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# AM I IMPORTANT

A  
sketch of vulnerable  
children

## Summary Report

Vulnerability mapping of Children in  
Natural Stone Industry/Sector Rajasthan

ARAVALI







# STUDY ON VULNERABILITY OF CHILDREN IN NATURAL STONE INDUSTRY/SECTOR RAJASTHAN

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## ABBREVIATIONS AND ACRONYMS

<b>AIDS</b>	: Acquired Immune Deficiency Syndrome
<b>ARAVALI</b>	: Association for Rural Advancement through Voluntary Action and Local Involvement
<b>CLPRA</b>	: Child Labour (Prohibition and Regulation) Amendment Bill
<b>CNCP</b>	: Child in Need of Care and Protection
<b>DMFT</b>	: District Mineral Foundation Trust
<b>ETI</b>	: Ethical Trading Initiative
<b>FGD</b>	: Focus group discussion
<b>GoI</b>	: Government of India
<b>HIV</b>	: Human Immunodeficiency Virus
<b>ILO</b>	: International Labour Organization
<b>INGO</b>	: International Non-Governmental Organisation
<b>INR</b>	: Indian rupee
<b>IPEC</b>	: International Programme on the Elimination of Child Labour
<b>MMDR</b>	: Mines and Minerals (Regulation and Development)
<b>NCPCR</b>	: National Commission for Protection of Child Rights
<b>NGO</b>	: Non-Governmental Organisation
<b>RTE</b>	: Right to Education
<b>SC</b>	: Scheduled Castes
<b>SEC</b>	: School Education Committee
<b>SFNS</b>	: State Forum on Natural Stone
<b>ST</b>	: Scheduled Tribes
<b>TB</b>	: Tuberculosis
<b>UNICEF</b>	: United Nations Children's Fund

## EXECUTIVE SUMMARY

The findings in this study sketch a frightening picture of children's rights in mining areas across four different mining prone districts of Rajasthan - Kota, Bhilwara, Nagaur and Karauli. Children in mining areas live a very ignorant life, not even knowing the number of stones they break, the number of debts they repay, the number of nights they starve, the numbers of them that have lost their parents or watch them dying each day with tuberculosis or silicosis, the numbers who are dropped from school due to poor financial support.

The outcome of the study reflects that a majority of children are living and working in very unsafe conditions. The results also reflect that links between children and mining have not yet been taken seriously by either policy-makers, activists or businesses. It is hoped that this report will provide the basis for further action and advocacy work on vulnerability of children to ensure that children's rights are no longer violated especially by the mining sector. This study also confirms that profits from mining do not simply 'trickle down' and benefit the local community. This study creates a great opportunity for different stakeholders, including businesses, to come together to initiate local interventions in a multi-stakeholder fashion to protect the rights and dreams of these very vulnerable children.

The significant findings from this study point to eight most critical areas of concern with respect to the rights of children in India who work in the mining industry. These are:

1. Increased vulnerability to exploitation and abuse
2. Violation of right to education
3. Increased child labour due to mining activities
4. Increased morbidity and illness
5. Increased food insecurity and malnutrition
6. Further marginalisation due to displacement because of mining activities
7. Migrant children are 'nowhere children' as these children have no security of life and are also found engaged in the ancillary mining activities as an adult labourer
8. Children working in mining fall through the gaps as all laws and policies related to mining and related processes do not address children's rights and entitlements. Therefore, there is an urgent need to review existing laws, policies and programmes, to facilitate amendments and also to address specific rights and entitlements of children

This pilot study also revealed a few potential reasons behind children getting engaged as child labourers in the mining areas: (*\*\*Prime reasons as shared by respondents in terms of percentage.*)

- Non-existence of adequate and qualitative provisions for compulsory education (86%)
- Poverty and the lack of a social security network (72%)
- Ignorance and Illiteracy of parents (53%)
- Children being cheaply available, hence have an easy access to work (32%)

- Child earnings supplement household earnings (42%)
- Large families (26%)
- Gender stereotype and traditional attitude that gives less priority to girl education and believe children are born to support families

A stout lack of trust of mining families and their children on available educational infrastructure and quality of education delivered by government schools is a very serious concern. Due to this lack of trust parents feel that available education provisions are completely ineffective and see no use in sending their children to school. Instead, parents were found more concerned to capacitate their children to earn their livelihood in their early age to secure their future.

Regrettably, a very low level of aspiration was noted among parents and their children. Children from all four study areas were unable to recall and tell a single story of a child that succeeded in higher education, job or as entrepreneur after schooling in their village. Due to the low level of aspiration, being employed as a child labourer in mines or other mining activities or selling grocery in the street is the normal way of life. Most of the children do not aspire to become professionals in the society or great entrepreneurs. It is a mind-set that forms the very foundation of child labour.

Further, use of alcohol is rampant among men and some women. Very often this leads to domestic violence and the ill-treatment of children. A majority of men, women and children are addicted to chewing *gutka* (a chewable form of tobacco). On average 80-100 rupees a day is being spent on alcohol by workers.

Water scarcity is also very evident in the surveyed areas. Most of the available open water sources were found contaminated with chemicals due to mining activities. In most of the places visited, children have very limited access to potable drinking water and they spend 3-4 hours a day fetching drinking water for the family.

Responsible mining and responsibility towards local communities is not very visible in the study areas and largely gives a sense of ignorance by the business community. The situation of children living in the wealthiest state with natural resources is abysmal. The central government, state governments, mining companies, trade unions and non-governmental organisations need to work together to ensure that these children are no longer denied their basic rights, and to ensure that the development, so promised by the government and the mining sector, becomes a reality for all.

An approach and robust mechanism towards sustainable mining has to be implemented with seriousness and with immediate action. Absence of best practices in the mining areas, and of robust regulatory framework and an administrative mechanism further deteriorate the working conditions of workers in quarries and mines, thus directly impacting the future of the children very severely.

The government must recognise that children are impacted by mining in a number of ways, and these impacts must be considered and addressed at all stages of the mining cycle, i.e. pre-mining, mining and post-mining. Therefore, proper guidelines should be made and be strictly adopted before allotting any lease for mining.

Businesses must meet their social responsibilities and therefore must put in place an appropriate policy commitment that is embedded throughout the business to combat child labour and to provide remedial action. Businesses must use their influence on subcontractors, suppliers and other business partners to combat child labour and consider ways to build their capacity by making provisions - such as training and incentives, to combat this serious issue.

To take forward their commitment, businesses must act with due diligence and map their supply chain to eliminate likelihoods of child labour in their supply chain. Further, businesses must raise wages, i.e. provide living wages surpassing minimum wages for adult employees, so that they can support their families without depending on children's earning.

Businesses must work in partnership with other companies, sectoral associations and employers' organisations to develop an industry-wide approach to address the issue, and build bridges with stakeholders such as workers' organisations, civil societies, law enforcement authorities, labour inspectorates and others.

NGOs and trade unions, apart from raising awareness on child labour among different stakeholders, must also support the fight against child labour through lobbying for reform and legislation, and initiate and strengthen dialogue with vulnerable communities across the mining prone districts, as well as with governance at state and national level to address child labour, abuse, trafficking, and child rights violation.

Wherever possible, NGOs and trade unions must ensure fair representation of workers in the District Mineral Foundation Trust (DMFT) in the respective district. Presence of NGOs and trade unions as a workers' representative in DMFT shall promote and protect the rights of children living in the mining areas.

The adverse factors revealed in this study pose significant hurdles to the overall development of the children. And in such circumstance children will never be able to attain their fullest development and will lose their innocence at very early stage of life. Apart from the challenges, this study has also made efforts to suggest a few ways to combat the sensitive issue of child vulnerability by analysing good practices from different sectors.

ARAVALI invites different stakeholders to come forward and explore opportunities of working together to protect and promote rights of children in the mining areas.

## SECTION-A

### 1.0 Introduction

#### 1.1 Background of the study

As per census 2011, Rajasthan contributes more than 8% of the working children population in the country across different sectors. According to various available studies mining and associated industries in Rajasthan have significant involvement of children in extraction of minerals and further value addition processes.

ARAVALI in partnership with UNICEF Jaipur is executing a project titled “Promoting protective and enabling environment for children and their families through strengthening local partners in natural stone sector - Rajasthan (India)”. This project aims to identify the issue of children in the natural stone sector and find collective solutions through multi-stakeholder initiatives.

This exploratory study is aimed to understand child vulnerability in respect to violation of their basic rights including right to education, safety and protection from violence, exploitation, discrimination and abuse, especially for children whose parents work in stone quarries or mines and for child labourers.

#### 1.2 Objective

This exploratory study is aimed to identify and suggest the following;

- Highlight the areas of vulnerability for children whose parents work in stone quarries or mines and for child labourers.
- Vulnerability impact on children’s life.
- Suggest ways to mitigate the identified risk for children.

#### 1.3 Scope of the study

The key dimensions for mapping the vulnerability of such children are - child education, health, safety, living conditions, dignity and aspirations. Four blocks from four different mining prone districts of Rajasthan - namely Chechat (Kota), Karauli (Karauli), Bijoliya (Bhilwara) and Makrana (Nagaur) - have been selected to capture workers’ views on given dimensions.

45-50 respondents from each location including women, adolescent girls and boys, adult male workers and other peers were interviewed in a group of 10-14 respondents in each group. Data of such 200 respondents from different locations were collated and analysed to present the result of this study.



## 1.4 Study approach and methodology

The study adopted a mixed method approach involving both quantitative and qualitative methods of data collection.

1. Focused Group Discussions
2. Key Informant Interviews
3. Participating Observation
4. Desk Review

On the basis of the information gathered from supporting documents related to the vulnerability issues of children in the region, and after an inception meeting with ARAVALI, a set of mapping tools was developed and piloted in Makrana block of district Nagaur to test the result of the tools. The tools were found appropriate and were fine-tuned further after the piloting exercise.

45-50 respondents from each location were selected applying a purposive sampling method and were asked to participate in discussion in a small group of 10-14 participants. Focus group discussions (FGDs) were conducted applying the participating methodology with one women group, one mixed group of women and adolescent girls, one adult male workers group and one mixed group of children, adult male workers and women. An in-depth interview with two workers from each location was also conducted to better understand the depth of the issue.

The data of 16 FGDs and 8 in-depth interviews were then collated and analysed to present the results. Anonymity was kept throughout the research and report writing process to protect the identity of the respondents.

## 1.5 Sampling and Respondent profile

**Table 1.1** Sampling and respondent profile:

	MAKRANA	KARAULI	CHECHAT	BIJOLIYA	TOTAL
Type of mines	MARBLE	SANDSTONE	LIMESTONE	SANDSTONE	-
No. of FGDs conducted	4	4	4	4	16
No. of respondents	58	62	57	53	230
No. of women	27	24	22	19	92
No. of adult male workers	18	21	19	20	78
No. of children	13	17	16	14	60
No. of personal interviews	2	2	2	2	8

## SECTION-B

### 2.0 Vulnerability mapping: Findings, results and discussion

#### 2.1 Overview of stone quarries and mines

Rajasthan produces almost all varieties of minerals found in India. There are 79 minerals present in the state, including metallic minerals such as copper, zinc, lead and silver, and non-metallic minerals such as limestone, sandstone and lignite. In 2006-07, 58 minerals were produced in the state. Rajasthan has more mining leases than any other state in India—1,324 leases for major minerals, 10,851 for minor minerals and 19,251 quarry licenses for mining stones. There are 207 reported mines in the state. According to the Ministry of Mines, the value of mineral production in Rajasthan in 2007-08 was INR 49.31 billion, an increase of 6 per cent from the previous year. The state accounted for around 4.6 per cent of India's mineral production that year.

Mineral production accounts for around three per cent of the state's total revenue. More than 95 per cent of mining activities in Rajasthan is in the unorganised sector<sup>1</sup>. There are thousands of unorganised mines and stone quarries in Rajasthan, some as small as one-twentieth of a hectare. These minor mineral leases cover an area of over 50,000 hectares. A total of 58 minerals are found across the entire state, but the majority of the mines and quarries are located across the southern and south-eastern districts, one of the areas of the country most heavily populated by Scheduled Tribes.

Rajasthan produces 10 per cent of the world's and 70 per cent of India's output of sandstone. Given that most of the mining and quarrying in Rajasthan is carried out on small, informal sites, and that illegal mining is reported rampant, it is difficult to estimate the actual size of the workforce in the state. According to the Census, there were 233,130 people (main and marginal workers) employed in mining and quarrying in the state. Of these, 4,296 were reported to be children in the age group 5–14 years, and 29,498 were children up to 18 years.

However, estimates suggest that close to 2.5 million people work in Rajasthan's mining sector<sup>2</sup>, many driven there by the state's persistent drought and the failure of agriculture. Of these people, around 95 per cent are Scheduled Castes and Scheduled Tribes<sup>3</sup>, 37 per cent are women and 15 per cent are children. This estimate would place the number of children working in mining in Rajasthan at around 3,75,000.

Working conditions are poor. Mine and quarry workers in the informal sector are provided with no basic safety or protective gear and accidents are frequent. Most accidents go unrecorded, but one report estimates that there are around 460 deaths a year in the mines

<sup>1</sup> Analysis by Centre for Science and Environment-Rich Lands, Poor People, 2008

<sup>2</sup> India's childhood in the pits- Dhaatri Resource Centre for Women and Children-Samata

<sup>3</sup> Scheduled castes and scheduled tribes consist of various officially designated groups of historically disadvantaged people in India

and many more injuries<sup>4</sup>. A majority of workers is paid according to what they produce in a day, but almost all adult male workers earn around INR 300 a day that meets the minimum wages prescribed by Rajasthan and Central government for the mining areas. Women and children earn much less than men i.e. INR 120-200 a day, as they are not able to do the heavy work and instead are involved in tasks such as removing waste from mining areas, making *gitti* (crushing stone into small pieces) and other ancillary work like separating, loading and unloading etc.

## 2.2 Different aspects of Child Vulnerability

All children due to their age are considered to be at risk for exploitation, abuse, violence and neglect. But vulnerability cannot be defined simply by age. Though age is one component, vulnerability is also measured by the child's capability for self-protection. A child's vulnerability comes from various factors that hinder a child's ability to function and grow normally. The term vulnerable children refers to an age group that is considered at risk.

A vulnerable child is defined as being under the age of 18 years and currently at high risk of lacking adequate care and protection<sup>5</sup>. Accordingly, all children are vulnerable by nature compared to adults, but some are more critically vulnerable than others. Vulnerability is viewed as "a high probability of a negative outcome", or an expected welfare loss above a socially accepted norm, which results from risky or uncertain events, and the lack of appropriate means to deal with them. Vulnerability leaves one at risk of exposure to stressful situations. The degree and type of vulnerability however, varies in each context and overtime.





The framework used to study child vulnerability under this study combines different elements or groups of vulnerable children from the mining areas of Rajasthan into a single structure across different areas of concern. To study child vulnerability, this framework largely covers:

• <b>Child labour</b>	
• <b>Safety &amp; protection from violence</b>	
• <b>Exploitation and discrimination</b>	

<sup>4</sup> MLPC, Organising the Unorganised, Bahar Dutt, 2005

<sup>5</sup> World Bank OVC toolkit



• Work place hazards	
• Education	
• Harassment and abuse	
• Living conditions	

The UNCRC outlines the fundamental human rights that should be afforded to children in four broad classifications that suitably cover all civil, political, social, economic and cultural rights of every child.

<b>RIGHT TO SURVIVAL:</b>	<ul style="list-style-type: none"> <li>• Right to be born</li> <li>• Right to minimum standards of food, shelter and clothing</li> <li>• Right to live with dignity</li> <li>• Right to health care, to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy</li> </ul>
<b>RIGHT TO PROTECTION:</b>	<ul style="list-style-type: none"> <li>• Right to be protected from all sorts of violence</li> <li>• Right to be protected from neglect</li> <li>• Right to be protected from physical and sexual abuse</li> <li>• Right to be protected from dangerous drugs</li> </ul>
<b>RIGHT TO PARTICIPATION:</b>	<ul style="list-style-type: none"> <li>• Right to freedom of opinion</li> <li>• Right to freedom of expression</li> <li>• Right to freedom of association</li> <li>• Right to participate in any decision-making that involves him/her directly or indirectly</li> </ul>
<b>RIGHT TO DEVELOPMENT:</b>	<ul style="list-style-type: none"> <li>• Right to education</li> <li>• Right to learn</li> <li>• Right to relax and play</li> <li>• Right to all forms of development – emotional, mental and physical</li> </ul>



## 2.3 Basic rights of children in quarries - Quick status

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### Literacy in Rajasthan

According to the 2011 Census, Rajasthan has a low literacy rate. Across all categories Rajasthan stands below the national averages. Overall the literacy rate for India is 74.04% but for Rajasthan it is 66%. The male literacy rate for Rajasthan is not far behind the national average, however, the literacy rate for women in Rajasthan is much lower than the national average of 65.46 per cent at a very low 47.76 per cent.

#### 2.3.1 Right to education

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The Right of Children to Free and Compulsory Education Act or Right to Education Act (RTE), is an Act of the Parliament of India enacted on 4 August 2009, which describes the modalities of the importance of free and compulsory education for children between the age of 6 and 14 years old in India under Article 21a of the Indian Constitution.

However, mining activities in the study areas cause a significant disruption to education for children and hinder children to enjoy their right to education. Amongst many reasons displacement of families is a significant cause for disruption to education. Families may be forced to relocate to areas where infrastructure is poor or where is a lack of basic services. Many displaced children rarely have the opportunity to return to school after moving locations. Because their parents lose their livelihoods and end up as migrant daily wage labourers, children of displaced families are often forced to work in order to contribute financially to their family's survival. Most of the mining sites are located in far flanged areas that have no schools nearby and as a result, children are unable to attend school and instead go to work.

***Many displaced children due to mining activities rarely have the opportunity to return to school after moving locations.***

The preliminary data of this study also reveals that broadly 61% of the children from the study areas are enrolled in school but nearly half of them (49%) do not attend school regularly. When analysed further, it was found that parents and children were not satisfied with the quality of education. There is a clear lack of trust on government operated schools due to frequent absenteeism of teachers in the school, lack of infrastructure, poor quality education, lack of motivation and poor engagement of teachers with the children. Interestingly in all four surveyed areas parents preferred to send their children to private schools instead, however this was not found affordable by all.

In all the areas surveyed there is no high school or secondary school in the close vicinity (up to 5 km) of the mine worker habitats. As a result, most of the children from these areas leave school after 8<sup>th</sup> standard and amongst them the drop-out ratio of adolescent girls is

comparatively high due to their restricted movement from home because of the many social stigmas that stop them to attend school outside their village.

Poor access to potable drinking water was also found as another sound reason behind children not attending school. Largely in all the surveyed areas children are very often engaged for 3-4 hours daily to fetch potable drinking water from distant areas for their families and consequently this has shifted their priorities over education.

***Very often children are engaged for 3-4 hours daily to fetch drinking water from distant areas; this act has shifted their priorities over education.***

*Astoundingly, the survey also revealed that 95% of the children belonging to mine workers' families, irrespective of whether they attend school or not, are engaged in domestic duties and other ancillary work. They spend sizeable time on activities like farming, dairying, tailoring, fetching water, taking care of siblings etc. This is for household only and not for any direct economic gain. This household environment also hinders these children to enjoy formal education.*

*14 year old Pooran (name changed) works in a stone quarry in Madanpur village of Karauli district. He had to migrate with his family from Madhya Pradesh and has been working in the quarry for more than a year now. He works from early morning till late in the evening breaking stones and loading them onto trucks. He has five siblings, one of whom is physically handicapped. He earns INR 70-90 per day, which is desperately needed to keep the family from starvation. When interviewed he said, "I always wanted to study but our family was not in a position to send us to school and now it is too late for me to dream about it. I want to work hard so that I can use my wages to send my younger brothers to school."*

### 2.3.2 Safety & protection from violence, harassment and abuse



The majority of mining areas are not safe environments for a child to grow up in. Mining activity is often accompanied by widespread availability and consumption of alcohol (*on average 8 out of every 10 mine workers consume alcohol as revealed by the respondents during the study*). An increase in gambling, and an increased rate of violence (domestic violence as well) have been reported, all alcohol-induced. Very difficult working and living conditions, and the uncertainties of life are some of the influential factors encouraging excessive alcohol consumption habits amongst quarry/mine workers. Alcoholism is prevalent, particularly for male mine workers, and in some cases this leads to domestic violence and ill-treatment of children. A group of women explained that alcoholism has increased since the



mining has increased and that on average 40-50 per cent of the family income (INR 80-100 per day) is now spent on alcohol.

Mining sites are rough places to live and work. Many children are also confronted by problems related to alcohol and drug abuse, such as violence, thus mining environment often becomes a degrading social environment with an erosion of family and social structures. Alcoholism amongst male workers has been identified as a major issue in all four locations. It was also revealed that in some places

***Alcoholism is rampant among men and some women. Men, women and children are addicted to chewing gutka (a chewable form of tobacco). On average 80-100 rupees a day is spent on alcohol by workers.***

alcohol is also supplied illicitly to labourers at a subsidised rate by contractors, which promotes alcoholism. Women mine workers explained that alcoholism is rampant among men and some women. Men, women and children are all addicted to chewing *gutka* (a chewable form of tobacco). The reasons they give for this is to ease the physical tiredness and pain experienced after a hard day's work. Consumption of tobacco by child mine workers is common.

With the influx of external migrant populations, such as truck drivers, youth in the village have now become vulnerable to addictions of alcohol and *gutka*, and other crimes due to which social problems have increased in the village. A large increase in the number of liquor stores in the area since the introduction of mining has meant that men, women and young children have all become dependent on alcohol, which they claim is due to the heavy work load in the mines.

In addition to these social problems and abuses, child mine workers face violations in terms of their rights to leisure and recreation. The United Nations Convention on the Rights of the Child clearly recognises the right of every child to rest and leisure, and to engage in play and recreational activities. However, the concept of free time and recreation is almost absent from the daily lives of children working in mining and quarrying.

*Durgesh (name changed), 13 years of age, works in a marble area of Parbatsar near Makrana. Four years back his father died in the mine and unfortunately after a few months his mother also died due to her illness. His poor grandparents took care of him for a year to support his early childhood. But soon due to poor family conditions his grandparents forced him to get married when he was just 10 years old to get rid of their responsibilities. He was then even forced to leave the school when studying in class 4<sup>th</sup> and was sent to the mines to earn his livelihood earning 60-70 rupees daily to take care of his family.*

*"Presently I am 13 years old and earn almost 120 rupees a day by making gitti (crushing stone into small pieces) and I take care of my entire family. I was good at studies but could not continue due to poor family conditions. I wish I could have continued my study."*



### 2.3.3 Exploitation and discrimination

Discrimination is the prejudicial treatment of a person or group based on class or category or certain characteristics. Exploitation is an act that exploits, unfairly treats, victimizes or uses someone's qualities, attributes and abilities for their own advantage. With this understanding most of the sites studied have shown clear exploitation and discrimination of children.

68 out of 87 young respondents (78%) belong to Scheduled Caste communities and found it difficult to mingle with other children in school. Children from such marginalised groups also get less attention from teachers in schools in comparison to the students belonging to communities with caste-based higher social status as revealed by children during in-depth interviews.

Girls are given less attention and priority to attend higher education. That clearly establishes gender-based discrimination. *Children are exploited by getting married in early age under influence of their parents before attainment of the legal age for marriage.*

***Girls are given less attention and priority to attend higher education. Girls face discrimination with expectations they will work for the family, particularly in the household, rather than go to school.***

As reported by respondents, for many children, especially girls, their sole job is to take care of their siblings when their parents work. As a result, such children do not get adequate time to enjoy their childhood and get mature in early age. Sexual harassment of children by relatives or neighbours in absence of parents was also reported by NGO representatives during the discussion.

Children engaged in economic activities are paid less for equal jobs in comparison to adults. As a result, children are forced to work for longer hours to earn more.

*Durga (name changed), a 15 years old girl, works in a lime stone quarry in Chechat block of Kota. She migrated to Chechat along with her aunt from Jodhpur when she was just 12 years of age. She told that "three years back my father died in a mine due to an accident at the work place. My mother married to someone else and left me alone along with my two young siblings who were just 9 and 10 years of age at that time. My auntie brought me to Chechat and took care of us. Now I work in a limestone quarry along with my auntie performing ancillary job like cleaning, loading and other supporting work. I manage to earn 70-80 rupees a day to make sure that my siblings get food". "I would have gone to school if my father would have been alive. I wish to open a Manihari shop - selling bangles and other cosmetic material in village - to improve living conditions for myself and my brothers and sisters".*

Most of the respondents also revealed that they themselves and their children are not enrolled in all available government-supported social security and welfare schemes. One of the main reasons for this gap, as stated by the respondents, is that government representatives do not visit their household. Moreover, the government machinery is not answerable to marginalised mining workers. As a result, a majority of these children are not getting all benefits linked with various schemes and are discriminated as they do not receive all benefits they are entitled to.



### 2.3.4 Wage pattern

**Table 3: Wage pattern (wage per day if not otherwise stated, in Indian rupees (INR))**

Activity	MAKRANA		KARALI		CHECHAT		BIJOLIYA	
	Adult	Child	Adult	Child	Adult	Child	Adult	Child
Work inside mines/quarries	M: 350-400 F:- NA	NA	M: 350-450 F: NA	100-150	M: 350-400 F: 150-200	NA	M: 400-450 F: 150-200	100-150
Loading / Unloading	M: 250-300 F: 160-200	Children support their parents	M:  F:	Children support their parents	M: 250-350 F: 120-150	Children support their parents	M: 300-350 F: 140-200	Children support their parents
Machine operator	M: 300-400 F: NA	NA	M: 350-400 F: NA	NA	M: 350-400 F: NA	NA	M: 400-450 F: NA	NA
Driver / Crane operator	M: 300-350 F: NA	NA	M: 350-400 F: NA	NA	M: 350-400 F: NA	NA	M: 400-450 F: NA	NA
Sizing of stone- Chiselling by hand	M: 250-300 F: NA	80-100	M: NA F: NA	60-100	M: 300-400 F: NA	60-100	M: 400-450 F: NA	70-100
Stone breaking ( <i>gitti</i> )/ Cobble making	M: 250-300 F: 200-250	500-600 per trolley (4-5 days)	M: NA F: NA	NA	M: 250-300 F: NA	NA	M: 200-250 F: 150-250	80-120
Other supporting work- cleaning etc.	M: 200-250 F: 200	80-100	M: 150-200 F: 100-150	60-100	M: 200-250 F: 120-150	60-80	M: 250-300 F: 150-200	80-100



#### Key reflections derived from above table:

- Children are largely found engaged in all types of quarries/mines performing non-mechanical, semi-skilled and unskilled jobs except in the marble mines in Makrana and Chechat.
- In all four locations children are found engaged in loading and unloading stones outside the mines/quarries to support their parents with no direct engagement for wages.
- In all four locations children are found engaged in different supporting work, like cleaning, manual sizing of stone using chisel and hammer. In Bijoliya and Makrana children are largely involved in making cobble and *gitti* (small stones for construction work) and thus earning on average 80-120 Indian rupees a day. ***On average this earning is almost one third of the wage earned by an adult worker for the same work at the same location.***



#### 2.3.5 Work place hazards and risks for children

Health impacts are manifested in the lives of mining children in different ways. They are affected because their parents working in the mines fall ill, because they themselves fall ill while working in mines or because they live in areas where the entire environment has been affected by mining.

There have been numerous media and NGO reports documenting how exposure to harmful dusts, gases and fumes causes respiratory diseases, and can develop into tuberculosis (TB), silicosis, pulmonary fibrosis after some years of exposure. The specific impacts of mining are diverse, depending on the nature of the minerals extracted and the extent of exploitation. Silica stone is known to cause silicosis in workers exposed to this dust. This fatal lung disease is difficult to diagnose; it is frequently misdiagnosed as TB and is incurable. The symptoms are similar to TB and mine workers often get TB treatment instead, which fails to combat this disease.

Other child health problems around mining sites include skin diseases, malaria, asthma and TB, but there is no adequate medical facility there, hence there is a lot of dependence on superstitions. Non-availability or accessibility to health facilities in the close vicinity only further compounds the problem. Exposure to numerous health hazards at such a young age greatly lowers their longevity and quality

***Life expectancy amongst mine workers in the region is reported to be lower than average. This increased morbidity among adults also forces their children to take over the economic burden of the family in a very early age.***

of life. This increased morbidity among adults also forces their children to take over the economic burden of the family. Numerous other studies including a study by NIMH also confirms that life expectancy amongst mine workers in the region is reported to be lower than

average. This harsh reality sketches the poor future of children who get engaged in mining activities at an early age.

Apart from the health hazards mentioned above, children are also exposed to numerous injuries in mining and around mining sites due to blasting, exposure to toxic gases and chemicals, injury due to sharp tools and heavy machineries, vehicle accidents, falling stones and machinery, heat strokes and snake bites.

The health of children is also found to deteriorate following displacement and migration. The already marginal health status of displaced children is worsened by the stress and trauma of displacement and migration leading to mental health problems. Most of the mine worker families who migrated from their original places and left their agricultural land now find it difficult to afford vegetables in their daily diet. This has a severe impact on the nutrition of the children.

There are also health problems in mining areas, as shared by a few respondents, that may not have any direct link with the mining process but is related to migration that takes place as a result of mining. Amongst these are reports of sexually transmitted diseases, in particular HIV and AIDS, in mining communities. Migrant workers who work as miners are more vulnerable to HIV and AIDS due to unprotected sex and thus also make their children vulnerable to this disease. With communities becoming economically vulnerable, children and women are found to become particularly vulnerable to sexual exploitation and trafficking, and hence also to sexually transmitted diseases and HIV and AIDS.

***Migrant workers who work as miners are more vulnerable to HIV and AIDS due to unprotected sex and thus also make their children vulnerable to this disease.***

***With communities becoming economically vulnerable, children and women are found to become particularly vulnerable to sexual exploitation and trafficking.***

### 2.3.6 Living conditions



In general, habitats of mine workers are in close proximity of mines where the dust level is very high and scientifically proven above the permissive limits. Thus, children along with adults experience a number of respiratory problems due to overexposure to such dust pollution.

Water scarcity is also very evident in the surveyed areas. Most of the available open water sources were found contaminated with chemicals due to mining activities. In most of the places visited, children have very limited access to potable drinking water and spend 3-4 hours every day to fetch drinking water for the family.

***Habitats of mine workers are in close proximity of mining areas causing overexposure of children to dust, thus causing a number of respiratory problems.***

Most of the mine workers in the surveyed areas are either having mud houses (*kachha ghar/tapri*) or semi-constructed houses and are settled as a small colony (mostly unauthorised) far from main towns and general facilities, without adequate provision of water and electricity, having limited access to public transportation, schools and medical facilities. Very often workers are encouraged by the contractors and mine owners to settle themselves near the mining areas by offering workers a space to live without paying any additional cost. Oftentimes this lucrative incentive to workers trap their children into work, as children do get an easy access to work and start earning at a very early age.

Most of these habitats (Colonies) are not well connected to the main roads and during rainy season most of these temporary roads are totally wiped out. And as a result, most of the children found it difficult to attend school due to poor road connectivity, as reported by respondents.

The overall living environment is not very encouraging for children as observed during the study. With the influx of migrant population social connections were found missing, causing a sense of insecurity, prevailing alcoholism, gambling, adult male workers not attending work daily due to alcohol addiction, use of abusive language; brawling and fighting are common. Many children live alone during daytime when their parents left home for work, leaving their children in an insecure environment.

***Many children live alone during day time when their parents left home for work, leaving children in an insecure environment.***

## 2.4 Child labour – engagement, cause and reality



### About child labour and child rights

The term 'child labourer' means 'working child' or 'employed child'. 'Child labour' is any work done by a child for profit. 'Child labour' is a derogatory term which translates into child exploitation and inhumanity according to sociologists, development workers and educationists. The term 'child labour' is often defined as work that deprives children of their



childhood, their potential and their dignity, and that is harmful to their physical and mental development<sup>6</sup>. It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children;
- interferes with their schooling by depriving them of the opportunity to attend school;
- obliges them to leave school prematurely; or
- forces them to combine school attendance with excessively long and heavy work.

As per the Child Labour (Prohibition and Regulation) Amendment Act, 2016 (India), “child” means a person who has not completed his fourteenth year of age or such age as may be specified in the Right of Children to Free and Compulsory Education Act, 2009. Under this act no child shall be employed or permitted to work in any occupation or process. However, this shall not apply where the child (a) helps his family or family enterprise, which is other than any hazardous occupation or process set forth in the schedule, after his school hours or during vacations; (b) works as an artist in an audiovisual entertainment industry, including advertisements, films, television serials or any other entertainment or sports activities except the circus. Provided that conditions and safety measures are applied as prescribed and no such work under this clause shall affect the school education of the child<sup>7</sup>.

### Magnitude of the problem

Over 168 million children across the world are trapped in the vicious cycle of child labour. Deprived of their basic right to survival, protection, development and participation, these children, in the age group of 5 to 17 years, account for 11% of the world’s total child population<sup>8</sup>.

Despite the decrease in child labour at a global level, Asia and the Pacific region continue to top the chart with 77.7 million child labourers, of which 34 million are reported to be engaged in hazardous occupations<sup>9</sup>.

India is home to the largest number of child labourers in the world. The census of India Survey 2011, Government of India (GoI), estimated 12.6 million children aged 5-14 years (5.30% of total children in this age group) to be working in hazardous occupations and processes as main and marginal workers. The overall child labour population below 18 years as per Census Survey 2011 is 35.38 million<sup>10</sup>. The census data reflect 7% reduction in child labour in India from 2001 to 2011. Despite the reduction in child labour over the past decade, it is difficult to discount the comparative growth of child labour in the informal sector. However, the annual health survey of 2010-11 in the work status category mentions that 5% of the work force of Rajasthan constitutes children of the age group of 5-14 years. Also, as per the National

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<sup>6</sup> ILO (IPEC)

<sup>7</sup> Child labour (prohibition and regulation) amendment act, 2016 (India)

<sup>8</sup> ILO- International Programme on the Elimination of Child Labour, 2013

<sup>9</sup> ILO-IPEC, 2013

<sup>10</sup> Census Survey of India-2011, GoI and NCPDR report

Commission for Protection of Child Rights 2014, Rajasthan has been ranked 4<sup>th</sup> according to the number of child workers in the state (5,49,996).<sup>11</sup>

**Table 3: Engagement of child labour**

Activities	No. of respondents	Responded YES (%)	Level of engagement
Children engaged in economic activities	230	188 (82%)	High
Attending schools	230	142 (61%)	Medium
Children who attend school but not very regular	230	70 (49%)	Low
Children performing domestic duties and other ancillary work like farming, dairying, tailoring, taking care of siblings etc. for household only (includes children attending school)	230	218 (95%)	High
Children neither at work nor at school	230	11 (5%)	Low

**Key reflections derived from above table:**

- A large population of children is engaged in economic activities as child labour in all four survey areas as revealed by the respondents.
- More than 50% of the children from the respondent group were found enrolled with school. Surprisingly, half of these children do not attend school regularly despite their enrolment in school.
- A very high population of children, almost 95%, is engaged in domestic duties and other ancillary work like farming, dairying, tailoring, taking care of siblings etc. for household only (includes children attending school), thus shifting their priority over education.
- Almost 5% of the children were found free from any engagement at work or school.

<sup>11</sup> Census Survey of India-2011, Gol and NCPCR report

**Table 3: Causes of child labour**

Causes of child labour	No. of respondents	Responded YES (%)	Level of Impact
Poverty	230	165 (72%)	High
Debt	230	96 (42%)	Medium
Illness or death in the family	230	51 (22%)	Low
Large family	230	59 (26%)	Low
Unemployment of adults	230	9 (4%)	Low
Ignorance of parents	230	122 (53%)	Medium
Supplement household earnings	230	96 (42%)	Medium
Easy availability of work for children	230	74 (32%)	Medium
Non-availability of adequate education facilities	230	197 (86%)	High
<b>Total</b>	<b>230</b>	<b>230</b>	<b>-</b>

## Analytical review

**Poverty (72%):** The combination of poverty and the lack of a social security network form the basis of the even harsher type of child labour -- bonded child labour. For the poor, there are few sources of bank loans, and even if there are sources available few Indians living in poverty qualify for these loans. Here enters the local moneylender; for an average of two thousand rupees, parents exchange their child's labour to local moneylenders.

**Large families (26%):** Overpopulation in some regions creates paucity of resources. When there are limited means and more mouths to feed, children are driven to commercial activities and there is not provided for their development needs. Though the impact of this is not very high in the study area.

**Ignorance and Illiteracy of parents (53%):** Parental ignorance regarding the bad effects of child labour, absence of adequate compulsory education at the primary level, non-availability

and non-accessibility of schools, are some other factors which encourages the phenomenon of child labour.

**Unemployment (4%):** Adult unemployment and urbanisation also causes child labour. For adults it often is difficult to find jobs because quarry owners often find it more beneficial to employ children at cheap rates. Adult exploitation of children is also seen in many places. Parents relax at home and live on the labour of poor helpless children.

**Non-existence of adequate and qualitative provisions for compulsory education (86%):** Even though poverty is cited as one of the major causes of child labour, it is not the only determinant. Inadequate schools, a lack of schools, poor quality of education or even the expense of schooling leaves some children with little else to do but work.

**Children being cheaply available (32%):** The industrial revolution has given rise to circumstances which encourage child labour. This is because they can be recruited for less pay, more profit can be extracted from them and there is no union problem with them.

**Child earnings supplement household earnings (42%):** Child labour is a source of income for poor families. Children's work is considered essential to maintaining the economic level of households, either in the form of work for wages, or help in the household or family enterprises.

**Traditional attitudes:** Most traditional families believe that a child is born to them to earn more money for the family. The child is just another source of income. And under the pretext of training them, they make them work long hours, sometimes resorting to physical torture in case the child makes mistakes.

**Gender stereotypes:** Girls face discrimination with expectations they will work for the family, particularly in the household, rather than go to school.

**One of the major causes of child labour is poverty, but that is not the only determinant.**

**Other determinants include:**

- Lack of effective implementation of compulsory education for children.
- Ineffective enforcement of the legal provisions pertaining to child labour
- Consumers' indifferent attitude towards using goods and services produced by the units employing child labour.
- Social apathy and tolerance of child labour
- The attitudes of parents who feel that children should work in order to develop skills useful in the job market, instead of formal education.

- The industrial revolution has also had a negative effect by giving rise to circumstances which encourages child labour. This is so because they can be recruited for less pay, more profit can be extracted from them and there is no union problem with them.
- Child labour is a source of income for poor families. Children's work is considered essential to maintaining the economic level of households. A child's income accounts for about 35 percent of the total household income.

## 2.5 Impact on children's life

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### Threats to health:

Many working children face threats to their health and safety. The majority of working children is involved in ancillary quarrying activities like loading/unloading, stone crushing (*gitti* making), cleaning etc. during which they are routinely exposed to a harsh climate, sharp tools, heavy loads, and, increasingly, toxic chemicals and motorised equipment. There have been no attempts to minimise the dust in the air around the work area and workers are exposed to a plethora of occupational hazards, with child workers among them. If exposed to such hazards, they will probably develop lung cancer and neurologically disabling conditions, affecting quality of life.

Workers also suffer from lung diseases, stomach problems, wheezing pains in their chests and joints along with accidents and injuries. If we look at the emerged statistics on child labour from this study, the fact is that almost 82% of the children from the study area are living under trying and torturous circumstances. Their health is deteriorating and a large number of them do not cross their forties.

### Increased morbidity and illnesses:

Mining children are faced with increased morbidity. Children are prone to illness because they live in mining areas and work in mines.

### Increased food insecurity and malnutrition:

While most of the children across the survey sites were found undernourished, mining areas are even more threatening to child malnutrition and food insecurity.

### Increased vulnerability to exploitation and abuse:

Displaced, homeless or living in inadequate housing conditions, forced to drop-out of schools, children become vulnerable to abuse, exploitation and being recruited for work and even trafficking.

### Violation of Right to Education:

*Rajasthan is walking backwards* in the mining-affected areas with respect to its goal of education for all. Mining children are unable to access schools or are forced to drop-out of schools because of circumstances arising from mining.



### **Increase in child labour:**

Mining regions have large numbers of children working in the most hazardous activities. Children have an easy access to work in terms of work availability.

### **Further marginalisation due to displacement:**

Mining projects are mainly in the remote rural areas causing displacement of the local communities. The constitutional rights of the children are ignored due to displacement, land alienation and migration by mining projects. Children who are displaced are forced out of school and employed in the mines.

### **Migrant children are nowhere children:**

The mining sector in Rajasthan is largely dependent on migrant populations. Children have no security of life and are also found to be working in the mines or in other labour as a result of mining.

### **Mining children fall through the gaps:**

Children are not felt to be the responsibility of the Ministry of Mines that is in fact responsible for their situation and the violation of their rights. The mess that is created in the lives of children as a result of mining has to be addressed by other departments like Child Welfare, Education, Social Welfare, Labour, Environment, Health and others. Without convergence between various departments and agencies, the mining child falls through the gaps. Not a single law or policy related to mining and related processes addresses specific rights and entitlements of mining children.

### **Effects of Child Labour:**

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- Child labour deprives a child of a proper childhood.
- He/she suffers physical and mental torture.
- He/she becomes mentally and emotionally mature too fast which is a dangerous sign.
- Child labour creates and perpetuates poverty.
- It condemns the child to a life of unskilled, badly paid work.
- It pushes the children into crime and causes an increase in criminal activities in the society.
- Ultimately this leads to child labour with each passing generation of poor children.

## Section-C

### 3.0 Children's aspirations

- Regrettably, a very low level of aspiration was noted among parents and their children. Children from all four study areas were unable to recall and tell a single story of a child that succeeded in higher education, job or as entrepreneur after schooling from their village.
- Due to the low level of aspiration, being employed as a child labourer in mines or other mining activities or selling grocery in the street is the normal way of life.
- Most of the children do not aspire to become professionals in the society or great entrepreneurs. It is a mind-set that forms the very foundation of child labour.
- A majority of respondents, including children, do not understand the benefit of becoming an adult skilled labourer. Hence, they are not much aspired to learn skills required for mining activities as an adult labourer. They believe earning in early age brings better social security.
- Children attending government schools are aspired to get enrolled to private schools, believing quality of education in private schools is much better in comparison to government schools.
- Girls were found more concerned for their siblings in comparison to boys, aiming to send their siblings to school if conditions are favourable.
- Girls believe that availability of high schools near their village will increase their access to higher education due to an increased sense of security among them and their parents.
- Children believe that having educated parents is an advantage. They believe educated parents motivate their children towards a brighter future, promote education, and protect their children from getting abused.
- Children believe that easy access to drinking water near their household will save their time and labour required to fetch water. They will enjoy this spare time playing and studying.
- Working parents hardly get any leave in a month as there is no liberty for contract workers to take leave despite legal provisions. Children feel that their parents should be granted weekly leaves, so that they can also spend time with their parents to move around.

- Children strongly want restriction on selling liquor in the village. They believe men abuse children and women due to alcoholism. They also feel that due to alcoholism people fall sick very often and that families get poor due to gambling and other increased expenditure by fathers.
- Most of the boys believe that they will become a mine worker in near future, as they do not see any other option for themselves. Interestingly, many of these children also responded that they do not like this work.
- A majority of children were also found aspired to migrate to urban areas to earn their livelihood when they become adults. They feel attracted to urban life style.

### **3.1 National Laws and Policy-Overview**

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The Constitution of India, along with a whole host of laws and policies, recognises and protects the rights of all children in India. The National Child Policy of 1974 and the National Plan of Action for Children 2005, along with the Eleventh Five Year Plan, lay down the roadmap for the implementation of these rights. These include the right to be protected from exploitation and abuse and the right to free and compulsory education. These laws are strengthened by positive schemes to bring children out of poverty and marginalisation. But then these are for all children. Very few laws provide any protection or relief to mining children in particular or address their specific situation. This is because the principal job of the Ministry of Mines is to mine.

Hence, many of the violations and human rights abuses that result from mining, especially with respect to children, are not the mandate of the Ministry of Mines to address. The responsibility lies elsewhere, and therefore leads to conflict of interest between departments, in which the child falls between the cracks. Many laws that deal with mining, central as well as state laws and policies, do not address the needs and rights of children, or even human beings in general.

There are also policies and laws that deal with rehabilitation and resettlement of those displaced by the mining project, as well as policies for specific minerals such as coal. Although people are the most affected, directly or indirectly, when mining operations take place, most of these laws and policies that deal with mining mention little or nothing about people except as labour. Not surprisingly, children are not mentioned at all, although they may lose access to education, healthcare and other facilities, be affected by pollution and other environmental impacts, be pushed into joining the labour force and end up unskilled and illiterate forever as a result of mining.

Child labour is one of the most vicious impacts of mining that one sees. However, laws to address the employment of children in such hazardous conditions are weak. The Child Labour (Prohibition and Regulation) Act, 1986, prohibits the employment of children below the age of 14 in mines (underground and underwater) and collieries (Schedule Part A). It also prohibits employment of children in certain mining-related processes listed in Schedule B. This is a huge

gap in the law because it does not unilaterally ban the employment of children in mines, the Mines Act leaves a window of opportunity for exploitation.

While the Mines Act, 1952, and the Mines (Amendment) Act, 1983, lay down that no person below 18 years of age shall be allowed to work in any mine or part thereof (Section 40) or in any operation connected with any mining operation being carried on (Section 45), it simultaneously allows for children of 16 years to be apprentices and trainees. It also leaves it to the discretion of the Inspector to determine whether the person is a worker or apprentice/trainee and fit to work (Section 43.1). The National Mineral Policy has one line under its section on infrastructure development (section 7.7) that indirectly deals with children when it says that “a much greater thrust will be given to development of health, education, drinking water, roads and other related facilities...”, failing to mention who will do it and how.

The law that can be most effective in dealing with child labour in mining as well as any other form of vulnerability arising out of mining, is the Juvenile Justice (Care and Protection) Act 2000, Amended 2006, which defines children as persons up to the age of 18 and deals with two categories of children — the Child in Need of Care and Protection (CNCP) and the Child in Conflict with Law (CICL). Section 2d defines a child in need of care and protection as one who is exploited or abused or one who is vulnerable to being abused or exploited. It includes children already affected by or vulnerable to displacement and homelessness, trafficking, labour etc.

Mines and Minerals (Development and Regulation) (MMDR) Act, 1957, is an Act stated to undertake mining and use of minerals in a “scientific” manner. This is the primary Act, which is criticised for amendment, concerned with mining in India under the National Mineral Policy framework. The rules laid under this Act mainly relate to mine planning, processes of mining, the nature of technology, procedures and appropriate criteria for obtaining mining leases and many other aspects related to mines. It does not give any reference to the manner in which mining is to take place from the social context, except for some broad guidelines in terms of environment, rehabilitation and social impacts.

Given the huge negative impacts of mining on children, specific pre-conditions should be clearly laid out prior to granting of mining leases, where mining companies have to indicate concrete actions for the development and protection of children. Unless monitoring of social impacts and accountability, particularly with regard to children, are incorporated within the Act and the Mine Plan, violation of children’s rights will continue in mining areas.

The Rehabilitation and Resettlement Bill, 2009 was passed by the Lok Sabha (the lower house of the Indian Parliament) on February 25, 2009. However, it has since lapsed and not become an Act. As with all generic laws and policies, there is no special recognition accorded to children except to mention educational institutions as part of social impact assessment and orphans in the list of vulnerable persons. It says that while undertaking a social impact

assessment under sub-section 4(2), the appropriate government shall take into consideration facilities such as health care, schools and educational or training facilities, *anganwadis* (rural mother and child care centres), children's parks etc. and this report has to be submitted to an expert group in government, which must include "the Secretary of the departments of the appropriate government concerned with the welfare of women and children, Scheduled Castes and Scheduled Tribes or his nominee, ex officio." 5(2b).

In a letter to the Minister for Rural Development, the Chairperson of the National Commission for Protection of Child Rights has pointed out that most rehabilitation programmes in areas of displacement due to development programmes, disaster or conflicts do not take into account the impacts on children. Because displacement can lead to a violation of rights of children in relation to their access to nutrition, education, health care and other facilities, it calls for an impact assessment on children and their access to entitlements. This has to be gender and age specific.

The National Rehabilitation and Resettlement Policy neglects to mention children as affected persons and therefore fails to recognise or acknowledge the ways in which children are specifically impacted by displacement for any project including mining. Impacts on children are different from those on adults. Yet no mention is made in this policy of the effect this displacement will have on their access to food, education and healthcare, as well as their overall development.



## Section-D

### 4.0 Recommendations

#### Government:

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1. The government must recognise that children are impacted by mining in a number of ways, and these impacts must be considered and addressed at all stages of the mining cycle - pre-mining, mining and post-mining. Therefore, proper guidelines should be made and be strictly adopted before allotting any lease for mining.
2. This concern for mining children must find reflection in all laws and policies on mining” National Mineral Policy 2008; the Mines and Minerals (Development and Regulation) (MMDR); Mines (Amendment) Act, 1983.
3. There is a need for the existing child protection institutions (the National Commission for Protection of Child Rights as well as the State Commissions for Protection of Child rights) to make provisions especially for children affected by mining. There is also a need for the establishment of a state level and district level monitoring committee consisting of all the departments that have responsibilities to protect these children. This shall be made responsible for monitoring as well as grievance redressal.
4. The governments and society must no longer live in denial regarding the existence of children in labour in mines and amend the laws accordingly. Given the extreme hazardous nature of the activity, the Mines Act, 1952 and the Mines (Amendment) Act, 1983 must be amended to ensure that children below 18 years of age are not working in the mines as trainees and apprentices from the age of sixteen. The lacunae in the Child Labour (Prohibition and Regulation) Act, 1986 with respect to children working in mines must be addressed by amending the law to include all mining operations in Schedule A of prohibited Occupations.
5. Guarantee all mining children their right to Free and Compulsory Elementary Education through the targeted provision of accessible and quality education, the same as that available to the children of the mining officials. Number, quality and reach of elementary schools, including infrastructure and pedagogic inputs, have to be adequately scaled up.
6. There must be a comprehensive assessment of the health impacts on children living and working in mining areas. Considering the high levels of environmental pollution and occupational diseases as a result of mining, the ministry needs to deliver services that will address critical child health problems and mortality.

## Business community:

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1. To meet this responsibility, companies that are at risk of being involved in child labour need to put in place: 1) An appropriate policy commitment that is embedded throughout the business; 2) Human rights due diligence processes to identify, prevent, manage and account for child labour occurring in their own operations or their value chain; 3) Remediation processes to provide remedy if the company has caused a negative impact, and/or contribute to providing remedy, if it has contributed to a negative impact, to the extent of its contribution.
2. Map your supply chain to maintain accurate and up-to-date records of all employees.
3. Exercise influence on subcontractors, suppliers and other business partners to combat child labour.
4. Consider ways to build the capacity of business partners to combat child labour, such as the provision of training and incentives.
5. Fix the wage level for the adult employees so that they can support their families without depending on children's earning.
6. Work in partnership with other companies, sectoral associations and employers' organisations to develop an industry-wide approach to address the issue, and build bridges with stakeholders such as workers' organisations, law enforcement authorities, labour inspectorates and others.
7. Establish or participate in a task force or committee on child labour in your representative employers' organisation at local, state or national level. Support development of a sectoral level action Plan against child labour as part of key policy and institutional mechanisms to combat child labour in mining areas.
8. Within your sphere of influence, participate in prevention and in re-integration programmes for former child labourers by providing education, skills development and job training opportunities.
9. Where possible, participate in national and international programmes, including media campaigns, and co-ordinate with local and national authorities, workers' organisations and others.

10. Support Rajasthan based multi-stakeholder initiatives like State Forum on Natural Stone (SFNS) promoted by ETI and ARAVALI to combat the variety of mine worker issues in Rajasthan including child labour through a collaborative approach.

### NGOs and Trade Unions:

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1. Support and sensitise trade organisations to end this social evil and make local communities vigilant to report instances of child labour at businesses.
2. Support the fight against child labour through lobbying for reform and legislation. Initiate and strengthen dialogue with vulnerable communities across the mining-prone districts, as well as state and national level governance to address child labour, abuse, trafficking, and child rights violation.
3. Organise mobilisation programmes at the local levels by organising street theatre, public meetings and rallies, house-to-house surveys to build up a social norm and a consensus that children must not work.
4. Assist local community groups to organise child rights protection committees which can be the watchdogs of various government departments dealing with child labour eradication.
5. Liaise with local officials in the education, labour, police and social welfare departments and bring problems and identify solutions.
6. Assist locally elected bodies to be vigilant about children's rights and to monitor and review the prevalence of child labour in their areas.
7. Strengthen school education committees (SEC) so that school functioning improves and drop-outs (potential child labourers) are reduced. Keep a follow up of the regularity of attendance of all school going children and establish processes of reviewing through the *gram panchayats* (village councils).
8. Bring rescued children to transitional educational centres from where they can be mainstreamed into the formal school system.
9. Where possible be part of the District Mineral Foundation Trust (DMFT) in the respective district. Presence of NGOs and trade unions as a workers' representative in DMFT shall promote and protect the rights of children living in the mining areas.

10. Facilitate entitlement-based linkages for mine workers to improve social security coverage for them. An increased social security coverage of such vulnerable workers may reduce the risk of their children getting engaged as child labourers.

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17. Ministry of law and Justice- THE CHILD LABOUR (PROHIBITION AND REGULATION) AMENDMENT ACT, 2016. NO. 35 OF 2016 dated 29th July, 2016



