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Report

Gender Samvad (22-24 December 2018)

Aman, Shefali Saran and Bharti

Gender Samvad, a three day event on respect and equality of women in Indian society and their rightful human rights in their personal and professional fronts, the journey of educating the Indian crowd about women equality, awareness towards the social and criminal justice pertaining in the crowd halted to discuss solutions for these issues.



Day one (22nd December 2018) started with a performance by Bajika Bayar from Taryayani Chhapara, students of Astha Vidya Niketan, Sheohar also presented their understanding about gender equality through dance, drama, singing and poetry.



Renowned Tamil author, columnist, social worker and speaker Rajathi Salma addressed the gathering by telling her story that being born in a small Muslim family she was not allowed to study after the age of thirteen. Her father had four girls from the first marriage and wanted a son, he disliked her as she was the first child from the second marriage. She was restricted to go out until she got married. Even after marriage her situation didn't improve because of conservative in-laws. Although she never stopped educating herself and use to compose poems on scraps of paper and sneaking them out of the house. At the age of 17, her book '*Kala Chuvadu*' was published. She further added that even today girls in Tamil Nadu are not allowed to go to school after 12 years. She was the lucky one who could escape the situation but girls in the community continue to face such hurdles, assigning them to do household work and stay at home whereas boys are sent to school and go out to earn money. With



this informative and motivating story, day one ended with a Sufi performance by Rising Malang.

Day two started with a speech from Kamala Bhasin. The meaning of 'Gender' was discussed, gender is a socially constructed term which defines the roles of the



biological sexes in the society. She started by reminding us that according to Universal Declaration on Human Rights, Article 1 states that every human by birth is **equal** and **free**. We have gathered to protect our human rights and think what is more important and what our priority is. Stating example from Bihar, she further added that this state has witnessed a

number of struggles for women's rights and the air of change has been started again by Rider Rakesh. We need to take forward this work and understand why a 'man' is talking about 'women and equality' in society. Talking about the constitution, she added that it has been written by 90% of the male population which raises the question whether men can do justice and decide about women's rights in an already patriarchal society! This is also being perceived that women are talking against men but this isn't a fight between men and women, we are fighting against patriarchy. It's a social system and a way of thinking which says that men are superior. It's not just men but even women are patriarchal than men at times, which emanates from the role of men in patriarchy. This is a fight against mentality and not against men. It's about freedom from such a thinking which at any level and time discriminates between the two genders. Even boys have same restrictions as girls which is not being realized, men are often asked or rather been told to act upon the socially defined role of a man in the society which limits their approach to think and act otherwise.

Taking the session further Professor Prithvi Raj Singh from Chhapara talked about gender and its role in language. He stated that according to social construct, language has also been modified. Due to patriarchy everything seems to go for one gender which is male, even neutral words have been modified. There is a need for neutral words to come up. Even the books we read are not gender neutral, discrimination is being reflected on gender. He further added that research on a gender neutral word is going on in elite institutes but we also need to think and bring this on the ground level, as language is not different from our social role. Giving an example he talked about how the elementary books would talk about the subject in gender discriminating terms, i.e., Ram is playing, Sita is cooking.



Professor Medha who teaches Hindi language in Delhi University narrated her story



and struggle by stating a childhood experience. She said that people suggested convent school for her brother whereas government girls school was suggested for her, though eventually she also got admitted in convent school but this whole incident is still fresh in her mind. Another incident which made her realize the inequality she was facing was that she was not allowed to go to Patna to prepare for medical examination and had to stay in Muzzafarpur. When she was

in B.Sc. first year (1998), she organised a session on sex education which was a big thing at that time, however she was supported by her father this time. She was also not permitted to go to JNU (Delhi) for her higher studies stating that the environment is not good but then her mother took a stand for her. To conclude, she stated that even coming from an educated middle class family, she too faced gender discrimination. Taking inspiration from her mother she also motivated all the women present that it is important to dream but it's also important to respect that dream and do your best to achieve that dream. She further motivated the mothers present in the gathering by say emphasizing that if they take a stand for their daughters and their dreams, no matter how much hindrance is being created by society nothing can stop their daughter's dreams to fly high.

She also raised a question that even though we reach to a certain height, are we really free from the male-dominated society? She herself answered innegative. She further explained that faces may have changed, challenges may have changed but there are other new restrictions especially on middle class and upper middle class women. It's the new truth that women are being harassed in their homes in some way or the other but they come out to talk about gender equality and sexual harassment. Times has changed, women have changed, they face new difficulties and new challenges to overcome but we also forget that who is preparing men for these new challenges.



Vinitha Rao a history scholar (Ph.D. on Adivasi women) talked about her ordeals in the society, "Most of the day-time is spent looking out for molesters or people trying to take advantage, or sneakily try to rub against in crowded places." The Ritual "*Jani Shikar*" celebrated in Jharkhand by Adivasi women, to remember an attack on Mumtazgarh fort during the British Indian rule, wherein women fought by wearing dresses as men. To



celebrate that incident a ritual performed every 12 years in Jharkhand for women where they used to dress as men and hunt in the wild. Talking about how in the early 90's the historians never mentioned this significant story which is a 400 years old tradition, revived around 1920's, raising questions like - Did the women had any rights of using weapons in that time? Were they allowed to fight like they fought at Mumtajgarh fort? Were their rights ever given to them? And talking about how the 'give and take' of rights has been a question of **time** rather than a rightful place of theirs.



Dr. Kumarendra from Orai, U.P., works to prevent and educate people against female foeticide and their rights since late 90's. He started with the question - "Will Rakesh cycle all his life?" - explaining how the very basis of someone's identity and self-respect is built at home. Though we may associate females in the house to take charge of the

kitchen but when it comes to changing gas cylinder/connection often say - "*ladki hai, kya gas change karegi. Karegi toh gadbad karegi.*" He pointed out that over the last decade or so, the perceptions and how we associate the female class with certain situations has worsened and improved, both. He said in the country where we have "Happy to bleed" at one place, we also have places like Sheohar where talking about menstruation raised a lot of eyebrows and women were not comfortable with. He insisted local women to educate and understand that their bodies are not someone's property and they should stop thinking and behaving on such lines. Pose good examples, motivate your children, and tell them stories of women from whom they can take inspiration - Rani laxmi Bai, Mother Teresa, Kiren Bedi, Anne Besant, Madam Curie, Kalpana Chawla, Mary Kom, Bachendri Pal, Arunima Sinha, Arati Saha, Justice M. Fathima Beevi, Sania Mirza, Sarla Thakral, Harita Kaur Deol, Priya Jhingan, Mithali Raj - are some of the names who have made their mark in male-dominated classes and even outreach them! The list is continuing and it's our responsibility as citizens, relatives, and parents to empower and educate so they know they are just as equal as everyone else.

He talked about the problems of working in the field for female foeticide - "We have struggled a lot to save 100 of female children but we cannot bring any single person forward, it's a shame on society and parents who support and fuel such thoughts. Laxmi Aggarwal, an acid attack survivor who is now running campaigns and rehabilitation for girls/women survivors and against the moronic elements of



society which promote or resort to such acts. Quoting her, he recited his poem, written for 'Stop Acid Attack' campaign:

वो दर्द सीने में आज भी है जिन्दा

हाँ, लड़की हूँ मैं तुम्हें इससे क्या,
हैं मेरे भी कुछ सपने तुम्हें इससे क्या,
तुम्हारे लिए तो महज एक देह थी,
शारीरिक सौन्दर्य की मूर्ति भर थी,
तुम्हारी चाह मैं नहीं मेरा शरीर था,
वो दर्द सीने में आज भी है जिन्दा.

तुम्हारे इजहार पर मेरा इकरार नहीं,
इंकार करना कोई बड़ा अपराध नहीं,
तुम्हारी हाँ से मेरी हाँ मिल न सकी,
मेरी न की तुमने कीमत न समझी,
प्यार नहीं तुम्हारा था एक धोखा,
वो दर्द सीने में आज भी है जिन्दा.

प्यार की आड़ में तेजाब दिया तुमने,
चेहरा बिगाड़ रूप मिटाया तुमने,
खुशियों पर जलता अँधेरा फैला गए,
सपनों को मेरी चीखों में मिटा गए,
हर चीख पर तुमने अट्टहास किया,
वो दर्द सीने में आज भी है जिन्दा.

सुनो गौर से न हूँ कमजोर न लाचार,
थाती मेरा आत्मसम्मान और विश्वास,
सुन्दरता तन की खो गई हो भले,
मन ने फिर सपनों के आकाश बुने,
उस आकाश में अब है उन्मुक्त उड़ना,
वो दर्द सीने में आज भी है जिन्दा.

विराट अभिमानी वजूद को क्या जानोगे,
उसकी विशालता को किसी दिन मानोगे,
अब किसी नकार पर चीख न गूँजेगी,
कोई और बेटी तेजाब में न झुलसेगी,
दर्द को पीकर दर्द से सीखा है लड़ना,
वो दर्द सीने में आज भी है जिन्दा.



Dhirendra Pratap founder of Purvanchal Sena, a youth-oriented group working towards developing Purvanchal and youth empowerment had a different approach to handle tricky situations like bad touch or molestation - *"One punch at the right place, will do the trick"* he said. Working towards women empowerment, his organisation has also taken their self-defence in consideration. It has trained more than thousands of girls in martial

arts and 72 of them are now 'black belt' holders. He added - *"Don't depend on others for your protection and security, you are very well capable of doing it yourself and it gives a stronger statement to someone thinking bad about you."* Recently he tried and organised a camp for girls in Tariyani-Chapra in Bihar, though a lot of the girls were interested, yet he couldn't gather enough numbers to conduct the classes due to the mentality and perception of the concerned gender in the region. Adding on to the perceptive gender norms prevailing in the society he raised a question to the women present - *"What are the criteria of differentiating between the genders?"* He said - *"If the nature doesn't discriminate, why you should accept the social norms"* - if the laws of nature are same for all, then everyone is same. He also urged the women to be politically active in the socio-political structure so that their views are also put forth while framing any type of law. Looking at the present scenario of the Parliament and State Assemblies, only a handful of women are there and 90 percent seats are dominated by male counterparts, implying you leave the responsibility of making laws and schemes for women on men to which they can't do any justice. He pointed out that how in India traditions are forced on women and these traditions take shape of religion thereby making it harder to argue in the name of "God" and "Religion." There should be something really basically wrong with the mind-set of certain sections of society where a 10th class student (Sanjili) is burned alive in broad daylight and people doing such barbaric crimes continue to live and are widespread. Women-centered violence in India is rampant and mostly go unreported and undocumented because of certain Indian cultural beliefs and values. Such factors contribute to India's [Gender Inequality Index](#) rating of **0.524** in 2017, putting it in the bottom 20% of ranked countries for that year.



Chandmani, a rural activist in the state of Orissa, talked about her ordeals and her moments of courage during attack on her village by herd of elephants. Child education and norms of education and her efforts for child development and awareness of rights and medical facilities in her area and way she thinks the plans for her area has inspired the local population.

Sanjeev Chandan, editor of Feminist Hindi magazine "*Streekaal: Stree Ka Samay Aur Sach*" talked about how the developing nation is also very much accepting of girls/women and today more and more inspiring stories of women are coming to fore in India, inspiring the youth of roles of women. Positive mind-sets are also very important and pivotal in all-round societal development. Voting system introduced in India was provided equally to all genders and that was a moment of achievement in itself.

He talked about how the norms of dressing is constantly changing, maybe more in urban centres than rural, but nevertheless it is changing. Though it's a constant battle and with the opposition from backward forces, we are prevailing. The writing-history in India by women started writing on kitchen walls and now they are writing globally, talking about everything. We do not witness direct discriminations nowadays but there was a time when the acts of direct discriminations was in practice, like in medieval Maharashtra. Those days, lower caste people had pots around their necks to spit in and brooms in hands to clear the path on which they walk, so that an upper caste person walking on same path don't walk on so called dirty ground. Similarly in Kerala outcasts and lower caste women were not allowed to wear blouse and were forced to give breast tax, (20th century). All these practises were eradicated with continuing revolts and struggles, making us trust that we have the power to change, it may take time but we are walking on right path. In the constitutional assembly at the time of independence one of the 10 women present belonged to one such community of women in Kerala who wore a blouse for the first time.





Sanjili, Nirbhaya, Muzzafarpur Home Shelter crimes are bitter truths of this society but also many instances of women taking over as a President, world class athletes, global writers, artists, women CEOs managing MNCs and million others also exist. We have to tackle with the negative acts, on one hand, we need to promote, boost and take inspirations from the many fighting and winning these battles at home, work and society, on the other hand. The positive stories also need to be told to emphasize that change begins at home.



This three day event ended with a concluding session headed by R. Sreedhar, Geologist from IIT Roorkee now Managing Trustee of Environics Trust, New Delhi. Working for more than 30 years with mountain communities, Rider

Rakesh described him a '*living encyclopaedia of coal and mining sector*' in India. He observed that in Gender Samvad in the last 3 days, everyone including small children to old people participated. In this meeting many people shared their work experiences and their organization's experience with us. This meeting helped people to analyse different situations women encounter and different circumstances they come from. In the last three days, people have also communicated through music, which also helped people to understand how important equality and assimilation is for our lives. Sambhaji Bhagat a Marathi singer through his songs made us think that discrimination is not only for women, but different types of discrimination are being faced by the people. If we believe in equality then there should be no discrimination in our life and society.

If we look at the global data of 2018, we can see that if the world has earned 100 rupees, then 70 rupees of it belongs to the 1% of the population. 68% of our country's capital rests only with 21 families. This is also a kind of discrimination. As in the past, Kamala ji said "Constitution is our religion," according to the Constitution, we are all equal. This discrimination is done by the government under the law and policies. We need to question the policies and their formulation which is somehow leading to the continuing discrimination and if we look at it as a development, our problems have increased even more. Today, if we see who faces more discrimination, then the woman living in the villages, not having the land titles, will be the one under that radar. For example, the highest poverty in the country is seen in Angul district of Orissa, where there are many coal mines. The poorest women belong to this district, whose condition is worse. A 45-day survey conducted with the help of an institutions in Angul revealed that more than a hundred women are unwed mothers. Such tragedy is going on and we are unable to do anything. Inspiring from these things, Rakesh ji started cycling because such



incidents like rape, acid attacks, human trafficking in many areas continue to prevail. To change this process, we have to work at different levels. He said that there is a need to work at three levels (described below) and sought views from the people gathered.

1. I would like to know the idea that how we can continue the process that started from Sheohar.
2. A new kind of rhythm has been arranged with the efforts of Rakesh ji. People come from different places, organizations, background, i.e., teachers, businessman, artists/musicians from different directions having different identities. How the organization/group formed in the Gender Samvad should be in touch with each other and how we all together can take this process forward.
3. What role can we play even if the government forms adequate policies? What are the arrangements on these issues? Like after the Nirbhaya Mishap, the government collected a related tax to benefit survivors and women affected by such incidences. Where did government spend that tax money? Rs 7000 Crores have been deposited in the Nirbhaya fund and no assistance has been received by the victim's family. We have seen some statistics in which the government wants to give 100 crores of Nirbhaya fund to the Railways, where the Indian Railway wants to put an emergency telephone, message services, etc., for any inconvenience in travelling, etc.

People presented their views based on the points raised by him.

1. We need to co-ordinate more with people concerned with with gender programs and such programs need to be taken forward. We should give direction to the effort, it should not end here but be a continuous ongoing process. All the people who have come forward should work together at their level. Government implements many policies, yet people are unable to get benefits from these policies. We should try to reach there and convey it to the people around. We must intensify our efforts to ensure that people reap the benefits of such policies. We must work from the grass roots level.
2. Things emerging from Gender Samvad should also be applied in our country's law. Kamala Bhasin ji said that we have words that classify the gender. There are so many words that have just been made describing men, but there is a dearth of such words when it comes to women. List of such words for women have been made and it was handed over to UN. We should present a proposal in front of the government about how a gender neutral curriculum should be introduced in schools.
3. We talk about working from the grass root level, we should include more and more teachers in the process as they are responsible in preparing the future generation. We somehow forget the role of teachers therefore this should also be our priority.
4. No action plan being formed whenever such meetings are held. We should focus on making an action plan along with identifying the problems. We should also think how we can work more intensely in Bihar.



5. There is no reaction without an initial action. We should start work at grass root level and then make it global. A team should be constituted to work at the international level.
6. The roles of the village Panchayat, Panchayat samiti, city council, the women's reservation of the district council, and the Dalit/Backward Classes in the village was questioned. We should work on women's reservation for the next two years.
7. People of Sheohar should assure that we will not tolerate gender discrimination. For this, the proposal should be given to the district officer. People of the country should join together. A group be formed at the National Level and people should work at their levels.
8. The movement at grass root level which Rakesh ji did looked easy but we can't overlook the hardships behind the process. Economically capable people have to come forward for fund raising and we should have more committed people.
9. What changes have happened on the ground level for women's safety? People of Sheohar should come ahead to organize these programs themselves for gender discrimination.
10. We should bring the Gender Samvad's Dialogue to the Parliament.

With these thoughts and suggestions, it can be said that Gender Samvad marked a beginning of change which needs to be taken forward.



The Other Facet of Development

Sunil Hembram

The state of Odisha is known for its mineral wealth in the country. It is corroborated by the presence of India's 92% of chromite, 92% of nickel, 52% of bauxite, 44% of manganese, 33% of iron-ore, and 24% of coal reserves in the state. In addition, many other minerals like limestone, dolomite, tin, vanadium, lead, gold, etc., are also found here. This abundant mineral wealth has attracted number of industries such as thermal power plants, iron/steel including sponge iron plants, aluminium smelters, ferro-alloys and coal washeries functional in the region.

Sambalpur district is located in the western part of Odisha. It is one of the highly industrialized districts of the state and has also been declared as 'critical polluted area' (CPA) by the Central Pollution Control Board (CPCB). Some of the main industries operating in the district include - M/s Bhushan Power and Steel Limited, M/s Aditya Aluminium, Viraj Steel and Energy, Iron Ispat and Energy Limited, Shyma Mettals and Energy Limited, Maa Samleswari Industries (P) Limited etc.

M/s Aditya Aluminium Ltd (Bomaloi village) is one of the many industries, located in the Sambalpur district. The first Environmental Clearance to M/s Aditya Aluminium was approved in 2005. Finally, on 29th November 2012, Environmental Clearance was approved for expansion of Aluminium Smelter Plant and Captive Power Plant. All the expansions were on the existing plant premises. Currently, on 14th August 2018, Environmental Clearance was further amended for enhancement of pot line. Please see table 1 for detailed chronology of events related to M/s Aditya Aluminium Ltd.

Figure 1

Dumped fly ash and constructed
Kachcha Sadak on the land



Table 1

Environmental Clearance/s to M/s Aditya Aluminium Ltd

S. N.	Details of Environmental Clearance (EC) Letter	Capacity
1	EC granted on 22 nd November 2005 (for captive power plant)	5×130 MW
2	EC granted on 27 th January 2006, (for aluminium smelter plant)	2,60,000 TPA
3	Expansion of EC granted on 29 th November 2012, (for expansion of aluminium smelter & captive power plant)	0.26 MTPA to 0.72 MTPA & 650 MW to 1650 MW
4	Amendment of EC granted on 14 th August, 2018 (for enhancement of pot line)	360 to 380 KA



There is a preponderance of Scheduled Tribes and Scheduled Castes in village Bomaloi, like, Munda, Khadia, Gond, Lohar, Kumbhar, etc. These communities are native inhabitants and their primary livelihood source is farming on their lands,

Figure 2
Concrete slope constructed on the land



inherited from their ancestors since generations. However the increasing activities of M/s Aditya Aluminium are posing a grave threat to the existence and livelihood resource of these communities.

For example, take the case of the villager, Kalia Munda, a farmer, who has been residing in the village for many generations. For his livelihood, he has been engaged in agricultural activities on his land, inherited from his ancestors. Though it is a small

chunk of land but he has acquired the skill to successfully manage it to sustain his family and he was content with it.

But, things changed when Hindalco Industries Limited, set-up a captive power plant (M/s Aditya Aluminium plant) in the same village. Since its inception, the Aditya Aluminium plant has been dumping fly ash on his land. Neither he was informed about this dumping nor was his consent sought. Furthermore, he has not been awarded any compensation in lieu of the loss of his only source of livelihood. One of the critical specific conditions of environmental clearance was 100% utilisation of fly ash generated by the plant. Moreover, the compliance report submitted in the Regional Office states that the company has complied with the terms and conditions. However, the ground reality is that the fly ash has been dumped on his land. Kalia Munda alleges that the dumping of fly ash began in the month of May 2015. In addition the plant constructed a Kacha road along with a concrete slope on his land. The land for all practical purposes has turned barren and infertile and consequently he is unable to continue any agricultural activity on his land. Currently, the project proponent has also set-up a solar plant on his land and that too without any prior information to him. Owing to these unlawful activities of the company, literally usurping his land, Kalia Munda has been forced to leave his productive land.

Figure 3
Solar system Set-up on the land





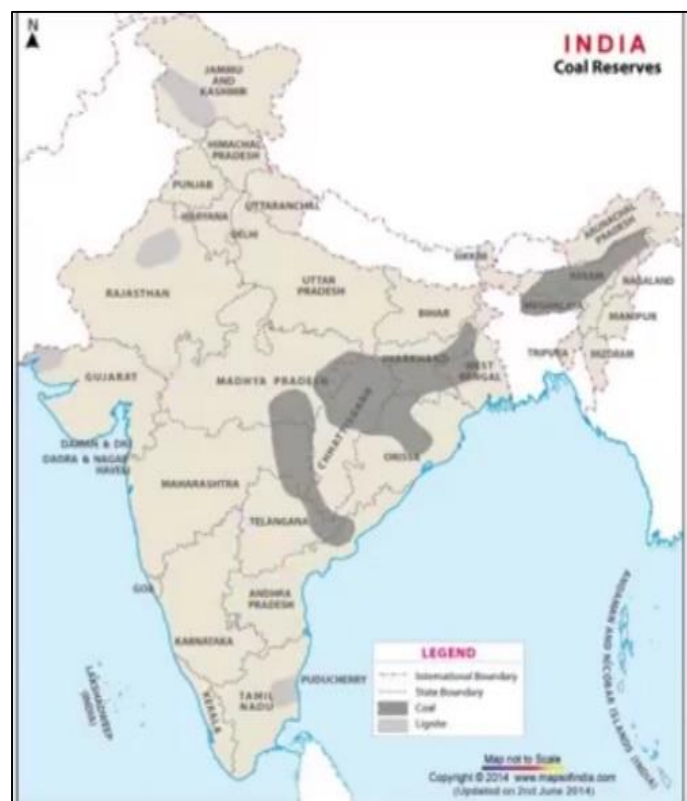
An Introduction to Rat-hole Mining

Santosh Kumar

Coal reserves are primarily found in the Eastern India in states of Telangana, Madhya Pradesh, Maharashtra, Jharkhand, Chhattisgarh, West Bengal and predominantly in North-East regions like Assam and Meghalaya. Despite the presence of coal reserves, commercial mining is not practiced in the North-Eastern regions because of terrain's unsuitability as well as nature of coal deposits. Open mining cannot be practiced due to the added difficulties. Further, the coal found in North-East contains lots of sulfur. This overall reduces the energy efficiency and therefore this type of coal is categorized as bad quality of coal.

Figure 1

Distribution of coal in India



A rat-hole mine involves digging of very small tunnels, usually only 3-4 feet deep, in which workers, more often children, enter and extract coal. Rat-hole mining is broadly of two types – side-cutting and box-cutting.

Although the coal is of bad quality, people see it as a treasure-chest. In backward regions, where there is loss of livelihood, lack of employment opportunities and under-education, people see rat-hole mines as an opportunity to earn daily bread. People with power (also called as *bahubali*) employ poverty-ridden people to go into the rat-hole mines and dug out coal. A major portion of these employees are children, who are preferred because of their thin body shape and ease to access depths. This practice has become very popular in Meghalaya. Here there are majorly hilly terrains, which make coal mining very difficult. Also, digging a big



hole is very difficult because big hole demands pillars and support. Since it's a good opportunity to extract coal from there for big as well as local investors, because it involves less investment and good returns, people are drawn towards this dangerous business. The practice is to not make any professional tunnels, install pillars, and ensure safety measures, but to just dig a small tunnel and put children and labor to work.

Figure 2

A Rat Hole Mine – on the surface (left) and inside (right)



Rat-hole mining is primarily practiced only in Meghalaya. Such cases are not witnessed in Jharkhand and Chhattisgarh because the coal seams are thick in Jharkhand and Chhattisgarh while in Meghalaya coal seams are very thin. So, economically it is not a good idea to do an open mining, and therefore, they prefer rat-hole mining. The National Green Tribunal (NGT) has banned rat-hole mining in 2014, and retained the ban in 2015. The ban was on grounds of the practice being unscientific and unsafe for workers. The NGT order bans not only rat-hole mining but all "unscientific and illegal mining." But orders of the Tribunal have been violated without exception since The State Government has failed to check illegal mining effectively.

Since rat-hole mining is illegal, it is practiced behind closed doors, and therefore, no one is ready to invest in infrastructure development. Coal is stored near rivers because of shortage of space which leads to pollution around water bodies. The water in the Kopili River (flows through Meghalaya and Assam) has turned acidic. The entire roadsides in and around mining areas are for piling of coal. This is a major source of air, water and soil pollution. Off road movement of trucks and other vehicles in the area causes further damage to the ecology of the area. Due to rat-hole mining, during rainy season, water gets flooded into the mining areas resulting in death of many workers due to suffocation and hunger. If water has seeped into the cave, the worker can enter only after the water is pumped out.

On December 2018, the collapse of coal mine in Meghalaya's East Jaintia Hills, trapping at least 15 workers who were still missing and are feared dead, has thrown the spotlight on the "rat-hole mining." Although banned, it remains the only procedure of coal mining in Meghalaya.



Few private players and some people who do invest in such mining are taking the help of Constitution to right their wrongs. They say, "*Constitution's 6th Schedule intends to protect the communities' ownership over its land and autonomy and consent over its nature of use.*" The ongoing coal mining in Meghalaya was a corruption of this Constitutional Provision. Private individuals with interests in earning monetary benefits from minerals under the land are engaged in coal mining. They are attempting to legitimize this act by claiming immunity through tribal autonomy over land ownership. In coming days, controversy over rat-hole mining in Meghalaya will increase and Central and State Government must work together in an amicable manner to stop such pathetic dehumanizing practice.



Report of Ban Asbestos Meeting (19-20 January 2019)

Pooja Gupta



The first network meeting of iBAN was conducted in New Delhi at the Secretariat's office. The objective of the meeting was two-fold; first, to present and review on the work done by the network in last one year. Second, to make an action plan for the coming year and in long term. The list of participants, agenda and pictures are provided in the annex.

The meeting started on 19 January 2019 with a welcome note by Pooja Gupta outlining a brief discussion on the agenda, which was followed by a presentation on the engagements and work done by the network during the year. Following the presentation, members provided the following suggestions:

1. To add "key goal is to BAN asbestos" in the objective
2. Investigate reasons for a dip in Asbestos imports in 2013-14 and analyze the market trend on use of Asbestos.
3. Rana Sengupta informed that he had several contacts near the Asbestos Cement plant at Jasidih which can be explored for further work like Medical camps and gathering of investigation for legal aspects. A visit will be organized so that the camp and well-being of the workers can be discussed with the local groups.
4. District TB list has to be referred for further work in Jasidih.
5. Victim's testimonials can be updated regularly with the available data to create an inventory.

Post presentation and discussion, Kamal Tewari requested to make changes/ reschedule the agenda, as many topics of the agenda were interlinked and a clarification was needed.

The proposed Asbestos victim's meeting at Bhopal by OEHNI was discussed



before the review of partner's work. The role and functioning of IBAN and OEHNI were primary issues. It was stressed that organizational aspects of both the networks have to be taken care of and there should be no repetition of work. It was suggested that in order to motivate the victims/workers, the Asbestos victim's meeting should be organized in Delhi or some other place, where the work is going.

It was also discussed that the workers/victim's moment should not be a trickle down approach, instead it should come voluntarily from the victims themselves and it should be the workers/victims taking the decisions themselves. After discussion, it was decided that the meeting with asbestos victims will be held in Bhopal on 19 and 20 February by OEHNI.

It was also decided that all Asbestos related work in the country should be the responsibility of IBAN and other OSH related work will be taken care of by OEHNI. Both secretariats will forward any such work/information to each other respectively to avoid any duplication of work.

Session 2 started with the update from members. Major points emerging from the discussions are summed up as follows:

1. Rana Sengupta:

- An endorsement appeal was prepared for the parties in Rajasthan regarding mines and others worker's welfare board. This appeal includes disability (silicosis and ARD) as an important agenda.
- Radio endorsements and media campaign is going on for the same.
- A helpline number is formed for information on the welfare board for general public.
- Doctors are being trained in 4 districts across Rajasthan on Pneumoconiosis.
- E-mitra (a government SOS initiative) is a Single Window access to all Government Services in Rajasthan was also discussed.
- A meeting was planned with Dr. Barry Kistnasamy to orient the government representatives of the work done in South Africa, on the compensation and rehabilitation system for mine workers suffering from Pneumoconiosis.
- Engagement with *Gram Panchayats* are equally important and it was intended to be done before 2019 general elections for resolutions on Asbestos and closure of mines.

2. Kamal Tewari:

- It was emphasized that the grass-root moment should be the prime focus of any network and the area of activity should be specified accordingly.
- He shared his experience with the medical camp organized last year and how the management used that against two employees and suspended them.
- He shared that he is targeting 9 factories across the country where he plans to bring the trade unions together and form one group/



network.

- He mentioned that 6 gate meeting are held so far in Kolkata where the Member of Parliament favour the company and are affecting the Rotterdam resolutions.
- It was also shared during the meeting that places like Durgapur and Burdwan does not have any trade unions and hence the workers needs to be mobilized strategically.
- He is in process of formation of victim's network, along with filing a petition on the implementation of Kolkata High Court's judgement.
- A meeting and screening of breathlessness is being planned by end of the February and invited everyone.

3. Sreedhar Ramamurthi:

- He suggested that the scale of recognition of the asbestos issues needs to be bought up, both among the workers and general public.
- We need to target places like Rajasthan to ban asbestos as the burden of disease in long run will be huge and the taxes and pensions will make it more encumbrance.
- If policy changes and worker's welfare board are in place it will be convenient for the government to ban the production of any asbestos product. Then such model can be campaigned in other states also.
- Rehabilitation and preventions are the areas where work needs to be done.
- It was also mentioned that the network needs to expand and at least one representative should be present from each area where the asbestos factories are located across the country.

4. Rajendra Pevekar:

- He shared the experience of medical camp organized in Mumbai in December 2018 and again in January 2019 where about 160 positive cases of ARD were identified out of which more than 50 % were secondary victims.
- He raised an important issue of episodes of family disputes due to screening among the suspected victims. He said that counselling standards needs to be developed, for both, the victim and their families so that they understand the current and future circumstances due to the disease.

5. Dharmendra Gorna:

- He mentioned that last week about 30-35 people were trained from different villages near Jhadol area (Rajasthan) who now know how to fill up claim forms on e-mitra.
- He also mentioned that he will work with the *Gram Panchayats* on scientific reclamation as per the NGT judgment.

6. Heeralal:

- He mentioned that so far he has helped in medical examination of more than 700 mine workers in and around the mine areas in



Rajasthan.

- He shared the information that there are 17 villages where asbestos mines are operational. There are areas where agents take money from the victims to get them diagnosed, even to fill their forms on government portals like e-mitra.
- Looking at the gravity of the issue, the network members suggested, that it can be proposed to the government that the board's doctor can be changed every three months, or the state meeting can be organized by the health department, involving NGOs in the deliberations. Also collectors and CMHOs should involve local organizations with good track records.

7. Raghunath Manwar:

- He has helped in diagnosis of 22 ARD victims from 3 Thermal power plants and one asbestos-cement plant.
- Since these workers received compensation after filing cases in High Courts more workers are coming forward for the diagnosis.
- It was mentioned that the Gujrat High Court Committee's report includes his findings on occupational health and diseases.
- He also gathered information through RTI that the doctor looking at OSH victim identification is from Child labour department with no specialization on OSH.

8. Punit Minz:

- He shared his experiences with the grass roots communities in the state of Jharkhand around the asbestos dump site. He mentioned that the district magistrate of the area is unaware of the green tribunal orders and needs to be updated.
- Also the action plan that the NGT ordered for, should be discussed during *Gram Sabha*, a meeting held along with the village representatives and villagers.
- He mentioned that the technical report needs to be made by those aware of the policies and ground reality, as he himself can help in mobilizing the communities.
- He suggested that iBAN should conduct a meeting in Roro to aware different stakeholders on the issues of asbestos and human health while discussing the action plan for the abandoned mine reclamation.

9. Jagdish Patel:

- He said that he has not been looking at asbestos work lately but helping Pevekar with his work.
- He shared about his engagement with the work going on in Rajasthan and how lack of communication weakened the action plan he made.
- He shared how Alang (Gujrat) still produces the asbestos boards which are used as *chulhas* - a cooking device used by the locals.

10. Amulya Nidhi:



- He shared his experiences with different parties on submission of the worker's health manifesto. He said that they were able to add worker's health in one of the major political party's manifesto for the elections.
- Off late Trade Unions are also actively becoming aware of health issues caused during work and have started talking openly with management while generating awareness among the workers.
- Their network (JSA) has reach in almost 15 states and iBAN can reach in these places with his organization's help. He said to prepare and circulate a concept note, which they can push in their state conventions.
- Via JSA, doctors can also be approached on personal request (state specific).

11. Ashish Mittal:

- He shared his experience with the existing workers in the factories like break-shoe factories, asbestos cement units, etc. where the workers are scared to be diagnosed positive as they will lose their jobs.
- He also discussed the opportunity iBAN have in ICOEH meeting and how engagement with various doctors and medical representatives can strengthen the network.

In Session 3, Rotterdam was the first item on the agenda. It was agreed that work must be done so that India agree to include asbestos in PIC list. Steps to be undertaken were outlined as follows –

1. Patel to draft the letter to the ministries.
2. Pooja will file RTIs to gather information on the submissions done by the concerned departments in the name of Rotterdam.
3. Post Card and poster campaigns needs to be undertaken for media campaign and gathering mass awareness. A press release on the same day from multiple locations across the country will be released.
4. Nidhi and Sengupta will help with the press release via their network/organization.
5. Several articles shall be written in the next few months. The themes that were decided upon were:

S. N.	Theme	Responsibility	Time Line
1.	Ethical	JB/ KT/ RM	28 February
2.	Legal	RS	28 April
3.	Data Oriented	RS/PG	25 April
4.	Victim's Story	PG/RP	30 March
5.	Worker's Rights	KT	01 May



- KT- Kamal Tewari
- RS- Sreedhar Ramamurthi
- JB- Jagdish Patel
- RM- Raghunath Manwar
- PG- Pooja Gupta
- RP- Rajendra Pevekar

If anyone else want to contribute, please feel free.

6. The manifestos of the parties can be targeted before general elections which coincidentally is around the same time as Rotterdam convention. Identifying the major key points at various parties to be done.

It was also decided that at present iBAN will not be sending any representative to the Rotterdam convention. Based on the outcome of the work done, a decision will be taken towards end of March 2019.

On ICOEH, it was decided that a stall can be set up if the finances are arranged. If it is decided to put up a stall the following needs to be done:

1.	Display Material
2.	Data Collection of the interested people
3.	Promote #isupportbanasbestos
4.	Signed petition to the GoI
5.	Circulate flyers at the entrance to generate awareness

The NGT case and order was discussed mostly during Punit's discussion and it was decided that iBAN will get involved with action plan making by the committee.

The day ended with screening of the documentary "Breathless" followed by dinner.

On day 2, session 1 started with discussions on breathless and how the network can be engaged. Kamal Tewari updated that he is in conversation with few media houses for the dubbing of the documentary and will update by the end of this month.

iBAN members can also help in screening of the documentary across the nation with different educational institutions and policy makers or other stakeholders.

This session extended with the making an action plan for the network.

Post lunch the meeting concluded with a thank you note.



Relevance of DMF

Nishant Alag

The legal emergence of District Mineral Foundation from the 2015 MMDR amendment Act and its implementation framework rolled out in September 2015 or scheme called PMKKKY (Pradhan Mantri Khanij Kshetra Kalyan Yojna) threw light on two things; one that it is an extension of schemes for which some financing mechanism has been found and secondly that welfare of the affected by their identification & earmarking affected areas is expected. PMKKKY guidelines begin by outlining criteria for 'Identification of affected areas and people to be covered under PMKKKY.' DMFs were to be set up in each such district which is affected by mining and each state needed to frame rules but in compliance to the scheme.

The financial mechanism is the percentage equivalent of royalty that a miner has to deposit into DMFs account. Till November 2018, 557 DMFs have been constituted across 21 states. In a way it suggests that almost 557 districts and parts of it are affected by mining, a sector which contributes almost 1-2% of the GDP. An estimated ₹ 23606.11 Crore or ₹ 236 billion is also collected by these DMFs so far (January 2015-November 2018). The financing mechanism rests on the 'more mining-more revenue' principle which brings one more core principle of compliance and environmental management which cannot be separated from quality of life and infrastructure and thus must be performed upfront.

But if we look at the guidelines or the implementation framework provided under PMKKKY (September 2015), directly and indirectly affected areas and affected people were to be mapped and thus role of gram sabha became important. Many states also suggested including affected people's representatives in the executive committee meant for looking at the day to day affairs of DMF. There is not even a single talk on these issues. Most of the schemes allocated by states reflect capital expenditure on creation of infrastructure where communities have little to add or say as it becomes a common pool. And what after mining ceases due to exhaustion of minerals - from where the schemes will be financed!

Where is the list of these affected areas? Where is the list of those who are affected by mining? What is seen on the web portals of few of these DMFs is amount collected and allocations made for schemes. There is no information which suggest the extent and scale of impact on people affected by mining. Chhattisgarh online portal has just mentioned 'affected area', mine-wise contribution' and 'mine list' at the bottom of its online portal but these links do not work. In one of the presentations from Jharkhand (Ministry of Mines January Conclave), it is said that Rs. 233 Crore piped water scheme will benefit 1.5 lakh people in Tandwa block of District Chatra. This will mean whole CD block is affected. But there is nothing to verify, at least a list which pre-dates to the scheme and generated in consultation with the Panchayat - it may interest people to debate and make the scheme more meaningful and prevent wasteful expenditure.

The categories made under high priority sectors under PMKKKY clearly suggest that there is absence of basic amenities and there has been a disinterest in providing amenities in such areas due to variety of administrative and operational reasons. But the question than arises, if infrastructure is created will there be a provisioning of O&M funds over the life of the asset. Who will own it, the local Panchayat or the Department? If local Panchayat will own, what would be the



financing mechanism in 'no mining' scenario. The functions of departments have to culminate to resolve issues surrounding common problems created by over exploitation of minerals - legally as well as illegally. In 2017-18 alone, 1.16 lakh illegal mining cases were detected in various states (Maharashtra 26,628, Uttar Pradesh 20,212 & Madhya Pradesh 15,205 together >50% of such cases) ₹ 2936 Crore or ₹29 billion - almost 13% of the DMF amount collected so far? The number of cases goes on to show the widespread illegality spread across states.

The most vulnerable in such regions will not be benefited by these schemes and will require more than a common pool - assistance which may be financial or directly targeted delivery of essential life sustaining facilities and services. If DMF fails to reach such people or population it has failed in its purpose and thus remains merely a financial mechanism for meeting the viability gap for the schemes which cannot be wholly financed by the government.

The news about prospective CAG audit of DMF funds utilisation and expenditure is a welcome step but on several previous instances CAGs interpretations have not been honoured with qualitative solutions by the respective state governments to resolve the issue. CAGs audit should include those who were expected to be benefited and whether such a scheme has uplifted the vulnerable to a social safety net.



Participatory Planning of Workbook

Alisha Khan

The Environics Trust is aiming to develop a workbook on Panna and Chhatarpur districts for further informative planning and execution of governmental and non-governmental schemes and practises. The meeting started with the purpose and meaning of workbook. Workbook is a collection of data presented with various mediums (charts, maps, tables) for a better understanding of the prevailing problems and the suggestive solutions. Thus it is also a tool to study spatial data (read ground information), especially when enough data is not available, we can study and observe correlative data. This would be a contributed effort of various users and concerned organisations. Taking an example of BPL data, with educational institutions, health facilities and livelihood, govt. and non-govt. organisations nearby, ease of access (transport) and natural and man-made resources would give us a clearer view to the problems. The solutions for the



native communities and presenting these issues with spatial reference would make this workbook a better alternative to extract, represent, execute and apply solutions. We need to identify pockets of areas with similar problems and need to see these areas with various themes to get a clearer picture. The administrative structure is proving ineffective to deal with the on-going issues in these

pockets, one such example being MNREGA, an employment generating scheme focusing on poorer classes is proving ineffective, a local added.

The problems can come up at various levels and identifying these problems and their solutions are needed to focus on. How would you (the end user) describe the problems in your area to give a better picture to higher ups to tackle these problems? Therefore, collaborative efforts and the on-going information flow would make the workbook an effective and time-saving tool to solve issues on various scales.

Panna and Chhatarpur both have the major proportion of rural people where the geographical and physiographical settings also pose a challenge. Some of the common problems seen in these two districts are unemployment, lack of education, lack of information on schemes and rights, food security, migration, land disparity, malnutrition, amenia, improper health facilities, and silicosis. Various NGOs and governmental officials from health and labour department



participated and surveys conducted in these areas formed a basis of the discussion - how we should proceed with the workbook.

During the open session, social security and protection (especially for old, handicaps and widows) were considered to include in the workbook, most of these are far-neglected due to official process and time-taking paper work. One instance was put forth by Mukesh Kumar Patil, Superintendent of Viklang Kalyan Samiti, Khajuraho. He said people in rural areas are unaware of what physically handicapped means and the benefits provided by government to them. It was found that affected communities don't have such information and in most cases middle-men takes away the benefits. Further, widows not having death certificates/cards of their husbands, cannot avail the pensions benefits provided to them by government as they lack the information and resources. Therefore, it is invalid to blame the government directly, as technically Gram Sabha should take care of such cases, which is not taking its responsibility. Zero Balance account, which was popular at one point in these regions, is now at bay, as most of the inheritors have faced fraud-like situations. So they are not getting any benefits directly and because of which their accounts hardly have any cash. Therefore, spread of timely and qualitative information should be the focus so that true beneficiaries can take the optimum benefit of these schemes.



Inclusion of crime and police in order to assess the potential lenders, employers and others person's trustworthiness was discussed. Also, it will make more sense if farmers' suicides too are included in the workbook. Reasons and rates of such instances spatially located, would decipher the trends of major problems, pin-pointing the area.

Prithvi Trust workers, a local NGO pointed that scholarship amount of Rs 600 for 10 months is being given to school going girl child under Samagra Shiksha. Including this theme in the workbook would point out towards the efficacy of scheme as well as proportion of the beneficiaries.

Members from Madhu Human Skill and Development Organization, another local NGO, discussed how pregnant women particularly avoid taking iron and anti-biotic



medicines during pregnancy as they are unaware of its ill-causes or because of social stigma. Also the workshops by ASHA workers seldom see any younger crowd as they feel there is no need to participate. Thus, it is important to work upon such issue referring it spatially.

Tourism, which is one of the basic source of income for most of families residing in these districts, has dropped more than 32 % in the last 4 years ([Annual Report of Tourism of Madhya Pradesh 2011-2012](#)) due to poor connectivity issues, losing both domestic and international tourists. Therefore, inclusion of this theme is equally pivotal in order to sustain this industry which accounts to 10 percent of India's GDP and 10 percent of total employed domestically.

Aditya Valmiki, President of Safai Karmi Trade Union, Chhatarpur, said how government's schemes and their benefits almost never reach them. The terrible conditions they face by cleaning the sewage sites and dump areas manually, the hazardous environment in which they do all the cleaning, should be done by municipal bodies. Also, the inclusion of this theme in the workbook can site the proportion of people working and the number of diseases caused due to living in these conditions. The data and study of such theme would benefit the lives of such scavengers.

The discrimination and disparity among individuals of

various classes and disabilities due to lack of information and orthodox thinking is very common and often people end up suffering in the end. Therefore, this workbook will be a tool to highlight deficiencies and effective measures to deal with these problems.

