

# Our Mining and Stone Crusher Children



## **A Report of the Fact Finding Team on the Child Laborers in the Stone Crushers ,Iron Ore and Granite Mines in Orissa**

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### **Executive Summary**

JEEVAN REKHA PARISHAD a local environment NGO in India came to know of the exploitation of child labor in the stone crushers, iron ore and granite mines of Khurda and Badbil region of Orissa and of their inhuman conditions of life. As this is a serious violation of children's life and safety and requires urgent intervention, a fact-finding visit was organized by JRP and other social rights activists. We visited several mine sites, STONE CRUSHERS around Khurda and Badbil areas on the 18<sup>th</sup> and 21<sup>st</sup> of April 2005 and what we witnessed was a truly unjustifiable situation of mine labor exploitation, a large number being children starting from the age of five working in the most hazardous conditions and leading a 'pits' of existence between survival and death. Although it is difficult to accurately estimate the number of children working, we can roughly say from

what we saw, that there are at least a few lakh children illegally forced into mining activities. They are employed by the mine owners and contractors for digging, breaking stones, sieving, loading, dumping, transporting and processing activities of iron ore mining without safety equipment, no prescribed working hours or wages, susceptible to accidents, injuries and chronic mining induced health problems and severe air, dust and water pollution. Children are also employed in the granite mines for collecting kerosene from mine tailings and in treacheries, handling toxic wastes with their bare hands. What we saw was blatant violation of all legal and social norms in order to employ children as very cheap labor and the lack of any State responsibility towards these children where mine owners, contractors, traders and all others in the mining chain arrogantly escaping from any accountability. We could not understand how such open and dangerous exploitation of child laborers in alarming proportions has not been noticed or addressed by the authorities concerned. We wish to state that this could only be but a glimpse into the alarming situation of child laborers and working conditions not just in Khurda & Badbil or but in several other mine sites in the country, given the nature of free trade that is taking over our mining industry. The shift to privatization and open market economy after our new economic policies has led to pushing women and children into the informal labor force, especially in sectors like mining where deregulation of laws for attracting foreign direct investment and private investments have led to mechanization and retrenchment of workers and have diluted the legal protections towards laborers and marginalized Sections. This calls for urgent investigation of all the mines in the country.

*One jhudi\*1 fetches Rs.5. Six jhudis a day make Rs.30. Hammer harder on more energetic days to make 10 jhudis. A jhudi weighs 10-15 kilos. Three days in a row and you can fill a tractor along with the family and earn 6Rs.320. When thirsty scoop out the red cesspools with your palms. When hungry chew a bit of tobacco and wait for the sun to set over your red parched back. Cover the blisters with red oxide. We never fall sick. We are strong and sturdy. We are never hungry. We are blessed with a home called a blue shining plastic sheet under the wide dusty sky. We can beat the heat and the rains. We can beat the Gods as well for the glory of Hampi forms a red halo over our oxidized heads. We are the child laborers of the iron ore mines with the red iron in our lungs and intestine sand our eyes and our bodies. We are fourteen, we are eight, we are also five and four, and our metallurgical skills start from the time we crawl. We can put to shame the best geologists and metallurgists of the country for, at the age of five, we can grade iron ore with just a glance. We have versatile skills-digging, breaking, sieving, dumping, loading and even driving trucks by the age of fourteen. Most of all, we can be made invisible. If you do not look at us, you cannot see us, for; **THERE ARE NO CHILD LABOURERS IN THE MINES** Each stomach unto itself and each jhudi tells a tale. Only jhudis cannot speak and so breathes easy the labor officer, the contractor, the mine owner, the trader, the money-lender, the exporter, the minister, the bureaucrat, the consumer and the rest of the world. It is only our mother who cannot rest even while she falls at the feet of the contractors and begs that we be sent to the gallows of the mines\*jhudi is an iron basin used to carry material*

## **Main findings**

Child labor are working in very large and alarming numbers in the iron-ore and granite mines of Khurda & Baddil region of Orissa State in direct violation of the Constitutional rights of children

- Most of the children are migrant laborers
- Children are working in highly hazardous and painful conditions in the mines and related 'ancillary' activities and the situation calls for urgent action
- Children are handling high levels of toxic waste and exposed to mine dust, which is above permissible levels and therefore susceptible to serious and chronic health problems
- All the mines we visited had child laborers with the mine owners blatantly violating laws related to employing children
- The working and living conditions of child workers are highly exploitative, inhuman and do not have even the very basic amenities either for work safety or for minimum human living needs.
- There is a high drop out rate of children from schools in this belt as they have been sucked into the vicious mine labor market.
- There is high indebtedness and serious health problems of mine laborers because of which children are pushed into the mine labor force from a very early age.
- The entire chain of mining operators including central and state governments, all the private, public and illegal mine owners in the district, the traders, buyers, national and multinational companies connected to iron ore mining and processing, contractors and others involved in the mine extraction, processing and marketing are equally responsible for the existence of child labor
- Children are undergoing serious physical, social, sexual, psychological and environmental exploitation and trauma by the entire chain.
- The mining industry is violating all national and international standards, laws and human rights of children
- The State and the mining industry are blatantly escaping any accountability towards the issue of child labor.
- We did not get any information whether there were any public hearings being conducted as per the EPA requirements even though many of the leases were more than 5 hectares.

### **Our Demands**

- Government must admit that child labour exists on a large scale in the mines.
- An enquiry must be commissioned immediately by the Governments of India and on the magnitude of the exploitation of children in the mine and violation of children's rights in the area.
- Legal action by the Department of Labor under the Child Labor (Prohibition and Regulation) Act, 1986, The Mines Act, 1952 and The Bonded Labor System Abolition Act, 1976 must be immediately taken against the employers.
- Mining leases should be cancelled to those who have employed child labor.
- Government must issue a moratorium on new leases as mining should not be continued with such gross human rights violations of adults, both men and women and children.
- Government should review the State of Orissa Environment Report 2003 prepared by Orissa State Pollution Control Board and State Environment Department, where it

is clearly indicated that mining should not be expanded in Khurda & Badbil- Khurda & Badbilbelt in the current manner.

- Government must immediately take action towards release and rehabilitation of all child labor in the area.
- Local bodies like the Gram Panchayat or Gram Sabhas where applicable, must be given the power, mandate and responsibility for monitoring the child labor situation in the irrespective panchayats and submit periodic reports of the status to the district authorities.
- Public hearings should be conducted for all proposed projects involving major minerals and above 5 hectares as per Circular dated 12.02.2004 of EIA Notification 1994, for obtaining environmental clearance of Major Minerals and iron ore is a major mineral. The Local bodies, panchayats and public should have prior information about the public hearing and given access to EIA and EMP documents of the same and allowed to democratically participate in the hearings.
- The Center should immediately conduct an enquiry in all the mining areas in different states and come up with a country report on child laborers in the mines. The report must be allowed for public scrutiny.

### **Background of Mining in Khurda & Badbil district**

Orissa is a state with vast areas of mineral resources of which Khurda & Badbil district has the most extensive range. The concentration of mining activities is mainly in Khurda & Badbil, Khurda & Badbiland Sandurtaluks. As per the list of leases for the year 2004, most of the mining is being done by small mining companies while there are a few large public sector companies like NMDC (National Mineral Development Corporation), Mysore Minerals Ltd and some private ones like the Vijayanagara Steels. Further, many of the works are sub-contracted to private miners and contractors. Mining activity occurs in forest lands also (5389.69 hect) although the Forest Conservation Act has stated that mining is a non- forestry activity. The minerals found in the district are iron ore, manganese, quartz, gold, copper, granite and decorative stones. The list of working mines as of 2004 show that there are a total of 3 major mines in Khurda & Badbil range extending over an area of 81.30 hectares, 6 big mines in Khurda & Badbilrange with 725.52 hectares and in Sandurrange a total of 37 mines spread over 2671.37 hectares with an average lease period of 10 years.

### **History of mining in the area**

Mining activities were undertaken on a very small scale right from the 1800's by the British government and earlier to that by the local kingdoms for their weaponry and other domestic products. The main occupation of the area was agriculture and agricultural labor, the principal crops being jowar, bajra, onions, paddy, ragi and other minor millets. Since 1994-5, mining became a more visible activity with the exploration activities undertaken by NMDC. The Jindal Steels was set up in Sandur taluk around 1995. After 1995, mineral exports to China, Korea and other countries started on a small scale. By 2000, the hectic scramble for iron ore led to an uncontrollable social and ecological chaos in the district. With the collapse of agriculture and recurrent drought in the last four to

five years, and with mechanization of agriculture, the landless agricultural laborers were forced to look for other means of wage earnings.

### **The mining rush – *strike it while the iron is hot***

Miles and miles of agricultural land on the foothill have been converted into iron ore mines. There is a hectic movement of people, vehicles of all sorts and sizes—trucks, bulldozers, crushers, jeeps and wagons on rail tracks are visible. All these vehicles and indeed the livelihoods of all those who operator drive them are dependent on the work of the little children, sometimes as young as five and eight years, who are at the very bottom of the mining pile. It is difficult to obtain accurate data and information on the number of mines, the extent of mining activities, the labor force involved and the trade routes of each of these minerals as there is lot of illegal mining with a strong nexus between layers of politicians, mine owners, traders, contractors, exporters, transporters and owners of processing units.

### **Mining processes**

Mining activities are undertaken for about eight months in a year as the mines close down during the monsoon season. Lands are taken on lease from the Department of Mines, Government of Orissa through the state pollution control board (SPCB). During our visit it was not clear how land transfers take place for private lands and the procedures being followed for obtaining leases from the government and what the cost of compensation or rent paid to the owners was. Discussions with workers, supervisors and land-owners on the field indicate that most of the leases were private transactions between the landowners and mine owners/contractors. The landowners are paid approximately of Rs.100, 000 for an acre of land for one year of lease. Digging operations are taking place both manually and through heavy machinery. Most of the mines did not have permanent workers except for the smelter of the Jindals and NMDC. Mining operations are so prolific that we were told even a medical doctor in the government hospital has a lease. Clearly the prevailing attitude was to just grab a lease either legally or illegally and become rich overnight.

The mining activity in the iron ore mines consists of extraction of the ore, breaking the rocks into small stones and pebbles and into fine powder. Iron ore is bought and sold in all these forms. The smelter at Hospet-Sandur owned by the Jindals, processes the ore into rolled sheets of iron. Therefore, the mining area has vast stretches of extraction sites, stone crushers, stockyards, dump yards, weighing and permit yards, lorry yards, and wagon loading points across the railway line, While most of the leases given by the mines department are on the hills spreading across 180kms of Khurda & Badbil district, the smaller private mines have extended into the agricultural lands almost as close as Khurda & Badbiltown itself. The shift to mining from agriculture was both a result of desperation as it has a quick profit motive. In many places it was found that the land-owners have experienced crop failure due to heavy dust pollution in the neighboring mining lands and have been forced to convert their fields into mine sites as well. Interviews with contractors, mine owners, mine workers and local media indicate that there may be large

black market transactions with exporters from China, Korea and other countries and with the traders

within the country. As most of the works are sub-contracted, it is difficult to trace the routes or pin down accountability both with regard to workers and to the environmental issues.

### **Mine Workers**

Migrant labor is preferred to local labor. Landless labor from the surrounding talukas of Koppal, Kudligi, Hagaribommanahalli, Papanayakahalli and from other states like A.P are employed to work in the mines mainly as daily wage laborers majority, 70-80 percent, of the labor are from the dalit and tribal (sugali) communities who are brought by some middlemen/supervisors to the mine sites. As whole families migrate to the mine site, leaving only the aged behind, the mine sites are filled with migrant workers' camps consisting of small plastic tents where they live and work at the site. The entire family is involved in the mining activity right from small children. Most of the mine workers appeared to be women and young girls. Each family is given a few hammers, some jhudis (iron basins), and a sieve. The men and young boys (we even saw boys below the age of 10) mainly undertake the digging work while the women and girl children are involved in breaking the ore into stones and smaller pieces called 'lumps'. The lumps are sieved and processed into iron ore powder called 'fines'. Other contractors load it on to trucks or tractors to be dumped into yards where the crushers get to work. Here too there are migrant workers-men women and children, although the proportion of men and very small children falls. All of them are engaged in loading although the quantity and wages depends upon their physical capacities. From the crusher the "fines" as the iron ore is now called, is taken to stock- yards where they are dumped in huge stock piles and later transported to Khurda & Badbil, Bangalore, Andhra Pradesh or north India. The final destination can be China, Japan, South Korea or Australia. Wagon loading normally takes place early in the morning where majority of the workers are women and children. In Sandur taluka alone there are 8000 trucks and 8000 tippers which employ about 70,000 workers. The drivers and cleaners of the trucks are usually very young men or adolescent boys. In the three talukas put together there would be at least 1.5 lakh casual workers in the transportation work alone with majority of them being young boys.

### **The Mining Economy**

India is the fourth largest iron ore producing country in the world. The demand for the mineral has up scaled due to the low prices and high quality of the ore (62% iron content) present. The Indian ore is cheaper because of the very cheap labor and low transport costs. Therefore, the situation we saw in the field is one of serious human rights violations of mine workers and the highly exploitative conditions of their work. We found that there were different types of complex wage employment systems being followed in the mines. The large companies like NMDC have permanent and daily wage labor. The daily wages paid for men is around Rs.70-80 and for women around Rs.50 and for children Rs.35. They mostly work on piece rate basis. A family earns about Rs.1000-

1500 a week during the peak period. On an average, a rough head count of the workers revealed that there were about 100 workers in one acre of mining activity. We found that 50% or even more (as there are almost three children for every two adults) of them were children of all age groups starting from five years. They were mainly girls and very young boys. **All the mines we visited had child laborers. In fact, the entire mining economy gets to be projected as a 'sustainable' and 'profitable' industry because of the large scale child labor employed and the flouting of all social and environmental laws.** The mine owners say they only employ the adults but as the families live at the mine site the children join in the mining activity and say that the parents force them to employ the children. The parents admit that it is very hard work for the children but that they cannot survive otherwise. We tried to assess the extent of child labor involved where we took a conservative estimate of 2000 hectares of private mines where migrant and child labor are employed. A head count of the mines we visited revealed that there were 100 workers per acre of whom 50% were children, mostly girls which means there are at least 4,00,000 daily wage laborers in the iron ore mines of which 50% (2,00,000) or more are child laborers. The real figures would certainly be higher than this estimate if we take into consideration the illegal mines, the stockyards, loading points, trucks, tippers and other machinery all of which employ very high number of child laborers. A proper investigation is urgently required to have an accurate picture of the extent of child labor involved.

### **Child labor in Illegal granite mines**

Iron ore is not the only mining that children are engaged in. Hospet, Khurda & Badbil and its surrounding areas have extensive granite mines. Not surprising that there is a prolific upsurge in granite mining and its ancillary industries such as cutting and polishing units. Once again, these cater to the domestic and foreign markets. Indeed the best quality products are only for the foreign markets, especially China, S. Korea and Australia. Although we were not allowed into the granite mines, citing our own safety as a reason, it was very visible that children were employed for various processes connected with it, except for blasting operations. We found children employed in the granite cutting and polishing units we visited. Children we met were also employed on a "piece-rate" basis to squeeze and strain out kerosene from storage tanks (kerosene is essential for granite cutting). Infect two little boys, about 13-14 years old, earned Rupees 110 by cleaning a kerosene tank in a factory by removing the slurry. Not even the adult members of their family earn that much as daily wages. As hazardous as it may be, they have to spend hours dipped to their waist in these tanks. This is not the only mining region in the country where children are engaged, in spite of the fact that their employment in mining activities is illegal by law—both under the mining law and the child labor law. This was clear from the question raised by a parliamentarian in the Winter Session of Parliament (2004-05), in which he had asked if it was possible to improve conditions of work in the mines in Rajasthan and the response of the Union Minister of Labor, saying that the question does not arise as their employment was prohibited.<sup>11</sup> Who Speaks for Our Rights? Children in Winter Session of Parliament, 2004-05. HAQ: Center for Child Rights, New Delhi

Clearly, laws notwithstanding, children are illegally employed in mining activities, and this must be stopped. But before this can be done, a thorough understanding of the extent is critical.

### **Patterns of Child labor in the mining economy**

- Local children attend school in the morning and join the afternoon shift in loading, dumping, stone breaking and sieving or work in the early morning and go to school in the afternoon
- Some children work in the mines during school vacations
- Some children have completely dropped out of school and only work in the mines
- Migrant children from surrounding talukas who have dropped out of school and seasonally work in the mines.
- Children who scavenge for ore around their villages and sell to tractors on the basis of jhudis
- Children are taken by contractors to different mine sites on contract basis and return them to their villages after a few weeks or months
- Children who are the sole bread-winners of the families as they lost their parents in mine accidents or parents are suffering from mine induced chronic health problems and cannot perform any activities.
- Children work in the mine tailings to extract not ore but other effluents like kerosene which is again sold to kerosene traders
- Child laborers vulnerable to trafficking and sexual abuse

### **Wages, working and living conditions of children**

Children work along with the adults with their bare hands with hammers and sieves. They do not have any safety equipment, do not cover their heads or eyes and work bare foot sitting on the burning ore. As their work mainly involves breaking stones, most of the children we saw had blisters and wounds on their hands and complain that they cannot eat and hold anything for days after they start working. They work in the open site without any shelter whether in the hot sun Orin the rains. Young boys below ten years are also working with their fathers in digging the ore. As they are paid on a piece-rate basis, there are no working hours or timings. The children are forced to work all through the day in order to powder enough ore to make a living. As the wages are paid to the entire family, it is the males who are given the money. Most of the wages are wasted by the men for their liquor, so the women and children have to work extra hours to purchase their basic food. The children were found to be lifting heavy loads of 10-15 kilos to carry the ore even at the age of six and seven. The work place is just a vast expanse of open mine fields, without any shelter. It is also the living quarters for the workers. Some of the semi-casual workers are given makeshift bamboo huts. All the migrant workers are given only a small plastic sheet which is made into a two by two feet tent for the entire family to live in. Infants and babies are crawling and walking at the mine site and sometimes assisting their older siblings at work. The infants are inhaling the dust from the ores and eating the iron ore mud when playing. Both rain and sun are a curse to the workers. They have to work in the heat of summer without any shade or footwear. Babies are left to sleep in the open. The tents are too small for the entire family to take shelter if it rains and their work gets interrupted if it rains, making the lumps too damp for making the fine powder. There are no toilets provided, so women and girls have to undergo the

humiliation of ablutions in public as the entire mine sites are felled clear and do not have a single tree or shrub. There is no water provided at the work place. The women and children walk long distances after their working hours or early in the morning to fetch water from the neighboring villages and private wells or bore wells. If the owners are not willing to share the water, they do not have any source of drinking water. Some mine owners supply drinking water by trucks but the supply is not regular or adequate for the inhabitants of the camps. The women and children spend long hours standing in the queue for collecting a pot of drinking water. The rest of the water requirements are met from the mine pits by collecting the contaminated water. So the children do not have any water for washing their hands, taking bath or washing their clothes. They eat food with iron ore hands in the open site while dust from the mine sites falls into their vessels and food. Hence they are suffering from skin allergies, intestinal and respiratory ailments, to say the least. As the workers live at the mine site, they sleep in the open pits surrounded by cesspools with mosquitoes and other insects. They do not have any electricity and cannot afford to purchase kerosene for any lighting purpose. They purchase their rations from the nearby private traders at much higher rates for poorer quality food-grains, as they do not have ration cards to use the PDS. Since most of the workers live on the mine site, there is no question of the children attending school, as there is no village in sight. Since they are constantly moving from one mine owner to another, they lead unpredictable lives and so children have completely dropped out of school. The local children barely attend school although the teachers are reluctant to give the drop out rate for fear of being reprimanded by the government. As the workers are only casual laborers, they do not have any health cards to avail of the public health services set up by the labor ministry. They have to go to the private clinics that have mushroomed in Khurda & Badbil after the mines have opened and most of their wages goes into purchase of medicines, which provide only temporary relief. As mine workers are developing more serious and chronic illnesses like tuberculosis, silicosis, cancers, respiratory illnesses, physical disabilities due to accidents and several degenerative impairments, they are unable to perform any labor and hence have to push their children earlier and earlier into this hazardous industry. What was disturbingly visible was the high floating population in the region where it is difficult for the workers to have any social cohesion and, on the other hand, is making them vulnerable to exploitation of traders, truck drivers, miners, contractors, etc economically, socially and sexually. Discussions with women workers revealed that they are at the mercy of these layers of exploiters for their daily wage and therefore, face severe sexual exploitation. The sudden emergence of clinics around Khurda & Badbiland for sexually transmitted diseases is an alarming signal of the spurt of HIV-AIDS in the area. We also heard that the Jindal Steels had conducted health camps for cancer, which is again an evidence of the prevalence of terminal illnesses, which may have an association with the mineral pollution.

Migrant child workers are most vulnerable to sexual exploitation and especially girl children who are working in these mines in large numbers. Socially, women and children are becoming victims of alcoholic male members of the families and many of them complained of being physically abused and having to give a major part of their wages for purchase of liquor. Even young boys are becoming victims of liquor due to the physically strenuous work; where as women and girls just learn to live with the physical pain of

working in the mines. Chewing tobacco was commonly seen at the work site. There have been incidents of accidents and deaths but we were told that there was hardly any compensation given and the contractors normally hush up the cases.

### **No Space for Collective Bargaining**

As most of the workers are migrant population, there is no community cohesion existing at thiamine site. The worst part of their life is the total uncertainty of their future. Their life can be predicted for a few weeks at the most. Our queries were met with blank and incognizant responses, as they had no idea where they would be going next or how long they would work with the current 'employer'. In some of the sites like the loading and stocking yards machines like the 'proclaim' have replaced manual labor, so people have been thrown out of even daily wage opportunities. Even in the public sector mines and bigger companies like the Jindals, women are employed only on daily wage basis either for disposal of mine tailings or for tertiary work like cleaning and maintaining the lawns. Young girls and women were seen desperately trying to plead with truck drivers to take them to the work site or were walking long distances to reach their work place on time. If they are late, they do not get the day's work as miners take them on 'first come first served' basis. Late in the evening, we saw small girls walking back to their villages with their mothers, even as far as ten kilometers. Several crushers have sprouted all across the three districts replacing manual labor again. So women and children are being employed where it is cheaper to employ them than to install machinery. Especially they are in the breaking and sieving work where they are exposed to heavy dust pollution.

### **Whose Responsibility?**

The inhuman nature of work of the women and child laborers that we witnessed did not appear to disturb the perpetrators of the cycle of exploitation. When questioned, the mine owners and supervisors and contractors did not find anything wrong with the working or living conditions of the children. On the other hand, they felt they were providing opportunities of survival for the children and their families. They did not find that they had any responsibility towards providing any facilities either for housing, water, work equipment or for child care. They felt that they were doing the workers a favor by allowing the children to work and to stay with their parents at the mine site. The lack of even basic facilities has led to high level of insanitation, ill health and social chaos. The government, on its part, appears to have totally ignored the existing human exploitation. Discussions with the labor officials and district level workers of the national child labor programme revealed that they felt helpless and unable to take any punitive action. The official figures of child drop out rate in the district were around 4000 children whereas, we could clearly see there were a few lakh child laborers who have dropped out of school. The NCLP has hardly any schools for the child laborers in the mines, as the government statistics do not show any child labor in the mines. According to them, the practical problems in the field are that, the allocation of funds are very low for each district and unless the labor officer conducts raids and books cases, the NCLP cannot have evidence of child labor to start any programme of intervention. The labor officials

are either corrupt, intimidated or are under pressure from the very parents of the children who work and hence do not book cases.

**It was a perfect catch twenty two situation and it seemed there was no solution for rescuing the children from mining**

Although the region has high grade of iron ore (62%), most of the mining operations are by small mining companies, which do not follow any environmental or social regulations. Hence, all the mine sites visited had child laborers and we could not distinguish a legal mine from an illegal one during the visit. Since, there are several players involved in these operations, the entire chain of companies, mine owners, traders, exporters, crushers and other processing units, moneylenders, trade unions and the state government are either directly or indirectly responsible for nurturing the exploitation of child labor on whose barely formed shoulders, the entire mining industry of the district, rests and profits.

**The future scenario**

The Orissa State Environment Report has identified the Khurda & Badbil regions as one of the hotspots of future mining activities in the state. The report states that the increase in mining activities in Khurda & Badbil district will lead to further deterioration of water quality of the Mahanadi River and various streams, reservoirs and ponds of the region. It is likely to increase the suspended particle matter in water and air leading to adverse health impact. A Rapid Environmental Impact Assessment of Mining in Khurda & Badbil region reveals that biotic pressure due to mining has destroyed medicinal plants, forest cover and dwindling of important mammal and bird species. Groundwater withdrawal for mining activities has overexploited the water resources. Faecal contamination of spring water and ground water because of unsanitary conditions prevailing around the water sources has been found as there is no or inadequate sewage treatment facility. Discussions with workers, mine owners, supervisors and others during the visit revealed that the present psyche of the economy was based on making a fast buck with a total disregard for laws or social justice. We were told by the workers that it only takes six months to dig up an acre of land. As most of the leases belong to small mine owners, they do not provide for any work safety equipment to the workers, flagrantly violate the laws with regard to child labor and do not follow any rehabilitation measures even after mine closure, either for the land or for the workers or for the communities around. Large pits are abandoned once the ore is exhausted. The workers said that the land would be leveled and it would be converted back into agricultural land without any damage to soil fertility, but upon persistent questioning they did admit that they have not yet converted any land back to agriculture and it was mere hypothesis. What was clear was that the land has no future, the farmer has no future and the laborers have no future in these mines.

**Mining Policy and Trends**

After mining activities created havoc to the environment and social life, the Orissa

Government has taken the following policy decisions:

- It envisages action plans for minimizing the impact of mining on environment and providing health facilities to mine workers and the community around the mines.
- Introduction of Orissa Minor Mineral Concession Rules, 1994, which stipulates strict conditions for regulating mining of minor minerals and for rehabilitation of mined areas.
- Remote sensing study is being undertaken in Khurda & Badbil district as it has seriously affected forest cover and ground water
- Government order dated 16<sup>th</sup> January 2004 provides for Site and Environmental Clearance for mining projects. Mandatory environmental clearance is required for mining projects with leases more than 5 hectares from MoEF, GOI. An application as prescribed in Schedule II of EIA notification needs to be filed and routed through Department of Forest, Ecology and Environment after mandatory public hearing.

#### **Directions given by MoEF for Khurda & Badbil sector to the Government of Orissa**

- New mining leases may be considered by the State government only if the applied area is more than 5 ha and should accompany a detailed IBM report
- The State government should identify common dumping areas for cluster of mines, develop and maintain proper roads and should carry out detailed ground water resources study While these norms exist, the iron ore mining economy is going through a corporate turbulence in India. The list of mining leases indicate that almost all of them are above 5 hectares but it is not clear whether they have met the mandatory requirements of public hearing, submission of EIA documents, IBM report and if they have been allowed for public scrutiny. At present, most of the iron ore is exported (60%) and does not serve the domestic steel industry.

Therefore, there is growing demand from the Indian steel giants for reducing export and supplying to the Indian market. China, which has been the highest importer of iron ore from India, is having competitors from other countries like Japan, Canada, Australia and others. Some of the foreign multinationals also have plans to shift their steel industries to India to make their production costs cheaper. The Australian government has identified Khurda & Badbil as their future iron ore destination. This week China has suddenly taken a decision to restrict its iron ore imports from India which gives the Indian steel giants opportunities for expansion. However, whether Indian or multinational, the ambition is to 'steel' the iron at its cheapest and fastest rate which translates into employing more and more child and women labor and being totally unaccountable to the environment. It is for the nation to decide whether we base our human development index on the tones of iron ore exported or on the dignity of life of the children and workers.

Our labour laws say that children below the age of fourteen should not be employed in anyhazardous activities. The activities that the children in the iron ore and granite mines in Khurda & Badbilare engaged in are some of the most hazardous activities that a nation could push their children into.

#### **Our Demands**

- Government must admit that child labour exists on a large scale in the mines
- An enquiry must be commissioned immediately by the Governments of India and

Orissa on the magnitude of the exploitation of children in the mine and violation of children's rights in the area.

- Legal action by the Department of Labor under the Child Labor (Prohibition and Regulation) Act, 1986, The Mines Act, 1952, and The Bonded Labor System Abolition Act, 1976 must be immediately taken against the employers.
- Mining leases should be cancelled to those who have employed child labor.
- Government must issue a moratorium on new leases as mining should not be continued with such gross human rights violations of adults, both men and women and children.
- Government should review the State of Orissa Environment Report 2003 prepared by Orissa State Pollution Control Board and State Environment Department, where it is clearly indicated that mining should not be expanded in Khurda & Badbilbelt in the current manner.
- Government must immediately take action towards release and rehabilitation of all child labor in the area.
- Local bodies, particularly the Gram Panchayats or Gram Sabhas where applicable, must be given the power, mandate and responsibility for monitoring the child labor situation in their respective panchayats and submit periodic reports of the status to the district authorities.
- Public hearings should be conducted for all proposed projects above 5 hectares involving major minerals as per Circular dated 12.02.2004 of EIA Notification 1994, for obtaining environmental clearance of Major Minerals and iron ore is a major mineral. The Local bodies, panchayats and public should have prior information about the public hearing and given access to EIA and EMP documents of the same and allowed to democratically participate in the hearings.
- The Center should immediately conduct an enquiry in all the mining areas in different states and come up with a country report on child laborers in the mines. The report must be allowed for public scrutiny.