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Violation of Human Rights in Coal Mining Areas of Jaintia Hills, Meghalaya

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Email of Corresponding Author :- manabendra.nath@rediffmail.com<http://dx.doi.org/10.22147/jusps-B/300801>**Acceptance Date 17th July, 2018, Online Publication Date 2nd August, 2018****Abstract**

In the Jaintia Hills of Meghalaya large scale coal mining operation is going on since 1970. In these areas coal is extracted mainly by rat hole mining method. In the rat hole method large scale labours are employed in areas to carry out the mining operation. In doing so huge number of child labours are being engaged specially from Bangladesh and Nepal. These child specially in the age group of 10 - 14 years are brought from the neighboring countries. In these mining areas human rights are violated for these children's - these children are being forced to work which is a violation of Article 23 of Indian constitution. They are being imported specially from adjoining countries as a traffic in human beings. Among child below the age of 14 years are also engaged for digging the coal. They work in a dangerous condition which is a type of exploitation and their normal human rights are violated.

Introduction

Meghalaya, a hilly state, is one of the seven states of North Eastern Region of India. It is located between 25°2' to 26°6' North latitudes and 89°48' to 92°50' East longitude. The state is greatly blessed in respect of mineral wealth. In this context, good deposits of coal, limestone and clay are found in various parts of the state. Coal is found in all three regions of Meghalaya viz. Jaintia Hills, Khasi Hills and Garo Hills. Though the coal found in Meghalaya is of superior quality in terms of calorific value and ash content yet the drawback is in its high sulphur content. The inferred reserve of coal in the state is estimated to be about 640 million tones. Meghalaya falls under the provisions of the sixth schedule of the Indian Constitution, and so, the land is solely owned by the people. The state and central governments have little control on the land. The prevailing land holding system allows the land owners to excavate coal without any restriction. Thus there are thousands of

private coal mine owners who excavate coal for generating income for themselves. The excavation of coal by the private operators is done by a very unscientific method of mining known as 'rat-hole' method. This process of coal exploitation has severely affected the environment and ecological conditions of the area¹.

Although coal mining is done in all three regions of the state, Jaintia Hills contribute maximum in terms of production

Coal mining is one of the most important economic activities in Jaintia Hills District, Meghalaya (**Fig – 1**). Coal mining in the area is unscientific, unsystematic and primitive in nature. Sutnga, Lakadong, Musiang-Lamare, Khliehriat, Ioksi, Ladrymbai, Rymbai, Byrwai, Chyrmang, Bapung, Jarain, Shkentalang, Lumshnong, Sakynphor etc. (**Table 1**) are the main coal mining areas of the District². Out of all coal mining areas Bapung is reported to have highest estimated coal reserves.

The coal bearing areas of the district present a panorama of flat topped low hills, devoid of vegetation and plateau of rolling grasslands interspersed by river valleys. The main characteristics of the coal found in Jaintia Hills are its low ash content, high volatile matter, high calorific value and comparatively high sulfur content. The coal is mostly sub-bituminous in character. The physical properties of the coal of Jaintia Hills District are hard, lumpy bright and jointed except for the coal in Jarain which is both soft and hard in nature. Composition of the coal revealed by chemical analysis indicates moisture content between 0.4-9.2%, ash content between 1.3-24.7%, and sulphur content between 2.7- 5.0%. The calorific value ranges from 5,694 to 8230 kilo calories/kg⁴.

Extraction of coal in Jaintia Hills District is carried out by primitive surface mining method commonly known as 'rat-hole' mining. In this method the land is, first cleared by cutting and removing the ground vegetation and then pit ranging from 5 to 100 m² is dug into the ground to reach the coal seam. Thereafter, tunnels are made into the seam sideways for extraction of coal, which is brought into the pit by using a conical basket or a wheel barrow. The coal is taken out of the pit manually and dumped on nearby un-mined area, from where it is carried to the larger dumping places near highways for its trade and transportation. Though this method may be the most economical and suitable to the local populace who own the mines, it is proving to be environmentally degrading. Deforestation, soil erosion, surface run-off, caving in of the ground and pollution of land, air and water are some of the prominent environmental problems associated with coal mining in the area (Das Gupta et. al, 2002; Swer and Singh, 2004a). In addition, depletion of water resources, destruction of agricultural land, adverse impact on human and disruption of socio-economic fabric in the area have also been noticed in recent past⁵.

Child Labour In India :

Child Labour has been a serious concern for child rights activists and considered as a serious violation of human rights. According to statistics provided by ILO and other agencies 73 million children between 10 to 14 year of age are employed in economic activities are over the world including mining.

Table 1 Coal Mining areas of Jaintia Hills

<i>Coal Mining areas</i>	<i>Distance from Shillong (in km)</i>
Bapung	86km
Sutnga	105 km
Khliehriat	97 km
Ladrymbai	93 km
Moopla	102 km
Rymbai	97 km
Sohkymphor	96 km

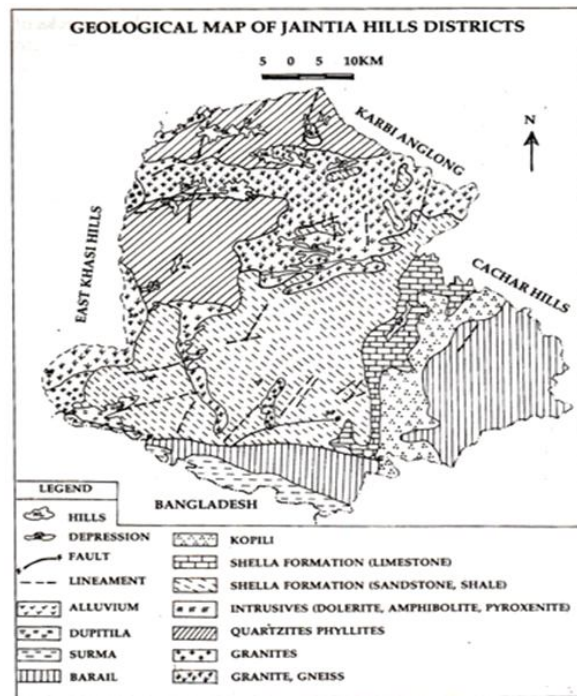


Figure - 1. Geological Map of Jaintia Hills Districts



Figure – 2

Outline Map showing the Coal Mining areas in the Jaintia Hills of Meghalaya in the North East India



Figure – 3(a) Rat-hole mines



Figure – 3(b) Rat-hole mines



Figure – 3(c) Mining operation for extraction of coal

The current status of child labour scenario in India has been a serious issue for the whole of the world, and there are a number of studies to support the condition of child labour engaged in various ways.

Mining Operation in Jaintia Hills :

Not only has coal mining boosted the economy of the Jaintia Hills, it generates income and employment in other regional industries that are dependent on coal mining. These industries provide goods and services into coal mining, such as fuel, electricity, and equipment or are dependent on expenditure from employees of coal mines. The Coal mines in the Jaintia Hills also provide a significant source of local income in the form of wages not only for local labourers but also for migrant workers. For every cart of coal the young coal mines manage to fill, they get Rs. 800.

Status of Child Labour In Jaintia Hills :

The Child Miners in Jaintia Hills is a classic case where children are illegally brought from various locations of India and Nepal, Bangladesh & forced to work in the Coal mines which operate in remote locations and use primitive method of digging coal through rat holes (Fig. 2,3). Studies showed that while working in the coal mines that age of the child is between 10-14 years. The Children working in hazardous conditions in coal depots. It is confirmed from the size of rat holes that only children can work and adult cannot enter into it. None of the coal mines provide any safety measures. Though the child are forced to work because of their employment problems/earning source in their family – it is clearly a violation Article 23 of Indian Constitution where it is clearly mentioned right against exploitation (Art 23 – prohibition of traffic in human beings and forced labour).

Conclusion

The Jaintia Hill district which was created in the year 1972 now has been split into two districts - East and West Jaintia Hills. West Jaintia Hills district was created in the year 2012, With headquarter at Jowai. Coal mining is one of the most important economic activities in Jaintia Hills District, Meghalaya. Coal mining in the area is unscientific, unsystematic and primitive in nature. There are seven significant coal producing areas in this district where sporadic mining is going on. Of these Bapung and Lakadong are the most important. All these coal mining areas are grouped under “Bapung Coal Field”. Jaintia Hills expose a well-developed sequence of the Lower-Tertiary sediments and constitute the type area of the Jaintia Group, where, coal seams are associated with the Lakadong Sandstone Member of the Eocene Sylhet Formation.

Meghalaya falls under the provisions of the Sixth Schedule of the Indian Constitution and so, land is solely owned by the people. The state and central government have little control on the land. The prevailing land holding system allows the land owners to excavate coal without any restriction. Thus, there are thousands of private coal owners who excavate coal for generating income for themselves. The excavation of coal by the private operators is done by an unscientific method of mining known as “Rat-hole” method. This process of coal exploitation has severely affected the environment and Ecological condition of the area. As such a PIL petition filed by the All Dimas Students Union (ADSU) and from the Dima Hasao District in the neighbouring district of Assam in the year 2014 to the National Green Tribunal (NGT) (SC) which bans coal mining in the area since 2014.

Child in the age of 10-14 years are mostly engaged in the area from Nepal And Bangladesh for carrying out mining operation which is violation of article 23 of Indian Constitution. Because of ban on mining the child labour gets relief in the area.

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