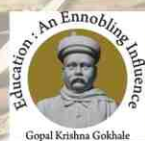


CHILD RIGHTS SITUATION ANALYSIS

Children of Families Engaged in Sugarcane Farming in Maharashtra

DEBASISH NANDY



**Gokhale Institute of
Politics and Economics**



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The study on “Child Rights Situation Analysis of Families Engaged in Sugarcane Farming in Maharashtra” was undertaken by Gokhale Institute of Politics and Economics and supported by Save the Children. The objective of conducting this study was to understand the situation of child rights among the families involved in sugar-cane cutting and enable Save the Children to develop programmes. I thank Prof. Rajas Parchure, Officiating Director of Gokhale Institute of Politics and Economics, Pune for his willingness to carry out the study in his institute. I must also thank him for agreeing to jointly publish the study.

I thank Dr. Debasish Nandy, Assistant Professor, Gokhale Institute of Politics and Economics and Politics, who was the Principal Investigator for the study. It was pleasure working with him.

I thank my colleague; Ms. Ipsita Das for coordinating the study and Mr. Nilesh Nikade for extending support towards designing.

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Last but not the least, thanks are due to the children, communities and people who shared valuable information with the study team during the field visits.

Ashok Pingle
State Programme Manager
Save the Children
Maharashtra State Programme Office

MESSAGE FROM THE DIRECTOR



Dear Readers,

Protection of child rights is fundamental to the work of Save the Children, and our mission is to ensure that every child has a happy and healthy childhood. Our vision is a world where every child attains the right to survival, protection, development and participation. We are, therefore, proud to bring to you this study on Child Rights Situation Analysis (CRSA) of families Engaged in Sugarcane Farming in Maharashtra, conducted jointly with the Gokhale Institute of Politics and Economics (GIPE), a premier institute in research and training in economics based in Pune, Maharashtra, India. This first-of-its-kind study focuses on child rights violations of families engaged in sugarcane cutting located in the western parts of Maharashtra. The situation of the deprived children of the migrant labourers of Maharashtra had not earlier been studied in length.

The present study focuses on the situation of the children of the migrant labourers who travel with their families from eastern and northern parts of the state to the prosperous western parts of Maharashtra and other sugarcane producing areas. This descriptive study deals with the major components of child rights and analyses the gaps in the existing institutional mechanisms. The study tries to bring out the plight of these children from the child rights perspective. It documents the situation of children belonging to migrant families engaged as labourers in sugarcane farms, encompassing a better understanding of the gaps, in terms of knowledge, awareness, service delivery mechanisms and institutional provisions, including legal protection. In particular, it deals with five important components of child rights: education, health, food and nutrition, protection and social interaction.

The report will form a basis for future programme implementation for ensuring child rights with a clear focus that children (and adults claiming rights on behalf of the children) should be able to claim their rights enshrined in international and national laws, and that the duty bearers are accountable to fulfill those rights.

The analysis reveals that the situation of the children is poor, not only in terms of the quality of life, but also in terms of the basic rights which they are supposed to enjoy. As the present study shows, deprivation of children working in sugarcane farms is basically an outcome of two joint forces; economic necessity and low perceived benefit from education. It is, therefore, important to frame policy and programme interventions to combat violation of child rights and to give them the opportunity to enjoy their childhood to the fullest.



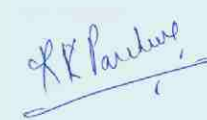
Latha Caleb
Director of Programmes
Save the Children
India

FOREWORD

Rural to rural migration is a phenomenon of a greater magnitude than rural to urban migration. Even then it is given far less attention in the media and amongst policymakers than the rural to urban migration within nations and international migration. Rural to rural migration is often driven by the need to survive a common phrase used to describe families that have seasonally emigrated to work as “having gone to live”. It is a way of saying that they simply would not have survived had they continued to live in their home villages. Other studies of this phenomenon have shown that the quality of life of the migrant families actually deteriorates in their destinations as compared to that at the sources in almost all parameters except the size of cash income that they earn. In order to maximize the cash income the migrants usually migrate in a group. The active members move together; men, women and children perform various jobs so that the maximum amount can be remitted and carried back home.

Evidently, if families emigrate year after year and use their children to perform various jobs as well as deprive their children from education, health, safety, recreation. The result is that the next generation of migrant families is deprived of any hope of bettering their lives in relation to the earlier generation and this is expected to happen from generation to generation.

This study carried out by Dr. Debasish Nandy of the Gokhale Institute for Save the Children has made a detailed analysis of the manner and magnitude of the deprivation undergone by children, both male and female, of families that migrate to work as sugarcane cutters in Maharashtra. Although the study itself addresses sugarcane cutters, its methodology and findings are clearly applicable to families migrating to work in other rural industries like road building, brick kilns etc.



Prof. Rajas Parchure
Professor & Officiating Director
Gokhale Institute of Politics and Economics,
Pune, Maharashtra

PREFACE

"There is no trust more sacred than the one the world holds with children. There is no duty more important than ensuring that their rights are respected, that their welfare is protected, that their lives are free from fear and want and that they can grow up in peace." Kofi Annan

The past two decades have witnessed legal advances to protect the rights of children everywhere. Today virtually all states are bound by legal discourse to respect, protect and promote the human rights of children. However, enormous problem remains. The rights of millions of children all over the world are violated. The magnitude of the problem varies considerably depending on different contexts. Children from certain socio-political and economic background are prone to multiple discriminations. Seasonal migration is one such example where child right violation is itself embedded in the process. However, there is a dearth of studies on the situation of these children. The present study tries to bridge this gap by focussing on the situation of children of seasonal migrants of western parts of Maharashtra. It is hoped that these children will no more be out of focus of the concerned Government Departments and agencies working on these issues and will enjoy their rights to the fullest.

The present study is a joint effort by Gokhale Institute of Politics and Economics and Save the Children with a common understanding that any form of human rights violation is detrimental for the development of the society at large and has to be abolished. It, therefore, applies a right based approach for understanding and depicting the situation of the children affected by seasonal migration for greater public attention and awareness. Using inter-disciplinary research methodology, the study brings out the critical gaps in institutional mechanism and service delivery. Needless to say, the forms of deprivation which the children face are multi-pronged and the magnitude is large. For them, the existing legal framework for rights protection seems to be symbolic and freedom from deprivation is like a pipedream.

However, there are ways for making policies work. Reaching down the local level is possible by creating effective infrastructure for implementation and routine check. The study suggests some possible directions to protect the rights of these children and bring them out from different forms of deprivation.

I take this opportunity to thank Prof. Rajas Parchure, Director of Gokhale Institute of Politics and Economics, for his fruitful support throughout the period. Also invaluable were several rounds of stimulating discussions with Dr. Suddhasil Siddhanta; I am deeply indebted to him for so generously spending time to brainstorm over almost all parts of it and for his unflagging interest and belief in the value of this research. The manuscript was edited with considerable skill and speed by Dr. Naseeb Benjamin; I thank him for his patience and support. Research assistance was provided by Mr. Rajesh Danane of Gokhale Institute of Politics and Economics. The survey for this study was done by Mr. Pramod Sadolikar and his team. I must acknowledge their help and assistance. It has been a great pleasure to work with Ms. Ipsita Das and Mr. Ashok Pingle of Save the Children and Dr Alex George the study has benefitted from their professionalism and expertise. However, the usual disclaimer apply.



Debasish Nandy

Assistant Professor

Gokhale Institute of Politics and Economics

BMCC Road Deccan Gymkhana Pune - 411004

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ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
ANM	Auxiliary Nurse and Midwife
APL	Above Poverty Line
AWW	Anganwadi Worker
BPL	Below Poverty Line
CHC	Community Health Centre
CRC	Convention on the Rights of the Child
CRSA	Child Rights Situational Analysis
CSWB	Central Social Welfare Board
DES	Directorate of Economics and Statistics
DPEP	District Primary Education Programme
EGS	Employment Guarantee Scheme
FGD	Focus Group Discussion
HDI	Human Development Index
HIV	Human Immunodeficiency Virus
HR	Human Resource
ICDS	Integrated Child Development Services
IEC	Information, Education and Communication
IFA	Iron Folic Acid
ILO	International Labour Organization
INGO	International Non- Government Organization
IPC	Indian Penal Code
IYC	International Year of the Child
JJAct	Juvenile Justice Act

MNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MO	Medical Officer
MPSHY	Mahatma Phule Sikshan Hami Yojana
MPSP	Maharashtra Prathamik Shikshan Parishad
NCLP	National Child Labour Project
NCPCR	National Commission for Protection of Child Rights
NFHS	National Family Health Survey
NGO	Non-Government Organization
NPAC	National Action Plan for Children
NPE	National Policy on Education
NRHM	National Rural Health Mission
P&LM	Pregnant and Lactating Mother
PCPNDT	Pre-Conception & Pre-natal Diagnostic Techniques
PHC	Primary Health Centre
PNDT	Pre-Natal Diagnostic Techniques
PRI	Panchayati Raj Institutions
RMP	Rural Medical Practitioners
RtE	Right to Education
SMC	School Management Committee
SRS	Sample Registration System
UEE	Universal Elementary Education
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
VEC	Village Education Committee

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EXECUTIVE SUMMARY

The present study; Child Rights Situation Analysis highlights the situation of children belonging to families engaged as labourers in sugarcane farms in the western parts of Maharashtra. These children migrate with their families for sugarcane harvesting and are being deprived of their basic human rights. Needless to say, the forms of deprivation they face are multi-pronged and the magnitude is large.

In particular, this study deals with the major components of child rights and analyses the gaps in the existing institutional mechanisms. Information has been collected from primary micro and secondary macro level data. The analysis reveals that the situation of the children is poor, not only in terms of quality of life, but also in terms of the basic rights which they are supposed to enjoy. The major findings of this study are:

1. Seasonal migration of adult labourers is mostly an alternative mechanism to earn a living for the family and to bring children to the place of work is an economic decision. However, the duration of work for these children is no less than that of the principal workers as sixty percent of them work for more than 8 hours a day.
2. A majority of the children employed in sugarcane farms are engaged in cutting sugarcane. Sixty percent of the children employed in sugarcane farms are engaged in cutting sugarcane, and among them more than thirty percent are engaged in collecting sugarcane for loading, while fourteen percent also carry sugarcane to the crushing units.
3. Gender division of labour among children is observed. While a majority of the boys are responsible for sugarcane cutting, de-topping or loading, girls are mainly responsible for collecting sugarcane and tying it for transportation. Furthermore, the girls have additional household responsibilities, including taking care of their younger siblings.
4. School enrolment for these children is poor (forty six percent) at their place of origin. The reasons are two-fold: low perceived benefit from education and inequality in educational attainment. Children enrolled in native villages can attend school for only six months.
5. Children working in sugarcane farms are at higher risk of becoming school drop-outs. More than ninety seven percent who are in school at the origin do not go to school at the destination.

6. Children working in sugarcane farms are also at a higher risk of various health problems. The study shows that forty nine percent of the children in the 6-14 age group fell sick after migration. Most of them suffered from cough and cold, diarrhoea, vector-borne diseases, other diseases like muscle pain, skin infections, etc. Some of these diseases, like vector-borne diseases, muscle pain and skin infections could be attributed to the children's work in the sugarcane farms and related activities.
7. Government health facilities are quite inadequate at their work destinations, and sixty percent of the total number of children who fell sick after migration received treatment at private medical facilities.
8. The risk of injury is high in sugarcane farms. Cutting oneself with a sickle (koyata) is thought to be a common occurrence.
9. These children are also at a higher risk of verbal, physical, and even sexual abuse. Female children are found to be vulnerable to sexual abuse when they are alone at home.
10. These children are mostly secluded from local community.
11. While the boys had better opportunities for leisure activity, girls were almost totally excluded.

CHAPTER I INTRODUCTION

At the General Assembly of the United Nations on 20th November, 1989, the world community pledged to promote child rights for the full and harmonious development of his or her personality in an atmosphere of happiness, love and understanding, by ratifying the United Nations Convention on The Rights of the Child (UNCRC). Together they formed the first legally binding international Convention, which incorporates the following rights of children : civil and political rights (like their treatment under the law); social, economic and cultural rights (like an adequate standard of living); and protection rights (from abuse and exploitation). By agreeing to undertake the obligations of the Convention, national governments have committed themselves to protect and ensure children's rights by forming an appropriate framework of actions and policies in the light of the best interests of the child.

In 1992, the Department of Women and Child Development, Government of India, followed up the pledge by developing a National Action Plan for Children (NAPC). India submitted the first report to the UN Committee on the Rights of the Child in 1997, to give an assessment of the situation of children. The report outlines various laws and policies pertaining to children that are being implemented in the country.

The UN Committee responded to this report with some recommendations which included adoption of a comprehensive National Plan of Action, development of a system for collecting dis-aggregated data on the status of children, establishing a National Commission for Protection of Child Rights, defining the age of a child, ensuring the rights of children with disabilities, etc. In an effort to bring the legislation at par with the Convention, the Juvenile Justice Act of 1986 was replaced by the Juvenile Justice (Care and Protection of Children) Act; 2000, which was further amended in 2006.

In accordance with recommendations given by the UN Committee on the rights of the child, the newly formed Juvenile Justice (Care and Protection of Children) Act (JJ Act, henceforth) defined a 'child' as a person who has not completed his or her 18th year of age. This Act also calls for the establishment of a Child Welfare Committee and Juvenile Justice Board.

In the first comprehensive report submitted to UNCRC in 2001, the Government of India discusses various laws and policies pertaining to children that are being implemented in the country, and also outlines actions taken as per the recommendations of the committee in 1997. It further discusses various legislative achievements such as adoption of the JJ Act, establishment of National Commission for Children and also outlines the minimum legal age for issues such as marriage, voluntary enlistment in the armed forces, admission to employment or work, etc.

¹ Except United States of America and Somalia

² The National Plan of Action (2005) was developed as a follow-up to this recommendation.

³ Child Welfare Committees deal with juveniles in need of care and protection and Juvenile Justice Boards deal with children in conflict with the law (JCL cases).

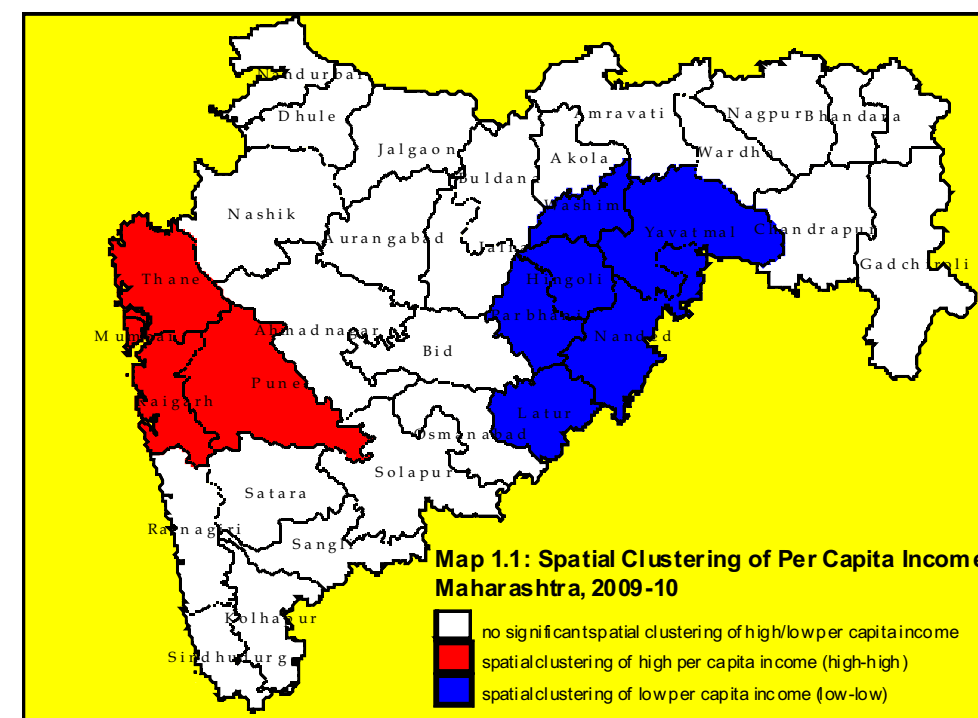
Another important legislation passed in the interest of children is the Child Labour (Prohibition and Regulation) Act, 1986, which bans children from being employed in the listed-out hazardous occupations and processes, and regulates employment of children. In 2006, the Commission for Protection for Child Rights Bill, 2005 was passed by the Parliament and the National Commission for Protection of Child Rights (NCPCR) was set up by the Government of India in March, 2007.

During the last two decades, the state has made significant progress in improving the status of women and children. This is well reflected in some of the summary indicators for the state. Maharashtra ranks, for example, the third lowest in the country in terms of infant mortality (31 per 1000 live births) after Kerala and Tamil Nadu (SRS, 2009). The birth registration is 80 percent much higher than the national average of 41.1 percent (NFHS III). The female life expectancy at age 1 year is 70.30 years, while the corresponding national average is 67.6 years (SRS, 2009). While the maternal mortality rate for the country is shockingly high at 212 per 100,000 live births from 2007 to 2009, it was reasonably low in Maharashtra at 104 per 100,000 live births for the same period (*ibid.*).

However, the challenges that lie ahead are by no means small. Maharashtra, being the third largest state in India, has also been characterized by uneven socio-economic development, resulting in spatial heterogeneity as well as spatial clustering of different indicators of economic development, including per capita income. The National Human Development Report 2001 indicates that Maharashtra has improved its Human Development Index (HDI, henceforth) from 0.363 in 1981 to 0.523 in 2001 and is ranked fourth in India.

However, the Maharashtra Human Development Report 2002 further documents that the district level HDI varies substantially from 0.20 in Gadchiroli to 1.0 in Mumbai. The spatial variability in human development is striking about 25 districts in the state have lower HDI than the state average, and the deviation of the components of the HDI from the district having the best HDI is considerable. For example, for the literacy rate, the deviation is 26.85 percentage points; for the duration of Primary Schooling (in years) it is almost one year. Infant Mortality Rate (IMR) is highest in Gadchiroli, where 69 infants per thousand births died before completing their first birthday. For per capita district domestic product, the difference between the districts having the best and worst HDI values is as high as ` 28,331. These imply that the process of developmental growth is uneven (i.e., inequality embedded) and spatially confounded. The panel of maps given in Appendix I illustrates the spatial variability of HDI and its different components.

Apart from spatial variability, another important characteristic of development is spatial clustering of prosperity (particularly in some urban pockets). The following map of the per capita district domestic product shows significant spatial clustering of relative prosperity and poverty at the district level.



The complex geography of socio-economic development of this state indicates that the horizontal inequality within/between different parts of Maharashtra is considerable.

Maharashtra is known for its low structural transformation in terms of employment, where around 65 percent males and 88 percent females in the rural areas, in the 15-59 age group, are engaged in agriculture or agricultural activities (NSS 66th round state sample). Regional inequality of employment potential within the state is also supposed to be high and associated with spatial variability, as well as spatial clustering of economic prosperity, as stated above.

⁵ 2005 is considered a big achievement not only for the children of the country but also for the Government for it was able to fulfil its commitment made to the CRC committee for setting-up a Child rights Commission

Due to these paradoxical features of the state's development, migration of labourers, both rural to urban and rural to rural, is a common phenomenon in the state. Owing to the temporary nature of employment, the flow of labourers is 'circular' or 'seasonal' and often reported as 'distressed seasonal migration' due to the lack of public policies for the migrants. These labourers migrate along with their families, which is beneficial for them. Families of migrant labourers consist of able-bodied persons who can be a means of production, and thus include children. The children, who are an indispensable part of later migration, suffer from human rights violations. The situation of the deprived children of the migrant labourers of Maharashtra has not been studied in length. The present study, therefore, tries to bring out the plight of these children from child rights perspective. It is useful to know more about the children of a particular segment of our society and the kind of life they have in store for them.

1.1 The Present Study

The present study gives an overview of the situation of children affected by migration into the sugarcane industry, of the state of Maharashtra, in India. It focuses on the situation of the children of the migrant labourers who travel with their families from eastern and northern parts to the prosperous western parts of Maharashtra and other sugarcane producing areas.

Every year, beginning around Diwali (November), families move to the sugarcane farming areas and stay there for six months, and after the sugarcane cutting season is over, they return back to their native villages in late April or May. This circular migration of labourers consists of families and children, resulting in discontinuity in scholastic achievement for the children and health hazards, which have an impact on the child's overall development.

The present study, therefore, intends to document the situation of children belonging to migrant families engaged as labourers in sugarcane farms, to encompass a better understanding of the gaps, in terms of knowledge, awareness, service delivery mechanisms and institutional provisions including legal protection. In particular, it deals with five important components of child rights: education, health, food and nutrition, protection and social interaction. The report will form a basis for future programme implementation for ensuring child rights with a clear focus that children (and adults claiming rights on their behalf) should be able to claim their rights enshrined in international and national laws, and that the duty bearers are accountable to fulfil those rights.

1.2 Major Objectives

- To undertake an explorative analysis of the situation of the children, affected by seasonal migration in the sugarcane farms of Maharashtra, on the basis of five major components of child rights: education, health, food and nutrition, protection and social interaction.
- To find out the gaps in the institutional mechanisms for protecting rights of the children affected by seasonal migration for sugarcane harvesting.

In particular, the report answers the following primary questions:

- What is the profile of the migrants in sugarcane farms?
- What are the reasons for children's migration and what are the social costs of migration on them and their families?
- What are the different forms of child rights violations (e.g., right to survival and development, right to education, right to protection and right to health)?
- What institutional capacities exist for ensuring the rights of children affected by migration?
- What possible strategies and activities should be followed for the betterment of child development?

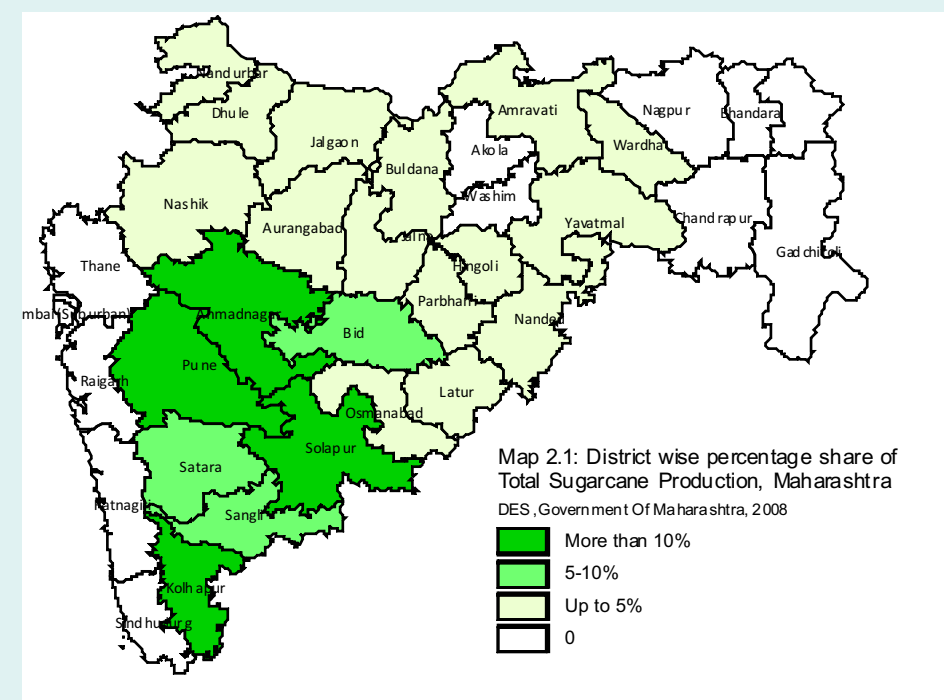
Answers to these questions will help to point out the gaps in information and service delivery, and to support effective implementation strategies for combating the violation of child rights. This report begins by describing the methodology of the analysis and gives an overview of the nature of the problem. The background of migration and condition of temporary settlements of the migrant labourers at their place of work is described in chapter III, followed by a description of the socio-economic profile of these families, both at their native villages, and at their temporary settlements. The situation of children affected by seasonal migration and the nature of the deprivation they face are illustrated in chapter V. Gaps in the existing institutional capacity in responding to the needs of the children, for ensuring child rights, is described in chapter VI. Finally the report summarizes the findings and recommends strategies for ensuring the rights of migrant children.

Selective (though not always exhaustive) coverage of sectoral components of child rights situation analysis is intentional, because it is primarily a broad description of the situation of the children who are affected by seasonal migration. Emphasis has been given to highlight the different components of child rights to include better strategic planning for the children. The list of recommendations purposely focuses on measurable outputs, rather than input indicators. It is hoped this child rights situational analysis of migrant children will provide some valuable inputs in the implementation of programmes for overall policy development of children in the state.

⁶ At the origin villages, only 33 % of households have benefited from income generating schemes like MNREGA & EGS. Other studies also have shown the poor/non-performance of these schemes.

CHAPTER II METHODOLOGY

Maharashtra has a total of 172 cooperative sugar factories and produces about 70 percent of sugar in India. The sugar belt extends from Surat (Gujarat) in the north, to Belgaum (Karnataka) in the south. The district-wise percentage share of total sugar production in Maharashtra is highest in four districts of western Maharashtra: Ahmednagar, Pune, Kolhapur and Solapur. Three neighbouring districts - Satara, Sangli and Beed - together with the above four districts, form a contiguous region in western Maharashtra. (Directorate of Economics and Statistics, DES, Government of Maharashtra, 2008) (Map 2.1). Previous studies indicate that each year about 650,000 labourers migrate from central to western Maharashtra for sugarcane cutting among which 200,000 are children of the age group 6 to 14 years⁷ (Hatekar, 2003).



⁷ However, such seasonal migration for sugarcane harvest is not limited to the sugar belt of Maharashtra. Studies have already shown that such seasonal labour migration also happens in places like Surat, in Gujarat, and Belgaum region in Karnataka.



2.1 Definition of 'Child'

According to the UNCRC, every human being below the age of 18 years is considered as a 'child'. The Indian legal system has already adopted 18 years as the upper age limit for childhood (JJ Act, 2001 and Child Marriage Prohibition Act, 2006). However, the Factory Act, 1948, Labour Act, 1966, Apprentices Act, 1961 and Child Labour (Prohibition and Regulation) Act, 1986, consider working child below 14 years as child labour.

Article 24 of the Indian Constitution states that 'no child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment'. It has made provision for free and compulsory education of all children until they complete the age of fourteen years (Article 45). The number of children in 0-14 age group has also been used by the demographers for estimating different demographic rates (like fertility, child sex ratios, etc.) for many developing countries including India⁸.

However, apart from the UNCRC, no laws or legal discourses have provided any age-based definition of children. As the UNCRC has been ratified by India, it is, rational to use the UNCRC definition of child as every human being below the age of 18 years. The present study, therefore, uses 0-18 years to define 'child,' for describing the situation of children of migrant labourers of sugarcane farms of Maharashtra.

2.2 Nature of the study and sample size

The present study is exploratory in design. The main source of data is both primary and secondary. Secondary sources include government and non-government reports, magazines, newspaper clippings etc. Primary data is collected mainly through quantitative research methods supplemented by qualitative information. A set of structured interview schedules was used as the quantitative tool, which was further supported by information collected through Focus Group Discussions (FGDs). Keeping the objective of the study in view, information at the primary level is collected at the destination and the information of origin through recall method. The respondents are the heads of the households, who are the parents of the child labourers and the children themselves. Households of migrants engaged in sugarcane farms were selected purposively from the locations where they were staying; i.e. villages near the sugar factories.

The destination areas are Ahmednagar, Satara and Pune - the adjacent districts in western Maharashtra. Four sugarcane factories are selected from each district purposively so that the location specific effects do not hamper the analysis. Data are collected at two levels: at the household and at the child. Information of 773 children is collected and their corresponding families numbered to 638. In addition to the survey, other methods like Focus Group Discussions are also undertaken to have a wider picture of the situation of the children. Thus, though the scope of the study covers three high sugarcane producing districts of Maharashtra, the findings can easily be generalized for the state as a whole.

Special emphasis has been given to training the field investigators regarding the sensitivity of issues and other grass root level complications⁹. In the preparatory phase of this project, several meetings and field visits were held with Save the Children to provide gross overview of the problem and to collect relevant information and documents to facilitate the literature review.

2.3 Period of survey

The survey was conducted during the months of January to March, 2011 - i.e., during the peak season of sugarcane cutting. Focus Group Discussions (FGDs) were conducted in April 2011, before the migrant workers started returning back. The interview for the survey and the FGD were conducted in the afternoon when the labourers were found at their temporary settlements.

⁸ The age segment 0-14 years is supposed to be least affected by age misstatements in Census enumeration. Coale and Demeny 1967, Bhat 2002.

⁹ Since the nature of production is exploitative, labour contractors and owners of the sugarcane farms do not welcome surveys on migrant labours, especially the children.

2.4 Questionnaire

As stated above, the project used three types of tools, two questionnaires for quantitative data collection (for household level and child level) and one FGD guide for qualitative data collection (for group level). The questionnaires were prepared in English and translated into Marathi. The household questionnaire was used to list each household on the basis of residence, nearest post office, name of the sugar factories they work in, religion, caste and language spoken.

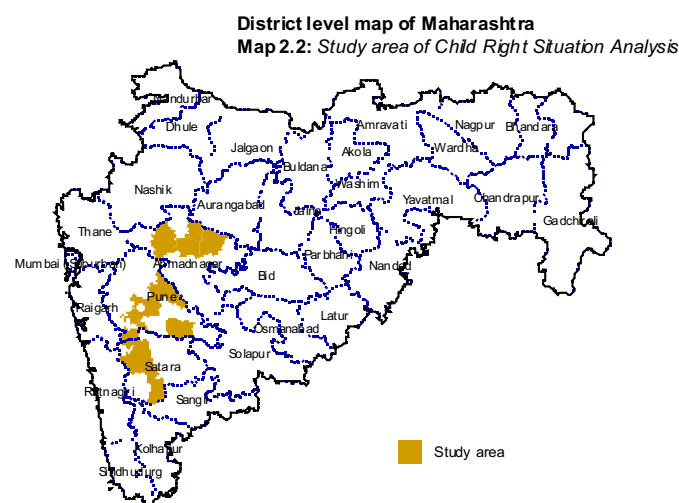
For each person listed (head of the household/respondent) information was collected on age, sex and relation to the head of the household, marital status and education level. Recall method was used to elicit information relating to family composition, income, land holding patterns, asset possession, consumption, indebtedness, occupation, etc. at the place of origin. Furthermore, questions were asked regarding social empowerment of the migrant families at their origins.

Labour migration for the sugarcane industry happens through social networking, where the 'Mukadams' or the labour contractors play a key role in recruiting labourers from their own or neighbouring villages on the basis of contracts. Emphasis was given in the questionnaires to collect information regarding credit and indebtedness of the migrant labourers from the 'Mukadams' and their inter-linkage with labour migration.

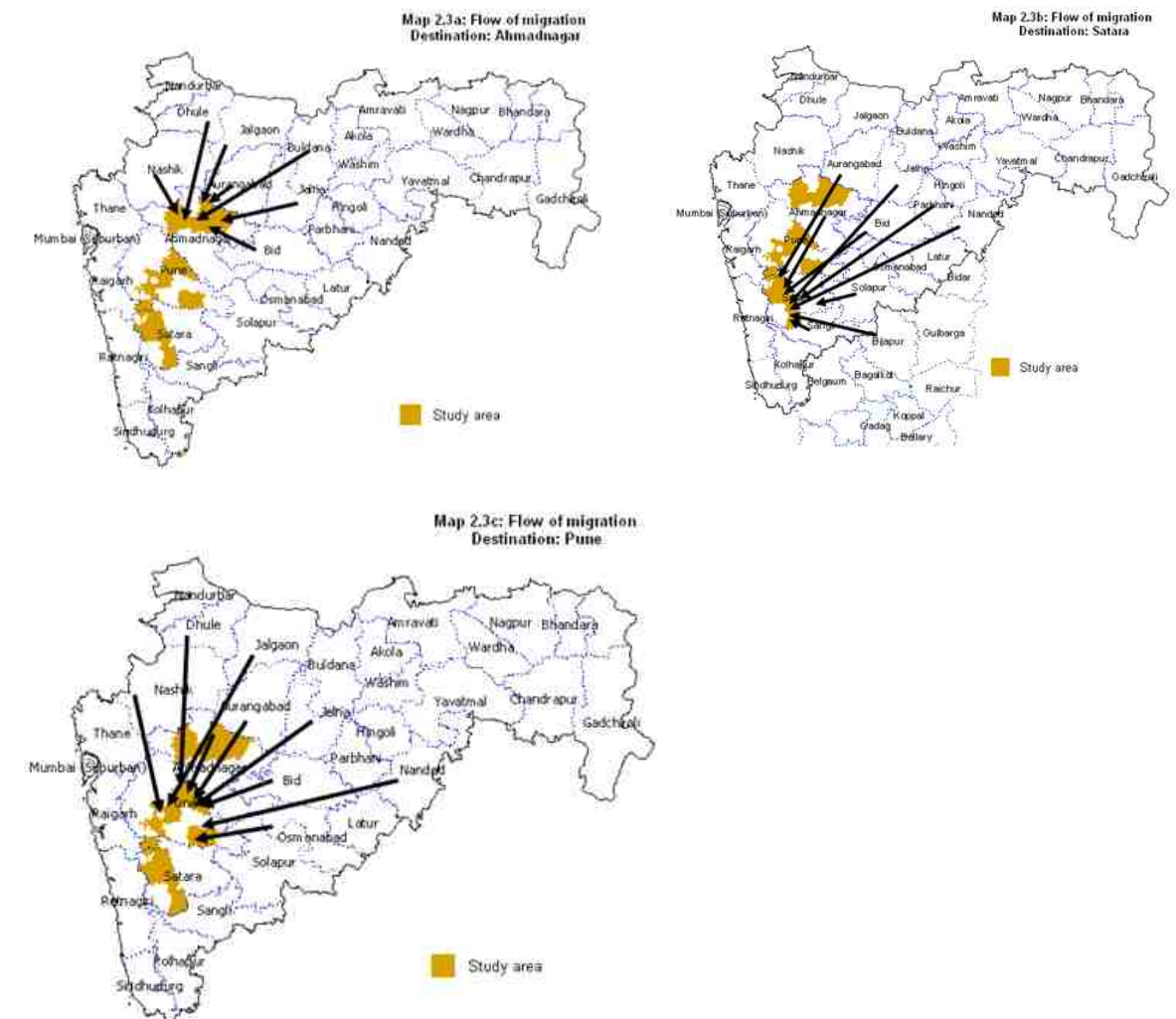
2.5 Study area

The study was conducted in the following sub-districts (tehsil) of Shirur, Haveli, Bhore and Baramati of Pune district; Sangamner, Shrirampur, Rahuri and Mevasa of Ahmednagar district; Karad, Phaltan, Satara and Wai of Satara district. The respondents hail from 23 villages in the studied districts. The list of the villages is given in Appendix II.

The geographical location of the studied area is shown in the following map.



The flow of seasonal migration is depicted in the following maps 2.3a, 2.3b and 2.3c. The source districts were identified from interviews and are demarcated in the following maps.



The geographical movements of the labourers are shown in the above three maps. The direction of the movement is interesting to study. The source districts are not random in space, but rather clustered, indicating the underlying socio-spatial processes through which such labour migration takes place. Labourers have migrated from a greater distance to Pune and Satara in comparison to Ahmednagar - whether it is due to economic or other reasons would be worthwhile to investigate. The migration flow is found to be highest from the district Beed to all the destinations surveyed. 'Mukadams' play a crucial role in recruiting labourers and selecting the destinations.

CHAPTER III BACKGROUND OF MIGRATION

Previous studies on sugarcane migration indicate that the migration flow for sugarcane farm activities follows a distinctive pattern of networking, depending on trust or worthiness of the middleman i.e. Mukadams. Usually labourers have tended to work for the same Mukadam every year. A study conducted by Janarth¹⁰, 2005 found a consistent pattern in the locations to which families migrate for sugarcane cutting. It further argued that most families did not change Mukadams¹¹ over years as the social relationships between the workers and the Mukadams were fairly close. This allowed the labourers to negotiate the amount of remuneration, depending on different contexts (including personal problems and priorities).

Most Mukadams were sugarcane cutters before they become Mukadams. Thus they have a clear understanding about the system and underlying process of production to make use of the experience to their own advantage. The rationale of choosing a factory is based on the payment offered by it and is, therefore, purely economic. Once the Mukadam is awarded the contract from the factory, he would get a payment in advance¹² for hiring the required labourers for cutting sugarcane.

Mukadams give advances to workers on the basis of what the workers offer, in terms of capacity to work, which includes the number of working people in the family, ownership of bullocks, previous experience as sugarcane cutters, etc. Once the contract has been settled between the Mukadams (which usually happens with an advance) and labourers, the families have to migrate even to far off places of choice of the Mukadam. With this process of contracting, the families have to migrate to far off places even if there is work available in their own districts. The greater the distance, the lower is the probability that the family members will return to their native villages.

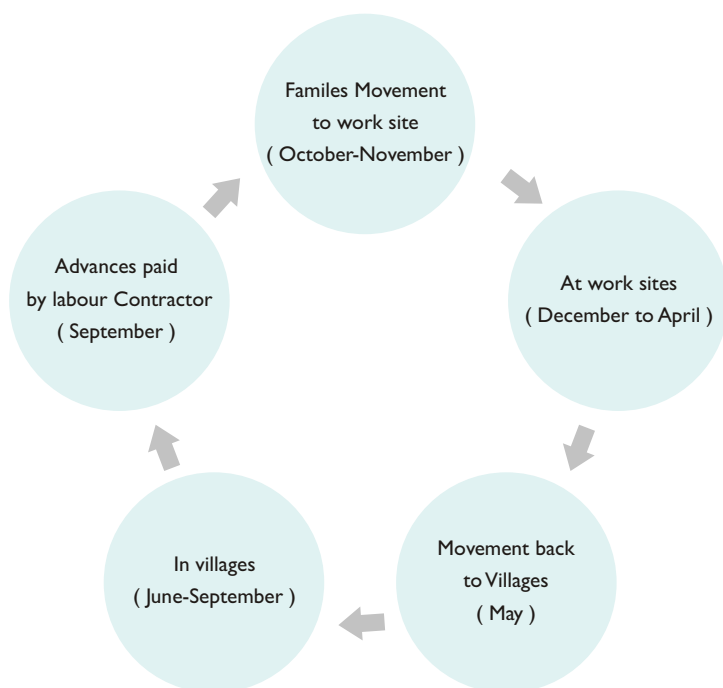
Migration starts to begin around October to November, with migrant families spending the next 6 to 8 months at the worksites, and then returning to their villages before the next monsoon. A schematic presentation of the migration cycle for labourers engaged in sugarcane farms is presented in figure 3.1. The type of labour mobility is seasonal: because of (1) the periodic fluctuations (peaks followed by a slack period) in the economic activities over the years; and (2) the nature of production process which makes it necessary to complete the work with the onset of the monsoon.

¹⁰ an Aurangabad based NGO working mainly on child education

¹¹ According to the survey conducted by Janarth 2005, households used to work with the same Mukadam for the last three years.

¹² e.g., 50,000 to 55,000 or 60 to 70,000 per 'toli', i.e., an unit consisting of husband, wife and children.

Figure 3.1: Migration Cycle of Families



Source: Smita. 2008

3.1 Condition of Temporary Settlement

Migrant labourers of sugarcane farms stay in inhuman conditions outside the sugarcane factories (and sometime near the sugarcane field). Each family lives in a small conical hut or kopi made of bamboo mat and poles, and measuring approximately 8 feet in diameter. The kopis are often cramped together, with humans and livestock living in close proximity. Settlements or 'addas' may consist of between 50 to 500 kopis. The inhabitants do not have access to water, sanitation and electrical facilities. Women and girls have to collect water from a common source and are often forced to bathe in the open.

3.2 Work schedule

The koytas or work units begin their work in the dark hours of the morning and cut cane throughout the day. Adults and adolescent boys¹³ cut the cane, remove its top and throw it on the ground. Younger children then put the cane into a pile, collect and bundle the sugarcane tops. The heavy bundles of cane are then tied up and carried by men, women and even children to a cart for transportation. At a work site, it is usual to find fifteen to twenty adults, and twelve to fifteen children. Infants can usually be found in a cloth hammock or simply lying near the field. Girls and younger children sometimes accompanied by senior citizens are left behind at the settlements to do household chores.

Condition of temporary settlement



Temporary Kitchen



Temporary Toilet



¹³ Mostly of the age group 15-18 years.



CHAPTER IV SOCIO-ECONOMIC PROFILE OF FAMILIES WORKING IN SUGARCANE FARMS

The present survey collected information from 638 families working in sugarcane farms in parts of western Maharashtra. Data was collected for 773 children who are working in those farms as child labourers. These families mostly have migrated from backward regions of Maharashtra, where infrastructure and labour opportunities are limited during the post-monsoon period. These people are agricultural labourers, small and marginal farmers who migrate in the lean season.

4.1 Population composition

The most important characteristics of a population are the ways in which its members are distributed according to age, sex, ethnic or racial categories and religion. This sub-section deals with these issues. The following tables provide a clear insight about the distribution of population according to different categories.

4.1.1 Age distribution

Demographic characteristics, like age distribution, are important to study as they illustrate the usefulness of the population and the supply of labour required in different sectors of the economy. Further, it provides a rich source for exploring issues relating to child labour. The age distribution of all the members of the surveyed families is given in the table 4.1.1.

Table 4.1.1: Distribution of members of surveyed families by age and sex

Age Group	Male	Female	Total	Percentage Share in Total Population
0-6	71	52	123	3.38
7-10	125	126	251	6.89
11-14	298	277	575	15.78
15-17	393	209	602	16.52
18-34	291	243	534	14.65
35-49	452	421	873	23.96
50-64	155	230	385	10.57
65+	152	149	301	8.26
Total	1937	1707	3644	100

Source: Household survey, GIPE-SC, 2011.

4.1.2 Sex ratio

Another important aspect of population is the relative numbers of males and females. A typical female to male sex ratio (0-6 years) would be 943 to 952 female births for every 1000 male births (Census, 2001). Due to biological reasons, males experience higher mortality compared to females at virtually all ages after birth. But in countries like India, the sex ratio is male-biased. According to the 2011 Provisional Census Report, it is as low as 940 for the total population, and, shockingly, 914 for the child population of the age group 0-6 years. The sex ratio pattern in India is varied and, in states like Maharashtra, it is even more alarming. According to the Provisional Census Report of 2011, the total sex ratio of the state is 925 and the child sex ratio is 883.

The present survey shows considerable female deficits in the total as well as child population. The sex distribution of the population is given below.

Table 4.1.2: Sex ratio of the surveyed area compared with Population Census, 2011.

Sex Ratios	Household Survey	Maharashtra (Rural, 2011)	Maharashtra (Total, 2011)	India (Rural, 2011)	India (Total, 2011)
Child Sex Ratio (0-6)	732	880	883	919	914
Total Sex Ratio	881	948	925	947	940

Source: Household survey, GIPE-SC, 2011, Census 2011 (Provisional Report).

Though small sample fluctuations may have some influence over the sex ratio in the household survey conducted for this study, the extremely poor child sex ratio indicates that the problem of gender discrimination or 'missing girl' child may be more acute among the studied group.

4.1.3 Ethnic composition

Indian population is diverse with respect to ethnicity or race. Statistics by ethnic groups are commonly used to understand the social composition of population. The categories used for such groups differ from state to state and within state comparisons are more meaningful than national level comparisons. The composition of population of the migrant families on the basis of caste categories of the Maharashtra Government Classification Category is cited below.

Table 4.1.3: Caste composition of the population, household level

Caste Category	No. of Households	Percentage of Total Households
General category	162	25.39%
Other Backward Caste (OBC)	22	3.45%
Special Backward Class (SBC)	2	0.31%
Scheduled Castes (SC)	62	9.72%
Scheduled Tribes (ST)	19	2.98%
Nomadic Tribes B (NT-B)	3	0.47%
Nomadic Tribes C (Dhangar)	50	7.84%
Nomadic Tribes D (Vanjari)	172	26.96%
Denotified Tribes (Vimukta Jati)	146	22.88%
Total	638	100%

Source: Household survey, GIPE-SC, 2011.

As evident from the above table, majority of the surveyed households are nomadic tribes D, followed by general category and denotified tribes.The migrant labourers are mostly Hindus (around 90%) as is evident from the Table 4.1.4.

Table 4.1.4 Distribution of household by religion

Religious Groups	Number of Households	Percentage share
Hindu	595	93.26
Muslim	31	4.86
Buddhist	12	1.88
Total	638	100

Source: Household survey, GIPE-SC, 2011.

4.2 Education

Educational attainment measured by completed years of schooling is a 'stock measure' of education. In this survey, questions were asked about the level of scholastic attainment of the parents of the child labourers in sugarcane farms.The percentage distribution is shown in Table 4.2.1.

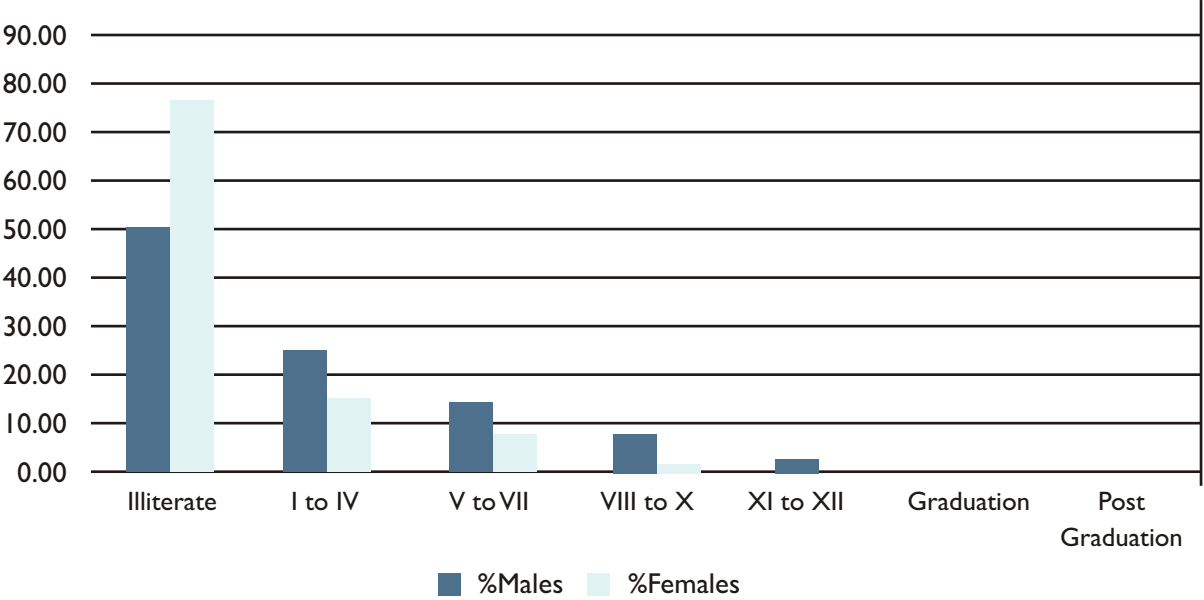
Table 4.2.1: Percentage distribution of parents working in sugarcane farm by different scholastic levels.

Scholastic Level	Male		Female	
	Number	Share	Number	Share
Illiterate	306	48.57	454	76.69
I to IV	176	27.94	93	15.71
V to VII	88	13.97	33	5.57
VIII to X	48	7.62	10	1.69
XI to XI	10	1.59	2	0.34
Graduation I	1	0.16	0	0.00
Post-Graduation	1	0.16	0	0.00
Total	630	100	592	100

Source: Household survey, GIPE-SC, 2011.

It may be important to visualize the distribution of scholastic attainment of adult males and females and the gender gap in education. The following figure captures these issues on the basis of data provided in the above table.

Figure 4.2.1: Distributions of scholastic attainment of the parents



The above table 4.2.1 as well as figure 4.2.1 reveal the educational profile of the parents of children working at the sugarcane farms. High illiteracy, coupled with lower levels of educational attainment imply that the stock of human capital is poor. A considerable gender gap has been observed at each scholastic level. Nearly 50 percent of the male parents and 77 percent of the females are illiterate. Around 9.53 percent of adult males have completed more than secondary level of education, while for females it is only 0.34 percent.

Does the parents' educational achievements differ significantly by gender? In order to analyse educational inequality within a couple and to display the frequency distribution of those attributes in a matrix format, we used the contingency table. The later in particular identifies the dependency structure of the attributes - husbands' and wives' educational level. The main logic of a further probing is to analyze whether husbands' educational profile differs from their wives'. In an educationally backward community if an individual's educational profile does not match with each other, then there is scope for proximity effect of education, as the later being a public good,¹⁴ it can spread from individual to individual. Thus, an illiterate person can even enjoy the level of knowledge that he or she does not originally possess.

¹⁴ as education is a pure public good which follows the basic assumption non-excludability and non-rivalry.

Table 4.2.2: Cross tabulation of husbands' and wives' educational level

Husband's Educational Level	Wives' Educational Level						Total
	Illiterate	Primary (I-IV)	Upper-primary (V-VII)	Secondary (VIII-X)	Higher Secondary (XI-XII)	More than Higher Secondary	
Illiterate	263	9	6	1	0	0	279
Primary (I-IV)	112	48	5	2	0	0	167
Upper-primary (V-VII)	48	26	10	1	1	0	86
Secondary (VIII-X)	24	7	9	3	1	0	44
Higher Secondary (XI-XII)	3	2	2	3	0	0	10
More than Higher Secondary	0	1	0	0	0	0	1
Total	450	93	32	10	2	0	587

Source: Household survey, GIPE-SC, 2011.
Note :The total number of couples differs because some of the households are single headed. .

The above table shows that families with illiterate husbands and wives are high (263 out of 587) while both being literate is only 121.

This table estimated probabilities of scholastic attainment of husbands' and wives' at different levels of educational categories like illiterate,primary,post-primary,secondary,higher secondary and above is given in theTable 4.2.3

Table 4.2.3: Probabilities of scholastic attainment of husbands' and wives' at different educational categories

		Wives' scholastic level				
Husbands' scholastic level		Illiterate	Primary	Post primary	Secondary	Higher Secondary And above
	Illiterate	0.36	0.08	0.03	0.01	0.00
	Primary	0.22	0.05	0.02	0.00	0.00
	Post-primary	0.11	0.02	0.01	0.00	0.00
	Secondary	0.06	0.01	0.0	0.00	0.00
	Higher Secondary And above	0.01	0.0	0.0	0.00	0.00

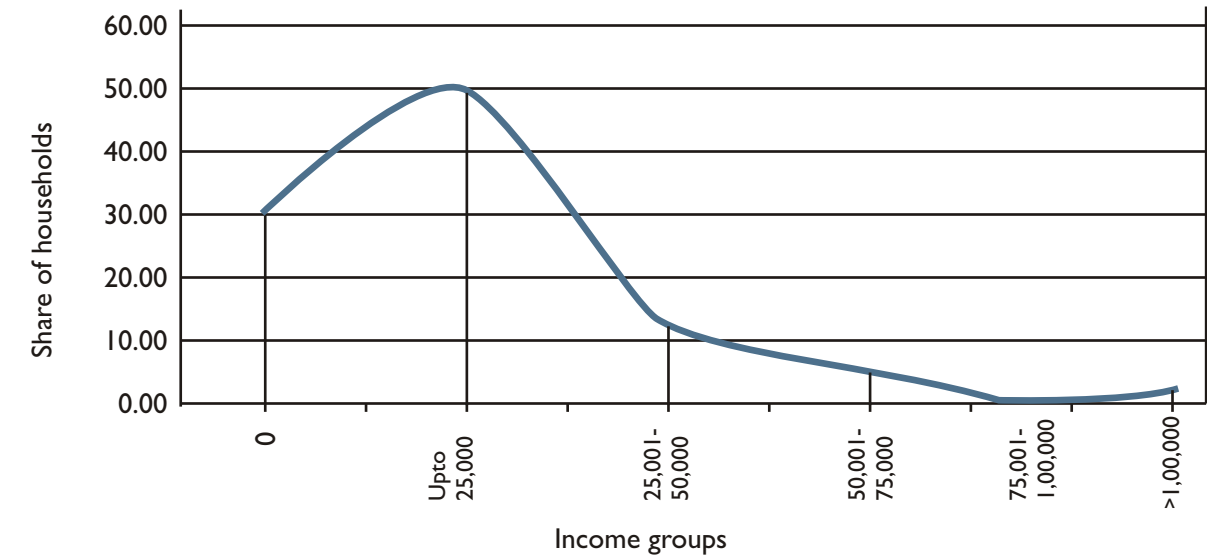
Source: Household survey, GIPE-SC, 2011.

The probability of both being illiterate is 0.36, of both being literate is only 0.12, of the husband being illiterate but wife being literate is 0.11, and of the husband being literate, but the wife being illiterate is 0.40. Thus, educational profile of the parents of children working in sugarcane farm is not only poor; they are also deprived of knowledge dissemination as the joint probabilities of scholastic attainment are always less than 0.50.

4.3 Economic Profile

The economic profile of the surveyed population is varied, and inequality embedded. About 30 percent of the household surveyed have no land and hence no income from their own farm. At the other end, 2.5 percent of the total households have farm income of more than 1 lakh per annum though the average is only 18,326.41. The inequality embedded distribution of income per household perhaps, is reflective of the state's overall economic inequality. The distribution of households according to land income is shown below.

Figure 4.3.1: Distribution of the households according the land income(% share of the household)



The distribution is positively skewed and maximum observations are clustered within the income group up to 25,000. Majority of the households are from a poor economic background. Even allowing for small sample fluctuations, families of the child labourers of sugarcane farms can also be found among the relatively higher income brackets (i.e; higher land income at the place of origin).

Relative poverty being an important determinant of child labour cannot be considered as the sole determinant and it is, therefore, important to probe further to find out other determinants keeping in mind that the vast majority of households belongs to a poor economic group. Possession of land does not always guarantee economic prosperity, as the peasants in the dry areas of Maharashtra have large land areas which are mostly un-irrigated and thus relatively unproductive.

The principle source of income at origin of the families is shown below.

Table 4.3.1: Principle source of income at origin

Source of income at Origin	No. of Households	Percentage
Cultivation	443	69.44
Allied Agriculture	15	2.35
Organized Trade	1	0.16
Agricultural Wage Labour	119	18.65
Non-Agricultural Wage Labour	53	8.31
Artisan/Independent Work	2	0.31
Petty Shop/Other Trade	1	0.16
Others	4	0.63
Total	638	100

Source: Household survey, GIPE-SC, 2011.

As envisaged from the above table, the principle source of income of the families surveyed is agriculture. Such heavy dependence on agriculture (which is basically monsoon fed) may be an important factor for seasonal migration during the lean season. As the migration happens mainly from the areas¹⁵ where land is dry, irrigation facilities are inadequate and watershed management is not yet developed; the labourers do not have any other option but to migrate for sugarcane farm activities during the lean season. So the migration can be viewed as a coping strategy for survival, livelihood and betterment of living standard.

¹⁵ Names of districts from where migration takes place - Aurangabad, Beed, Buldana, Dhule Jalna, Jalgaon, Nanded, Osmanabad, Ahmednagar, etc..

Table 4.3.2: Distribution of land holding by irrigation

Land Holding size	Number of households			Percentage of Households with Irrigated Land Holdings
	Irrigated	Non- Irrigated	Total	
Less than 10 Acres	96	306	402	23.88
10-15 Acres	17	14	31	54.84
16-30 Acres	3	5	8	37.50
Total	116	325	441	26.30

Source: Household survey, GIPE-SC, 2011.

The table shows that 441 households out of 638 households (69.12 percent) have some land. Out of them 441 households, only 116 households (i.e., only 26.30 percent) have irrigated land holdings. 96 households (82.76 percent) have irrigated land holdings less than or equal to 10 acres, while only 3 households have more than 15 acres of irrigated land holdings.

The survey further noticed that some migrant families of Asthi, Beed and Gevrai blocks of Beed district own 30 acres of land in their native villages, for them, seasonal migration is a normal practice which they have done for the last 10 years, since they experienced famine in their native villages. So, seasonal migration can also be due to 'historical shock' or 'path dependency'. In some cases, it can also be accumulative. Some labourers report that they migrate, not due to poverty, but to improve their relative economic position. Focus Group Discussions also validate this explanation, though the percentage share of such migrants is low.

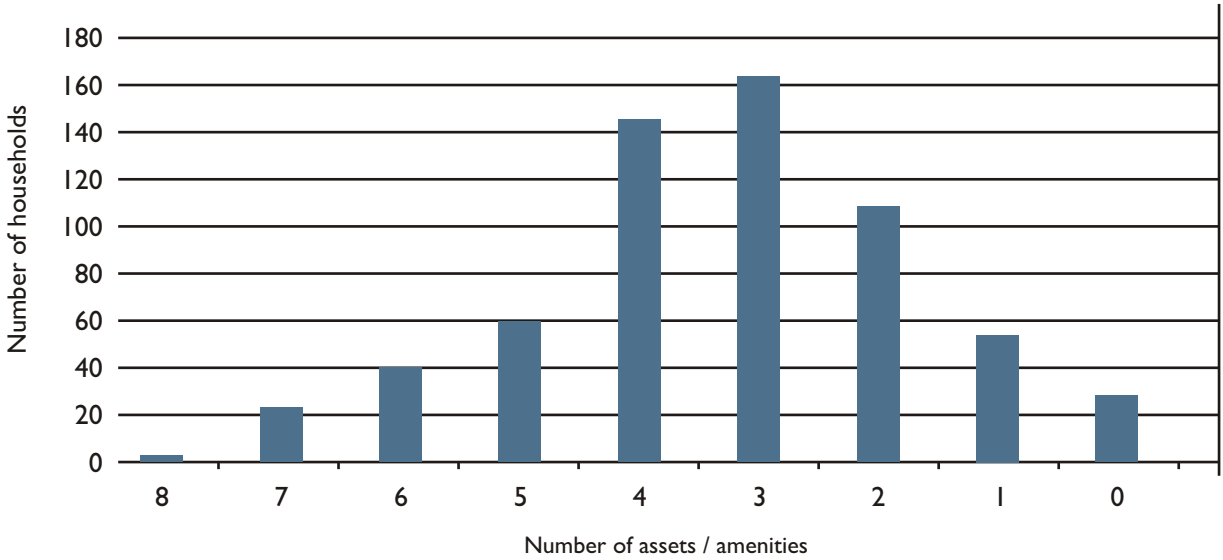
The survey further reports that 96.2 percent of the total population possesses ration cards, out of which 44 percent belongs to the BPL categories, 19.7 percent to Public Distribution System commonly known as Antodaya category and the rest 36.3 percent to APL category. However, they do not have Kisan Credit Cards or have any information regarding this scheme^{16.1}. The migrant labourers have reported that they did not get the required jobs (i.e; 100 man days per annum) from the flagship programme of the Government, 'The Mahatma Gandhi National Rural Employment Guarantee Scheme' (MNREGA)^{17.2}. 33 percent of the families surveyed got employment under this flagship programme during 2009 and 2010. Whether this is due to institutional failure or poor economic opportunities in those areas is a matter of concern, and is beyond the scope of the present study.

4.4 Asset holdings and household amenities in the place of origin

Questions were asked regarding the asset holdings of the migrant families at their place of origin. The surveyor collected information on assets owned and amenities they have. This included both movable and immovable assets. Only physical assets owned by households were taken into account. Apart from land; building, livestock, source of drinking water, sanitation, electricity and household durable goods like watch, bicycle, radio set, mobile phone etc. were considered as physical assets. As land possession by the households has already been discussed in this chapter, we will focus mostly on non-land physical assets and amenities that the migrant workers have at their place of origin.

At the origin areas, the distribution of asset holding is not uniform: 27 families reported that they do not have assets, while 28 families have seven or more of the above mentioned assets. However a majority of the households have three or four assets and the one most commonly owned was a mobile phone. 71.6 percent of the families have mobile phones, 64.89 percent have a separate kitchen and around 64 percent of them have access to safe drinking water. Furthermore, 68 percent households have electricity in their houses and 14.42 percent of them use clean fuel for cooking. Only 5 percent have a latrine in their household. The distribution of households by asset holdings and amenities on a scale of eight assets yard is given in the figure 4.4.1.

Figure 4.4.1: Distribution of households by the number of asset holdings and amenities



Inequality in asset-holdings is considerable within caste. According to the survey, 8.06 percent of the scheduled caste households do not possess any assets, while for scheduled tribes and general categories, the corresponding figures are 5.26 percent and 5.56 percent respectively. Average asset holding is lowest among the scheduled tribes: 2.47 assets in a scale of eight assets yard, while it is 3.81 for the other backward classes, 3.25 for the general category and 3.27 for the scheduled castes. This implies that within castes and between castes inequality in asset holding is complex, for which a further dis-aggregated analysis may be necessary. However, such an important issue cannot be pursued here due to lack of adequate observations necessary for analysis.

^{16.1} The Kisan Credit Card is a pioneering credit delivery innovation for providing adequate and timely credit to farmers under a single window, with a flexible and simplified procedure, adopting whole farm approach, including the short-term credit, medium term and long term credit needs of the borrowers for agriculture and allied activities. Very few of these migrant labourers have enquired about the Kisan Credit Card in their native villages and did not receive adequate information from the department concerned.

^{17.2} The Mahatma Gandhi National Rural Employment Guarantee Act aims at enhancing the livelihood security of people in rural areas by guaranteeing hundred days of wage-employment in a financial year to a rural household whose adult members volunteer to do unskilled manual work.

Table 4.4.1: Percentage distribution of assets by caste category

Caste Category		Number of Assets								
		0	1	2	3	4	5	6	7	8
	Nomadic Tribes B (NT-B)	3.46	9.52	16.02	129.00	22.94	12.55	4.76	1.73	0.00
	Other Backward Caste (OBC)	6.25	18.75	0.00	12.50	25.00	12.50	12.50	12.50	0.00
	General category	5.56	10.49	17.28	24.07	19.14	7.41	8.64	6.79	0.62
	Special Backward Class (SBC)	0.00	0.00	50.00	50.00	0.00	0.00	0.00	0.00	0.00
	Scheduled Castes (SC)	8.06	6.45	24.19	12.90	27.42	8.06	6.45	6.45	0.00
	Scheduled Tribes (ST)	3.26	15.79	26.32	31.58	21.05	0.00	0.00	0.00	0.00
	Denotified Tribes (Vimukta Jati)	2.05	2.74	15.75	28.08	28.77	12.33	6.16	4.11	0.00

Source: Household survey, GIPE-SC, 2011.

Families migrating to sugarcane farms



4.5 Causes of Migration

Questions were asked to the labourers regarding the causes of migration. The factors responsible for it are charted below.

Table 4.5.1: Factors responsible for migration of households engaged in sugarcane cutting

Factors responsible for migration	No. of Households	Percentage of Households
Poverty	29	4.55
Burden of Debt	14	2.19
Extra Source of Income	22	3.45
Higher wages	10	1.57
Landlessness and no Source of Income	144	22.57
Having Land but no Source of Income	46	7.21
To Repay Advance from Mukadam	373	58.46
Total	638	100

Source: Household survey, GIPE-SC, 2011.

The decision to migrate may be due to different factors, and therefore, a multiple response question was asked to estimate the relative strength of the factors responsible for migration. The major factor responsible for migration is 'to repay advance to Mukadam'. The migrant labourers take an advance from the Mukadam mainly for sustaining agricultural activities in their native villages during the monsoon period. However, they also take advances for other personal purposes like daughter's marriage and medical expenses. 58.5 percent of the total migrant labourers reported that the main factor responsible for migration is to repay the advance to the Mukadam.

Further, questions were asked regarding the advance received from the Mukadam. Distribution of households, according to advances received from the Mukadam, is given below.

Table 4.5.2: Distribution of households by advance received from Mukadam

Advance Received from Mukadam (In `)	No. of Households	Percentage of Households
Up to 35,000	31	4.86
36,000 - 50,000	141	22.10
51,000 - 70,000	206	32.29
71,000 - 1,00,000	216	33.86
Above 1,00,000	44	6.90
Total	638	100

Source: Household survey, GIPE-SC, 2011.

Thus, a majority of the households (422 out of 638) have taken advances between ` 51,000 to ` 1,00,00. Households have taken advances of less than or equal to ` 35,000 numbered 31 while 44 households received advance of more than ` 1,00,000.

Seasonal migration is an alternative source of income: For a majority of the migrants, seasonal migration to sugarcane farms is an alternative source to earn extra income, as more than 82 percent respondents answered that they have no other options but to migrate for sugarcane harvesting to repay the advance they have taken from the Mukadam.

Seasonal migration can also be accumulative: For around 3.5 percent households, seasonal migration is accumulative. They migrate for additional income when the work in the native village is over, normally after harvesting the crop.

Seasonal migration can also be due to higher wages: For a few households (10 out of 638), seasonal migration to sugarcane farms is for better remuneration. For these households the decision to migrate is an alternative mechanism to earn a living for the family owing to an agricultural crisis in the areas they live in and thus bringing children to the place of work is an economic necessity.

Poverty and migration: Table 4.5.1 shows 29 households that reported that their poor economic status is the principle reason for migration. Among these, 17 households do not have land, while 12 families have less than 5 acres of land. So they can be categorized as marginal farmers who migrate to sugarcane farms due to their poor economic conditions. But, a majority of the remaining households, who do not possess land, have not reported poverty as the major reason for migration. So, the decision to migrate cannot be understood by the simplified demand supply mechanism. A reductionist approach will, therefore, be quite inadequate to understand why the farmers of central and eastern parts of Maharashtra migrate to western part for sugarcane harvesting.

The reasons for migration are, therefore, varied. For a majority of the households, it is for an alternative source to earn extra income and not just due to economic emergencies. However, for some households seasonal migration is accumulative, for better remuneration, or an opportunity to use the skills they have acquired over time. Children who migrate with their parents are deprived of a healthy childhood and access to basic human rights like education, health, food and nutrition and protection.

CHAPTER V
SITUATION OF CHILDREN
WORKING IN THE
SUGARCANE FARMS

5.1 Background

During the post monsoon period, every year children in the age group 0-18 years migrate with their parents to sugarcane farms. Adult migrant labourers (i.e., the parents of these children) take monetary advances from Mukadams to work at the sugarcane farms during the lean season on a piece rate. The whole family is involved in harvesting as the process involves typical optimizing behaviour which implies: higher the production, higher the earning. The head of the families employ all available hands, including children, in order to increase production. The children work along with their parents, but remain invisible on the muster rolls, and thus remain unaccounted for. These children have little opportunity to enjoy their childhood and become child labourers.

5.1.1 Age and sex distribution of children

The present survey includes 773 children up to the age of 18 years who are engaged in sugarcane farms as labourers. We strictly follow 0-18 years as the age group of children as mentioned in the UNCRC, ILO Convention 182 and Juvenile Justice Act, 2000. Out of these 773 children, 478 are boys and 295 are girls. The age and sex distribution of the children is given in the Table 5.1.1

Table 5.1.1 Age and sex distribution of children engaged in sugarcane farms

Children engaged in sugarcane farm activities						
Age Group	No. of Children	Percentage of Children	No. of Boys	Percentage of Boys	No. Of Girls	Percentage of Girls
Up to 10 Years	22	2.85	12	2.51	10	3.39
11-14 Years	275	35.58	149	31.17	126	42.71
15-18 Years	476	61.58	317	66.32	159	53.90
Total	773	100	478	100	295	100

Source: Household survey, GIPE-SC, 2011.

As evident in the table, majority of the children working in farms are in the age group of 15-18 years. Boys are preferred over girls, to work in the farms, which may be due to the type of work - unskilled and laborious. However, around 38 percent children are below the age of 15 years, in which the relative share of girls is higher than that of boys ¹⁷.

5.1.2 Why do they migrate?

Migration of children to work in sugarcane harvesting activities is basically an economic decision. Children are forced into migration for an increase in production and higher family earnings. Questions were put to the children regarding the major factors responsible for their migration. The quantitative findings are charted below.

Table 5.1.2: Factors responsible for migration of children

Reason for Migration	No. of Children	Percentage of Children
Passed or Failed Secondary Level of Education	33	4.27
Unable to Live without Parents / No One to Look After at the Origin Village	126	16.30
Poor Economic Situation	81	10.48
Reluctant to Go School / Drop Out	136	17.59
Repay loan	117	15.14
Support the Family in Work	235	30.40
Make Money for their Own Future	16	2.07
Sister's Marriage	16	2.07
No source of Income in the origin village	13	1.68
Total	773	100

Source: Household survey, GIPE-SC, 2011.

¹⁷ Parents bring their daughters below fifteen years to do household chores and to look after younger siblings. During FGD's, parents mention that girl in the age group 10-14 years are vulnerable to stay alone in their native villages, while older girls (of age group 15 years and above) are capable of looking after themselves.

Thus, 30 percent children have migrated for helping their families. When added to the 15.4 percent who have categorically stated that they migrated for repaying family loans, it makes a total of 45 percent of the children who have to migrate due to family needs. Among other factors responsible for migration, 16.3 percent children do not have anyone to look after them in their village of origin, whereas about 18 percent of them are reluctant to go to school or are school dropouts. So they prefer to migrate for sugarcane cutting for earning and gaining work experience. These children are engaged as subsidiary, or as marginal workers, along with their parents, and play a role in productivity. More than 60 percent children employed in sugarcane farms are engaged in cutting sugarcane. Out of them, 30 percent are engaged in collecting sugarcane for loading. Around 14 percent carry sugarcane to the crushing units.

Table 5.1.3: Cross tabulation of children by age, sex and type of work at the sugarcane farms

	Cutting and Others		Collecting and Others		Carrying and Others	
Age Group	Male	Female	Male	Female	Male	Female
6-10	6	2	8	6	1	0
11-14	83	55	82	76	38	35
15-17.5	231	92	169	96	237	53
Total	320	149	259	178	276	88

Source: Household survey, GIPE-SC, 2011.

The table indicates that the arduousness of the job increases with the age of the children of both sexes. Boys are mainly responsible for cutting and carrying sugarcane to the crushing unit. Girls mainly collect sugarcane and tie it for transportation.

During FGDs, parents were asked; why children worked in the farms?' They replied that more hands are needed for harvesting within a specified time limit, as per the contract with the Mukadams. There is segregation of work amongst them: younger boys accompany the parents to the fields, and young girls look after the household and younger siblings. If children do not work with their parents they incur a loss of ` 200-400 per day. Children shared the difficulties they face while working in the farms, like standing for long hours in the sun and using force to cut the sugarcane by koyta¹⁸. The type of work of the children by age and sex is presented in the Table.5.1.4

Table 5.1.4 Mapping children's participation in labour

	Type of Work	Type of Work
	Boys	Girls
6-10 Years	Livestock rearing and sometimes Cleaning and fetching water	Cleaning, fetching water and looking after younger siblings
11-14 Years	Sometimes cutting, tying bundles of sugarcane, piling it up on the bullock cart and taking it to the factory and unloading	Cooking, livestock rearing, looking after younger siblings, cleaning the household, grinding bajra (millet), fetching water
15-18 Years	Cutting sugarcane, tying bundles of sugarcane, piling it up on the bullock cart and taking it to the factory and unloading	Sometimes cutting sugarcane (when there are no boys), loading and unloading sugarcane from bullock cart to factory, cooking, fetching water, providing water at work sites

Source: Household survey, GIPE-SC, 2011.

¹⁸ Sickle to cut sugarcane

More than 54 percent of working children have a multiple burden of work, including hazardous activities (like cutting sugarcane with koyta, carrying heavy loads, etc.), which together not only suppresses their childhood, but also results in health hazards. The work load is no less strenuous. Around 47 percent children carry head loads, and among them, 60 percent carry more than 25 kilogram of sugarcane while loading.

The duration of working hours of the children is no less than the principal workers. The distribution of children by duration of work is given in Table 5.1.5. More than 60 percent children work for more than 8 hours a day (average working hours is 8.61). None of them have reported that they have worked less than 1 hour per day, and there are 148 children who worked more than 10 hours per day. The magnitude of violation of child rights for these migrant children is huge and have more health hazards because cutting, de-topping, stacking, carrying and loading sugarcane is a heavy task, resulting in extreme tiredness.

Table 5.1.5: Percentage distribution of children working in sugarcane farms by duration of

Hours of Work in Sugarcane Farm	Frequency	Percentage of Children	Mean Hours of Working
Up to 5 Hours	120	17.05	4.30
6 to 8 Hours	155	22.02	7.09
9 to 10 Hours	281	39.91	9.55
More than 10 Hours	148	21.02	11.89
Total	704	100	

Source: Household survey, GIPE-SC, 2011.

Around 10 percent children not directly involved in sugarcane farm activities take care of the family livestock, which they bring along with them while migrating. The children are not paid individually, and 71 percent of them do not like to work in the farms as the tasks are painful and hard.

Children's participation in labour



5.2 Education

Children working in sugarcane farms are at a higher risk of becoming school dropouts. Due to forced migration, children enrolled in school can attend school for only six months in a year, resulting in discontinuation in scholastic attainment, and eventually exclusion from the formal educational system. Distribution of children in school at the place of origin, and also at the place of work, i.e. destination, is given in Table 5.2.1

Table 5.2.1: Distribution of children by enrollment status both at origin and destination

Educational Status		Origin		Destination	
		Number	Percentage	Number	Percentage
	Attending School	355	45.9	10	1.29
	Not Attending School	418	54.1	763	98.7

Source: Household survey, GIPE-SC, 2011.

More than 50 percent children did not go to school at the place of origin. The situation is even grimmer at the destination - only 10 children are found to be in school. When access to education is considered as a basic human right, the situation indicates a violation of child rights, even at their place of origin.

¹⁹ Cuts on hands and legs are some of the hazards that the children face at their place of work.

Questions put and response given by children for not going to school at the origin and reasons behind it are given in the Table 5.2.2.

Table 5.2.2: Percentage distribution of children, by sex, and reasons for not attending school at origin

	Total	%	Boys	%	Girl	%
Financial Problem	101	24.16	57	22.53	44	26.67
Not Interested	130	31.10	86	33.99	44	26.67
To do Household Chores	30	7.18	13	5.14	17	10.30
Parents not Wanting Their Children to Go to School	80	19.14	38	15.02	42	25.45
Problem in School	6	1.44	3	1.19	3	1.82
Others	71	16.99	56	22.13	15	9.09
Total	418	100	253	100	165	100

Source: Household survey, GIPE-SC, 2011.

Low perceived benefit from education could perhaps be the major reason for low enrolment, or exclusion, of children from the education system in their native villages (origin). More than 31 percent of children who are not in school at origin, have no interest in education. Further, their parents may perceive the returns from education to be lower than the child's expected economic contribution to the family. For more than 50 percent children, the reason for not going to school at origin is either attitudinal or behavioural. Besides, for more than 24 percent, financial insolvency is the major reason. However, there are many other contextual factors that can be responsible for low or 'no' education attainment of the majority of children.

There is a substantial gender bias in the decision of the parents to send children to school. While more than 25 percent girls reported that their education has been stopped by their parents, the corresponding figure for boys is 15 percent. Interestingly, the boys seem to be less interested, as compared with girls, in receiving education at their native villages (origin).

Generally, the family and social environment have been viewed as a supportive and productive institution, especially for children. But a large number of out-of-school children at their native villages clearly indicates that the child is caught in a complex socio-economic process, which adversely affects their childhood development. The denial of the 'right to education' is not confined within the realm of child labour, but rather encompasses a broader perspective of human capital formation, and the potential scope for future socio-economic development of society at large.

Before analysing the impact of migration on the education of children, we will first look at the major factors behind the lower levels of scholastic attainment of the children at their native villages (origin). There are several factors associated with it which may be sociological, economic and associated with group behaviour. For the sake of interventionist policy, it is important to pursue disaggregated analysis to pinpoint the factors held responsible for poor educational attainment. This can be done by examining contingency tables, which are given below. Data related to the school enrolment of the child population at the origin may not be a representative of the population. Even then, unmasking the data will help to point out the demand-based factors associated with lower levels of educational attainment.

The study, therefore, has tried to identify the indicators associated with lower levels of education. According to the economic literature, educational attainment can be associated with economic growth and reduction in poverty. Economic prosperity can increase educational attainment of the children²⁰. In order to examine this notion, the present study uses asset ownership and land possession as economic indicators, to determine the impact of economic development on child education.

²⁰Often an inverted U relationship can be found between economic prosperity and average years of schooling. (Siddhanta and Nandy, 2003).

Contingency table 5.2.3 shows the distribution of children by education and size of land holding.

Table 5.2.3: Contingency table of child schooling by land holding size of households

	Children at Origin		
Land Holding Size of Households (in acres)	Attending School	Not Attending School	Total
No Land Possession	87	166	253
1 to 5	218	211	429
6 to 10	39	32	71
Above 10	11	9	20
Total	355	418	773

Source: Household survey, GIPE-SC, 2011.

The table shows that non-possession of land has a negative impact on the decision regarding child schooling. Out of 253 children with parents not having land, 65 percent do not go to school, while more families with land have a greater propensity to send their children to school at their native villages (origin). Though it is hard to ascertain that having land has a favourable impact on child schooling, the corollary perhaps seems true.

However, the notion 'development' not only implies economic prosperity, as economic growth, per se, does not mean rapid improvement in the quality of life. Rather, social development can have a favourable impact both on better living conditions and childhood development (Dreze et al. 2000). The mother's education has been considered as a proxy of social development, which has a catalytic effect on educational attainment of children (World Bank, 2003). We will examine this association using mother's education as an important covariate.

Table 5.2.4: Contingency table of children schooling by mother's education

	Children at Origin		
Mother's Education	Attending School	Not Attending School	Total Children
Illiterate	245	303	548
Primary	53	66	119
Post-Primary	29	10	39
Secondary and Above	8	2	10
Total	335	381	716

Source: Household survey, GIPE-SC, 2011.

Out of 773 children, the survey provides educational statistics of the mothers of 716 children. To construct the two-way contingency table, we have clubbed completed years of schooling into four broad categories, i.e.; illiterate, primary, post-primary, and secondary & above. The percent share of children in school, whose mothers are illiterate, is slightly lower than children out of school (73.13 percent vs. 79.53 percent). But mothers with more than primary school education seem to be associated with a higher share of children in school. So, it would not be incorrect to state that the mother's education has a positive catalytic effect on the child's education.

Furthermore, the decision for educating children can also have some behavioural components. Social inequality where inequalities are seen as built into the social structures, in the form of relations of super-ordination and sub-ordination, can have a strong impact on the decision to educate children. There is no point in denying that one's location within the network of social affiliations substantially affects one's access to resources.

Group behaviour, thus, has a strong association with scholastic development of the children, particularly in societies where traditional cultural norms and practices are entrenched. Maharashtra is a state where social inequality is high, particularly in rural parts (Agnihotri et al. 2003). It is also possible that this social inequality has a strong association with the educational scenario of the state, and child schooling, in particular. We will examine this hypothesis using the dis-aggregative data collected from the sample survey.

Table 5.2.5: Contingency table of children schooling by different caste categories

	Children at Origin			
	Mother's Education	Attending School	Not Attending School	Total
Social Groups	Nomadic Tribes – B (NT-B)	0	4	4
	Nomadic Tribes – C (Dhangar)	34	24	58
	Nomadic Tribes – D (Vanjari)	101	104	205
	Other Backward Caste (OBC)	23	3	26
	General Category	91	93	184
	Special Backward Class (SBC)	2	0	2
	Scheduled Caste (SC)	41	40	81
	Scheduled Tribe (ST)	13	12	25
	Denotified Tribes (Vimukta Jati)	50	138	188
	Total	355	418	773

Source: Household survey, GIPE-SC, 2011.

The table shows that social group membership may have some impact on children's schooling. Children of the Denotified Tribes (Vimukta Jati) may be the most vulnerable section with regard to educational attainment. More than 73 percent of such children are out of school²¹, while more than 88 percent of the children of 'Other Backward' category are in school. Interestingly, membership in the 'General' category does not represent any beneficial impact on child schooling. Why it is so intuitively, is not clear (apart from 'between' group inequality, 'within' group inequality may be an important issue, but is beyond the scope of the present analysis owing to small sample size). Perhaps they are also from similar economic class (i.e. poor), which affects their decision to send their children to school in the same way as it happens for other caste categories.

The children were asked whether they had migrated after the completion of the half-yearly examination (Sahamahi Pariksha). About 90 percent of the children who were going to school in their native villages replied that they had migrated after the completion of the half-yearly examination, but more than 90 percent of them had not asked for a transfer certificate. More than 97 percent children (345 out of 355), who were in school at origin, do not go to school at the work place i.e destination. While the major reason is still attitudinal, some of them (around 17 percent) reported that they did face problems in securing admissions in school at their place of work²².

59 students, who were in school at the place of origin, tried to get admission in schools at their place of work. 10 of them ultimately got admission, while the rest faced different types of problems. 41 students have reported that procedural hazard (not having a school leaving certificate from schools of their native villages) is the main reason for not getting admission at the destination. However, 16 students have reported that there is no secondary school in close proximity. Two students have been refused admission by the principal.

The survey reports that 30 percent children have information regarding other modes of education, and during the last year, they had benefitted from Sakharshala²³, schools run by NGOs, etc.

However, the perceived benefit from education is not clear to these children and to their parents. Around 38 percent of children surveyed do not have any clear perception regarding how far they will continue their studies. More than 46 percent of children do not intend continuing their education. As the demand for labour by sugarcane farms is high, an improvement in the demand factor (such as parent's education, family prosperity; etc.) may not yield the desired result. Rather, strengthening the supply side mechanism may be a more effective way to restore the rights of the children.

However, effective implementation of supply side mechanism may depend heavily on strategic intervention by the local Panchayats and NGOs, for mobilizing the children and their parents into continuing education, both at the origin and destination. Particularly after the enforcement of the Right to Education Act, it is the duty and of the government to make adequate provision so that every child can have access to equal educational opportunities.

After completion of sugarcane cutting, when children go back to their villages, they face difficulties in continuing their education. It is hard to ascertain how many children returned to school, after coming back from the place of work during March / April each year. As the children migrate every year with their families for sugarcane cutting and work from September to March, questions were asked regarding the chance of re-admission in their class, at their native village. Only 38 percent (295 out of 773) children reported that they would get readmission in school at their native villages. A majority of them (more than 60 percent) reported that they would have to take re-admission in the same class, which not only diminishes their motivation towards further scholastic attainment, but can even increase the probability of dropping out. However, 37.3 percent (110 out of 295) children reported that they would be admitted in the next class.

Questions were put to the children, (who reported that they would not get re-admission in schools) about the principle reasons thereof. Most of them (43.5 percent) said that it would mainly be due to the refusal of schools to take them back. While many technical issues might create a barrier (e.g., attendance requirement, examination records for enrolments, etc.) for ensuring continuity of their education, the most important factor is the unsympathetic attitude of the teachers and school administration. As a result, large scale drop outs are common phenomenon among the children and seeking admission in the next year is the only option left for them.

However, around 22 percent of them opined that they did not need further education, as they had to work for their families. More than 19 percent of them would not like to rejoin school and some children argued that their parents would not get them admitted. So apart from institutional and systemic reasons, a negative attitude towards education, among the migrant children and their families, was responsible for discontinuation in schooling.

²¹Survey notes: Girls of the Vanjari community are mostly illiterate

²²The main problem they have faced is that they have not been permitted to join schools in the middle of the session.

²³A special effort is being made in western India to ensure that children of migrant sugarcane workers don't miss out on basic education. Temporary schools run at the sugarcane sites popularly known as Sakharshala

5.3 Health

5.3.1 Disease

Apart from 'denial of right to education', children of the migrant labourers face health hazards. They work no less than their parents and, therefore, face physical inconveniences, suffer from diseases and since the work is contractual and coercive, they do not have the opportunity to rest. More than 42 percent children surveyed have reported that they fell sick after migration. The percentage share of children falling sick after migration in different age groups are given below.

Table 5.3.1: Percentage of children by age who fall sick after migration

Age Group	Total Children	Children Falling Sick	Percentage
6 to 14	297	144	48.48
15 and Above	476	185	38.87
Total	773	329	42.56

Source: Household survey, GIPE-SC, 2011.

Table 5.3.1 shows that nearly 49 percent of children in the 6-14 age group fall sick after migration. The figure is slightly lower for children who are 15 years and above.

The living conditions of seasonal migrants are harsh. Often, they have to share a small conical-shaped hut made from the leaves of sugarcane and are, thus, exposed to the vagaries of nature. As an immediate consequence, most of them suffer from cold, cough and fever. They also experience physical inconveniences and suffer from diarrhoea, due to non-availability of safe drinking water.

The percentage share of children with different diseases and the number of corresponding cases are in Table 5.3.2

Table 5.3.2: Percentage of children with different types of diseases

Disease	Frequency	Percentage
Pain (Body Pain, Shoulder Pain, Back ache, Headache, Waist Pain, etc.)	16	4.91
Vector-Borne Diseases (Chikungunia, Malaria, Flu, etc.)	25	7.67
Common Ailments (Cough, Cold and Fever)	230	70.55
Water Borne Disease (Diarrhoea, stomach pain , dysentery, Jaundice, etc.)	44	13.5
Others (Muscle Pain, Skin Infection, etc.)	11	3.37

Source: Household survey, GIPE-SC, 2011.

Most children suffer from cough and cold, which seems to be plausible due to the long working hours during winter season, often from dawn (around 4 am in the morning) to dusk. Children work with minimum clothing and mere sandals as footwear. Recurrences of cough and cold have been observed. Furthermore, the probability of suffering from diarrhoea is also thought to be related with children suffering from cough and cold. Moreover, long and repeated standing, stooping, bending and carrying heavy loads harm their musculo-skeletal development. Such a situation may affect physical development of the children, and take a high toll on their working capacity as they grow.

Diseases like malaria, chikungunia, etc.; are also prevalent. Around 8 percent children suffering from different illnesses have reported to be affected by vector-borne diseases. Dismal living conditions of migrant families, without basic facilities available, like sanitation²⁵, clean water, etc; makes them vulnerable to infections.

²⁴Mostly related to stomach upsets
²⁵98% percent of the families defecate in open areas not very far from their habitation which contributes to the breeding of vectors responsible for malaria and chikungunia

The survey reports that 5 percent children suffered from pain in their shoulders, back, waist, and joints in hands and legs. As de-topping, carrying and loading sugarcane are very arduous jobs, children engaged in such activities are always at a higher risk of damaging their muscles and bones.

Table 5.3.3: Distribution of children by age and weight of head load

Age of Children	Number of Responded Reported Carrying Weight		
	Less than 25 Kg	25 to 30 Kg	Greater than 30 Kg
6 to 10	1	0	0
11 to 14	40	16	19
15 and Above	93	128	67

Source: Household survey, GIPE-SC, 2011.

Children in different age groups have to carry heavy loads for loading sugarcane on bullock carts. The amount of head load increases with age as reported in the above table. This may retard their physical growth.

Other illnesses that were reported are skin diseases (flaky skin) and muscle pain. Occasional cramps in muscles and extreme fatigue after performing strenuous jobs, are very common, but for which neither the children nor their parents seem bothered.

5.3.2 Treatment

The survey indicates that 60 percent children who fall sick after migration received treatment from private medical facilities, including factory-run primary health centres. The latter are availed by migrants on a payment basis, and can be clubbed under community medical facilities. Children affected by vector-borne and 'other' diseases (which includes muscle pain, skin infection, etc.) do not receive treatment as compared with other diseases. However, the factory-run health centers, along with private medical facilities, play a crucial role in providing treatment for cough, cold and water-borne diseases.

Table 5.3.4: Distribution of children by type of diseases and treatment received

Disease	Total Number of Cases	Number of Treatment Received	Percentage Received Treatment
Pain (Body Pain, Shoulder Pain, Backache, Headache, Waist Pain, etc.)	16	11	68.75
Vector-Borne Diseases (Chikungunia, Malaria, Flu, etc)	52	17	32.69
Cough, Cold and Fever	230	152	66.09
Water-Borne Diseases (Diarrhoea, Stomachache, Dysentery, Jaundice, etc.)	46	29	63.04
Others (Physical Inconvenience, Muscle Pain, Skin Infection, etc.)	9	4	44.44

Source: Household survey, GIPE-SC, 2011.

Relatively common diseases are addressed by the available medical facilities. The existing setup is inadequate in combating vector-borne diseases, repeated occurrences of cough and cold, and water-borne diseases. Information regarding types of diseases with respect to medical facilities availed by children is in Table 5.3.5

Table 5.3.5: Distribution of children by types of diseases and medical facilities availed

Types of diseases	Government Facility	Private Doctors/Facility	Rural Medical Practitioners /	Private Medical Facilities
Pain (Body Pain, Shoulder Pain, Backache,, Headache, Waist Pain, etc.)	0	1	1	9
Vector-Borne Diseases (Chikungunia, Malaria, Flu, etc)	1	3	2	11
Common ailment (Cough, Cold and Fever)	6	19	3	124
Water-borne disease (Diarrhoea, Stomachache, Dysentery, Jaundice, etc.)	2	4	5	18
Others (Physical Inconvenience, Muscle Pain, Skin Infection, etc.)	0	0	2	2
Total	9	27	13	164

Source: Household survey, GIPE-SC, 2011.

The table shows that the children who suffered from diseases have minimal access to the government facilities as a means of treatment. Why this is so, should be a matter of concern. Field discussions indicate that the access to government medical facilities has high transaction costs, due to its non-availability at close proximity, on the one hand, and non-availability of doctors at the government run primary health centers, on the other. But, in serious cases (e.g., multiple occurrences of cough and cold), the children have to go to the government hospitals for better treatment. This implies that the quality of treatment in government-run medical facilities is better than factory-run medical facilities. It is, therefore, important to develop government health facilities, in terms of area coverage and availability of doctors.

5.3.3 Accident

The risk of injury is high in sugarcane farms. More than 18 percent children suffer from accidental injuries during farm activities. The most common form of accidents include falling-off from the cart while loading, cutting oneself with the koyta, injury from buffalo kicks, etc.

Manual loading of sugarcane is also a risky job, and children fall off the cart during stacking, and also sustain injuries from the edges of the sugarcane during piling. The extent of accident becomes more serious if the children fall from a moving cart while transporting sugarcane from the farm. The children have to sit on the top of the pile in the cart, without any protective support.

Cutting oneself with the is a common occurrence. Minor cuts go unreported and are left to heal by themselves. The survey revealed only 13 children reported having sustained injuries from the koyta. However, Focus Group Discussion and field level observations indicate that all migrant labourers, including children engaged in cutting sugarcane, sustained injuries from koyta like cuts at least once, usually in the foot or hand. Interestingly, these cases involved medical treatment and the out-of-work duration extend even up to 30 days.

Table 5.3.6: Distribution of children by age and incidence of accidents

Accident			Age group			
	Frequency	Percentage		6 to 10	11 to 14	15 and above
Accidents	145	18.76	Accidents	4	55	86
Koyta Wounds	13	1.68	Koyta Wounds	0	4	9
No Accident	615	79.56	No Accident	21	214	380
Total	773					

Source: Household survey, GIPE-SC, 2011.

Apart from cutting oneself with the Koyta, minor cuts from the sharp edges of the sugarcane leaves (Wada) is also a common form of injury. Children normally wear open sandals and their arms remain bare without any clothing, thus exposed to the cuts and wounds from sugarcane leaves. Wounds are also commonly sustained from the remains of the sugarcane plant in the ground.

Domestic animals are a potential cause of serious mishaps for the children. Observations from the field reveal that buffaloes and cows can cause serious injuries to children. A thirteen year old child from Theur reported: “I take care of the buffalo and once, while giving fodder, the buffalo kicked in my jaw. Immediately there was bleeding and it was subsequently found that the tooth is hanging”.

5.3.4 Treatment

Children injured during farm activities receive treatment from various types of service providers including private doctors, private medical shops, Rural Medical Practitioners (RMP), etc. Most of the children injured during farm activities do not receive treatment from government facilities rather they visit private medical stores, and purchase medicines in consultation with the shop keepers. It is hard to believe that the shop keepers of the medical shops are always 'pharmacists'²⁶. They are often compounders with some basic knowledge of medical prescription.

Table 5.3.7: Distribution of children by type of treatment availed

Accident Including	Government Facility	Private Doctors/Facility	RMP	Private Medical Store	Indigenous Practitioners	Total
Injury from Koyta	4	42	46	64	1	157

Source: Household survey, GIPE-SC, 2011.

Apart from medical stores, the injured children consult Rural Medical Practitioners (RMPs). 46 out of 157 injured children visited RMPs for out-patient care. Choosing an RMP or medical store as a service provider may not be solely due to economic reasons. The physical accessibility, as well as availability, of the RMPs, vis-a-vis non-availability of regular doctors explains their choice. Even then, they do consult doctors, when injuries are serious²⁷. It may be that the treatment by RMPs and medical stores does not always cure.

²⁶With Diploma or B-Pharm degree zia

²⁷It is important to note that the children are reported to visit registered doctors when injuries from Koyta cuts become serious.

With limited government healthcare facilities, the seasonal migrants and their children often have to depend on or Mukadams for availing medical treatment. But, neither the sugarcane factory nor the Mukadam take any responsibility of the health of migrant children. Only 25 children reported that they received some monetary help from the Mukadam. Unfortunately, such help is ultimately deducted from the payment at the end of the season.

The attitude of the factory owner in providing basic health care facilities varies considerably within and between states. Migrant labourers of sugarcane farms are provided with health cards in Gujarat, but not in Maharashtra. This points toward the state's gross institutional reluctance in providing basic health facilities.

A question was asked regarding the administration of IFA tablets to the girls. Only 10 out of 295 girls received them provided by health workers. When nutritional anaemia is considered to be a major problem among girls, particularly in their adolescence, poor coverage of IFA supplementation should be a matter of concern for the government and other agencies.

A child handling Koyta to cut sugarcane



5.4 Right to Protection

Every child has a right to protection. However, the need to protect children is greater in case of migrant children, who are more vulnerable in terms of the harm/danger/risk to their right to survival/development/participation. The present study tries to gather information regarding physical and sexual abuse of children in the work place and temporary settlement. The survey reports that 21 children have been abused while working in sugarcane farms. Out of these, 15 were subject to verbal abuse, while 6 children were physically abused.

Children were asked during the FGDs, whether they had been misbehaved with, by the local community. 11 children reported that they have seen people misbehaving with other children. The abuse was both 'verbal' and 'physical'. One child reported that he had seen another child being sexually abused. However, the magnitude of child abuse could not be surveyed due to objections from the Mukadam. This is indicative neither of a protective environment, nor does it prove that the socio-economic conditions are conducive for protecting children, from exploitation and oppression.

The extent of abuse (both physical and sexual) depends on the level of understanding regarding the gravity of the problem by the community at large²⁹. During the FGDs, the children were not able to fully comprehend the activities which fall under the purview of physical and sexual abuse, especially since talking about abuse and / or sharing information about it is considered taboo in Indian society.

²⁸Cases of abuse are not reported due to stigma attached, fear of retribution by the perpetrators and absence of a child friendly complaint and response mechanism. However, randomised response survey may be found efficient in bringing out the extent and magnitude of child abuse, beyond of the scope of the present study.
²⁹The traditional community of the country feel that child abuse does not happen in India and it is a largely a western problem (WCD, 2007).

The field investigators, while talking with the group of children regarding their social environment at destination, found that the girls are more vulnerable to sexual abuse, when they are alone at home. Mukadams also exploit the children (especially girls) taking advantage of their poor socio-economic position in the community. Apart from contracting labour for farm activities, the Mukadams also set up temporary grocery shops in the location of the settlement with a clear motive to exploit the migrant labourers. They provide the option of credit to the labourers, who often fall into the trap of indebtedness, resulting not only in financial exploitation, but also other forms of abuse including physical, emotional and sexual abuse of their children, especially girls.

Children were asked as to what they miss at the 'destination', that they have at the place of 'origin'. The response was that there are number of benefits that they miss at the destination. They missed the safe and protective environment that they have at their place of origin. Interestingly, these 105 children are 'girls'. Such evidence, though anecdotal, may be suggestive of the poor social environment at the destination, with girls being the worst affected. This should be a matter of concern for policy makers and activists alike.

Every Child Has a Right to Protection



5.5 Social Interaction

Social interaction plays a fundamental role in the cognitive development of children. Sociologists and psychologists have long raised the importance of inter-psychological aspects in the development of functional abilities of children. However, no comprehensive study has been made that describes the current state of social interaction of the children in the community at large. The present study has tried to capture these crucial aspects of childhood development and/or 'child rights', by collecting information regarding social acquaintance of the children of migrant labourers in the areas of temporary settlement. Questions were posed to the children regarding having friends in the destination. Only 21 percent of the migrant children have friends in their local community. The form of leisure activity also varied and considerably differs by gender. The distribution of children by means of leisure is given in the following table

Table 5.5.1 Distribution of children by means of leisure

	Watching Movies	Listening to Music in Mobiles	Playing Cards	Listening to Radio	Domestic Help	Animal Care	Rest, Playing , Chatting	Studying	No Spare Time	Total
Boys	2	173	36	2	37	100	77	11	4	442
Girls	0	26	0	1	7	215	15	9	7	280
Total	2	199	36	3	44	315	92	20	11	722

Source: Household survey, GIPE-SC, 2011.

The gender stratification in the form of leisure activities as evident from the table 5.5.1 is important to highlight, as it further indicates the very limited scope of social acquaintance of the girl child of the migrant labourers at the place of work. The table shows that while boys listen to music in their leisure time, the girls carry out household activities and thus have no amusement in their daily routine. The table also reveals that the boys have greater opportunities to pass time watching movies, playing cards, taking rest, playing, chatting, etc., from which the girls are mostly excluded. So there is little chance that the girls of the migrant labourers can get 'out of work' time for social activities.

Another important point to mention is that the children do not have the habit of studying in their leisure time. This implies that they do not have adequate motivation for continuing their education and live in conditions where the perceived benefits of education are poorly understood.

The boys do not have greater opportunities to form social associations. The local people commonly follow a discriminatory attitude towards the migrant labourers and to their children. Field observation reveals that the local people treat these migrants indifferently and with antipathy. The migrants are usually termed as 'nagri' or 'gabari', which is indicative of people lacking proper culture or proper hygiene. The children are often looked at, as rural or rustic, and are often verbally abused due to their low castes. This attitude is reflected in the settlement pattern. Small huts of the migrant labourers are mostly situated outside the village boundary, near the factory or sugarcane field.

Children of migrant labourers missed their social environment at the place of work. The following table shows that around 72 percent children used to miss their family environment at the place of temporary settlement.

Table 5.5.2: Percentage distribution of children according to the facilities missing at destination

Disease	Number	Percentage
Relatives	554	71.67
Schools	238	30.79
Water	120	15.52
Houses	161	20.83
Clean Environment	66	8.54
Media	70	9.06
All Facilities	22	2.85
Safety in Villages	105	13.58

Source: Household survey, GIPE-SC, 2011.

Around 31 percent children reported that they missed their schools and school friends at the destination of work. Temporary settlements of the migrant labourers lack in clean drinking water and sanitary facilities. Around 16 percent children suffer from water scarcity at the place of work, which they do not face at their native villages. Around 14 percent children miss the safe social environment that they enjoy in their villages of origin.

5.6 Conclusion

The analysis tries to capture the situation of children who are both uncovered and unreached from the development process. However, there are a number of relevant / existing policies / acts / provisions for restoring the childhood of these vulnerable and marginalized groups of children. In the next section, we will focus on those programmes, policies and provisions, for a better understanding of programme implementation and management.



CHAPTER VI INSTITUTIONAL CAPACITY FOR ENSURING THE RIGHTS OF THE CHILDREN AFFECTED BY SEASONAL MIGRATION

6.1 Constitutional provisions

The Constitution of India has clear provisions for the survival, development, protection and participation of children. A list of major Constitutional provisions related to children is given in the following box.

Major Constitutional Provisions

Fundamental Rights

- Article 14: ... shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.
- Article 15: ... shall not discriminate against any citizen... (3) Nothing in this article shall prevent the State from making special provision for women and children. (4) Nothing ... shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.
- Article 21: No person shall be deprived of his life or personal liberty except according to procedure established by law.
- Article 21 A: ... shall provide free and compulsory education to all children of the age of six to fourteen years...
- Article 23: Traffic in human beings and beggar and other similar forms of forced labour are prohibited...
- Article 24: No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Directive Principles of State Policy

- Article 39: ... (e) ... the tender age of children are not abused... and not forced by economic necessity to enter avocations unsuited to their age or strength; (f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood... protected against exploitation and against moral and material abandonment.
- Article 45: ...provide early childhood care and education for all children until they complete the age of six years.
- Article 46: ...shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes,...
- Article 47: ...raising of the level of nutrition and the standard of living of its people and the improvement of public health...
- Article 51: The State shall endeavour to – ... (c) foster respect for international law and treaty obligations ...
- Article 51A: ... (k) ... parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.

Furthermore, the 73rd and 74th Constitutional amendments have given special administrative and financial powers to the Panchayats and listed women and child development as one of their major responsibilities³¹.

³¹The list of subject areas of activities contains 29 items which includes land improvement, minor irrigation, animal husbandry, fisheries, education, women and child development, etc. .

6.2 Developments over the Five-Year Plan periods

The Five-Year Plans have outlined programmes for the development and empowerment of children. The first Five-Year Plan (1951-56) took an assessment of the needs of children following which the Central Social Welfare Board (CSWB) was constituted in 1953. In addition, the Government of India passed the Protection of Civil Rights Act, 1955, and ratified the International Labour Organization (ILO) Convention No. 5 of 1919, on minimum age of work in industry. The CSWB was strengthened during the second Five Year Plan (1956 – 61). At the international level, the United Nations General Assembly adopted the Declaration of the Rights of the Child on 20th November, 1959. The gist of 10 principles of the declaration is given in the following box.

UN Declaration of the Rights of the Child

- Article 1 - Everyone under the age of 18 has all the rights in this Convention.
- Article 2 - The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say, no matter what type of family they come from.
- Article 4 - Governments should make these rights available to children.
- Article 6 – Every child has a right to life. Governments should ensure that children survive and develop healthily.
- Article 12 – Every child has the right to say what they think should happen when adults are making decisions that affect them, and to have their opinions taken into account.
- Article 19 - Governments should ensure that children are properly cared for, and protect them from violence, abuse and neglect by their parents or anyone else who looks after them.
- Article 24 – Every child has a right to good quality health care and to clean water, nutritious food and a clean environment.
- Article 26 - The government should provide extra money for the children of families in need.
- Article 28 & 29 – Child's right to education
- Article 31 - Right to relax, play and join in a wide range of activities.

- Article 32 - The government should protect children from work that is dangerous or might harm their health or education.
- Article 34 - The government should protect children from sexual abuse.
- Article 36 - Children should be protected from any activities that could harm their development.
- Article 42 - The government should make the Convention known to all parents and children.
- Articles 43-54 - How adults and governments should work together to make sure all children get all their rights.

During the Third Five Year Plan (1961 – 66) increased emphasis had been given to inter-sectoral co-ordination of services for children. The Third Plan set up an education commission³² to fulfil the constitutional obligation of providing free and compulsory education to all children which led to the formulation of the National Education Policy, 1968. A package of basic minimum services for children was focussed and a scheme for children in need of care and protection was introduced during the Fourth Five-Year Plan.

The National Policy for Children (1974) declared that it is the primary responsibility of the state to look after the children of the nation and emphasized that it should be the duty of the state to 'provide adequate service to children, both before and after birth and through the period of growth, to ensure their full physical, mental and social development'. The policy also called for the adoption of a comprehensive health programme, provision of nutritional services, free and compulsory education to all children up to the age of 14 years, provision of non-formal education, provision of special assistance to children belonging to the weaker sections of society, upliftment of children in distress, protection against neglect, cruelty and exploitation of children, protection against child labour, etc. A shift in focus from child welfare to child development was seen in the Fifth Five Year Plan. Integrated Child Development Services were launched in 1975, and the Government ratified the ILO Convention No. 123 of 1965 relating to minimum age for work. In 1979, a National Plan of Action was prepared to reach the deprived children. The problem of working children and their welfare received attention in the Sixth Five Year Plan and appropriate programmes were undertaken to improve the health, nutrition and education status of working children. In 1981 the Central Child Labour Advisory Board was set up for reviewing the implementation of existing laws concerning child labour. In order to reduce the dropout rate and to improve the rate of retention in schools, the scheme of early childhood education was introduced in 1982.

During the Seventh Five Year Plan, the Department of Women and Child Development was set up in 1985³³. The Juvenile Justice Act, 1986 was legislated and the government also enacted the Child Labour (Prohibition and Regulation) Act, 1986. This Act, by and large, seeks to prohibit child labour in certain hazardous occupations. A new National Policy on Education (NPE, 1986) was adopted with a focus on early childhood care and education, universalizing elementary education, etc. The Eighth Five Year Plan (1992 – 97) had given high priority to the survival and development of children.

The government ratified the UNCRC in 1992 which opened up newer ways for necessary legal and developmental measures for protecting and promoting the rights of children. In 1994, the government joined the international programme on elimination of child labour³⁴ and the National Authority on elimination of child labour was constituted, which further strengthened the Child Labour (Prohibition and Regulation) Act, 1986. In the Ninth Five Year Plan (1997 - 2002), efforts were taken to protect basic child rights like the Right to Education, Right to Food and Nutrition and Right to Medical Care. The Juvenile Justice Act, 1986 was thoroughly reviewed and replaced by the Juvenile Justice (Care and Protection of Children) Act, 2000.

³²under the chairmanship of Dr. D. S. Kothari. .

³³This was further elevated to an independent ministry in 2006. .

³⁴Launched by ILO in 1994.

The Tenth Five Year Plan (2002 – 2007) considered a rights-based approach, with regard to survival, development and protection of children. The 86th amendment of the Constitution was observed in December, 2002 where free and compulsory education is seen as a fundamental right for all children in the age group 6 to 14 years. In order to achieve the goal of universalization of elementary education, the Sarva Shiksha Abhiyan was seen as a major vehicle to increase enrolment and retention on the one hand and combat dropout rates on the other.

The Juvenile Justice (Care and Protection of Children) Act, 2000 was further amended in 2006. The sub-group committee of Child Protection in the Eleventh Five-Year Plan recognized the importance of adopting both a preventive and protective approach to child protection. It has accepted that 'protection failures are not only human rights violations, but are also major, under-recognized, under-reported and under-acted upon barriers to child survival and development' (Sub-group report, Child Protection in the Eleventh Five Year Plan 2007-2010). In the sub-group's report, it is mentioned that child protection issues and the millennium goals are not explicit – 'there are many links between improved child protection and better development outcomes'. An attempt has been made by the sub-group committee to outline this in a matrix of Millennium Development Goals and Child Protection which is given in Appendix III.

At the time of writing this report, the consultation for the Twelfth Five Year Plan had commenced. According to the Planning Commission, this Plan will look at the effective implementation of the Integrated Child Protection Scheme (ICPS) which had been initiated under the Eleventh Five-Year Plan. Further, the 'Civil Society Inputs for the Approach Paper- Twelfth Five-Year Plan', by Wada Na Todo Abhiyan (December, 2010) recommended stepping up overall allocation to child-specific schemes in the Union Budget of the Twelfth Plan to give quality services to all children throughout the period of childhood. CHILDLINE India Foundation further recommended that the budget allocation for children should be geared up from 4.5% to 10% of the Union Budgets in the forthcoming Twelfth Five-Year Plan.

6.3 Where the shoe pinches

Despite the Constitutional guarantee and legal provisions, and continued efforts for enforcement by governments, large numbers of children remain out of their purview, and are thus deprived of their basic rights. Children from socio-economic backgrounds such as the poor, minorities, tribals, Dalits, or migrants face multiple deprivations. As the present study shows, the children of migrant labourers of sugarcane farms are deprived of their rights, including access to education, health, survival, and protection. In the context of the Indian Constitution, legal provisions and comprehensive efforts are undertaken during the Plan. It is necessary to highlight some of the gaps in the existing legal and policy framework which create barriers for children, especially those who need protection the most, particularly in situations where they are caught within socio-economic and political pressures.

6.3.1 Need for uniformity in the definition of child labour

The Constitution of India and the legal framework have far-reaching provisions to protect children. But the non-uniformity of the definition of child labour in different laws creates a dilemma, and creates barriers in protecting a majority of vulnerable children. There is no denying that the Eleventh Five Year Plan has called for age rationalization in different laws pertaining to children, but the Right to Education Act, 2009, only considers a 'child' between the ages of 6 and 14 years to be provided with free and compulsory education by the state, and the Child Labour (Prohibition and Regulation) Act, 1986, prohibits labour activities of children in this age group in certain occupations up to 14 years.

The Juvenile Justice (Care and Protection of Children) Act, 2000 considers persons less than eighteen years as the age group constituting children. But the scope under the Juvenile Justice Act is clearly underutilized, as the other laws for education and child labour prohibition are mostly concerned about children in the age group of 6 - 14 years. As reflected in the present study, a majority of children working in the sugarcane farms are in the 15-18 age group, and therefore fall completely outside the lens of the RTE Act, 2009, and the Child Labour (Prohibition and Regulation) Act, 1986. Therefore age rationalization across all laws and policies is important, not just for meeting India's commitment to the UNCRC but also for the holistic development of children, particularly for those who need it the most.

6.3.2 Limitations of Child Labour Prohibition and Regulation Act, 1986³⁵.

The Child Labour (Prohibition and Regulation) Act, 1986, does not ban child labour if rendered for one's own family in those areas of occupation and processes that have been prohibited by the Act. It also has no purview over regulating conditions of work if children are engaged in agricultural farms or agro-based industries like sugarcane farms. The children surveyed under this study are excluded from the school system, and are mostly from socially marginalised categories – commonly known as traditionally backward communities.

Furthermore, the Act does not cover children in the 15 - 18 age group. About 62 percent of the children working in the sugarcane farm are in the 15 - 18 age group. They are completely out of the purview of the Child Labour (Prohibition and Regulation) Act, 1986. This invisible category in the labour force is huge, and they are deprived of enjoying basic human rights.

6.3.3 Violation of Constitutional provisions

As per Article 24 of the Constitution, no child below the age of 14 years is to be employed in any factory, mine or any form of hazardous employment. Further, Article 39 ensures that the state should direct its policies towards ensuring that children are not forced by economic necessity to enter vocations unsuited to their age and strength. This Constitutional provision is completely violated in case of the children working in the sugarcane farms of Maharashtra, as children work with their parents in sugarcane farms to repay the advances that their parents had taken from Mukadams. This confirms the violation of Article 39 as enshrined in the Constitution.

6.3.4 The Bonded Labour System (Abolition) Act, 1976

The Bonded Labour System (Abolition) Act, 1976 provides for the abolition of the bonded labour system with a view to preventing the economic and physical exploitation of the weaker section of the people and for matters connected therewith and incidental thereto. However, the Act is silent on the children who are forced to work to repay the advance taken by their parents from the labour contractors. Therefore, this form of child labour may be included in the provisions of the Act, so that such passive bondedness of the children may be taken under its purview.

³⁵The Union Cabinet approved the amendment of CLPRA and proposed it to be renamed as the Child & Adolescent Labour (Prohibition) Act, puts a blanket ban on employing anybody below 18 years in hazardous occupation.

6.3.5 The Children (Pledging of Labour) Act, 1933.

The Children (Pledging of Labour) Act, 1933 declares any agreement by a parent or guardian to pledge the labour of a child below 15 years of age for payment or benefit other than reasonable wages to be illegal and void. It also provides punishment for such parent or guardian, as well as those employing the child whose labour is pledged. The present study shows that around 39 percent of children engaged in the farms are below 15 years of age and their names are never on the muster rolls. As the unit of payment is 'family' and form of payment is contractual, the children, though working, remain invisible and are not directly recruited by the labour contractors/ factory owners. But under the provision of this law, parents of children below the age of 15 years can be punished as the labour performed by the children is for repaying the advance which their parents receive as a part of the contract to work in sugarcane farms.

6.3.6 The proposed Unorganized Sector Workers' Social Security Bill, 2007

The bill defines "wage worker" as a person employed for remuneration in the unorganised sector, directly by an employer or through any contractor '... as a temporary or casual worker, or as a migrant worker,, with a monthly wage of an amount, as may be notified by the Central Government and State Government, as the case may be'. It is also stated that the State Government may formulate and notify, from time to time, suitable welfare schemes for different sections of unorganised sector workers, including schemes relating to - (a) provident fund; (b) employment injury benefit; (c) housing; (d) educational schemes for children; (e) skill upgradation of workers, etc.

Though the law does not explicitly speak about agricultural workers, the migrant labourers for sugarcane farms can benefit from this bill. There is a clear provision for welfare measures of the workers and their families, including children in this bill. Special emphasis can be given by the implementing agencies to formulate effective schemes as per the requirements of the seasonal migrants.

6.3.7 Other Acts

The Factories Act, 1948; The Mines Act, 1952;The Plantation Labour Act, 1951;The Merchant Shipping Act, 1958;The Motor Transport Workers Act, 1961;The Beedi and Cigar Workers (Conditions of Employment) Act, 1966 and The Bonded Labour System (Abolition) Act, 1976 prohibit employment of children under 14 years, which is not in accordance with the UNCRC and the Juvenile Justice legislation in India. Therefore, an amendment to these Acts is required for ensuring that children are protected from child labour and their rights are not violated.

Some critical issues regarding child right violations, existing provisions and key questions to be addressed are listed below.

Findings from the CRSA Study	Existing Constitutional Provisions	Key Questions to be Addressed
Education		
I. Poor Enrolment Ratio	Article 21A of Indian Constitution and RTE Act, 2009	<p>a) Is free and compulsory education for children of the age group 6-14 years possible without completely prohibiting all forms of child labour?</p> <p>b) Will it be possible to eliminate child labour at the national and sub-national levels if the issue of child labour in agriculture, which engages more children in work than any other sector, is ignored?</p> <p>c) How will children who are simultaneously working and attending schools be able to obtain the same level of development and opportunities as those children who do not work?</p>

2. Dropouts at the elementary or upper elementary level	There is a clear provision in the RTE Act, 2009 that a he/she admitted to elementary education shall be entitled to free and compulsory education up to 14 years. The Act has further provisions that a child should have a right to seek transfer to any other school for completing his or her elementary education, and for seeking admission in such other schools, the head-teacher or in-charge of the school, where such child was last admitted, shall immediately issue the transfer certificate.	a) Children are denied admission on the ground of not having transfer certificates. What measures can be taken to overcome these challenges?
3. Repetition Rate	Under the clause 16, RTE Act, 2009, 'No child shall be failed or expelled until class VIII, i.e., completion of elementary education.'	The survey reports that out of the total children who will get re-admission, 60 percent of them will get re-admitted in the same class. This should be a matter of concern for the school administration, which is bound to follow clause 16 of RTE, 2009.
Health		
I. Poor quality of living – inadequate provision of safe drinking water, sanitation, electricity, etc.	The National Rural Health Mission, 2005, seeks to provide accessible, affordable and quality health care to the rural population, especially the vulnerable sections.	There are gaps in the provision of basic health services, drinking water supply and sanitation at the work sites of migrant labourers. The accountability of the appropriate stakeholder needs to be specified.

2. Poor Immunization coverage	Universal access to public health care services and universal immunization is one of the most important objectives of the National Rural Health Mission, 2005.	Immunisation coverage of migrant children needs to be ensured, with services being made available at the work sites to ensure universal immunisation coverage.
4. Poor Government Medical Facilities	NRHM has provisions for construction of public health infrastructure like primary health centres, community health centres, district hospitals, etc. Further it proposed to improve outreach activities in un-served and under-served areas, especially those inhabited by vulnerable sections, through provision of mobile medical units in every district under this proposal.	Migrant families do not have access to primary health care services despite provisions to cover un-served and under-served populations.
Nutrition		
1. Gaps in Supplementary Nutrition	<p>One of the most important components of ICDS is the delivery of supplementary nutrition.</p> <p>Under the National Anemia Control Programme, Iron and Folic Acid tablets are provided to adolescent girls to control anemia. Pre-school children and girls from upper primary level are considered the target group to receive IFA tablets.</p>	Despite a large number of children migrating with their parents, services for provision of supplementary nutrition are not available at the work sites.

Child Protection		
1. Child Abuse	According to NCPCR 2005, the National Commission shall examine all factors that inhibit the enjoyment of rights of children affected by different circumstances including trafficking, maltreatment, torture and exploitation. The Act has also given power to the Commission to recommend appropriate remedial measures which can be implemented through ground-level machineries.	Anecdotal evidence suggests that children of the seasonal migrants are not only deprived of having education and health services, but are also physically or verbally abused at their workplace, and also at the community of their temporary settlement. What are the systems to establish child protection to prevent abuse of children?

6.4 Conclusion

Despite non-discriminatory laws, legal provisions, welfare schemes and programmes, the Maharashtra score-card for migrant children is not satisfactory. A sizable chunk of the children is still out of the purview of legal and welfare provisions, and thus deprived basic rights. Serious gaps in law enforcement, of laws related to children, are observed in the studied area. This is mainly due to lack of appropriate systems and mechanisms to address child rights violations and negligence on the part of the government. The onus of responsibility is also on child rights organisations to advocate the issues of migrant children, and demonstrate effective models in ensuring child rights. The key issues highlighted in this chapter may be found useful in designing effective programmes for the vulnerable children.



CHAPTER VII CONCLUSION AND RECOMMENDATIONS

The study deals with five major components of child rights: education, health, nutrition, protection and social interaction. In course of this study, the following questions have been raised to understand the process dynamics behind the factors that have denied the children from accessing their basic human rights:

- What is the profile of the migrants of sugarcane farms?
- What are the reasons for children's migration and what is the social cost of migration for families and children?
- What are the different forms in which of child rights violations taking place?
- What institutional setup exists for ensuring child rights, and what are the major lacunae within it?
- What are the possible strategies for improving the situation of children affected by migration?

Summarizing the major findings

1. Seasonal migration of adult labourers is mostly an alternative mechanism to earn a living for the family as a consequence of agricultural crisis in the areas they live in, and bringing children to the place of work is basically an economic decision. Children are enrolled in helping their parents in sugarcane harvesting mainly to repay the advance to the Mukadams. If the children do not work with their parents, the loss varies from ` 200 to 400 per day.
2. Sixty percent children employed in sugarcane farms are engaged in cutting sugarcane. Out of them, more than 30 percent are engaged in collecting sugarcane for loading, and 14 percent also carry it to the crushing units.
3. While a majority of the boys are responsible for sugarcane cutting, de-topping or loading, girls mainly collect sugarcane and tie bundles for transportation. Furthermore, they have household responsibilities, including taking care of their younger siblings.
4. The duration of work for these children is not less than that of principal workers: 60 percent of them work for more than 8 hours per day, and around 12 percent work even more than 10 hours per day. The survey further indicates that around 10 percent children who are not directly involved in sugarcane farm activities have to take care of their family livestock, which they bring along with them while migrating.
5. School enrolment of children is poor (46 percent) at their place of origin. The reasons are mainly two-fold: low perceived benefit from education, and inequality in educational attainment. The form of inequality is not only economic but also social.
6. Children working in sugarcane farms are at a higher risk of becoming school dropouts. More than 97 percent children who are in school at origin, do not go to school at the workplace. While the reason for such discontinuation is still attitudinal, some children reported that they faced administrative and bureaucratic problems in acquiring admission in school at their place of work. Inadequacy of secondary schools in close proximity is also one of the reasons for the discontinuation of education.
7. Perceptions about the benefits of education are poor, not only for the children, but also for their parents: 46 percent children do not have any intention of continuing their education, as the perceived shadow price (in terms of child labour) is much higher than the future benefit of their present level of scholastic attainment.
8. Children who are enrolled in school in their native villages and also have to migrate for sugarcane harvesting can go to school only for six months from April-May to September-October, resulting in higher probability of discontinuation in scholastic attainment. A few migrant children have reported that they will get readmission in schools at their native villages after returning from the place of work. But a majority of them will have to take readmission in the same class when they return to their source village.
9. Children working in sugarcane farms are at a higher risk of health hazards. Usually, the labour activities are strenuous because cutting, de-topping, stacking, carrying and loading sugarcane are arduous jobs'. Extreme exhaustion is the most prevalent consequence.
10. 49 percent children in the 6-14 age group fell sick after migration. Most of them suffered from cough and cold, diarrhoea, vector-borne diseases, other diseases like muscle pain, skin infection, etc. Some of them could be attributed to the children's work in the sugarcane farms and related activities.
11. The government health facility is inadequate at the destination, and 60 percent of children who fell sick after migration received treatment from private medical facilities, including factory-run primary health centers.
12. The risk of injury is high in sugarcane farms. Cutting oneself with a koyta is supposed to be a common occurrence. In some cases the injury becomes so serious that the victim often needs to stay out of work for more than a month.
13. Children are at a higher risk of verbal, physical and even sexual abuse. Girls are found to be especially vulnerable to sexual abuse when they are alone at home.
14. Children do not get the opportunities for social interaction with the local community. Forms of leisure activity are also varied and differ by gender. Boys have greater opportunities to watch movies, play cards, take rest and chat -activities from which girls are mostly excluded.
15. The discriminatory attitude of the local people towards the migrant children is also evident. They treat them with hatred and antipathy.

16. A majority of the children miss their family environment at the place of work. Girls in particular feel that the environment is not safe at their temporary settlement.
17. The study further locates critical gaps in the institutional capacity for protecting these children from child right violations.
18. It raises concerns regarding dropouts at the elementary level, and points out that there is a clear provision in RTE, 2009 that a child admitted to elementary education shall be entitled to free education till completion of elementary education, even after 14 years.
19. It also reports a high repetition rate in the scholastic attainment of children, which seems to contradict the RTE, 2009 which states 'no child shall be failed or expelled until class VIII, i.e., completion of elementary education'.
20. It points out the poor immunization coverage of the children, which can be strengthened to meet the objectives of the National Rural Health Mission, 2005.
21. It reports that governmental health facilities are poor at the destination. There are also neither ICDS centers nor Anganwadi workers, in areas of temporary settlement. It tries to capture the situation of children who are both uncovered and unreached through the development process. Further, it notices that despite non-discriminatory laws, legal provisions, welfare schemes and programmes, the state score card for children of migrant labourers is poor. However, there is ample scope to formulate appropriate programmes for implementation. Non-governmental organizations, along with government functionaries and civil society organisations, can play a crucial role to ensure the rights of the children affected by seasonal migration.

Deprivation of children working in sugarcane farms is basically an outcome of two joint forces; economic necessity and low perceived benefit from education. It is, therefore, important to frame policy and programme interventions to combat violation of child rights, and to give children the opportunities to enjoy their childhood.

Recommendations

Policy level

Policy recommendations are given below:

I. Combating child labour

- (A) The Child Labour (Prohibition and Regulation) Act, 1986, has been in force for the last twenty five years. However, the legislation needs to be revised on the following lines:
- a) Minimum age for prohibition of employment of children to increased to 18 years.
 - b) Inclusion of agricultural activities (e.g.; sugarcane cutting, carrying heavy loads etc.) in the list of hazardous categories of work.
 - c) Imposition of stricter penalty in case of violation of the Act.
- (B) Ensure rehabilitation and social integration of children rescued from sugarcane farm activities by ensuring access to free and basic education and, wherever possible, appropriate vocational training. This can be done by providing financial assistance to voluntary organizations for taking up welfare projects.
- (C) Set up inter-agency, inter-sector and international co-operation through enhanced assistance, including support for social justice and economic development, poverty eradication and universal education.
- (D) Intensify the database on child labour engaged in sugarcane farms and support research.
- (E) Promote mainstream actions related to child labour into the states poverty eradication and development efforts, especially in policies and programmes in the areas of health, education, employment and social protection.
- (F) Making registration compulsory for migrant labourers, including children, will help to track the nature and magnitude of child labour engaged in sugarcane farms.

Policy level

2. Providing Quality Education:

There is a need for joint planning between the district education departments, both for the source and destination areas, so that schools and the educational system take responsibility for migrant children's education in terms of access, retention, learning and completion of the elementary cycle.

- (A) Establish residential schools so that children can exercise the option to stay back and not accompany parents in migration.
- (B) Extend basic educational infrastructure and facilities in areas inhabited by seasonal migrants.
- (C) Encourage public spirited organizations to improve children's access to schools in areas of temporary settlements inhabited by seasonal migrants by setting up new schools.
- (D) Encourage and monitor school enrolment, attendance, retention and reintegration on a regular basis.
- (E) Create a child-friendly learning environment and support children's transition into appropriate education and vocational training.
- (F) Unless parents endorse education, they will not be motivated to send their children to schools. Hence, emphasis must be given on educating parents about long-term benefits of education.
- (G) In order to combat child labour and bring children back to schools, various agencies like School Management Committees (SMCs), Monitoring Committees (MCs), Panchayati Raj Institutions (PRIs) and local non-governmental organizations can be mobilized.
- (H) Relevant, interesting and child-friendly curriculum emphasizing human rights should be adopted.
- (I) Strengthen disparity-reducing interventions and support initiatives for deprived rural children affected by migration, which include appropriate academic packages of coaching and ensuring their inclusion in the formal educational system. Efforts should be made to develop and implement strategies, appropriate academic packages and facilitate networking of NGOs and Panchayats for over-aged children in primary schools to ensure that they are absorbed into the appropriate class.

- (J) For strengthening education monitoring activities, a monthly reporting system has to be introduced, and the format should contain information related to teachers, students and activities performed by SMCs and other ground level functionaries.

3. Providing quality health services

- (A) Make adequate provision of safe drinking water and sanitation facilities for the migrant families.
- (B) Strengthen routine immunization, ensuring that no children are excluded. This can be achieved by strengthening supervision and monitoring through a credible immunization surveillance system.
- (C) Take concrete steps for early case detection, and prompt treatment of vector-borne diseases, promotion of personal protection methods, and early detection and containment of epidemics through IEC (Information Education and Communication) material and management of capacity building.
- (D) Construct adequate public health infrastructure to upgrade existing medical facilities and ensure the availability of equipment and drugs at all public health care facilities. Improve outreach activities in areas inhabited by migrants, through the provision of mobile medical units as proposed in the National Rural Health Mission.

4. Nutrition

- (A) Introduce Mid-Day Meal Programme for children at the work sites.
- (B) Promote infant and young child feeding practices through ICDS centers in the sugarcane farming areas.
- (C) As a component of ICDS, IFA tablets should be provided to all girls who migrate with their families.

5. Protection

- (A) Intensify legal interventions to combat child abuse including sexual abuse. The major stumbling block in convicting the culprit in child sexual abuse is establishing the crime. NGOs can use their resource base to take up such issues.
- (B) Sensitize police personnel, administrative officers, Mukadams and factory officials to handle cases of child abuse.
- (C) Conduct media advocacy to generate public awareness.

It may be hard to think that law and policy enforcement can change the mind set of parents to motivate their children to get education. It is, therefore, recommended to pursue demand-based strategies like awareness generation regarding the long-term benefits of education and the future toll of child labour at the individual as well as community level. Efforts are perhaps more appropriate to shape public opinion against child labour. Future research should be geared towards effective advocacy mechanisms to combat child labour and promote universalization of elementary education.

³⁶Recently the Supreme Court has entrusted power to certain NGOs to facilitate the judiciary process.

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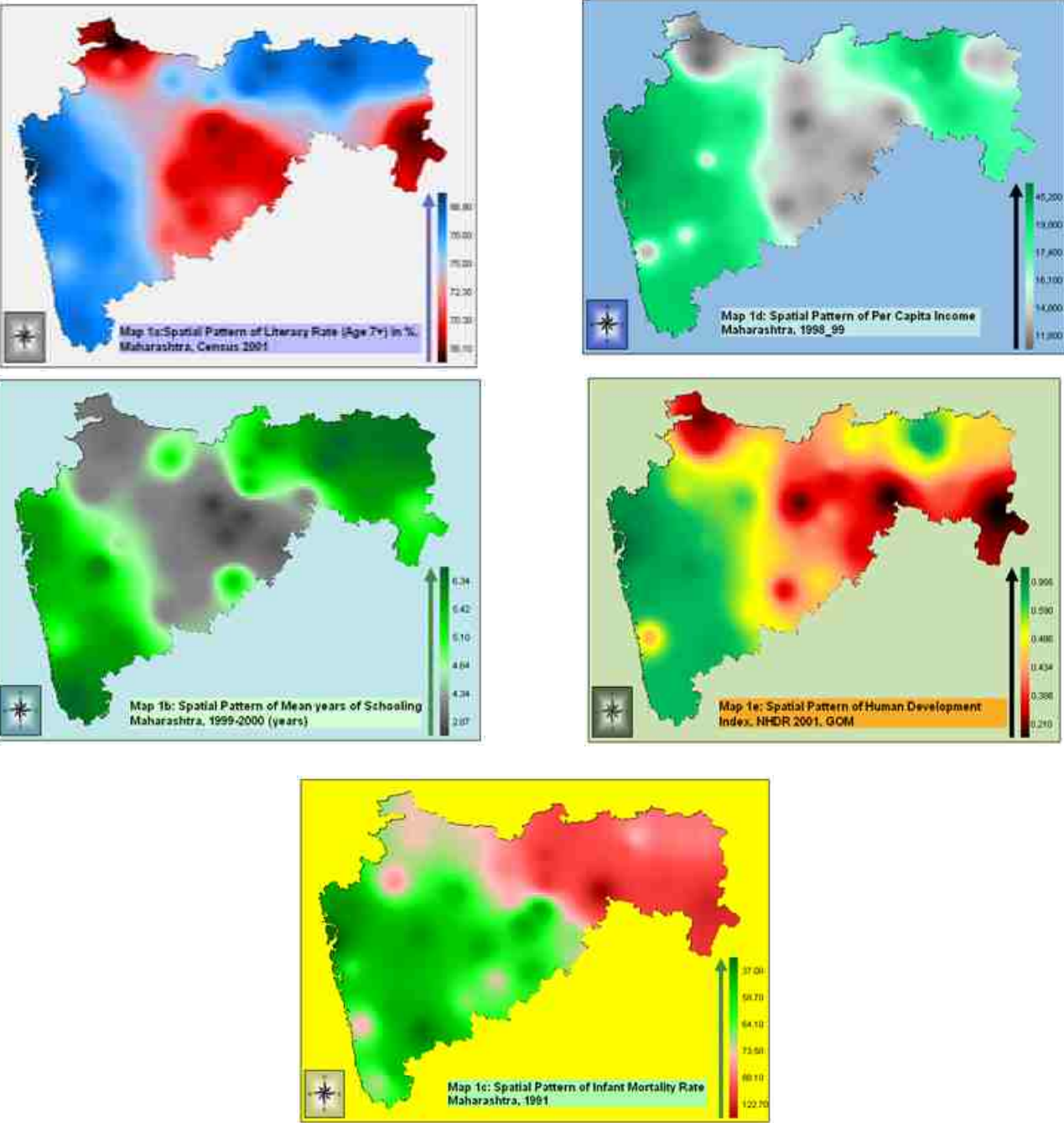
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Appendix I: Spatial variability of Human Development Index and its components, Maharashtra.



Appendix II: List of villages where survey was conducted

Sr. No	District	Block	Village	Factory Name
1.	Ahmednagar	Shrirampur	Shrirampur	Ashok Sahkari Sakhar Karkhana
		Shrirampur	Ashoknagar	Ashok Sahkari Sakhar Karkhana
		Rahuri	Shivajinagar	Bapuraoji Tanpure Sahkari Sakhar Karkhana
		Rahuri	Rahuri	Bapuraoji Tanpure Sahkari Sakhar Karkhana
		Sangamner	Sangamner	Bhausahab Thorat Sahkari Sakhar Karkhana
		Sangamner	Samnapur	Bhausahab Thorat Sahkari Sakhar Karkhana
		Sangamner	Gunjalwadi	Bhausahab Thorat Sahkari Sakhar Karkhana
		Sangamner	Bhenda Budruk	Bhausahab Thorat Sahkari Sakhar Karkhana
		Mewasa	Bhenda	Dyaneshwar Sahkari Sakhar Karkhana
2.	Satara	Satara	Shendre	Ajinkyatara Sahkari Sakhar Karkhana
		Satara	Vechale	Ajinkyatara Sahkari Sakhar Karkhana
		Satara	Shelkewadi	Ajinkyatara Sahkari Sakhar Karkhana
		Satara	Pogarwadi	Ajinkyatara Sahkari Sakhar Karkhana
		Satara	Nagthane	Ajinkyatara Sahkari Sakhar Karkhana
		Karad	Yashvantnagar	Sahyadri Sahkari Sakhar Karkhana
		Karad	Yashvantnagar Masur	Sahyadri Sahkari Sakhar Karkhana
		Karad	Masur	Sahyadri Sahkari Sakhar Karkhana
		Phaltan	Phaltan	Shreeram Sahkari Sakhar Karkhana
		Wai	Bhuinj	Yashwant Sahkari Sakhar Karkhana

Sr. No	District	Block	Village	Factory Name
3.	Pune	Haveli	Stheur	Yashwant Sahkari Sakhar Karkhana
		Bhor	Nigade	Rajgad Sahkari Sakhar Karkhana
		Shirur	Nhavara	Ghodganga Sahkari Sakhar Karkhana
		Baramati	Malegaon	Malegaon Sahkari Sakhar Karkhana

Appendix III: Millennium Development Goals and Child Protection

Goal I	Eradicate extreme poverty and hunger
	<p>Poverty and Child Protection: Children who live in extreme poverty are often those who experience violence, exploitation, abuse and discrimination. In the immediate term poverty lessens the chances of a protective environment, they easily become marginalised and frequently denied essential services like health and education. In the long run, in a self- perpetuating cycle, their marginalisation decreases the likelihood that they will escape poverty for themselves and their families as they enter adulthood.</p>
	<p>Child Labour: Child labour squanders a nation's human capital. It is both a cause and consequence of poverty. It damages a child's health, threatens education, and leads to further exploitation and abuse.</p> <p>Trafficking: Poverty is the root cause of trafficking of children for various purposes.</p> <p>Conflict/Civil disturbances: Conflict/civil disturbances deplete physical, economic and human recourses, and lead to displacement of populations.</p> <p>Birth Registration: Without documents to prove birth registration, children and families cannot often access health, education and social services. The government cannot plan poverty alleviation and social service programmes without accurate estimates of yearly births.</p> <p>Abandonment and Separation from Family: Poverty and exclusion contribute to child abandonment, sending children to work on the street, or in other environments away from home, and to the use of formal and informal fostering arrangements, as well as institutional care. While some of these strategies sometimes address the child's or the families' short -term economic needs, they also lead to poor child development, leaving children ill- prepared to deal with adulthood, and a greater likelihood of continuing the cycle of poverty.</p> <p>Children in conflict with the law: The CRC and other human rights instruments make clear that children accused of crimes are entitled to treatment, which takes into account the child's age and the desirability of promoting the child's reintegration, and the child's assuming a constructive role in society. When this is not done, children's chances of reintegration are reduced, and the likelihood of poverty and marginalisation in adulthood rises.</p>

Goal 2	Achieve universal primary education
<p>Education and Child Protection: Universal primary education cannot be achieved without efforts to eliminate the barriers that keep children out of school: child labour, violence in schools, discrimination, and over-use of institutional care. Reaching the hard-to-reach - including children affected by HIV/AIDS, orphans, children with disabilities, children from minorities and of migrant families, and those who are in institutional care - is critical to achieving education for all. Ensuring that children attend schools with qualified staff can also help prevent and address child protection abuses..</p>	
	<p>Child Labour: Child Work and Child Labour can impede the education of children, particularly girls, who comprise a larger portion of the out-of-school population.</p> <p>Violence: The school environment needs to be safe, protective and free of violence, if children are to be encouraged to attend and remain in school. Sexual violence and harassment, faced by girls in school, is a major impediment to achieving gender equality in education. Eliminating corporal punishment and other forms of violence, including bullying, peer violence and sexual abuse, is thus integral to ensuring a safe and protective learning environment for children.</p> <p>Conflict/Civil Disturbance: It can displace families, separate children from their parents and disrupt a child's education.</p> <p>Child Marriage: Girls face economic and cultural pressures to drop out of school in order to get married.</p> <p>Exclusion: Many vulnerable groups subject to discrimination need to be taken into account in reaching this target including children affected by HIV/AIDS, orphans, children with disabilities, children affected by conflict and those trafficked, minorities and children of migrant families.</p>
Goal 3	To promote gender equality and empower women
<p>Gender Equality and Child Protection: Child marriage, sexual violence, child labour and trafficking and lack of educational skills are child rights violations. They prevent girls from enjoying gender equality and developing their potential to be self-sufficient and productive citizens. These must be prevented and addressed as a part of initiatives to empower girls and women.</p>	

	<p>Child Marriage: Girls face economic and cultural pressures to drop out of school and may not have opportunities to participate in community events and other matters that affect their lives.</p> <p>Sexual Violence: Widespread sexual violence and harassment of girls at schools are major impediments to achieving gender equality in education. When they occur in other settings such as the community and workplace, they undermine efforts to empower girls and women.</p> <p>Child Labour: Girls are disproportionately engaged in domestic work which often compromises their school participation.</p> <p>Trafficking: Trafficking in girls and women is a severe impediment to their human rights and empowerment.</p>
Goal 4	Reduce child mortality
<p>Extreme exploitation, violence or abuse can lead to child deaths, both under the age of five, and through various phases of childhood.</p>	
	<p>Child Marriage: Babies who are born to very young mothers are more vulnerable to diseases during the critical early years of their lives. Young mothers are themselves still children, and their own health is endangered during pregnancy and childbirth.</p> <p>Violence: Violence against children can lead to extreme eventualities like death.</p> <p>Conflict/Civil Disturbance: Violence against children during conflict/ civil disturbances leads to child deaths, as seen in the Gujarat riots, naxalite action in Chhattisgarh and Andhra Pradesh, North-East encounters, etc.</p> <p>Abandonment and Separation from Caregivers: Children separated from their mothers at an early age, especially those who remain in institutional settings for an extended period of time are at much greater risk of early death.</p> <p>Disability: Unattention to disability increases children's risk of poor functioning as they grow and also increases mortality risk.</p> <p>Substance Abuse: Children without protection are more vulnerable to substance abuse and its effects including death.</p>

Goal 5	Improve maternal health
Abuses against adolescent girls endanger their physical and psychological health, and should they become mothers, their reproductive health as well.	
	<p>Child Marriage: Protecting girls from child marriage is an important factor in improving maternal health as pregnancy at a young age jeopardizes the health of young mothers.</p> <p>Conflict/ Civil Disturbance: This jeopardizes a young mother's access to critical health care services.</p> <p>Sexual Violence: Widespread sexual violence in conflict/civil disturbance has a direct impact on maternal mortality, in particular, when combined with high levels of HIV/AIDS prevalence.</p>
Goal 6	Combat HIV/AIDS, malaria and other diseases
<p>HIV/AIDS and Protection: The fight against HIV/AIDS must include efforts to prevent child protection abuses which make children particularly vulnerable to the disease. For children orphaned or otherwise made vulnerable by HIV/AIDS, protection is a priority.</p>	
	<p>Worst forms of Child Labour: Many of the worst forms of child labour fuel the spread of HIV/AIDS, as children are sexually exploited and trafficked for use in other ways (carriers, for substance abuse, messengers in conflict, etc). Children from families and communities affected by HIV/AIDS are particularly vulnerable to these forms of exploitation.</p> <p>Sexual Abuse and Exploitation: Protecting children from sexual abuse and exploitation can play an important part both in ensuring the protection of children affected by HIV/AIDS and preventing infection amongst all young people.</p> <p>Children without Parental Care: Children in HIV/AIDS affected families are particularly at risk of losing the care and protection of their families. Ensuring that they remain within the most appropriate family environment is important for their protection and well-being.</p> <p>Children in Conflict with the Law: Reducing recourse to detention is a stated objective of human rights instruments dealing with juvenile justice. This will also have the positive effect of reducing their vulnerability to infection, given the high rates of transmission.</p>

Goal 7	Ensure environmental sustainability
	Environmental disasters increase household vulnerability, which in turn increases the pressure for child labour, as well as sexual exploitation, child marriage and trafficking of children. Overcrowding of neighbourhoods and homes can put severe strains on environmental resources which can lead to violence or sexual abuse in home.
Goal 8	Develop a global partnership for development
<p>Partnerships for Child Protection: Child Protection demands inter-sectoral cooperation at the national, state and lower levels. Creating a protective environment for children means partnering with local government, civil society, the UN and NGOs to put protective systems in place by strengthening government commitment, promoting adequate legislation to better protect children, strengthening systems and capacities, providing services, addressing attitudes and customs, monitoring and reporting, developing children's life skills and encouraging open discussion. The role of the private/corporate sector needs to be considered.</p>	

Source: Sub group report, Child Protection in the Eleventh Five Year Plan (2007-2012).

Annexure: Questionnaire

Child Rights Situation Analysis of Children belonging to Families Engaged in Sugarcane Farming in Maharashtra

A. Household Questionnaire

Questionnaire no.

Place:

Date:

Start Time:

Investigator ID:

I. Identification (At the place of work)

Sl. No.			Code
I.1	Name of State		
I.2	Name of District		
I.3	Name of Tehsil/Taluk/Block		
I.4	Name of Village/Town		
I.5	Name of the nearest Post Office		
I.6	Name of the Sugar Factory		
I.7	Name of the Mohalla / Hamlet		
I.8	Name of the Head of the Household		
I.9	Sex of the Household Head ¹		
I.10	Name of the Respondent		

¹Male = 1; Female = 2

I.11	Relation to the Head of the Household ²		
I.12	Religion		
I.13	Caste		
I.14	Language spoken at home		

2. Household Details:

(Household consists of members who live under the same roof and share the same kitchen)

2.1	2.2	2.3	2.5	2.6	2.7	2.8	2.9
ID	Name	Sex	Relation to Head ³	Marital Status ⁴	Education Level ⁵	Have Ever Been to School	Literate-I or Illiterate-0

2

Head	01	Grand Children	05	Brother- in- law/Sister- in- law	09
Wife or Husband	02	Parent	06	Niece or Nephew	10
Son or Daughter	03	Parent- in -law	08	Other Relative	11
Son in law/Daughter in Law	04	Brother or sister	08	Others	12

3

Head	01	Grand Children	05	Brother- in- law/Sister- in- law	09
Wife or Husband	02	Parent	06	Niece or Nephew	10
Son or Daughter	03	Parent- in -law	08	Other Relative	11

4

Currently Married	1	Deserted	3	Widowed	5
Separated	2	Divorced	4	Never Married	6

⁵Illiterate = 0; Else the completed years of schooling.

3. Household Amenities

3.1	Do you have a house to stay at the place of work?			(Y)	(N)
3.2	If Q3.1 is yes, Material of House ⁶	Roof			
		Walls			
		Floor			
3.3	Have you constructed your own house?			(Y)	(N)
3.4	No. of rooms in the house				
3.5	Does the household have a latrine?			(Y)	(N)
3.5.1	If 3.5 is yes, specify type				
3.5.2	If 3.5 is no, what are the other options?				
3.5.3	Is there separate room for kitchen? ⁷			(Y)	(N)
3.6	What type of fuel does your household use for cooking?				

* Check ID from 2.1

6

Material of Roof		Material of Wall		Material of floor	
Grass,Thatch,Bamboo, Wood,Mud, Wada, Chatai, etc	1	Grass,Thatch,Bamboo, Wood,etc	1	Mud	1
Plastic,Polythene	2	Plastic,Polythene	2	Wood,Bamboo	2
Tiles	3	Mud,Unburnt Brick	3	Brick	3
Slate	4	Wood	4	Stone	4
G.I.,Metal, Asbestos sheets	5	G.I.,Metal,Asbestos Sheets	5	Cement	5
Brick	6	Burnt Brick	6	Mosaic,Floor Tiles	6
Stone	7	Stone	7	Any Other Material	7
Concrete	8	Concrete	8		
Tin	9	Tin	9		
Any Other	10	Any Other	10		

3.7	What is the main source of drinking water?	
3.8(a)	Who is mainly responsible for collecting the drinking Water?	
3.8(b)	Distance travelled to collect water	Km
3.8(c)	Time taken to collect the water	Min
3.9	What is the main source of light in the household	

* Check ID from 2.1

7

Available	1
Not Available	2
Cook in the Open	3
No Cooking	4

3.6		3.7		3.9	
Fire Wood	= 1	Piped	= 1	Electricity	= 1
Crop Residue	= 2	Hand Pump	= 2	Kerosene	= 2
Dung Cakes	= 3	Well	= 3	Candles	= 3
Coal/Coke/Charcoal/Lignite	= 4	Surface	= 4	Ground Nut Oil	= 4
Kerosene	= 5	Tap water	= 5d	Others	= 5
Electricity	= 6				
LPG	= 8				
Other	= 8				

4. Household Assets

Does the household own and have at present any one of the following at the place of work?

Number		
4.1	Mattress	
4.2	Cot/Bed/ Charpai	
4.3	Godri / Ghongra / Blanket	
4.4	Watch / Clock	
4.5	Bicycle	
4.6	Motorcycle	
4.7	Radio /Television	
4.8	Mobile	
4.9	Bullock Cart	
4.10	Cow	
4.11	Buffalo	
4.12	Goat	
4.13	Sheep	
4.14	Hen	
4.15	Bullock	
4.16	Donkey	
4.17	Livestock	
4.18	Others	

5. Household Consumption

5.1

	Last One Month			
	Unit	Quantity	Price	Total
Food Items				
Fuel & Light				
Telephone				
Adult Medical Expenditure				
Child Medical Expenditure				
Child Education				
Transport				
Any Other				
	Monthly Total			

5.2	What is the usual number of meals taken in a day?	
5.3	For how many days has the family not taken the required number of meals in the last one month.	

6

6.1	Is there any facility to take care of children (0-6 years age group) when you go for work in the field?		(Y)	(N)
6.1.1	If 6.1 is yes, what is it?	Crèche		
		Family Members		
		Any Others		
6.2	Is there any government health center near the work place?		(Y)	(N)
6.2.1	If 6.2 is yes, how far is that from your house or place of work?			
6.3	Are you provided first aid at the work place?		(Y)	(N)
6.4	Did any member of the household fall sick after coming here?		(Y)	(N)
6.4.1	From where did they have treatment?	Government Facility	1	
		Private Doctors / facility	2	
		RMP / Quacks	3	
		Asha Workers	4	
		Others	5	
		No Treatment	6	
		Indigenous Practitioners	7	
6.5	During the last one year, did any of your children die?		(Y)	(N)
6.5.1	Age at Death.			

6.6	When you go for work, who are the people left behind?			
6.6.1	Who takes care of them?			
6.7	Do children (0-17 years) work with you in the factory/farm?			
6.7.1	If so, what is the reason			

7. Migration

7.1 What is your usual place of residence?

		Code		
7.1.1	Name of State			
7.1.2	Name of District			
7.1.3	Name of Tehsil/ Taluk/ Block			
7.1.4	Name of Village/Town			
7.1.5	Name of the Mohalla / Hamlet			

			Month	Year
7.2	When did you migrate for work?			
7.3	What are the factors responsible for migration from native village/town?		Poverty	1
			Burden of debt	2
			Extra sources of income	3
			Higher wages	4
			Landlessness and no source of income	5
			Have land but no source of income	6
			To make extra money for future expenditure	7
			To repay advance from Mukaddam	8

7.3(a)	If 7.3 = 2, specify amount of the debt and the reasons for indebtedness		
(1)	Amount of debt (₹)		
(2)	Reasons of indebtedness		
(3)	Advance from Mukaddam (₹)		
7.3 (b)	Do you think that you cannot repay the loans without migrating?	(Y)	(N)

7.4	How did you get employment at the sugarcane factory/farm?		Mukaddam Referred by Family Member	1
				2
			Previous Year's Acquaintances	3
			On my Own	4
			Any Other	5

7.5 Details of the persons those who had stayed back at the native place.

Sl. No	Relation to the Head	Age	Sex	Reason for not coming ⁸	Principal Occupation ⁹
1					
2					
3					
4					
5					

8

Old & Feeble	1	Need to take care of the house and/ or land	3	Any other reason specify	5
Morbid & Disabled	2	Can take care of themselves	4		

9

Cultivation	1	Agricultural Wage Labour	4	Artisan / Independent Work	7
Allied Agriculture	2	Non Agriculture Wage Labour	5	Petty Shop / Other Trade	8
Organized Trade/Business	3	Salaried Employment	6	Others Please Specify	

8. Details of place of origin

8.1	What is the principal source of income of the household at the place of origin?	
-----	---	--

8.2 Household amenities at the place of origin

8.2.1	Do you have a house to stay at the place of origin?		(Y)	(N)
8.2.2	If 8.1 is yes, material of the house ¹⁰	Roof		
		Walls		
		Floor		
8.2.3	No. of rooms in the house			
8.2.4	Does the household have a latrine?	(Y)	(N)	
8.2.4(a)	If 8.2.4 is yes, please state the type			
8.2.4(b)	If 8.2.4 is no, what are the other options?			

10

Material of Roof		Material of Wall		Material of floor	
Grass,Thatch,Bamboo, Wood,Mud, Wada, Chatai,etc	1	Grass,Thatch,Bamboo, Wood,etc	1	Mud	1
Plastic,Polythene	2	Plastic,Polythene	2	Wood,Bamboo	2
Tiles	3	Mud,Unburnt Brick	3	Brick	3
Slate	4	Wood	4	Stone	4
G.I.,Metal, Asbestos sheets	5	G.I.,Metal,Asbestos Sheets	5	Cement	5
Brick	6	Burnt Brick	6	Mosaic,Floor Tiles	6
Stone	7	Stone	7	Any Other Material	7
Concrete	8	Concrete	8		
Tin	9	Tin	9		
Any Other	10	Any Other	10		

8.2.5	Is there any separate room available for kitchen? ¹¹	
8.2.6	What type of fuel does your household use for cooking?	
8.2.7	What is the main source of drinking water?	
8.2.8(a)	Who is mainly responsible for collecting the drinking water?	Km
8.2.8(b)	Distance travelled to collect water	Min
8.2.8(c)	Time taken to collect the water	
8.2.8(d)	What is the main source of light in the household	

* Check ID from 2.1

8.2.6	8.2.7	8.2.8(d)
Wood = 1	Piped = 1	Electricity = 1
Crop Residue = 2	Hand Pump = 2	Kerosene = 2
Dung Cakes = 3	Well = 3	Candles = 3
Coal/Coke/Charcoal/Lignite = 4	Surface = 4	Ground Nut Oils = 4
Kerosene = 5		Other = 5
Electricity = 6		
LPG = 8		
Other = 8		

11			
Available	1	Not Available	2
Cook in the Open	3	No Cooking	4

8.3	Does the household own agricultural land at the place of origin?	(Y)	(N)
8.3.1	If yes, then the size of the land	(In acres)	
8.3.2	If yes, specify the type of the land ¹²		
8.3.3	If 8.3 are yes, what is the source of irrigation? ¹³		

8.4	Pattern of Agriculture								
	Crop	Season		Area under Crop		Quantity/Output		Income	
	1								
	2								
	3								
8.5	Does the household have a ration card?								
8.5.1	If 8.5 is yes, what type of card is this? (BPL = 1:Antodaya = 2:APL=3)								
8.5.2	If 8.5 is no, what are the reasons? ¹⁴								
8.6	Does the household have a Kisan Credit Card?								(Y) (N)
8.6.1	If 8.6 is no, why? ¹⁵								
8.7	Did anybody, of your family worked under MNREGA								(Y) (N)
8.7.1	(Rojgar Hami Yojana) last year? If 8.7 is yes, how many days?								

12	
Irrigated	1
Non Irrigated	2

13	
Bullock Driven Channel	1
Sprinkle	2
Drip Irrigation	3
Engine / Motor	4

14 & 15	
Not Aware	1
Enquired But Did Not Get any help	2
Bureaucratic Hassle	3
Enlisted But Not Yet Received Card	4
Any Other Reason	5

8.8	Does anybody in the household belong to:		
8.8.1	Mahila Mandal		
8.8.2	Self Help Groups		
8.8.3	Trade Unions, Business or Professional Group		
8.8.4	Caste Association		
8.8.5	Development Group or NGO		
8.8.6	Agricultural, milk or other co-operative		
8.8.7	Any panchayat membership		
8.9	How often do people in the household	Listen to Radio	
		Watch Television	
		Read Newspaper	
8.10	When does the household intend to go back? (M)		(Y)
8.11	For the last how many years is the household migrating?		(Y)
8.12	Does the household migrate to the same place of work every year?		
8.13	What is the means of migration? ¹⁶		
8.14	Have you taken any advance from Mukaddam before migrating? If yes, how much?		
8.15	How much amount have you received till now?		
8.16	In total how much money will you get from Mukaddam as per contact?		

End time of Interview:
Name of the Field Investigator:
Remarks:

16

Organized by Mukaddam by Truck	1	By Bullock Cart Provided by Mukaddam	3	By Train	5
By own means of transport i.e. Bullock Cart	2	By Bus	4	Others	

Child Rights Situation Analysis of Children belonging to Families Engaged in Sugarcane Farming in Maharashtra

B.Child Questionnaire

Questionnaire no.

Place:

Date:

Start Time:

Investigator ID:

I.1	I.2	I.3	I.4	I.5	I.6	I.7	I.8	I.9
ID	Name	Sex ¹	Age	DOB	Whether in School Before Migrating	Which Class Were You	If No, Reason ²	Education Level ³
I.10	Did you migrate with your parents?							
I.11	Do you have any siblings who have stayed back in your village?							
I.12	If yes, who takes care of them?					Grand Parents = 1		
						Relatives = 2		
						On Their Own = 3		
						Ashram/ Sakhar Shala = 4		
						Others (specify)		

¹Male = 1; Female = 2

2

Financial Problem	1	Not interested	2	Have to do Household Chores	3
Parents Stopped??	4	Problem in Schools	5		

³Illiterate = 0; Else the completed years of schooling. .

1.13	What is the reason for them staying back in the village?		They Go to School = 1
			They can Take Care of Themselves = 2
			They Look After the House = 3
			Morbid and Disabled = 4
			Any Other Reason (specify)
1.14	Why did you migrate with your parents and have not stayed back?		1. 2.

2. Work

2.1	Do you have to work in the factory/farm?	(Y)	(N)
2.1.1	If yes, what type of work?		Cutting Sugarcane = 1 Collecting Sugarcane = 2 Carrying Sugarcane to the Crushing Units = 3 Providing Water for Farmers/ Workers in the Fields = 4 Any Other Type of Work, Specify

2.1.2	While carrying loads, how much weight do you have to carry?				
2.1.3	How many meters/ what distance do you have to carry the load?				
2.1.4	Do you have stipulated hours of work?	(Y)	(N)	From	To
2.1.5	If not, are you asked to do more / extra work			From	To
2.2.1	If 2.1 is no, what do you do, when others in the family are working? ⁴				
2.3	When did you start working in the field or factory? ⁵				
2.5	Do you like working in the factory / farm?				
2.5.1	If 2.5 is yes, why?				
2.5.2	If 2.5 is no, why?				
2.6	Are you paid individually for your work?				
2.6.1	If yes, please state the wage.				
2.7	Are you engaged in any other economic activity?			(Y)	(N)
2.7.1	If yes, give details				

4

Look after Siblings	1	Cook Food and Do All the Household Chores ³	Any Other Reasons Please Specify	
Go to Schools	2	???		

5

This Year	1	Last Year	2	Prior To Last Year	3
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3. Education at the work place

3.1	If 1.6 is yes, then have you migrated after sahamahi parkisha?	(Y)	(N)
3.2	Have you asked for transfer certificate when you were coming here?	(Y)	(N)
3.3	Do you study here?	(Y)	(N)
3.4	Do you go to school at the work place?	(Y)	(N)
3.5	If yes, how far is that from the place of settlement?	Km	
3.6	How do you go there?		
3.7	Did you face problems to get admission in the present school?	(Y)	(N)
3.8	If 3.7 is yes, what type of problem?	Principal Refused Admission = 1 Not Permitted In The Middle Of The Session = 2 Caste Discrimination = 3	
3.9	Are you facing any problem in the present school?	Neglect from Teacher = 1 Abuse by Teacher = 2 Abuse by Other Children in School = 3 Language Problem = 4	

3.10	If 3.4 is no, are you provided with other modes of education? Mobile school = 1 Private Tutor = 2 Sakhar Shala = 3	
3.11	How far do you want to study?	
3.12	Do you know what benefit education can give you?	
		1. 2. 3. 4.

4. Survival and development

Food and nutrition

4.1	How many times do you take food in a day?		Once = 1
			Twice = 2
			Thrice = 3
			More than Thrice = 4
4.2	What are the food items generally consumed by you?		
	Rice		Pulses & Pulse Products
	Wheat		Beef, Meat, Chicken & Fish
	Jowar		Sugar
	Bajri		Edible Oil / Vanaspati
	Nachni		Milk
	Other Cereals&their Products		Milk Products
	Gur &Other Sweeteners		Others
	Egg		
	Vegetables		

Health

4.3	Did you fall sick after coming here? ⁶			(Y)	(N)
4.3.1	List Details	Disease Name ²²	Duration	Treatment Received	
	1				
	2				
	3				
	4				
	5				
4.3.2	From where did you get your treatment?		Government Facility	1	
			Private Doctors / Facility	2	
			RMP / Quacks	3	
			Asha Workers	4	
			Others	5	
			No Treatment	6	
			Indigenous Practitioners	7	
4.3.3	Did you have an accident while working in the sugarcane farm?			(Y)	(N)

6

Malaria	Jaundice	Cough & Fever	Flurosis
Fever	Skin Treatment	Diarrhoea	Others

	List Details	Duration of injury?	Duration of not being Able to Work in the Factory / Farm	Treatment Received
	1			
	2			
	3			
	4			
	5			
4.4.2	From where did you get your treatment?		Duration of not being Able to Work in the Factory / Farm	Treatment Received
	1		Government Facility	
	2		Private Doctors / Facility?	
	3		RMP / Quacks	
	4		Asha workers	
	5		Others	
	6		No treatment	
	7		Indigenous Practitioners	
4.5	Did the Mukaddam provide help for your treatment?		(Y)	(N)
4.6	Did the employer compensate you for the period of your absence from work due to this injury?		(Y)	(N)
4.7	Do you have any disability?		(Y)	(N)
4.8	If the respondent is a girl, has she ever taken iron tablets provided by health workers?		(Y)	(N)

5. Right to protection

5.1	Has anyone misbehaved with you for not performing work in the farm?	(Y)	(N)
5.1.1	By whom and give reasons.	Verbal Abuse	
		Physical Abuse	
5.2	Have you ever seen anyone misbehaving with child workers?	(Y)	(N)
5.3.1	By whom and give reasons.	Verbal Abuse	
		Physical Abuse	
5.3.2	Have you ever seen any child worker being sexually exploited?	(Y)	(N)
		1. 2. 3.	

6. Social Interaction

6.1	Do you have friends in the locality?	(Y)	(N)
6.2	What do you do in your leisure time? ⁷		
6.3	When is your leisure time?		
6.4	Do you take part in the village programmes with the locals?	(Y)	(N)

⁷

Watch movies	1	Listen to Music in Mobile set	2	Others	5
Play Cards	3	Listen to Radio set	4		

7.

7.1	Will you get admission in your school when you return back?	(Y)	(N)
7.1.1	If yes, in which class will you get admitted to?	The same class=1 The next class = 2 Have to lose a year = 3	
7.1.2	If no, what are the reasons?	Do Not Like to Go& Join School Again = 1 Difficulty to Cope Up Studies = 2 Parent Will Not Get Us Admitted =3 School Refused Admission = 4 Have to Work as a Labour, So No Need of Education = 5 Others specify	

8.

8.1	Which place do you like the most?	
8.2	What is missing here that you have at the place of origin?	

End time of Interview:

Name of the Interviewer:

Signature:

Remarks



Save the Children

"Geetai", Plot No.47, Sagar Co-operative Housing Society,

Opposite Bank of Maharashtra,

Bavdhan Khurd, NDA-Pashan Road,

Pune 411021

Landline: +91 20 65001831

www.savethechildren.in