

Case Study No. 8, written by Rana Sengupta, 2007

Protection the Rights of Jethwai's Mineworkers - An MLPC Intervention, Rajasthan, India

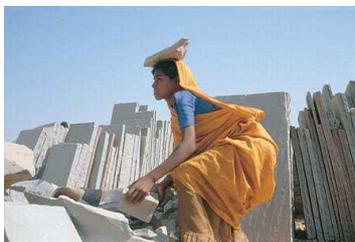
Overview

This case study attempts to document the intervention of MLPC through the formation of a workers' co-operative for mining activity in Jethwai. Significantly, it marks a turning point in India's history of cooperative movements, as MLPC worked with the Bhils peoples to set up one of the first indigenous mineworkers co-operative in India.

Background

Rajasthan, the largest State in India, has seventy-nine kinds of metallic and non-metallic minerals (Department of Mines and Geology, 2008). The workforce employed in the state's mining industry is second only to agriculture. Over 3.1 million workers, predominantly adivasis and dalits, engage in mining, toiling 12 to 13 hours a day in hazardous working conditions. The mineworkers are prone to a number of occupational diseases and physical injuries due to the poor safety conditions. Without access to basic facilities and statutory benefits, mineworkers toil away at backbreaking labour, in scorching temperatures as high as 50 degrees Celsius in the summer and in freezing cold winters, to fill the coffers of the mine owners

Brazen violations of labour laws and safety measures are rampant in the mining activities of the state. Some glaring examples of how the mines flagrantly disregard these laws include operating on illegal or expired leases, engaging in the haphazard dumping of mine debris, and paying less than the minimum wage to mineworkers.



A woman mineworker, Rajasthan

In fact, some of the ways mining companies in Rajasthan ensure profitability is by cutting the cost of labour by paying miners less for longer hours of work, undertaking intensive and erratic mining practices that exceed lease limits, and frequently failing to pay cess (levy on special administrative expenses often paid in India) or royalties.

Unfortunately, the state mining department finds it increasingly harder to curb these trends as it lacks both the political will and the actual resources to fully monitor the operations of the several thousand leases spread across Rajasthan. All this only adds to the oppressive working conditions of a large number of people who eke out a living dependent on the unpredictable and harsh reality of the seasonal mining industry.

Summary of Issues

- Labour laws and safety measures are often violated by mine operators in Rajasthan's mines.
- The State government lacks either the political will or resources to address these problems.
- Disillusioned with the government's inaction, in 1994 a group of environmentalists, lawyers and activists came together to form the **Mine Labour Protection Campaign (MLPC)** in an attempt to improve the lives and working conditions of Rajasthan's mineworkers.

Who Are the MLPC?

In 1994 a group of environmentalists, lawyers and activists came together to form the Mine Labour Protection Campaign (MLPC) in an attempt to improve the lives and working conditions of Rajasthan's mineworkers. The MLPC ambitiously set out to protect the rights of mineworkers, promote environmental justice, provide adequate health-care, ensure occupational safety, and guarantee fair wages. After a number of years of relative quiet, the campaign was revived in 1999 with the formation of a series of mineworker's unions in the Rajasthan states of Jodhpur, Udaipur, Rajasmand, Dungarpur, Nagaur, Barmer and Jaisalmer as well as the state of Ambaji in Gujarat.

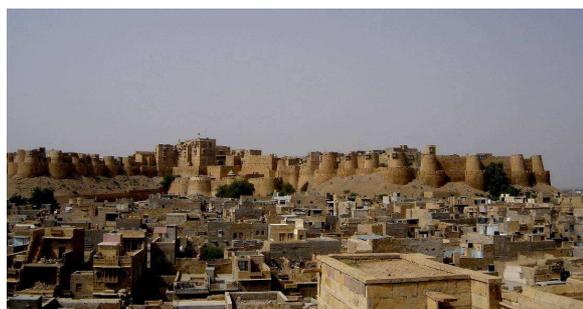
The Land and its People

The Jaisalmer District of Rajasthan, to which Jethwai belongs, is located in the heart of the Great Thar Desert, in the far western region of Rajasthan, as well as of India. The district is bound by Pakistan to the North and West, Barmer to the South, Jodhpur to the East and Bikaner on North-East (see Map below)

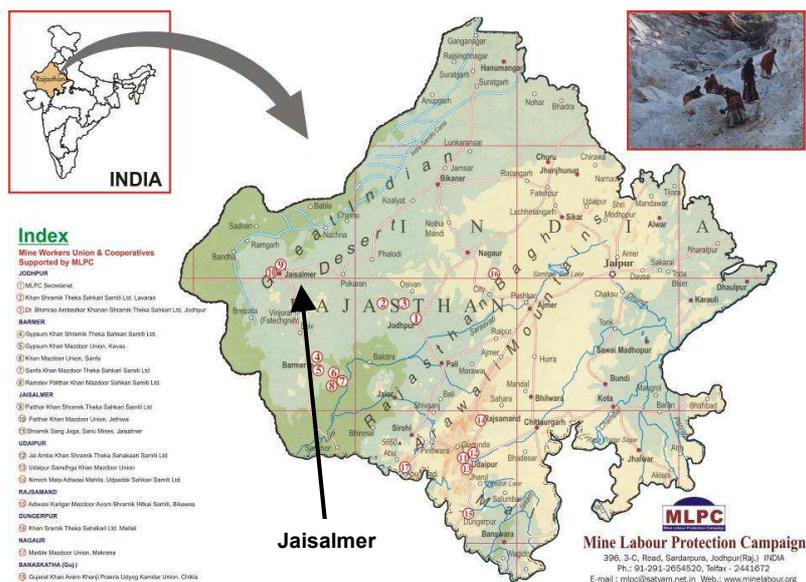
The landscape is sandy, dry and scorched, and the surrounding terrain, within a radius of about 60 kilometres, is stony and rocky. The area is barren and undulating, with its famous sand dunes and slopes leading towards the Indus valley and the Rann of Kutch. The soil here is grateful even for a little rain and turns a lush green during the monsoon season. There is no permanent river in the district and the underground water level is very low. Geographically, Jaisalmer is spread over an area of 38,401 square kilometres and is one of the largest districts in India, almost equalling the size of the state of Kerala.

The desert city of Jaisalmer is a tourist hotspot, attracting thousands of visitors every year enchanted by the city's otherworldly beauty. Tourists are fascinated by its serene

sand dunes and golden monuments. One of the main attractions is the majestic Jaisalmer Fort, built by the city's wealthy merchants in the 12th Century. The sandstone of its many buildings picks up on the sunlight's subtle differences and changes colour accordingly, and when it showers the rain brings out a spectacular spectrum of colours in the stone.



12th century Jaisalmer Golden Fort or Sona Kila, Jaisalmer City. Source: <http://commons.wikimedia.org>



Map of Rajasthan - Jethwai is located in the Jaisalmer District of western Rajasthan

History of Jaisalmer

The ruler of the Bhatti Rajput tribe, Rawal Jaisal, after whom the city is named, founded Jaisalmer in 1156. Legend says that on advice of a local hermit, Eesaal, Rawal chose the Tricut Hills as his new abode, abandoning his vulnerable old fort at Luderwa, just 16 kilometres northwest. In Medieval times, Jaisalmer was a boomtown due to its location on the main trade route linking India to Egypt, Arabia, Persia, Africa and the West. The Bhatti Rajput rulers lined their coffers with riches gained from traditional taxes on passing caravans and sometimes through the illicit cattle rustling trade (Jaisalmer Website, 2008).

The Story of Jethwai

Jethwai is a small village in the Jaisalmer District of Western Rajasthan, about 20 km North of Jaisalmer. Jethwai is known for its beautiful 'yellow marble' which isn't actually marble, but fine quality sandstone. The magnificent 'Sonar Kila' or Golden Fort of Jaisalmer is made up of this kind of golden yellow sandstone (Manchanda, 2006).

Predominantly a Bhil tribal village, Jethwai was named after the Jethwai talab (a traditional reservoir), which was built by the wealthy local merchant, Jetha Maheshwari. The village was first settled almost 3 centuries ago by two brothers, Natha Ram and Moda Ram, members of the Bhil tribal clan. Their father, Ramji, served as the Maharaja Keshwar Singh's special bodyguard. Deeply impressed by Ramji's services, the Maharaja donated 1500 bighas worth of land to Ramji's two sons for cultivation, and Jethwai was founded. After the fall of the Maharaja Dynasty the Indian Government took possession of the territory in and around Jethwai, land that had rightfully belonged to the Bhils community for hundreds of years. The State Forest Department now administers the area, and the community has lost all control over it (Dutta, 2008).

The Bhils and their Land

The Bhils, who are traditionally known as a hunting community, inhabit mainly the western and southern districts of Rajasthan. They derive their name from bil, meaning bow, in recognition of their outstanding archery skills, gaining renown as formidable warriors and hunters. As hunters, the Bhils were highly regarded by the landed gentry, such as the Rajas and Thakurs. As warriors, Bhils formed an alliance with the rebellious, outcast Rajputs who needed their protection from other hostile tribes. Rajput rulers were impressed by the Bhils' cunning guerrilla tactics and their intimate knowledge of the wild, hilly terrain.

Eventually forced to lead an underground existence, the Bhils' unrivalled fighting and hunting skills became rusty with disuse. They eventually became an empty symbol of bravery rather than any real threat to enemy tribes. Despite this, the Bhils living in Jethwai village eked out a living working as trusted servants and bodyguards to local

Jethwai is now the focal point of the MLPC's intervention activity. The economy of the village is largely pastoral, and the villagers rely on subsistence cultivation of millet, cereals, pulses, vegetables and fruits, and work extensively in animal husbandry.

The main crops are millet, maize, pulses like moong, moth and til, and wheat and barley. Vegetables like cucumber and tinda and fruit like watermelon are also grown. The most abundant mineral resources are yellow marble (sandstone) and limestone. This wealth of minerals has attracted many mine owners and contractors.

Of Jethwai's population, 85% are engaged in some sort of mining-related activity. Apart from Bhils, there are about 200 migrant workers from neighbouring districts of Jodhpur, Barmer and Ajmer. Mine owners prefer migrant population as they are often more acquiescent, and rarely complain about unfair treatment or their rights being impinged upon, as they are desperate to keep their jobs. They agree to work for much lower wages, rarely participating in village based activities.

landed gentry. As payment, they received small land holdings for subsistence farming. In this harsh terrain and against all the odds, the Bhils have not only survived with dignity, but have also become trustees of the natural environment.

Following India's Independence, the Bhils, who had settled Jethwai generations earlier, had their land snatched away from them again by the Rajasthan State Forest Department, in an act reminiscent of the earlier land grab by the Indian government after the fall of the Maharajah dynasty in the mid 18th Century. The State Forest Act now classifies this land as state property to be used largely for mineral extraction, a practice which earns high revenues, largely from leasing out mines. Regrettably, this means that the impoverished Bhils people are now treated as trespassers on their own land. Ironically, the Fifth and Sixth Schedules of the Indian Constitution states categorically that protection of tribal land rights must be guaranteed and

"My name is Chuki Devi. I have three children. My husband was killed by the upper caste in a family feud over agricultural land. I have now turned to mining since I have no other option. It is difficult as we work for the same time as the men but we still get less money. There is no shelter near the mining site and I have to leave my 2 year old daughter in the scorching sun." (Dutt, 2005)



A child plays outside a typical mineworker's house, Rajasthan

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that a Tribes Advisory Council should oversee this process (Lawmin Website, 2008). In reality, however, this is not always the case, and often tribal land rights are overlooked in the face of vested interests, like the mining sector.

These vested interest groups are powerful and wealthy, possessing vast resources. This means they can easily lobby the government to secure mining leases, expropriating land from the rightful owners, the indigenous Bhils, shattering their dreams of becoming self-sufficient mine owners. The expropriation of native land to mining concessions has seen a major outflow of sandstone, which is still in great demand across India and on the global market. This has resulted in the dismantling of village pastures, grazing grounds and sacred groves,

depriving the poor and marginal communities of their incomes. Years of environmentally careless mining practices and recurrent drought have led to severe pastoral degradation, leaving the Bhils with no choice but to work in the mines. Lacking vocational skills and good education, the Bhils have been forced into labour market at the very lowest rung.

Mineworker, Khushala Ram, explains how the Bhil's working conditions have deteriorated with the expansion of the mining concessions. "Bhils living in Jethwai used to earn money by selling woods from the googal tree, which is used in making gums", Khushala explains, "Now the forests are gone, and so are the trees. It is only the stones that are left. Bhils can now only earn a living from mining these stones."¹

"Mine owners often work children to the bone, sapping them dry until they're physically depleted. Even more tragically, in the mine fields, child workers are often physically, mentally and sexually abused."

¹ All quotes from mineworkers and MLPC representatives are sourced from on-site interviews carried out by the author.

Plight of Jethwai's Mineworkers

Desperate to make enough money to support their families, the Bhils, and other marginalised communities living in Jethwai village, have had to join the mining sector as unskilled workers. Most of the work in the mines is unskilled, apart from drilling and blasting, and operating machinery like cranes. Drilling and blasting is done either by skilled workers or experienced unskilled workers. Other skilled work is performed by crane operators, compressor operators and hacksaw mechanics.

However, mine owners prefer to employ people from neighbouring districts as they can easily be made to work longer hours. Those who have had to migrate in search of labour generally do not bargain or argue about their employment conditions, and rarely ask for leave. Kishen Lal Jakhar of the MLPC, who works with the mineworkers in Western Rajasthan, explains, "Migrant mineworkers usually bring their families with them. But it's not just the male migrant workers who are employed in the mines in Jethwai. There's evidence that in many cases the entire family, including the children, also work in the mines."

Of the mineworkers, 95% are male and 5% are female. The processing in the stone quarries is typically done by men only, because women are considered too slow, and physically lacking in strength, to perform the work. Women are engaged mainly in clearing debris and pebbles from the mine, and doing other odd jobs. Female workers are usually paid far less than male workers. While a male worker gets between 60 and 150 rupees (AUD1.80 - AUD4.30) a day, female workers earn a meagre Rs 30 to 40 (AUD 0.85 - AUD 1.15) a day for doing work that's often more backbreaking. Skilled male workers, who sometimes have more than 25 years of mining experience, can only expect to make Rs 150 per day - a paltry sum seeing as they often work more than 14 hours a day.

Contravening all the norms of the Child Labour (Prohibition and Regulation) Act, 1986, it is well recognised that children are employed in hazardous industries across India, like mining (ILO, 2008; OIT, 2008). For the unorganised mining sector, in areas like quarrying, marble and masonry stone mining, transportation, head loading and stone breaking, child labour is usually the cheapest option. It's common for children to join their fathers when entering the mine labour force, so they can supplement their family's low incomes, and pay off the debts incurred as bonded labourers.

As children are not legally recognised as mineworkers, they are subject to the mercy of the unscrupulous supervisors and contractors who hire them, paying them bare minimum wages (Kacker et al., 2007). During the training period, it's not uncommon for child workers to go without any sort of remuneration at all. Mine owners often work children to the bone, sapping them dry until they're physically depleted. Even more tragically, in the mine fields, child workers are often physically, mentally and sexually abused (Hawskley, 2008). Labour and Child Protection laws are disregarded with total impunity. These crimes of child abuse are committed while the mining companies and government offices turn a blind eye.

Wages and Debt Bondage

The mine owners in the village pay their employees two different ways - day wages and piece rate wages. In general, the mining industry only reserves some 4 to 5 percent of total production costs for labour. Typically, wages are not paid regularly, and mineworkers can go without pay for long periods of time. Although mine operators guarantee their workers wages at the end of every month, miners can sometimes wait 4 to 5 months to get paid. This creates a vicious cycle where workers, desperate to support their families and survive, are forced to borrow large amounts of money from the mine owners. More often than not, this pushes miners into debt bondage when they are forced to work off their debts.

Lower castes and indigenous tribes, like the Bhils, often find themselves in this situation, as they are shut out from the legitimate labour market and so enter into bonded labour arrangements, believing it may provide some relief from acute poverty. These vulnerable communities are paid little, if anything, so they can never repay their debts no matter how hard they work or for how long. Debts are then passed on from one family member to another and from one generation to the next, condemning children and grandchildren to lives of perennial poverty (ILO, 2005).

Other circumstances also arise when workers need to take out big loans from mine owners or contractors, such as marriages, funerals or illnesses requiring medical treatment. Generally, there is no one else they can turn to who would be prepared to provide financial support. Again, workers rarely manage to fully repay these loans and em-

ployers tend to take advantage of the situation by paying out lower wages. In fact, some mine owners actually exploit these situations by encouraging workers to take out loans so they can secure cheap labour.



A young mineworker Rajasthan

Mine owners shrewdly calculate that after the age of 30 most workers become less productive, and once they reach this age they usually stop granting loans. Consequently, mineworkers are forced to remain in the employment of these employers for at least another five years or more, at reduced wages. Occasionally, employees are forced to repay all of their debts upon changing jobs. Generally, however, the new employer repays the debt and the loan is transferred.

Table 1 - Environmental Stats

Area	4,021 ha
Forest	1,667 ha
Area under mining	300 ha
Wasteland	263 ha
Area not suitable for cultivation	1,791 ha

Table 2 - Socio-economic Profile

Population (Total)	2,000
Mineworkers	85%
Livestock rearing	13%
Government employees	2%
Scheduled Tribe population	85%
Scheduled Caste Population	1.7%
Muslims	6%
Others	7.3%

Accidents, but No Compensation

In the mines, accidents are frequent, as most of the work is done manually with the help of heavy hammers, chisels and other primitive tools. Often heavy slabs of stone fall on workers, resulting in serious injury. Mineworkers do not get any sort of medical compensation for injuries sustained at work. In fact, their wages are actually withheld if they can't get to work due to sickness or injury. Once again, mineworkers find themselves caught in a vicious cycle, as the high rate of injury forces them to borrow from mine operators, forcing them into a debt trap, as what they earn is barely enough to sustain them. These debts can be anywhere between Rs 10,000 (AUD 290) to a crippling Rs 150,000 (AUD 4,365), affecting not just the mineworker, but their entire family. In many cases, workers become indentured labourers, losing their freedom to move or work elsewhere until they can pay back their debts.

Even more alarming is the poor safety conditions in the minefields, a dire situation leading to the deaths of many miners every year due to mine-related accidents. Mine operators are rarely sympathetic in cases of fatal and non-fatal mine-related accidents, and usually the surviving families are given very little compensation, largely being left to fend for themselves.

It's unlikely, however, that things will improve for mineworkers and the environment in the years to come, especially in light of the Rajasthan Government's new global focus.

According to the MLPC, the Rajasthan Government, in an effort to rapidly develop their state economy, is seeking a more proactive strategy to attract economy Foreign Direct Investment (FDI), particularly in the mining sector. In 2005 the state government introduced a new mineral policy that encourages a more globally competitive approach to mining, adapting to the reality of economic liberalisation and globalisation. This policy might well set the guiding principles for Rajasthan, and India's, mining sector for years to come.

Regrettably, worker's rights, safety standards and environmentally-conscious mining practices are sure to fall by the wayside as mining operators scramble to attract big multinational companies and FDI, offering the incentives of minimal state intervention and lucrative mining leases. Massive foreign investment and setting up new industries for unrestricted mineral exploration and extraction are likely to cause further environmental destruction, and overexploitation of minerals could drain the state of its resources prematurely, making it economically unviable in the future (MLPC Website, 2008).

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Mineworkers and members of the Jethwai Mine Cooperative

MLPC's Intervention to Counter Mineworkers Oppression

When confronted with the downtrodden and squalid reality of the mineworkers' and indigenous communities' day-to-day life, caused largely by the shabby treatment of callous mine owners, the Mine Labour Protection Campaign (MLPC) decided to take action. Since 1992, the MLPC has been actively engaged in organising mineworkers in Rajasthan, helping them to form mineworkers union, particularly in the areas in and around Jethwai.

In August 2001, the Stone Mineworkers' Union (Pathar Khan Mazdoor Union) was formed, with a total of 95 members, in an attempt to protect the miners' rights and ensure safe working conditions. The union set out to ensure that mineworkers received payments on time, as well as safe working conditions, adequate housing, regular employment, and a legally binding assurance that mine operators would provide full compensation to workers and their families in the case of fatal and non-fatal accidents.

The Pathar Khan Mazdoor Union has taken on the role as key facilitator representing workers during disputes, intervening whenever the rights of the mineworkers have been violated. Since the Union's creation, a buzz of excitement has passed through the village of Jethwai, with villagers showing a confidence not seen before. Despite this fresh optimism, to date the Pathar Khan Mazdoor hasn't been able to totally reverse the fortunes of Jethwai's mineworkers and other destitute villagers.

Kishan Lal Jakhar, MLPC Field Coordinator for Western Rajasthan, has a much more positive view on the Union's success. "The Union has helped villagers to unite and organise so they can effectively fight exploitation in the private mines," he explains, "I've no doubt that the Union has increased the workers' bargaining power."



Women workers and members of the Jethwai Mineworkers Cooperative

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New Beginning

In a bold move, the MLPC have challenged the might of the powerful mine owners, encouraging Jethwai's mineworkers to take ownership of mining resources themselves. By forming co-operative, the MLPC hoped to give mineworkers a sense of dignity and a stake in their own land. The idea of forming co-operative for mining activity was a new experience for the mineworkers, and with the MLPC's support, Pathar Khan Shramik Theka Sahkari Samiti Limited (PKSTSSL) was registered in November 2002 to help the mineworkers successfully take up mining leases. Significantly, it is one of the India's first mining co-operatives for the indigenous. This brought fresh hope to the lives of mineworkers of the Bhil community, who for dec-

ades have dreamt of starting up and operating their own mines.

Narayan Ram, a member of the cooperative, describes how the cooperative works. "Before we were able to get this cooperative off the ground, the MLPC organised a series of meetings for mineworkers explaining the benefits of forming a co-operative," he explains. "The MLPC organised a seven day training camp in Jethwai where the Central Workers Education Board's (CWEB) Regional Director, RS Mathur, gave us basic tips on forming co-operatives.

Of the training camp's forty participants, seventeen became permanent co-operative members. The others were reluctant to get involved in the co-operative for fear of losing

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their jobs in the mines, and not being able to pay off their debts.”

Formed as a business venture, Jethwai's Pathar Khan Shramik Theka Sahkari Samiti engages in profit-earning activities from mining activities. Significantly, one of the cooperative's core principles is that any profits earned must be distributed equally among all the cooperative members. The future looks bright, as the cooperative has been earning considerable profits ever since successfully acquiring leases to extract minerals.

But Union President, Kanha Ram, warns not be over-optimistic, and talks about several setbacks they've experienced, largely due to troublesome private mine owners eager to undermine the cooperative's plans. “The private mine owners ganged up against us to delay the allotment of leases to our cooperative,” Kanha Ram explains. “The **patwari**², who measures the allotted land, didn't show up for months. Our cooperative were allotted two leases, each of one hectare, on paying a dead rent of Rs 20,000 per hectare in September 2003.”

Kanha Ram continues, “By December 2003, a number of cooperative members and me had begun to work the lease. But we had no crane to remove the big stones during mining operations...” “...Why couldn't we get cranes? Well, the private mine owners were putting a lot of pressure on the agencies who hire out the cranes not to provide us with equipment. It was so frustrating.”

“Moreover, crane hire is extremely expensive, at about Rs 40,000 (AUD 1,160) a month, which was simply beyond our means. To purchase a new crane for the cooperative at Rs 9.5 lakhs (AUD 27, 530) was an even greater challenge. But we were determined to solve this problem, and we weren't going to be put off by the big mine owners. So we set about trying to get the money. The MPLC generously gave us an interest free loan of Rs 4.5 lakhs, we got Rs 2 lakhs from India's UCO Bank, and the rest of the money came from our own cooperative funds. In June 2004 we were able to buy our own crane. The great news is that since we've had the crane our production output has increased by an amazing 20%.”

Despite the continual harassing by private mine owners who are set on sabotaging the PKSTSSL, the cooperative earns enough profit

to pay their monthly instalments of Rs 30,000 to the UCO Bank. There's also been a significant raise in the members' average income.

Cooperative member, Khushala Ram, is thrilled with his new found freedom from the exploitative private mine owners. “Now I earn Rs 200 a day, double what I used to get for the same amount of work,” he explains enthusiastically...” “... Before we started the cooperative, we used to work for ten days straight at backbreaking work from six in the morning to nine at night. Then we'd waste five to ten days running after the thekedar to get our wages.” “Apart from extraction and processing work, mineworkers had to load stones into the truck, which we didn't even get paid for. But now we are paid by the truck owners for every truck we load,” says Khushala Ram. “It's great!”

These days, Khushala Ram and the sixteen other members of the cooperative earn around Rs 4,000 to Rs 5,000 a month. Before the cooperative was formed their monthly wages were between Rs1,500 and Rs 2,000, and since payments were typically late, they were always debt ridden.



Mine Cooperative members with their new crane, Jethwai

Another MLPC representative, Kishen Lal Jakhar, talks about other ways the MLPC is helping to ease the plight of the mineworkers. “Mineworkers are born into debt and die in debt,” says Kishen. “There are many ways for mineworkers to get into debt,” he explains, “... but we see many cases where the family's biggest expense is medical treatment for family elders who have developed occupational diseases, like silicosis, during the years that they worked in the mines. But we don't think it has to be like this.”

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² Patwari is the Hindi term for a land record clerk. His job encompasses visiting agricultural lands and maintaining record of ownership and tilling (Source: Wikipedia.org)

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bonded labour to join the cooperative, but many were reluctant,” explains Kishen. “But we thought that if we could give them some sort of support, they wouldn’t be so financially dependent on the mine owners. The MPLC guaranteed cooperative members one month’s supply of food grain, enough to survive on until they started earning money from co-op based activities. Our strategy was a great success,” he explains, “... and now mineworkers have a much stronger hand to bargain for fairer wages and working conditions from mine owners, who are afraid of losing all their employees.”

Union President, Kanha Ram, explains, “The MLPC’s relentless work has brought tremendous change to the lives of Jethwai’s mineworkers. Thanks to their support, our cooperative has set an example for local mineworkers, showing them how to ensure that their rights are protected. We educate them on the rights that they’re legally entitled to, like fair wages, reasonable working hours and various other benefits,” he says. “It’s also really important to include the local commu-

nity, so we work a lot with the village panchayat to make sure there’s no unauthorised or illegal mining in the area, and we tell them about all our activities. What’s more, the local community receives money for every ton of minerals extracted, which is paid to the panchayat who uses it for community development projects.”

Kanha Ram talks about the mineworker’s miserable living conditions. “In the past, private mine owners treated mineworkers terribly when it came to providing shelter,” he explains. “Workers were housed in small huts covered with tin sheets on stone pillars just two and half feet above the ground, or even worse, slept under the open sky with no protection from the elements. Workers squeezed inside these tiny huts with barely enough space to lie down, suffocating in the sweltering summers and freezing in the icy winters. But now,” he explains enthusiastically, “... at the co-op owned mine, we’ve built a well to get fresh water, and a nice room where workers can rest after a hard shift.”

Conclusion: How Effective Were the Initiatives?

Co-op member, Narayan Ram, is really excited about all the changes since the co-ops formation. “It’s incredible,” he says. “For the first time for as long as I can remember, co-op members are actually debt-free. Before, we used kerosene lamps at night, but now we’ve all got electricity. Most of our children couldn’t go to school,” he explains, “... as they had to work to help pay off the family’s increasing debt, but now they’re back at school. And before the co-op, when we worked for private mine owners, it was so hard to even arrange a square meal for the family, but now we eat regularly and well. Our entire situation has improved so much.”

Talking about how the profits are distributed among the co-op, Kanha Ram explains, “We get about Rs 2,000-2,500 (AUD 58-72) for a truckload of limestone weighing 15-20 tonnes. Typically, a truck produces around Rs 12,000-15,000 (AUD 348-433) worth of limestone in three to four days. This money is equally distributed among the three to four members who quarried for that particular truck,” he says. “Doing three to four days of this kind of work is exhausting, so usually we take one day to rest.”

“Seven to eight truckloads of limestone, quarried in a month, earn the Jethwai cooperative around Rs 84,000-Rs 96,000 (AUD 2,425-2,770),” continues Kanha Ram. “The government charges a royalty of Rs 65 (AUD 1.90) per tonne. After distributing Rs 50,000-Rs 65,000 (AUD 1,445-1,876) to our seventeen members, the rest of the money is used to pay off the monthly instalments for the crane. Our cooperative’s constitution states that 25% of the remaining annual accumulated profits must be shared among our members at the end of every year. The rest is used to further develop the cooperative.”

“To date, we’re on track to pay off all our bank instalments within six months,” he says, “... and the MLPC money in 22 months - we’re truly on the path to success. Our workers’ daily wage rates have gone from Rs 30-100 (AUD 0.87-2.90) paid by the private mine owners, to Rs 50- Rs 150 (AUD 1.45-4.30). This is a big improvement,” explains Kanha Ram. “Inspired by the co-op’s successes, the villagers are full of confidence, and are demanding that the private mine owners rehabilitate environmentally degraded mine sites and pay the Jethwai community taxes for using their land. We’re also very aware of the huge environmental impact of mining, and we’re encouraging our

“When we formed the Jethwai cooperative, we encouraged mineworkers trapped in bonded labour to join the cooperative, but many were reluctant...”



Members of one of India’s first mine cooperatives promote the cooperative system at a mining convention

“Workers squeezed inside these tiny huts with barely enough space to lie down, suffocating in the sweltering summers and freezing in the icy winters.”

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mineworkers to adopt environmentally-sensitive mining practices like re-filling unused pits and tree-planting on mine sites.”

Energised by the co-op’s great success, the women of the village have formed a 20-member strong organisation called the Self-Help Group (SHG) or Laxmi Swamshayata Samhu in Hindi. The SHG helps its members develop skills in areas like making essential products such as detergent, incense sticks, toothpaste and powder, candles, and pain relief ointment, so they are independent enough to run their own household. The women also make a little money from a small SHG-run shop that provides villagers with all their daily needs, without them having to leave the village.

Within four years, the co-op has enabled villagers to get back into the labour market, and for the first time they can experience a small trickle-down of India’s rapid economic growth. Jethwai’s natural resources are now managed much more effectively, and as Kanha Ram says, “Jethwai today is, without doubt, a much better place to live in.”

Today, anyone who wants to obtain a mining lease must first obtain a ‘No Objection Certificate’ (NOC) from the panchayat. This way, villagers can choose activities that benefit the community over the long term, and have no adverse environmental impacts. In other words, the community of Jethwai has won back its dignity, now controlling its own destiny. It has inspired other panchayats in the Jaisalmer district to be far more proactive, and they’ve started introducing similar schemes to the Jethwai co-op, like issuing NOCs for mining leases and protecting their villagers’ traditional livelihoods.

More and more, these panchayats are developing comprehensive management plans, focusing on environmental protection and sensible natural resource management. In fact, the neighbouring village of Moolsagar has already set-up a mining cooperative, based on the Jethwai co-op, and villagers are already beginning to experience the benefits. Hopefully cooperatives like the one in Jethwai will become commonplace across India, giving exploited workers, especially from the mistreated indigenous and lower caste communities, a more promising future where their rights are protected, and they have access to housing, education, healthcare and good working conditions. As the Union President, Kahna Ram, states, “All the people of India deserve to live with dignity - Ours included.”

Bibliography

- Department of Mines and Geology, Government of Rajasthan, 2008. http://www.dmg-raj.com/mineral_reserves.html
- Dutt B., 2005. “‘Organising the Unorganized’- A campaign to uphold the dignity of mineworkers and restore the environment”, Mine Labour Protection Campaign (MLPC). <http://www.asmasiapacific.org/>
- Dutta S., 2008. “Rajasthan’s First Mine-Cooperative is established by Bheels”. <http://www.minelabour.org/>
- Hawskley H., 2002. “India’s child labour laws failing”, BBC World Edition Online, 20 Aug 2002. http://news.bbc.co.uk/2/hi/south_asia/2206026.stm
- ILO, 2008. “National Legislation and Policies Against Child Labour in India”, International Labour Office. <http://www.ilo.org/>
- ILO, 2005. “A global alliance against forced labour”, ILO Conference, 93rd Session 2005, Report I, International Labour Office, <http://www.ilo.org/>
- Kacker L., S. Varadan, and P. Kumar, 2007. “Study on Child Abuse INDIA 2007”, Ministry of Women and Child Development, Government of India. <http://www.violencestudy.org/IMG/pdf/childabuseIndia2007.pdf>
- Manchanda B., 2006. “Forts & Palaces of India: Sentinels of History”. New Delhi, Roli Books.
- OIT. 2008. “Child Labour and Responses - India Overview”, International Labour Office. <http://www.oit.org/>
- Jaisalmer Website [cited 18 January 2008]. “History of Jaisalmer City”. <http://www.jaisalmer.org.uk/history.html>
- Lawmin Website [cited 21 January 2008]. Constitution of India. <http://lawmin.nic.in/legislative/>
- MLPC Website [cited 23 January 2008]. “State Level Consultative Meet On The Proposed State Mineral Policy 2005”, Mine Labour Protection Campaign (MLPC). <http://www.minelabour.org/>

Artisanal and Small-Scale Mining (ASM) in Asia-Pacific Portal <http://www.asmasiapacific.org>

ASM Asia-Pacific Case Study Series

This series of case studies documents concrete examples of equitable, effective, and sustainable local-level partnerships including small-scale miners or their communities as a guide to develop better policy and practice in the Asia-Pacific region.

The project has been led by Kuntala Lahiri-Dutt. The case studies have been edited by Joel Katz and designed by Rachel P Lorenzen.

Artisanal and Small-Scale Mining (ASM) in Asia-Pacific Portal

The ASM Asia Pacific Portal is the public interface of a loose network of individuals and institutions working on poverty eradication, development and livelihoods in Artisanal and Small-scale Mining (ASM) in the Asia-Pacific region.

The portal’s mandate is to disseminate knowledge about ASM in the Asia-Pacific, to document best practice in community development and environmental management, and to promote fellowship and cooperation among stakeholders interested in poverty eradication and sustainable development.