Abstract

After agriculture, the Textile and Clothing (T&C) Industry is the second largest sector in the Indian economy in terms of output, foreign exchange earnings and providing employment and employment-generating Industry in India. The latest estimates reveals that the direct employment of over 35 million people are engaged with Textile and Garment Industries across India. Tirupur and nearby Coimbatore have long been the centre of a textile and garment industry supplying a national market. Now, Tirupur is declared as a corporation from being just a municipality town, because of its demographic and geographical growth. The Textile Industry in Tamil Nadu particularly Tirupur has been reported to be exploiting young women workers in the spinning and textile units under what is called the “Sumangali Scheme.” ‘Sumangali’ in Tamil means ‘happily married woman,’ an auspicious future that all parents wish for their young unmarried daughters. Spinners and garment manufacturers alleged to be exploiting young women workers under the Sumangali Scheme in Tamilnadu especially at Karur, Dindigul, Tirupur and Coimbatore districts. There has been national as well as global focus on such practices for over a year. The research highlights the fact that it is imperative to understand why the Sumangali Scheme is considered a bad practice and what are the factors influencing to the young girls to join under this scheme and moreover, this study finding problems faced by the young women workers at Tirupur textile and garment industries. The media has widely reported on these abuses over the last few months, based on India including The Hindu, Frontline, Outlook, Deccan Herald and globally in reports by Anti Slavery International, European coalition for corporate justice, Fair Wear Foundation, Centre for Research on Multinational Corporations(SOMO) and the Indian Committee of the Netherlands, De Volksrant and Dalit Freedom Network. However, because of the strong accusations from foreign organizations the government of Tamil Nadu has banned the Sumangali scheme now.

Introduction

Tirupur region is one of the country’s fast growing textile and garment industrial hub Tamil Nadu in the South of India. 56% of India's total knitwear for export is produced by Tirupur region. There are some 7,000 registered and several unregistered garment
units exists in the town, which provides employment opportunity to close to a million people both directly and indirectly.

In Tirupur, a city in Around 33,000 girls are employed in the two blocks of Tirupur and Avinsani alone and among them are 8,890 adolescent girls and young women workers under the Sumangali scheme. In the city itself and surrounding areas, there is a booming export sector supplying T-shirts, children’s clothes, sportswear and other garments to many of Europe’s large retailers. Women make up the majority of the workforce: they spin the yarn, machine garments, check for quality, cut loose threads, fasten buttons, make buttonholes, and many other jobs. The younger girls have been found working in mills under this scheme; allegedly these girls often live in sub-standard conditions, receive very low wages and are exposed to many types of abuse. Women’s stepping out of their homes to work is often seen as a symbol of empowerment. But what if girls and young women are first lured to work in factories on the false promise of decent wage, comfortable accommodation and payment of a lump sum amount at the end of 3 years contract, and then made to toil for pitance and their labour rights are violated.

**Origin of Sumangali Scheme**

In the 1970s, Spinning Mills from Dindigul, Karur, Tirupur, Erode and Coimbatore are largely had a male workforce with permanent contracts and statutory benefits. However, with more opportunities of work, the mills began to have difficulties in retaining male workers on full contract. They started hiring more women for certain time periods, with wages paid monthly and in lump sum payments. Sumangali Scheme was introduced ten years back by Textile and Garment manufacturers in the Coimbatore and Tirupur districts and has now spread throughout Western and Central Tamil Nadu. It has been estimated that 120,000 young women workers have been currently employed under the scheme. Sumangali workers mostly come from dalit families (for e.g. Arunthatiyar sub-caste) whose parents work as agricultural labourers, construction workers, sweepers and cleaners etc. Nearly 60% of the Sumangali workers belong to the so-called ‘Scheduled Castes’ or ‘untouchables’ groups. Drought, poor living conditions, low wages, constant exploitation and harassment by moneylenders and upper caste landlords compel Arunthathiayar girls and women to get recruited in the Sumangali Scheme. Most women get attracted to the scheme’s promise that a lump sum payment between Rs. 30,000 and Rs. 50,000 would be paid at the end of the contract period, which would help them to pay the dowry during their marriage. The Sumangali Scheme goes by various names in the South Indian textile industry—*camp coolie system*, *thirumangalam thirumana thittam*—and is said to have originated in spinning mills around Coimbatore in the late 1990s.
What is Sumangali Scheme

The Sumangali scheme is a practice in which young unmarried women from the age of 14 upwards are recruited to work in spinning mills on three year contracts. The scheme is also known as Sumungali scheme, Sumungali Thittam, Suba Mangala scheme, Subha Mangala scheme, Mangalya Thittam, Thirumangalam thiruman thittam, the marriage scheme, and the camp coolie system. The name Sumangali means "married woman" or "happily married woman" in Tamil. It refers to a "single girl becoming a respectable woman through marriage.

The Sumangali scheme has been used mainly by spinning mills in Tamil Nadu in the Dindigul area and neighbouring districts like Karur, Tirupur and Coimbatore. To manage labour shortage, the textile industry especially spinning mills, hiring young women workers, on three-year contracts under the Sumangali Scheme, with the promise of a lump sum payment at the end of 3 years contract. The employer recruits young girls under the sumangali scheme and gives a lump sum for marriage expenses at the end of the contract. which time the young women worker are paid low wages on the basis that at the end they will receive a lump sum. Normally this amount, which avoids over-indebtedness of rural families, because of the high expenditures for the traditionally (dowry and other formalities) expensive marriages of daughters. The influx of female workers started in the 1970s when textile and garment manufacturers from different parts of India started relocating to Tamil Nadu in search of a more pliant workforce. Since 1985, coinciding with a massive growth in garment exports from Tamil Nadu women have been absorbed into the industry in large numbers.

Table-1: Estimated Garment Women workers in Tiruppur District (Important Places)

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Panchayat/Municipality</th>
<th>Garment Companies</th>
<th>Number of companies under Hostel Scheme</th>
<th>Total No.of women workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Avinashi</td>
<td>79</td>
<td>31</td>
<td>8565</td>
</tr>
<tr>
<td>2</td>
<td>Tiruppur</td>
<td>635</td>
<td>62</td>
<td>13990</td>
</tr>
<tr>
<td>3</td>
<td>TiruppurMunicipality</td>
<td>707</td>
<td>83</td>
<td>7390</td>
</tr>
<tr>
<td>4</td>
<td>Nallur</td>
<td>91</td>
<td>8</td>
<td>1350</td>
</tr>
<tr>
<td>5</td>
<td>Velampalayam</td>
<td>190</td>
<td>7</td>
<td>1250</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>1702</td>
<td>191</td>
<td>32545</td>
</tr>
</tbody>
</table>
Table – 2  Estimated Garment Women workers under Sumangali Scheme

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Panchayat/Municipality</th>
<th>Garment Companies</th>
<th>Number of companies under Sumangali Scheme</th>
<th>Total No.of women workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Avinashi</td>
<td>79</td>
<td>12</td>
<td>5950</td>
</tr>
<tr>
<td>2</td>
<td>Tiruppur</td>
<td>635</td>
<td>12</td>
<td>2840</td>
</tr>
<tr>
<td>3</td>
<td>TiruppurMunicipality</td>
<td>707</td>
<td>1</td>
<td>100</td>
</tr>
<tr>
<td>4</td>
<td>Nallur</td>
<td>91</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>5</td>
<td>Velampalayam</td>
<td>190</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>1702</td>
<td>25</td>
<td>8890</td>
</tr>
</tbody>
</table>

Source: survey conducted by Social Awareness and Voluntary Education (SAVE), an NGO based in Tiruppur, that informs 85 per cent of the workers are from Tamil Nadu and 15 per cent from Kerala.

Under the Sumangali Scheme, young women workers were employed as apprentices for 3 year contracts for payment in the range of Rs. 25,000 to 50,000 payable at the end of the contract term. In addition, these workers were provided accommodations at a hostel facilities and monthly stipends, paid to them or their parents, after expenses for hostel and meals were deducted. The young women workers employed under Sumangali were mostly 18 year or younger. Since they were supposed to get married around the age of 20-21 and 3-years was seen as sufficient amount of time for families to earn some amount to meet marriage expenses for their daughters.
General Characteristics in the Sumangali Scheme

<table>
<thead>
<tr>
<th>EMPLOYMENT PROCESS</th>
<th>GENERAL CHARACTERISTICS IN THE SUMANGALI SCHEME</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RECRUITMENT</strong></td>
<td>Various means are employed to create awareness about job opportunities:</td>
</tr>
<tr>
<td></td>
<td>Staff directly employed to create awareness / mobilize workers from nearby areas</td>
</tr>
<tr>
<td></td>
<td>References from workers employed in the units</td>
</tr>
<tr>
<td></td>
<td>Relatives who get commission on every successful case</td>
</tr>
<tr>
<td></td>
<td>Brokers who get commission</td>
</tr>
<tr>
<td></td>
<td>Brokers who get retainer- ship</td>
</tr>
<tr>
<td></td>
<td>Some women workers also act as sub agent</td>
</tr>
<tr>
<td><strong>EMPLOYMENT CONTRACT</strong></td>
<td>A written contract is rarely provided/ in some cases partners have signed in various documents (including blank papers) however, majority of the workers do not have the copy of the legal contract with mills / garment manufacturing units</td>
</tr>
<tr>
<td></td>
<td>Annual contract system</td>
</tr>
<tr>
<td></td>
<td>Initial training for 3 to 6 months and then 3 year contract</td>
</tr>
<tr>
<td></td>
<td>Recently 2 year contracts are being provided</td>
</tr>
<tr>
<td><strong>TERM OF CONTRACT</strong></td>
<td>Casual workers – 3 months and less, 4 to 6 months, more than 7 months according to experience.</td>
</tr>
<tr>
<td></td>
<td>1 year contract - lump sum amount Rs 15000 plus PF amount</td>
</tr>
<tr>
<td></td>
<td>3 year contract - lump sum amount Rs 40,000 plus increment of Rs. 5 per day every 6 months and PF amount at the end of the period</td>
</tr>
<tr>
<td><strong>AGE AT HIRING</strong></td>
<td>On paper, 16-18 years, however, it is purely on the basis of the fitness certificates.</td>
</tr>
<tr>
<td></td>
<td>Some workers look very young, and therefore it is difficult to ascertain their age</td>
</tr>
<tr>
<td><strong>WORKERS AWARENESS</strong></td>
<td>Workers not aware of wages and deductions</td>
</tr>
<tr>
<td></td>
<td>Wages include an amount as stipend, though a part of it is deducted against hostel fees, food, amenities etc., and some part of it is held back as a lump sum amount usually paid at the end of their three year term.</td>
</tr>
</tbody>
</table>

Source: FAIR LABOUR ASSOCIATION-Prepared by Solidaridad-South & South East Asia- MAY2012.
<table>
<thead>
<tr>
<th>EMPLOYMENT PROCESS</th>
<th>GENERAL CHARACTERISTICS IN THE SUMANGALI SCHEME</th>
</tr>
</thead>
</table>
| FREEDOM OF MOVEMENT | Around the- clock surveillance  
No independent activity outside the hostel  
Weekly time off when workers are allowed outside for their purchase (accompanied by company officials)  
Limited communication with their families members or communication in front of company officials  
Restrictions on even parents visiting the workers |
| WAGES AND DEDUCTIONS | Wage designed to be monthly wage(stipend for apprentice) and deductions for amenities , hostels etc.,  
High deductions that reduce monthly payment (stipend)  
Wages paid to parents or the workers  
Workers made to work for 4-6 months(minimum)extra if they have taken leave during the three year period(one month for every one leave). Wages not paid for this additional period (only lump sum amount paid). |
| SOCIAL SECURITY BENEFITS | PF and ESI benefits are not provided. |
| EMPLOYMENT CONTRACT | In majority of cases, workers do not have copy of the contract. |
| HEALTH & SAFETY | No training of workers on health and safety.  
There are instances of work accidents during which workers have been injured and died. |
| WORKING HOURS | Normal shift of up to 12 hours(additional 4 hours not treated as overtime but compulsory).  
Extends to 15 hours with overtime ( 2-3 hours normal ).  
18 hours shift too some times, depending on work |
| NON-DISCRIMINATION | Mostly women are employed under sumangali system and live in hostels. They are easily threatened and exploited.  
Lower amount is paid to them than is paid to men for the same type of work. |
| HARASSMENT OR ABUSE | Abuse and harassment is rampant. As the majority of the workers are women and hostels managed by men, there are instances of sexual harassments as well.  
Verbal abuse is very common, physical abuse is not so common, but there are instances. |
| CHILD LABOUR | Most young workers look like 12-14 year old. |
| FORCED LABOUR | Workers agree to have a 1-3 year contracts with lump sum payment at the end of the contract.  
Not paid regular monthly wages but rather paid stipends with deductions taken out for amenities.  
Extension work for leave taken during the 3- year period  
For these reasons sumangali scheme considered as a form of |

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Forms of Women Exploitation Under Sumangali Scheme:

1. **Employment contract**—No written contract between employers and employees in most cases.
2. **Wages and deductions**—Workers are employed and retained as apprentices, and are paid mostly stipends rather than regular wages with deductions taken out for amenities. High deductions reduce monthly payment. The monthly payment comes out to be less than stipulated as per minimum wages in the spinning mills sector.
3. **Social security benefits**—PF and ESI benefits are not provided.
4. **Health & safety**—No training provided to workers, hence very low awareness of health & safety issues. Instances of accidents are common.
5. **Working hours**—Normal shift up to 12 hours with additional 4 hours mostly not treated as overtime. Sometimes the working hours extend up to 15 hours with overtime of 2-3 hours.
6. **Non-discrimination**—Young women are mostly employed and paid less than what men are paid for same work. The employment is mainly of young women workers.
7. **Harassment or abuse**—Verbal abuse is common. Physical abuse is not very common. But there are instances of it. Sexual abuse is also reported by the workers.
8. **Child labour**—Young women workers are being employed. Many of them look like they are under 16 years of age; however their employment is on the basis of health fitness certificates which mention their age as above 16. But they look much younger.
9. **Forced labour**—The employment is for a number years 1, 2 and 3 and there are some instances of wages being paid if the stipulated period is not completed. Wages are promised as lump sum at the end of the period. Hence workers are in a way forced to complete that period to get lump sum wages. There are examples of extension of service for many months to make up for leave taken during 3-year period. Compulsory overtime, compulsory late night shifts, excessive working hours are other aspects which suggest the scheme has aspects of forced labour.

Forced labour
In addition compulsory overtime, compulsory late night shifts, excessive working hours and inadequate pay for overtime are characteristics for forced labour.
### Table 3: Wages paid under Sumangali Scheme

<table>
<thead>
<tr>
<th>Period</th>
<th>Daily Wages (Rs)</th>
<th>Wages per month (Rs)</th>
<th>Wages during the period (Rs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1–6 months</td>
<td>34.00</td>
<td>1,020</td>
<td>6,120</td>
</tr>
<tr>
<td>7–12 months</td>
<td>36.00</td>
<td>1,680</td>
<td>6,480</td>
</tr>
<tr>
<td>13–18 months</td>
<td>38.00</td>
<td>1,140</td>
<td>6,840</td>
</tr>
<tr>
<td>19–24 months</td>
<td>40.00</td>
<td>1,200</td>
<td>7,200</td>
</tr>
<tr>
<td>25–30 months</td>
<td>42.00</td>
<td>1,260</td>
<td>7,560</td>
</tr>
<tr>
<td>31–36 months</td>
<td>45.00</td>
<td>1,350</td>
<td>8,100</td>
</tr>
<tr>
<td><strong>Food and Accommodation</strong></td>
<td><strong>15</strong></td>
<td><strong>450</strong></td>
<td><strong>16,200</strong></td>
</tr>
<tr>
<td><strong>Total earning in 3 years</strong></td>
<td><strong>42,300 – 16,200</strong></td>
<td></td>
<td><strong>26,100</strong></td>
</tr>
<tr>
<td><strong>Net Annual Income</strong></td>
<td></td>
<td></td>
<td><strong>8,700</strong></td>
</tr>
</tbody>
</table>

### Problems and Exploitation of the Young Women Workers at Sumangali Scheme at Tirupur

The young women workers in Textile and Garments industries in Tirupur district facing lot of problems under this sumangali scheme. Following are some major problems in practice:

- Maximum numbers of young women workers have not received the lump sum amount that was promised by the company at the end of the period. Because, workers decided to quit before the contract period ended, due to unhealthy and unsafe working conditions, poor food and general lack of hygiene. Sometimes, workers are fired just before the end of the period, under the pretext of some feeble excuse.
- Workers receive a daily wage, which generally starts at around 60 Rupees (€0.88) per day during the first six months, with a gradual increase of ten rupees every six months, up to a maximum of Rs. 110 on average. Costs for food and boarding, approximately 15 Rupees a day, are deducted from the daily wages.
- On a regular basis the women work 12 hours per day, to complete one and a half shifts. This means that they work 72 hours per week. During peak season they even have to work on Sundays. For overwork, workers are legally entitled to receive overtime payment, but more often than not workers do not receive any compensation. When a worker refuses to work more than one shift, she is often verbally abused by the supervisors and threats are made to withhold a month’s pay. Girls under the age of 14 are recruited to work in the factories. An academic estimate says that 10 to 20% of Sumangali workers are child labourers, aged between 11 and 14.
- Sumangali workers do not enjoy the legal benefits that other workers enjoy. Many garment companies do not remit employers’ and employees’ contributions to the Employees’ State Insurance (ESI) Scheme, and workers are denied the benefits of the scheme. This also happens with the Provident Fund.
- The Sumangali workers work and live without much freedom or privacy. Women workers either live in hostels on the factory compound, or with families or off-site.
hostels. The residential workers, who form the majority of the Sumangali workers, are not allowed to leave the factory freely and their stay in the hostels in the factory premises is mandatory. Instances are known where girls climbed over the high gate to escape from the harsh working conditions.

- There are even reports of former Sumangali workers who had to pay a ‘penalty’ of Rs.1,500 to 3,000 in order to be able to leave before the end of the period.
- Due to the strains of excessive overwork, headaches, stomach aches, sleeplessness and tiredness are common among the girls. Accidents happen frequently. Workers lack training and instructions to properly work the machinery. The mills have bad ventilation systems, which causes the work space to be full of small particles of cotton dust. Heat and humidity add to a very uncomfortable working environment.
- Many of the interviewed women noted that they lost a lot of weight. Irregular menstrual periods and heavy menstrual pains are also frequently mentioned. Cases of spontaneous abortions, infertility and premature menopause have also been reported by former Sumangali workers. Generally, there are no proper medical facilities available at these factories, at best a nurse who may offer basic medical care.
- Workers find their supervisors as abusive and there is no proper grievance redressal mechanism. Trade unions are not even allowed to enter the factories, and freedom of association and collective bargaining are non-existent.

**Major Complaints**

1. Girls and young women are forced to sign blank contracts once they enter the factory under Sumangali Scheme. Workers do not receive their full daily wage
2. Poor accommodation and No standard food
3. The workers have no freedom. They are not allowed out of the factory premises by themselves
4. More or less on call seven days a week, to work whatever shifts are needed.
5. It is common for young workers to report working twelve hour shifts, including night shifts, seven days a week
6. Both the sumangali and camp labour schemes can be seen as a system of forced labour, part from numerous other violations of labour rights.
7. Harassment, in particular sexual harassment and abuse.

**Influencing Factors to Go Under Sumangali Scheme**

Following are the major factors identified that the young women (age range of 12 to 14 & 18) joined in textile and garment mills under the sumangali thittam.
1. Escape from the studies and home work
2. Little older workers are (14 to 18) out of school or don’t want to continue their education
3. Poverty and family is depending on them to earn some money for food and family basic needs.
4. Expectation of lump sum payment (i.e., ranging from Rs. 25,000-50,000 approx.)
Social Security

The two NGOs such as SAVE – Social Awareness and Voluntary Education, based in Tirupur, at the centre of the garment industry and READ Foundation – Rural Education and Development, based in Pudukkottai, have been coordinating a campaign to abolish the sumangali scheme and improve conditions in the factory controlled hostels through the Tirupur People’s Forum, an alliance of trade unions and other NGOs. The scale of the problems in this area is huge: SAVE estimates there are around 11,000 young women working in the sector, making up around one sixth of the total workforce. The two NGOs are focusing on different sections of the workforce in the garment sector.

SAVE has been coordinating a campaign to abolish the sumangali scheme and improve conditions in the factory controlled hostels through the Tirupur People’s Forum, an alliance of trade unions and NGOs, including READ Foundation.

Read Foundation is based in Pudukkottai, reveals that a poor rural area from where agents recruit young women to work in the factories and mills, around five hours away from Tirupur. The majorities are from the poorest families, usually dalit, and agents often paint a rosy picture of employment in the garment factories to persuade parents to send their daughters to the city to work. Read Foundation aims to raise awareness about conditions in the factories and build an active network of young women workers.

While Save is already actively working on the sumangali campaign in Tirupur, their focus is on women workers in the small informal workshops that are found throughout Tirupur, usually based in homes. There is a web of subcontracting from the big factories to small workplaces, often family based enterprises, not covered by labour law because of the small numbers of workers employed.

Both organisations are focusing on issues around labour law, human rights and social security. At the same time, through coordination with Women Working Worldwide and HWW, they aim to raise abuses of human and labour rights violations with some of the retailers, particularly those based in the UK. Many of these retailers are members of the Ethical Trade Initiative which has already started discussions around conditions in the garment factories of Tirupur and surrounding areas.

Objectives

1. To study the characteristics of sumangali scheme at tirupur textile and garment factories
2. To find the factors inducing young women workers to join in Sumangali Scheme.
3. To find the different forms under sumangali thittam to exploit young women workers.
4. To find the problems facing by young women under sumangali scheme.
Around 33,000 girls are employed in 1,702 units in the two blocks of Tirupur and Avinasi alone and among them are 8,890 adolescent girls and young women workers under the Sumangali scheme are considered for this study.

**Scope**

The study will highlight the current scenario of sumangali scheme practices and the major problems. The study also will help the govt., NGOs and other Social House.

1. Understand the characteristics of Sumangali Scheme
2. Understand the Sumangali Scheme is being utilized in Tamilnadu specially at Tirupur
3. Understand the social, cultural, and other dynamics that allows the Sumangali Scheme to flourish specifically from the perspective of the workers and their future

**Child Labour Act**

*Sumangali* is a form of child labour which, although forbidden, is practised in India, particularly the textile industry in Tamil Nadu. It is likened to *soft trafficking*, a less explicit form of human trafficking. In the scheme, a girl is hired on contract for three to five years, during which she earns a wage, and after which she is paid a lump sum to pay for a dowry officially estimated 7,200 child labour engaged in the Tirupur hosiery industry over the next two years' time.

Child Labour Act defines a child as a person who is below 14 years of age. The Act also says that no child should be employed for hazardous work.

Children are working at home, before and after school hours, during weekends and some children, even during school hours in Tirupur and surrounding places as per 2001 census, there were 1.29 crore child labourers in India. Educationists as well as the HRD ministry has been arguing in favour of changing the child labour law to bring in more children in the education net. "The child who works instead of being in school loses opportunities to break out of poverty, and suffers severe and irreversible damage to their physical and mental health," NAC said. It also argued that the "current regime of graded legality of child work is not in consonance with the fundamental rights of every child, including their right to be in school". This is the first concrete action on NAC's recommendation. NAC's proposal, being supported by the HRD ministry, states that child labour should be prohibited till 14 years. Another amendment being proposed is that children till 18 years should not be employed for hazardous tasks.

Raising the bar on child labour, the government is set to debar employment of children below the age of 14 in any industry. Only those between 14 to 18 years can be employed except in hazardous industries. The existing Child Labour (Prohibition and Regulation) Act, 1986, allows employment of children of up to 14 years of age in the industries not considered to be hazardous. Hazardous industries include tobacco, stone crushing, catering, mining, cement industry and crackers. This will change if the government accepts a new set of recommendations of the Labour ministry which

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aims to tune Indian child labour law with norms of the International Labour Organization (ILO).

Within days of Sonia Gandhi-led National Advisory Council (NAC) recommending that the Child Labour (Prohibition and Regulation) Act be amended in sync with the Right to Education (RTE) Act - promising free and compulsory education for children aged between 6 and 14 years - the labour ministry will hold a meeting with HRD officials. Commissioned by Campaign against Child Labour – Tamil Nadu, the study was jointly executed by members of Centre for Child Rights and Development (CCRD), NEED, Sivakasi, Human Rights Foundation, Indian Council for Child Welfare, Manitham of Sivaganga, and World Vision.

The Labour ministry has now circulated a Cabinet note seeking complete ban on any form of child labour. Labour ministry sources said NAC’s proposal would act as a template and there could be modifications, but implication of the RTE Act would be factored in the Child Labour Act. The problem of child labour found among migrant workers’ community is not only linked with poverty but also it has established connection with educational infrastructure facilities. Slums and other residential areas of workers are in the state of poor hygienic and improper sanitary conditions. While recommending a ban on child labour till the age of 14, NAC has also said that the law should not penalize parents for making their children work. "Nor should the law criminalize children assisting their parents in work at home, in the fields or vending after school hours or during holidays," NAC said. But it has also recommended that since penalties under the Child Labour Act are "weak and poorly enforced", all offences under the Act should be made "cognizable and non-bailable."

**Criticisms of the Sumangali Scheme**

The Sumangali Scheme was started with good objectives in mind. However, after it became popular, each mill began interpreting it differently, leading in some cases to the exploitation of young women workers. Sumangali has been criticized and highlighted as a means by which textile industry employs cheap labour by forcing young women workers to work as “apprentices” for long hours, in poor and unhygienic working and living conditions, forcing them to stay in company-operated premises or hostels, and limiting their contact with the outside world, thereby violating their fundamental rights and freedom of association. It is alleged that young women workers are employed usually for 2, 3 or more years and are promised a lump sum amount—in THE RANGE OF Rs. 5000, Rs 50000 to be paid to them or their parents for their marriage. These young women are alleged to be paid only as apprentices.

**The BSCI approach**

The Sumangali scheme in all its different forms has links with various elements of the BSCI Code of Conduct, such as working hours, discrimination, prohibition of child labour and forced labour, payment of legal minimum wages and/or compliance with industry standards. When visiting a factory, BSCI auditors verify compliance with all
applicable laws and regulations, industry minimum standards, ILO and UN conventions, and any other relevant statutory requirements, whichever are more stringent. Worker interviews as conducted during the audits can help bring to light any non-compliance.

While monitoring through audits provides a good picture of working conditions in a particular factory, more is needed to affect positive change on the work floor. Further to supplier trainings tailored to particular challenges in a certain country or region, the BSCI also initiates and supports Stakeholder Round Tables, regular gatherings of key stakeholders. BSCI also supports the Tirupur Stakeholders Association (TEA), which took up the Sumangali matter to stop any form of exploitation in the value chain and to work out best practices and really recommendable solutions. BSCI is member of TEA through its Indian representative office and was already instrumental in elaborating the “Guidance for Migrant Women Workers in Hostel & Recruitment Process – Spinning/Garmenting Factories” which was published in its first version in September, 2011. The TEA meetings are going on with BSCI participation.

BSCI emphasizes that any solution to the problem of migrant women workers must be legal and sustainable and must consider the needs of workers as well as of factories resp. of the whole industry.

**Conclusion**

The Sumangali scheme has been used mainly by spinning mills in Tamil Nadu in the Dindigul area and neighbouring districts. Some NGOs claim that they have found cases where girls did not receive the (full) lump sum at the end of their contract, for various reasons, e.g. because they have been ill, or they are let go shortly before the contract runs out etc., but no way to accept this type of exploitation that to in young girls life. Some of the NGOs and other social welfare associations are keeping their retrieval measures to rescue the young women from the scheme at the mills. Even though unless until the government policy, Law & Act is not strong to monitor and regulate the scheme and the employer, it will be highly big challenge to the poor young women in tirupur textile hub.

**References**

11 Challenging the Notification Dated 7th November 2008 Issued by the Labour and Employment Department of State of Tamil Nadu Madras High Court
12 The Southern India Mills ... vs The State Of Tamil Nadu on 11 December, 2009 Dated: 11.12.2009
13 Coram: The Honorable Mr. H. L. GOKHALE, CHIEF JUSTICE and The Honorable Mr. Justice D. MURUGESANW.A.NOS. 957,992 & amp; 993 of 2009 and M.P. Nos. 1+1+1 of 2009.