

Marble Quarry Workers of Makrana

A Study Report Prepared for

*“Beyond the Resource Curse Charting a Path to Sustainable Livelihood
for Mineral-Dependent Communities”*

ARC Discovery Project led by Kuntala Lahiri-Dutt

by

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Introduction

The Mine Labour Protection Campaign Trust (MLPC) have been working with mineworkers in Rajasthan for over a decade now. It is a partner in a larger research project titled, “Beyond the Resource Curse: Charting a Path to Sustainable Livelihoods for Mineral-Dependent Communities” undertaken by Dr. Kuntala Lahiri-Dutt of The Australian National University. This project combines research with participatory action, expands scholarly understanding of mineral-dependence and connects it to neoliberal development, agrarian changes and the informal economy by exploring mineral governance, production and labour organisations, and gendered livelihoods in ASM in India. This report is part of this project.

MLPC's intervention in Makrana began when we noted the daily occurrence of accidents causing death and disability among mineworkers. We decided to make a documentary entitled “Shadow of Taj” and while filming, realized how dangerous the mines were and that mine workers court death every day. On investigating, we observed the lacunae of the various government departments and the violation of every rule in the rulebook. To make both the State and Central governments responsible, a Public Interest Litigation was filed in 2003. This judicial intervention and media publicity through the documentary, acted as a catalyst and a grievance-handling cell was set up and where, for the first time, different departments related to mining meets every month. Even today this continues and it has helped to reduce the number of accidents and irregularities in the Marble mines.

This research report delves into the present situation of mineworkers and the widows of the mineworkers. The data were collected over a period of 6 months (December 2013 to April 2014). The report includes the findings of the two baselines studies - of mineworkers and

widows of the mineworkers; and the Focus Group Discussions (FGDs). The objective of the study was to understand the civic and livelihood related needs of the mineworkers and their families. Information was collected from 50 mineworkers and 52 widows of mineworkers through separate questionnaires. Ten in-depth case-studies were conducted that included 5 mineworkers and 5 widows of mineworkers. Two Focus Group Discussions were also organised with mine workers. Besides, researchers interacted informally with mine owners, processing unit owners and local government officials to collect the general data on marble mining and allied industries.



Background

2.1 Marble - It's value and reserve

Marble is a 'minor mineral' as defined in Clause (e) of Section 3 of Mines and Minerals (Development & Regulation) Act, 1957. The term "marble" is derived from the Latin word Murmur, which in turn is said to have been coined from Greek word Marmorous, meaning shining stone. It is known for its pleasant colours, smooth and uniform texture, moderate hardness, amenability to be quarried into big blocks, smooth & shiny polished surface and silky feel. Marble occupies a unique position among other dimension stones because of its aesthetic value. In terms of geological definition, it is a metamorphosed limestone produced by recrystallisation under condition of thermal and also regional metamorphism. In



commercial parlance, almost any rocks consisting of calcium and/or magnesium carbonate, which can take polish easily, more especially, unmetamorphosed limestone are termed as marble. Marble is not a prime export commodity like the dimension stone, granite. Its internal demand has always remained high and most of the production added with recent increase in imports is consumed within the country. Marble is the most preferred stone in India among all dimension stones. Most of the

units in the marble industry are in the small scale sector¹.

The value of production of minor minerals was estimated at INR 196 billion in the year 2010-11. Andhra Pradesh with share of 38.5% in the value of minor minerals produced in the country occupied the top position. Rajasthan was at second place and had a share of 23.4% in the value of minor minerals. Next, in the order, was Uttar Pradesh with a share of 14%, Madhya Pradesh 8.7%, Kerala 4.6%, Gujarat 3.7%, Maharashtra 1.6% and Chattisgarh 1.3 %. The contribution of remaining States and UTs was less than one per cent each. Mineral-wise analysis revealed that Road metals had the largest share of 24.6% to the value of minor minerals followed by Building Stone 23.8%, Brick-earth 12.4%, Ordinary Sand 11.2%, Marble 5.9%, Gravel 5.1%, Quartzite & Sandstone 4.2%, Limestone 3.9%, Murrum 2.8, Kankar 1.9% and Ordinary Earth 1.7 %. The individual share of remaining minerals was less than 1.0%, which together contributed 2.5 % of value of minor minerals. The share of minor minerals in the value of mineral production was estimated at Rs 19,623.91 crore for 2009-10 and 2010-'11.

Rajasthan is the richest state in the country with regards to marble deposits both in quality and quantity. The state is the most important centre of marble processing in the country, with about 95% of the total processing units. Rajasthan possesses large reserves of about 1100 million tonnes (Mt) and has the distinction of having the best among Indian resources of good quality marble. The important regions of marble occurrences in Rajasthan are:

- i) Udaipur - Rajsamand - Chittorgarh region;
- ii) Makrana - Kishangarh region;
- iii) Banswara - Dungarpur region;

- iv) Andhi (Jaipur) - Jhiri (Alwar) region; and
- v) Jaisalmer region.

According to the Department of Mines and Geology, Rajasthan, in 2012-'13, there were a total of 1943 marble mining leases in the state. 3842.87 hectares were being mined for marble and the total production was 13.8 million tonnes) employing 33649 mineworkers. The revenue collected by the State was INR 2546 millions.

2.2 Mining of Marble

Mining of marble or, for that matter, any dimension stone is different from conventional mining practices. In conventional mining methods, mined out minerals are obtained in small-size fractions, whereas in dimension stone mining, large-size intact blocks without minor cracks or damages are extracted. Marble mining in India is quite old and has been perfected by trial and error method for extracting larger blocks by manual means. The advent of advanced mining machinery and improved methods of cutting and mining have largely transformed the marble mining methods leading to increased production. Presently, mining of marble is done by manual, semi-mechanised or mechanised means. But in general, the majority of mines adopt the semi-mechanised method of mining.

Rajasthan has about 95% of the processing capacity in the country. There are a number of gangsaws and many automatic tiling plants that are in operation. Important processing centres in the State are Makrana, Jaipur, Alwar, Ajmer, Udaipur, Nathdwara, Rajsamand, Abu Road and Kishangarh. The capacity for marble slab production in the state is around 1,000 million sq ft (92 million m²) per annum and for polished tiles, it is 3,000 million sq ft (270 million m²). In Gujarat, there are about 22 processing units located at Ahmedabad, Ambaji and Vadodara. India has a rich tradition of processing stones and carving jalis, pillars, garden furniture, floral and other design by expert craftsmen. The craftsmen have developed their art using manual means and simple tools. Presently, art collectors from world over seem to demand hand-carved articles produced especially in Makrana.

The environmental degradation during mining of marble is akin to any opencast mining activities, i.e., degradation and removal of top soil, mined out pits disturbing local flora & fauna and water table of the area. In addition, the rejected blocks, unsized blocks and rubbles generated from mining of blocks and from overburden when dumped unsystematically pose serious hazards. Recently, utilisation of smaller blocks in tiling plants has created a new way for judicious utilisation of the mineral resource. The processing waste of marble



Figure 1. A bird's-eye view of a marble quarry

cutting plants comes out in the form of 'Marble Slurry'. This marble slurry is being dumped by the processing plants at the nearest site available or in the notified areas marked for dumping near the plants. When this slurry dries up, it leads to serious environmental pollution. The major environmental problems due to marble slurry are listed below:

- 1) The slurry when dumped on open land adversely affects the productivity of the land as it reduces the porosity and prevents ground water recharge.
- 2) Areas with dumped slurry cannot support vegetation.
- 3) After drying, the finer fraction of slurry becomes airborne and causes serious air pollution which is not only detrimental to human beings but also to vegetation and machinery.

2.3 Makrana - Home to the Marble Mines

The above backdrop helps one to understand the situation of Makrana, also known as the 'Marble City' of India. The economy of Makrana revolves around marble. The Makrana area is famous for pure white crystalline marble. Other varieties found in Makrana area are Albata, Adanga, Dongri Pink, etc.

The marble area of Makrana is divided into ranges according to the colour and type of marble as listed in Table 1.

Chaurasa range has the best quality white marble. Marbles have streaks of colours which make them more beautiful.

It is believed that mining in Makrana started more than 1000 years ago. The use of marble in the 16th century monument, the Taj Mahal, one of the great wonders of the world, made the Makrana marble famous worldwide. However, prior to that, artefacts made of Makrana marble have been found from the Harappan and Mohenjodaro sites by archaeologists. Marble was also used in the Dilwara Jain temples of Mount Abu in 11th century. Makrana marble has also been used in other famous architectures such as the Victoria Memorial of Calcutta (in eastern India), Haji Ali Dargah in Mumbai and many more important monuments and structures.

Makrana is a tehsil (small administrative unit) in Nagaur district of Rajasthan. It is about 110 kms west from Jaipur, the State capital, and 190 kms north-east from Jodhpur, an important city in the State. Makrana is a small town with a population of 116,245 with a sex ratio of 935 females/1000 males; 63% of males are literate but only 45% of female are literate. (Census Data, 2011. <http://censusindia.gov.in/2011-common/censusdataonline.html>)



Figure 2. The marble quarrying region around Makrana

Sr. No.	Name of Range	Type	Approximate cost of marble per ft ² (INR)
1.	Bhermala	Pink	₹ 70-150
		White	₹ 200-2000
		Adanga	₹ 150-300
2.	Rawatdungri	Adanga	₹ 150-300
3.	Kala-nadutalab	Dark pink	₹ 80-150
4.	Dhobi dungri	Adanga	₹ 150-300
5.	Kumari nadi	Adanga	₹ 40-80
6.	Ulodi	Adanga	₹ 150-300
		Pink	₹ 70-150
7.	Chaurasa	White	₹ 200-2000
8.	Bhot	Adanga	₹ 150-300
9.	Chakdungri	Adanga	₹ 200-500
10.	Pink	Light pink	₹ 70-150
11.	Paharkuan	White	₹ 200-2000
		Adanga	₹ 150-300
12.	Modidungri	Adanga	₹ 150-300
13.	Kala dungri	Adanaga	₹ 150-300
14.	Borawad	Adanag, white	₹ 35-80

Table 1. Types of marble and their value



Figure 3. Artists at work in Makrana



Figure 4. Stockpile of marble slabs

2.3.1 Demography of the Marble Business

Historically, Nagaur had been one of the seats of Mughal power. In terms of religious composition, even today, Makrana has a majority Muslim population. More than 60% of the population are followers of Islam, while around 30% are of Hindus, and the remaining 10% are followers of other faiths, predominantly Jainism, an offshoot of the Hindu religion. Not that it matters in business, but interestingly, the villages, where Muslims are in a majority, the workers get Fridays off, while in other villages where they are not, this is not the case

The economically-rich families - among both Hindus and Muslims - own marble mines, factories and handicraft showrooms. Almost 55% mine-owners are Muslims the remaining owners being Hindus. The labourers employed in mines comprise 80% Hindus and only 20% Muslims. The handicraft units are largely owned by the Muslim community and the labour employed is also drawn from that religious community. In the mines, the workforce is drawn from nearby villages. The workforce largely consists of men, with a few women working in the ancillary jobs. The major work in the mines is cutting chunks of marble blocks. These marble blocks are then sent to the factories and processing units.

In the factories, there is a significant population

of skilled workers who have migrated from the eastern state of India, Bihar. These labourers are mainly engaged in polishing and cutting marble. The next employment provided by an ancillary industry revolving around marble is the handicraft business. In this, women constitute a significant workforce. People are also employed as thekedars or contractors, accountants and transporters in the marble industry. Marble provides employment to more than 50,000 people, directly or indirectly in Makrana. The wages in marble industry vary from INR 7000 to 15000 per month and are dependent on the nature of work and the skill of the workers.

2.3.2 Alternate Livelihoods

Other livelihood opportunities in Makrana are employment provided by the government scheme popularly known as MGNREGA (sometimes just NREG) under the Mahatma Gandhi National Rural Employment Guarantee Act that provides 100 days of work in a year. Farming also exists but it is mostly for household consumption. Since most of the land in Makrana and surrounding areas is mined legally or illegally, agricultural land has become less and the remaining is losing its fertility and productivity. MGNREGA does provide work to people here but as the wages are less and since it provides employment only for 100 days,

people choose the marble industry over it. However, MGNREGA in Makrana provides employment to women; almost 70% of women are working under the MGNREGA scheme, even though the registration in MGNREGA has a higher ratio of men.

Government welfare measures are not implemented properly and efficiently in Makrana. In the Public Distribution System (PDS), BPL families receive only 5kgs of free

wheat and they have to pay INR 2 per kg above this limit. No other food grain is provided by the PDS. Though MGNREGA is providing employment, the wages are very low and are not given on time. Free medicines and free health facilities are available in the government hospital in Makrana. Being a desert area, there is scarcity of water. Despite tap water connections, people have to pay water tankers for their daily supply of water for basic necessities.



Figure 5. Dr Lahiri-Dutt interviewing at Makrana

2.4 Mining and Quarrying In Makrana

The average size of a quarry or an open cast mine ranges from 100 x 50 sq ft. to 200 x100 sq ft. There are 817 licensed quarries and two government leased mining areas in Makrana. However, there are a number of unlicensed or illegal mines and quarries. Unofficially, the size

of the illegal marble mining business could be more than the legal mines in the area. As per unofficial estimate, there are more than 50,000 workers working in the marble and allied industry.

The wage rates differ according to the skills of a mine worker (Table 2):

Mine Worker	Wages per month
Un-skilled	₹ 7000-8000
Semi-skilled	₹ 9000-11000
Skilled	₹ 11000-15000

Table 2. Wage rates for different skill levels

The wages of mine workers do not depend on the quality of the marble, but on the nature of work

(Table 3) consistent with the data in Table 1.

Work	Wages per month (INR)
General labour	₹ 7000-8000
Running machines	₹ 8000-10000
Thekedari and accountancy	₹ 10000-15000
Processing marble tiles	₹ 9000-11000
Making handicrafts	₹ 8000-10000

Table 3. Wages for different categories of work.

Research Findings

3.1 Methodology

For the purpose of the study, 50 quarry workers, who were engaged in different labouring work in the marble quarries, were randomly selected. Since, in random sampling, every single unit of the sample has an opportunity to prove its worth, the sample is expected to represent the entire labour community involved in the quarry labour work. In general our intention was that the data collected under this study should cover all the aspects of quarry work and the general socio-economic, legal and livelihood issues faced by the quarry workers. The other aspects of methodology adopted for this study were:

- drafting the survey instrument and adapting it to the local context;
- sharing with and explaining the purpose of the study to the MLPC team engaged for gathering the information of the 100 individual quarry workers;
- focus group discussion with MLPC team working among quarry workers;
- sharing with and explaining the purpose of the study to the quarry workers and seeking their consent to participate in this study;
- filling up of survey forms, tabulation of survey data, analysing the data collected in the form and comparing the analyses of the data; and
- production of report in draft form and finalisation of the same after incorporating comments from the MLPC Team.

As a part of this study, we also prepared two case studies of stone quarry workers who are

engaged in different activities in the stone quarries. These case studies will establish the ground realities in the quarries.

3.2 Mine Workers

The 50 mineworkers put under the microscope in this study are working in marble mines and quarries of various sizes in Makrana. The men are unskilled workers or have acquired skill through the number of years that they have been working. Most start to work as early as age 10 and typically earn the most during their late teens and 20s. Since it is daily wage labour or on a piece-rate basis, in their prime of youth they can earn well. By their 30s, they start getting weak and by early 40s, the toil takes a toll on their health and thus productivity and earnings fall. These are mineworkers working in the silica based minor minerals like sandstone, soapstone and marbles. Production mechanisms are as archaic as the profession itself. Largely manual processes using hammer and nail. The workers often climb up and down 300 feet on a rope ladder into a marble mine. Candles are used for light. None have any gloves or even slippers; no mask to save them from the dust. Women work as loaders, or use their bare hands to clear the rubbles. The children often are left to play in the dust and heat next to the working mothers. The workers have no identity, no proof of employment, no bank accounts, no social security, no job security - they are the faceless 2.5 millions in Rajasthan, who are part of the 93% of the informal sector workforce in India.

3.2.1 Age

Majority of the workers are in the age group of 21 to 30 years. This is the peak of their working lives and those who are piece rate workers, earn the maximum during this period.

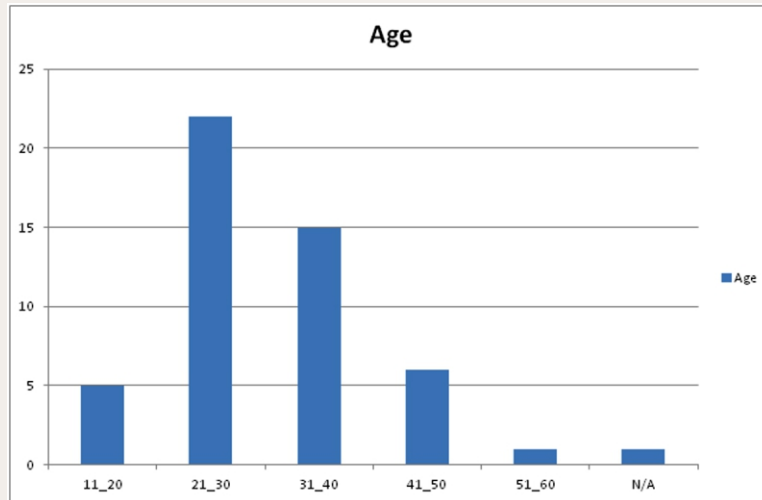


Figure 6. Age distribution of marble quarry workers

3.2.2 Marital Status

Marriages in Rajasthan take place early in life. Even though the legal age of marriage for men is 21 years and women 18 years, in Rajasthan, they are married off as children. Tradition continues with little reverence for law! 35 of the workers were married, while only 15 were not married.

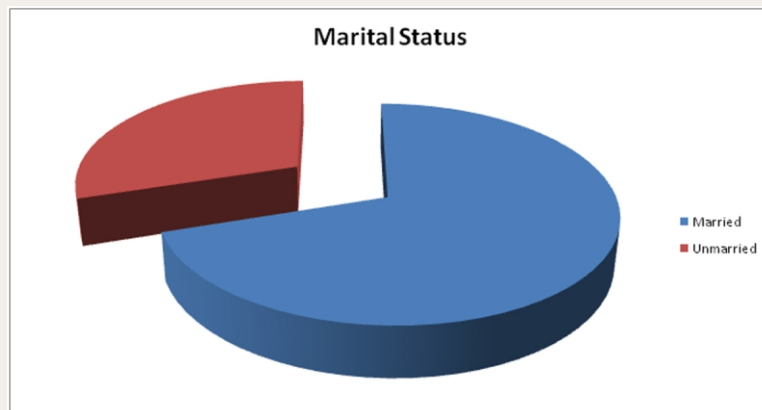


Figure 7. Proportion of married/unmarried workers

3.2.3 Caste

Almost 20 mineworkers belong to the Other Backward Caste (OBC) while about 16 are from the Scheduled Caste (SC). In the caste hierarchy these are in the lower pecking order. About 10 of them hail from the Scheduled Tribe, mainly Bheels.

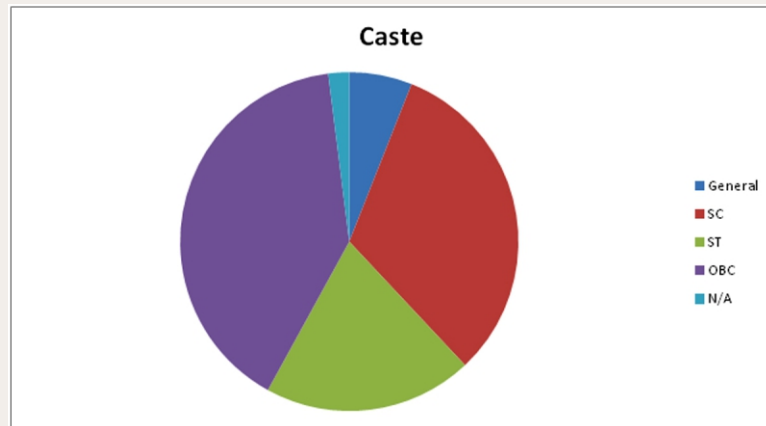


Figure 8. Caste background of marble quarry workers

3.2.4 Traditional Occupation

34 of them are engaged exclusively in mining while the others do supplement their income with other seasonal occupations like farming.



Figure 9. Traditional occupations of quarry workers

3.2.5 Level of Education

Most of them are barely literate. They may be able to sign their names, but not necessarily read or comprehend the contents of the document that they sign.

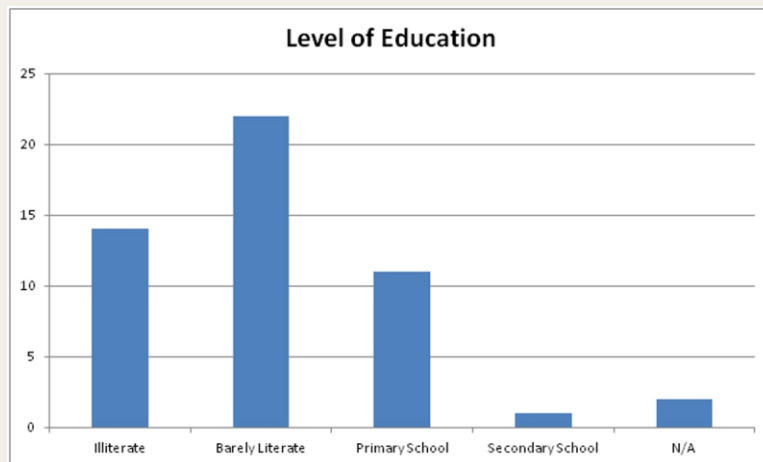


Figure 10. Education levels of marble quarry workers

3.2.6 Kind of Work

Most of the workers are unskilled labourers while only 11 are skilled and use machines in their work.

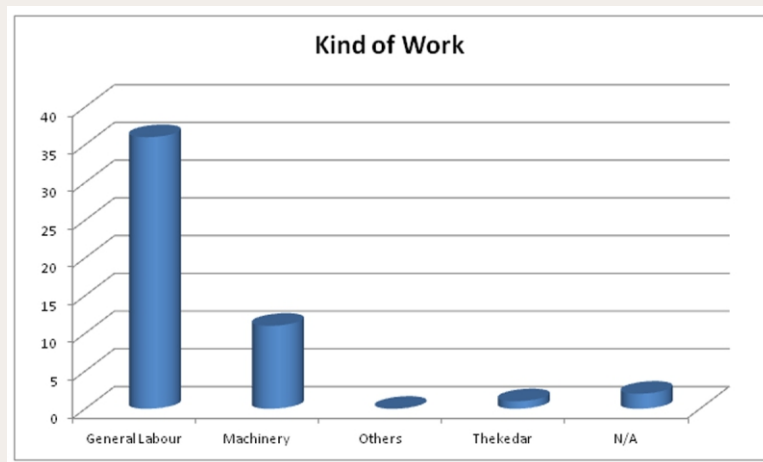


Figure 11. Work categories

3.2.7 Age from when Started Working

As mentioned earlier, child labour is common. The majority of them started to work from the age of 10, compelled by debt or to supplement the family income. The Mines Act 1952 states clearly that mining is a hazardous activity and hence the age of child labour is considered as 18 years, as opposed to 14 years in the rest of the country. However, in the face of poverty, the law is often defied.

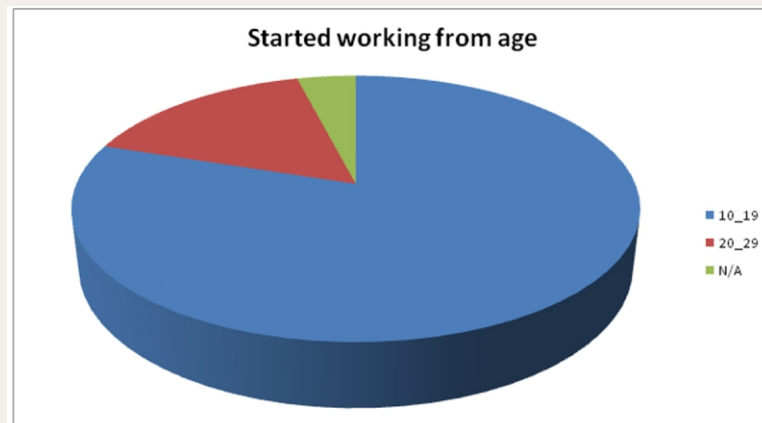


Figure 12. Age when began working in the marble quarries

3.2.8 Type of House

41 of those surveyed live in small, single-room houses, which are temporary in structures, usually made of stone and mud termed Kuccha houses. Only 6 of them live in permanent structures (Pucca) that can give protection from rain and storm. Three lived in huts. Thus demonstrating that poverty is sheer and they are barely able to meet ends with their wages.

3.2.9 Bank Account

Given the government initiatives on financial inclusion, almost 26 of them have bank accounts. The desired figure should be 100 per cent, but given that wages are mostly paid in cash and no records are kept, this is a significant number.

3.2.10 Monthly Earnings

33 of the mineworkers earn anything between INR 4000-8000 every month. Only about 15 of them earn above INR 8000 and upto INR 12000 every month and they are the skilled labourers.



Figure 13. Monthly earnings range

3.2.11 Indebtedness

Almost 1/3rd of them have taken loans. Indebtedness is caused either by ill health where most money is spent on medical expenses or by social obligations like weddings and funerals.

3.2.12 Want their Son to do this Work

40 of the present mineworkers are very categorical that they do not want their sons to follow the same profession of mining. Given the hazardous and back breaking nature of the work, they do not want their children to suffer.

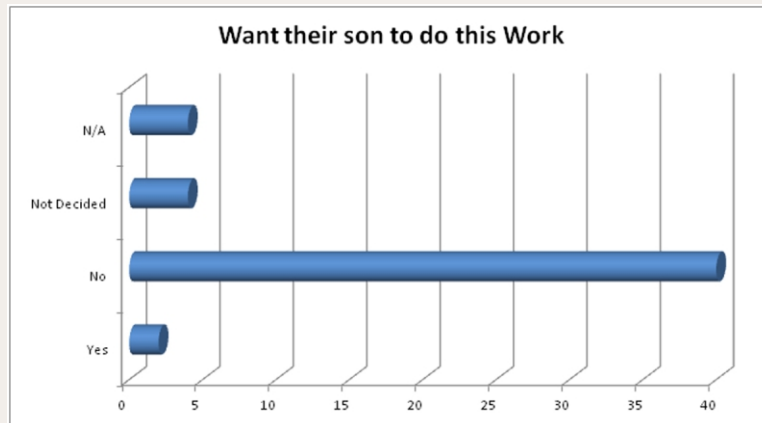


Figure 14. Attitude to work

Widows of Mine Workers

There are about 2,500,000 mineworkers in Rajasthan, of which 37% are female. An earlier MLPC study showed that 48% of the women mineworkers were widows. A recent study undertaken by MLPC shows that 57% of the widows are dalits. The Makrana widows have the same fate as the widows elsewhere. In mining areas, it is common to find almost 30 to 40 widows in the villages given that the average life span of a mineworker is about 45 years.

About 52 widows were interviewed as part of this research study.

4.1 Age of the Widows

40 per cent of widows were in the age group of 40 to 49 years and a further 20% were a decade older. However, there were some young widows in their 20s and 30s also.

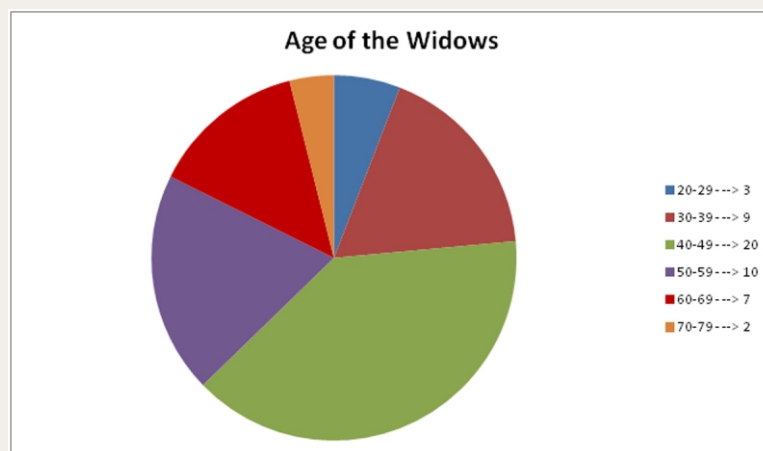


Figure 15. Age distribution of widows

4.2 Level of Education

Compared to the male workers, the education level of the widows is even poorer, 43 of them being illiterate, whilst the remainder were barely literate. Once the husband, who is also the breadwinner for the family dies, the widow is left to fend for herself and her children. The land, or whatever meagre inheritance that is left behind, is usually usurped by the brother-in-law or any other family member. Hence the widows are very vulnerable to exploitation.

4.3 Caste

The widows hail from the lower castes. More than 90% of them are from the scheduled castes.

4.4 Age of husband when he died

The life span of a mineworker is short as Figure 17 demonstrates with the highest death rate in the 30s with more than half the widows' husbands having died before they reached 50 yo. Thus instead of an increasing mortality with

age, among mineworkers we see a reverse trend.

4.5 Cause of Death

The marble mines of Makrana are tombs of

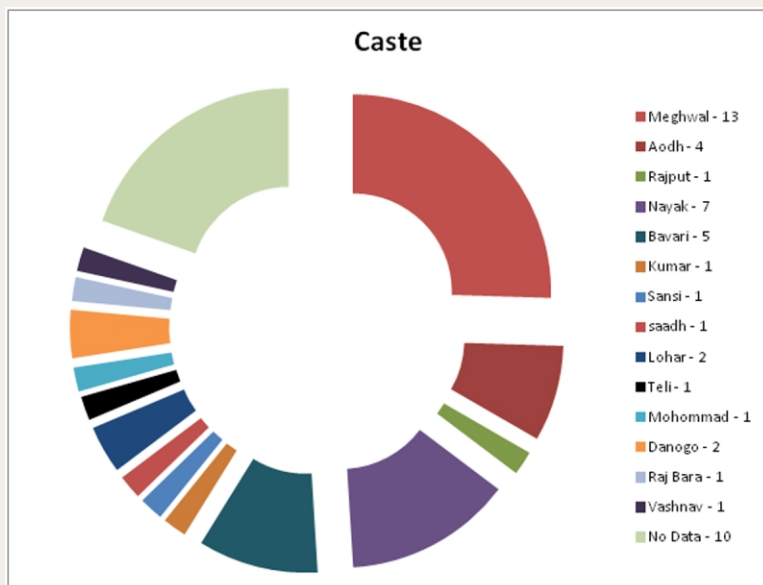


Figure 16. Caste make-up of widows of marble quarry workers

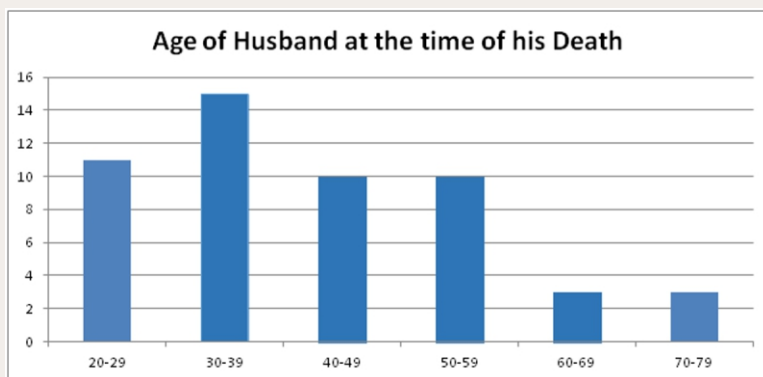


Figure 17. Husbands age when he died

death. Almost every day a death occurs. Given the depth of the mines and unscientific mining practices, coupled with no adherence to safety measures, death, disability and injury are common. An overwhelming 31 of the widows' husbands succumbed to accidents in the quarry. We, at MLPC, started the Mine Accident Helpline number almost 2 years ago to respond to the accidents. In most cases, the accidents are registered as snake bites by the police, who are hand in glove with the mine owners for a few

thousand rupees. If lucky, the family members, through the pressure of the Labour Union, get some compensation but the mine continues to operate with the same violations. We realised that the solution to this problem of violation of safety standards and loss of life could be addressed with a Helpline. Most mine workers carry a cell phone and have the will to save their colleagues. They are hapless witnesses, who want to inform authority and let justice be delivered. They have been informing the health

department by dialling 108, the ambulance helpline service; but cannot inform authorities like Director General Mines Safety (DGMS) to change the ground reality and ensure that the accident is not reported as snake bite. In fact, most have no knowledge that DGMS exists for safety of the labour. Thus, through the Helpline number, anyone can immediately inform when

an accident occurs. This recorded phone call then provides evidence on the occurrence of the accident and then in turn the authorities are informed - DGMS, District Administration and the local Police. Where possible we encourage workers to take photographs of the accident victim to prove the occurrence of the accident within the mine and the extent of injury.

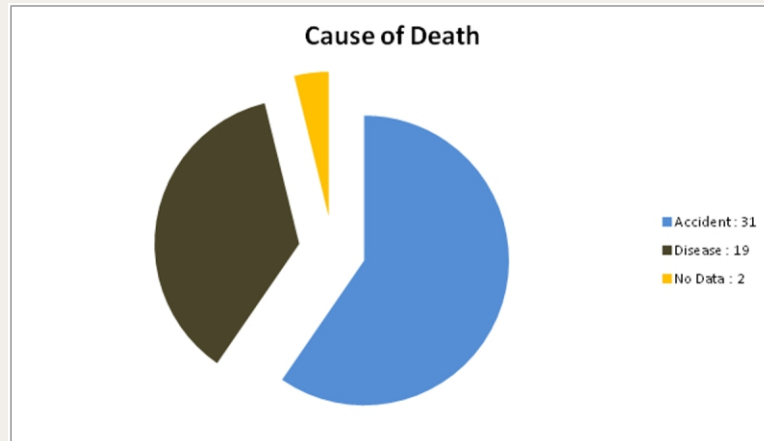


Figure 18. Cause of death

4.6 Children Go to School

Unfortunately, almost half of the surveyed

families (23) do not send their children to school, with less than a quarter sending most of their children to school.

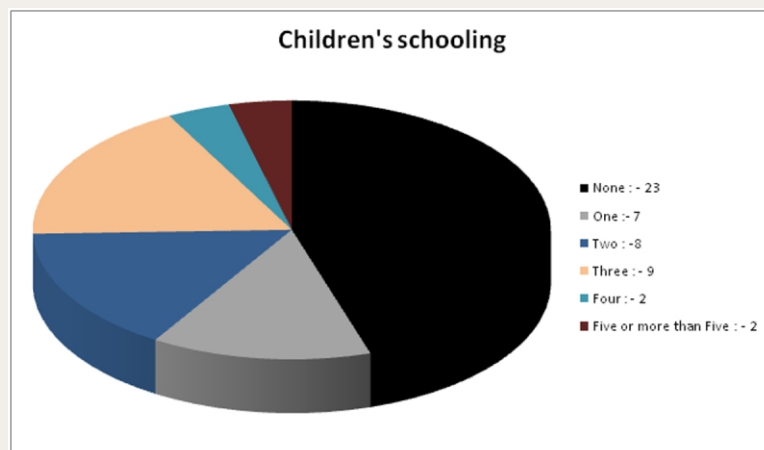


Figure 19. Families who send children to school

4.7 Children of Widows who have to work

The life of a mineworker is caught in a vicious circle. When the father dies at a young age, the children often have to start working; indeed two thirds of the widows find themselves in this situation. Thus child labour is rampant. Hence, here we see the linkage - safety standards are violated since the law is not implemented. Accidents cause death, leaving the children with no option but to join the workforce.

4.8 Type of House

Poverty is crushing and hence 49 of them live in temporary (kuccha) structures, with none living in a so-called pucca house

4.9 Source of Drinking Water

Unfortunately, in Rajasthan, the desert state of India, water is a luxury. Even though water connections are available, most households have to buy water. Selling water from water-tankers is a booming business.

4.10 Kind of toilet facility

In any civilized society, toilet and sanitation are necessary pillars of its development. However, as is evident, this facility is a luxury in India. Thus only 18 houses have a toilet while others have to manage either by defecating in the open or with a makeshift arrangement, which is often unhygienic and unhealthy.

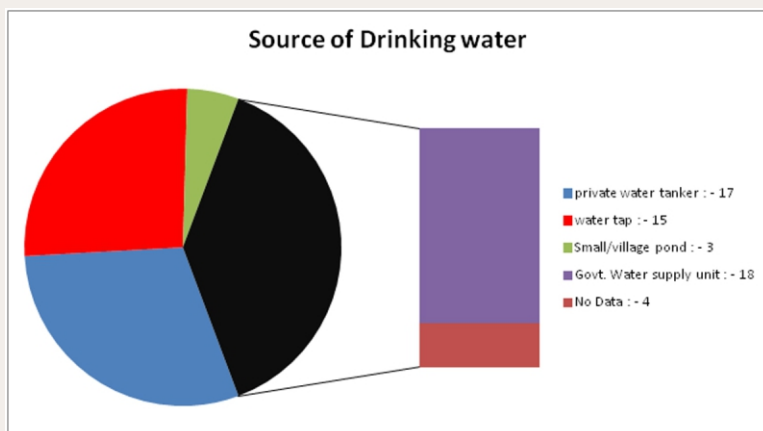


Figure 20. Sources of drinking water

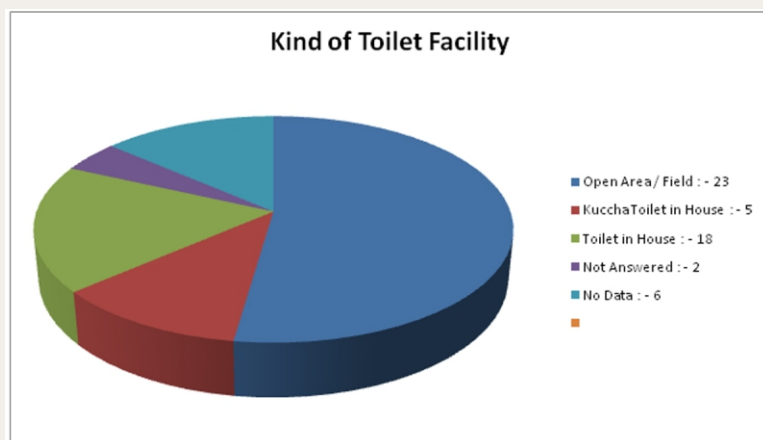


Figure 21. Toilet facilities

4.11 Nearest Medical Facility

The nearest medical facility is about 5 kilometres in Makrana, the nearest town for these villages. It should be borne in mind that there are no facilities of public transport in these villages and often, the sick have to walk

up to 5 kilometres even in case of an emergency. The Borowar clinic is also nearby. For more serious ailments, the patients will have to travel further afield; Jaipur is 110 km away from Makrana as the crow flies and Naguar is 95 km distant.

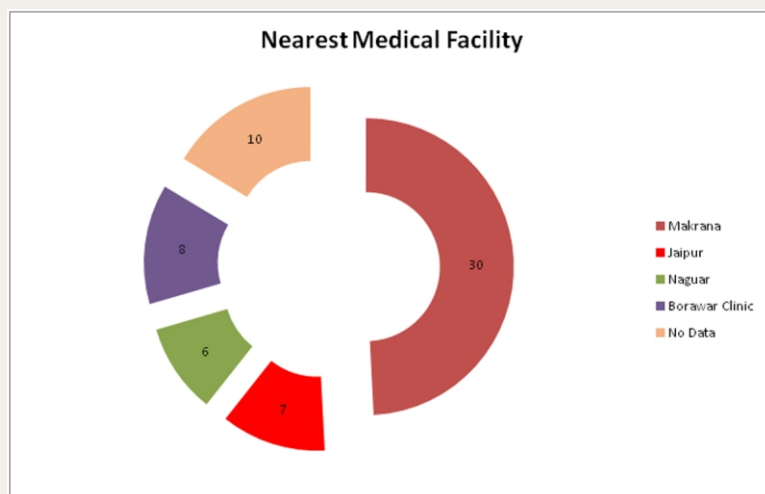


Figure 22. Nearest Medical facilities

Case Studies

5.1 Case Study 1

Raju Devi Mali (35 years old) belongs to Other Backward Caste (OBC). He used to load and unload the tractors in mines and that day he went to load the tractor in mines and suddenly the tractor started automatically while he was doing something else.. This happened last year and he died at the age of 37 years. She becomes sad while saying this as it was on the day of Diwali (festival of lights) when he expired. She is illiterate. She has 2 sons (9 and 6 years old) and one daughter (11 years old). Her daughter is blind. She lives in a kuchha house with her children. Her sons go to school.

Her matrimonial family does not provide her with any support. According to them, if they provide her and the children with food, then they will not have anything left for themselves. Raju Devi received INR 600,000 from the mine owners, by way of monetary relief since the mine owners do not want any legal intervention i.e. to ensure that the worker's family do not file a case/complaint against them. However, this amount was taken away by her in-laws.

Widowhood forced her to look for livelihood. She has no skill and has never worked before. Today she is the only earning member and has recently found work in MGNREGA. She does the work of throwing sand on the road (which is in

progress). She does not have a bank account. The wages in MGNREGA are only INR 30-60 per day, and she has not received the payment till now. The official wage that she is entitled to is INR 135 per day. However, corruption is rampant even in MNREGA. There are middlemen who take advantage of her illiteracy, her situation as a widow and robs her of her rightful earning. She receives a widow pension of INR 500 per month to look after her children. This amount is spent on food and education.



They own one acre land but given that it is in the mining area, it is not fertile and hence not fit for agriculture. The value of the land is INR 40,000 and is her only asset. Her husband used to earn INR 300 per day and there is no savings from there.

She gets water from the public tank which is beside her house for the household and drinking purpose. There is a toilet facility in her house. She usually takes her children to government hospital only if they fall ill. She did take her daughter to the hospital in hope of treating her blindness, but to no avail. All the facilities and services like banks, hospitals; except daily necessity market, are at a distance of 3 kms.

Raju Devi only prays and hopes for that her daughter's blindness will be cured and her vision will be restored so that she can also go to school and study. As there is no facility for blind children in the village school, she feels sad and helpless for her daughter. She was not working before being widow.

5.2 Case Study 2

Munna Ram Mali, a 38 year old mine worker, has been working in the marble mines since 1994 in Makrana. His family has been engaged in farming since his grandparents' time, but as these mining areas spread, their farm was acquired, and only a little remained with them. They were not compensated for the land acquired for mining, and the land was encroached forcefully and illegally by the powerful mine owners. Between three brothers, his share is only one-third of the total 1 acre land that remains today. He is illiterate and hence started to work in the mines at the age of 18 years. He operates the compressor and drilling machines in the mines today. Nobody taught him these skills, he just learnt it while working in the mines.

He has a family of 6 members. His son (14 years old) and two daughters (15 and 12 years old) go to school. His mother lives with his family. His wife does not go to work. The family lives in a pucca house. Being the only earning member in his family, he is responsible for running the household. He earns around INR 8500 per month which he receives at the end of the month. He is never paid for over-time and he has no leave. He gets a day off on Tuesdays for which his wage is deducted since it is calculated on a daily basis but paid monthly. He works from 9 a.m. to 5 p.m. and gets a lunch break for 2 hours. He is a daily wage worker and the daily wage being INR 300 per day. As mentioned earlier, he is paid on his number of attendance and his average attendance remains 20-25 days every month. Though he own a part of his family land, but it's only one-third of 1 acre land, and the value of the land is about INR 15000 today. He has a bank account. The major portion of his income is spent on food and education.

Throughout the year, he works in the mines. Yet, he has to keep looking for work and shifts from one mine to another every 2 to 3 months. He does not work permanently in a particular mine, because the thekedar or contractor keeps brings

in other labourers every 2-3 months and asks the current labourer to move to another mine. This is a ploy to ensure that no worker can prove permanent employment and can recourse to court of law in case of accident, death or claim labour welfare provisions that are mandated for workers working in one place for more than a year.

On asking what aspect of his work he likes and what he dislikes, he says that “kaam achha bura sochne ka time nahi hota hamare pass, paise ke liye kya bura kaam aur kya achha kaam” (for him there is no good or bad aspect of this work, he has to do it to earn, be it bad or good).

Though he does not give any reason why he does not want his son to join this profession, he says whatever my son wants to do, he will do. He is studying right now, it depends on his choice.



He is suffering from respiratory problems. Even though the Mines Act 1952 stipulates for the mine owners to provide mine workers with safety equipments; the mine owner has not provided any helmet, gloves, or safety equipment to Munna Ram and his colleagues.

They do not have a proper water source in his village, Bidiyad. They are compelled to get 2 tankers of water every month to fulfil their water needs, which cost them around INR 500. He has a pucca toilet in his house. He goes to the private hospital when anyone falls ill in his family. All the services - post-office, banks, hospitals and market is at block level only, which is 6 kms away from his village. The bus-stop is about half a kilometre away from his house.

Munna Ram wants his children to study as much they can and do whatever they want for livelihood. His village Bidiyad does not have any services - post office, bank, hospital, markets and water connection. He wants a proper water connection and all the above mentioned services in his village itself. According to him the mine owner should pay them for overtime also.

Conclusion

Mineworkers in India, especially those engaged in artisanal small scale mining are outside the gambit of law, of all rules and regulations. They have no identity as mineworkers, no evidence of employment and hence no recognition of their contribution to the GDP. Mining contributes almost 3% to GDP. The Mines Act 1952 has failed to even register the mines in Rajasthan, thus the workers are not under the purview of the DGMS, the apex body under Ministry of Labour and Employment, responsible for the safety of mineworkers in the country.

Under the Constitution of India, safety, welfare and health of workers employed in mines are the concern of the Central Government (Entry 55-Union List-Article 246). The objective is regulated by the Mines Act, 1952 and the Rules and Regulations framed there under. These are administered by the Directorate-General of Mines Safety (DGMS), under the Union Ministry of Labour & Employment. DGMS is the Regulatory Agency under the Ministry of labour and employment, Government of India in matters pertaining to occupational safety, health and welfare of persons employed in mines (Coal, Metalliferous and oil-mines). Thus while mineworkers are central or union subjects; mining is a State subject. This in effect means that the State issues the mining leases and quarry licences in case of minor mineral like marble, and enjoys the revenue earned from it. The State ensures that the mine/quarry owner procures all mandatory permissions from various related departments like Environment, Forest, State Pollution Control Board and so on. However, no clearance or permission is required for labour. There are more than 30,000 mining leases and quarry licences in the State, but only 3706 are registered with DGMS. This implies that almost 70% of the mines operating in Rajasthan are

outside the purview of law and governance.

MLPC continues to make a difference for mineworkers by advocating for policy implementations and changes that are sustainable. Hence, our ongoing effort is to enumerate the number of mine workers engaged in mining. We are also advocating for insurance policies and a Mine Workers Welfare Board which will enable to give the mineworkers some identity.

We also advocated for Preferential Rights for Widows of Mineworkers. Of the total work force in mines, 37 per cent are women, and 15 per cent are children (India's Childhood in the "Pits", 2010). Our own study has shown that almost 48% of the women mineworkers are widows. We felt that monetary relief for widows was not enough. Besides, most of the relief amount goes in repaying earlier debts. The widows are forced to go back to the mines to work for subsistence.

To strengthen the position of women, especially since they are socially most vulnerable - dalit and a widow, we decided to demand for their preferential rights. While the government was trying to find rehabilitation measures, we recommended that on the lines of reservation for war widows; widows of mineworkers whose husbands may have died due to occupational diseases or accidents should be included in the preferential rights for allocation of quarry licenses and mining leases. MLPC did a signature campaign and submitted a petition on behalf of the widows to the state government. In March 2013, this was accepted and the government amended the MMCR to include reservation for widows of mineworkers and disabled persons, providing a total of 15% preferential rights for Mining leases and 35% preferential rights in

Quarry licenses.

We take many things for granted - for instance, we assume that every citizen in the country will have proof of identity - be it a ration card, Below the Poverty Line (BPL) card, voter card, and so on. We also assume, given the government emphasis on financial inclusion that every citizen will have a bank account. Once word spread on the preferential rights for widow mineworkers secured by the MMCR, discussions began on this in the community meetings. We

started a drive to register the widows of mineworkers and see what proof they have, to be able to exercise this right. That's when we realised that around 30% of the widows had no proof of widowhood i.e. the death certificate of their husbands. We visited each gram panchayat (local village administration), met the Sarpanch who in turn helped the widows with the formalities and acquire a death certificate. Hence the work continues and each time we think that we have crossed a hurdle, a new challenge comes up.

Mine Labour Protection Campaign - An Overview

History: Mine Labour Protection Campaign (MLPC) was formed as a response to the problems and needs of the millions of unorganized mine labourers throughout the state of Rajasthan. MLPC works across the state of Rajasthan in India. The mine workers are largely from the marginalised caste (dalits) and indigenous / tribal population.

Goals of MLPC:

- Promoting responsible mining
- Economic, social and legal empowerment of individual mine workers (men and women)
- Encouraging sustainable mining to safeguard the environment
- Defining ethically mined stones and promote their use

Programmes

Services:

Crèche for the children of Mine workers: An area of focus is the eradication of child labour and increase in child rights through the formation and operation of childhood crèches and day care centers, in various mining areas throughout Rajasthan. We assist the children to enrol into formal schools, provide them nutritious food and monitor their health. We also provide Non formal education to the adolescent group who are either drop outs, or have never been to school to prevent second generation of illiterate mine workers who are vulnerable.

Government Schemes: The government in collaboration with MLPC organizes a health camp in the Mining areas, every month for mine workers. Apart from a health camp to screen for occupational diseases, these camps link mine workers to government sponsored welfare schemes by providing them information on the schemes applicable to individuals; helping them to fill in the forms (since many are non-literates); submitting the forms to concerned department/authority; and following up on the pending status once it is submitted.

Safety Helpline: Mine workers across Rajasthan call on a number to report accidents in the mines. This helps to notify the state and central authorities about mining accidents which otherwise go unreported or misreported, thereby denying any kind of compensation or medical relief to the workers. Besides, it gives the administration the opportunity to know about illegal mines or mining activity.

Occupational Health and Safety: Poor working conditions in the stone quarries of Rajasthan lead to severe occupational health hazards and diseases. Incurable diseases like silicosis, asbestosis and silica-tuberculosis are widespread among the mine and quarry workers of Rajasthan. Working for the occupational rights of mine workers is a challenge because the workers often are unaware that they are suffering from an occupational disease; and the rural areas where they live make it very difficult for outreach and timely medical care. MLPC is engaged in diagnosing occupational diseases and intervention to bring justice to those suffering. For instance, MLPC secured compensation of INR 3 lakhs (approximately ₹ 4520) each, to the next of kin of silicosis victims. We also got the government to diagnose asbestosis among former asbestos workers.

After much resistance, for the first time, a Government agency has diagnosed asbestosis when there is lobbying going on to revoke the asbestos ban in India. MLPC is advocating to bring occupational health care services to the mine workers, like regular free health checkups for occupational diseases, linking patients to the government provisions for free health care; reduce health hazards by stipulating safeguards like a mask to the worker, providing for toilets in the workplace, clean drinking water and health insurance. Pneumoconiosis Boards have been extended to diagnose mineworkers.

Policy and Advocacy: To bring in any sustainable long term change, it is essential to bring in change at the government policy level. The community of mine workers have been mobilized and trained to take up advocacy work. Today they organize community meetings and strategize on issues and engage with government officials on topics ranging from occupational health and safety, environmentally sustainable mining, women, and child labour. Various tools like Right to Information act (RTI), Public Interest Litigation (PIL) and other constitutional provisions are used to achieve the desired impact. Our focus is to change in policies and enforce law - since in India many are codified, but few are implemented. At the international level, we are members of OECD Watch and are working on Ethical Stone issue to ensure that there is no violation of human rights in the extraction, processing and export of stones.

Livelihoods:

Self Help Group (SHG): Women in the mining industry are the most vulnerable. The main aim of the SHGs is to strengthen the women to take up issues plaguing their community, encourage savings and promote financial inclusion, provide alternate livelihood option to the women mine workers and widows of mine workers.

Cooperatives: MLPC enables mineworkers to become the owners of the mineral resources that they extract through the registration of cooperatives. These cooperatives have successfully secured mining leases and have set up models of fair trade. The idea of forming cooperatives for mining activity has been a new experience in India.

Restoration of Mined Land: There are innumerable mines which have been closed on paper or have been left abandoned. The closure plans have not been implemented by the mine owner and the mining department has not enforced it either. Besides, environmental degradation, they also pose risk to livestock and human lives. We are working on a strategy that will enable to close these open mining pits as well as generate alternate for the mineworkers. Through the government programme NREGA, we are empowering the mining communities to take up this work whereby it will provide them employment as well as help to restore the environment by closing them. At present we are working in Udaipur district to reclaim abandoned asbestos mines.

Accomplishments

While we cannot close down a profession that has been continuing for the last 500 years, we are trying to promote responsible Mining so that it is environmentally sustainable and respects human rights. An instance of our involvement is the Marble Mining at Makrana. Marble for Taj Mahal came from Makrana mines in Rajasthan. Death and Injury was a daily occurrence in those mines. We decided to make a documentary “Shadow of Taj” and while filming realized how dangerous the mines were and that mine workers courting death every day. On investigating, we saw the lacunae of the various government departments and the violation of every rule in the rulebook. To make the State and central governments responsible, we decided to file a Public Interest Litigation case. Because of this judicial intervention and media publicity through the documentary, a grievance handling cell was set up and where, for the first time different departments related to mining meets every month. Even today this continues and it has helped to reduce the number of accidents and irregularities in the Marble mines.

We have been working on Occupational Health ever since we lost one of our community members to asbestosis. It was then we realized that most mine workers have no identity proof and employment proof since they are part of the large unorganized or informal sector. Hence, impoverished and suffering, they are outside the gambit of law and ineligible for any benefits

or compensation. The mine workers court death everyday and even with daily occurrence of death, the mine owners nor does the government show any remorse. After carefully researching the situation we decided to file a case with National Human Rights Commission (NHRC) for those who had died of silicosis, an occupational disease. Since the recourse to law is futile without evidence, we had to file a case on humanitarian grounds. NHRC recommended the state to pay a compensation of INR 3 lakhs (approximately € 4520) each, to the next of kin of silicosis victims. We further advocated with the State government and today it is the only state that provides monetary relief of INR 1 lakh to victims of occupational disease.

We have been advocating for preferential right to the widows of mine workers in the allocation of mining leases/quarry licenses. 48% of the women workforces in mining are widows of mine workers. 57% of these widows are dalits. We are happy to share with you a small victory on women's empowerment. On 5th March, 2013,

the government of Rajasthan in a landmark step has amended the Rajasthan Minor Mineral Concession Rules 1986 to include widows of mineworkers and disabled persons, providing a total of 15% preferential rights for Mining leases and 35% preferential rights in Quarry licenses. This avenue will free them from debt bondage and enable them to lead a dignified life. Approximately 2,50,000 dalit widow mine workers will directly benefit from this provision.

MLPC is advisor to the State Human Rights Commission. Our Founder and Managing Trustee, Rana Sengupta is an Ashoka Fellow. He is also a member of the Working Committee in National Commission for Protection of Child Rights (NCPCR), constituted by the Government of India as a statutory body, to deal with the issue of child labour in mining and quarries and related matters. The Trustees have a wide range of experience in the fields of law, including environmental, labour, and human rights; in trade unions and in the mining sector.

