

Between a rock and a hard place



Social and labour conditions in sandstone production in Rajasthan, India

Arisa
Utrecht, The Netherlands

June 2020

Colophon

Between a rock and a hard place: Social and labour conditions in sandstone production in Rajasthan, India. June 2020

Commissioned by: Arisa, an independent non-governmental human rights organisation based in the Netherlands. See www.arisa.nl

Research agency: Glocal Research, Hyderabad, India

Design: Studio Visser Knof

Cover photo: Eline Wijnen

Table of content

Colophon	2
Table of content	3
List of abbreviations	4
Foreword	5
1 Introduction	6
2 Sand- and cobblestone production in Rajasthan	8
2.1 The supply chain	8
2.2 Labour force	9
2.3 Labour hiring practices	11
2.3.1 Debt bondage/bonded labour	13
2.4 Occupational health and safety	15
2.4.1 Silicosis	16
3 Review by companies	19
4 Conclusions	20
5 Recommendations	22
References	26
Annex 1 Companies importing sandstone and/or cobbles from Rajasthan, India	30

Figures

Figure 1. International sand- and cobblestone supply chain	8
--	---

List of abbreviations

CBO	Community Based Organisation
CRB	Centre for Responsible Business
CRBP	Children's Rights and Business Principles
CSR	Corporate Social Responsibility
HS	Harmonized System (code)
ECA	Employee's Compensation Act
EPF	Employee Provident Fund
ESI	Employee State Insurance
ETI	Ethical Trading Initiative
EUR	Euro
GDP	Gross Domestic Product
ILO	International Labour Organisation
INR	Indian Rupee
IOE	International Organisation of Employers
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Co-operation and Development
OHS	Occupational Health & Safety
PPE	Personal Protective Equipment
SCs	Scheduled Castes
SFNS	Sustainability Forum on Natural Stone
STs	Scheduled Tribes
UNGPs	United Nations Guiding Principles on Business and Human Rights

Foreword

This report has been compiled and based on data collected before the COVID-19 crisis. The intention of this study is to inform stakeholders of human and labour rights issues in the sandstone sector, to start a dialogue with companies and public procurers and most importantly to improve the situation of people working in the sandstone supply chains in Rajasthan in India. We are aware of the enormous and unprecedented consequences of the COVID-19 crisis. This crisis shows us once again workers' vulnerable positions. In India the lockdown is having devastating effects on the economy as a whole and on people working in the sandstone sector, and particularly migrant labourers. These labourers are among the hardest hit by this crisis, many of them women who are their families' primary wage earner. Very few labourers have ever been able to accumulate any savings; in fact many are in debt. Unhealthy working conditions and limited health facilities are making these labourers even more vulnerable.

As Arisa we aim to work on improvements in the supply chains of companies and through reports like this we want to create awareness of the risks and labour rights violations in the sandstone sector. This report is a call for action; we call upon companies to engage with their suppliers and start a dialogue on how the risks mentioned in this report can be addressed. It is a call for engagement. The last thing we aim with this report is companies to dis-engage from their suppliers and stop sourcing sandstone from Rajasthan. By specifically addressing the risks with the suppliers the conditions of sandstone workers can be improved. This also applies to public procurers requiring sandstone in their public projects. We call upon them to support those companies that are taking their responsibilities in the value chain and include social conditions in the award criteria for public projects.

We know the issues found in this research will not be solved in one day, they require concerted efforts of companies, industry associations, labour unions, civil society organisations and local and national governments. We also know that this crisis will affect the way business will be done. We are convinced this COVID-19 crisis can also be used as an opportunity to implement necessary changes so as to create sustainable supply chains with decent working conditions for people working in these chains. In these extreme conditions, the relevance of the UN Guiding Principles for Business and Human Rights as well as the OECD guidelines for responsible business conduct, grows exponentially with the pandemic. They point the way to more resilient and inclusive supply chains.

We trust you will read this report with interest and use the information for further improvements. In case of any questions please do not hesitate to get in touch with Arisa.

June 2020, *Sandra Claassen, director Arisa Foundation.*

1 Introduction

Earlier studies conducted in the mid-2000s on the conditions of workers in Rajasthan's sandstone quarries or mines¹ show serious labour and social issues including child labour, low wages, wage discrimination, bonded labour, unsafe working conditions and absence of freedom of association. Most workers in sandstone quarries are low-caste migrants who are indebted to their employers and work under conditions of bonded labour. Child labour is reported as a common phenomenon in sandstone quarries and cobble making, especially when made in home units. Wage discrimination based on caste and gender is also reported with women receiving low wages compared to men and children receiving even less.² A study published in 2014 highlights the issue of debt bondage in the sandstone quarries in Rajasthan³ and a more recent report published in 2017 shows the vulnerability of children in the natural stone sector in Rajasthan⁴. Reports in more recent years also highlight issues related to occupational health and silicosis affected cases of labourers in sandstone quarrying and processing activities.⁵

A number of initiatives have since been launched to address these pressing issues. The TruStone Initiative⁶ of natural stone companies, sector associations as well as municipalities and their procurement departments, NGOs and labour unions in Flanders (Belgium) and the Netherlands being the latest initiative, launched in October 2019 to address human rights risks in the natural stone sector. Xertifix, Fair Stone and Earthworm Foundation, audit/certification organisations operating from Germany and the UK are also actors in this field as is the Sustainability Forum on Natural Stone (SFNS) in Rajasthan⁷. The Ethical Trading Initiative (ETI) established a working group in 2012 to specifically address the working conditions in the sandstone sector⁸, also specific projects have been implemented in the sector⁹. The sandstone sector is a large sector with very many actors involved. Like any sector, it knows its frontrunners and its laggards. Some companies acknowledge the human rights challenges in the sector and try to address these while others deny there are any problems as will be made clear in chapter 3 of this report.

¹ The terms quarries and mines are used interchangeably in this report.

² Important studies include: P. Madhavan and S. Raj (2005) *Budhpura 'Ground Zero' - Sandstone quarrying in India*, commissioned by the India Committee of the Netherlands; CREM/India Committee of the Netherlands/SOMO (2006) *From Quarry to Graveyard: Corporate social responsibility in the natural stone sector*"; Centre for Education and Communication (2006) *"Big pits and cheap lives": fact-finding study on working conditions in the sandstone mines in Kota – Bundi region of Rajasthan*; Bahar Dutt (2005) *Organising the Unorganised*, research carried out by Mine Labour Protection Campaign (MLPC) in Bundi.

³ S. Gunasekaran (2014) *Debt Bondage in the Sandstone Quarries of Rajasthan*, in: *Economic and Political Weekly*, 26 July

⁴ ARAVALI (2017) *Am I important, a sketch of vulnerable children*.

⁵ Anumeha Yadav (2018) *Bijolia's Harvest of Stone: Conditions of Work Among Quarrying Labour in Rajasthan*, available at: https://cse.azimpremjiuniversity.edu.in/wp-content/uploads/2018/05/Yadav_Anumeha_Rajasthan_Mining-1.pdf.

⁶ <https://www.imvoconvenanten.nl/en/trustone>.

⁷ The Sustainability Forum on Natural Stone is a multi-stakeholder initiative to discuss and address the issues in the natural stone sector in Rajasthan.

⁸ <https://www.ethicaltrade.org/programmes/sandstone-rajasthan-india>.

⁹ An example of such a project, in which Arisa has been involved can be found here:

https://stopkinderarbeid.nl/assets/Final-Evaluation-Report-End-Term-Evaluation-of-GDTB_20-juni-2019-1.pdf, last accessed 6 April 2020.

In 2019 Glocal Research together with Arisa conducted desk research and a research team of Glocal Research held a survey among workers in the sandstone sector¹⁰ in Rajasthan, to explore to what extent the above mentioned issues are still prevalent. The selected sandstone quarries, home units and cobble yards are all located in the main sandstone production centres of Budhpura, Dhabli, Daneswar and Ganeshpura Gram in Bundi district and Bijoliya in Bhilwara district in Rajasthan. Cobblestone and tile factories are not included in this research.

In individual interviews and focus group discussions with sandstone labourers, the focus was on the issues around occupational health and safety, bonded labour, child labour, labour hiring practices as well as wages and freedom of association. A total of 140 labourers (80 in sandstone mines and 60 in cobblestone yards and home units) have been interviewed. A first draft of this report was sent to 112 European companies who import or sell sandstone from Rajasthan and certification and corporate social responsibility (CSR) initiatives mentioned in the annex. A summary of their reactions is included in chapter 3.

The following chapter starts with a description of the issues based on earlier reports after which the results from this research are presented.

¹⁰ The data on employment and working conditions in sandstone quarries and cobble units were gathered through a field survey among labourers of 12 sample quarries, eight cobble yards and 10 home units where cobbles are made. The main part of the field survey was conducted between February and April 2017. Field locations were revisited in March and April 2019 to update the data.

2 Sand- and cobblestone production in Rajasthan

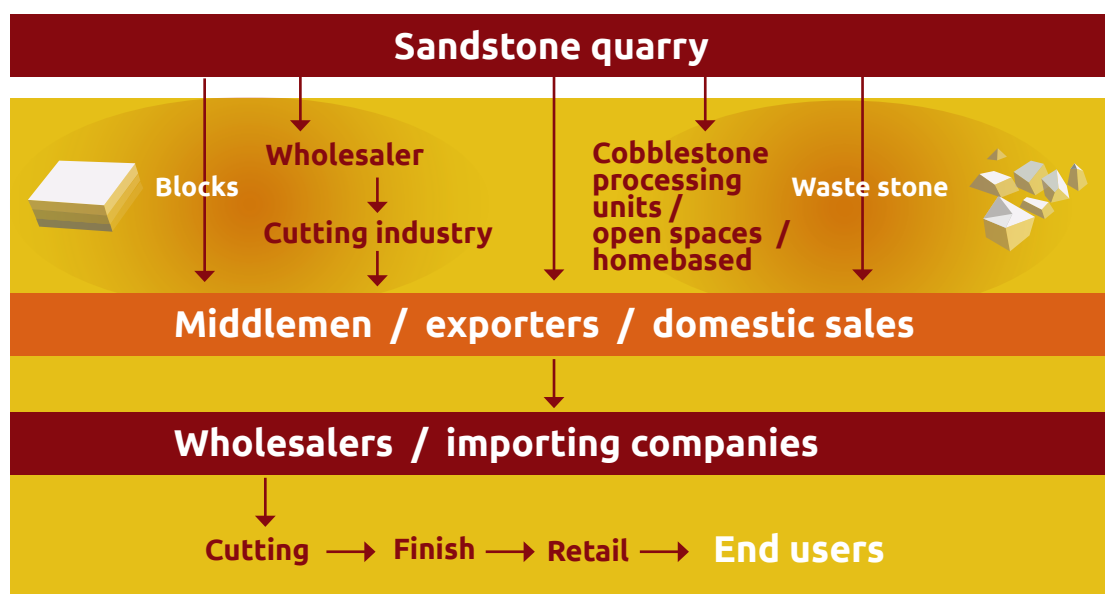
2.1 The supply chain

The sandstone supply chain is complex: from quarry to end-user there are several intermediaries. Rajasthan is the largest sandstone producing state in India. It accounts for nearly 70% of India's sandstone production and approximately 10% of the global sandstone production. The districts of Bundi and Bhilwara, the focus regions of this study, account for more than 50% of sandstone production in Rajasthan.¹¹ Bundi district has over 2,000 hectares of mines producing sandstone, marble and granite.¹²

There are several factories and companies engaged in processing raw stone into desired sizes and polishing the sandstone for international customers in Rajasthan. These companies have agents in Bundi district and other quarrying areas who purchase the desired type and quality of sandstone from a number of quarries and yards. At the cobble yards (or stock yards) or at homes, labourers turn quarry waste into cobbles.

So typically, the stock of cobbles is a collection of stones from different sources. For due diligence, importing companies usually totally depend on information given by their exporter. A list of European companies that are known to import sandstone from Rajasthan directly or indirectly – and most likely from the researched area – is provided in annex 1. Figure 1 illustrates the sandstone supply chain of Rajasthan.

Figure 1: International sand- and cobblestone supply chain



¹¹ Department of Mines and Geology, Udaipur, Government of Rajasthan, *Office wise summary report 2017-18 (Minor Minerals)*.

¹² Centre for Responsible Business (CRB) (2015) *Stoned Lives and Forgotten Children: The Case of Sandstone Industry in Kota & Bundi*.

2.2 Labour force

Given the high incidence of informal and undocumented workers, it is impossible to know the precise numbers of labourers in the industry. Estimates suggest that close to 2.5 million people work in Rajasthan's mining sector.¹³ Next to agriculture, it is the state's second largest sector in terms of employment. The mining sector is of growing importance for the Indian economy. The sector contributes 2.39% to India's GDP.¹⁴

Work in sandstone quarries is labour-intensive. The blasting process is a specialised process that needs skilled workers. The other processes, including chiseling, stone cutting and edge cutting are mostly done manually by skilled and semi-skilled labourers. Supporting work, like loading and unloading is done by unskilled workers. Larger quarries are gradually using more machinery and therefore need fewer labourers. Skilled work is mostly done by men while the unskilled work like loading and unloading stones and waste stone clearing is done by both men and women and paid on a daily or piece rate. Housekeeping (cleaning, serving meals) in the quarries is mainly done by women and also children.

In cobblestone making, all the work of stonecutting and shaping is done by semi- and unskilled labourers, mostly women. The cobblestone production may be home-based (i.e. at the actual homes, alongside a nearby road or at a similar open space), at a yard (a cobblestone site owned by contractors) or on the premises of the quarries. Cobblestone making is, in general, paid on a piece rate basis.

From this study

The research sample covered workers engaged in different types of activities, including machine operators, vehicle drivers, drillers, stone cutters and workers involved in cobblestone making. Workers are mostly from socially backward and economically poor communities: Scheduled Tribes¹⁵, Dalits¹⁶ officially called Scheduled Castes¹⁷ and Other Backward Castes. In this survey of the 140 workers interviewed the percentages were 40%, 23% and 34% respectively. More than 80% of the interviewed workers in quarries and cobble making units are labourers employed on a daily wage or piece rate basis. Nearly 40% of the workers in the sample are illiterate and 24% completed only primary schooling.¹⁸ Intra- and inter-state migrant workers account for more than 90% of the workforce in quarries and cobble making units, of which 30% are seasonal.

¹³ Dhaatri Resource Centre for Women and Children – Samata/HAQ Centre for Child Rights (2010) *India's childhood in the "pits" - A Report on the Impacts of Mining on Children in India*.

¹⁴ <http://www.dgms.gov.in/UserView/index?mid=1287>, last accessed 29 April 2020.

¹⁵ Scheduled Tribes (STs) are tribes or tribal communities that are eligible for quotas in education and government jobs and protected under the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act, 1989. Most of the workers in the ST category are from Bhil-community. Bhils are popularly known as the bow men of Rajasthan. They are the most widely distributed tribal groups in India. They form the largest tribe of the whole South Asia.

¹⁶ The term Dalit literally means 'broken people'. This is a self-designated term for so-called 'untouchables' who traditionally occupy the lowest place in the Indian caste system.

¹⁷ The Scheduled Castes (SCs) are caste groups, also known as Dalits, that are eligible for quotas in education and government jobs and protected under the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act, 1989.

¹⁸ Primary school is up to 5th class. As per 2011 census the illiteracy rate in Rajasthan is 34%.

2.2.1 Children's rights

The Indian government classifies stone cutting, splitting and polishing as hazardous.¹⁹ Employing children under the age of 18 years in both sandstone quarries, as well as in cobblestone making, is therefore prohibited by law.²⁰

From this study

Despite the prohibition, the involvement of children in sandstone production, mainly in cobble making, was observed by the researchers in the study area.

Nearly 60% of the workforce in the sample quarries and cobble units is below 40 years. The involvement of children below 14 years and young workers in the age group of 15-18 years is mainly observed in cobblestone production as opposed to quarries. No children below 18 years were observed in core quarrying operations like drilling and stone cutting. However, in two of the 12 quarries visited four children in the age group of 15-18 years were observed in clearing waste stone and loading and unloading operations.

Teja, aged 12 years, does not have her meal if she does not work. Rest and playing like a child are luxuries to her. She migrated along with her parents from Madhya Pradesh to Budhpura. Her father left the family for another woman and her mother started a relationship with a neighbour.

Teja explains: "My suffering intensified after my father's absence. My mother and stepfather neither allow me some rest days nor give me food if I have not worked. They don't let me play. All three of us work in heaps of waste stone; we gather suitable-sized waste stones from the heaps and trim them into standard sizes. For sizing a tractor load of such stones it takes 10 days for us. After selling the load we get INR 2000 (EUR 26). That means each one of us gets approximately INR 75 (EUR 1) per day. This is a horrible life. No child should lead a life like mine: no games, no school, no leisure time. Only when I am sick I get some rest, sleeping alone in the shed while my mother and stepfather work at the heap of stones."

¹⁹ [http://megcl.gov.in/acts/Notification%20to%20amend%20the%20Schedule%20\(hazardous%20list\).pdf](http://megcl.gov.in/acts/Notification%20to%20amend%20the%20Schedule%20(hazardous%20list).pdf), last accessed 18 July 2019.

²⁰ According to the ILO 138 Minimum Age Convention, the minimum age for employment is 15 years. In the case of countries whose economies and educational facilities are insufficiently developed, the minimum can be lowered to 14 years (according to article 2(3) and 2(4) of the ILO Minimum Age Convention, 1973 (No. 138)). India ratified the ILO 138 Convention in June 2017 and amended its law. The Child Labour (Prohibition and Regulation) Act, 1986, and the Child Labour (Prohibition and Regulation) Amendment Act, 2016, now prohibit employment or work of children below 14 years in any occupation or process, except in family enterprises before and after school hours. India also ratified the ILO Convention on the Worst Forms of Child Labour, no. 182, in June 2017, which indicates that the employment of persons between 14 to 18 years in hazardous occupations and processes is prohibited.

Compared to the situation in 2005, the current findings indicate a decline in the magnitude of child labour in sandstone quarry operations in the researched area. The interviews with workers, employers, local teachers and trade union leaders also confirm this. Despite the decline the situation of children around quarries remains a source of concern. There are labourers living with their families on the premises of a quarry, including children. These children are generally not going to school and are affected by the unhealthy living conditions at the quarries.

The researchers observed more involvement of children in home-based cobble production compared to yard-based production. In home-based production, usually all family members work, including the children. In Budhpura, children as young as 10-12 years of age were seen working with their parents in home-based cobble production. Some of them do this work as a part-time activity, working before and after school hours and during school holidays. At times of high work pressure because of a deadline for an order, they skip school to be able to work. Several children have dropped out from school and are full-time engaged in cobble making. In seven of the 10 home-based units visited, a total of 11 children (7 girls and 4 boys) below 14 years old were seen working along with their parents. Out of these 11 children, four had left school and the remaining seven were attending school and doing the work part-time.

2.3 Labour hiring practices

Labour hiring practices vary in quarries and cobble yards. In most cases, there are no written contracts between quarry owners and workers. Even in larger quarries, written contracts only exist for a small

Labourers/workers working in mines

are to be paid as per the Central Labour Commissioner's Minimum Wage Notification, declared by the Government of India. For processing of stones outside the mines, the state government minimum wage notification declared by the State Labour Department is applicable. This minimum wage is lower than the minimum wage set by the Central Government (<https://clc.gov.in/clc/min-wages>)*. Strictly speaking labourers cutting stones for example on the premises of a quarry fall under the Minimum Wage Notification, declared by Government of India and should therefore receive a higher wage than labourers cutting stones in yards or at their homes.

If labourers working in mines are not receiving the legal minimum wages and they approach the enforcement agency for putting their grievances forward, the enforcement agencies find it difficult to impose a penalty or fines as the labourers generally are not able to provide evidence of their employment. Therefore, keeping employment records and details are important for handling of such issues.

** Last accessed 4 May 2020*

proportion of the workforce: office staff, supervisors, managers, machine operators and drivers who are employed on a regular basis. In general, the sandstone industry in Rajasthan can be defined as an informal economy based on the definition used in ILO Recommendation 204.²¹

The lack of employment contracts makes it hard for workers to claim their legal entitlements, like a minimum wage, overtime compensation and compensation in case of work accidents or occupational health problems. In spite of the legal requirements, payment of minimum wages - let alone living wages - is an issue in sandstone quarrying and cobble making. Workers in sandstone quarries and cobble units receive low wages and have no employment benefits, leaving them immensely vulnerable and often indebted. A serious concern is the lack of registration of workers. Most of the workers are recruited by contractors and do not have a written contract. The fact that they are paid on a piece rate basis makes them more vulnerable. Piece rates for cobble making vary, depending on the size of the cobble and the colour of the stone, and the particular contractor offering the work. The wage rates paid to workers are low and hardly meet their basic needs. Workers often get advances or loans to be able to pay for unexpected expenses like health care, marriages, festivals and burials. By law most workers are entitled to benefits such as Employee State Insurance (ESI) and the Employee Provident Fund (EPF). However, this is dependent on the nature of work, the size of the industry as well as the sector. In the sandstone industry, being primarily unorganised, employers usually fail to conform to even the basic statutory measures required.²² As mentioned above, for many workers - in particular migrant workers and home-based workers, this is even more difficult as they are generally not registered at the workplace.

From this study

Nearly 37.5% of the workers interviewed in the quarries, most of them migrants, reported that they were recruited through contractors. In cobble making units, workers are mostly recruited directly by the owners of the cobble yards and not through middlemen. The average daily wage of unskilled workers, most of whom are women, varied between INR 200 to 250 at the time of the survey. The minimum wage of unskilled labourers prescribed by the Government of Rajasthan is INR 225 outside the mines.²³

Cobblemaking is considered as semi-skilled labour. The survey found that none of the casual workers in cobble making units are receiving EPF and health insurance benefits, while in the quarries, EPF is only provided to supervisors, drivers and machine operators - those who are on monthly salaries - but not to the labourers who are cutting, drilling and clearing stones.

The actual challenge for workers is to register themselves with the mining company to be eligible for getting the minimum wages, as most of the time they are sub-contracted by local contractors and are paid on piece wage rate basis.

Joining an association could be a way for workers to improve working conditions and increase wages. There are no active unions or worker organisations in the quarries sampled. None of the 80 quarry labourers interviewed reported membership in a trade union. Four quarry workers recalled that a workers' union based at Kota visited them five years ago and registered their names with the union. There was no follow up activity by the union after that.

²¹ ILO (2015) Adopted by the Conference of its 104th session, Geneva, 12 June 2015, p. 4. Definition informal economy: 'refers to all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements'.

²² Centre for Responsible Business (CRB) (2015) *Stoned Lives and Forgotten Children: The Case of Sandstone Industry in Kota & Bundi*, p. 30-33.

²³ <http://labour.rajasthan.gov.in/Notification.aspx>, last accessed 4 May 2020.

2.3.1 Debt bondage/bonded labour

The recruitment of labour by providing binding loans and wage advances is common in the sandstone industry in Rajasthan. Various studies conducted in the mid- and late-2000s reported debt bondage as a major issue of concern in the sandstone sector.²⁴

According to the definition under the Indian law, bonded labour is a system of forced, or partly forced, labour where there is a debt or obligation through (any):

- advance given to labourer or by lineal ascendant/descendant;
- customary or social obligation;
- succession;
- economic consideration given to labourer or lineal ascendant/descendant;
- particular caste or community;
- surety of another's debt,

due to which rights and/or freedoms are forfeited (any one) of the:

- right to minimum wage;
- freedom of employment;
- right to move freely;
- right to appropriate / sell at market value any property or product of his labour.²⁵

Indian law prohibits any service arising out of debt, including forced labour and bonded labour.²⁶ The term 'bonded labour' is often used interchangeably with 'debt bondage'. Several cases by the Supreme Court of India clarified situations of bonded labour. In *Bandhua Mukti Morcha vs. Union of India & Others*, the Supreme Court held that: '*various practices, such as deductions from wages, restriction of movement, and only providing food in exchange for work, amount to bonded labour under the 1976 act.*'²⁷ The Indian courts have given a very broad, expansive interpretation of the definition of bonded labour. Another relevant law in this regard is the Scheduled Castes/Scheduled Tribes Prevention and Atrocities Act, 1989. This act defines any kind of forced labour, including bonded labour, as an '*atrocities, if the victim is a member of a scheduled caste or tribe*'.

As mentioned above, quarry owners largely depend upon middlemen, contractors or agents to recruit workers, particularly migrant workers. As quarry owners give out their work to contractors the workforce is directly accountable to the contractors. These labour contractors offer families advance payments proportional to the number of workers a family can offer, thereby encouraging struggling families to join the quarry work. They also offer small loans to some families when they are in need. No interest is charged on wage advances, interest on loans ranges from 24% to 36% per year.²⁸ At times, debts are carried forward to the next generation, such as when a parent fails to repay it for example because of illness or death. Thus, a system of perpetual bondage is established. For workers who reside

²⁴ E.g. S. Gunasekaran (2014) Debt Bondage in the Sandstone Quarries of Rajasthan, in: *Economic & Political Weekly*, Jul 2014; Partners in Chance & Praxis (2017) *Feasibility Study: Combating Child Trafficking and Bonded Labour in Rajasthan*, available from: <http://freedomfund.org/wp-content/uploads/Rajasthan-Report-FINAL-EXT-feb-2017-1.pdf>; P. Basu (2010) *Mineworkers of Rajasthan – Emerging leaders in veils*, Asian Labour Update; Centre for Education and Communication/Terre des Hommes (2009) *Feasibility Study for Setting Standards in Natural Stone Sector in Rajasthan*, p. 47.

²⁵ Bonded Labour System (Abolition) Act, 1976, under 2g.

²⁶ The legal definition of 'the bonded labour system' recognises force as including not only physical or legal elements, but also including deprivation of alternative choices, economic circumstances, and a derived compulsion to choose a particular course of action, such as providing underpaid or unpaid labour.

²⁷ In: Siddharth Kara (2012) *Bonded Labour. Tackling the system of slavery in South Asia*, Columbia University Press, New York, p. 270.

²⁸ Centre for Responsible Business (CRB) (2015) *Stoned Lives and Forgotten Children: The Case of Sandstone Industry in Kota & Bundi*, p. 28-30.

in a house provided by their employer, the threat of eviction is another aspect that increases their dependency and makes it more difficult to change jobs.²⁹

From the point of view of workers, taking an advance on wages is necessary for survival. A large part of the advance is used for food, medical expenses, weddings, funerals or investment in agriculture. According to Kara (2012), many households are pulled into a cycle of debt that cannot be easily escaped. Often, advances on wages and loans are not written or put down in print, so especially the illiterate labourers sign the loan agreement with a thumbprint relying hereby on the money lender. It is frequently argued that workers voluntarily enter into these loan/advance agreements. However, the fact that there is no reasonable alternative to the (debt bondage) agreement negates the voluntary nature of the decision to make it.³⁰

Mukesh is 15 years, his parents migrated to Budhpura from another district in Rajasthan 20 years back. Mukesh has three brothers and three sisters. He dropped out of school three years ago while studying 7th class. He would have liked to continue in school, but since money was needed for his eldest sister's marriage, he was forced to borrow INR 20,000 (EUR 260) from a cobble yard owner with the promise that he would work in his stone yard.

"My studies ended, but my sister got married and is leading a happy life, so that satisfies me. My ambition was to complete 10th class at least, but that was not possible. I work from 8 am in the morning till 5 pm in the afternoon and I earn INR 200 (EUR 2.60) per day. All the members of my family are workers, except our younger sister and brother. They both go to school. I am able to get INR 200 per day, but the income of my sisters and mother is only INR 100 (EUR 1.30) per day. My father's and other brothers' income varies from INR 150 to 200 per day, depending on the work they do. I am not happy but I am also not sad."

From this study

In the sample quarries, 63% of the interviewed workers are recruited through the payment of wage advances (without an interest rate) and 6.5% of the workers are recruited by offering loans, which carry interest rates of 24% to 36% per year. In cobble units, 75% are recruited through advances (without an interest rate) and 5% through loans with interest. The advances could make the workers vulnerable to debt bondage, as they are restricted in their freedom to change employers by the burden of advances that need to be repaid. The interaction with workers during the field survey indicates that the incidence

²⁹ Ibid.

³⁰ Siddharth Kara (2012) *Bonded Labour. Tackling the system of slavery in South Asia*, Columbia University Press, New York, p. 34-35.

of debt bondage in quarries has gone down in recent years. There was a decrease in the amount of money advanced or loaned to workers: in larger quarries, advances do not exceed INR 5000-10000, which is equivalent to 15-20 days of wages. Cases of intergenerational bondage, where the unpaid loans are transferred from parents to children, have become rare. It was noted in families where one of the parents has died or is too ill to work, and other family members have to work in the quarries or mines to pay the debts.

2.4 Occupational health and safety

The work in sandstone quarries and cobble making is hazardous in nature. Workers face many occupational hazards like explosions, moving and falling stones, dust, and backbreaking labour. Quarry workers are especially vulnerable to work-related illnesses. The dust from the drilling can cause lung diseases like tuberculosis and silicosis and reduces workers' lifespan considerably.

The Rajasthan Mineral Policy, 2015 contains provisions for the welfare of the mine labourers and describes that the Government of Rajasthan will initiate actions to improve health and safety conditions in mining areas and address social issues affecting women, children and the local community.³¹ The Rajasthan Minor Mineral Concession Rules, 2017 obliges every mining lease or license holder amongst others to:

- take effective safeguard, such as regular water sprinkling;
- use drills either equipped with dust extractors or operated with water injection system for wet drilling to control the pneumoconiosis and silicosis;
- provide protective wears or respiratory devices to the personnel working in mining area and to provide adequate training and education on safety, environment and health aspects;
- organise regular health check-up camps for the workers engaged in mines and also to periodically organise occupational health surveillance programme for the workers to observe any contractions due to exposure to dust and take corrective measures, if needed;
- provide insurance cover to all workers engaged in mines;
- take measures for control of noise levels within permissible limit.³²

From this study

In most of the quarries visited, basic amenities like clean drinking water, a rest area and toilets at the worksite are lacking. In 60% of the sample quarries visited³³, clean drinking water for workers is lacking. Furthermore, workers need a rest area during lunch break or when they feel the need to rest. However, in most of the sample quarries visited, there is no rest area provided or the rest area is far away from the worksite so the workers cannot access it. Except for a few big quarries, there are no toilet facilities for the workers; they use the open area in and around the quarry, which is an unacceptable situation, especially for women.

In cobble making units, the work is carried out in open space without shade to protect workers from the hot sun. Only two of the sample cobble units³⁴ covered in the study provide shade to workers when

³¹ [http://www.mines.rajasthan.gov.in/dmgcms/Static/files/MMCR%202015%20\(1\).pdf](http://www.mines.rajasthan.gov.in/dmgcms/Static/files/MMCR%202015%20(1).pdf).

³² http://www.mines.rajasthan.gov.in/dmgcms/download_file?downloadFileId=157.

³³ A total of 12 quarries were visited for this study.

³⁴ A total of 10 cobble making units (yards and home-based) were visited during this study.

Mrs. Chandra Bai, around 42 years old, and her entire family are involved in cobble making.

Mrs. Chandra Bai's husband used to work in one of the quarries until he was diagnosed with silicosis. He is now bedridden. He applied for compensation and received INR 150,000 (almost EUR 2000) from the government. They have five children - three girls and two boys. They include: Deepa, who is married; Sandeep, aged 18, a cobble maker; Zeelu, aged 17, a cobble maker; Deepak, aged 16, a cobble maker; and Santhi, who is studying in 6th class and is a part-time cobble maker. All work in the stock yard to earn INR 1 per cobble. Chandra Bai, who is sick, makes around 50 to 60 cobbles a day. The rest each produce 150 to 200 cobbles a day. All have taken an advance of INR 1000 from their contractors.

They are paid once every 15 days, from which an amount is deducted by the contractor to repay the advance. There is no interest charged on the advance given. The work in the stock yard generally begins at 8 am and ends at 6 pm, with a lunch break of two hours. The earnings of the entire family are not sufficient for their survival.

doing their work. The lack of basic amenities in the quarry sites and cobble yards has a direct impact on the health of the workers. Many workers reported that due to such an unhealthy working environment, they cannot attend work at least 3-4 days per month and they spend a major portion of their earnings on doctors and the hospital.

2.4.1 Silicosis

Silicosis is an occupational lung disease prevalent among workers from industries with an exposure to dust containing silica. Workers involved in sandstone mining activities such as drilling, cutting and crushing of minerals containing silica are at risk if they inhale silica dust particles. Exposure to silica dust can cause several occupational health diseases, including silicosis. Silicosis is associated with several disorders such as tuberculosis and lung cancer.³⁵

In addition to adult workers, children are also vulnerable to silicosis and tuberculosis if they are working in the cobble making industry or living in the area around quarries.³⁶ Since most roads within the mining area are not tarmac, people living around the roads are also exposed to dust that contains silica.

Silicosis is an incurable disease and therefore prevention is very important. The disease is not easy to diagnose and requires specific medical skills and tools. Its symptoms are similar to tuberculosis and are often misdiagnosed as such. The Rajasthan Government Controller and Auditor General report states

³⁵ S. Nandi et al.(2018) Assessment of Silicosis Awareness among Stone Mine Workers of Rajasthan State, in: *Indian Journal of Occupational and Environmental Medicine*, May-Aug; 22(2): 97–100 (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6176702/>).

³⁶ S. Kumar (2017) 'I wish they could be saved': The victims of India's poisonous dust, *BBC News*, 9 October 2017, available at: <https://www.bbc.com/news/world-asia-india-41495862>, last accessed 19 July 2019.

that 7,959 silicosis cases were detected in the state between January 2015 and February 2017, and in the same period, 449 people died of the disease in five districts.³⁷ According to the silicosis portal of the Rajasthan government, as of 10 May 2019, 38,599 people have registered themselves for silicosis testing³⁸, the medical tests were completed for 11,687 and out of these 8,818 cases were diagnosed. The compensation has been paid in 2,344 cases.

According to the Rajasthan state policy on silicosis a person diagnosed with silicosis is entitled to receive INR 300,000 compensation. INR 200,000 compensation will be given to the family of a person who died because of silicosis. A pension will also be given to the widow of a deceased.³⁹ The policy is applicable to every person and worker residing in Rajasthan, so this means that migrant workers affected with silicosis are also entitled to compensation.

The risk to get silicosis is minimised by the use of wet drilling techniques, that uses water during the drilling process, thus reducing dust. However, wet drilling is an expensive technology and requires constant use of water, which is difficult and expensive to procure. Alternatively, the use of a wet cloth on the face or face masks containing an adequate dust filter could at least minimise the dust that enters the body. Workers, however, find it cumbersome to wear face masks, especially in the hot season in Rajasthan.

Silicosis is among the list of occupational diseases recognised by Indian labour laws such as the Factories Act, 1948, and the Employee's Compensation Act (ECA), 1923.⁴⁰ The ECA - which was amended in 2017 - lists the requirements that need to be fulfilled in order for an employer to compensate a worker who suffers with silicosis. According to a news article from 2018 on silicosis in Rajasthan, no case has been registered in the past 12 years in Rajasthan's courts under the ECA, no employer has been penalised and no one is able to establish an employer-employee relationship on record as there are no written contracts.⁴¹ A complaint coming from workers is that doctors are sometimes affiliated with quarry owners and managers and therefore reluctant to give official documents indicating that a worker is suffering from silicosis. This makes it impossible for workers to pursue compensation.

From this study

Out of 140 sample workers interviewed for the present study, there are nine identified cases of silicosis patients in the worker families. Four of the nine have received compensation. The number of cases is probably higher, as many of the workers are not aware of the risks and symptoms and have not undergone medical tests. Furthermore, it is very difficult for most of the workers, who are often illiterate, to fulfil the requirements for receiving compensation from the state. The fact that most workers do not have formal contracts makes it even more difficult to prove.

Most of the quarries and cobble making units visited are not following work safety guidelines as

³⁷ Government of Rajasthan (2018) *Report of the Comptroller and Auditor General of India on Economic Sector for the year ended 31 March 2017*, Gov. of Rajasthan Report No.5 of the year 2017, presented to the Legislature on 27 February 2018, available at: https://cag.gov.in/sites/default/files/audit_report_files/Report_No5_of_2017_-_Economic_Sector_Government_of_Rajasthan.pdf; and in: Suresh Alkapura (2019) Silicosis plagues stone workers of Rajasthan, but slow, complicated process to disburse aid has left thousands gasping, in: *FirstPost*, 3 April, available at: <https://www.firstpost.com/india/silicosis-plagues-stone-workers-of-rajasthan-but-slow-complicated-process-to-disburse-aid-has-left-thousands-gasping-6363791.html>.

³⁸ <http://silicosis.rajasthan.gov.in/SummaryReport.aspx>.

³⁹ <http://www.sje.rajasthan.gov.in/siteadmin/Uploads/201911211545271328.pdf>.

⁴⁰ <https://labour.gov.in/sites/default/files/EC%20Act.pdf>.

⁴¹ Anumeha Yadav (2018) Dying in Dust: For Rajasthan's Miners, Silicosis Deepens Struggle With TB, in: *The Wire*, 9 December (<https://thewire.in/labour/rajasthan-mine-workers-tb-silicosis>); and Anumeha Yadav (May 2018) *Bijolia's Harvest of Stone: Conditions of Work Among Quarrying Labour in Rajasthan*, CSE Working Paper 2018-13, available at https://cse.azimpremjiversity.edu.in/wp-content/uploads/2018/05/Yadav_Anumeha_Rajasthan_Mining-1.pdf.

Prem Kishan, aged 45,

is a silicosis patient. He worked in a quarry for 20 years as a driller and gun cutter. He was paid by feet of stone produced. He has been ill since 2005. He visited many doctors and most thought that he was suffering from tuberculosis. In December 2015, with the help of the local NGO Manjari, his illness was identified as silicosis. He applied for compensation to the government and received INR 100,000. He has five children: three girls and two boys, all above 18 years. One of the girls and both boys have worked in cobble making for five years. They left primary school because they did not want to study due to poor conditions of the school. The declined economic situation after his sickness has left him no other choice than letting his children work in the cobble industry.

prescribed by Indian law. The law requires quarries to provide appropriate safety equipment to workers, such as a helmet, goggles, boots, respiratory mask, gloves, etc. During field visits to the sample quarries, the research team observed workers doing various activities at quarry sites, including drilling, wire saw cutting, shaping the stone, loading and unloading. In most of the visited quarries, workers were seen doing these activities without any Personal Protective Equipment (PPE). Only in two of the twelve quarries a few workers were seen using helmet and shoes. In none of the quarries visited were workers involved in drilling operations seen using a mask or nose guard. A few were seen covering their noses with cloth. 72% of the workers interviewed in the sample quarries reported that they are not provided any safety equipment by the quarry management. While the remaining 28% reported that they have received safety shoes and helmets from their employers, only 16% of all workers interviewed reported that they have these, and are using them regularly. The workers indicated that it is uncomfortable to wear PPE due to the heat and that it lowers their productivity.

3 Review by companies

A draft version of this report has been sent to a total of 112 companies in Belgium, France, Germany, the Netherlands and the UK (see annex 1) that seem to import, trade or sell sandstone tiles or cobblestone from Rajasthan, for their feedback on the content of the report. The list is based on Google Search on stone type, HS (Harmonized System) code and the name Kandla grey, as well as on purchased data on export from Rajasthan. We acknowledge that the list of companies is not complete and does not cover the whole sandstone sector. The review procedure is meant as a way to start a dialogue with these companies and to get a rough picture on the awareness level of companies about the risks mentioned in this report. Also Xertifix, Fair Stone and the TruStone Initiative have been given the opportunity to review the draft version. Xertifix and Fair Stone have given valuable factual corrections.

Of the 112 requests for feedback, 12 companies reacted. We have chosen to give a summary of these reactions as opposed to listing the individual reactions. The large non-response (near to 90%) is an area of attention and could be seen as a lack of concern with the issues raised in the report.

Seven of the companies that reacted are concerned about the issues raised and emphasize they address these. Participation in the TruStone Initiative⁴² is mentioned by 4 out of the 7 companies that recognised the findings of the research to be an important instrument to address the issues raised in the report. Three companies mentioned the importance of audit and certification organisations to address the issues while two companies mentioned to be actively involved in specific projects. Two companies also explicitly mentioned the importance of stable and long standing relationships with suppliers so as to know and address the issues on the ground.

Five companies disagreed with the findings of the report, with two companies explicitly claiming not to have any child labour in their supply chain. When requesting information to underpin these claims we received no further information.

⁴² The TruStone Initiative (<https://www.imvoconvenanten.nl/en/trustone>) is a covenant signed by civil society organisations, trade unions and companies in the Netherlands and Flanders.

4 Conclusions

Earlier research, from 2005 onwards showed that there is widespread evidence of unsafe working conditions, irregular or low wages, child and bonded labour and a lack of social protection in the sandstone sector in Rajasthan. This field and desk research shows a slightly different picture. There are some positive developments. The field data collected from sample quarries and cobble units in the research area in the main sandstone production centres in Bundi and Bhilwara districts in Rajasthan as well as interactions with different stakeholders indicates that, compared to the situation in 2005, there is a clear decline in the incidence of child labour in sandstone quarries. To a lesser extent, the decline is also observed in cobble production units, particularly in yards. Child labour is still observed in home-based production.

Although there were almost no children seen at the quarries and cobble yards that were researched, this does not mean that child labour is completely eradicated from the sample areas. It can be hidden and there are signs that it has moved to home-based workplaces. Child labour is a very sensitive issue which makes it difficult to get a complete picture. Besides the issue of child labour there are other concerns about the children's rights in the research area. There are quarries where workers are living with their families, including children. They are generally not going to school and are affected by the unhealthy living conditions at the quarries.

The field research also showed a reduction in both the number and the monetary amount of advances given to workers as compared to earlier studies, but the majority of workers still take advances from their employer or contractor. This means that they are in a dependent relationship with their employer and cannot change employers easily. There are still cases of debt bondage in the sandstone sector in the districts under survey. This was seen in families where one of the parents has died or is too ill to work, and other family members have to work in the quarries or mines to pay the debts. Regardless of whether workers themselves consider this a form of debt bondage or not, the legal definition defines it as such. People working in the sandstone and cobblestone production areas live *between a rock and a hard place*; circumstances are harsh and yet there are almost no alternatives.

In the sample area, the wages seem to be generally in line with the minimum wages set by the Rajasthan government and the Government of India, with the exception of the daily wages for the unskilled female workers that are generally below the minimum wage. The minimum amounts are set for daily wages. Since the work in quarries and cobble yards is heavy, many workers cannot work full-time. Furthermore, due to the rainy season labourers cannot work the whole year. This means that their monthly income might be lower than the monthly minimum wage. This is especially true for women working in unskilled labour, as they often do not even get the minimum daily wage for their work, let alone a living wage. Furthermore, the level of unionisation is very low in the sample district.

A serious concern is the lack of registered workers. Most of the workers are recruited by contractors and do not have a contract. This makes it very difficult for them to claim their legal entitlements such as minimum wage, overtime compensation and compensation in case of work accidents or silicosis. The fact that many workers are paid on a piece rate basis makes them even more vulnerable. Absence of any social security coverage of adult workers is another reason that children of workers are vulnerable. It also forces workers to take loans or advances from their employer or contractor.

The poor Occupational Health and Safety standards observed during this survey, with silicosis identified as one of the major and deadly occupational diseases for workers is a major concern. There is still little effort towards prevention and very limited use of accurate protective personal equipment. PPE measures are also necessary in cobble making; the research team did not observe any preventive measures being taken to prevent cuts and scratches and dust and pieces of stones flying into the eyes.

As mentioned earlier, this report has been compiled, and based on data collected, before the COVID-19 crisis. The purpose of this study is to inform stakeholders of human and labour rights issues in the sandstone sector, to start a dialogue and most importantly to improve the situation of people working in the supply chains of companies and public procurers sourcing sandstone and/or cobblestones from Rajasthan. How the sector will look like post-COVID-19 is not clear. At present it is evident that workers, and migrant labourers in particular, are among the hardest hit by this crisis. Their already precarious situation has only become worse and many sinking into situations of severe poverty.

5 Recommendations

Several companies have existing standards and policies on human rights issues, child labour and wages. Having a standard or policy in itself does not guarantee that those standards are met or policies implemented at the field level. Research like this study will continue to be necessary to understand and monitor the effects on the ground. Further research will also be needed to understand how effective certification agencies and various CSR initiatives and projects are to address and prevent the issues mentioned in this report.

It will be important to move from looking at ethical trade practices as a risk to losing competitiveness in terms of higher costs, longer lead times and fear of buyers moving elsewhere to a business proposition that will lead to a comparative advantage. Concerted efforts of all stakeholders are needed in order to address the issues within the sector.

General

- Companies should conduct due diligence as required by the UN Guiding Principles for Business and Human Rights and the OECD Guidelines for Multinational Enterprises⁴³ and ensure they have the capacity, knowledge, internal processes and skills to do so. This also requires openness to respecting human rights as essential business standard. A meaningful stakeholder engagement is a key component of the due diligence process.⁴⁴
- Companies should not rely on code of conducts, contracts and external audits only. Reports from civil society organisations, unions and other actors operating in the locality can be an important source of additional information.
- Companies should move forwards from compliance management to overall development of the sector, in that line certification agencies should also have enough capacity of their team members on social aspects.
- Companies need to understand the risks posed by caste discrimination in their supply chains, because if unaddressed it can fundamentally undermine compliance on labour rights.⁴⁵
- Companies should collaborate at an industry or multi-industry level in order to address adverse impacts collectively, including for example the TruStone Initiative⁴⁶ and the Sustainability Forum on Natural Stone (SFNS) in India.

⁴³ For guidance on how to implement the guidelines of the OECD see:

<https://www.oecd.org/investment/due-diligence-guidance-for-responsible-business-conduct.htm>, last accessed 8 April 2020.

⁴⁴ The following actions are part of the due diligence process: (i) companies should have a human rights policy, or human rights should be included in a more general CSR and/or corporate governance policy. This policy should clearly stipulate the expectations, objectives and responsibilities of all employees and other business relations when it comes to child labour and payment of minimum wages. The policy should be approved by senior management, communicated to all stakeholders and be publicly available; (ii) companies should identify actual or potential adverse impacts on responsible business conduct issues in operations, supply chains and business relationships, (iii) companies should cease, prevent or mitigate these actual or potential adverse impacts; (iv) companies should track implementation and results of their measures; (v) companies should communicate how impacts are addressed; (vi) when a company identifies that it has caused or contributed to actual adverse impacts, it should address such impacts by providing for or cooperating in their remediation.

⁴⁵ In the context of the OECD Guidelines and UN Guiding Principles, the ETI Guidance on Caste in Global Supply Chains and the Ambedkar Principles and Guidelines to address Caste Discrimination in the Private Sector are tools that can be used to assess if the rights of Dalits and other minority groups are being violated.

⁴⁶ <https://www.imvoconvenanten.nl/en/trustone>.

Labour force – children’s rights

- Companies should have systems and procedures in place to identify, assess, prevent, mitigate child labour in their supply chains.⁴⁷ The ILO-IOE child labour guidance tool for business could be helpful in this regard⁴⁸ as well as the Children’s Rights and Business Principles (CRBP) .
- Companies should implement a stringent monitoring system to identify cases of child labour, create awareness amongst quarry owners and cobble making units and provide remedy in cases where child labourers are found. Regular independent audits with expertise on child labour in the sector could validate the monitoring data of the company.
- When children below the legal minimum wage are found working, the goal of remediation should first be withdrawal from child labour, consult with the caregivers of the child and see to enrol the child in school.
- Companies should engage with stakeholders, including civil society organisations and trade unions to address the issue of child labour in the sand- and cobblestone sector.⁵⁰

Labour force - wages

- Companies should monitor whether minimum wages are paid to workers by implementing proper wage documentation and train people on how to use these documents.
- This study suggests that many of the workers are unable to earn the minimum wage on their current piece rates. A system for determining a fair piece rate needs to be implemented. Implementing a fair piece rate also depends on a transparent process for recording work done, piece rates agreed and wages paid.
- Companies should assess whether their procurement prices are calculated in such a way that they account for minimum wages (and preferably living wages) instead of the prevailing wages. The process of understanding the roles and responsibilities of the various actors and the prices paid and value added, at different stages should be analysed. This would enable to explore the feasibility – and the risks involved – in increasing homeworkers’ piece rate.
- Companies should ensure that lead times are sufficient to allow orders to be completed without excessive overtime.⁵¹
- As minimum wages often fall short of the cost of living, companies should progressively work towards paying living wages.⁵²

⁴⁷ According to the ILO 138 Minimum Age Convention the minimum age for employment is 15 years and in case of countries whose economy and educational facilities are insufficiently developed, this can be lowered to 14 years. India ratified the ILO 138 Convention in June 2017 and amended its law. The Child Labour (Prohibition and Regulation) Act, 1986, now prohibits employment or work of children below 14 years in any occupation or process, except in family enterprises before and after school hours.

⁴⁸ https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_27555/lang--en/index.htm, last accessed 26 March 2020.

⁴⁹ https://d306pr3pise04h.cloudfront.net/docs/issues_doc%2Fhuman_rights%2FCRBP%2FChildrens_Rights_and_Business_Principles.pdf, last accessed 6 April 2020.

⁵⁰ An example of such a project, in which Arisa has been involved can be found here: https://stopkinderarbeid.nl/assets/Final-Evaluation-Report-End-Term-Evaluation-of-GDTB_20-juni-2019-1.pdf, last accessed 6 April 2020.

⁵¹ Better Buying provides guidelines around purchasing practices, see: <https://betterbuying.org/about-purchasing-practices/>, last accessed 6 April 2020, as well as the *Ethical Trading Initiatives’ Guide to Buying Responsibly*: https://www.ethicaltrade.org/sites/default/files/shared_resources/guide_to_buying_responsibly.pdf, last accessed 9 April 2020.

⁵² Examples on how to calculate a living wage can be found here: <https://www.globallivingwage.org/countries/india/>, <https://wageindicator.org/salary/living-wage> and <https://www.shiftproject.org/sdgs/living-wages/>, last accessed 26 March 2020.

- Companies should recognise the role and capacities of workers' organisations and other organisations working with the labourers in the sandstone area and should not prevent workers from joining a union or worker committees. Formation of labour-business representation committees to address issues/conflicts that arise should be stimulated and supported.
- Companies should build capacity of owners of quarries and cobble making units to address gender and caste discrimination in the allocation of tasks and ensure that caste and gender discrimination is explicitly addressed and mentioned in any policy documents.
- Homeworkers should be recognised as part of the workforce producing cobblestones and are entitled, in principle, to equal treatment as other workers, in line with International Labour Organization Convention No. 177 on Home Work.⁵³ Whilst the cobble makers working either on contractors' premises or as home-based subcontractors may not strictly be covered by this Convention, they face many of the same challenges as the homeworkers, and their work and contribution to the supply chain deserves recognition.

Labour force – hiring practices

According to the United Nations Guiding Principles on Business and Human Rights (UNGPs) "*companies should identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships.*"⁵⁴ This means that buyers have a responsibility for the labourers in their value chain, including homeworkers, migrant and daily labourers and those employed through contractors or other intermediaries. Companies should therefore:

- Promote the development and use of transparent advance and payment systems.
- Promote measures to eliminate abuses by labour recruiters and employment agencies, such as charging recruitment fees to workers, requiring transparent contracts, establishing adequate and accessible complaint mechanisms, imposing adequate penalties, and regulating or licensing related services.
- Promote measures that take into account the special needs of scheduled tribes and scheduled castes who are more subjected to debt bondage and discrimination than others.

Occupational health and safety

- Companies should ensure the application of appropriate technologies to avoid the formation of silica-containing dust, like e.g. wet-drilling; ensure the use of engineering methods of dust control; ensure compliance with exposure limits and technical standards; ensure the use of Personal Protective Equipment as well as health education, information and training for successful prevention.
- Companies should ensure PPE is provided for all workers in quarries, yards and home workers and companies should ensure workers, including daily wage workers and home workers receive adequate training on the importance and the use of PPE.

⁵³ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312322, last accessed 4 May 2020.

⁵⁴ https://www.ohchr.org/documents/publications/guidingprinciplesbusinessshr_en.pdf, page 19.

- Companies should ensure all workers have access to clean drinking water, shade, sanitary facilities and first aid kits.
- Companies should ensure workers, including daily wage workers and home workers are aware of the dangers of silicosis.
- Companies should facilitate silicosis screening for workers on a regular basis.

References

Alkapura, Suresh (2019) Silicosis plagues stone workers of Rajasthan, but slow, complicated process to disburse aid has left thousands gasping, in: *FirstPost*, 3 Apr, available at: <https://www.firstpost.com/india/silicosis-plagues-stone-workers-of-rajasthan-but-slow-complicated-process-to-disburse-aid-has-left-thousands-gasping-6363791.html>.

ARAVALI (2015) *Sandstone quarry workers, Karauli, Rajasthan, India*, for Australian National University, in the framework of an action-research project: "Beyond the Resource Curse: Charting a path to Sustainable Livelihoods for Mineral Dependent Communities".

ARAVALI (2017) *Am I important, a sketch of vulnerable children*, available at: http://www.indianet.nl/pdf/Am_I_Important.pdf.

Balch, Oliver (2015) The Indian child labour behind our patio stones, in: *The Guardian*, 16 Oct, available at: <https://www.theguardian.com/sustainable-business/2015/oct/16/indian-child-labour-behind-patio-stones-sandstone-rajasthan>.

Basu, P. (2010) *Mineworkers of Rajasthan – Emerging leaders in veils*, Asian Labour Update.

Better Buying: *About Purchasing Practices*, available at: <https://betterbuying.org/about-purchasing-practices/>, last accessed 6 April 2020.

Centre for Education and Communication (2006) *"Big pits and cheap lives": fact-finding study on working conditions in the sandstone mines in Kota – Bundi region of Rajasthan*.

Centre for Education and Communication/Terre des Hommes (2009) *Feasibility Study for Setting Standards in Natural Stones Sector in Rajasthan*.

Centre for Responsible Business (CRB) (2015) *Stoned Lives and Forgotten Children: The Case of Sandstone Industry in Kota & Bundi*.

CREM/India Committee of the Netherlands/SOMO (2006) *From Quarry to Graveyard: Corporate social responsibility in the natural stone sector*".

Department of Mines and Geology, Udaipur, Government of Rajasthan, *Office wise summary report 2017-18 (Minor Minerals)*.

Dhaatri Resource Centre for Women and Children – Samata/HAQ Centre for Child Rights (2010) *India's childhood in the "pits" - A Report on the Impacts of Mining on Children in India*.

Dutt, Bahar (2005) *Organising the Unorganised*, research carried out by Mine Labour Protection Campaign (MLPC) in Bundi.

Ethical Trading Initiative (ETI) (2013) *A guide for the ethical sourcing of natural stone from Rajasthan, India*, available at: https://www.ethicaltrade.org/sites/default/files/shared_resources/rajasthan_sandstone_ethical_sourcing_guide_aw.pdf.

Ethical Trading Initiative (ETI) (2017) *The joint Ethical Trading Initiatives' Guide to buying responsibly*, available at: https://www.ethicaltrade.org/sites/default/files/shared_resources/guide_to_buying_responsibly.pdf, last accessed 9 April 2020.

Ethical Trading Initiative (ETI) (2019) *Base Code Guidance: Caste in Global Supply Chains*, available at: <https://idsn.org/wp-content/uploads/2020/03/ETI-Base-Code-guidance-caste-in-global-supply-chains.pdf>.

Ethical Trading Initiative (ETI) *Sandstone from Rajasthan*, India, available at: <https://www.ethicaltrade.org/programmes/sandstone-rajasthan-india>.

Gazette of India, The (2017), [http://meglc.gov.in/acts/Notification%20to%20amend%20the%20Schedule%20\(hazardous%20list\).pdf](http://meglc.gov.in/acts/Notification%20to%20amend%20the%20Schedule%20(hazardous%20list).pdf), last accessed 18 July 2019.

Global Living Wage Coalition, available at: <https://www.globallivingwage.org/countries/india/>, last accessed 26 March 2020.

Government of India (2017) *The Employee's Compensation Act, 1923 [as amended through EC(Amendment) Act, 2017]*, available at <https://labour.gov.in/sites/default/files/EC%20Act.pdf>.

Government of India, Chief Labour Commissioner: *Minimum wages*, available at: <https://clc.gov.in/clc/min-wages>.

Government of India, Ministry of Labour and Employment, Directorate General Of Mines Safety: *From the Desk of CIM & DG (Officiating)*, available at: <http://www.dgms.gov.in/UserView/index?mid=1287>, last accessed 29 April 2020.

Government of Rajasthan, Social Justice and Empowerment Department (2019): *Policy on Pneumoconiosis including Silicosis Detection, Prevention, Control & Rehabilitation*, available at: <http://www.sje.rajasthan.gov.in/siteadmin/Uploads/201911211545271328.pdf>.

Government of Rajasthan: *Silicosis Patient Summary Report*, available at <http://silicosis.rajasthan.gov.in/SummaryReport.aspx>.

Government of Rajasthan, Department of Labour: *Notifications*, available at <http://labour.rajasthan.gov.in/Notification.aspx>, last accessed 4 May 2020.

Government of Rajasthan (2015) *Rajasthan Mineral Policy 2015*, available at [http://www.mines.rajasthan.gov.in/dmgcms/Static/files/MMCR%202015%20\(1\).pdf](http://www.mines.rajasthan.gov.in/dmgcms/Static/files/MMCR%202015%20(1).pdf).

Government of Rajasthan (2017) *Rajasthan Minor Mineral Concession Rules*, available at http://www.mines.rajasthan.gov.in/dmgcms/download_file?downloadFileId=157.

Government of Rajasthan (2018) *Report of the Comptroller and Auditor General of India on Economic Sector for the year ended 31 March 2017*, Gov. of Rajasthan Report No.5 of the year 2017, presented to the Legislature on 27 Feb 2018, available at: https://cag.gov.in/sites/default/files/audit_report_files/Report_No5_of_2017_-_Economic_Sector_Government_of_Rajasthan.pdf.

Gunasekaran, S. (2014) Debt Bondage in the Sandstone Quarries of Rajasthan, in: *Economic and Political Weekly*, 26 July.

IDSN (2009) *The Ambedkar Principles - Principles and Guidelines to address Caste Discrimination in the Private Sector*, available at: https://idsn.org/uploads/media/IDSNambekarPrincipWEB_02.pdf.

ILO (1996) C177 - *Home Work Convention*, 1996 (No. 177), available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312322, last accessed 4 May 2020.

ILO (2015) *How to do business with respect for children's right to be free from child labour: ILO-IOE child labour guidance tool for business*, available at: https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_27555/lang--en/index.htm.

ILO (2015) *Recommendation No. 204 concerning the Transition from the Informal to the Formal Economy*, adopted by the Conference of its 104th session, Geneva, 12 June, available at: https://www.ilo.org/ilc/ILCSessions/previous-sessions/104/texts-adopted/WCMS_377774/lang--en/index.htm.

ILO-IPEC (2016) *Safety and health for sandstone mine workers*, available at https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/publication/wcms_462647.pdf, last accessed 18 July 2019.

IRBC: IRBC *TruStone Initiative*, available at: <https://www.imvoconvenanten.nl/en/trustone>.

Joint Ethical Trading Initiatives (2017) *Guide to buying responsibly*. Available at: https://www.ethicaltrade.org/sites/default/files/shared_resources/guide_to_buying_responsibly.pdf

Kara, Siddharth (2012) *Bonded Labour. Tackling the system of slavery in South Asia*, Columbia University Press, New York.

Kumar, S. (2017) 'I wish they could be saved': The victims of India's poisonous dust, *BBC News*, 9 Oct 2017, available at: <https://www.bbc.com/news/world-asia-india-41495862>, last accessed 19 July 2019.

Madhavan, P. and Sanjay Raj (2005) *Budhpura 'Ground Zero' - Sandstone quarrying in India*, commissioned by the India Committee of the Netherlands.

Marshall, Sh., K. Taylor, S. Balaton-Chrimes (2016) *Rajasthan Stone Quarries, Promoting Human Rights Due Diligence and Access to Redress in Complex Supply chains*, Corporate Accountability Research.

Mineral Yearbook India 2018, <http://www.dgms.gov.in/UserView/index?mid=1287>.

Nandi, S. et al. (2018) Assessment of Silicosis Awareness among Stone Mine Workers of Rajasthan State, in: *Indian Journal of Occupational and Environmental Medicine*, May-Aug; 22(2): 97–100, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6176702/>.

OECD (2018), *OECD Due Diligence Guidance for Responsible Business Conduct*, available at: <https://www.oecd.org/investment/due-diligence-guidance-for-responsible-business-conduct.htm>, last accessed 8 April 2020.

OHCHR (2011) *Guiding Principles on Business and Human Rights – Implementing the United Nations "Protect, Respect and Remedy" Framework*, available at: https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf, last accessed 8 April 2020.

Partners in Chance & Praxis (2017) *Feasibility Study: Combating Child Trafficking and Bonded Labour in Rajasthan*, available from: <http://freedomfund.org/wp-content/uploads/Rajasthan-Report-FINAL-EXT-feb-2017-1.pdf>.

Phlix, Geert (ACE Europe) et al. (2019) *End Term Evaluation of Getting down to Business Programme - Evaluation* report June 20 2019, available at: https://stopkinderarbeid.nl/assets/Final-Evaluation-Report-End-Term-Evaluation-of-GDTB_20-juni-2019-1.pdf, last accessed 6 April 2020.

PIANOo: *Social conditions in global supply chains*, available at: <https://www.pianoo.nl/en/sustainable-public-procurement/spp-themes/social-conditions-global-supply-chains>.

Shift: *Living Wages*, available at: <https://www.shiftproject.org/sdgs/living-wages/>, last accessed 26 March 2020.

UN (2011), UN Guiding Principles on Business and Human Rights.

Unicef/The Global Compact/Save the Children (2012) *Children's Rights and Business Principles*, available at: https://d306pr3pise04h.cloudfront.net/docs/issues_doc%2Fhuman_rights%2FCRBP%2FChildrens_Rights_and_Business_Principles.pdf, last accessed 6 April 2020.

Wageindicator.org (2020) *Living Wages in Context*, available at: <https://wageindicator.org/salary/living-wage>, last accessed 26 March 2020.

Yadav, Anumeha (2018) *Bijolia's Harvest of Stone: Conditions of Work Among Quarrying Labour in Rajasthan*, CSE Working Paper 2018-13, available at https://cse.azimpremjiuniversity.edu.in/wp-content/uploads/2018/05/Yadav_Anumeha_Rajasthan_Mining-1.pdf.

Yadav, Anumeha (2018) Dying in Dust: For Rajasthan's Miners, Silicosis Deepens Struggle With TB, in: *The Wire*, 9 Dec, available at <https://thewire.in/labour/rajasthan-mine-workers-tb-silicosis>.

Annex 1: Companies importing sandstone and/or cobbles from Rajasthan, India

This list shows companies in 5 European countries that are known to import sandstone from Rajasthan, India. The list is based on google search on stone type, HS code and the name Kandla grey, as well as on purchased data on export from Rajasthan. We acknowledge that this list is not complete.

Belgium

Art Stone
Baeyens Eric
Bauma Stone
BDK Kasseien
Beltrami/Stoneasy
BMB Heumatop
Bouwplannen
Bouwpunt Botha
Bouwpunt de Witte
De Coninck
Didier van Loo
Driesen Bestratingen
Hofman NV
Hullebusch
Impermo
Kasseien de Clercq
Kasseilegger Comm.V.
Kassico
Maris Natuursteen
Marshalls (Belgium/UK/France/
the Netherlands)
Stone
Stone Consulting
Stonelink
Tuinmaterialen Meynen
VanDix natuursteentegels
VietBlueStone
Westvlaamse Steencentrale
Westvlaams Tegelhuis

France

BCA Matériaux Anciens
Créa Stone
Cominex
Cupa Stone
MOBIROC
Nord Revêtements
Pavés de Rue
Pierre & Sol (France; Belgium;
the Netherlands)

Germany

Ag-natursteinwerk
Bamberger Natursteinwerk
Bauhaus
Baustoffe-steinbach
Becher baustoffe
Beckmann-bauzentrum
Cremer Naturstein import
Eu-baustoffhandel
Faust natursteine
F-s-baufachmarkt
Geo Stones
Happe-Gruppe
Herfurt
HH-solution
Johannes Happe GmbH & Co.KG
Jonastone
Kies-becher
KRAUSS DER STEIN GmbH & Co. KG
Ksv natursteinwelt
Mc-stone
Menz-gmbh
Mkb-natursteine
Monte-graniti
Natursteinbrueche
Natursteine-Kohler
Natursteinepost
Naturstein-geostones
Naturstein-zentrum-ruhr
Naumann Natursteine
NGR International
NHI Natursteinhandel
Nord-Stein
Obi
Raabkarcher
Raiffeisen-bauzentrum
Savitri Overseas
Seegerstone
Seib
Seltra
Steingarten
Steinwelt-online
Steinwerk-tringenstein
Stolz-granithandel
Stone Experts
Stonepark GmbH
Webro
Weiland-Mannheim
Wieland naturstein

The Netherlands

B&S Natuursteen
Benoton
Flevisteen
Impermo
J. Visser Klinkers & Kasseien BV
Kersbergen
Leisteen Nederland
Martin Van Cleven
Michel Oprey & Beisterveld

UK

Brett Landscaping & Building Products
CED Stone
Cheshire Sandstone
Hardscape
John Lewis
London Stone
Marblemosaics Ltd
Natural Paving
Paving King
Paving Stock
Primethorpe Paving
Shawbrooke Stone
Stone BTB
Stone Traders
UK Stone Imports

