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Sent: Friday, April 09, 2010 3:37 AM
To: Strotkamp, Leyla ; McCarter, Tina - ILAB
Cc: Suchismita Palai; Amrendra Khatua; Anil Mukim; bbharrison@indiagov.org; ED
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April 9, 2010

To

Ms. Tina McCarter / Ms Leyla Strotkamp
Office of Child Labor, Forced Labor and Human Trafficking
The Bureau of International Labor Affairs ,
US Department of Labor
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Dear Madam,

This has reference to submission of comments / information regarding Federal Register Notice issued by US DoL on Child Labour. Regarding the Child Labour in Indian gem & jewellery industry we wish to state the following:

- The Indian industry regularly conducts surveys / studies on the prevalence of child labor.
- 3 surveys at periodical intervals were carried out after 1993-94 when an anti-child labour legislation in the form of the Harkin-Brown Bill was tabled before the US Congress.
- Subsequently, GJEPC commissioned field survey by A.F. Ferguson & Co one of the leading market research firm.
- The survey revealed reduction in levels of child labour employed in the industry from a weighted average of 3.18% in 1994-95 to 0.89% in 1998 to 0.53% in 2003
- The IMRB/BIRD study was conducted to ascertain the manpower in g&j industry and prevalence of child labor in 2009.
- Child labour nearly non-existent in the modern Gem & Jewellery Industry Scenario.

6/7/2010

GJEPC and its encouragement to local associations have played a pivotal role in reducing the of child labour in the Gems & Jewellery industry as a whole

■ **Measures undertaken by GJEPC:**

- ❑ Anti-child labour meetings with factory owners
- ❑ Awareness campaigns, Leaflets / Pamphlets, distributed to various factories, hoardings
- ❑ Co-operation with the Government of Gujarat in the child labour rehabilitation scheme
- ❑ Spreading of awareness among exporters, factory owners and workers

■ **Measures undertaken by local associations**

- ❑ Opened schools, Colleges and hospitals for weaker section
- ❑ Conducted social welfare and disaster relief camps
- ❑ Carried out developmental and educational activities

■ **Contribution through Indirect measures**

- Large section realising the importance of basic education
- Supreme Court Order, imposing a fine on units (employing more than 100 artisans) employing child labour

Recently in the report on Department of Labor's List of goods produced by Child Labor or Forced Labor 2009 prevalence of Child Labor in the Gem industry in India was mentioned on page 16 of the report. Copy of the reply sent to your office in December 2009 is enclosed herewith for ready reference.

Also, there was a campaign by National Labour Committee (NLC) of USA targeting the gemstone polishing industry of India for having unhealthy working conditions and for using forced / child labour specially the Agate Cutting & Polishing Industry of Khambhat, Dist. Anand in Gujarat.

A delegation of the Gem & Jewellery Export Promotion Council(GJEPC) under the leadership of Vice Chairman, Mr. Rajiv Jain visited the town of Khambhat on 26th February, 2010. The purpose of the visit was to assess the situation of Silicosis disease being caught by the workers of Agate polishing industry of Khambhat.

Here it is pertinent to note that the home based gem polishing sector (engaging family members only) has been sensitized from time to time on the illegalities of Child Labour and as such it was found that the involvement of child labour is non-existent.

However, to address the issue of child labour in the home based gem polishing industry in Gujarat Region Council has proposed steps to be taken by GJEPC and recommendations for the Government Agencies, few of them are listed below:

Steps proposed by the Council

- The GJEPC is planning to organize more awareness programs with the assistance of Industries Department of the Govt. of Gujarat to educate the unit owners and sensitize the importance of keeping children away from the process till they complete their school education.
- Sensitizing and Encouraging the Workers and Industry to be Organized and establish large units so that this will ensure the compliance of labour laws applicable to these units.

However, such adverse campaigns and Reports could have an negative impact on India's exports to the US. It is likely to influence the purchasing decisions of US buyers, retailers and consumers.

The campaign by NLC will adversely affect the entire gem industry of India including the organized stone cutting industry though the NLC report specifically indicates the instances of Agate and other semi precious stones sector at Khambhat in Gujarat.

The Indian Gem stone industry is highly dependent on the exports with USA being the major market and the industry is already facing a hard time due to the global recession.

You are requested to take note of the above facts and do the needful in this regard.

Thanking you,

Yours truly,

sd/-

Sabyasachi Ray
Executive Director