

Date- 5th January, 2017

To,
The Secretary General
National Human Rights Commission
Adhikar Bhawan
Block-C, GPO complex, INA
New Delhi - 110023

**Subject: Miners Death in Jharkhand Coal Mines Memorandum submitted to
The Chairperson, National Human Rights Commission**

This memorandum is in reference to the recent killing of thirteen mine workers in the Lalmatia open-cast coal mines of the Eastern Coalfields Limited (ECL) in Godda, Jharkhand. The incident occurred on 29th Dec 2016.

About mm&P

mm&P (mines, minerals & PEOPLE) is a growing alliance of individuals, institutions and communities who are concerned and affected by mining. The isolated struggles of different groups have led us to form broad national alliance for combating the destructive nature of mining. mm&P network is present in 16 states across the country. It has been found that there are nearly 1,00,000 illegal mines operating in our country and only 10,000 mines that are licensed. In this context the environmental impacts can be grossly underestimated. We request the committee to take stalk of the situation and take measures to stop illegal mines.

Miners death in Jharkhand

On the late evening of 29th December 2016, Eighteen people have been killed and many others trapped inside the Lalmatia open cast mine. The tragic incident occurred when a mound of rubble roughly 350 feet overhead collapsed. There were around 40 mine workers and nearly 15 vehicles which got buried under the rubble. The rescue operations are in progress and the death toll is increasing. In 2015, 135 accidents were reported in the coal mines operated by Coal India Ltd. The number of deaths of mine workers was 37, whereas 141 workers were injured. The deaths have been due to breach of safety measures. Some of the major issues related to 29th Dec 2016 coal mine accident are detailed below-

- One of the eyewitness said that one officer who was present at the site did not order to stop mining even when one of the walls of the mine started collapsing at 4:30pm.

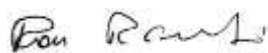
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- The rescue operations at the accident site started 16 hours after the accident and this extreme delay may be the cause for few more deaths.
- The mine workers killed and presently trapped under the mine are contract laborers employed by Gujarat based Mahalakshmi Engineering Company. Being contract laborers they and their immediate family have practically no safety net apart from the compensation that the government has announced.
- Neither Eastern Coal Fields Ltd (ECL). nor Mahalakshmi Engineering Company to which the excavation of coal was sub-leased, have taken the responsibility of the accident. Adding to this B.N Shukla Director (Operations) of ECL gave a negligent statement that, "there was no mining taking place there at Bhodaiya on Thursday night".
- It has been four days since the horrified accident has occurred and there has been no progress on the investigations of the case. We demand to entrust of the investigation to an impartial central agency and not leave the entire investigation on local police.

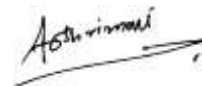
Some general breach of safety measures in the coal mines are detailed below-

- Safety with respect to overburden dumps- In a report by Comptroller and Auditor General of India (CAG), 10 mines of the 18 sample mines are cases of excess height and higher gradient and accommodation of excess burden than prescribed in the environmental clearance/project reports.
- There are no occupational health care safety measures for contract laborers.
- CAG also found that independent safety audits were not conducted by Coal India Ltd and its subsidiaries on a regular basis.
- There is a lack of risk assessment technique training amongst the workers of the coal mine.
- The expenditure on safety measures is less than the budgeted expenditure in the coal sector.

In this context we urge that immediate action be taken to ensure fair investigation and guaranteeing of basic human rights to the victims and their families. We request NHRC to send a team of qualified individuals to the accident site for fact finding. Adding to this we also request your intervention to ensure fair compensation to the contract labourers and to send a strong message against human rights violation in mine sites.



Rebbapragada Ravi
Chairperson, mm&P



Ashok Shrimali
Secretary General, mm&P