

'ORGANISING THE UNORGANIZED'

# Mine Labour Protection Campaign

*A campaign to uphold the dignity of mineworkers  
and restore the environment*



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(The MLPC is patronage and run under the aegis of SDS)

Cover photo by P Madhavan

Photos by Dr. Anil Chhangani and P Madhavan

Published & printed by MLPC, Jodhpur, 2005

# *Preface*

**G**eographically Rajasthan is the largest State in India bestowed with 64 kinds of metallic and nonmetallic minerals second none to State of Bihar and Jharkhand put together. Rajasthan also encompasses world's unique ecosystem, the Great Indian Desert or hot Thar Desert covering an area of over 0.32 million sq. km. The area, by and large is inhospitable, in the grip of vagaries of climate culminating into recurrent droughts scarcities. Yet, over 25 million people of Thar desert including indigenous groups, scheduled caste and scheduled tribes have not only survived with dignity but have also protected nature as ecosystem trustees by maintaining true desert culture which is reflected in all walks of life in Thar. The rich heritage of Thar is its power, which lies in its people. Thar is the most populated desert of the world inspite of scarcities and shortages, which speak of people's tolerance, simplicity, love for nature, people's resilience and adherence to traditional wisdom. These qualities rural poor are now getting eroded due to recurrent droughts and failure of agriculture and forcing rural poor to opt for alternative means of livelihood. Either to migrate or to work in mines to survive. It is a painful story to see that people who were trustees of nature till recently are working as mine workers. Their numbers are swelling every day. Over 2.5 million mine workers are now engaged in unorganized mine sector in Rajasthan. It is an extremely exploitative situation with all kinds of violation of law and breach of human rights.

The Mine Labour Protection Campaign (MLPC) came into being over a decade ago. It works under the aegis of The School of Desert Sciences (SDS) and draw its strength from its networking partner NGO's, CBO's, experts and individuals. For a decade MLPC has been engaged in organizing mineworkers in Rajasthan, who constitute some of the most deprived sections of society. The results are now visible. Breaking entrenched social barriers by organizing mine workers to bid for mining leases, as well as working hand in hand with the State government to ensure that the mining laws are followed. MLPC is at the forefront of the sustainable mining battle. This booklet showcases some of the modest achievements of MLPC and their plans to bring about a more sustainable and rational exploitation of mineral resources for the desert state of Rajasthan: which ensures that basic rights of mine workers are met and least damage is caused to the environment.

**Vrikshamitra Prof. S.M. Mohnot**

*Chairman, MLPC*

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*My name is Punmaram and I am 60 years old. I have come from Nimbagaon in Jaisalmer but now I live under the shade of this cactus bush with my family of 8 members. We belong to the Nayak community. I used to be a farmer but it has not rained, so the only option for me was to take up mining. All of us , including my sons and daughters work together at the mining site. We are able to fill up one truck we get Rs 50 in total for two days of work.*



*My name is Chuki Devi. I have three children. My husband was killed by the upper caste in a family feud over agricultural land. I have now turned to mining since I have no other option. It is difficult as we work for the same time as the men but we still get less money. There is no shelter near the mining site and I have to leave my 2 year old daughter in the scorching sun.*



*My name is Kanha Ram. I am 30 years old and I have been working as a mine labourer for the last 11 years. We are from the Bhil community and used to earn money by selling wood from the googal tree used in making gum. Now the forests are gone so are the trees, it is only these stones that are left. We earn a living from mining these stones now.*

## The Mining Industry of Rajasthan Exploiting the environment and the rural poor

**K**anha, Chuki and Punmaram are the face of over 2.5 million mineworkers engaged in 64 kinds of metallic and non-metallic mineral extraction activities in the State of Rajasthan. Due to the unskilled nature of the job it is usually the poorest of the poor who turn to mining. The state of deprivation of mineworkers is obvious from various social indicators. Occupational diseases such as tuberculosis and silicosis amongst mineworkers is very high, in addition exploitation of women, violation of labour and mining laws, non-payment of wages, hazardous and unsafe working conditions and high indebtedness are problems mine workers are facing in daily life.

More than 95% of mining activity in Rajasthan is in the hands of unorganized sector. Of the workforce engaged in mining some 37% are women and 15% children. Most of them are dalits and tribals. Interestingly it is also the second largest employment sector after agriculture in the State. Rajasthan is the largest state geographically in the country and second largest after Bihar in terms of mineral deposits. Presently, the State is the sole producer of jasper and wollastonite and a leading producer of cement and steel grade limestone, soapstone, ball clay, and a number of minor minerals. As many as 1324 mining leases of major minerals, 10851 mining leases of

minor minerals and 19251 quarry licenses are in force. (Source: Department of Mines and Geology, Government of Rajasthan). The State also has the largest number of small mining leases in the country. The massive unscientific mining has in the process eroded soil, caused extensive water loss, degraded forests, pastures and biodiversity in the entire State.

Studies and reports suggest that mineworkers drawn from various sectors of society predominantly form the poor strata while the mine owners have become a rich class in 3 decades ignoring all norms and ethics. The mineworkers still stay in 'kuccha' (mud) huts while they have produced thousands of 'pucca' (sturdy) houses for the city populace.

### The face of the Mining Industry in Rajasthan

<i>Human Population of the State</i>	49.7 million
<i>Total Workforce in Mining Sector</i>	2.5 million
<i>Dalits and Tribals</i>	95%
<i>Women Workers</i>	37%
<i>Child Labour</i>	15%
<i>Annual Accidental Deaths</i>	460
<i>Deaths Silicosis, Tuberculosis etc.</i>	3 daily
<i>Daily Wages (8-10 hours work)</i>	
<i>Male</i>	Rs. 50-70/-
<i>Female</i>	Rs. 35-55/-
<i>Children</i>	Rs. 25-35/-
<i>Literacy in Mineworkers</i>	0.8%
<i>Alcoholism and Drug Abuse</i>	Rampant
<i>Social Security</i>	Absent



## What the law says

### And how the laws are violated

**M**ining is a State subject whereas the labour engaged in mining is a Central Subject. This is what makes the mining sector unaccountable for the enforcement of labour laws in the mining industry. Still, the Mines Act of 1952 mandates for provision of water, first aid at the mining site along with clearly defined rules for maintaining a register of persons employed, their health check ups, provision of rest shelters and a weekly day of rest for the mineworkers. As per the law then there are many provisions for the welfare of mine-workers. However, there is poor enforcement of these laws right from the wages given to the workers, lack of any medical check ups and an absence of any identity cards issued to the mine-workers. The mine-workers have to arrange for their own drinking water at the worksite and are responsible for any accident that occurs during work.

Not just the workforce, but the environment too is victimized. No efforts have ever been taken to ensure proper dumping of overburden and slurry. It is the village forest, water catchments and grazing grounds which are essentially community resources which are identified and used for dumping mine wastes. Not a single mine in the history of mining in the state has been restored or rehabilitated. The basic requirement of erecting signboards and boundaries around the mines does not exist in most of the mines. No mine owner keeps any records or evidence of the establishment at the site.

## And then there was hope

### The making of the Mine Labour Protection Campaign

**I**t was in response to the drudgery and misery of the mine workers that a campaign was launched to address the problems being faced by them. The Mine Labour Protection Campaign (MLPC) came into formal existence in 1994 following deliberations on the mining situation in Rajasthan in a series of workshops and seminars attended by

a large number of environmentalists, lawyers and activists, in Jodhpur. It was felt in these meetings that a counter voice on the mining situation was necessary and that NGOs must initiate a campaign to protect the rights of mineworkers in the context of Rajasthan.

MLPC is not just an NGO: It is a movement for the rights of mineworkers. The aim of MLPC is 'to promote environmental justice through organising the unorganized mine workers in the state of Rajasthan and building their capacities to protect their rights and environment'.

The campaigns mandate is straight and clear. It strives to protect the interests and rights of mineworkers through meaningful dialogue with mine owners, mineworkers and the state to provide them health care, occupational safety and fair wages to workers. The campaign also believes in empowering mineworkers and tries to identify local leaders to fight for their rights.



## About the MLPC TEAM

MLPC is guided by a steering committee largely comprising of experts from various strata of the civil society with Justice V. R. Krishna Iyer, retired judge of the Supreme Court as patron. The chairperson of the steering committee, Dr. S. M. Mohnot the recipient of the First Vrikshamitra Award and a renowned scientist who is also the Executive Director of The School of Desert Sciences (SDS). The School of Desert Sciences (SDS) was established by an eclectic group of individuals with a deeply shared concern for the people and ecology of Thar Desert. SDS thus functions as the administrative and technical arm for MLPC. A full time Campaign Manager based at Jodhpur administer MLPC. Currently the campaign is administered by Mr. Rana Sengupta who is a social worker by profession and has been managing MLPC for over 5 years.

Today, MLPC is working in ten districts of Rajasthan (Jodhpur, Barmer, Jaisalmer, Udaipur, Dungepur, Rajsamand, Chittorgarh, Banswara, Nagaur, and Kota)



and one district in Gujarat-Banaskatha to ensure economic stability, rights and dignity due to mineworkers, who constitute a vast majority of the rural poor.

## Supporters of MLPC

The work of MLPC has been supported by many national and international funding agencies. These are the Ford Foundation, Oxfam India Trust, Christian Aid, Heinrich Boll Foundation, Hivos, and United Nations Voluntary Trust Fund for Contemporary forms of Slavery besides the State and Central Governments.



## 'To mine or not to mine'

**O**n the issue of mining, one school of thought advocates imposing a blanket ban on the practice of mining while the other school of thought is driven by

the leftist ideology, which talks about increased wages and better condition of mine workers. MLPC advocates for judicious mining without causing damage to the

environment and better working conditions of mine workers, which includes better wages, safe working condition and no violation of labour rights.

### How MLPC works

**S**ince the ten years of its existence MLPC has fought battles on several fronts. Several interventions have been initiated in the recent past to counter the mine workers agonies. The formation of workers union and their gradual increase in membership is a testimony to the trust, which the mineworkers have placed in MLPC and the relevance of the interventions. Listed in this section are some of the main areas of work:

#### Formation of Unions: Making mine-owners accountable

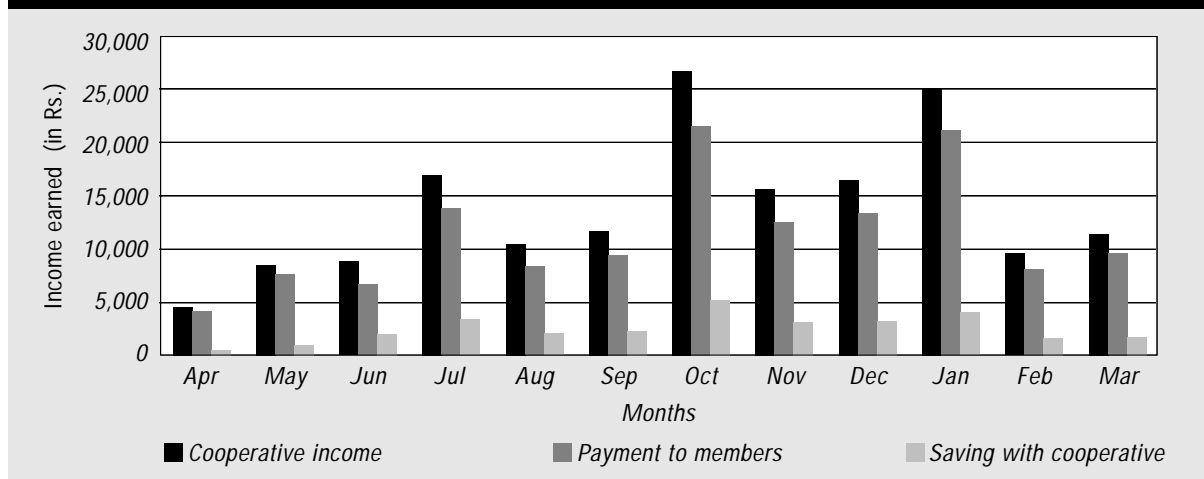
MLPC was perhaps the first to facilitate organizing the unorganized mineworkers in Rajasthan. Currently the various unions have an outreach of approximately 90000 members across 10 districts of Rajasthan and another 750 members in Gujarat. Considering the fact that a large majority of mine workers belongs to the unorganized sector, the role of the unions to safeguard their rights cannot be underestimated. Necessary

training and exposure support is extended to them periodically. These unions operate on membership basis and the role of MLPC is to build their capacities through trainings, exposures and legal assistance. The efforts of organising the mineworkers have helped considerably in the formation of new unions and strengthening old ones. Several unions have been successful in dealing with the issues if mine workers such as timely payment, safety conditions for mine workers, shelter, signboards specifying identity of mine owners, registers of attendance, access to provident fund and proper compensation in accident cases.

#### Forming cooperatives: From 'mine workers to mine-owners'

In a path breaking shift MLPC worked with the mine workers to enable them to become the owners of the resources that they were mining. With the support from MLPC ten cooperatives of mineworkers were registered with seed capital to help them take up mining leases. These cooperatives have successfully

### MONTHLY INCOME AND PROFIT OF A COOPERATIVE





taken up mining leases and have set models of fair trade. The idea of forming a cooperative for mining activity was a new experience for the mineworkers involving a long preparation process. This endeavor has turned out as a good model, which received appreciation from the government and measures are underway to replicate these models in other mining areas in Rajasthan.

The functioning of these cooperatives is different from that of unions. The cooperative is an assemblage of mineworkers that undertake activities as an enterprise to earn profit out of their labour and the profit so earned is equally distributed to cooperative members. MLPC was instrumental in getting the cooperatives registered and they have applied for mining leases. Since acquiring leases to extract minerals the cooperatives have been earning appreciable profits. The mining leases have not only ensured income and good return of the members' labour but created a sense of empowerment and security to halt exploitation in future. For example, after the formation of a cooperative in Udaipur and mining the average earning of each worker has increased from Rs 1700 to Rs 4000 per month. In the process of applying for a lease, the members have come to know about the functioning of various government departments necessary to run a cooperative. Members have developed self-confidence and learnt about their entitlements in a complex enterprise like mining. These success models created in less than three years have received recognition by the government and efforts are on to carry this process further. The cooperatives of mineworkers have not only ensured protection of rights of mineworkers and good economic status but also exposed them to protect the environment by

## 'Freedom from bondage'

**M**ine workers are born in debt and die with debt. A study conducted by MLPC reveals that most of the debt is because of medical expenses incurred for elders in the family who have spent the prime period of life working in mines and acquired occupational diseases. MLPC through its cooperatives encouraged mine workers trapped in bonded labour to join the cooperative. The founder members ensured repayment of debt to the respective mine owners to free other workers from the trap. One month's food grain was lent to the new members by the cooperative, which helped to free them from the bondage. This experience was a lesson to all the mine workers in that area as the cooperative and villages collectively put pressure to ensure that the mine owners pay fair wages to the workers and not exploit them.

developing waste disposal strategy, compensatory afforestation and creating awareness to abide by the existing mining rules. So far 14 cooperatives have been initiated in 7 districts. The number of mine-workers reached through the cooperatives are 448 of which the cooperative in Sakroda is the largest with a membership of 242 members. It is perhaps for the first time in the State that a scientific work plan, environment safety plan and such other laws of the State are adhered to by the mineworker's cooperatives in their mining belts.

These model cooperatives have set examples of justice and fair trade benefiting not only its members but have helped raising the wages of workers in other mines and to provide better working conditions. The members of a cooperative are also the residents of the same village from where they mine and thus take measures to ensure proper disposal of wastes. A cursory glance at the member profile of each

Table 1 : Caste and gender profile of cooperatives set up by MLPC

NAME	DISTRICT	MEMBER			CATEGORY	CASTE
		M	F	TOTAL		
Neemachmata Adiwasi Mahila, Utpadak Sahkaari Samiti Ltd, Kaloda	Udaipur	-	50	50	Schedule Tribe (ST)	Gameti
Adiwasi Karigar Majdoor Avom Shramik Hitkaari Sahkaari Samiti Ltd, Kaloda	Rajsamand	17	-	17	ST	Bhil
Khan Shramik Theka Sahkaari Samiti Ltd, Maitali	Dungarpur	18	3	021	ST	Kharadi, Koted, Katara, Damor & Pargi
Jai Ambe Adivasi Sahakari Samiti Ltd, Udaipur	Udaipur	200	42	242	ST	Gameti
Pathar Khan Theka Sahakari Samiti Ltd, Jethwai, Jaisalmer	Jaisalmer	17		17	ST	Bhil
Sanfa Khan Theka Sahakari Samiti Ltd, Sanfa, Barmer	Barmer	21		21	Schedule Caste (SC) & ST	Meghwal and Bhil
Gypsum Khan Sharmik Theka Sahakari Samiti Ltd, Dunda, Barmer	Barmer	21		21	ST	Bhil
Ramdev Pathar Khan Mazdoor Theka Sahakari Samiti Ltd, Kharantiya (Juna), Barmer	Barmer	21		21	SC and ST	Meghwal and Bhil
Khan Shramik Theka Sahakari Samiti Ltd, Lavarani, Jodhpur	Jodhpur	17		17	SC	Meghwal
Dr. Bhimrao Ambedkar Khanan Sahakari Shramik Theka Samiti Ltd, Jodhpur	Jodhpur	21		21	SC	Meghwal
Kuship Pathar Khan Mazdoor Sahkari Samiti Ltd, Sivana	Barmer	20	-	20	SC and ST	Meghwal and Bheel
Khan Shramik Theka Sahkari Samiti Ltd, Damri	Dungerpur	7	9	16	ST	Meena
Bagad Khan Shramik Theka Sahkari Samiti Ltd, Paldeval	Dungerpur	9	16	27	ST	Meena
The Rajasthan Shramik Theka Bahudeshyay Sahkari Samiti Ltd, Chavni	Kota	25	2	27	SC, ST and General	Bheel, Meghwal, Khatik, Yadav, Regar, Kohli, Harijan, Kahar, Balai, Banjara and Muslim

cooperative indicates that MLPC is working with the most backward communities of the state: the scheduled castes and the scheduled tribes and many cooperatives have women as members.

## Influencing government policy through research

The pathetic condition of the unorganized mine-workers in the State of Rajasthan has been brought to notice of the government and public through extensive research work and documentary films. MLPC has undertaken research work on different facets of mines and mineworkers<sup>1</sup> which also resulted in the Jodhpur Declaration in 1993 which has over the years served as a guiding document on the tasks to be undertaken to address the problems of mineworkers.

Some of the research undertaken by MLPC are:

1. Mining in Rajasthan
2. Mining and its Impact on Livelihood of People

3. Marble Mining in Makrana
4. Mine Workers in Rajasthan-Victims of Environmental Injustice.
5. Social and Environmental Aspects of Quarrying and Processing of Natural Stone in Rajasthan.
6. Bonded Labour in Small Scale Mining

In addition MLPC has also commissioned two documentary films:

1. 'Plight of Sandstone Quarry Workers in Jodhpur' and
2. 'Shadow of Taj'.

1. **JODHPUR DECLARATION** For deliverance of hundreds and thousands and more Indian humans from dust related health hazards and other community dangers including environmental degradation. Few action plans are:

- (i) To undertake deliberations with mine owners for ensuring beginning of some kind of ownership to mine workers by evolving some strategy and forming cooperatives.
- (ii) To help the mining workers to form unions and this action committee will work as a catalyst to help them in such a way that these mining workers can emerge out as self sufficient unions in near future.



MLPC in collaboration with the National Law University is currently drafting a position paper on mining in the Aravalli hills to be submitted to the Supreme Court of India. Study on agriculture landholding, extent of livelihood dependence on mining and agriculture by marginalized mineworkers was also initiated.

To address the issue of unscientific and unauthorized mining and degraded ecosystems in and around mine belts MLPC was instrumental in organizing a National Workshop on the 'Rehabilitation of Mined Lands: Protection of Environmental and Helping Livelihood'. This workshop shared mines and mine workers concerns, how to initiate dialogue for rehabilitation of mined lands to restore environment and to explore alternative livelihoods by making use of these lands. This workshop was organized in Jodhpur during June 2004 in which the State's Cabinet Minister for Mines and Environment, State Mines Secretary, Members of Parliament and legislative assembly participated. Engineers, technocrats and scientists from the Indian Bureau of Mines, Indian School of Mines, State Mines Department, Geological Survey of India and Space Department besides representatives of corporate and private mines participated. The workshop formulated recommendations for policy changes to rehabilitate mined lands, provide livelihood support to rural poor and to restore environment.

To make people aware about the mining industry and put pressure on the State for necessary action MLPC has developed a 'District Level Mining Information Cell' (DLMIC), which has been set up at Jaisalmer district of Rajasthan. This cell is working as a mine watch window, which looks for fact finding, and also undertakes research on various aspects of mining. The information gathered from different sources and group of people as well stakeholders has been analysed appropriately for policy formulation, awareness building and advocacy. Through DLMIC comparative studies have been made to identify gaps on information on mining as per the government records and ground information.

For example as per government policy, backward

communities are encouraged to take up mining leases of minor minerals because the mining process is labour intensive and involves nominal investment. The DLMIC carried out a fact-finding study to know whether the backward communities were benefiting from such a policy! It was found that most of the mines were in the names of scheduled castes and scheduled tribes (SC/ST) but were operated by rich people from higher strata of the community. The SC/ST people instead were working as bonded labour in the mines owned by them, while the profits were being reaped by the rich! When this information was brought to the notice of the Mining Department and the mine workers it helped to reflect the real ground situation and also generated awareness with the community on how they were being exploited for decades.

### Empowering women through self-help groups

The need for targeting women in the mining industry is immense. Women are quite articulate beneath the surface of traditional roles they play within their families. They are also the most vulnerable as work on their lands keeps them occupied only for five months and in case of a drought even less so. It is these women who turn to mining to supplement the



household income, which then makes them vulnerable to exploitation by the mining contractors.

MLPC has also organized women mineworkers into self-help groups (SHGs) and encouraged their participation in the cooperatives. The SHG is essentially a group of women to ensure protection of their rights, participate in decision making of the cooperatives and lend credits for income generation activities. The main strategy revolves around the promotion of SHGs to involve women in a dialogue process. Altogether 20 SHGs in 7 districts have been established reaching out to about 342 members. Attempts have also been made to focus on the wives of cooperative members so that the money raised could be invested in some income generation programme as well ensure fair returns from mining for community development.

One women's SHG at village Lavarán in Jodhpur district has taken initiative to reduce their dependence on mining by contributing seed capital for purchase of livestock. Two other SHG's at Jaisalmer and Barmer are now saving for investing in grain banks and fodder banks in their villages to



secure themselves against the frequent droughts. This is also in tune with MLPC's policy of encouraging the people who turn to mining in times of hardship to return back to their traditional livelihoods.

### **Catch them young: Addressing child labour through schools**

In absence of elderly members in the family who can take care of the children it is observed that the child starts accompanying the parents to the mines. Slowly the child is engaged in some activities at the mining site such as clearing debris or waste. When the contribution of the child is understood he or she gets employed by the mine owners or contractors for a small income, which ensures that they will continue to do mining work at an age when they should be at school.

MLPC started special schools to address the problem of child labour in the mining areas. These schools were supported by a project of the Ministry of Labour, Government of India. The objective of the school was to provide elementary education to those children who went to the mines as they had no one to take care of them in absence of their parents as well as attempt to make the community aware about the offence of involving children in work. In three years over a 100 children have directly benefited through this programme and been linked with mainstream schools of the State. Awareness campaigns were organized to identify child labour in mining areas and to link them



### *Shyam's story*

**M**y name is Shyam and I am 12 years old. My father, Kishnaram Bhil died six years ago when I was just 6 years old. He used to work in mines in Gopalsagar, a small village near Ajmer. He was the only earning member in the family. Death of my father was a big shock for my mother and our family. My mother started working in nearby mines, though she did not like working in mines but there was no other means to feed the whole family. She was paid only Rs. 25-30 for the whole day of hard labour. This hard earned



with nearby schools. The children are also trained for vocational skill development. The cooperatives, which have been set up by MLPC, have taken steps to ensure that no mine in their village engages child labour.

#### **Panchayat control over their minerals through tax**

Mine owners are not generally from the village and therefore do not have concerns for environment being damaged in that area due to mining and it is the local residents of the village who suffer the consequences. The villagers get nothing more than employment from the mining activities in their village. Often the mine owners have even started employing labour from distant places and have also replaced them by machines. In such cases the villagers have no stake in mining and their resources are plundered. In several villages MLPC has initiated the process with the village panchayat to ensure justice to residents of that village who work as mine workers and also to check unauthorized and illegal mining. Villages where MLPC supported cooperative exists, have taken a decision to impose a fee on mineral extraction so that the panchayat can generate revenue from mining. This revenue would be used for the welfare and development of the specific village from where the mineral is

extracted. These Panchayats are also developing their village environment management plan so that mining activities do not damage their natural resource and livelihood support systems. The Panchayat would have to share the decision with the State Government and then finally impose a small fee or a tax. This is an innovative measure that MLPC has begun work on to ensure that the Panchayats act as watchdogs and have greater control over the use of minerals found in their area.

#### **Change through awareness camps and advocacy**

MLPC regularly organize health camps in all its field areas for mine workers. These camps are organized in collaboration with the local primary health centre and intended to build awareness on health issues among mine workers as well invite attention of the Health Department to the needs of the mine workers who are exposed to hazardous working conditions. Over 600 mine workers are benefited in each camp, some are provided with referral assistance to government hospitals. The health camps are supported by the campaign but organized by the local cooperative or labour union. Pictorial banners and charts on health issues are displayed besides distributing leaflets on health safety.



## A mine worker and now a student

*money was not enough to fill the empty stomachs of five children. This made her to carry my elder brother and sister to mines. The whole day we had to sit in sun, which was very painful for our younger sister who was only few months old at that time. Time passed in this way and soon my younger brother, Manohar and I started working in mines. We used to remove debris, break pieces of stones into pebbles and load them in tractor for which we got Rs. 10-20 per day.*

*But, when the Special Child Labour*

*School opened, we got ourselves registered in the school with the help of encouragement of the school staff. We have started coming to school regularly. Different activities like games, recitation, dances, etc help us in building our confidence. Above all, the stipend that we get from school will help us to continue our studies after completing our primary education from this school. If there had been no such school, it would never be possible for children like us to learn, and we would have been pushed into the most repulsive activity that is mining.*

Grievance camps are organized in collaboration with Labour and Mines Departments in presence of the State government representative. The grievance camps provide an interface of the mine workers with the government representatives and also help in influencing government policy. The grievance camps facilitate reconciliation processes so that the disputes are sorted out at the local level in presence of the representatives of the State. MLPC have organized over 40 grievance camps in the last 2 years and helped mine workers to place their difficulties and problems and helped to ensure justice to them. These camps have also helped to generate awareness among the mineworkers to ensure proof of employment and identity so that evidence of engagement with the employer is proved. In most cases the mine owner refuses to identify the mineworker and denies any relationship. This is common and leads to delay in justice. The concerned departments have taken necessary action to ensure that records of identity and employment are kept at all worksite. The unions have also been authorized to issue identity cards to its members so that the mine worker can prove his/her identity. Several compensation cases of non-payment of wages have been resolved through these camps. Legal aid camps in association with the National Law





University are another tool for making the mine workers aware. The average participants of these camps vary from 75 to 125 mine workers. Through these camps the mine workers are told about the laws which exist for protecting their rights and environmental protection of the mined lands. Awareness materials on mine workers rights and laws concerned are distributed through these camps. These camps generally encounter cases of retrenchment, non-payment of wages and compensation for accidents. The major barrier faced by the lawyers to resolve these cases are absence of proof of identity of mine workers and their relation with the employer.

Public Hearings are another important tool for mobilizing opinion on a particular issue. Several public hearings have been organized by MLPC. For instance in 2002 a hearing was held in Haldighati in Udaipur, Rajasthan, in which more than a thousand mine workers participated. After this public hearing the mine workers of Kaloda area were given some increment in labour wages and several of the other conditions put forward were also implemented such as installation of notice boards at mining sites, regular health check-ups, and provision of drinking water facility at the mines. The event also provided the inspiration for the labour to organize themselves into a union. In another Public Hearing organized in Ghata-Gajghat in Rajsamand district of Rajasthan over 1500 mine workers attended the hearing along with the State Labour welfare officers. A number of accident cases had been reported from this area but had not been resolved. The hearing made the mine workers aware of the state agencies they could turn to for help. As a result of these public hearings the mineworkers develop the confidence of interacting with the government departments and authorities. Better wages were provided and signboards were put up at mine sites. Few mine owners also started maintaining records of the workers and opened provident fund accounts.

## Battles fought and won

**I**n this section we highlight some of the visible results that MLPC has been able to achieve in the last decade.

## Working with women in

**K**aloda in Udaipur is a unique area where. MLPC found that over 80% of the village women are working in mines. These women workers are either from scheduled castes or scheduled tribe communities. MLPC has formed two self-help groups (SHGs) with the women here. These SHG's are essentially saving groups and have saved over Rs 10,000 since their formation. The SHG's also have saving account with the local bank in that area and have extended loan



## alternatives to mining, in Kaloda, Udaipur

up to Rs. 3000 to its members, which is to be repaid in time without default. In 2004 these two SHGs registered themselves as a cooperative. The cooperative members decided to look for alternative livelihood opportunities to mining and have initiated the process of producing worm compost to enhance the productivity of their agriculture land and exploring possibility farming of medicinal plants after monsoon. At present they have secured some land from the panchayat for developing compost beds. This cooperative has helped its members to get employment at the watershed and forest project work.



### ECO-TOURISM

**S**habri Aashram, a dream and blessing for the cooperative members of women mineworkers of Kaloda, is a novel enterprise to avoid going to mines as mine labour. The main objective of establishing Shabri Aashram is to raise the economic status of cooperative members of women mineworkers and other tribal women of the area. The Aashram will serve as a window and as an eco-tourism center to collect and disseminate information on tribal culture and their way of living and being and also as a shelter place for the visitors and a place to exhibit and sell the products made by the members of cooperative. The cooperative aims at linking the mineworkers with rehabilitation of mined land and assuring active participation of tribal women in environmental protection of the area. It also assures education and health facilities for mineworkers' children. The centre aims at providing training for alternative livelihood to women mineworkers so as to make them self-reliant and self-sufficient by encouraging customary assistance and conventional empathy among members.

## The road to self reliance: the dynamic leaders of Sanfagaon

**S**anfa gaon is located in Barmer district of Rajasthan. Mining was started in Sanfa since 1970; the stone that was mined was "masonry stone". At that time, the stone was used within the Gram Panchayat for the construction of temples, dams and other structures. In 1985, 40-50 workers joined to work in the mine at Rs.50/per 100 khande (stone bricks), which was then sent to the nearby towns.

For MLPC the journey started with the tough task of motivating mineworkers in this village to join hands and form co-operatives. What worked in Sanfa was the presence of two dynamic leaders Joga Ram and Nathuram who were able to mobilize the rest of

the mineworkers. Moreover, the method adopted was through meetings with people at their work places. In these meetings the advantages of co-operative formation was explained. Finally, a group of 21 members came forward for the formation of co-operative. In 2002, three day training was conducted with help of MLPC and the 'Central Board for Workers Education' for the members. A meaningful orientation was given regarding the functioning of co-operative. With this enlightenment, the members became enthusiastic for forming a cooperative. With the legal and financial support from MLPC, the "Sanfa Khan Majdoor Theka Sahkari Samiti" applied for registration.

The next step was applying for a mining lease. The co-operative chose an area close to their village. On 20th December 2002, an application was submitted for lease. After a long wait in 2003, the lease was sanctioned. The day proved to be a landmark for the members as since then they have been earning considerable profits.

The success story of "Sanfa Khan Majdoor Theka Sahkari Samiti" ends with the golden words of Nathu Ram

We are the richest person, as we are working in free atmosphere without any compulsion and exploitation. Above all, we are working in our own mine.



## The crane that changed lives: the story of Jethwaigaon, Jaisalmer



**J**ethwai is a small village in Baramsar Panchayat Samiti of Jaisalmer district in Rajasthan. Situated 25 kilometres north of Jaisalmer city this village has become world famous for its beautiful 'yellow marble' which is not marble but fine quality sandstone, and is in great demand. The magnificent Sonar Kila in Jaisalmer is in fact made of the same stone. Jethwaigaon is predominated by families from the Bhil community. Bhils were traditionally the hunter community. With their skill in hunting the community had good relations with the landed caste such as the Rajas and Thakurs. They soon became their trusted servants and their bodyguards. As alimony, they received small land holdings to

farm on, for subsistence. Even after independence of the country, due to their meagre landholdings the Bhils are today quite marginalized. Quality stone with market value prompted the rich and resourceful to purchase mines in form of leases from the state. Who else but the Bhils with their dwindling subsistence resource could be the best option for providing cheap labour for the mines that started here 30 years ago.

In 2001 MLPC assisted the mineworkers here, headed by Kanaram to apply for a mining lease through a cooperative. 'The owners of the mines would constantly try to dissuade us from applying for the lease by doubting our capabilities' explains Kanaram.

But the early days of doubt and frustration are now over so much so that with the assistance of MLPC, the Jethwai cooperative members recently purchased a crane to help remove big stones during mining operations. The day that the crane arrived in the village was cause for much celebration. Today the cooperative members do not have to ask any mine owners for a crane, they are self-sufficient. The members are hopeful that through their consistent hard work they will be able to repay the loan with which they bought the crane.

The enthusiastic and hard working members of Jethwai Cooperative are probably the first amongst a tribal community in India to own a crane!

## The marble that made Taj Mahal:

**T**he Taj Mahal, one of the 'seven wonders' of the world, owes its splendid look to the immaculate quality of marble from Makrana, a small town in Nagaur district of Rajasthan. The fascinating rocks, which are concealed below the sand of the desert are well known world over for their quality. The gleaming marble, till today enhances hotel foyers, bath-rooms and patios which have in fact snatched limbs and lives of hundreds of poor mine workers.

Marble mining at Makrana has a history of over 3 centuries. The large-scale, ruthless, unscientific mining for years have devastated the landscape. The older mines have become very deep and are highly unsafe to work with no proper provision to enter or exit the mines with increase in chances of mine-collapse leading to serious accidents, which are very common. Over 50 mines have collapsed and several are in the stage of high risk. In most quarries, the cranes are old and obsolete. The method adopted for quarrying does not comply with Minor Mineral Concession Rules (MMR), 1955. At Makrana mining is done at the inclination of 70 degree and thus violates the rule of vertical mining.

MLPC has been working for the mine workers highlighting safety as well environmental concerns at Makrana for several years. Many legal aid camps, trainings, health camps and exposures have been organized in collaboration with the union the 'Marble Mazdoor Union'. As a result of the advocacy campaign, mine owners started providing safety kits to the workers. The support provided by MLPC raised confidence among the mine workers and the result was seen in the strength of the union. The membership of the union rose to over 6740 in June 2003 which was just 700 in the beginning of the year.

A public hearing was organized to facilitate sharing of mine workers problems with various government departments in 2003 at Makrana where in over 1500 mine workers participated in addition to a Public Interest Litigation filed at Rajasthan High Court backed with the research undertaken by MLPC. A permanent committee constituting of representatives from various government departments such as mines and labour was set up by the court for redressal of grievances of the mine workers at Makrana. This committee meets every month at Makrana and has helped to resolve several problems of mine workers. A special committee constituting of eminent professionals of environmental, geology and social sector has also been set up by the court for consultation. The litigation done by MLPC resulted in converting all the requests of mine workers as orders of the High Court thus making them legally binding.



**Deprivation at Makrana**





## The road ahead

In the past three decades, reckless, unscientific and illegal exploitation of minerals has created human and environmental disaster at the cost of the State's natural resources specially its biodiversity, which is the major support to the rural poor. The fragile ecology of the desert is facing crisis of survival, threatening the livelihoods of Scheduled Castes and Scheduled Tribes and indigenous people of the Thar Desert, who used to rely primarily on natural resources like water, fodder, raw material for craft and cottage, herbal backup, livestock products, etc. for their survival.

MLPC aims to develop cooperatives in every district of Rajasthan, which will act as models of environmental justice, to empower local communities to exercise their rights over mineral resources involving Panchayats and ensuring just trade practices. Rehabilitation of the mined lands and a 'Mine Closure Policy' should be in place to address problems of environmental degradation, for which exhaustive research is needed, for which MLPC envisages a 'State Level Mining Research and Information Centre'. Another goal for MLPC is to ensure local governance on mining and development of environmental management plan for villages where mining is taking place. MLPC has also poised itself in the coming years to focus on revitalizing the traditional livelihood practices of the rural poor. This is essential as it is impoverishment of their old livelihoods, which push the poor into mining.

The long-term goal of MLPC is to enable local people to use the mineral resources in a sustainable way, to retain their earnings, to protect the land, and to improve the lives and well being of local communities. In the coming years MLPC hopes through partnerships with government agencies and civil society to reach out to as many unorganised mine workers as possible and to work towards upholding their dignity and restoring the damaged environment. The journey for MLPC has just begun.