are immune from State supervision and the age for admission to employment is not regulated. Even in Assam, although children under 16 years of age may not be separately recruited, there are no regulations fixing the minimum age for employment. A large number of young children are therefore to be found in employment on plantations all over the country. They are usually over 9 years of age, but children have been found to be employed even at the ages of 5 and 6 years. It is the general practice to allow children of any age to accompany the parents while at work, although in many cases the children are not normally entered separately in the wage books as employed persons until they are 10 years of age.²

The situation is different in mines, where the employment of children under 13 years of age is prohibited, an age which the Government proposes to raise to 14 years.

The extent of the employment of children in factories and the provisions of the Factories Act relating to the minimum age have been explained above. The law is reported to be fairly well observed by employers, the principal recorded contraventions being the employment of children below the legal minimum age or without health certificates, the employment of children who are legally half-timers as adults or full-timers, and the employment of half-timers in two factories on the same day. Various measures have been taken to render these breaches of the law more difficult. The arrangements for the certification of the age of children have been improved, and the provision holding parents responsible for the double employment of their children

¹ Compiled from : GOVERNMENT OF BOMBAY : *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1926* (1930), pp. 159 and 161. No half-timers were employed in any of the 19 mills selected for the 1926 investigation in Bombay City.

² *Report of the Royal Commission on Labour in India*, pp. 385, 415.

has been effective in checking this abuse in Bombay. The number of prosecutions for irregular employment of children has been very small in recent years, amounting only to 20 in Bengal in 1930, 16 in Bombay in 1930, and 11 in Madras in 1930-1931.¹

As regards unregulated factories, enquiries made by different provincial Governments have shown that young children are employed in small ginning factories in the Central Provinces, match-making factories in Bengal and Bombay, rice mills and saw mills in Burma, and carpet factories in the Punjab.² It has also been found that the age at which children go to work is from 6 to 10 years in the mica factories of Bihar, about 8 years in wool-cleaning establishments in the Punjab, under 12 years in shellac factories in Bihar and the Central Provinces, as low as 5 years of age in the *bidi* (cigarette) factories in Madras and the Central Provinces, from 6 to 9 years in carpet factories in the Punjab, and from 8 to 12 years in tanneries in Madras.³ These abuses can be stopped only by bringing these undertakings under legislative control; as already stated, recommendations to this effect have been made by the Royal Commission on Labour.

Physical Fitness

A further problem is that of ensuring that children shall be physically fit for their occupations. In the case of factories, this requirement has been met by the provision that children must be certified fit by duly appointed certifying surgeons. Since the enactment of the Indian Factories Act of 1911, children are required to carry their certificates on their persons⁴, and the Amendment of 1922 gave inspectors power to require re-examination of the physical fitness of any child who may appear to be physically unfit for work. In 1926 an Amending Act was passed making the conditions of certification more elaborate and the duties of certifying surgeons more precise.⁵

The practical application of the law in regard to physical fitness presents, however, various difficulties. These difficulties do not arise to any extent in the cities, where certificates of

¹ Cf. *Annual Report on the Administration of the Indian Factories Act in the provinces and for the years referred to.*

² These enquiries were made in the Central Provinces in 1923, in the Bombay and Bengal Presidencies in 1924, in Burma in 1926-1927, and in the Punjab in 1927-1928. Cf. *Report of the Royal Commission on Labour in India*, pp. 91-92.

³ *Idem*, pp. 94-98.

⁴ Act XII, 1911, sections 7 and 8.

⁵ Act XXI, 1926, sections 6 and 7.

physical fitness are issued by medical officers, either part-time or whole-time certifying surgeons. In rural districts, however, where most of the seasonal factories are located, certification becomes a problem. Medical officers may not be available, and certificates granted by local doctors are not always reliable. Moreover, factory inspectors who discover irregularities in regard to certification are not authorised to enforce the law without consulting the medical authorities, who are not to be found on the spot. With a view to avoiding these difficulties the proposed amendment of the Factories Act would provide that, in addition to physical fitness, children seeking employment in factories must attain a certain height to be prescribed in rules made by local Governments under the Act.

Disciplinary Measures

Among the disciplinary measures which are essential in modern industries, especially in relation to the employment of children in factories, the most important are the prevention of absenteeism, loitering, bad work, neglect of work, and damage to machinery.

Statistics of absenteeism show that it is responsible for a considerable loss of efficiency : out of 79,680 children registered in the labour books of the tea gardens in Assam in 1931-1932, the average daily strength was only 52,665, or 66 per cent. ¹, indicating that on an average one-third of the children were absent during the year. Although some of the absent children may have been laid off, and sickness will account for other absences, absenteeism is nevertheless very common among children as well as other classes of workers on tea gardens. The rate of absenteeism is also very high in factories. In August 1923, absenteeism as determined by the number of days not worked, compared with the total number of working days, amounted to 11.5 per cent. in the case of older boys (i.e. from 14 to 18 years of age) and 9.7 per cent. in the case of children in the cotton mills of the Bombay Presidency. In 1926, absenteeism amounted to 3.62 per cent. in Ahmadabad and 19.61 per cent. in Sholapur for children, as compared with 8.04 and 12.48 per cent. respectively for men, and 7.40 and 10.81 per cent. respectively for women. ²

¹ Compiled from *Report on Immigrant Labour in the Province of Assam, 1931-1932*, Statements.

² GOVERNMENT OF BOMBAY : *Report of an Enquiry into the Wages and Hours of Labour in the Cotton Mill Industry in 1923*, p. 8 ; *Ditto, in 1926*, pp. 25-26.

The average absenteeism in the textile industries amounted to 8.51 per cent. in the whole Presidency of Bombay in March 1933, but figures showing the extent to which the children were responsible for this absenteeism are not given.¹

There is also a good deal of idling among children as well as adults on the premises of factories.² This point was much emphasised by employers before the Royal Commission on Labour. It was pointed out that, although in practically every case the operative is nominally working for 10 hours, he spends a considerable part of his time in the compound smoking, loitering, or eating his meals. Employers' representatives in different centres estimated the time lost in idling from 1½ hours to 2 hours. The Commission was not in a position to confirm or question these statements, but was convinced of the prevalence of the idling habit among the workers.³

The irregularity of attendance and lack of application, which affect the efficiency of adult and child workers alike, may be, in part at any rate, attributed to the fact that they are recruited from villages where life is simple and undisciplined, and also to the fact that there is no system of primary education by which they could be trained in the habit of regular attendance and the power of steady work. The results of ignorance and lack of training are unfortunate not only because of their effect on industrial efficiency, but also because they have led to the adoption by management of some very undesirable methods of maintaining discipline.

Corporal punishment is not a frequent occurrence, but it is still found in small undertakings, such as the carpet factories in Amritsar and *bidi* (cigarette) factories in many parts of the country. "Indeed, there is reason to believe", says the Royal Commission on Labour regarding the *bidi* factories, "that corporal punishment and other disciplinary measures of a very reprehensible kind are sometimes resorted to in the case of small children."⁴ The extent of corporal punishment is indeed such that two private Bills, which have received the sanction of the

¹ *Labour Gazette* (Bombay), April 1933, p. 579.

² This point was also discussed by the Indian Factory Commission of 1890 and the Factory Labour Commission of 1907. Cf. GREAT BRITAIN: *Parliamentary Papers*, 1890-1891, Vol. 58, H. of C., 86, p. 14; *Idem*, 1908, Vol. 74, Cd. 4292, p. 21.

³ *Report of the Royal Commission on Labour in India*, p. 41.

⁴ *Idem*, p. 96. The Commission makes a similar remark regarding carpet factories (*Idem*, p. 98).

Government of India for introduction into the Madras Legislative Council, and one of which has already been introduced, contain special provisions to prohibit such punishment.

The commonest disciplinary measure in use is, however, fining, which is extensively utilised all over the country, especially in the case of bad work and damage to property. Other disciplinary measures are forfeiture of wages and bonuses, and dismissal. The economic loss to children through fines and forfeiture of wages and bonuses is considerable, and the prohibition of the fining of children under 15 years of age proposed in the draft Factories Bill is to be welcomed.

HEALTH AND SAFETY

The physical bases of industrial efficiency are health and vigour, which are lacking among the majority of Indian children. Most of them suffer from ill-health arising from malaria, hook-worm, and other diseases, which sap their vitality. The low vitality of Indian children can be seen in their abnormal death rate as compared with that in other countries. For instance, the mortality among Indian infants under one year of age is about three times that of infants in England and Wales, while that among children from 5 to 14 years of age is over four times as high.

COMPARATIVE DEATH RATES AMONG INDIAN CHILDREN PER 1,000 OF THE POPULATION IN SAME AGE GROUP IN 1930 ¹

Age group (years)	India		England and Wales	
	Males	Females	Males	Females
Under 1 ²	189.1	171.8	68.0	51.0
1-4 ³	57.1	51.2	20.5	16.0
5-9	10.7	9.9	2.4	2.2
10-14	7.2	7.5	1.6	1.5

¹ *Statistical Abstract for British India, 1933*, pp. 473-474; *The Registrar-General's Statistical Review of England and Wales, 1931*, Tables, Part I, Medical, pp. 7-8.

² Rates per 1,000 births during the year.

³ Including all children under one year in the case of England and Wales.

Further indications of the low vitality and lack of vigour of the people are the high birth and death rates, which were respectively, on the basis of quinquennial averages ending 1930, 33.2 and 24.2 per mille in India as compared with 17.2 and 12.3 per mille in England and Wales¹, as well as by the low average length of life, which was about 24.8 years in India as compared with 55.6 years in England and Wales in 1921.²

The most important of the causes of the low standard of health and vitality among Indian children is the extreme poverty of the masses. "The vast majority of the rural population of India lives perpetually on the very margin of subsistence."³ This is true also for a large number of the urban population. The effect of this poverty is deficient nutrition, which is aggravated by lack of sanitary and medical provisions throughout the country as well as by bad housing, overcrowding, and insanitary conditions in industrial towns.

Sanitation and Comfort

These initial disadvantages of the young Indian worker render attention to healthy conditions of employment all the more necessary. Some aspects of this question have already been treated, namely, the minimum age of admission to employment, and physical fitness. Provisions for safeguarding the health of child workers by proper sanitation are also of vital importance.

In the case of plantations, the problem begins before the arrival of migrant labour at the Assam tea gardens, and emigration legislation has found it necessary to provide for sanitary arrangements *en route* and in depots. In spite of these provisions, the death rates among all classes of immigrants were appalling in the early years, but with the growth of transport facilities and improvement in sanitation, the death rate has been gradually reduced. The Tea Districts Emigration Labour Act of 1932 provides that all assisted emigrants are to be forwarded to Assam by prescribed routes, and depots for the accommodation and feeding of assisted emigrants and their families have to be

¹ *Statistical Year Book of the League of Nations, 1931-1932*, p. 52.

² *Census of India, 1921*, p. 128 ; *Annuaire statistique, 1930*, p. 222. (These figures refer to the male population only.)

³ *Statement exhibiting the Moral and Material Progress and Condition of India, 1930-1931*, p. 157.

maintained along these routes at the expense of employers. As a result of these arrangements only 402 out of 60,586 immigrants, who passed through three depots to the Assam Valley in 1931-1932, were detained for treatment in the hospitals.¹

In the same way, conditions in the tea gardens were very unsatisfactory in the early years. The workers were liable to various diseases, such as malaria, dysentery, and hookworm, which were due partly to the fact that tea gardens were often in unhealthy forests and valleys, and partly to the lack of adequate sanitary arrangements in the gardens. The result was a heavy death rate among all classes of workers, including children, and many of the gardens were classed as "unhealthy". There has, however, been a decided improvement in sanitation, and most of the diseases have been brought under control. This is best indicated by birth and death rates. The birth rate was very low until 1923-1924, but it has now reached the same level in the tea gardens as in the rest of the province of Assam. In 1929-1930, the birth and death rates were respectively 32.60 and 21.77 per mille in the tea gardens of the Assam valley and 31.11 and 19.43 per mille in those of the Surma valley, as compared with 32.77 and 20.91 per mille in the whole province.² It must be mentioned that there has been a great decrease in the number of deaths in the province of Assam since 1920, and the death rate was lowest in 1929.

As far as factory sanitation is concerned, conditions are much better in the larger factories than in the smaller ones. The Royal Commission on Labour reported that the larger factories could compare favourably with the best factories in the world in respect of layout, cleanliness, atmosphere, and general well-being.³ The smaller factories, however, were found in many cases to be defective in construction and to have no adequate provision for light and ventilation. Dust, fluff, gas, and vapours are not sufficiently controlled, and the temperature, which is very high, together with excessive humidity causes great discomfort to the workers.⁴

¹ *Report on Immigrant Labour in the Province of Assam, 1931-1932.*

² *Statistical Abstract for British India, 1932*, pp. 435 and 451 ; *Report on Immigrant Labour in the Province of Assam, 1931-1932*. The figures for the whole province are for the calendar year 1929.

³ *Report of the Royal Commission on Labour in India*, p. 63.

⁴ GOVERNMENT OF BOMBAY : *Memorandum to the Royal Commission on Labour*, pp. 38 and 58 ; *Report of the Royal Commission on Labour in India*, p. 115.

Sanitary conditions in unregulated factories are particularly unsatisfactory. There is, for instance, a marked absence of adequate sanitary arrangements, both as regards latrines and washing accommodation, in such industries as the manufacture of shellac, which is mostly carried on in unsatisfactory buildings with leaking roofs, earth floors, and poor lighting and ventilation. There is a similar lack of sanitary arrangements and drainage in tanneries, where there are pools of filthy water and the earthen floors are littered with heaps of evil-smelling refuse, making most of these undertakings even more offensive than is inevitable from the nature of the industry.¹

The sanitary situation in the mining industry varies considerably with the type of mine. The mica mines, which in 1925 employed about half the children occupied in the mining industry, are situated mostly in rural surroundings; many of them are not easy of access and remain closed during the rains. They are largely worked by part-time agricultural workers between crops. Questions of sanitation are not of great importance in these mines, but they suffer from the disadvantage that most of them are small and scattered, and are located far away from dispensaries and hospitals.² Sanitation in coal mines, which employed the second largest number of children in 1925, is, however, very important. Most of the Indian collieries are shallow, the seams thick, underground passages spacious, and ventilation effective in the larger mines, though not in the smaller ones. Nevertheless, most of the mines are insanitary and the workers suffer to an excessive degree from hookworm.³

Sanitation in the mining areas of Asansol and Jharia is under the control of Boards of Health, and at Jharia there is also a Water Board. Since the establishment of these authorities, sanitation and health have gradually improved. The death rate was 21.2 per mille in the Raniganj field in 1929, as compared with 25.5 in the whole province of Bengal. Similarly, the birth and death rates were respectively 28.09 per mille and 16.18 per mille in the Jharia field as compared with 35.6 per mille and 26.9 per mille in the whole province of Bihar and Orissa. In 1931, the death rate was 20.52 per mille and the infant mortality rate 135 per 1,000 births in the Raniganj field, and the birth and death

¹ *Report of the Royal Commission on Labour in India*, p. 92, 95, 98.

² *Idem*, pp. 207-208.

³ *Idem*, p. 115.

rates were respectively 30.97 and 16.07 per mille in the Jharia field.¹ It must be mentioned that most of the workers in these coalfields are migrants and both births and deaths take place more often in their native villages than in the mining areas.

Safety and Accidents

As regards safety, the general provisions in factories, mines, and other undertakings are the same for all classes of workers, but there are special regulations as to the kind of work in which children may be employed and their employment is prohibited in certain occupations involving special risk. Since 1891, for instance, the Factories Act has prohibited children from cleaning mill gearing in motion, and from working between the fixed and the traversing parts of any self-acting machinery while they are in motion. In addition, since 1911, the employment of children is prohibited in that part of a cotton-pressing factory in which a cotton opener is at work, unless its feed end is in a room separated from the delivery end.² Further measures were taken in the amending Act of 1922, which gave power to factory inspectors to prohibit the employment of children in any part of a factory which may involve danger to their safety, and prohibited the employment of children as well as young persons below 18 years of age from employment in any operations involving the use of zinc, lead compounds, and white sulphur and in the preparation of electric accumulators.³

Among general measures for securing safety in factories the following may be mentioned: (1) measures taken by local Governments, e.g. the Government of Madras, as well as by employers, e.g. in the railway workshops, to minimise the risk of accidents from certain causes; (2) the agreement in regard to standard guards and safety devices on new machinery to be installed after July 1932 between members of the Indian Jute Mills Association; (3) the development of educational work in regard to safety by the Bombay Factory Inspectorate and the Millowners' Mutual Insurance Association; and (4) various methods of propaganda, e.g. safety posters in the carding departments of cotton mills in Bombay and Ahmedabad, the "Safety

¹ *Statistical Abstract for British India*, 1932, pp. 434 and 449; *Report of the Chief Inspector of Mines in India*, 1930, p. 41; 1931, pp. 30-31.

² Act No. XII of 1911 as modified up to July 1922, sections 19 and 20. (INTERNATIONAL LABOUR OFFICE: *Legislative Series*, 1922, Ind. 1.)

³ *Idem*, sections 190 and 196.

First” movement in the jute mills of Bengal, and the posters of the Indian Red Cross Society illustrating the most suitable type of dress to be worn by workers in certain kinds of work.¹

Safety problems are at present most serious in unregulated factories, especially those working with power machinery, much of which is inadequately protected. The buildings in which machinery is erected are often unsuitable and unsafe (protective guards to shafting, belting, and machinery are inadequate) and the lighting insufficient. Since there is no obligation on the part of the employers to report non-fatal accidents, the number of such accidents in these factories is not known. There is reason to believe that fatal accidents are rare.²

Mining is an industry which involves great risk, especially in underground work, and detailed safety provisions are contained in the Indian Mines Act. Moreover, the larger mines have introduced up-to-date devices for preventing accidents, and are encouraging preventive measures such as those included under the idea of “Safety First”.

The occupations of trimmer and stoker on board ship also involve various dangers. The rules made under the Indian Merchant Shipping Act of 1923 prohibit stokers from tending more than two fires, from cleaning and relaying more than one fire during any one watch, and from employment in stokeholds where the temperature exceeds 110°F. Similarly, trimmers are prohibited from taking part in the cleaning and relaying of fires and from employment in any ship where the bunker temperature exceeds 110°F.³

No information is available to show the number of accidents to children in factories in British India. The figures for all workers, for 1931, were as follows : fatal accidents 174, serious accidents 3,893, minor accidents 15,940, making a total of 20,007, or 13.84 per mille.⁴ Since children are not usually employed in occupations involving great risk, it may be presumed that the number of accidents to children in factories is not large.

A considerable number of accidents occur every year to children who are not employed in factories, but are in the factories for various reasons : children bringing food to their

¹ *Statistics of Factories subject to the Indian Factories Act, 1931*, pp. 4-5.

² *Report of the Royal Commission on Labour in India*, p. 92.

³ *Gazette of India*, 5 Dec. 1931, Part I, p. 1146.

⁴ Compiled from *Statistical Abstract for British India, 1932*, and *Statistics of Factories subject to the Indian Factory Act, 1931*.

parents or who have accompanied their parents or guardians, babies in arms, etc.

The number of such accidents in Bengal was 21 in 1930, including 4 fatal and 16 serious cases, and 12 in 1931, including 4 fatal and 4 serious cases.¹ These accidents are not included in the main statistics, as they are not "accidents" within the meaning of the Indian Factories Act. The majority of these accidents in Bengal occur in jute mills. Mothers bring their babies in arms and lay them under the machinery and in baskets of jute where they sleep. Infants may be found lying on sacking, in the bobbin boxes and other unsanitary places, exposed to the noise and danger of moving machinery and a dust-laden atmosphere. A mother may sometimes be seen holding a baby on one arm and minding a machine with the other, or stopping her work to try to quiet a screaming baby. Enquiry made from 3,832 women workers in different lines or housing quarters in Bengal jute mill areas showed that they possessed 3,401 children of all ages, 443 of whom were taken to the mills by their mothers, while 2,251 others were kept on the mill premises and some of them often came inside the mills. It is not, therefore, to be wondered at that no year passes without a certain number of serious and minor accidents, sometimes even of deaths among children. Most of these accidents are caused by children trying to grasp machinery, by bales of jute falling on them, or by their falling from a ladder or being run over by a truck.²

These accidents are preventable and the Indian Jute Mills Association has come to realise the fact. The Factories Department of Bengal issued orders in May 1932, prohibiting, with effect from 1 June 1932, the presence in jute mills of children who, by reason of their age, could not legally be employed by the mills, namely, those below the age of 12 years. The mills recognised that these orders were desirable from the point of view of the health and safety of children, and made the necessary arrangements for giving effect to them.³ Orders have also been given in some seasonal factories to exclude young children from the premises, but it has been found difficult to enforce the orders

¹ *Annual Report on the Administration of the Indian Factories Act in Bengal*, 1930, p. 25 ; 1931, p. 29.

² INDIAN JUTE MILLS ASSOCIATION : *Report of a Survey of Women Workers in Jute Mills, 1931-1932*, by M. L. BALFOUR, p. 12 ; *Report of the Royal Commission on Labour in India*, p. 65.

³ INDIAN JUTE MILLS ASSOCIATION : *Report of the Committee, 1932*, pp. 15-16, Calcutta.

without driving some women out of employment.¹ It is important to note that, on the basis of a recommendation of the Royal Commission on Labour in India, a provision has been inserted in the proposed Bill to amend the Indian Factories Act to the effect that, in a factory where a special room is provided for the children, no child under 6 may be admitted to a place in which manufacturing processes are being carried on. Under the present provisions of the Act, young children are not excluded from factories, although factory inspectors have powers to exclude them if necessary.

Accidents, or, more properly, casualties², are more frequent in mines than in factories, although the statistics are not comparable on account of the fact that minor casualties are not recorded in the case of mines. The total number of fatal and serious casualties in mines was 168 or 1.63 per mille in 1903, and 869 or 3.74 per mille in 1931. How many non-fatal casualties occurred to children is not known, but figures for fatal casualties are available. In 1923, there were 21 fatal casualties to children under 13 years of age and 33 to children from 13 to 15 years of age, while in 1931 only 7 casualties to children between 13 and 15 years of age were recorded.³ Mining accidents are not responsible for most of these casualties, the most usual causes assigned being misadventure, which accounts for about four-fifths of the casualties, together with the fault of the deceased, fellow workmen, subordinate officials or the management.⁴

Workmen's Compensation

Since 1924, children as well as adults who are victims of industrial accidents or occupational diseases can claim compensation under the Workmen's Compensation Act of 1923.⁵ This Act applies to persons employed in factories, mines, railways, docks,

¹ *Report of the Royal Commission on Labour in India*, p. 85.

² In the Report of the Chief Inspector of Mines, the term "accident" has been used both for the event and for the person injured by it. The word "casualty" has here been substituted for "accident" in the latter sense of the word.

³ Compiled from the *Annual Report of the Chief Inspector of Mines in India* for the respective years.

⁴ *Annual Report of the Chief Inspector of Mines in India*, 1931, pp. 14-15 and 104-135.

⁵ Act No. VIII of 1923, section 3. (*Legislative Series*, 1923, Ind. 1.) Since this article was written an amending Act has been passed which extends the scope of the original Act and raises the scale of compensation. Cf. *Gazette of India*, 16 Sept. 1933, Part IV, pp. 27-33.

and tramways, and certain other specified occupations, and makes employers liable to pay compensation for accidents or diseases arising out of and in the course of employment.

The scales of compensation payable to minors or persons under 15 years of age under the Act are as follows : (1) death : a fixed sum of Rs.200 irrespective of wages ; (2) permanent total disablement : a sum equal to 84 months' wages or Rs.3,500, whichever is less ; permanent partial disablement : a sum proportionate to the loss of earning capacity ; (3) temporary disablement : a half-monthly payment of a sum equal to one-third or, after he has attained the age of 15 years, to one-half of his monthly wages, but not exceeding in any case Rs.15. ¹

The Workmen's Compensation Act of 1923 came into force on 1 July 1924. Since then the number of cases of compensation for accidents and industrial diseases gradually increased from 4,168 in the last six months of 1924 to 23,574 in 1930, although the number declined to 17,489 in 1931. ² The number of cases of compensation to minors is given in the following table :

CASES OF COMPENSATION TO MINORS, 1924-1931 ¹

Year	Total number of cases (adults and minors)	Minors only			
		Death	Permanent disablement	Temporary disablement	Total
1924 ²	4,168	2	1	18	21
1925	11,371	7	9	21	37
1926	14,096	3	4	41	48
1927	15,216	6	9	27	42
1928	16,708	9	8	34	51
1929	18,865	2	6	28	36
1930	23,574	4	3	44	51
1931	17,489	3	5	21	29

¹ Compiled from *Workmen's Compensation Statistics* for the respective years, and *Labour Gazette* (Bombay), March 1933, pp. 344-348.

² Six months only (July to December).

¹ *Idem*, section 4.

² This decline was no doubt due mainly to the economic depression, which has led to a reduction in the number of workers, and especially of new workers, who are more liable to accidents owing to their lack of experience.

The average amounts of compensation paid to minors in 1931 are given in the following table :

COMPENSATION PAID IN 1931 ¹

Nature of injury	Adults			Minors		
	Cases	Total compensation	Average compensation per person	Cases	Total compensation	Average compensation per person
		Rs.	Rs.		Rs.	Rs.
Death	696	444,246	638	3	600	200
Permanent disablement	1,266	390,344	308	5	436	87
Temporary disablement	15,498	230,541	15	21	189	9
Total	17,460	1,065,131	61	29	1,225	42

¹Compiled from *Workmen's Compensation Statistics, 1931*; cf. *Labour Gazette (Bombay)*, March 1933, p. 546.

As regards the administration of the Workmen's Compensation Act, it has been pointed out that there is a lack of adequate knowledge on the part of the workers of their legal rights in the matter of claiming compensation. On the other hand, the statistics of temporary disablement cases show the increasing tendency of the workers to report slight accidents, and it is stated that employers tend more and more to see that injured employees receive their just dues. ¹

HOURS OF WORK

Together with the age of admission to employment, the most important question of child labour is that of hours of work, the control of which is one of the main objects of child labour legislation.

Legal and Actual Hours

In the case of the important group of plantation industries, however, no measures have yet been taken to regulate the hours

¹ *Workmen's Compensation Statistics, 1929*, p. 1; *Labour Gazette (Bombay)*, March 1933, p. 544.

of work of children. Whenever they are employed, they work practically the same number of hours as adults. In the Assam tea gardens, these hours were fixed at 9 a day by the contract under the indenture system, and although the contract system has been abolished the 9-hour day has become customary, except in the busy season. Hours of work depend, however, upon the system of wage payment, and where the payment of fixed wages is contingent upon the completion of a certain amount of work, the hours of work may be long. The number of hours worked in Bengal and in other parts of northern India is the same as in Assam. In the South, work continues from 7.30 a.m. to 4.30 p.m., with a break of an hour or so for the midday meal. ¹ Such hours appear to be too long for children, but their work is generally light and is often done in a leisurely way. Moreover, they are generally employed on a piece basis and may stop working whenever they like.

The hours of work of children over 13 years of age in mines are legally the same as those of adults. Actual hours of work, are, however, different from those permitted by the Indian Mines Act. Since the nature of children's work resembles that of women, some idea of their actual hours of work may be gained from statistics of the length of women's hours. In 1931, for instance, the weekly hours of women in the different classes of mines were found to vary from 35 to 48 for underground work, from 37 to 60 for work in open mines, and from 24 to 54 for surface work. In the coal mines of Jharia and Raniganj, where the largest number of mining workers are employed, the weekly hours of women were 44 for underground work, from 43 to 48 in open workings, and from 49 to 50 for surface work. ²

While the hours of work of children between the ages of 12 and 15 years may be 36 a week in factories, in practice children in a considerable number of factories work shorter hours. The actual hours worked by children in 1931 were 30 hours a week or less in 30 per cent. of the perennial factories and in 48 per cent. of the seasonal factories; since 1930 there has been a tendency to reduce the hours of work in seasonal factories. ³ Taking the two classes of factories together, it will be seen from

¹ *Report of the Royal Commission on Labour in India*, p. 400.

² *Annual Report of the Chief Inspector of Mines in India, 1931*, p. 85.

³ *Statistics of Factories subject to the Indian Factories Act, 1931*, p. 3.

the following table¹ that hours of work were less than 30 a week in about two-fifths of all factories.

HOURS OF WORK OF FACTORY CHILDREN IN 1931

Class of factories	Total number of factories employing children	Factories in which children's normal weekly hours are :			
		30 or less		over 30	
		Number	Per cent. of total	Number	Per cent. of total
Perennial	656	198	30	458	70
Seasonal	480	229	48	251	52
Total	1,136	427	38	709	62

It is also of interest to note that in practice the hours worked by children tend to be about half those worked by adult men and women. In 1923, for instance, average daily hours of work for children in different industrial centres of the Presidency of Bombay were only 5 hours, as compared with 10½ hours for men and 9 hours 36 minutes for women.

AVERAGE DAILY HOURS OF WORK IN BOMBAY PRESIDENCY IN AUGUST 1923¹

Centre	Average daily hours of work					
	Men		Women		Children	
	h.	m.	h.	m.	h.	m.
Bombay City	10	0	9	30	4	40
Ahmedabad	10	0	9	50	5	0
Sholapur	10	0	10	0	5	0
Baroda State	11	20	10	50	5	30
Other centres	10	20	9	50	5	6
Bombay Presidency	10	5	9	36	5	0

¹ GOVERNMENT OF BOMBAY : *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1923*, p. 22.

¹ *Ibid.*

It seems probable, therefore, that if the proposed amendment to the Factories Act is passed and hours of work in perennial factories are reduced to 9 hours a day for adults, the daily hours of work of children may be automatically reduced to 4½ hours. ¹

It should also be remembered, in considering children's actual hours of work in Indian factories, that children as well as adults leave the workrooms for longer or shorter periods during working hours to a much greater extent than in Western countries.

In unregulated factories it is admitted that children's hours of work are excessive. "In such places", says the Royal Commission on Labour, "there has hitherto been no regulation as to either the starting age or the maximum hours of labour and a considerable volume of employment exists throughout the country of children of tender years for excessive hours." ² In *bidi* factories, for instance, young children work as many as 10 or 12 hours a day; in carpet factories, they are obliged to work any number of hours required by their masters; and in tanneries, their hours of work sometimes exceed those of adults, owing to the fact that they are required to do additional work, such as carrying water. Excessive hours of work for children also prevail in other unregulated factories. ³ It must, however, be pointed out that in those undertakings which do not employ machinery, the pace of work is dilatory and the discipline anything but strict. The Royal Commission of Labour therefore recommended that the hours of work for children in these undertakings should be limited to 7 a day. ⁴

There is at present no limitation of the hours of work of dock labourers, and the Royal Commission on Labour recommended that normal hours should be fixed at 9 a day and some allowance made for overtime. This recommendation is still under consideration by the Government. The number of children employed in the shipping industry is insignificant, but some young persons are employed as trimmers and stokers in coasting ships. By notification under the Indian Merchant Shipping Act of 1923, the hours of work of these young persons have been limited to 6 in any period of 24 hours. ⁵

¹ *Report of the Royal Commission on Labour in India*, p. 52.

² *Idem*, p. 101.

³ *Idem*, pp. 96, 98, 101.

⁴ *Idem*, p. 101.

⁵ *Gazette of India*, 5 Dec. 1931, Part I, p. 1146.

Spreadover and Night Work

An important problem of working hours is that designated by the Royal Commission on Labour in India as the "spreadover", i.e. the period within which the daily maximum hours prescribed may be worked. It is obvious that undue extension of this period may seriously interfere with night rest, open-air recreation, and in some cases with any educational facilities that may be available. Normally, the length of the spreadover is equal to the maximum hours of work plus the prescribed break of an hour or half an hour, but in some cases the maximum hours may be divided into two or more spells separated by long intervals.

In most industries, the question of the spreadover does not arise, but in others it presents a real problem. It does not, for instance, arise on plantations, where, except for the midday rest, which is usually longer than in other industries, the maximum hours are worked consecutively. On the other hand, the problem is serious in the case of mines, especially in underground work, and the limitation of hours to 12 a day by the amending Act of 1928 did not really solve it. It is hoped that the proposed limitation of underground work to 9 hours a day will do much more in this direction.

The problem of the spreadover is, however, most complicated in factories, since with the installation of electricity the work can be prolonged until late at night. Under the Indian Factories Act, the possible spreadover consists of the 13½ hours between 5.30 a.m. and 7 p.m. This long period during which children can be employed has given rise to serious abuses. In two cotton mills in the South, for instance, the Royal Commission found that the interval between two shifts amounted to 7 hours. In Bengal jute mills the adults and some of the children began work at 5 a.m. and finished at 7 p.m. under the multiple-shift system.¹ In 1932, however, all the jute mills included within the membership of the Jute Mills Association adopted temporarily the single-shift system and decided to work 40 hours a week. The majority of the mills worked 10 hours a day for four days in the week, and the hours were usually from 5.30 to 10.30 a.m. and from 1.30 to 6.30 p.m.² The half-time employment of children under these circumstances presents no difficulties.

¹ *Report of the Royal Commission on Labour in India*, p. 47.

² INDIAN JUTE MILLS ASSOCIATION: *Report of a Survey of Women Workers in Jute Mills, 1931-1932*, p. 3.

The abuses in connection with a long spreadover are evident. It often implies beginning work very early and finishing late, entailing considerable hardship in the case of children who have to walk long distances to the factories and to their homes after work. The Royal Commission on Labour recommended the reduction of the spreadover, including rest periods, for children to a period of 7½ consecutive hours in perennial and seasonal factories and 9 hours in unregulated factories.¹

There is no night work in plantation industries, which only work during the hours of daylight, and night work of children under 15 years of age is prohibited in factories covered by the Indian Factories Act. In mines, however, children over 13 years of age can still be employed at night.

Intervals and Days of Rest

As regards intervals of rest, no regular rest period is given on plantations, where work is more or less desultory, except for the midday meal. No intervals are prescribed for children working in mines, but in coal mines, where they are usually employed in filling tubs, there is always a break after the filling of each tub. In factories, however, where the speed of work is relatively high and children are employed in processes which require more or less continuous attention, the question of rest is important. The Factories Act at present provides that, if children work 5½ hours a day, no break need be allowed, but if more than 5½ hours is worked, half an hour's rest must be given after not more than 4 hours' work. In practice, the very great majority of the factories have provided regular intervals of rest for their workers. In 1931, for instance, out of 8,143 factories, 6,583 or 81 per cent. had provided for intervals of rest of varying lengths.²

Under the proposed amendment of the Factories Act, the hours of work of children would be 5 a day, which might mean even 4½ hours in the majority of factories, and the question has been raised whether a rest period should be granted within such a relatively short working period. A 5-hour period of unbroken work is undoubtedly objectionable, as has been pointed out by the Royal Commission on Labour, but at the same time the provision of a rest in this period might result in split shifts and

¹ *Report of the Royal Commission on Labour in India*, p. 101.

² Compiled from *Statistics of Factories Subject to the Indian Factories Act*, 1931, pp. 32-33.

tend, therefore, to keep the children away from their homes for longer periods. As much of the work done by children in mills at present is intermittent and the hours of work would probably be $4\frac{1}{2}$ a day in the majority of factories, an interval of rest is not, perhaps, necessary. The Royal Commission of Labour recommended that, whenever children were employed for $4\frac{1}{2}$ or 5 hours, employers should arrange the work in such a way that the children should have at least one break. ¹

The weekly rest is also very important, especially for children. The very idea of a free day fills their hearts with a feeling of relief and joy, the value of which cannot be over-estimated.

In the days of indentured labour on plantations, the working week was restricted to six days, thus ensuring a compulsory holiday for all workers, adults and children, and this custom holds good up to the present day. As regards mines, the Indian Mines Act provides that no person may be employed for more than six days in the week, although no restriction is placed in the number of days a mine may operate. In practice, however, most coal mines work only five days in the week.

In factories the law prescribes a weekly rest for children. Generally, the day of rest is Sunday, but employers may substitute for a Sunday any of the three days preceding or following it, subject to the condition that no one may work more than ten days consecutively. The object of this provision is to enable important religious festivals to be substituted for Sundays, and this system is generally appreciated by employers and workers alike. In 1931, for instance, out of 8,143 factories, 2,104 granted the rest day on Sunday and 4,010 partly on Sunday and partly on a week day. The number of factories in which the rest day was granted simultaneously to all the workers was, therefore, 6,114, or 75 per cent. of the total. ²

WAGES AND EARNINGS

The wages and earnings of children in India vary from industry to industry and from locality to locality, alike in regard to the methods of calculation and payment of wages, the rates and movements of wages, and the extent of bonuses and concessions.

¹ *Report of the Royal Commission on Labour in India*, p. 53.

² Compiled from *Statistics of Factories subject to the Indian Factories Act, 1931*, pp. 32-33.

Calculation and Payment of Wages

In the tea gardens of Assam, the older system of fixing wages, which is still in operation in many gardens, is known as the *hazira* and *ticca* system. Under this system, the worker does a standard daily task, the *hazira*, which he may be able to complete in four to five hours, thus leaving time for *ticca*, or extra work. This system has, however, been largely replaced by the unit system, under which the worker is paid for a given unit of work. Both these systems are varieties of piece work, time rates being paid only for irregular work.¹

Most of the workers on plantations are employed in gangs under the supervision of *sardars* or *maistries*, who, in addition to fixed monthly wages, receive bonuses on the total earnings of the workers employed under them. Payment is generally made directly to the workers, but instances are known, e.g. in a number of gardens in the Dooars in Bengal, where payment is made in a lump sum to the *sardars*, who in turn pay their workers.²

Practically all work in mines is paid at piece rates, the unit of payment for cutters and loaders being the tub. Payment may be made either to individual workers, or to the gangs or families filling the tubs.

In factories, both time and piece rates are common, and sometimes they are combined. The majority of the children in cotton mills in the Presidency of Bombay are, however, employed on time rates. Of the 17,152 older boys (i.e. from 14 to 18 years of age) investigated in August 1923, 97.4 per cent. were employed on time rates. In Bombay there is a "basic" rate, which is generally the rate existing before the war, to which is added a cost-of-living allowance. In some occupations, however, these two rates have been consolidated.³

The periodicity of wage payments varies widely. Wages are paid daily in the case of casual and unskilled workers all over the country, weekly in the coalfields of Jharia, the tea gardens of Darjeeling and of the Surma Valley, and the jute mills of Calcutta, fortnightly in the cotton mills of Ahmedabad, and monthly in the cotton mills of Bombay, the tea gardens of the Assam Valley, and some other industries in various parts of the country.⁴

¹ *Report of the Royal Commission on Labour in India*, pp. 381, 383-384, 398-401.

² *Idem*, p. 399.

³ GOVERNMENT OF BOMBAY: *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1923*, pp. 4 and 12.

⁴ *Bulletin of Indian Industries and Labour*, No. 34, 1925, pp. 10-24; GOVERNMENT OF BOMBAY: *Memorandum to the Royal Commission on Labour*, pp. 119-120.

The most objectionable feature of the system of wage payment in India is the long period for which most of the workers have to wait before the payment is made. This period varies from two to five days in the case of weekly wages, from five to seven days in the case of fortnightly wages, and from ten to fifteen days or even longer in the case of monthly wages. Although an interim payment is made in the case of monthly wages, the inconvenience caused by this long delay is obviously very great to the workers, most of whom have to make purchases on credit or even to borrow money from money-lenders at a high rate of interest.

Another very objectionable feature of the wage system is the custom of making deductions from wages for breaches of discipline, bad or negligent work, damage to plant, services rendered by employers, etc. Among 12,031 establishments enquired into in 1926, 441 or over one-third had the system of making deductions from wages on one or more of the above grounds. In 45 factories in the Presidency of Bombay employing 1,497 children, there were 1,223 instances in the first ten months of the year 1926 in which children were fined for one or more of the above reasons, the total amount of the deductions being Rs. 148-13-3, or 1 anna and 11 pies per offence.

DEDUCTIONS FROM CHILDREN'S WAGES IN TEXTILE MILLS IN BOMBAY PRESIDENCY, 1926¹

Reason for deduction	Number of instances	Total amount deducted		
		Rs.	a.	p.
Breach of discipline	44	11	10	9
Bad or negligent work	11	1	6	6
Damage to plant	236	19	15	0
Others	932	116	13	0
Total	1,223	149	13	3

¹ GOVERNMENT OF BOMBAY : *Report of an Enquiry into Deductions from Wages or Payment in respect of Fines*, pp. 90-91. 1928.

From the above table, it will be seen that of 1,223 instances of deductions, 932, or 76.21 per cent. of the total, were for reasons other than breaches of discipline, neglect of work, and damage

to plant. These deductions were generally fines for loss of identification cards and amounted to about 2 annas per instance.

In order to minimise the evils of tardy wage payment and deductions, the Government of India has introduced a Payment of Wages Bill, which applies to wages payable to persons receiving less than Rs.100 a month. It provides that wages must ordinarily be paid to factory workers within seven days of the expiry of the period within which they have been earned, or within two days in case of discharge, and that deductions from the wages of factory and railway workers shall be restricted to half an anna in the rupee (one thirty-second part of wages) in respect of fines of adult workers, to the actual loss or wholesale price of the article damaged, or to the actual value of the service rendered by the employer. Under the provisions of this Bill, no person under 15 years of age may be fined.¹

A private Bill for the protection of wages which has recently been introduced, and which seeks to limit the evils of the besetting or intimidation of workers by money-lenders in the collection of the principal or interest of loans in or about industrial undertakings, would also have some application to children.²

Rates and Movements of Wages

Reliable data on wage rates on plantations are available only in the case of the Assam tea gardens, as shown in the table below. It will be seen that the rates of wages are much higher in the Assam Valley than in the Surma Valley, and that the rates for children are roughly about one-half and two-thirds of those for men and women respectively.

MONTHLY WAGE RATES IN ASSAM TEA GARDENS, 1931-1932¹

Class of workers	Assam Valley			Surma Valley		
	Rs.	a.	p.	Rs.	a.	p.
Men	12	8	5	7	14	11
Women	9	8	7	6	1	1
Children	6	15	8	4	9	1

¹ Compiled from *Report on Immigrant Labour in the Province of Assam, 1931-1932*, Statements, VII. Average wages calculated on the average daily working strength in two typical months, September and March, excluding non-cash payments.

¹ *Gazette of India*, 4 Feb. 1933, Part V, p. 9.

² *Idem*, 1 April 1933, Part V, p. 61.

Some indications as to wages in other plantation areas were collected by the Royal Commission on Labour in 1929 and 1930, but since then there has been a decline in wages owing to the economic depression. Nevertheless, the Commission's figures give some idea of the rates of wages of children in different centres. It will be seen from the table below that the daily wage rates of children were highest in the Madras Presidency and Coorg, and that in Coorg their earnings varied from one-third to one-half those of men, and from one-half to three-fourths those of women.

DAILY WAGE RATES OF CHILDREN ON PLANTATIONS
IN VARIOUS PROVINCES ¹

Locality	Men		Women		Children	
	As.	p.	As.	p.	As.	p.
The Dooars and the Terai ²	8	11	6	5	1	9
Darjeeling	7	6	6	0	2	9
Madras	7	6	5	0	2	0
					3	0
Coorg	6	0	4	0	2	0
					3	0

¹ Compiled from *Report of the Royal Commission on Labour in India*, pp. 399-400.

² Calculated from monthly rates on the basis of 26 days to the month.

As regards the movement of wages, the only data available for plantations are those for the Assam tea gardens. The following table shows that there was an increase in 1929-1930 as compared with 1923-1924, followed by a decrease in 1931-1932, in both the Assam and Surma Valleys.

The decline in wages in 1931-1932 is the result of the depression in the tea industry, which has resulted in reducing the opportunities of earning *ticca*, or additional pay for work over and above the standard task. However, there has also been a decrease in the price level of almost all commodities, and the standard of living of the working class is said to have undergone very little, if any, change on plantations.

No data are available as to the wages of children employed in the different mining industries, but since children often work with women they may earn approximately the same wages, and some idea of the wages of children may be gained from those of women in coal and mica mines in 1925. The weekly wages of

**MONTHLY WAGES OF CHILDREN IN ASSAM TEA GARDENS
IN SPECIFIED YEARS ¹**

Year	Assam Valley			Surma Valley		
	Rs.	a.	p.	Rs.	a.	p.
1923-1924	5	4	9	4	11	4
1929-1930 ²	7	4	7	5	6	2
1931-1932	6	15	8	4	9	1

¹ Compiled from *Report on Immigrant Labour in the Province of Assam* for the years indicated. Average monthly wages calculated on the average daily working strength in two typical months, September and March.

² Total monthly cash earnings excluding diet, rations, and subsistence allowance (average of two months). Figures for earlier years were calculated upon a different basis and included *ticca*, diet, rations, subsistence allowance, and bonus per head. Cf. *Report on Immigrant Labour in the Province of Assam, 1921-1922, Statement VII.*

women were Rs. 2-8 for underground work and Rs. 2-4 for surface work in the Jharia coalfield ; their daily wages were As. 3-6 in open workings and As. 3-9 for surface work in the mica mines of Bihar and Orissa. ¹

Data regarding the wages of children in factories have been compiled only for the Bombay textile mills, where enquiries have been made by the Bombay Labour Office. The recorded wages include basic rates, cost-of-living allowances, attendance bonuses, and, in the case of Sholapur, the monthly value of the grain concession. In the table below it will be seen that in 1926 wages in Ahmedabad were much higher than in Sholapur. Children earned less than one-fourth as much as men in both places, less

**AVERAGE MONTHLY EARNINGS FOR FULL-TIME WORK IN COTTON MILLS
IN THE BOMBAY PRESIDENCY, 1926 ¹**

Class of workers	Ahmedabad			Sholapur		
	Rs.	a.	p.	Rs.	a.	p.
Men	38	4	0	26	10	2
Women	21	1	6	11	6	7
Children	9	11	6	6	13	10

¹ The figures for Ahmedabad are for May and those for Sholapur are for July 1926 ; full time means 27 days for the former and 26 days for the latter. Cf. GOVERNMENT OF BOMBAY : *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1926, p. 44.*

¹ Compiled from *Annual Report of the Chief Inspector of Mines in India, 1931, p. 6.*

than half as much as women in Ahmedabad, and little more than half as much as women in Sholapur. No children were found employed in the mills investigated in Bombay City in 1926.

The above earnings are calculated on the basis of full-time work, and are therefore higher than average actual earnings, as a large number of children are usually absent. The average actual earnings in Sholapur, for instance, were only Rs. 5-10-4, instead of Rs. 6-13-10 as shown in the above table.¹

Some idea of the movement of wages in factories may be obtained from the data available for Bombay textile mills. It will be seen from the table below² that, as compared with 1914, the monthly earnings of older boys and children, on a full-time basis (i.e. counting two half-timers as one full-time worker), had more than doubled in 1921, but have declined since then.

Date	Full-time monthly earnings		
	Rs.	a.	p.
1914 (May)	7	13	4
1921 (May)	17	3	7
1923 (August)	16	9	6
1926 (May and July) ¹	16	2	4

¹ Average of the earnings of children for full-time work at Ahmedabad and Sholapur. Computed from: GOVERNMENT OF BOMBAY: *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1926*, p. 44.

Cost-of-living allowances were first introduced by the Bombay Millowners' Association in January 1918, when an allowance of 15 per cent. was granted to all mill workers. On 1 January 1920 the increase was raised to 70 per cent. in some cases and 80 per cent. in others. These allowances have been maintained as a separate item in the payroll. Similar allowances were also made in Ahmedabad.

In addition to regular employment, children are also to some extent employed casually on daily rates both in factories and in various miscellaneous occupations. These children are paid roughly about 4 annas a day, as compared with 8 annas for men and 6 annas for women in Bengal, Bihar and Orissa, and parts of the Central Provinces. The rates are lower in Madras, the United Provinces, and parts of the Central Provinces, and higher in Bombay, Burma, the Punjab, and Delhi.³

¹ GOVERNMENT OF BOMBAY: *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1926*, p. 43.

² IDEM: *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1923*, p. 11.

³ *Report of the Royal Commission on Labour in India*, p. 203.

Bonuses and Concessions

In many industries the earnings of children are increased by different systems of bonuses and concessions. According to the enquiry made in 1926 by the Bombay Labour Office, all the 192 children in two representative cotton mills in Sholapur and 99.2 per cent. of the 647 children in sixteen representative cotton mills in Ahmedabad received bonuses. The average bonus per child amounted to Rs. 0-8-11 per month in Ahmedabad, and Rs. 1-2-8 per month in Sholapur.¹

It is difficult to estimate the money value of different kinds of bonuses and concessions granted to all classes of workers, including children, in various industries, but they form a substantial part of their income, especially in plantations and mines. They may be briefly classified under the following headings : (1) free, or partly free, quarters in most of the mines, plantations, and some factories ; (2) medical help in almost all industries ; (3) free fuel in coalfields and plantations ; (4) land, either free or at a reduced rate, for gardening, pasturing, and cultivation in most of the plantations ; (5) purchase of commodities at a reduced price, or advance of money at a low rate of interest in isolated cases. Some of these bonuses and concessions concern families rather than individuals, but others directly benefit children as workers.²

WELFARE AND EDUCATION

In the absence of general public provision for housing, medical care, etc., the work of employers, trade unions, and private organisations has particular significance for child welfare. Moreover, since compulsory elementary education has not yet been generally established in India, the education and training schemes for children initiated or supported by employers are also of special importance.

Welfare Work

There are four main agencies by which welfare work is carried out in India : (1) employers, whose activities lie chiefly

¹ Data for the month of May in the case of Ahmedabad and for July in the case of Sholapur. Compiled from : GOVERNMENT OF BOMBAY : *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1926*, pp. 65, 150, 161.

² GOVERNMENT OF BOMBAY : *Report on an Enquiry into Wages and Hours of Labour in the Cotton Mill Industry in 1926*, p 168.

in: the supply of housing and medical help ; (2) semi-public organisations, such as Port Trusts and Municipalities, which have undertaken specific work in Bombay, for instance, for the reduction of infant mortality ; (3) private organisations, of which the most important are the Social Service League, the Young Men's Christian Association, the Young Women's Christian Association, the workmen's institutes and *seva sadan* (social service) organisations ; and (4) labour organisations, such as the Labour Union of Ahmedabad, the *Kamgar Hitawardhak Sabha* (Workers' Welfare Association), and some of the postal unions in different parts of the Bombay Presidency, which carry on welfare activities for the benefit of their members.

Housing¹, which is of great importance for child welfare, is generally unsatisfactory in India, and has become a problem of the first magnitude in industrial centres as a result of lack of sanitation and overcrowding.

Most of the workers on plantations and mines and many factory workers are housed by employers. In Calcutta and the vicinity, for instance, 53 jute mills accommodated from 30 to 40 per cent. of their workers in 1930² ; in Ahmedabad, 34 cotton mills provided housing for 58 per cent. of their workers in 1931³ ; in Bombay, 28 textile mills provided single-room tenements for 20 per cent. of their workers in 1930⁴ ; and Port Trusts housed 3,502 of their 9,342 workers, i.e. 37.2 per cent., at the end of 1931.⁵ Employers in such cities as Nagpur, Cawnpore, and Madras also house a part of their workers.

By far the largest number of workers, however, live in private tenements. Nearly 89 per cent. of the workers in Bombay and 82 per cent. in Ahmedabad live in one-room tenements.⁶ Most of these tenements are overcrowded, and the average number of persons living in them in Bombay City, for instance, was 3.7 per old tenement and 4.25 per new tenement.⁷

¹ Housing conditions have been more fully discussed by the writer in a previous article on "Woman Labour in India" (cf. *International Labour Review*, Vol. XXIV, No. 5, Nov. 1931, pp. 552-556).

² *Report of the Royal Commission on Labour in India*, p. 272. These figures were collected by the Commission in 1929 and 1930 ; it is assumed that they refer to 1930.

³ *Labour Gazette* (Bombay), Sept. 1931, p. 58.

⁴ *Report of the Royal Commission on Labour in India*, p. 273.

⁵ *Labour Gazette* (Bombay), Nov. 1932, p. 119.

⁶ *Idem*, Jan. 1931, p. 480 ; Nov. 1931, p. 58.

⁷ *Idem*, May 1931, p. 890.

Sanitation is lacking in most of the workers' dwellings. Planning is generally unknown ; the houses are built close to one another, without leaving sufficient space for streets and roads, and are often in a dilapidated condition ; they lack lighting and ventilation, adequate latrine systems, and sufficient pure water ; and the courtyards and surroundings are full of dust, garbage, and filth. It is not surprising therefore that there are frequent outbreaks of cholera, smallpox, and plague. In brief, the majority of the workers' dwellings in industrial centres are unsanitary, congested, and overcrowded, and are unfit for human habitation.

A direct effect of insanitation and overcrowding is the high rate of mortality among infants. An investigation of 6,857 deaths out of 21,685 births in 1927 indicated that while the average infant mortality was 316 per 1,000 births, it was 490 in the case of one-room tenements, 203 in the case of two-room tenements, 222 in the case of three-room tenements, and 195 in the case of tenements of four or more rooms¹. Although much has been done by some employers, there is therefore an urgent need for the provision of housing by the public authorities.

The Royal Commission on Labour made several recommendations for improving housing accommodation, of which the most important are : (1) a survey of urban and industrial areas by provincial Governments to ascertain housing needs, and the laying down of minimum standards regarding cubic space, ventilation and lighting, drainage and sanitation ; (2) the development and lay-out of industrial areas, and the provision and maintenance of proper sanitary conditions by local authorities ; (3) the amendment of the Land Acquisition Act, 1894, to enable land to be acquired when it is intended for the housing of labour, either by companies or by other employers.² In order to give effect to the last recommendation, the Government of India has introduced a Bill into the Legislature.³

Both the prevalence of disease and the lack of adequate medical arrangements have made it necessary for employers to establish medical services in a large number of organised industries (plantations, mines, and factories). The benefits of these medical services are often not confined to actual workers, but are

¹ *Report of the Royal Commission on Labour in India* pp. 272, 276, 277 ; *Statistics of Factories subject to the Indian Factories Act, 1928*, p. 5 ; 1931, p. 5.

² *Report of the Royal Commission on Labour in India*, pp. 286, 287, and 291.

³ Since this article was written the Bill has been passed. Cf. *Gazette of India*, 16 Sept. 1933, Part IV, p. 34.

extended to the whole labour population, especially in plantation areas and mining districts.

The physique of plantation labourers and their families is generally satisfactory and the standard is higher than among the population of the recruiting areas. In many of the larger and more progressive concerns, medical arrangements are of a high standard, but in smaller tea gardens they are often unsatisfactory, both as regards staff and facilities of treatment.¹

In the coalfields, as already mentioned, the health of the workers is taken care of by the Asansol Mines Board of Health and the Jharia Mines Board of Health, organised for the purpose.

Many of the larger factories have also organised medical services ; some of the jute mills on the Hooghly, for example, have admirably planned medical arrangements. Other undertakings have small dispensaries attached to the works, patients suffering from serious illnesses being sent to the local or municipal hospitals. There are still other industrial concerns which have made no medical arrangements of any kind for their workers, their contention being that the whole responsibility for the provision of such service should properly lie with the municipality or local boards concerned.²

The adequate protection of mothers and infants, including anti-natal and post-natal care, is also of great importance for the welfare of future young workers. Both maternal mortality and infant mortality are very high in India. An analysis of 9,373 maternity cases in 31 tea gardens in the Assam Valley over a period of three years, 1930-1932, showed that the rate of maternal mortality was 42 per 1,000 births, or nearly ten times as high as in England.³ The records of the maternity benefit scheme in Calcutta also showed that maternity mortality per 1,000 births was 22 in 1929, 11.3 in 1930 and 7.9 in 1931.⁴

As regards infant mortality, the enquiry made by the Bombay Labour Office in September 1930 shows that in 5,911 cases of childbirth among women workers there were 190 stillbirths, or 33 per 1,000 births, and of the infants born alive 1,159, or

¹ *Report of the Royal Commission on Labour in India*, pp. 405 and 410.

² JHARIA MINES BOARD OF HEALTH : *Annual Report for 1929-1930 ; Annual Administrative Report of the Asansol Mines Board of Health, 1930-1931 ; Report of the Royal Commission on Labour in India*, p. 258.

³ M. L. BALFOUR, C.B.E., M.B., F.C.O.G. : *Report of a Tour in Assam Tea Gardens in 1932*, p. 2.

⁴ INDIAN JUTE MILLS ASSOCIATION : *Report of a Survey of Women Workers in Jute Mills, 1931-1932*, p. 10.

202 per 1,000 births, died before they reached the age of one year. In 1930-1931, the infant mortality rate was 129.2 per 1,000 births in the Raniganj coalfield. ¹

The high rates of both maternal and infant mortality show the necessity of granting maternity benefit. This means that expectant mothers should be granted rest and benefit immediately before and after childbirth.

Voluntary maternity benefit schemes exist in a number of industries. Most of the large tea gardens in Assam and Bengal have adopted some form or other of maternity benefit. In Assam, for instance, the leave may extend as long as six months, part being given before and part after delivery, and the benefit may be from 1 rupee to 1½ rupees, or at the rate of 5 seers (about 10 lb.) of rice and 4 annas cash, per week. Most gardens also pay the wages of one or more *dais* (midwives) to attend confinements, though the *dais* are, as a rule, not trained. Moreover, the benefits paid not being equal to the wages which the women workers can earn, they often prefer to work as long as they can. Several gardens have recently stopped paying benefits, owing to the depression. ²

The importance of granting maternity benefit has not yet been fully realised by mine owners. The Jharia Board of Health has, however, sanctioned an experimental maternity scheme at a cost of Rs. 6,000 per annum, and in November 1930 a health officer was appointed to supervise the work of midwives employed on a group of collieries in the Jharia coalfields. ³

The jute mills in Bengal have also realised the importance of granting maternity benefit and in 1929 the Indian Jute Mills Association recommended the introduction of the system by its members. By 1931, out of 64 mills, 53 had adopted a maternity benefit scheme. The number of women who received benefits was 958 in 1921, 2,142 in 1930, and 2,380 in 1931. The amount of benefit differed in different mills ; in 5 mills it equalled the wages earned, in 42 mills the benefit was at the rate of Rs. 2-4-0 per week, and in others the rate varied from Rs. 2-1-0 to Rs. 3 per week. The duration of benefit was four weeks in 48 mills. ⁴

¹ *Annual Administrative Report of the Asansol Mines Board of Health, 1930-1931*, p. 7.

² *Report of a Tour in Assam Tea Gardens in 1932*, p. 2.

³ *Annual Report of the Chief Inspector of Mines in India, 1930*, p. 42.

⁴ *Report on a Survey of Women Workers in Jute Mills in 1931-1932*, p. 9.

Up to the present only two provinces, Bombay and the Central Provinces, have passed Maternity Benefit Acts for women workers in factories. The maximum period for which the benefit is available is seven weeks in the former and eight weeks in the latter province, while the amount of benefit is 8 annas a day in Bombay and at the average rate of the woman's earnings during the preceding three months in the Central Provinces.¹ The results of the administration of the Bombay Maternity Benefit Act for the first six months of 1929-1930 and subsequent years are shown below :

ADMINISTRATION OF THE BOMBAY MATERNITY BENEFIT ACT, 1929-1932¹

Year	Average daily number of women workers	Number of women claiming benefit	Number of women receiving benefit ²	Claims granted per 100 women employed	Average amount of benefits per claim
					Rs. a. p.
1929-1930 ³	53,309	2,568	1,700	3.15	20 6 0
1930-1931	51,950	5,963	5,231	10.06	23 3 0
1931-1932	53,487	6,185	5,455	10.20	29 9 0

¹ Compiled from *Labour Gazette* (Bombay), Dec. 1930, pp. 338-341 ; Nov. 1931, pp. 231-233 ; Nov. 1932, pp. 191-193.

² Includes claims granted under section 7 of the Act when either the infant or the mother dies during the period for which the benefit is available.

³ Six months only.

The Royal Commission on Labour has recommended that maternity benefit legislation should be enacted throughout India on the lines of the schemes operating in Bombay and the Central Provinces, this legislation to be applicable to all permanent factories and plantations, and to provide benefit for four weeks before and four weeks after childbirth.²

Ignorance and poverty leading to the neglect of infants are the greatest obstacles to the work of protecting infancy. In this connection, reference must be made to the evil practice, found in some parts of India, of administering opium to infants. In 1922 the Government of Bombay appointed a woman doctor, and her investigations led to the discovery of the fact that 98 per cent. of infants born to industrial women workers in Bombay had

¹ GOVERNMENT OF BOMBAY : *Memorandum to the Royal Commission on Labour*, p. 54 : Bombay Act (VII) of 1929 ; *Labour Gazette* (Bombay), 1931, pp. 789-793.

² *Report of the Royal Commission on Labour in India*, pp. 263-265, 412.

opium administered to them in one form or another, and that this was responsible for much of the "atrophy" group of diseases met with among infants in Bombay.¹

This problem, like that of the bringing of babies into the workshops, shows the importance of providing crèches where infants can be cared for while their mothers are at work. Although the importance of establishing crèches has long been realised, up to 1931 the number of mills which provided crèches was only 24 in Bombay, 7 in Sholapur, and 16 in Ahmedabad.² Some of the textile mills in Madras and Nagpur have up-to-date crèches, but until recently the system of providing crèches was almost unknown in Bengal jute mills. The jute mill owners began an enquiry into the matter some two years ago with a view to the establishment of crèches, but the progress which has been made up to the present is said to be insignificant.

The Royal Commission on Labour recommended that there should be compulsory provision of crèches in all factories employing 250 women, or even fewer in certain cases.³ The draft Factory Bill, to which reference has already been made, suggests that rooms should be reserved for the use of the children of women workers, and that, where such rooms are provided, no children below six years of age should be admitted to the place in which the manufacturing process is being carried out.

Finally, the importance of welfare work in the homes of the workers cannot be over-estimated.

Home life on plantations and mines resembles more or less that in the villages from which the workers are recruited. Although the environment, including climate, food, and habits of life, is different, and very often people of different races are employed together, the very fact that groups of families are recruited from the same districts and are employed in the same undertaking creates a good deal of resemblance with life in the villages. Most of the workers on plantations and mines, however, belong to the aboriginal races, or the so-called low castes, and the lives of the majority are dominated by tribal tradition and superstition. Moreover, drinking and drug habits, to which they have long been addicted, have increased with improved economic conditions.

¹ *Labour Gazette* (Bombay), Oct. 1931, p. 153.

² The figure for Ahmedabad refers to the year 1927; the number has since increased. Cf. *Labour Gazette* (Bombay), Oct. 1931, p. 155.

³ *Report of the Royal Commission on Labour in India*, p. 66.

The home life of factory workers has been much more influenced by the changed environment than that of workers in mines and on plantations. The family system tends to break down among the migrant factory workers, and the housing in tenements in "lines", "bustees", "chawls", etc., with their unsanitary conditions and uninviting surroundings, can scarcely supply the physical basis on which home and family life can be built. There is also a great disparity between the sexes, the number of women per 1,000 men being only 444 in Rangoon, 500 in Calcutta, 524 in Bombay, 667 in Cawnpore, and 763 in Ahmedabad, a situation which has led to a great deal of prostitution in these industrial centres. It is not surprising that drinking, gambling, and other vices are common in the slums in which so many factory workers have to live.

It would be out of place to attempt to describe here in detail the work that is being carried on, mostly by private religious organisations, in the workers' homes or in an endeavour to create a healthy social life both for adult workers and for their children. This work usually takes the form of institutes for recreation and education, founded sometimes by or with the aid of employers, as well as attempts to stimulate the workers to adopt higher standards in the home. Unfortunately, this work only touches the fringe of the many problems that have been created by the *laissez-faire* policy of industrial development in India.

Education and Training

Among the larger countries of the world, India is the most backward as far as literacy is concerned. Of the total population of 353 million, only 28 million, or about 8 per cent., were literate in 1931.¹ That most of the workers are illiterate can fairly be assumed. "In India", says the Royal Commission on Labour, "nearly the whole mass of industrial labour is illiterate, a state of affairs which is unknown in any other country of industrial importance. It is almost impossible to over-estimate the consequences of this disability, which are obvious in wages, in health, in productivity, in organisation and in several other directions."²

The total number of children who attend school at present is insignificant. Out of an estimated total of 72 million children

¹ *East India (Census 1931): Abstract of Tables*, p. 5.

² *Report*, p. 27.

of school-going age (i.e. from 5 to 14 years) in British India, only 11.64 million were attending primary and secondary schools in 1930-1931. Including students in higher education, only 12.68 million, or 3.6 per cent. of the total population, were in educational institutions in British India, as compared with 15 per cent. in England and Wales.¹

The fundamental cause of the illiteracy of the Indian masses is the lack of compulsory education. Attempts were made as early as 1911 to introduce compulsory education in India, and since 1918 eight provinces have passed Primary Education Acts authorising the introduction of compulsory education by local option, in either urban or rural areas or both, for boys or for both boys and girls from 6 to 10 years of age. In some cases education may be extended to a longer period.² In 1929-1930, however, only 132 municipalities and 3,137 rural areas, out of a total of 500,088 towns and villages in British India, had introduced primary education.³

The lack of general education has also retarded the growth of vocational education or a conscious and purposive training for an industrial career. The necessity for technical education has long been realised and the Industrial Commission of 1916-1918 elaborated a scheme of technical education⁴, but little progress has been made in that line. In 1930-1931, for instance, out of about 12.68 million children and young people attending educational institutions, only 2,092 were in engineering and surveying schools, 27,209 in technical and industrial schools, 6,519 in commercial schools, and 561 in agricultural schools.⁵

Like technical education for organised industry, vocational education in unorganised industries, such as arts and crafts, is inadequate. Such education was first introduced by the Christian missionaries in Madras in the seventies of the last century and has since been started in other provinces. At present it is imparted by three agencies, namely, Governments, local bodies

¹ Compiled from *Statistical Abstract for British India*, 1933, p. 370, and *Statesman's Year Book*, 1933. (Out of a total population of 39.98 million in England and Wales in 1931, there were 6,007,657 pupils and students, consisting of 5,514,401 in elementary schools, 452,578 in secondary schools, and 40,678 in universities.)

² *Indian Year Book*, 1932-1933, p. 347.

³ *India in 1930-1931*, p. 626. The number of towns and villages is taken from the 1921 census.

⁴ *Report of the Indian Industrial Commission 1916-1918*, pp. 99-119.

⁵ *Statistical Abstract for British India*, 1933, p. 371.

(municipalities), and private enterprise, including missionary schools¹, but the progress made is insignificant.

Educational facilities provided by employers are therefore of considerable importance, a fact which was realised as early as 1908 by the Indian Factory Labour Commission. In accordance with its suggestions, the Government of Bombay sanctioned in 1913 the opening of special schools for factory workers at an annual cost of Rs. 2,080.² A special simplified course was drawn up and sanctioned by these schools. Owing, however, to the migratory habits of the children's families, the spasmodic attendance and defective accommodation, comparatively little progress was made. According to the report of the Government of India, only 17 per cent. of the children employed in certain provinces were actually attending school in 1913.³

In 1916 an understanding was arrived at between the representatives of the Bombay Millowners' Association and the Bombay Schools Committee, whereby the Schools Committee and the Millowners' Association undertook to pay fees and give bonuses for regular attendance. In 1917 there were 10 factory schools with an attendance of 465 children in Bombay, but in 1921 there were only five such schools with an attendance of 310 children. It was found that the principal difficulty experienced was unwillingness on the part of the children to attend the schools provided, and the conclusion arrived at was that no rapid progress in the education of factory children could be looked for until compulsory education was introduced in the areas in which these children resided. The Bombay Municipality has now introduced compulsory education in the wards which are generally peopled by mill workers⁴, and the Government of Madras has passed orders commending to the Municipalities for sympathetic consideration the recommendation of the Royal Commission on Labour for the introduction of compulsory education.⁵

Elementary schools have also been started by several individual factories in other industrial centres. The education provided by

¹ *Report of the Indian Industrial Commission, 1916-1918*, p. 97 ; A. G. CLOW : *The State and Industry*, p. 15.

² GOVERNMENT OF BOMBAY : *Memorandum to the Royal Commission on Labour*, p. 66.

³ GOVERNMENT OF INDIA : *The Education of Factory Children in India*, pp. i and ii. Calcutta, 1918.

⁴ GOVERNMENT OF BOMBAY : *Memorandum to the Royal Commission on Labour*, p. 66.

⁵ *Labour Gazette* (Bombay), July 1932, p. 1073.

the Buckingham and Carnatic Mills in Madras, for instance, consists of a sound elementary course, some technical classes, and training in hygiene. Similar educational facilities are offered by the British India Corporation in Cawnpore. The most elaborate system of education has, however, been developed by the Empress Mills in Nagpur. Education commences with nursery and kindergarten classes for infants up to the age of 6 years ; primary schools are provided for children from 6 to 12 years of age, and industrial classes for boys over 12, and factory schools for half-timers. Moreover, an annual contribution of Rs. 35,000 is made to the schools attended by the children and dependants of the workers.¹

The general tendency among factory employers is to provide schooling for their half-time workers. As to this policy, the Royal Commission on Labour has pointed out that after five or six hours' work half-timers are scarcely in a position to learn anything worth while in factory schools. While recognising that the main responsibility for education in industrial areas cannot be thrown on employers, the Commission points out that it would be in the interests of employers to facilitate the education of workers' children who are not employed, since they would thereby be helping to create a better class of future workers.²

Schools have existed for a long time in the coalfields of Bengal and Bihar ; there is even a school run by miners themselves in the Asansol area. In 1929-1930 the number of schools in the coalfields was 17 in the Giridh district and 88 in the Jharia district. But most of these colliery schools are attended by the children of clerks and higher officials rather than by those of ordinary miners. Moreover, there is no concerted action to bring the children of the workers under the provisions of the Bihar and Orissa Primary Education Act of 1919. In view of the fact that children under 13 years of age are excluded from employment in mines and that there is no alternative employment even for older children, the introduction of compulsory primary education becomes particularly necessary in the coalfields, as suggested by the Royal Commission on Labour.³

The education of children on plantations presents a special problem in view of the fact that most of the plantations are

¹ *Report of the Royal Commission on Labour in India*, pp. 260-261.

² *Idem*, pp. 27-29.

³ *Idem*, p. 134.

located in out-of-the-way places. The Royal Commission on Labour recommended the co-operation of Government and industry for the education of plantation children on the basis of the Ceylon system, by which the estates make themselves responsible for the building, maintenance, and equipment of suitable schools whenever there are resident on the estates 25 or more children between the ages of 6 and 10 years, and the Government contributes the salary of the teachers and the general supervision of the curriculum and organisation.

The inadequacy of both general and technical education in India also has repercussions on industrial training in the factory and on efficiency and discipline.

From the beginning of modern industry, there has been a shortage of supervisory staff in India. This was natural in a country where industrialism was introduced from abroad and has not grown from within. The deficiency was made good at first by importing European supervisors for modern industrial undertakings, but, in recent years, there has been a tendency to replace Europeans by Indians. Anglo-Indians were the first in the field, but educated Indians have followed them closely. An important method of forming supervising staff is apprenticeship, which has made fair progress in engineering and metal works, such as ordnance factories, railway workshops, and the iron and steel works at Jamshedpur.¹

The development of the apprenticeship system among Indians has been brought about by several factors : first, the high cost of employing Europeans, especially in these days of keen foreign competition ; secondly, a strong desire for the Indianising of all services as a result of the rising spirit of nationalism ; thirdly, a change of attitude among educated Indians towards the dignity of labour, due partly to economic pressure and partly to decreasing prejudices ; and finally, the growth of technical education enabling young Indians to undertake the work of an apprentice in modern industries.

Efforts to replace European by Indian supervision have not met with the same success in textile mills as in the engineering and metal industries. This is mainly due to the faulty system of engaging and training supervisory staff, as pointed out by the Royal Commission on Labour.² Instead of supervisory staff

¹ *Idem*, p. 30.

² *Ibid.*

being created by gradual promotion from below, as in England and other countries, they have been appointed from outside and are often ignorant and inexperienced in the actual working of the factory system. The mill owners, however, have been obliged to go outside the mills for their supervising staff, since practically all workers in textile mills are drawn from the peasant population and are illiterate, lacking both technical education and social tradition in the kind of work they are called upon to undertake. The introduction of compulsory primary education in the mill areas of Bombay is a great step forward. But elementary education alone is not sufficient to solve the problem. It must be supplemented by instruction in extension and continuation schools, especially in the case of promising students. What is still more important is the recruitment of young persons from high schools, colleges, or technical schools so that they may be trained for supervisory posts by themselves working through the various factory processes.

CONCLUSION

In the foregoing pages it has been indicated that, although the exact number of child workers in India cannot be ascertained, it may be assumed that, owing to the large percentage of the total population in the younger age groups, the low average length of life, the extreme poverty of the masses, and the absence of compulsory elementary education, the proportion of children in the working population is larger in India than in most other countries. The number of children employed as wage earners is, however, very small, and that of children in organised industries even smaller. Nevertheless, the employment of a small number of children in modern organised industries has given rise to several social, political, and economic problems.

Children have always helped their parents in agriculture and handicrafts in India and the majority of children no doubt do so even to-day. But the specific problems of child labour arose mostly with the development of modern industry. The employment of children in organised industries under adequate control has, of course, some beneficial aspects : first, it provides an opportunity of adding to the family income, which is extremely low in India ; secondly, it offers the possibility of learning a trade in a country where there are very few new openings in industrial activity ; and finally, it gives the children a chance to come in

contact with the outside world, thus giving them a new outlook on life and bringing a dynamic element into society itself. But to be beneficial the employment of children must be properly organised and regulated, otherwise it is liable to be a danger to society and to the children themselves.

The problems to which the industrial employment of children have given rise may be considered from three distinct points of view, namely : (1) working conditions, (2) living conditions, and (3) social policy.

As has already been shown, increasing attention has been given in India to such main problems of working conditions as the age for admission to employment, health and safety, hours of work, wages, and workmen's compensation ; and the report of the Royal Commission on Labour in India, which was issued in June 1931, promises to be the starting-point of a considerable new development of labour legislation.

A most important factor in the revision, amendment, and even initiation of labour legislation in India has, as noted before, been the International Labour Organisation. Since 1919, the International Labour Conference has adopted various Conventions and Recommendations bearing directly or indirectly on child labour, and most of these have been given effect to by the Government of India by legislative or other measures.

It must be recalled that child labour legislation aims at securing health and safety for children and providing them with all the facilities for education in the period which is most suitable to intellectual development. This object is attained by fixing a minimum age below which they may not be employed and also a maximum age up to which they may work only under certain conditions.

Although the minimum age for admission to employment has been progressively raised, it is still below the standard fixed by the Conventions for industrial countries generally. Moreover, there is a lack of uniformity in the provisions relating to factories, mines, and docks, while no legal minimum age has yet been prescribed for plantations, unregulated factories, and non-industrial occupations. The extension of minimum age legislation is no doubt a problem of great difficulty, particularly in the absence of compulsory elementary education. In most countries, the minimum age of employment corresponds with the maximum age for compulsory school attendance. The final solution of the

problem of the employment of young children in India depends, therefore, to a great extent on the organisation of a general system of compulsory elementary education.

As regards other questions of working conditions affecting children, it has been seen that hours of work have been gradually reduced in both factories and mines, and measures are under consideration for their further reduction. Health and safety arrangements are generally satisfactory in new and large undertakings, but leave very much room for improvement in small, seasonal, and unregulated factories as well as in small mines and plantations. Wages have only been dealt with by legislation in India in respect of methods of payment, but it would appear that serious consideration should be given to the establishment of minimum wage fixing machinery in those industries in which children as well as adults are "sweated", particularly in the absence of collective bargaining. Social insurance is represented in Indian labour legislation by the Workmen's Compensation Act, which has recently been amended and extended. Nevertheless, it seems obvious that the development of industry in India is gradually creating a situation which calls for the extension of social insurance, not only in regard to accidents, but also in the case of sickness, old age, and unemployment.

Labour laws, like all laws, are not only useless but may be harmful unless they are properly administered, since once a law is on the statute book both employers and the public feel that their responsibility is diminished in regard to the matters dealt with by the law, whether it is enforced or not. The essential feature of the administration of labour law is inspection, and in this department there has been great improvement in India in recent years in the case of mines and non-seasonal factories. A large number of seasonal factories, however, still remain uninspected, and there is not yet adequate inspection of the Assam tea gardens ; under the present system, a casual visit to a tea garden is made by a subordinate officer only once in two years. Moreover, the employment of large numbers of women and children on plantations, and to a lesser extent in factories and mines, would seem to make the appointment of more women inspectors desirable.

Existing labour legislation still leaves unregulated a large number of occupations, both industrial and non-industrial, and there are three classes of employment to which it would be desirable that the law should be extended without delay :

(1) unregulated factories, especially those which employ women and children ; (2) plantations outside Assam, in which there are about half a million migrant workers, including women and children ; and (3) non-industrial occupations employing children.

The second class of problems concerns the improvement of living conditions with a view to creating a favourable physical and social environment for the development of childhood. The main problems of living conditions are those of housing and hygiene, maternity and infancy, and home and community. At present these problems in India are left to the welfare activities of employers and private organisations, with the exception of the grant of maternity benefit, which is dealt with by legislation in two provinces. The intervention of the public authorities in these matters, which are of such great importance for the moral and material welfare both of children and of the workers generally, is one of the most urgent needs of India.

Housing is the physical basis of home and family life. The lack of proper housing aggravates such problems as the high rate of infant mortality, the low proportion of women to the total population in industrial centres, and the presence of immorality, drunkenness, and gambling among men. Except in special cases, such as seasonal industries and plantations, the supply of housing accommodation by employers or landlords is undesirable, as it is liable to lead to servility, exploitation, and the growth of slums. It is the duty of public and semi-public organisations to provide housing accommodation for workers in industrial centres, so that they can live without fear of eviction and on the payment of a minimum rent.

The provision of suitable housing is not only in the immediate interest of the workers themselves. India needs well-planned and well-organised industrial towns, in which the housing conditions shall be such as to promote the growth of a settled population of efficient workers, able to take an intelligent interest in the development of industry, and in social and civic progress. Moreover, the urbanisation of the population, about nine-tenths of which live in the country, has become an urgent need for relieving the pressure on the land, for saving the people from the tyranny of obsolete social customs, for promoting freedom of thought and action, and for inspiring the younger generation, both boys and girls, with new and higher aims and ideals of life.

Housing improvements must of course be accompanied by the provision of proper sanitation, including modern sewerage

and water supply systems. Such improvements in housing and hygiene will do much for the protection of motherhood and infancy. Nevertheless, it is also important to provide recreational and cultural facilities both for children and for adult workers, and it is only under such sanitary conditions and salutary atmosphere that the real home and community life can grow. In this connection, with due appreciation for the voluntary work now being done in India, it would seem very necessary that social service should be subsidised and co-ordinated by the public authorities.

What is still more important is the development of a social policy with regard to children in general and child labour in particular. The various measures, in force or proposed, for the improvement of conditions of life and work in India need to be integrated in an organic policy for promoting the well-being of the children of India. The underlying principle of this policy should be to secure the fullest and richest possible development of childhood, upon which depend the continuous progress of society.¹ The elements of this policy should be : (1) the encouragement of voluntary and responsible parenthood ; (2) the development of compulsory primary education ; and (3) the adoption of progressive social legislation.

Voluntary and responsible parenthood has a three-fold object, namely : (1) the conscious control of population growth ; (2) the securing of sound birth, i.e. freedom from congenital defects ; and (3) the safeguarding of health during childhood. On the analogy of the proportion of the children under 15 years of age to the total population in England and Wales, as noted above, India has 56.5 million too many children. This comparatively high proportion of children in the population implies a high rate of mortality and a great wastage of national energy and health in the form of unnecessary gestation and lactation on the part of women and of useless expenditure for rearing on the part of the family and the community. Moreover, this redundant number of children not only places a burden upon the national food supply, but also deprives the remaining children of better nutrition and educational facilities.

The reduction of the birth rate is therefore essential for the promotion of child welfare in India. In a country where there

¹ This point was thoroughly discussed by the present writer in his article on "The Problem of Child Labour", in *Modern Review* (Calcutta), Jan. 1922.

is a high rate of maternal mortality and stillbirths, where about one-fifth of the children born alive die before reaching one year of age, and where a great number die before reaching manhood or womanhood, birth control becomes a national virtue. The initiative in the birth-control movement has already been taken by the Indian State of Mysore¹, and the Government of Madras has recently expressed its intention of introducing birth-control clinics. What is needed is the introduction of such clinics all over the country.²

The question of sound birth, or freedom from congenital defects, depends partly upon the enlightenment of parents, and partly upon the responsibility of society for the control of undesirable parenthood. In this respect there is an immense field of work in India for the responsible public authorities, and the same observation applies to the provision of suitable conditions for healthy childhood.

The second main feature of this social policy is the provision of compulsory education for children, about five-sixths of whom are without educational facilities at present. As has been seen above, various local authorities have introduced compulsory education for children up to the age of 12 years, and it may be suggested that, given present social and economic conditions in India, this age would be suitable for the country generally. Once compulsory education is well established, this age can be gradually increased, and elementary education supplemented by continuation and extension classes, which have been successfully adopted in some other countries. It is only through the gradual increase in educational facilities, covering the whole period of childhood and training the children for more useful service to themselves and to society, that the problem of child labour can ultimately be solved.

This general education should be accompanied by vocational training, especially in India, which has lost many of her once famous arts and crafts, and has made little progress in the technique of modern production. The future economic success of the children themselves, the need of industry for skilled workers, and economic independence and national prosperity in the

¹ The Government of Mysore sanctioned the establishment of birth-control clinics in the four principal hospitals of the State in 1930. Cf. *Statement exhibiting the Moral and Material Progress and Condition of India, 1930-1931*, p. 153.

² Cf. *Guardian* (Madras), 28 Sept. 1933, p. 459; *Madras Weekly Mail*, 12 Oct. 1933, p. 11.

face of growing international competition depend, to a large extent, upon industrial efficiency, which can be developed only by the vocational education and training of the younger generation.

The last and, from the point of view of this study, the most important phase of social policy is progressive social legislation, which has been fully discussed in the foregoing pages. It may only be pointed out here that, with increasing industrialisation, there is every chance of a rapid rise in the number of children, who will be employed in modern organised industries, and who will be in need of the benefit of social legislation.

In brief, the object of this social policy is to secure to all children the fullest possible opportunity for the development of their intellectual, moral and spiritual faculties, so that when grown up they may become efficient workers, intelligent citizens, and responsible men and women, for their own greater good as well as that of society.¹

¹ While this article was in the press, the final report of the Census of India for 1931 was received by the writer. According to this report, the number of children aged 5-9 is 45 million out of the 349.7 million for which alone detailed information is available, or about 46 million out of the total population of 353 million, instead of the figure of 52 million estimated on the basis of the Census for 1921 as given in the second paragraph of the first part of this article. This reduction in the number of children in this age group for All India involves a proportionate reduction in the corresponding figure for British India (from 40 million to about 36 million). The discrepancy is due to the lower proportion of children in the age-group 1-4 in 1921 following the heavy death rate from the epidemic of influenza in 1918, which resulted in an artificial increase in the 1921 percentages for the age-groups 5-9 and 10-14 used in the calculations; it does not affect the general argument of the article. (Cf. *Census of India*, 1931, Vol. I, Part I, pp. 86-87, and Part II, pp. 1 and 120.)

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