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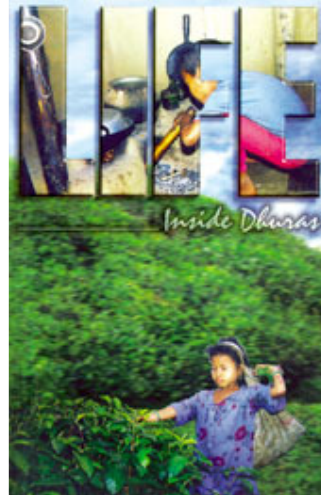
Inside Dhuras

A report of Gefont's Study on Child Labour in Tea Estates of Nepal

For a developing country like Nepal, the phrase 'child labour' has several meanings. It paints a gloomy picture of a vicious circle, consisting of adult unemployment-poverty-child labour. It is also synonymous with the denial of childhood of the children of our working community.

We have made lots of promises to our poor children with matching slogans, but, in reality, most of our efforts at keeping the promises have, somehow, been no better than a mere lip service.

The study which examines the extent and the socio-economic conditions of child labour, is also an answer to those "intellectuals" who were not convinced that a trade union organisation can also conduct such a study.



Prepared by : Umesh Upadhyaya
Rudra Gautam

Translation : Archana Tamang

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FOREWORD

This publication contains the results of a study on child labour in tea plantations in Nepal. It was carried out by GEFONT, a leading trade union organisation in the country, with the assistance of the ILO under its International Programme on the Elimination of Child Labour (IPEC). A brief account of the engagement of the ILO in the cause of the abolition of child labour as well as the background of this study would be appropriate.

Child labour has been one of the earliest and abiding concerns of the ILO. The ILO adopted its first Convention on Child Labour in 1919, the year in which it was founded. A large number of Conventions have been adopted by the ILO since then, culminating in the Minimum Age Convention, 1973. This Convention provides guidelines on the conditions under which a child may or may not work and the direction in which the national policy should move in order to eliminate child labour progressively and protect the working children during the transitional phase.

Experience has, however, shown that a purely legislative approach is not sufficient to stop child labour. Since the early 1980's, the ILO has, therefore, engaged in a wide range of activities on research, documentation and technical assistance to various countries on child labour. In 1992 it launched IPEC with financial resources provided by the Government of Germany. IPEC has grown to be the largest technical co-operation programme of the ILO, implemented world-wide in twenty-three countries now and supported by almost all major donor countries.

The main objective of IPEC is to eliminate child labour progressively by strengthening the capability of countries to deal with the problem and promoting a world-wide movement against the practice. IPEC adopts a phased and multi-sectoral strategy which comprises providing assistance to national organisations for

- a situational analysis
- developing and implementing a national policy on child labour
- building the capacities of national institutions and promoting a broad alliance of partners.
- strengthening legislation on child labour and its enforcement
- creating awareness of the problem at different levels
- direct action with child workers.

IPEC was launched in Nepal in 1995. Following a national workshop on policy and programming on child labour, various Action Programmes have been formulated and implemented in the country by national organisations in accordance with the broad global strategy of IPEC.

One of these Action Programmes concerns this study on child labour in the tea plantations in Nepal by GEFONT. The tea industry has traditionally been extremely labour intensive and has employed children in large numbers. The child workers are generally the children of the plantation workers and are not often included formally in the work force. A key element of the study was to involve the workers in the survey on child labour and to create an awareness in them about the consequences of practice. This made the study more reliable as the workers came forward with

information about the employment of children and suggestions on how to prevent child labour.

The study shows a steep decline in the employment of children in tea gardens in recent years. GEFONT attributes this to the enactment of the Labour Act (1992) which has outlawed the employment of children. Paradoxically, the workers appear unhappy at the denial of employment to their children. About 43 per cent of the children of the plantation workers in the age group of 5-15 years, do not go to school at all. About 25 per cent of the children are engaged in work either in the household or outside and the remaining 18 per cent idle away their time. The main causes for the low enrolment in school appear to be the dependence of the family on the income of children as well as its inability to afford the expenses of schooling. Significantly, a large number of children do not go to school as they have to look after younger children at home. Few crèches exist in the tea gardens and women are also forced to carry young children on their back when they work.

The study has revealed many interesting aspects of the living and working conditions in tea gardens. It will be useful in designing interventions to eliminate child labour. It will also be of interest to the general reader who is concerned about the conditions of labour in this vital sector of the economy of the country.

Hirak Ghosh

Sub-regional Adviser (South Asia)

International Programme on the Elimination of Child Labour

ILO, Kathmandu

PREFACE

Child labour is a common phenomenon in our society. It is not only common, but also a painful reminder to every civilised. We all are, perhaps, aware of the root causes of child labour. For a developing country like Nepal, the phrase child labour has several meanings, i.e., cheap and easily available source of labour, the reflection of the existing acute poverty and the exploitative socio-economic relations. It paints a gloomy picture of a vicious circle, consisting of adult unemployment-poverty-child labour. It is also synonymous with the denial of childhood of the children of our working community.

We have made lots of promises to our poor children with matching slogans like 'Help the children, protect the children, they are our tomorrow,' 'For children don't say tomorrow, children can not wait...' and so on and so forth, but, in reality, most of our efforts at keeping the promises have, somehow, been no better than a mere lip service.

GEFONT, a mainstream umbrella Organisation of the workers covering various trades and industries, takes a vow of self-criticism on realising its responsibility in this regard. Since child labour cannot be stopped at once, GEFONT disagrees with both the extreme views- to be passive because it would take too long for child labour to disappear; or to declare a boycott of the child labour related third world export items for its abrupt elimination. Committed to its policy of progressive elimination of child labour from the country, GEFONT has found a common ground to work within the ILO's International Programme on the Elimination of Child labour (ILO/IPEC).

The study on child labour in tea estates of Nepal, has been carried out under the GEFONT-IPEC co-operation in thirty five tea estates of Nepal. The study which examines the extent and the socio-economic conditions of child labour, is also a part of the GEFONT national campaign- GEFONT by 2000. It is an outcome of hard labour on the part of the GEFONT Survey Team, and an answer to those "intellectuals" who were not convinced that a trade union organisation can also conduct such a study.

At this moment, while presenting the report, I should not forget the tireless dedication of my comrades of the Survey Team, Mr. Umesh C. Upadhyaya, Mr. Binod Shrestha, Mr. Rudra Gautam, Mr. Som Rai, Mr. Buddhi Acharya, Mr. Kiran Mali, Ms. Sujita Shakya, Mr. Uddav K.C, Mr. Om Koirala, Late Rup Chan Uraun, Mr. Narayan Singh Rajbansi and Mr. Rajiv Ghimire of whom I am proud and to whom I am thankful for undertaking such a challenging task. I would also like to express my sincere thanks to Ms. Elizabeth Woong, Ms. Archana Tamang, Mr. Y. Amatya and all the other well-wishers who contributed their valuable assistance.

Finally, my special thanks are due particularly to Mr. H. Ghosh and the ILO/IPEC family for financial assistance to undertake this study and to the National Steering Committee of IPEC for its support. My sincerest thanks also go to several of my friends as well as all the workers and management family of the tea estates and various dignitaries of the society who shared their valuable experience during the Focused Group Discussions.

Bishnu Rimal

Secretary General
GEFONT
1 February 1997

EXECUTIVE SUMMARY

Nepal is a small country with a total area of only 1,47,181 square kilometres and a population of 18.4 million. It is primarily an agricultural country employing almost 80% of the labour force in the sector. Because of its high dependence on agriculture and its mass poverty with almost 49% of the population below the absolute poverty line, children are compelled to work for a livelihood from an early age. Child labour is found in agriculture, industries and services under pitiful conditions and at very low wages.

The issue of child labour in Nepal has been highlighted by NGOs such as CWIN. Government organisations, and international organisations such as UNICEF, ILO and Redd Barna have taken initiatives for the minimisation and eventual elimination of child labour. Trade Union organisations, particularly GEFONT and its affiliates, came into the scene after 1990 with a commitment for eliminating child labour. Working on a progressive and gradual elimination strategy, GEFONT conducted this survey with the specific objective to find out the extent and the exact nature of the problem in tea estates of Nepal, so that an effective action programme could be designed. The location of the study was limited to the far eastern Districts of Ilam and Jhapa where the tea estates are concentrated.

The survey covered altogether 35 tea estates. Four separate sets of questionnaires, after pre-testing, were finalised and used for the collection of information covering the tea estate management, workers' families, adult workers and child workers. In addition, focused group discussions were also conducted to collect qualitative information.

The total land area under the tea estates in Nepal is 5,018 hectares. However the area under actual tea plantation is 3,087 hectares, i.e. 61.52% of the total area. The tea estates, in total, produce 9,923,158 KGs of tea per year, of which 12.33% is high quality Orthodox tea, and the rest is CTC tea. Larger tea estates have their own processing factories and the small ones sell their raw products either to the larger ones or to the newly established processing factories in Ilam. The export of tea, especially Orthodox tea is far from satisfactory at present. Tea export as a whole is under the control of packers and business groups. Even the Nepal Tea Development Corporation is not aware of the actual quantity of its produce being exported. In the 132 year history of tea plantations in Nepal, the tea industry has proved to be highly profitable, but unfortunately the working conditions are still very poor and the wages very low, given the price of tea itself and the existing inflationary pressures.

GEFONT had earlier estimated the number of workers to be approximately 10,000. All-season workers have been found to be slightly higher than 50% of the estimate. Out of a total number of 5169 workers working in the tea estates during the survey, 992 were interviewed of whom 21 were child workers.

Traditionally, workers were categorised into Marad (male), Aurat (female), Chhokara (youth above 14) and Lokada (children below 14). This categorisation still exists in some private tea estates, but most of the tea estates now do not use this classification. Gender-based discrimination in wages is, however, common in private tea estates.

WORKING FAMILIES AT A GLANCE

The survey covered 509 worker families, the population of which is recorded as 2828. The average family size is 5.6 and the male to female sex ratio 97.1. The proportion of children under 15 years as well as persons above 60 is lower than the national average, at 40% and 3.4% respectively. Thus, the proportion of the productive age group is comparatively high. The families belong to diverse caste/ethnic groups. The Santhals are the most in number (18.4) followed by the Brahmin (16.8) and the Chhetry and the Thakuri (13.5%). The proportion of the population belonging to the hill origin groups is high compared to that belonging to the Terai and mountain ethnic groups. 50.1% of the population are literate; the percentage being 61.5 for males and 39.5 for females. The hill groups are more literate than the Terai groups. The study into the occupational status indicates that 46.7% of the population aged 5 years and above is involved in work in the tea plantations whereas 21.5% work as unpaid family workers and 30.3% go to school or are idle.

Most of the working families are landless. A majority of the families live in residential huts (Dhuras) provided by the management, on the premises of the tea estate.

ADULT LABOUR

Out of the total workers, 46.1% are from the public sector tea estates and 53.9% from the private tea estates. The ratio of female workers to male workers is higher in the private tea estates than in the public tea estates.

Altogether 971 adult workers were interviewed during the survey, of whom 46.3% were males and 53.7% females. Of the total workers covered by the survey, the Santhals occupy the highest position, 21.5% (male 20.4% and female 22.5%) followed by the Brahmin 16.5% (male 16.9% and female 16.1%) and the Chhetry & the Thakuri 13.3% (male 14.2% and female 12.5%).

The highest proportion of workers belongs to the age group 25-34 (34.6% in total, 32.2% males and 36.7% females). The proportion of female workers is higher up to the age of 34 and is lower thereafter. The male to female sex ratio of workers is found at 86.4. The sex ratio starts to increase as age increases. It is to be noted that women are employed because of their plucking efficiency, but the efficiency is said to decline as age advances and the sex ratio goes up accordingly.

The percentage of literate workers is 35.2 (50% males and 21.9% females) much below the national average. The literacy of the Santhals who are the most numerous in the tea plantation work force is the lowest, being 13.4% (21.7% males and 6.8% females). It is interesting to note that only 1.32% workers have passed the School Leaving Certificate examination (SLC). No female worker has passed the examination due to early marriage or gender discrimination in terms of education.

Only 41.6% of the workers were found to be born in the same VDC, where they were employed. 12.2% of them were from India and a majority of the workers had migrated from elsewhere in the country.

There are mainly four types of workers- monthly salary earners, regular daily wage earners, contract workers and seasonal workers. Out of the total workers, 90.4% are regular daily wage earners (95.5% in the public sector tea estates and 86% in private ones). Monthly salary earners and regular daily wage earners are given the status of permanent workers.

Generally, the daily wages range from Rs. 21 to 47.50. The wage of Chhokaras (adolescent) ranges from Rs. 20 to 36. Wage differences are more common in private tea-estates. The rate of overtime payment is based on hours and the regular daily wage. However, in plucking, the over-quota payment is Rs. 0.65 per kg (the quota being 23 kg per day for CTC tea and 9 kg per day for Orthodox tea.) 82.1% of the total workers have been provided 'Dhuras' (residential huts). Medical facilities are limited to 'first aid'. However, the NTDC reimburses Medical expenses up to Rs. 200 per permanent worker annually. Paid leave is extremely limited. Five percent of the daily wage is deducted from wages every week as the provident fund contribution by the worker and the same amount is added by the management. 'Dasain expenses' are given as a bonus equal to 18 days' wage in the public sector tea estates and 4-12 days' wage in the private estates.

In principle, there are child-care centres in every tea estate but only 0.7% of the respondents were satisfied with the condition of the child care centres. In fact, with a few exception, most of the so-called child care centres are made up of a couple of jute carpets under the shade of a tree. In most cases female workers can be found working with their babies tied on their back.

AN OVERVIEW OF CHILD LABOUR

It is difficult to estimate as to when child labour came into existence in tea estates. No research had been conducted before 1991 regarding this issue. The CWIN-study of 13 tea estates in 1991 was the first one, followed by the GEFONT study of five tea-estates in 1995. Child labour in tea estates had declined rapidly between 1991 and 1995. It appears that the enactment of the Labour Act 1992 had a wide impact with regard to the minimisation of child labour. The present survey confirms to the fast declining trend. Some of the interesting findings of the survey are as follows:

- Out of the total number of adult workers interviewed, 27.5% had joined the tea estate as child workers (male 23.8% and female 30.7%), 4.3% having joined work in the tea-estates aged between 5 and 9 and 23.2% aged between 10 and 14 years.
- A major source of child labour is the working families themselves, especially those who reside in the 'Dhuras'. A few Indian child workers are also employed during peak plucking season in some tea estates located near the southern and south-eastern border in Jhapa.
- Out of a total population of 2828 in 509 working families covered by the survey, children in the age group of 5-14 constitute more than a quarter. Among them, 57.4% are enrolled in schools and 42.6% do not go to school. Among the non school going children, 24.7% work within & outside their home, whereas 17.9% are complete idlers, neither going to school nor working. Looking at the figures from the view point of gender 38.3% of boys and 46% of girls do not go to school. There is a significant difference in school enrolment of boys and girls in the public sector and the private sector tea estates. 26.7% of the boys and 34.9% of girls from the public sector tea estates working families and 47.3% of the boys and 58.4% of the girls from the private tea estate working families are not enrolled in schools. Further,

most of the children who have been enrolled are not found to be regular at school. If jobs are found, the families concerned are willing to remove them from school. The fact that the management has not provided work for the workers' children is one of the reasons for their dissatisfaction with the management.

- The major causes of child labour in tea estates are landlessness, low wages, absence of educational facilities, acute poverty and a lack of awareness about the adverse effects of child labour. The Terai-origin groups especially the Santhals have been found to be most unaware about the effects of child labour.
- 'Chhokaras' i.e. adolescents (15-18 years) comprise 8.6% of the sample population of 2828 (102 be males, and 141 females) constituting 7.3% of the male population and 9.8% of the female population. Working Chhokaras are 5.1% of the sample population and others wait for the peak season for employment. The wages of Chhokaras vary from estate to estate, ranging from Rs. 18-30 in the private sector and from Rs. 30-36 in the public sector.
- The actual number of children (5-14 years) working at the time of survey in tea estates was 23. They were all-season workers. Since the survey could not be conducted during the peak season, seasonal child workers were not found. Twenty one child workers were interviewed, of whom 7 were males and 14 females. A single child was found in the age group of 5-9 and the rest were in the age group of 10-14. Of the child workers 19% received wages lower than Rs. 20 per day and the rest 81% received wages between Rs. 20-25. The children were found to do every type of work except spraying pesticides.
- The idle children of the tea workers' families are frequently used as substitute labourers whenever their parents have to go outside the tea estate or if they fall sick. Besides, to fulfil the plucking quota or to earn over-quota payments, working parents often use their children during the peak plucking season.
- It is clear that child labour has, now, become an off the record issue. Therefore, the protection of child workers has become more difficult. They are subjected to abuses and their health conditions are very poor. Out of the sample of child labourers, 47.6% said that they frequently suffered from cold, cough and fever.
- The tea estate children are deprived of basic primary education although the schools are not very far from the tea estates.

Child labour has declined in tea estates in a fast and dramatic manner because the management has stopped recruiting children after the enactment of the Labour Act (1992). However, since the income levels of the workers have remained stagnant and the socio-economic conditions of the workers' families have not improved, the idle children may shift to other sectors creating diverse child labour problems. Therefore, providing the children with education, building awareness about the consequences of child labour, introducing income generating schemes and effective workers' education programmes are urgently needed in order to eliminate child labour from tea plantations of Nepal on a permanent basis.

CHAPTER I

Introduction

1.1 Background

Nepal is one of the smallest countries in the world, land locked by India and China, two of Asia's largest countries. Its total area is 147,181 sq. km. and the total population is 18.4 million . The country is divided administratively into 5 development regions, 14 zones and 75 Districts. There are three ecological zones: the mountainous region, the hilly region and the Terai region.

The principal economic activity in Nepal is agriculture, which provides employment to more than 80 per cent of the total labour force in the country. A study by Agricultural Projects Services Centre (APROSC) indicates that a majority of the rural population of Nepal lives in abject poverty. The rural economy is characterised by small and fragmented land holdings, feudal socio-economic structures, non-optimal utilisation of available scarce productive resources, low land and labour productivity, backward farming practices and inefficient technological base, and a lack of access to inputs, markets, information and other production raising opportunities (APROSC, 1991:1). Child labour is a common phenomenon in the economy.

It is within this context that this study on Child Labour in Tea Estates of Nepal has been designed and conducted. We have distinguished between 'Child Work and Child Labour'. We mean by child work, the work which does not deprive the children of education and does not have negative effect on their health. On the other hand, work done by children which affects their schooling and health must be regarded as child labour. Child labour is prevalent in the agricultural sector (farming, tea estates), service sector (hotels, restaurants, transport & tourism), manufacturing sector (carpet and garments) and domestic services. Needless to say, child labour in Nepal, as well as in most parts of Asia is synonymous with low wages, poor working conditions and long hours of work.

Nepal ratified the ILO Convention No. 138 concerning child labour in 1990 and the UN Convention on the Rights of the Child in 1996. As a SAARC member, Nepal is a signatory to the Colombo Resolution (1992), the Rawalpindi Resolution (1996) and the Male Declaration (1997) which inter alia, commit the government to eliminate child labour. The Constitution of the Kingdom of Nepal (1990) protects the interests of children. It prohibits the employment of minors in factories, mines or any other hazardous work situations. The Labour Act (1992) and the Rules made thereunder as well as the Children's Act (1992) and the Children's Rules (1995) are the major legislation in this regard. In addition, several provisions on children can be found in the Common Law Code (1963), the Begging (Prohibition) Act (1962), the Prison Act (1963), the Foreign Employment Act (1985), the Trafficking Control Act (1986) and so on. The implementation and the enforcement of the statutes have not, however, been satisfactory.

Of late, child labour in Nepal has drawn the attention of many non-governmental organisations, governmental organisations, international agencies, labour-based organisations such as the ILO, regional organisations such as SAARC and the World

Trade Organisation. This has resulted in the introduction of a specific programme for the elimination of child labour namely, IPEC, by the ILO in 1995.

In its report, **Designing a National Framework of Action Against Child Labour in Nepal** (1996), the ILO clearly states that:

The problem of child Labour in Nepal is due principally to the acute poverty of the people particularly in the rural areas. Most people live on subsistence farming. Exploitative social relations in the villages further aggravate the problem. The harsh living conditions and frequent national disasters lead to seasonal or permanent migration of families and in some cases, that of children who, on their own, move from the rural to the urban areas.

The main factors contributing to child labour have been identified to be (a) poverty; (b) social customs, values and attitudes; (c) illiteracy of parents (d) lack of access to education for the children; (e) agrarian relations; (f) migration from rural to urban areas; (g) family disharmony and diminishing family support; (h) trafficking of girls within the country and across the border and (i) inadequate enforcement of labour and criminal law. (ILO, 1996:1)

This study has also confirmed most of these factors to be true in the tea estates. Thus, a solitary call for the simple abolition of child labour is not, as many of us may think, a progressive step as it is divorced from the socio-economic realities of Nepal. Unless it is integrated with equally humane measures towards poverty alleviation such as a fair and adequate remuneration for workers and an improvement in social welfare services from the government and employers etc., a mere call for children to stop working is hollow. Children are by no means insulated from the economic and social impoverishment - in fact, poverty hurts the young even more than the adults. Thus, it is of the utmost priority for His Majesty's Government of Nepal and the concerned agencies who verbally profess to be committed to the welfare of the people, to start implementing concrete programmes for genuine poverty alleviation.

1.2 Objective of the Study

The *ultimate objective* of this study is to help design measures for the elimination of child labour from the tea estates of Nepal. The *specific objectives* are as follows:

- I. To investigate the conditions and the extent of child labour in tea estates
- II. To investigate and study the causes of child labour in tea estates
- III. To document the various forms and nature of child labour in tea estates
- IV. By involving the workers in the study to increase awareness about the issue of both adult and child workers.
- V. To disseminate the results of the study on child labour in tea estates to the general public
- VI. To design and develop action programmes based on the study in order to address the problems of children and their families in the tea estates.

1.3 Location of the Study

The study covered all the 35 major tea estates of Nepal. These tea estates are located in the Districts of Jhapa and Ilam. The study excluded a few small tea

gardens, which were established very recently in the Districts of Panchthar and Tehrathum.

Twenty-six of the thirty-five tea estates covered are private-owned, six being owned by small tea farmers. Among the other nine tea estates, seven are public enterprises under the Nepal Tea Development Corporation (NTDC) and two under the Ministry of Agriculture as part of the National Tea and Coffee Development Board (NTCD Board).

Twenty-six tea estates are situated in Jhapa District: twenty-three private-owned and three NTDC tea estates. Out of the remaining nine estates which are in Ilam District, three are in the private sector, four owned by the NTDC and two by the NTCD Board. Of late, an increasing number of small farmers are being highly motivated towards tea farming as it is financially more beneficial than working on their own.

[The names of tea estates surveyed are in Appendix 1.]

1.4 Research Methodology

The Central Research and Co-ordination Team was formed. It consisted of a research co-ordinator, two expert consultants (including a demographer) and two research assistants. The demographer and the consultant acted as resource persons throughout the study and were responsible for designing the sample survey, training the field staff and analysing the information collected from the tea estates. The study questionnaire was pre-tested in two tea estates (Kanyam Tea estate of Ilam and Nakalbandha tea estate of Jhapa).

The survey covered 35 tea estates in Ilam and Jhapa of eastern Nepal. The survey excluded the very small and newly established tea farms. It is estimated that there were 5,169 workers working in these tea estates at the time of survey. This number is relatively small because the survey was conducted during the off - season. The survey covered 19 to 20 per cent of the total workers from each tea estate. Ultimately the total sample size was 19.2 per cent. Among the total 992 workers interviewed, 971 were adult (450 male and 521 female) and 21 were children below 15 years (7 boys and 14 girls). Besides, the survey covered 509 Dhuras (working households).

Four separate sets of questionnaires were prepared. The first set involved the family schedule aimed at discovering the socio-economic condition of the workers' families, and the nature and causes of child labour involvement. The individual questionnaire for the adult workers was aimed at finding out the condition of the workers and exposing the causes of child labour in their family. The third set was directly presented to the child workers employed at the time of survey. The fourth set of questionnaires was administered to the management (employer/manager).

The first three sets of questionnaires were administered by the 20 field staff members of GEFONT under the supervision of two research assistants and co-ordinated by the project co-ordinator.

A Focused Group discussion was conducted in two tea estates of Jhapa to obtain qualitative information on the issues of tea workers, especially the child workers. Barne Tea Estate was selected from the public sector tea estates and Loknath Tea

Estate from the private sector. Five groups were formed from each estate and consulted by a team of researchers including the co-ordinator, the demographer and research assistants who were also involved in the field survey. The type of groups formed were :

- a. Adult male workers (above 18 years of age)
- b. Adult female workers (above 18 years of age)
- c. Boys (up to 18 years of age)
- d. Girls (up to 18 years of age)
- e. Key informants (school teachers, local political party leaders, elected VDC officials and social workers).

Discussion was also held with the officials of the Labour Office, Jhapa, to test the validity of the information provided by the participants of different group discussions.

Besides the primary data collected through direct interviews with child workers, adult workers, management and Focused Group discussions, secondary data were also used in this study. A study by Child Workers in Nepal Concerned Centre, (CWIN) conducted in 1991, titled **Child Labour in the Tea Estates of Nepal** was the main source of secondary information. A preliminary survey report, titled **Child Labour and Tea Estates in Nepal**, conducted by GEFONT in April 1995, which covered 5 tea estates in Jhapa and Ilam was used as the basis of this study.

1.5 Limitations of the Study

Only those workers and working families living in the 'Dhuras' suggested by the tea estates concerned (with a few exceptions) have been covered by this study. Besides this, there were two main obstacles encountered while conducting the study:

1. Communication: There were problems in conducting the interview with the respondents who were from the indigenous ethnic groups as most of the researchers spoke only in Nepali and had very little knowledge of their dialects.
2. Discrepancies in information given by management and employers were seen, as opposed to our observation. Most of the respondents claimed that there were no child workers in their employment but during our study, we encountered several of them. Furthermore, the management of both private and public estates seemed hesitant to provide information and data on a number of subjects such as the exact number of workers in their tea estates, the gender distribution, production figures, financial data and so on.

1.6 Validity of the Study

During the study, almost all tea estates of Jhapa and Ilam were surveyed. Over 19 per cent of the estimated total number of tea estate workers in Nepal were interviewed, thus making the qualitative and quantitative findings and data comprehensive. The study, therefore, can be regarded as reflective of the overall situation of tea estates. However, during the survey period, a total number of only 21 child workers were detected and interviewed. We believe that this number, representing 2.12 per cent of the total respondents, is not indicative of the real

situation of child workers in tea estates of Nepal. The reasons will be explained in detail later in this report.

CHAPTER II

The Tea Estates and the Management

2.1 Background

The tea industry in Nepal, though limited to a few Districts, especially Jhapa and Ilam, can play a vital role in earning foreign currency. The production of high quality Orthodox tea and its export can make a major contribution to our economy. However, the export situation at present is far from satisfactory.

Table 2.1 Export Situation of Tea in Nepal

Fiscal Year	Quantity (Kg)	Value (Rs.)
1990/91	8,950	10,12,424
1991/92	21,036	26,50,376
1992/93	22,143	56,86,854
1993/94	NA	58,52,000
1994/95	72,338	135,74,243

Source: Trade Promotion Centre

The export of tea as a whole is under the control of the business groups and Tea Packers. Even the NTDC is unaware of the exact quantity of tea exported from the country.

The tea industry was started by Colonel Gajaraj Singh in Ilam, where he was a high official of the Rana regime. He was attracted by the Tea Estates in Darjeeling, India and so in around 1864, started tea farming in his Birta land.

The tea plantation began spreading with the passage of time. Once it was seen as a potentially profitable industry, the landlords of Jhapa were attracted towards it and turned themselves into tea industrialists. It was especially in 1964 when the Land Reform Act was introduced that the then major landowners of Jhapa, in order to keep the land under their ownership, turned to tea plantation and tea industry. Therefore, even though the tea industry was initiated in Ilam, it was found to have really started on a large scale in Jhapa. At present small-scale farmers are seen to be gradually attracted to tea farming.

2.2 The Tea Gardens Surveyed

In total, 35 tea estates were surveyed of which 26 are located in Jhapa and 9 in Ilam. Nine tea estates are public owned and the remaining 26 are under private ownership.

Table 2.2 Surveyed Tea Estate by District and Status

District	Public	Private	Total
Jhapa	33.3(3)	88.5(23)	74.3(26)
Ilam	66.7(6)	11.5(3)	25.7(9)
Total	100.0(9)	100.0(26)	100.0(35)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of tea estates.

Source: Field Survey, 1996

The nature of the management of the private and the public sectors of the tea industry is found to be different. Further, even though both the NTCDB and the NTDC belong to the public sector, they differ on the question of profit. The NTCDB does not operate on the basis of profit. It focuses on attracting the private sector, on motivating it and providing technical knowledge and supplying tea plants (seedlings). The size of the tea gardens under the NTCDB is relatively small. The NTDC tea gardens, on the other hand, are large and operate on profit-motive on the basis of modern management techniques. The modern techniques and style of management have slowly developed in the private tea gardens also but they are closer to the cottage industry type of management. It is also natural that the small scale tea farmers should adopt a traditional form of cash crop production.

A majority of the larger tea estates have their own tea processing factories while small tea gardens sell green leaves to the larger tea estates. In Ilam, however, there are two private factories that collect green leaves from small farmers.

Two main categories of tea are produced, namely, CTC and Orthodox. The Orthodox tea has more varieties. The CTC tea does not have any basic grading. The orthodox tea is graded as follows:

1. F-TG	Special quality
2. TG-FOP	1st Grade
3. G-FOP	2nd Grade
4. GF-BOP	3rd Grade
5. BOP	Medium Grade
6. OF	Medium Grade
7. PD (Dust)	Low Grade
8. BT	Low Grade

These products are graded according to a very fine processing method. Altogether the tea gardens under the survey cover 5018 hectares of land, but the actual area under plantation is 3087 hectares (i.e. 61.52 percent).

While looking at their annual production, three of the gardens have not started production yet. Others, in total, produce 99,23,158 KGs of green leaves annually, of which Orthodox tea is 12,23,158 KGs and the rest is CTC tea. Since after processing, green tea leaves are reduced to 1/5th of the volume in the form of finished tea or 'made' tea, we can conclude that the annual production of finished tea last year was 19,84,631.6 KGs of which Orthodox tea was about 2,44,930 KGs. Officially, the export of tea was found to be very little, although more than 80 per cent of the Orthodox tea goes outside the country. It is suspected that tea is smuggled to India whether finished or green and packed as Darjeeling Tea, fetching a high profit to the Indian traders.

2.3 The Management and Labour in the Tea Estates

Compared to the previous decades, the 1990's have seen some improvement in labour-management relations in the tea industry. In the 132 year old history of the tea industry in Nepal, for almost 126 years the workers were subject to exploitative and oppressive treatment. The workers have no history of struggle against the exploitation of management prior to the Panchayat era. During the Panchayat era, they tried time and again to organise themselves. It was especially during the

period 1979-1985 that the tea plantation workers within the NTDC tried to organise themselves and launched struggles against the management. This resulted in improved wages but in the private tea estates, no improvement could be brought about in the condition of the workers. The daily wages of adult males, females and child workers were only Rs. 11.25, Rs. 9.25 and Rs. 7.00 respectively in 1985.

After the re-establishment of democracy and the introduction of the Labour Act 1992, a sharp decline has been observed in the number of child workers. Even so, the use of child labour is prevalent even to this day, during the tea plucking season. The Indian system of classification of tea workers - Male (Marad), Female (Aurat), Adolescent (Chhokara), Child (Lokada) was used in Nepal for a very long time. According to the classification, the "Lokada" were children aged below 14, the "Chhokara" were adolescents aged between 14-18 and the "Aurat" class represented the female adult workers and some of the young workers both male and female who were not being paid adult wages. This system of classification came to an end after 1990. In many private tea gardens, the classification is limited to Male, Female and Adolescents. However, a few tea gardens in Jhapa, especially the Bansal, Kalika, Jyamirgadi, Shyamsundar, Kabadidevi and Loknath tea estates still follow the old Indian system of classification of workers but, ever since the introduction of the Labour Act (1992), the management in those tea estates have found a way to keep this fact off the record.

At present the management in most of the tea gardens have done away with gender-based wage discrimination and the present wage rate is Rs. 40 per day. The private tea gardens of Jhapa, lying on the border areas, still follow gender-based discriminatory practices in terms of wages. An adult female receives wages ranging from Rs. 21 to 32 and an adult male receives Rs. 28 to 35. In some estates, as in Raj Tea Estate, regular daily wage workers are given Rs. 40 and the seasonal workers only Rs.34.

The working conditions in the tea gardens are clearly seen as being worse compared to those in other industries or the service sector. In terms of facilities, "Dhura" or temporary houses are built for the workers. Most of the "Dhura" are made up of grass, bamboo and mud and measure approximately 100 square feet. These are made available to workers regardless of their family size. Thatch is given once in two years and bamboo in four or five years for the maintenance of the Dhuras. The quantity of the raw materials provided is insufficient for the maintenance of the huts.

Entertainment facilities in some tea gardens are limited to football and volleyball; medical facilities mean to some first aid boxes, often without medicine. In the NTDC tea gardens only, a sum of Rs.200 per annum is provided as medical benefit to all permanent workers. Others have no such provisions. A small tea farmer in Jhapa deducts Rs.10 per week from the workers' wages for their medical care.

The workers in the private tea estates are made to work 10-11 hours a day as against the stipulated 8 hour daily work. Many examples of this sort were found during the survey period.

The number of monthly wage earners is very low. The supervisors, gate-men and peons are not considered as tea workers by the management and most of them are employed on monthly salary basis. A few of them are daily wage earners but there is a difference in their daily wages depending on the tea gardens. Such staff workers of the NTDC receive Rs. 47.50 as daily wage, whereas the private tea

gardens generally pay these workers less (about Rs. 5/- more than other workers). See Table 4.14 & 4.15

Of the total 971 adult tea workers surveyed, 35 workers in private and 14 in public tea gardens were found to be on monthly salary. Of the remaining 922, it was found that 488 in private tea estates and 434 in public tea estates are working on daily wages.

Extra incentive wages equivalent to 65 paise per kg is paid for plucking. In terms of over time payment, diverse practices have been observed. Many of the tea estates pay it on an hourly basis. The daily wage divided by 8 hours gives the hourly wage and it is the base for the overtime payment. However, Himalaya Tea Garden gives an additional 10 per cent of the regular wage irrespective of the extra hours worked, where as Laxmi Tea Estate adds only Re.1 per hour in the regular wage as overtime payment. On the other hand, the small tea farmers of Ilam, whenever they use labour in contract, generally provide Rs.2 per kg in peak plucking season and Rs. 4 per kg in winter, particularly in those places where it is difficult to meet the 9 kg quota for the Orthodox tea.

For permanent workers, there is a provision of 5 per cent of the total monthly wages to be deducted and deposited in the provident fund along with the same amount as contribution from the employer. Very few workers have enjoyed this facility so far.

As bonus, the management provides "*Dashain Kharcha*" or Dashain expenses equivalent to 4-18 days' daily wage. In most of the private tea estates, however, no such provision exists.

The management, including in the public sector, seems to be negligent in terms of health and safety aspects. In most of the tea gardens, the workers are employed on a rotational basis in the factories and in the garden areas. Even though no cases of industrial accidents have been found, some examples of respiratory problems due to tea dust and a few cases of T.B. have been found. Most of the workers fall ill due to the effect of insecticides sprayed on the plants. Normally the fixed quota of insecticide to be sprayed is 150 litre per day per person.

Due to the absence of health inspection and the lack of medication, within a period of 3 years, 2 workers were found to have died after spraying insecticides continuously for 3 weeks. Most of the workers involved in spraying complain of headache, vomiting and other problems. They are compelled to meet their medical needs on their own. According to the management of both the private and public tea estates, masks, gloves etc. were made available to the workers. However, due to the low level of awareness among the workers, they do not make use of them. The management, too, was not found to have taken much interest in the matter. Since a higher wage rate is given to the workers involved in spraying insecticide compared to other workers, most of the workers are keen to work as sprayers. They are negligent about safety and some of them said that the protective measures supplied by the management were uncomfortable to use. Child workers, however, are not employed in spraying. An eighteen year old youth had back sores as a result of carrying the insecticide container. The management in most of the tea gardens claim that their labour-management relation is good but a different situation is apparent according to the opinions of the workers. (See table 4.19). It was found that the management of Nakhbanda is an exception compared to the others. It was found that the labour- management relation in the tea estate is

extremely bad. However, the number of workers claiming unsatisfactory relationship is quite considerable in almost all the tea estates.

2.4 The Management and Child Labour

The management in the public sector has tried rigidly to discourage child labour but during the plucking season when the green leaves are plucked at Rs. 0.65 per kg, most of the working parents employ their children in order to pluck more leaves. The management have not been paying attention to this fact. Likewise, if either of the parents falls sick or is required to go away on personal business, the children very often come in as substitutes. Due to a lack of awareness regarding child labour and poverty, the working parents are dissatisfied with the management for not providing employment to their children. In the Loknath Tea Estate the Indian child workers from the bordering areas are found to be working on a daily wage of Rs. 10-15. The local workers are dissatisfied with this situation because this has deprived their children of employment.

In private tea gardens, there is a trend of child labour increasing during the plucking season and decreasing during the slack season. The children may not be kept on daily wage basis, but off the record they are found to be encouraged. Looking at the nature of the relation between child workers and management, one-third of the children say that they have been victims of misbehaviour. Due to their innocence and their inability to comprehend, most of them say that their relation is satisfactory. *(See Table 5.9)*

After the introduction of the Labour Act 1992, the management has become more conscious, employs only older children (as Aurat or Chhokara). This practice, however, is limited to the tea gardens in the southern border areas.

CHAPTER III

Socio-Economic Condition of Working Families

The situation and the extent of child labour depend upon the socio-economic and demographic condition of their family. Generally the situation of children is better off where the family is educated and does not have subsistence problems compared to the illiterate and the very poor. The economic condition of all the working families, however, is found to be more or less similar because they are landless and depend upon their daily earnings. Thus in this chapter socio-economic condition of the working families is analysed in order to learn about the situation of children in the families.

3.1 Distribution of Population by Age and Sex

The survey covered 509 working families. The total population in these working families is recorded at 2828. Among them, 49.3 per cent are males and 50.7 per cent are females. Thus the sex ratio in these working families is 97.1, which is slightly lower than the national average (99.5). The population census 1991 recorded the higher sex ratio of Ilam and Jhapa as being 101.4 and 102.1 respectively. The average family size of working families is found to be 5.6 which is more than in Ilam and Jhapa, but equal to the national average.

Table 3.1 Population Distribution by Age and Sex in the working Families

Age Group	Male	Female	Both Sex
0 - 4	14.4(201)	13.9(199)	14.1(400)
5 - 9	13.4(187)	13.7(197)	13.6(384)
10 - 14	12.8(179)	13.6(195)	13.2(374)
15 - 18	7.3(102)	9.8(141)	8.6(243)
19 - 59	47.5(662)	46.6(669)	47.1(1331)
60 and over	4.5(62)	2.4(34)	3.4(96)
All ages	100.0(1393)	100.0(1435)	100.0(2828)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of people in the working families.

Source: Field Survey, 1996

The above table shows that 40.9 per cent are under 15 years. Only 3.4 per cent belong to the old age category (60 years and above) and the remaining 55.7 per cent belong to the age group 15-59 (productive age group). In the working families the proportion of children under 15 years as well as the proportion of the aged (60 years and above) is lower than the national average. Consequently the proportion of productive population is more than the national average. The proportion of males is found comparatively high at the older age groups. It is due to high maternal mortality because of the practice of early marriage and lack of health facilities in these working families.

3.2 Caste/Ethnic Groups

Nepal be boasts of diverse caste/ethnic groups. A large proportion of the workers in the tea estates in out of the total population of working families, is Santhal - the aboriginal tribe of Jhapa (18.9 per cent, in total, 19.4 per cent male and 18.5 per

cent female) followed by Brahmin (16.9%), Chhetri and Thakuri (13.5%). The proportion of occupational caste such as Damain, Kami, etc. is also significant. Rajbansi and Dhimal account for 5.4 per cent of the total population and Muslims, only one per cent (Table 3.2). In the total labour force, the proportion of hill-origin groups is high compared to the Terai and mountain ethnic groups.

Table 3.2 Population Distribution by Sex and Caste/Ethnicity

Caste/Ethnicity	Male	Female	Both Sex
Brahmin	15.6(218)	18.1(260)	16.9(478)
Chhetri, Thakuri	13.5(188)	13.6(195)	13.5(383)
Newar, Limbu, Rai, Tamang, Gurung, Magar, sherpa	23.3(325)	21.6(310)	22.5(635)
Damain, Kami, Sharki	12.6(175)	11.7(168)	12.1(343)
Danuwar, Sunuwar, Majhi	1.1(16)	0.6(9)	0.9(25)
Santhal	19.4(270)	18.5(265)	18.9(535)
Yadav, Ahir, Kumhar, Kurmi, Baniya, Halwai, Mushar, Bengali	1.9(27)	2.0(29)	2.0(56)
Rajbansi, Dhimal	4.5(63)	6.2(89)	5.4(152)
Muslim	1.1(15)	1.0(14)	1.0(29)
Others	6.9(96)	6.7(96)	6.8(192)
Total	100.0(1393)	100.0(1435)	100.0(2828)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families.
 Source: Field Survey, 1996*

3.3 Religion

More than 90 per cent of the population in the tea estates are Hindus, which is more than the national figure (86.5 % in 1991 census), whereas the percentage of Buddhists is below the national figure (7.8 %). 3.6 per cent of the population say that they are at present following Christianity though they are not Christians by birth (See Table 3.3). Generally Hindus and Buddhists have been converted to Christianity due to poverty, because Christian organisations are said to provide economic as well as social benefits to those who follow the religion.

Table 3.3 Population Distribution by Religion and Sex

Religion	Male	Female	Both Sexes
Hindu	89.8(1251)	90.3(1296)	90.1(2547)
Buddhist	4.0(56)	3.9(56)	4.0(112)
Islam	1.3(18)	1.1(16)	1.2(34)
Christian	3.6(50)	3.6(51)	3.6(101)
Others	1.3(18)	1.1(16)	1.2(34)
Total	100.0(1393)	100.0(1435)	100.0(2828)

*Note: The total percentage may not add up 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families.
 Source: Field Survey, 1996*

3.4 Literacy Status

The data on literacy were obtained from the population of 5 years and above. Out of the total population, the literate and the illiterate are found at about 50 per cent each. Male literacy is high (61.5 per cent) whereas female literacy is only 39.1 per cent (Table 3.4).

Table 3.4 Distribution of Population (5 years and above) by Literacy Status and Sex

Literacy Status	Male	Female	Both Sexes
Literate	61.5(733)	39.1(483)	50.1(1216)
Illiterate	38.5(459)	60.9(753)	49.9(1212)
Total	100.0(1192)	100.0(1236)	100.0(2428)

*Note: The total percentage may not add up to 100.0 due to rounding up.
Figures in parenthesis indicate number of people in the working families.
Source: Field Survey, 1996*

Looking at the literacy status by caste/ethnicity, Brahmin, Chhetri and Thakuri are more literate than other caste/ethnic groups (Table 3.5). On the other hand, hill origin groups are more literate than the Terai origin groups.

Table 3.5 Distribution of Population (5 years and above) by Literacy Status and Caste/Ethnicity

Caste/Ethnicity	Literate	Illiterate	Total
Brahmin	66.2(270)	33.8(138)	100.0(408)
Chhetri, Thakuri	63.4(210)	36.6(121)	100.0(331)
Newar, Limbu, Rai, Tamang, Gurung, Magar, Sherpa	61.0(333)	39.0(213)	100.0(546)
Damain, Kami, Sharki	53.5(160)	46.5(139)	100.0(299)
Danuwar, Sunuwar, Majhi	33.3(7)	66.7(14)	100.0(21)
Santhal	21.9(99)	78.1(353)	100.0(452)
Yadav, Ahir, Kumhar, Kurmi, Baniya, Halwai, Mushar, Bengali	15.7(8)	84.3(43)	100.0(51)
Rajbansi, Dhimal	32.3(41)	67.7(86)	100.0(127)
Muslim	36.0(9)	64.0(16)	100.0(25)
Others	47.0(79)	53.0(89)	100.0(168)
Total	50.1(1216)	49.9(1212)	100.0(2428)

*Note: The total percentage may not add up to 100.0 due to rounding up.
Figures in parenthesis indicate number of people in the working families.
Source: Field Survey, 1996*

Out of the literate population, 19.2 percent have never been to school but have been educated to some extent at home. Owing to their upper caste family traditions 58.1 per cent have completed primary school; 21.3 per cent have completed secondary school and only 1.4 per cent have passed S.L.C. and above. It is interesting that no single female was found in the surveyed working families who had passed S.L.C. and above (Table 3.6). This shows the discrimination between males and females with respect to education.

Table 3.6 Educational Attainment of the Literate Population by Sex

Educational Attainment	Male	Female	Both Sex
No schooling (00 class)	18.8(138)	19.7(95)	19.2(233)
Primary (1-5 class)	55.1(404)	62.7(303)	58.1(707)
Secondary (6-10 class)	23.7(174)	17.6(85)	21.3(259)
SLC and over	2.3(17)	-	1.4(17)
Total	100.0(733)	100.0(483)	100.0(1216)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families.
 Source: Field Survey, 1996*

3.5 School Going Status of Children

Among the total 758 children aged 5-14 years, 57.4 per cent went to school at the time of survey (61.7 per cent boys and 53.3 per cent girls). The proportion of school going girls declines as the age increases (Table 3.7). It is to be noted that it declines either because of early marriage or due to greater engagement in household work. The proportion of school going children is found high (68.8 per cent) in the public tea estates compared to the private tea estates (47.3 per cent), mainly due to the lack of proper schooling facilities there. In both public and private tea estates the proportion of school going boys is higher than the girls (Table 3.7), reflecting discrimination in terms of gender.

Table 3.7 Distribution of Children (5-14 years) by School Going Status, Age, Sex and Status of Tea Estates

Age Group	Male		Female		Both Sex	
	School going	Not going	School going	Not going	School going	Not going
5 - 9	58.8(110)	41.2 (77)	53.8(106)	46.2(91)	56.3(216)	43.7(168)
10 - 14	64.8(116)	35.2 (63)	52.8(103)	47.2(92)	58.6(219)	41.4(155)
Total	61.7(226)	38.3 (140)	53.3(209)	46.7(183)	57.4(435)	42.6(323)
Status of Tea Estate						
Public	73.3(118)	26.7(43)	65.1(127)	34.9(68)	68.8(245)	31.2(111)
Private	52.7(108)	47.3(97)	41.6(82)	58.4(115)	47.3(190)	52.7(212)
Total	61.7(226)	38.3(140)	53.3(209)	46.7(183)	57.4(435)	42.6(323)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families.
 Source: Field Survey, 1996*

3.6 Causes of not Attending School

While ascertaining the causes of not attending school, it is vitally important to note whether there are schools within the access of the target groups. The observation during the survey shows that there are schools located within the boundary of 7 tea-estates, and close to 6 tea-estates. Schools are within an hour's walk from rest of the tea estates. Thus, primary school is accessible to tea plantation working families both in Ilam and in Jhapa. Unfortunately, 42.6 per cent of the children in the working families do not go to school. Among them about 62 per cent do not go to school because their parents are unable to afford school expenses such as stationeries, school fees, school uniform, etc. The parents of 1.5 per cent children

considered schooling for their children as unnecessary (Table 3.8). They preferred to have their children work in the same tea estate with them.

Table 3.8 Distribution of Children (5-14) Not Going to School by Main Causes and Sex

Causes	Male	Female	Both Sex
Not willing to go	2.9(4)	6.6(12)	5.0(16)
Can't afford school expenses	65.0(91)	59.6(109)	61.9(200)
To help household works	11.4(16)	10.4(19)	10.8(35)
To earn a living	1.4(2)	4.4(8)	3.1(10)
Schooling considered unnecessary by parents	2.9(4)	0.5(1)	1.5(5)
Others	16.4(23)	18.6(34)	17.6(57)
Total	100.0(140)	100.0(183)	100.0(323)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families
 Source: Field Survey, 1996*

3.7 Marital Status

The marital status distribution of the population aged 10 years and above in the surveyed working families shows that 60.8 per cent are married and 36.9 per cent are unmarried and 2.4 per cent are widows/separated/ divorced (Table 3.9).

Table 3.9 Distribution of Population 10 Years and Above by Marital Status

Marital Status	Male	Female	Both Sex
Unmarried	38.3(385)	35.5(369)	36.9(754)
Married	60.6(609)	60.9(633)	60.8(1242)
Widow	1.0(10)	3.1(32)	2.1(42)
Separated	0.1(1)	0.3(3)	0.2(4)
Divorced	0.0(0)	0.2(2)	0.1(2)
Total	49.2(1005)	50.8(1039)	100.0(2044)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families.
 Source: Field Survey, 1996*

3.8 Place of Birth

The working families were also divided into different groups from the point of view of their place of birth. 66 per cent of the population in the working families were born in the same VDC/municipality where they are presently working, 14.1 per cent were born in the same District but in another VDC and 6.6 per cent were born in another country (most of them in India) (Table 3.10). However, most of the native workers too have been facing problems in acquiring citizenship certificates. This is a major cause for their frustration.

Table 3.10 Distribution of Population by their Place of Birth and Sex

Place of Birth	Male	Female	Both Sex
Same VDC/Municipality	65.8(916)	66.3(951)	66.0(1867)
Same District next VDC/Municipality	13.4(186)	14.9(214)	14.1(400)
Other District	14.2(198)	12.2(175)	13.2(373)
Other Country	6.7(93)	6.6(95)	6.6(188)
Total	49.3(1393)	50.7(1435)	100.0(2828)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families.
 Source: Field Survey, 1996*

3.9 Occupation

The survey recorded the occupation data from the working families by age and sex. In total 46.7 per cent of the population in the age group of 5 years and above are engaged as workers in the tea estates; 21.5 per cent are working as unpaid family workers, and 30.3 per cent are unemployed. The proportion of idlers is more among the children in 15-18 years age group. In the 5-14 age group, 3 per cent (3.6 per cent male and 2.6 per cent female) are working as tea workers, 34.7 per cent as unpaid family workers and 62.2 per cent are not involved in any work (Table 3.11). Some of them go to school and some idle away their time.

Table 3.11 Distribution of Population 5 Years and Above by their Occupation, Age and Sex

Occupation	5 - 14 Years			15 - 18 Years			19 Years and Above			Total		
	Male	Female	Both Sex	Male	Female	Both Sex	Male	Female	Both Sex	Male	Female	Both Sex
Tea Worker	3.6 (13)	2.6 (10)	3.0 (23)	22.5 (23)	36.9 (52)	30.9 (75)	71.1 (515)	74.3 (522)	72.7 (1037)	46.2 (551)	47.2 (584)	46.7 (1135)
Agriculture	-	0.3 (1)	0.1 (1)	1.0 (1)	2.8 (4)	2.1 (5)	2.8 (20)	1.3 (9)	2.0 (29)	1.8 (21)	1.1 (14)	1.4 (35)
Unpaid Family Worker	36.9 (135)	32.7 (128)	34.7 (263)	29.4 (30)	29.8 (42)	29.6 (72)	11.9 (86)	14.2 (100)	13.0 (186)	21.1 (251)	21.8 (270)	21.5 (521)
No work	59.5 (218)	64.5 (253)	62.2 (471)	47.0 (48)	30.5 (43)	37.4 (91)	14.2 (100)	10.3 (72)	12.3 (175)	31.0 (369)	29.8 (368)	30.3 (737)
Total	48.3 (366)	51.7 (392)	100.0 (758)	42.0 (102)	58.0 (141)	100.0 (243)	50.7 (724)	49.3 (703)	100.0 (1427)	49.1 (1192)	50.9 (1236)	100.0 (2428)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families.
 Source: Field Survey, 1996*

Out of the total population 1.7 per cent (i.e. 47) live outside of their homes. Among them, 19.1 per cent are studying, 25.5 per cent are employed, 48.9 per cent are in search of jobs and the rest 6.4 per cent live outside their homes for other reasons (Table 3.12).

Table 3.12 Distribution of Population Residing Outside Home for Different Purposes by Age, Sex and Causes Being Outside

Age and Sex		Causes				Total
		Study	Employment	Seeking Job	Others	
Below 15 Years	Male	-	(5)	(1)	-	(6)
	Female	(1)	(1)	-	-	(2)
	Both Sex	(1)	(6)	(1)	-	(8)
15 years and over	Male	(7)	(5)	(22)	(3)	(37)
	Females	(1)	(1)	-	-	(2)
	Both Sex	(8)	(6)	(22)	(3)	(39)
Total	Male	16.3(7)	23.3(10)	53.5(23)	7.0(3)	100.0(43)
	Female	50.0(2)	50.0(2)	-	-	100.0(4)
	Both Sex	19.1(9)	25.5(12)	48.9(23)	6.4(3)	100.0(47)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of people in the working families.
 Source: Field Survey, 1996*

CHAPTER IV

Status of Adult Labour

The total labour force working in the tea estates is classified into two groups (a) Adult Labour (aged 15 years and above) and (b) Child Labour (aged 5 to 14 years). In this chapter various socio-economic and demographic aspects of adult labour is discussed. This chapter tries to measure the level of awareness of adult workers regarding their children.

4.1 Distribution of Labour by Status of Tea Estate

In the present survey of tea estates, 971 workers have been interviewed. Among them 46.3 per cent are males and 53.7 per cent are females. Of the total workers, 46.1 per cent were interviewed from public tea estates and the rest 53.9 per cent from private tea estates. The percentage of female workers compared to male is higher in private estates than in the public estates (Table 4.1).

Table 4.1 *Distribution of Adult Labour by Status of Tea Estate and Sex*

Status of Tea Estate	Male	Female	Both Sex
Government	46.9(211)	45.5(237)	46.1(448)
Private	53.1(239)	54.5(284)	53.9(523)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of workers.

Source: Field Survey, 1996

4.2 Caste/Ethnicity by Sex

Among the total workers interviewed, the Santhals occupy the highest percentage (21.5 - 20.4% male and 22.5% female) followed by Brahmin (16.5 %), Chhetri and Thakuri (13.3 %). The share of Rajbansi and Dhimal in the total population of working families is 5.4 per cent whereas the share of these groups in the labour force is found at only 4.0 per cent (Table 4.2).

Table 4.2 *Distribution of Adult Labour by Caste/Ethnicity and Sex*

Caste/Ethnicity	Male	Female	Both Sex
Brahmin	16.9(76)	16.1(84)	16.5(160)
Chhetri, Thakuri	14.2(64)	12.5(65)	13.3(129)
Newar, Limbu, Rai, Gurung, Tamang, Magar, Sherpa	20.9(94)	19.8(103)	20.3(197)
Damain, Kami, Sharki	12.2(55)	14.0(73)	13.2(128)
Danuwar, Sunuwar, Majhi	1.1(5)	0.8(4)	0.9(9)
Santhal	20.4(92)	22.5(117)	21.5(209)
Yadav, Ahir, Kumhar, Kurmi, Baniya, Haluwai, Mushar, Bengali	2.4(11)	2.5(13)	2.5(24)
Muslim	0.7(3)	0.8(4)	0.7(7)
Rajbansi, Dhimal	3.3(15)	4.6(24)	4.0(39)
Others	7.8(35)	6.5(34)	7.1(69)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.3 Age and Sex

The labour force working in the tea estates is classified according to various age groups. The highest proportion of workers, both male and female, belong to the age group 25-34 (34.6 % in total, 32.2 % male and 36.7 % female). Up to the age of 34 the proportion of female workers is high compared to male workers and the situation reverses after the age of 34 (Table 4.3). The proportion of workers (both male and female) increases with age up to the age group 25-34 and starts to decline after that.

Table 4.3 Distribution of Sampled Adult Labour by Age and Sex

Age Group	Male	Female	Both Sex	Sex Ratio
15 - 18	3.1(14)	6.9(36)	5.1(50)	38.9
19 - 24	18.7(84)	24.8(129)	21.9(213)	65.1
25 - 34	32.2(145)	36.7(191)	34.6(336)	75.9
35 - 44	26.4(119)	20.0(104)	23.0(223)	114.4
45 - 59	15.1(68)	10.2(53)	12.5(121)	128.3
60 and over	4.4(20)	1.5(8)	2.9(28)	250.0
All Ages	100.0(450)	100.0(521)	100.0(971)	86.4

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

The sex ratio of workers is found at 86.4 which is less than the sex ratio of working families (97.1). The sex ratio is only 38.9 in the age group 15-18. It starts to increase as age advances. The sex ratio among the people aged 60 years and above is extremely high (250.0) which has never been experienced in any census and survey (Table 4.3). It is to be noted that females are employed because of their plucking efficiency, but the efficiency declines as age advances. As a result the sex ratio has gone up with advancing age.

4.4 Types of Work

There are various types of work such as plucking, digging/ploughing, weeding, watering, nursery work, plantation, cutting etc. Workers are usually involved in all types of work in rotation as prescribed by the owner or the management. They have no specialisation in any work. Only three women workers were not working during the one week prior to the survey. They were on maternity leave. In total 28.9 per cent were involved in plucking and 27.8 per cent in plant cutting. The percentage of workers involved indirectly in tea production such as watchman, supervisor, driver, mechanic, maid etc. is at 13.5. Among the male workers, the highest percentage i.e. 26.9 is involved in plant-cutting followed by watchman 17.1 and plucking 15.8. On the other hand, among the females, 40.3 per cent are involved in plucking, 28.6 per cent in plant cutting and 13.1 per cent in weeding and 1.3% as maid. The percentage of female workers involved in factory work and as Naik or supervisor is very low compared to the male workers (Table 4.4).

Table 4.4 Distribution of Adult Labour by Types of Work (Last week) and Sex

Types of Work	Male	Female	Both Sex
No work	-	0.6(3)	0.3(3)
Leaf Plucking	15.8(71)	40.3(210)	28.9(281)
Digging/Ploughing	7.6(34)	5.6(29)	6.5(63)
Watering	3.8(17)	1.3(7)	2.5(24)
Weeding	3.8(17)	13.1(68)	8.8(85)
Nursery work and Planting	4.7(21)	5.7(30)	4.2(51)
Spraying Medicine	2.2(10)	0.6(3)	1.3(13)
Plant cutting	26.9(121)	28.6(149)	27.8(270)
Factory works	5.1(23)	0.6(3)	2.7(26)
Watchman	17.1(77)	1.2(6)	8.5(83)
Naike/supervisor	4.9(22)	0.2(1)	2.4(23)
Driver/Mechanics	4.0(18)	-	1.9(18)
Maid	-	1.3(7)	0.7(7)
Others	4.2(19)	1.0(5)	2.5(24)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.5 Status of Education

The literacy rate of the tea workers is found to be lower than the national figure both for male (54.5) and female (25.0) (Table 4.5)

Table 4.5 Distribution of Adult Labour by Literacy Status and Sex

Literacy Status	Male	Female	Both Sex
Literate	50.7(228)	21.9(114)	35.2(342)
Illiterate	49.3(222)	78.1(407)	64.8(629)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Looking at literacy by caste/ethnicity, literate Brahmins are 54.4 per cent. Among the Brahmins, 71.1 per cent males and 39.2 per cent females are literate. This rate is high both for male and female compared to other castes/ethnic groups. The literacy rate of Santhals who occupy the highest proportion in the total labour force of the tea estates is very low (13.4 per cent in total). Among the Santhals 21.7 per cent males are literate whereas only 6.8 per cent female are literate. The lowest literacy rate found was among the Yadav, Ahir, Kumhar, Kurmi, Baniya, Halwai, Mushar and Bengali groups (only 4.2 per cent). There is no single literate female in these groups and the Muslim group (Table 4.6).

Literate workers are further divided according to their educational attainment. Among the total literate workers, 32.2 per cent have never been to school, 44.4 per cent have completed primary education, 22.2 per cent have completed secondary

education, and only 1.2 per cent workers have passed the S.L.C. examinations and above. It is interesting that no single female worker has passed S.L.C. examination mainly due to early marriage, and gender discrimination in terms of education is apparent in all the above groups (Table 4.7). Therefore, due to this low level of literacy tea workers cannot get better jobs.

Table 4.6 Distribution of Adult Labour by Literacy Status and Ethnicity

Caste/Ethnicity	Literate			Illiterate		
	Male	Female	Both Sex	Male	Female	Both Sex
Brahmin	71.1(54)	39.2(33)	54.4(87)	28.9(22)	60.7(51)	45.6(73)
Chhetri, Thakuri	68.8(44)	30.8(20)	49.6(64)	31.2(20)	69.2(45)	50.4(65)
Newar, Rai, Limbu, Magar, Gurung, Tamang, Sherpa	58.5(55)	28.2(29)	42.6(84)	41.5(39)	71.8(74)	57.4(113)
Damain, Kami, Sharki	52.7(29)	17.8(13)	32.8(42)	47.3(26)	82.2(60)	67.2(86)
Santhal	21.7(20)	6.8(8)	13.4(28)	78.3(72)	93.2(109)	86.6(181)
Yadav, Ahir, Kumhar, Kurmi, Baniya, Halwai, Mushar, Bengali	9.1(1)	-	4.2(1)	90.9(10)	100(13)	95.8(23)
Muslim	66.7(2)	-	28.6(2)	33.3(1)	100(4)	71.4(5)
Rajbansi, Dhimal	40.0(6)	20.8(5)	28.2(11)	60.0(9)	79.2(19)	71.8(28)
Others	42.5(17)	15.8(6)	29.5(23)	57.5(23)	84.2(32)	70.5(55)
Total	50.7(228)	21.9(114)	35.2(342)	49.3(222)	78.1(407)	64.8(629)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Table 4.7 Distribution of Adult Labour by their Educational Attainment and Sex

Educational Attainment	Male	Female	Both Sex
No Schooling	31.1(71)	34.2(39)	32.2(110)
Primary (1-5)	43.4(99)	46.5(53)	44.4(152)
Secondary (6-10)	23.7(54)	19.3(22)	22.2(76)
SLC and over	1.8(4)	-	1.2(4)
Total	100.0(228)	100.0(114)	100.0(342)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.6 Duration of Employment

The large proportion of workers (47%) working in the tea estates have been working since the last 10 years or more. Of them 37.4 per cent have completed 4 years but have not completed 10 years of service. Only 6.5 per cent workers have not yet gained one year's experience (Table 4.8).

Table 4.8 Distribution of Adult Labour by their Duration of Employment and Sex in Tea Estate

Duration	Male	Female	Both Sex
Below 1 year	5.3(24)	7.5(39)	6.5(63)
1 - 4 years	8.4(38)	9.8(51)	9.2(89)
5 - 9 years	35.6(160)	39.0(203)	37.4(363)
10 years and above	50.7(228)	43.8(228)	47.0(456)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.7 Place of Birth

58.4% of the adult workers were born outside the VDC/municipality where they are working at present. The percentage of males born outside the VDC where they are working is higher than that of females. Of the workers 12.2 per cent were born in other countries (mostly in India). Among them, 11.3 per cent males and 12.9 per cent females working in the tea estates were born outside the country (Table 4.9). At present, a number of workers born outside Nepal, are facing citizenship problems though they are Nepalese and working in Nepal. Likewise, even those born in Nepal are also facing the problem of citizenship.

Table 4.9 Distribution of Adult Labour by their Place of Birth and Sex

Place of Birth	Male	Female	Both Sex
Same VDC	40.7(183)	42.4(221)	41.6(404)
Same District but next VDC	21.8(98)	24.4(127)	23.2(225)
Other District	26.2(118)	20.3(106)	23.1(224)
Other Country	11.3(51)	12.9(67)	12.2(118)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.8 Job Sources

66.4 per cent males and 43.8 per cent females among the corresponding groups had found jobs in tea estates themselves. 24.2 per cent males and 46.4 per cent females had been assisted by their parents or guardians in finding the present job and the rest by friends and relatives. There is a remarkable difference in the male - female dependency ratio in terms of acquiring jobs.(Table 4.10).

Table 4.10 Distribution of Workers by Persons who helped them to get the Job

Helpers	Male	Female	Both Sex
Self	66.4(299)	43.8(228)	54.3(527)
Parents/Guardians	24.2(109)	46.4(242)	36.1(351)
Relatives	3.6(16)	4.6(24)	4.1(40)

Friends	4.0(18)	3.5(18)	3.7(36)
Others	1.8(8)	1.7(9)	1.8(17)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.9 Employment Status Before Joining Tea Estates

About 75 per cent have directly joined the present job (68.9 per cent males and 80.2 per cent females) and the remaining 25 per cent have shifted from other jobs like farming, domestic work and others. Most of those who have changed their jobs had been involved in agriculture. See Table 4.11

Table 4.11 **Distribution of Worker by Type of Work Before Joining Tea Estate**

Type of Work	Male	Female	Both Sex
Labour outside tea estate	6.9(31)	3.3(17)	4.9(48)
Agriculture (self and others)	21.3(96)	14.2(74)	17.5(170)
Domestic worker	1.3(6)	1.9(10)	1.6(16)
Others	1.6(7)	0.4(2)	0.9(9)
No work	68.9(310)	80.2(418)	74.9(728)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.10 Reasons for Being Attracted to the Tea Estates

To analyse the reasons behind the workers' being attracted to the tea estates, the workers were mainly divided into two groups (a) those working in the public tea estates and (b) those working in the private tea estates. They were further classified into male and female, as the reason for being attracted could vary in each estate and especially in these two categories of tea estates.

Out of the total labour force 26.6 per cent (16.6 per cent males and 35.4 per cent females) from the public tea estates and 29.1 per cent (18.4 per cent males and 38.0 per cent females) from the private estates have reported that they were put to their present job by their parents/guardians. Further 26.1 per cent from the public estates and 24.5 per cent from the private estates have reported that they were engaged in this job because it had been easily available. It is interesting to note that 12.1 per cent workers from the public estates and 21.8 per cent from the private estates reported that they had joined the present job because they found it more secure compared to other jobs, though a government job may be more so than private jobs. A few workers (1.6 per cent of the total workers) had sold their land to the tea estate they were working in. (Table 4.12). The survey team encountered two workers in Gorkha tea estate of Ilam who, in spite of their viable financial conditions had sold their land to the estate and joined the plantation work force.

Table 4.12 Causes of Attraction for the Worker to Present Job by Status of Tea Estate

Causes	Public			Private		
	Male	Female	Both Sex	Male	Female	Both Sex
Easily Available	30.3(64)	22.4(53)	26.1(117)	23.8(57)	25.0(71)	24.5(128)
Nearness	8.5(18)	8.9(21)	8.7(39)	10.5(25)	9.9(28)	10.1(53)
High wage rate	6.6(14)	7.2(17)	6.9(31)	5.0(12)	3.5(10)	4.2(22)
Safe Job	12.8(27)	11.4(27)	12.1(54)	27.6(66)	16.9(48)	21.8(114)
Matching to qualification	5.7(12)	3.4(8)	4.5(20)	0.8(2)	0.4(1)	0.6(3)
Prestigious job	2.8(6)	-	1.3(6)	0.8(2)	0.4(1)	0.6(3)
Interesting job	1.4(3)	1.7(4)	1.6(7)	-	-	-
Friends and Relatives working here	7.1(15)	5.5(13)	6.3(28)	0.8(2)	1.8(5)	1.3(7)
Guardian kept here	16.6(35)	35.4(84)	26.6(119)	18.4(44)	38.0(108)	29.1(152)
Own land sold to tea estate	1.9(4)	0.4(1)	1.1(5)	2.1(5)	2.1(6)	2.1(11)
For livelihood	6.1(13)	3.8(9)	4.9(22)	10.0(24)	2.1(6)	5.7(30)
Total	100.0(211)	100.0(237)	100.0(448)	100.0(239)	100.0(284)	100.0(523)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.11 Terms and Conditions of Work

In the tea estates, there are mainly four types of workers (a) monthly salary earners, (b) regular daily wage earners, (c) contract workers, and (d) seasonal workers. Among them 90.4 per cent (95.5 per cent in public estates and 86.0 per cent in private estates) are working as regular daily wage earners. These workers are classified as permanent daily wage earners. They do not get weekly days off. The percentage of male daily wage earners in the private estates is very low compared to the females working in the same types of estates and the percentage of both males and females working in the government estates. On the other hand, the percentage of regular monthly salary earners is high among them. No contract workers were found in the public estates whereas in the private estates they constitute 1.9 per cent of workers (Table 4.13).

Table 4.13 Terms and Conditions of Work by Status of Tea Estate and Sex

Terms and Conditions	Public			Private		
	Male	Female	Both Sex	Male	Female	Both Sex
Regular Monthly Salary	4.7(10)	1.7(4)	3.1(14)	13.0(31)	1.4(4)	6.7(35)
Regular Daily wage	94.8(200)	96.2(228)	95.5(428)	79.5(190)	91.5(260)	86.0(450)
Wage when there is work	0.5(1)	2.1(5)	1.3(6)	6.3(15)	4.6(13)	5.4(28)
Wage on the basis of work	-	-	-	1.3(3)	2.5(7)	1.9(10)
Total	100(211)	100(237)	100(448)	100(239)	100(284)	100(523)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.12 Wage and Salary

Fourteen workers (10 male and 4 female) in the public estates and 35 workers (31 male and 4 female) in the private estates are on monthly salary. In the government

estates 50 per cent male workers (37 per cent in the total workers) get more than Rs.1,500 each month, 20 per cent get Rs. 1,000 per month. No single woman gets more than Rs. 1,500 in the public estates or more than Rs.1,000 in the private estates. In the private estates only 2.9 per cent workers get more than Rs.1,500 per month and 71 per cent get 1000 to 1500 per month (Table 4.14). This shows the discrimination in salary among public and private estates and also a marked gender discrimination in wages in both categories of tea estates.

Table 4.14 Monthly Salary of the Workers by Status of Tea Estate and Sex

Salary in Rs.	Public			Private		
	Male	Female	Both Sex	Male	Female	Both Sex
Upto 1,000	20.0(2)	75.0(3)	35.7(5)	25.8(8)	100(4)	34.3(12)
1,001 to 1,500	30.0(3)	25.0(1)	28.6(4)	71.0(22)	-	62.9(22)
More than 1,500	50.0(5)	-	35.7(5)	3.2(1)	-	2.9(1)
Total	100(10)	100(4)	100(14)	100(31)	100(4)	100(35)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Similarly daily wage rates also differ in each tea estate. There is a vast difference in the daily wage rates in the private estates. In the public estates also there is discrimination in wage rates. It was found that 24.7 per cent of the workers in the public and 27.9 per cent in the private estates get less than Rs. 36 per day whereas 64.3 per cent workers in the public and 71.5 per cent in the private estates have reported that they get Rs.36 - 40 per day. Likewise, 21.9 per cent males and 1.7 per cent females in the public estates and 1 per cent males and 0.4 per cent females in the private estates get more than Rs.40 per day (Table 4.15). Mostly drivers, mechanics, Naik/supervisors, and watchmen get more than Rs.40 as their daily wages, but this rate also includes Rs.6 as Dearness Allowance (D.A).

Table 4.15 Daily Wage Rate of the Workers by Status of Tea Estate and Sex

Daily Wage Rate (in Rs.)	Public			Private			Total		
	Male	Female	Both Sex	Male	Female	Both Sex	Male	Female	Both Sex
21 to 35	19.4 (39)	29.2 (68)	24.7 (107)	26.9 (56)	28.6 (80)	27.9 (136)	23.2 (95)	28.8 (148)	26.4 (243)
36 to 40	58.7 (118)	69.1 (161)	64.3 (279)	72.1 (150)	71.1 (199)	71.5 (349)	65.5 (268)	70.2 (360)	68.1 (628)
41 and above	21.9 (44)	1.7 (4)	11.0 (48)	1.0 (2)	0.36 (1)	0.6 (3)	11.2 (46)	1.0 (5)	5.5 (51)
Total	100.0 (201)	100.0 (233)	100.0 (434)	100.0 (208)	100.0 (280)	100.0 (488)	100.0 (409)	100.0 (513)	100.0 (922)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Regarding the payment for overtime work 86.2 per cent (85.5 per cent in the public and 86.8 per cent in the private estates) have reported that they get an amount equal to the usual rate for the overtime work. Only 0.4 per cent (i.e. 4 workers) reported that they get double the usual rate for overtime work (Table 4.16). Normally those who are involved in spraying insecticides get double the usual rate not only for overtime but also as the regular daily wage rate due to the high risk

involved in it. Of the workers 3.8 per cent said that they had never been involved in overtime work, whereas 1.8 per cent reported that their involvement in over time work had no remuneration and they could not make claims for fear of losing their job.

Table 4.16 Mode of Payment for Overtime work by Status of Tea Estate

Mode of Payment	Public	Private	Total
No overtime work	2.5(11)	5.0(26)	3.8(37)
No Payment for Overtime work	1.8(8)	1.7(9)	1.8(17)
Equal to usual rate	85.5(383)	86.8(454)	86.2(837)
One and half to usual rate	-	0.4(2)	0.2(2)
Double to usual rate	0.4(2)	0.4(2)	0.4(4)
Less than usual rate	9.8(44)	5.7(3)	7.6(74)
Total	100.0(448)	100.0(523)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.13 Other Facilities provided by the Management

Besides wage/salary, the management provides other facilities to their permanent workers, such as residence, medicine, annual leave, provident fund etc. From the information collected so far, it is found that 82.1 per cent workers (87.7 per cent in the public and 78.6 per cent in the private estates) have been given residence facilities by the management. Similarly there is a provision for payment of Rs. 200 per worker per year as medical allowance, but still only 44.2 per cent of the public and 22.9 per cent of the private estate workers are benefiting from it at present. Altogether 67.3 per cent workers are deprived of medical facilities (Table 4.17).

Table 4.17 Facilities Provided by the Management to the Workers by Status of Tea Estate

Facilities and Status of Tea Estate	Total Workers			Benefited Workers (in %)		
	Male	Female	Total	Male	Female	Total
Residence:						
Public	211	237	448	86.7	88.6	87.7
Private	239	284	523	78.7	78.5	78.6
Total	450	521	971	82.4	83.1	82.1
Medicine:						
Public	211	237	448	42.7	45.6	44.2
Private	239	284	523	23.4	22.5	22.9
Total	450	521	971	32.4	33.0	32.7

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Besides housing and medical facilities, the permanent workers are given leave facilities, provident fund and bonus. In general, both in the public and private estates, workers can get the following leave facilities.

<u>Types of Leave</u>	<u>No. of days/year</u>
a. Home Leave	12
b. Sick Leave	7.5
c. Dashain	5
d. Tihar (Dipawali)	3
e. Casual Leave	5
f. Maternity Leave (for women)	45
g. Funeral Leave (only for men)	15

In some tea estates maternity leave is provided only two times during the women workers' service period and in other tea estates each time they have children.

In all the public tea estates and large private tea estates they have the provision of provident fund only for permanent workers. The management deducts 5 per cent of their wage every week at the time of payment. In most of the estates, it is alleged that the fund is used by the management themselves by depositing the money in their personal account. Most of the workers are not aware about their provident fund and those who are aware of it can not speak up for fear of displeasing the management.

Permanent workers are eligible for bonus every year. Public estates provide bonus as Dashain expenses equivalent to 18 days' wage/salary. But there is no uniform rule in the private tea estates. They provide an amount equivalent to 4-12 days' wage/salary as Dashain expenses.

Besides these facilities, some estates, especially the public estates, provide volleyballs and footballs for entertainment.

4.14 Child Care Centres

Child Care Centres are essential in all tea estates to take care of the small children of the workers during the day when they have to go to work. In most of the tea estates, there are Child Care Centres, but the quality of these Centres is not satisfactory. Of the total labour force, 72.5 per cent respondents (83.9 per cent in the public and 62.7 per cent in the private estates) said that there was a Child Care Centre at their place of work.

Among those who confirmed the existence of Child Care Centres in their respective tea estates, 57.5 per cent (62.2 from public and 52.1 from private estates) said that the condition of the Centre was bad. Of the respondents 37.2 per cent (33.8 from public and 41.2 from private estates) reported it to be tolerable. Only 0.7 per cent (1.1 from public and 0.3 from private estates) of the respondents were satisfied with the existing conditions (Table 4.18)

From the observation during the survey, it was found that the Child Care Centres lack even the basic necessities. The female workers can be found working with their babies tied on their back.

Table 4.18 Availability and Condition of Child Care Centre by Status of Tea Estate

Child Care Centre	Public	Private	Total
Availability:			
Yes	83.9(376)	62.7(328)	72.5(704)
No	16.1(72)	37.3(195)	27.5(267)
Total	100.0(448)	100.0(523)	100.0(971)
Condition:			
Good	1.1(4)	0.3(1)	0.7(5)
Satisfactory	2.9(11)	6.4(21)	4.5(32)
Average	33.8(127)	41.2(135)	37.2(262)
Bad	62.2(234)	52.1(171)	57.5(405)
Total	100.0(376)	100.0(328)	100.0(704)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.15 Labour-Management Relation

Labour-management relation is an important factor in terms of increasing production and improving the quality of products in each establishment. A total of 86.4 per cent workers from the public estates and 65.2 per cent from the private estates have reported that the labour-management relation is normal. From the public estates only one worker said that the relation was excellent, 1.6 per cent said it was satisfactory, 11.2 per cent said it was bad and 0.7 per cent said that it was very bad. On the other hand, in the private estates one per cent (5 workers) reported it to be satisfactory, 24.1 per cent bad and 8.8 per cent said that it was very bad (Table 4.19). This shows that the labour- management relation is worse in private estates than in public estates.

Table 4.19 Labour Management Relation by Status of Tea Estate

Relations	Public	Private	Total
Excellent	0.2(1)	1.0(5)	0.6(6)
Satisfactory	1.6(7)	1.0(5)	1.2(12)
Normal	86.4(387)	65.2(341)	75.0(728)
Bad	11.2(50)	24.1(126)	18.1(176)
Very Bad	0.7(3)	8.8(46)	5.0(49)
Total	100.0(448)	100.0(523)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

4.16 Preferred Income Generating Activities

From the survey it was found that 30.3 per cent (5 years and above) of the population in the working families did not go to school or were unemployed. Further, 21.5 per cent did only household work. Thus, although both men and women workers were employed, one worker had to support more than one idle member of the family. This was hard, given the existing low wage rate. The

Plantation workers are keen to improve their existing family condition by working overtime within and outside the tea estates or by employing other family members living at home without any work. On the issue of their preferred income generating activities, out of 971 adult workers, 22.3 per cent said that they were willing to improve their family condition through worker-managed co-operative shops. This was, however, feasible only if they got financial support from somewhere and regular co-operation from the management. 8.7 per cent preferred livestock farming to increase their family income. On the other hand, about 5 per cent workers said that they were ready to leave the plantation and work outside if they could earn more, but they could not identify the type of work due to their ignorance about it. 13.3 per cent did not have any views on this issue. This indicated their low level of general awareness. (Table 4.20)

Table 4.20 Types of Income Generating Activities Preferred by the Workers by Sex

Activity	Male	Female	Both Sex
Workers Co-operative Shop	22.4(101)	22.3(116)	22.3(217)
Livestock Farming	10.2(46)	7.3(38)	8.7(84)
Poultry Farming	3.6(16)	2.1(11)	2.8(27)
Vegetable Farming	2.0(9)	2.1(11)	2.1(20)
Any Activities	48.2(217)	53.2(277)	50.9(494)
Don't Know	13.6(61)	13.1(68)	13.3(129)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

CHAPTER V Child Labour in the Tea Estates

5.1 Past Trends

It is difficult to say exactly when the practice of child labour started in Nepal. The fact that Nepal is an agricultural country makes it appear but natural that unpaid labour by child workers should be accepted as a traditional practice. Child labour could be a product of feudal land ownership due to which there was a need for domestic helpers and cattle-herders. The practice of employing children in the handicrafts and other industries has also existed since a very long time. The first tea garden was set up in 1864. It is possible that children had been involved in plucking tea leaves right from the initial stage.

Urbanisation and modernisation of the country have brought about a widespread use of child labour in industrial and service sectors (in hotels, restaurants, manufacturing industries and transport etc.). The trade unions, NGOs, INGOs, the ILO and the government have made efforts to root out child labour but the impact of their activities has been limited due to poverty and the exploitation based socio-economy. The concept of child rights and that children should not be compelled to work, has not been able to take effect

In 1991 CWIN carried out a study on child labour in 13 large tea gardens to examine the nature and the extent of child labour and its causes. The CWIN Research Report states that 11.29 per cent of the total labour force in 13 tea gardens surveyed were children and they worked as daily workers. The survey found 451 child workers among 3995 workers - 180 in 6 public tea estates and 271 in 7 of the private estates. Viewing the incidence of child labour in terms of percentage, 9.5 per cent of the total work force in the government tea estates and 13 per cent in the private tea estates comprised of children. On an average, every tea garden employed approximately 200 children of which 150 were seasonal and 50 were regular daily wage workers.

In 1995, four years after the CWIN study, when GEFONT carried out a sample survey in 5 large tea gardens, a dramatic change was identified. In 1991, most of the child workers had been upgraded to "Aurat (Woman)" or "Marad (Man)". The management had also started cutting down on the employment of children after the enactment of the Labour Act, 1992. The public sector tea gardens now seem to comply strictly with the legal obligations regarding not hiring children. The private tea estates, however, still appear to be employing children, though they do not appear on record. Even so, the 1995 GEFONT sample survey clearly points out the fact that in private tea gardens, the employment of children had begun to decline. The data from four tea gardens can be taken for comparison.

Table 5.1 Comparison of Child Labour: Past Reflections

Tea Estate	CWIN Report 1991			GEFONT Report 1995		
	No. of Adult Workers	No. of Child Workers	Per cent of Child Workers	No. of Adult Workers	No. of Child Workers	Per cent of Child Workers
Kanyam	419	32	7.1	462	1	0.22
Ilam	145	19	11.59	134	2	1.47

Tokla	535	41	7.12	635	16	2.46
Nakalbanda	203	17	7.73	165	4	2.37
Total	1302	109	7.73	1396	23	1.62

The GEFONT report states that during the plucking season, i.e., from May through August, the children from the workers' families continue to work in both public and private tea gardens but are kept off the record. However, their number has declined.

The present survey also shows that previously child labour was used on a large scale on regular daily wages. Table 5.2 gives the past trends by analysing the data regarding the adult workers' present age and their age at the time of their joining the tea estate as workers (See Table 5.2).

Table 5.2 Distribution of Adult Labour by their Age and Sex at the Time of Joining Tea Estate

Age Group	Male	Female	Both Sex
5 - 9	3.8(17)	4.8(25)	4.3(42)
10 - 14	20.0(90)	25.9(135)	23.2(225)
15 years and above	75.8(341)	68.9(359)	72.1(700)
Don't know	0.4(2)	0.4(2)	0.4(4)
Total	100.0(450)	100.0(521)	100.0(971)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Out of the total adult workers interviewed, 4.3 per cent had joined the tea estates before reaching 10 years of age and 23.2 per cent at an age between 10 and 14 years. Thus, 27.5 per cent of the workers joined the tea estate as children comprising 23.8 per cent of the male workers and 30.7 per cent of the female workers (Table 5.2).

A declining trend in the employment of children is now seen. The exact situation is, however, difficult to determine, as after the enforcement of the Labour Act (1992) the management does not record the number of child labourers.

5.2 The Present Situation

5.2.1 Source of Child Labour

This survey shows that only the children of the tea workers work as child workers. The only exception is the Loknath Tea Estate on the southern border where Indian children from across the border come to work in the morning and return in the evening. According to the workers of the tea estate, up to 40 Indian children work during the plucking season and 15-20 such children work during the rest of the year in this tea estate. Due to the lack of co-operation from the management, these child workers could not be met during the survey. It has been found that during the plucking season the Mittal Tea Estate, the Kalika Tea Estate and the Kabadi Devi Tea Estate of the border areas employ adult Indian workers and also some of their children. The incidence of Indian child labour, however, cannot be

considered as significant. The source of child labour is primarily the tea plantation workers' families, especially the ones residing in the "Dhura" at the tea estates.

Table 5.3 Number of Children 5 - 14 Years by Their Status and Sex in the Labour Family

Status	Boys	Girls	Total
Total Children	100.0(366)	100.0(392)	100.0(758)
School Going	61.7(227)	53.3(209)	57.4(435)
School Non Going	38.3(140)	46.7(183)	42.6(323)
Working within and outside Home	13.1(148)	35.5(139)	24.7(187)
Neither going to School nor Working	25.1(92)	11.2(44)	17.9(136)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Using table 3.7, it is seen that 26.7 per cent boys and 34.9 per cent girls from the government tea estate workers' families and 47.3 per cent boys and 58.4 per cent girls from the private tea estate workers' families do not go to school. Out of this large number of children who do not go to school, 24.7 per cent are involved in household and income generating work and the remaining 17.9 are idlers. This huge mass of idlers and semi-idlers are the potential child workers in the present situation.

Acute poverty and the inability to bear the school expenses and having to look after younger siblings were the reasons behind the children's being engaged in casual jobs and staying away from school. Most worker parents prefer having their children employed to supplement the family income. Therefore, even the present school-going children can be considered as potential child workers.

5.2.2 Involvement of Children Within and Outside Household

About 40 per cent children of the 5-14 age group are involved in different types of work within and outside the household. Out of 155 adult workers (63 from public estates and 92 from private estates) who responded to questions on the causes behind the involvement their children in work 47.7 per cent said that they had employed their children in different kinds of work because of abject poverty, 17.4 per cent because they had not been able to afford their school expenses, 27.7 per cent because other young children had to be looked after when they were at work (Table 4.21). The situation in public and private estates is slightly different. It is strange that poverty is perceived to be the cause of child labour more in the public tea estates than in the private sector.

Table 4.21 Causes of Child Involvement in Household and Outside Household Activities by Status of Tea Estate

Causes	Public	Private	Total
Acute Poverty	55.5(35)	42.4(39)	47.7(74)
Loitering	3.2(2)	3.3(3)	3.2(5)
Unable to Afford School Expenses	12.7(8)	20.7(19)	17.4(27)

Looking After Home and other Children	28.6(18)	27.2(25)	27.7(43)
Others	-	6.5(6)	3.9(6)
Total	100.0(63)	100.0(92)	100.0(155)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Regarding the effects on their family conditions in case their children did not work either within or outside their households, about 42 per cent said that they would have to face a shortage of food and clothing, 16.8 per cent said that the living standard of their family would deteriorate and 33.5 per cent said that there would be no one to look after their home and other children (Table 4.22).

Moreover, 83.9 per cent said that if their economic and family conditions were to improve, they would send their children to school, 4.5 per cent said that their children would continue to work and the remaining 5.8 per cent said that they would send them to school and also engage them in household and outside activities (Table 4.23).

Table 4.22 Effects on Family Condition when Children are not Involved in Household and Outside Household Activities by Status of Tea Estate

Effects	Government	Private	Total
Deterioration in Family living standard	15.9(10)	17.4(16)	16.8(26)
Fooding/clothing deficiency	44.4(28)	40.2(37)	41.9(65)
None to look after home and siblings	36.5(23)	31.5(29)	33.5(52)
Others	3.2(2)	10.9(10)	7.7(12)
Total	100.0(63)	100.0(92)	100.0(155)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Table 4.23 Feelings of the workers about what their children would do if family condition improved

Will	Public	Private	Total
Send them to school	85.7(54)	82.6(76)	83.9(130)
Engage them in income earning jobs	1.6(1)	6.5(6)	4.5(7)
Send them to school and also engage in household and outside work	9.5(6)	3.3(3)	5.8(9)
Others	3.2(2)	7.6(7)	5.8(9)
Total	100.0(63)	100.0(92)	100.0(155)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

5.2.3 Child Workers under the Sample

Thanks to the Labour Act 1992, in public sector tea estates, only a single child worker was found during the survey and the reason, according to the management, for his being there was that his parents, both estate-workers, had died and he had

nowhere else to go. According to the old method of classification those considered "Chhokara" or adolescents are also not found in the public tea gardens. It is possible that they have increased their ages to 18 and above, and have been kept on record as adult men and women. However, in the private tea gardens, child labour is still present in the form of regular wage earners and the number of Chhokaras (adolescents) is also quite significant.

Chhokaras are the workers within the age group of 15-18. Out of the total population 2828 of the interviewed working families, the population of the 15-18 age group (i.e. the Chhokara Age) is 243, 8.6 per cent. Of the total population of the age group, 102 are males and 141 are females constituting 7.3 per cent of the male population and 9.8 per cent of female population respectively (See Table 3.1). The number of Chhokaras working in the tea estate is 50, i.e. 5.1 per cent of the total workers under the sample. Among them, 14 are male and 36 are female, i.e. 3.1 per cent of them are male workers and 6.9 per cent are female workers respectively. Others generally wait for the plucking season to work.

One peculiar observation was that the wages among Chhokaras also varies. The common practice is to pay them Rs. 30 per day. However, even in the public sector tea estates, it has been observed that Rs. 30 and Rs. 31 is the daily wage in Soktim and Barnei, whereas Rs. 36 is paid in Tokla. In private tea estates, the Chhokaras are given very low wages ranging from Rs. 18-30.

During the study, 23 child workers below the age of 15, considered as Lokada according to the old classification, were found. Although they are working all the year round, they were not on record. Two, out of these child workers, could not be contacted and only 21 of them could be interviewed. Among these child workers there was one child in the age group of 5-9 years and 20 in the age group of 10-14 (See table 5.4).

Table 5.4 Age and Sex Distribute of Sampled Child Workers

Age Group	Male	Female	Both Sex
5 - 9	-	7.1(1)	4.8(1)
10 - 14	100.0(7)	92.9(13)	95.2(20)
Total	100.0(7)	100.0(14)	100.0(21)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

All the child workers were found in Jhapa. Among them 11 children or 52.4 per cent work as daily wage earners. They were denied the benefit of the provident fund. The remaining 10 or 47.6 per cent were working as seasonal workers. Their wages, however, were equal to those of the regular daily wage earners. (See table 5.5 & 5.10)

Table 5.5 Terms and Conditions of Work for Child Worker

Terms and Conditions	Number and Percentage
Regular Daily Wage Labour	52.4(11)
Wage Labour When Work Available	47.6(10)
Total	100.0(21)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of workers
 Source: Field Survey, 1996*

Wage rates differ from garden to garden. It was learnt that 19 per cent of them receive less than Rs. 20 as daily wages while 81 per cent between Rs. 20-25 (See Table 5.10). The daily work of these child workers keep changing depending on the priority of the management, but especially according to the allocation made by the supervisors or Sardars. Child workers were found to be engaged in plucking, applying fertiliser, weeding, watering, digging and in the nursery, especially for transplanting. Normally, they were not made to spray insecticides. After the plucking season was over, 52.4 per cent of the child workers were engaged in weeding and 14.3 per cent in the nursery (See Table 5.6). According to the child workers, during the peak plucking season the management employed additional children as seasonal workers on a piece rate basis.

Table 5.6 Types of Work Done by Child Workers Last Week

Types of work	Number and Percentage
Weeding	52.4(11)
Tilting, Planting	14.3(3)
Nursery work	14.3(3)
Others	19.0(4)
Total	100.0(21)

*Note: The total percentage may not add up to 100.0 due to rounding up.
 Figures in parenthesis indicate number of workers
 Source: Field Survey, 1996*

Children assist their parents in plucking tea leaves to enable them to pluck leaves excess of the daily quota of 23 kg and receive an incentive payment. Even though the management refuses to employ children, the workers take the permission from the supervisor or group leaders for this. This practice is less prevalent in the public sector tea estates but quite common in the private tea estates. The children not being employed formally do not enjoy the facilities extended to workers. Even so, the children seem to be attracted towards working in the tea gardens. 66.7 per cent child workers said that they worked in the tea garden in accordance with their parents' desire. Likewise 28.6 per cent said that they had been working, as their parents, relatives and friends also worked there, 4.8 per cent of the child workers said that they were working there as the tea garden was close to their residence. It was found that more than 90 per cent of the children give their full earning to their parents. It was clear from their apparent enthusiasm and from what they said that they would try to get some other job if they had to quit their job in the tea garden. This is also borne out from the reasons they gave for not going to school. While 9.5 per cent had no interest in education, 14.3 per cent said that they were not allowed to go to school by their parents and about 62 per cent did not go to school as they were required to support their household (See Table 5.7).

Table 5.7 Causes for the Child Workers' Not Going School

Causes	Number and Percentage
Not interested	9.5(2)
Not allowed by guardian	14.3(3)
To supplement household income	61.9(12)

Unable to afford school expenses	4.8(1)
Others	9.5(2)
Total	100.0(21)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Most of the children work in the tea gardens through-out the year and hardly think seriously about going to school or about leaving their jobs. Only a third of the children had worked less than ten months and the remaining two thirds had worked 10 to 12 months during the previous year (See Table 5.8). 81 per cent of the child workers were found to have been working for less than a year, 14.3 per cent had been working for one year or more but less than 5 years and 4.8 per cent had completed their fifth year at work (See Table 5.9).

Table 5.8 Number of Months Worked by the Child Workers Last Year

Duration in Months	Number and Percentage
Below 10 months	33.3(7)
10 to 12 months	66.7(14)
Total	100.0(21)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Table 5.9 Total Duration of Work of the child workers in the Tea Estate

Duration in Year	Number and Percentage
Less than one year	81.0(17)
1 year to less than 5 years	14.3(3)
5 years and over	4.8(1)
Total	100.0(21)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

Another major factor to consider is health. Ill-health, inadequate housing, malnutrition, a lack of proper clothing during the monsoons and other poverty related problems are rampant here. The scarcity of drinking water is one of the main problems of the tea estates. It was found that 47.6 per cent of the children suffered from frequent fever, cold, cough, headaches and backaches. Even though cases of serious illness were not found, the children were exposed to long term health hazards on account of insecticides sprayed on tea bushes. They were generally ignorant of occupational hazards but were only aware of the danger of snake bites.

**Table 5.10 Child Workers by Causes for Attraction to the tea estates
Daily Wage Rate, uses of their earnings and Relation with Management**

Information	Number and Percentage
<u>Causes of Attraction</u>	
Nearness	4.8(1)
Parents, relatives, friends working here	28.6(6)
Parents/guardians kept here	66.7(14)
Total	100.0(21)
<u>Daily Wage Rate</u>	
Less than Rs. 20.0	19.0(4)
Rs. 20 - 25	81.0(17)
Total	100.0(21)
<u>Uses of Earnings</u>	
Give to parents/guardians	90.5(19)
Spending partially myself and partially for family	9.5(2)
Total	100.0(21)
<u>Relation with Management</u>	
Good	4.8(1)
Satisfactory	61.9(13)
Bad	33.3(7)
Total	100.0(21)

Note: The total percentage may not add up 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

In the tea gardens, there is no arrangement regarding regular health check up of the workers. The tea garden management does not bear the expenses for medical treatment. A large number of workers treat themselves with medicine available in the area or go to the nearest Health Centre or hospital. The child workers said that they were compelled to use their family's income or to ask for loan for medication and treatment (See Table 5.11).

In spite of this situation, 61.9 per cent stated that they had satisfactory relations with the management, while 33.3 per cent stated that the management behaved badly with them (See Table 5.10). The fact that they have been subject to ill-treatment and verbal abuse for a long time could have made them indifferent to the behaviour of the management.

**Table 5.11 Distribution of Child Workers by their Illness
due to Work, Place for Treatment and Medical Expenses**

	Number and Percentage
<u>Illness due to work</u>	
Never sick	38.1(8)
Cold/Cough/Fever	47.6(10)
Others	14.3(3)
Total	100.0(21)
<u>Place of Treatment</u>	
No treatment	7.7(1)
Estate clinic	15.4(2)

Outside clinic	38.5(5)
Hospital/Health-post	7.7(1)
Drug store	30.7(4)
Total	100.0(13)
<u>Bearer of Medical Expenses</u>	
Self	30.7(4)
Parents/guardians	61.5(8)
Estate owner/management	7.7(1)
Total	100.0(13)

Note: The total percentage may not add up to 100.0 due to rounding up.

Figures in parenthesis indicate number of workers

Source: Field Survey, 1996

CHAPTER VI

Findings from the Focused Group Discussion

6.1 Background of the Area

Besides the quantitative data obtained from interviews with the heads of households, adult and child workers, focused group discussion was conducted to obtain qualitative data and information regarding the socio-economic conditions of tea plantation workers.

The tea estates have been divided into two groups (public and private). Barne Tea Estate was selected from among the public estates and Loknath Tea Estate from among the private estates for the purpose of focused group discussion. Both the tea estates are situated in Jhapa District . Barne is in the northern part of the District whereas Loknath is in the southern part near the Indian border.

6.2 Type of Groups Formed

Ten focus groups were formed, five from the public estate and five from the private estate, comprising 5-10 persons per group representing different castes/ethnic groups, age and sex. A group comprised the following:

- a. adult male (above 18 years) workers
- b. adult female (above 18 years) workers
- c. working boys and others (up to 18 years)
- d. working girls and others (upto 18 years)
- e. key informants - local political leaders, college & school teachers, social workers, elected VDC officials etc.

6.3 Major Issues Discussed

The following issues were considered in group discussions -

- i. Types of work
- ii. Working hours
- iii. Working time
- iv. Types of workers
- v. Wage/salary and allowances
- vi. Facilities besides wage/salary
- vii. Health hazards
- viii. Comparison of tea workers with agricultural workers
- ix. Schooling of children
- x. Children working outside the tea estates from workers' families
- xi. Idlers in the workers' families
- xii. Labour-management relation
- xiii. Future programme to uplift the socio-economic condition of the workers.

6.3.1 Types of Work

The main work in a tea estate consists of plucking, digging, weeding, watering, tilting, fertilising, nursery work, planting, plant cutting, spraying insecticide, factory

work, maintenance of Dhura and other related works. A worker has to accept any type of work assigned by the owner or the management. The management generally engages female workers in leaf plucking (which is more difficult than any other work), weeding, nursery work etc.; male workers in digging, spraying insecticide, plant cutting, maintenance of Dhura etc.; child workers in nursery and leaf plucking. The workers do not specialise in any kind of work.

The nature and types of work are more or less the same in public and private tea estates. The workers of the private estates, however, have to work harder than those in public estates. Permanent and regular daily wage workers are generally assigned hard work compared to seasonal workers.

6.3.2 Working Hours

Every worker (man, woman and child) in the tea estates has to work eight hours per day to get the full wage for the day. Only a few public tea estates allow one-hour lunch break during the eight-hour working period.

The management of the tea estates also insist on a minimum amount of work to be done per day. For example, a worker needs to pluck 23 KGs of green leaves per day to get the full wage for the day. If he/she fails to do this, the management deducts Rs. 1.5 per kg from the wage. On the other hand, if a worker plucks more than 23 KGs in a day he/she gets only Rs. 0.65 per kg which is less than half the rate deducted by the management when the worker fails to deliver the daily quota. Similarly, a worker has to dig more than 250 square feet of land per day. The time taken for digging a certain area of land depends upon the quality of land and other factors. The workers are, however, required to finish the assigned work without any overtime payment even if it takes more than eight hours. The management must also have to be satisfied with the quality of work. All the workers as well as the key informants both from public and private estates agreed that this led to direct exploitation of workers. The workers, who raise their voice against such exploitation are thrown out of employment. They work hard out of fear despite their awareness about being exploited.

In order to eradicate the exploitation of workers, all the participants as well as the concerned Labour Office opined that the terms and conditions of work should be finalised at a tripartite meeting among the management, the government and workers. Regular government supervision of the implementation of the decisions made at the meeting was also necessary.

6.3.3 Working Time

There is no uniform rule in the tea estates regarding the working time. Generally work starts at 7 am. and stops at 4 or 5 PM.. The working time differs from one estate to another, one season to another. In all estates the workers are required to work at least six days per week.

6.3.4 Types of Worker

There are four types of workers in the tea estates, namely:

- a. Permanent - Monthly salary earner or staff
- b. Permanent - Daily wage earner

- c. Temporary - Daily wage earner
- d. Seasonal Workers

The number of monthly salary earners or 'staff' is very low. The number of adult permanent regular daily wage workers and temporary regular daily wage workers is more or less equal but no single worker (boys and girls) below 18 years is permanent. According to the Labour Act, the management should give permanent appointment to the worker who works 240 days continuously as a regular daily wage earner. The management, however, discontinues the service of the workers before they become entitled to be made permanent. To overcome this problem of exploitation from the management, all the participants both from the public and private estates suggested that the government as well as trade unions should intervene to safeguard the rights of the workers under the Labour Act and rules thereunder. The condition of the workers in the private estates is bad compared to the public estates. The condition of the workers working in the unregistered tea estates is the worst.

Seasonal workers are used only during the peak season. The seasonal work is known as Bigha among the workers. Men, women and children from the workers' families and also those from outside the estates can work as seasonal workers on either daily wage or piece rate.

6.3.5 Wage Rate/Salary and Allowances

In the tea estates, only the 'staff' gets monthly salary while all other workers get daily wages. The wage rate is equal in all the public tea estates but it varies in the private tea estates. There is no gender discrimination in the matter of wage in public estates but a vast difference exists in the private estates. Normally, the wage rate for adult workers varies from Rs. 34 to Rs. 47.50 per day including Dearness Allowance depending on the type of work. However, in a few private estates the wage rate is below Rs. 34 per day. On the other hand the child workers get Rs. 15 to Rs. 30 on the basis of their work and physical size. Generally the wage of the child worker is fixed on the basis of their size.

The main reason behind the low wage rate in the private estates is that the Labour Act has a flexible clause i.e. in the specified tea estates the wage rate can be fixed by the agreement between management and the workers. In this situation, the management always tries to maximise its profit by employing cheap workers. It can expel those workers who demand high wage rates or other facilities.

All the discussants suggested that the Labour Office should intervene to protect the rights of the workers from this sort of exploitation. The Labour Office, however, claimed that they could not solve the problem without an amendment in the existing Labour Act.

6.3.6 Facilities Besides Wage/Salary

The staff and permanent daily wage earners get certain other facilities, besides their wages and salaries from the management. The facilities vary in public and private estates, and also within the private estates.

a) Residence

Most of the workers working in the public estates reside in the Dhuras provided by the management. This facility in the private estates varies according to their capacity and attitude.

b) Medical

Similarly, medical facility is not the same in public and private estates and also among the private estates. After the restoration of the multi- party system, the workers of NTDC tea estates lost the previous medical facilities. During the Panchayat regime, all medical expenses of the permanent workers had been covered by the management but the present democratic government decided to provide Rs. 200 per year per worker in four instalments as medical expense which is negligible considering the present costs. The government tried to justify this decision in the name of controlling corruption of the management. All the participants suggested that it was better to establish a health clinic or health post with qualified and experienced medical personnel, on the basis of the number of workers instead of providing Rs. 200 per worker. The private estate management rarely provides medical facilities. They are not following the present Labour Act strictly because the workers are not aware of their rights and allow themselves to be exploited and suppressed by the management.

c) Leave

The permanent staff and some of the daily wage earners can get about 29 days paid leave annually. Besides, female workers can get 45 days maternity leave up to two births. All workers get 13 days' leave for funeral rites.

d) Gratuity

Workers (male and female) can get a maximum sum of ten thousand rupees as gratuity on the basis of his/her service period, but partiality and discrimination by the management is very common even in this matter.

e) Provident Fund

In the Labour Act there is a provision of provident fund for permanent staff and workers. However, most of the workers are deprived of this facility. The amount due to be deposited in the provident fund is collected in a private account of the management. It is necessary for the government to intervene and compel the management to deposit the provident fund of the workers regularly in their own accounts as per rules.

f) Labour Substitution

There was a tradition in the tea estates in which an idle adult family member could work in the place of any working member of that family. Similarly, after the death of a worker, one member of his/her family had the right to get the job. All the participants expressed the view that the family income declined due to the control of the management over labour substitution.

6.3.7 Health Hazard

Almost all workers including those who are directly involved in spraying pesticides and insecticides are ignorant of the health hazards from chemicals and fertilisers. The management does not instruct them about health hazards and safety measures. Even those workers who know a little about health hazards of pesticides, are tempted to do the job because they can get a higher wage.

All the key informants and a few workers said that the management should arrange regular health check-up of the workers engaged in hazardous work and provide them with safety masks, apron and other protective equipment as well as instructions on the nature of hazardous and how to minimise them. At present, nothing of this sort is done even when demanded by the workers. Thus the Labour Office should directly intervene to protect the workers from occupational safety and health hazards.

6.3.8 Comparison of Tea Workers and Agricultural Workers

The workers and key informants expressed different views on the relative merits of work in agriculture and tea gardens. The workers said that the daily wage rate of agricultural workers was high compared to that in tea plantations. At present, the agricultural workers receive Rs. 40 per day with three meals whereas the tea plantation workers receive Rs. 40 or less without a meal. However, the tea garden workers appear to be satisfied because tea gardens unlike agriculture offer them employment on a regular basis throughout the year.

6.3.9 Schooling of Children

From the point of view of schooling of children the workers can be divided mainly into two groups. One, the aboriginal group and the other migrant group. The school going children are only about 10 per cent from the aboriginal group and more than 50 per cent from the migrant group. Similarly there is a vast difference in the living standard between the aboriginal group and the migrant group even though they earn the same amount of wages and have the same family size. Few workers from the aboriginal group and most from the migrant group think about their future generations. However, both the groups are gaining in awareness of the world around them and the prospect of development.

The school dropout rate is also high among the aboriginal group. When a child of a family gets seasonal work (Bigha), s/he joins the work at once. Even if s/he was going to school. The boys and girls, who do not go to school or are without any job, pass their time by playing and loitering around.

In order to send all school-going-age children to school, it is necessary to improve the level of awareness of their parents/guardians as well as the level of income of the workers' families.

Less than 50 per cent boy and girl participants who do not go to school, are not interested to go to school because they have lost the habit of doing so. More than 50 per cent could, however, join school if the guardians permit them.

6.3.10 Children From Workers' Families Working Outside Tea Estates

At present less than 5 per cent children from the workers' families are working outside the tea estates. They are mainly working as domestic helpers, hotel boys, carpet workers etc. A few years back this percentage was very high. Now this trend is declining and the proportion of school going children is increasing every year in the tea estates.

6.3.11 The Unemployed in the Workers' Families

More than 50 per cent members of the age 15 years or above in the workers' families are unemployed both in public and private estates. All the participants except the child group accepts this situation.

According to them the major causes behind this situation are:

- i. No work within the tea estates
- ii. Lack of work opportunity outside the tea estates.
- iii. Inability to be self employed job due to lack of technical/ vocational knowledge.
- iv. Lack of capital
- v. Employment of Indian workers instead of Nepali workers

The management of private tea estates especially in the southern border area of India employ cheap Indian labour (adult as well as child) regularly as well as seasonally. This is mainly because -

- a. Indian workers work at low wage rates compared to Nepali workers,
- b. Nepali workers demand facilities as prescribed in the Labour Act but the Indian workers cannot do so. It is easy to fire Indian workers at any time. It is also found that a few private estates of the southern border area regularly employ Indian child workers. The broker or middleman brings them from India in the morning and takes them back in the evening.

All the adult groups and key informants suggested that to improve the living conditions of the workers' families, it is necessary to carry out awareness programmes both for male and female workers as well as skills provide them with training to strengthen their capability to be self employed. The authorities should also exercise strict control over the flow of Indian workers.

6.3.12 Labour-Management Relation

The aim of the management is to maximise its profit, whereas the aim of the workers is to get a reasonable wage for their work. So occasionally a clash or dispute between management and workers is inevitable. All the worker participants except boys and girls agreed that they faced labour-management disputes, mainly in matters related to increment in salary/wage rates, work distribution and labour welfare issues. Such disputes sometimes are solved locally and sometimes with the intervention of the government.

6.3.13 Future Programme to Uplift the Socio-Economic Condition of the Workers

The child workers have no idea about their future and plans. They are ready to be involved in any type of income generating activities which their parents or guardians find for them.

The female groups are interested to do more work to improve their present living standards and to accumulate something for their future. They are ready to be involved in any type of work within the family or the tea estate such as livestock farming, poultry farming etc. but are not ready to go outside the estates for work.

The male workers are ready to do any type of work for additional income. The male adult workers working in public estates are interested in getting up a co-operative shop with the direct help of the management. All the workers from the public and private estates agreed that the co-operative shops cannot be operated by themselves alone because the level of awareness and literacy is very low among the workers and there is no unity among them due to the direct influence of political parties.

The key informants of both the places suggested that if the government or any other institutions were interested to improve the living conditions of the tea workers they would have to organise skills training in feasible and sustainable trades. The workers could produce goods which are used everyday in the tea estates such as tools for cutting, digging, weeding, doko, namlo etc. Similarly Jhalla (home made Jute carpet) made by the aboriginal workers (especially Rajbansis) can easily be sold in the market. The unemployed family members can also sell tea produced by their tea estate and supplement their family income. For this purpose, a simple training and small investment would be sufficient. It is important however that the management should provide the finished tea at the dealers' rate so that they can sell the tea to the packers.

6.3.14 Conclusion

The socio-economic condition of the tea plantation workers appears to be unsatisfactory as their level of income is very low and their family size is large. They are unable to afford school education for their children. They cannot think about their future due to illiteracy and lack of awareness. Thus, in order to improve the living standards of the workers' families and to send their school age children to school, it is necessary to increase their level of awareness on issues of health, environment, education, family planning etc. Besides, training in relevant trades should be provided to them.

CHAPTER VII

Recommendations

The conclusion and findings of the survey justify our hypothesis that child labour in Nepal cannot be stopped in an abrupt manner. Determined, gradual and constant efforts are necessary to combat the child labour problem. Since socio-economic conditions reflected in mass poverty, ignorance and illiteracy are the major factors responsible for putting children to work instead of sending them to schools, abrupt stoppage through strict enforcement of law may create terrible implications and worsen the situation. Therefore, we recommend package efforts working simultaneously on labour law and effective enforcement, awareness building, workers' education, skill and vocational training, effective income generation activities including co-operatives, wage indexation and extension of real facilities, strengthening the nearby-schools and motivating the teachers there, mobilising the social workers in the area etc. In short, the major points of recommendations can be presented as follows:

1 The existing labour law does not take a full account of the problems of tea plantation workers. It is especially formulated keeping in view the industrial and factory workers. It is really insufficient to address the issues of and protect the rights of plantation and agricultural - rural workers. In addition to it, Labour offices have not been active and efficient to the desired extent for the effective enforcement of the provisions of existing labour law. Hence, it is highly desirable to formulate a separate labour law for tea plantation workers as in other countries. Similarly, there is a dire need for the creation of adequate mechanism so as to activate and make effective the Labour Department and Labour Offices in actual enforcement of the respective labour laws. Similarly, the gender based discriminatory practices have to be strictly eliminated through an active role of the Labour Offices.

2 Since the level of awareness and literacy status is very poor among the plantation workers, they are ignorant about what they should do for their children. Thus, in order to improve their living and economic conditions, a change in their social outlook is urgently needed. For the purpose, a training package on importance of child education, health and sanitation, family planning and on their rights and responsibilities are highly desirable.

3 On account of multiplicity of unions and inter-union rivalry, the tea-plantation workers are divided and have little bargaining strength. As a result, they are victimised and suppressed easily by the management and their genuine minimum demands have always been neglected. Hence effective workers' education to strengthen their unity and to build awareness towards effective trade union activities, trade union rights and responsibilities is an urgent need of the day.

4 The wage level of the tea plantation workers is very low. They had to struggle very hard for every wage increase in the past. It is necessary to establish a system for a periodic revision of wages and provision of dearness allowance to offset the effects of inflation. Further, in order to relieve them of the present miseries and hardships welfare facilities should be provided and the existing differences in the minimum wages fixed for workers in the enterprises and those in tea estates should be removed.

5 The life of a worker in tea gardens is characterised by unhealthy and poor living and working conditions, the lack of safe drinking water, the prevalence of danger from pesticides and other occupational diseases and the lack of safety measures. In order to change this situation, along with awareness building, training and education, income generation activities are extremely important. The idle family members should be provided with skill and vocational training, so that they can be self employed. Vocational training in bamboo works (mainly doko and other artistic goods), jute works (mainly namlo, carpets and ropes) will be effective. Similarly co-operative poultry farms and co-operative shops for daily consumption goods can be established. Besides, the management may offer finished tea at the dealers' rate to these workers for street sale during off time. Further, the management may help workers to set up co-operative shops.

6 A programme should be carried out to raise the awareness of people in the tea gardens about child rights. The programme should involve not only the children at work and workers families, but also the management.

7 The major focus of intervention against child labour should be the idle family members of the workers families under the age of 15. They form a pool of potential child labour. Even the children enrolled in schools are a source of child labour in tea estates as the parents are keen to settle them in a job as soon as one is available. Therefore, it is suggested that management of the tea estates should formulate a special programme for the children of working families. It should pay attention to their welfare and provide an education and a health care allowance to the families with children below 15 years of age.

8 The Government and social organisations should play a special role to raise the income level of the tea plantation workers. For the purpose, the assistance of ILO and other international organisations should be mobilised effectively.

Appendix I

List of the Tea Estates Covered by Survey

S.N.	Name of the surveyed Tea Estate	Location	Ownership	Annual Production Green Leaf (In KG.) Under Plantation
1.	New Giri Bandhu & Son's Tea Estate	Sanischare -7 Jhapa	Private	108
2.	Padam Tea Estate	Anarmani -1, Jhapa	Private	41
3.	Laxmi Tea Estate	Chandragadi, Jhapa	Private	68
4.	Naj Tea Estate	Sanischare, Jhapa	Private	39
5.	Kandhan Bari Tea Estate	Chandragadi-2, Jhapa	Private	34
6.	Budhkan Tea Estate	Mehespur, Jhapa	Private	271
7.	Jyamirgadi Tea Estate	Jyamirgadi-9, Jhapa	Private	129
8.	Kuwadi Devi Tea Estate	Kumarkhad-5, Jhapa	Private	223
9.	Chandragadi Tea Estate	Chandragadi, Jhapa	Private	74
10.	Raj Tea Estate	Jyamirgadi, Jhapa	Private	107
11.	Kalika Tea Estate	Jyamirgadi, Jhapa	private	68
12.	Shyam Sundar Tea Estate	Kumarkhod-8, Jhapa	Private	135
13.	Loknath & Son's Tea Estate	Khajura-6, Jhapa	Private	147
14.	Satighatta Tea Estate	Satighatta, Jhapa	private	339
15.	Haldibari Tea Estate	Haldibari, Jhapa	Private	72
16.	Banshal Tea Estate	Jyamirgadi, Jhapa	Private	81
17.	Durga Prasad Sana Chiya Utpadak	Chandragadi, Jhapa	Private	7
18.	Nakal Banda Tea Estate	Kakabhitta -7, Jhapa	Private	64
19.	Chiya Kaman	Charpane-8, Jhapa	Public	163
20.	Mittal Tea Estate	Pathariya -8, Jhapa	Private	284
21.	Giri Bandhu Tea Estate	Anarmani, Jhapa	Private	176
22.	Tokla Chiya Kaman	Kakad Bhatta, Jhapa	Public	324
23.	Barne Chiya Kaman	Barne, Jhapa	Public	809
24.	Ram Lal Sana Kisaan Chiya Utpadak	Haldibari-2, Jhapa	Private	16
25.	Chandra Lal Sana Kisaan	Haldibari, Jhapa	Private	33
26.	Himalaya Tea Estate	Damak, Jhapa	Private	677
27.	Kanayam Chiya Kaman	Kanayam, Ilam	Public	216
28.	NTCDB, Chiya Bistar Yojana	Sumbekh, Ilam	Public	6
29.	Chilimkot Tea Estate	Chilimkot, Ilam	Public	106
30.	Soktim Chiya Bagan	Chisapani, Ilam	Public	97
31.	Gorkha Tea Estate	Phikkal, Ilam	Private	21
32.	Mangal Bare Tea Estate	Mangalbare, Ilam	Public	10
33.	Ilam Chiya Kaman	Ilam Municipality	Public	55
34.	Harkate Saana Kisaan Chiya Bikas	Kanyam, Ilam	Private	8
35.	Gurung Sana Kisan	Kolbung, Ilam	Private	10
	Total			5,018

Appendix II

Central Research Team

1. Mr Umesh C Upadhyaya
2. Mr Binod Shrestha
3. Mr Rudra Gautam
4. Mr Som Rai

5. Mr Buddhi Acharya
6. Mr Kiran Mali
7. Ms Sujita Shakya
8. Mr Uddav K.C.
9. Mr Om Koirala
10. Late Mr Rup Chan Uraun
11. Mr Narayan Singh Rajbansi
12. Mr Rajiv Ghimire

Appendix III

List of Abbreviations

CWIN	: Child Workers in Nepal Concerned Centre
GEFONT	: General Federation of Nepalese Trade Unions
ILO	: International Labour Organisation
INGO	: International Non-government Organisation
IPEC	: International Programme on the Elimination of Child Labour
NGO	: Non-government Organisation
NTCDB	: Nepal Tea & Coffee Development Board
NTDC	: Nepal Tea Development Corporation
SLC	: School Leaving Certificate
UNICEF	: United Nation's Children's Fund
VDC	: Village Development Committee

Appendix IV

Glossary

Aurat	: Female
Bigha	: Seasonal work
Chhokara	: Youth above 15
Dashain	: Hindu festival celebrating the victory of good over evil
Dashain Kharcha	: Dashain Expenses
Dhura	: Household/Temporary dwelling
Doko	: Bamboo Baskets
Lokada	: Children below 14
Marad	: Male
Naike	: Team leader/Supervisor
Namlo	: Belt made of jute for carrying a doko
Sardar	: Supervisor
Tihar (Dipawali)	: Hindu festival of lights