

Case Study No. 7, written by Gustav Imam, 2007

Voices of Adivasi Women: Protesting Displacement and Destruction of Naihar, Parej East Coalmine, Jharkhand, India

Overview

In just over 10 years, the immense opencast coalmine in Parej East has devastated around 430 hectares of rolling hills and forests previously inhabited and cultivated by local tribals (Adivasi). This case study reveals social and environmental issues that have arisen in this remote area of east India. Despite World Bank Operational Directives, National Government programs and mining company promises, 1172 people affected by the mine are displaced and processes have failed to monitor the provision of basic human rights.

So precious was the spring they called it naihar- our mother's home- a place of water and life

The People, their Land and Parej East Mine



Parej East opencast coalmine in Jharkhand, India.

The village people of Parej and Durukasmar¹ are from 12 close knit hamlets of around 30 families totalling 1172 Project Affected Persons. The predominant livelihoods of these villagers include subsistence cultivation, agriculture, private business, public service and artisanship. There is a strong focus on community among the families that extends to collective efforts in festival preparations as well as the labours of daily life.

Transport services in this area include: the Laiyo Road, connecting the mine-impacted villages to Charhi, some 12 km from Parej; and the Gomoh-Barkakhana loop of the Eastern Railway Line with stations in Danae and Ranchi Road, about 15 km from the project area.

In 1993, at the start of the mining project, 324 hectares of land were acquired, with an additional 100 hectares required over the life of the project. The mining area comprised: 87 hectares of forest; 212 hectares of government owned land; and 25 hectares of privately owned territory (see chart). Around 40 hectares of forest land surrounding the hamlets was cultivated and irrigated by open wells and tank water.



Type of land acquired for the mining project

Summary of Issues

- Voices of the Parej East women are heard through the authors of this study, a local Non-Governmental Organisation (NGO) Chotanagpur Adivasi Sewa Samiti (CASS). In assisting the local people, they detailed the situation and pursued the World Bank to acknowledge its failure to implement policies and procedures to provide basic needs for the impacted villagers.
- The inhabitants of this region have endured over a decade of worsening health and living conditions, diminishing access to land for cultivation with few opportunities to improve their situation. They have been denied representation in planning and to address the impacts of mining. Families have been plunged into escalating poverty and their protests have been met with punitive action.
- The state owned mining company response to the local people has been fundamentally driven by economic agendas and further complicated by a long experience with Adivasi, in similarly remote areas throughout India.

¹ Parej comprising 134 families from TuriTola; Majhi Tola; Gariju Tola and Muslim Tola hamlets) and Durukasmar comprising 123 families from Jharna Tola, Budna Tola, Borua Tola and Upper Dera Tola

Parej Land Acquisition

The Parej East opencast coalmine, located in Hazaribagh district of Jharkhand, is a Rs.862.50 million (US\$19.3 million), World Bank funded project operated by the state-owned Central Coalfields Limited (CCL) and its subsidiaries. The mine target production of 1.75 Metric ton of washery Grade IV coal per annum supplies India's non-steel metallurgical industries.

The World Bank Environmental and Social Mitigation Project provided development assistance to compensate for the loss of agricultural land, water, and forests. Aid was made available for pond renovation, adult education classes, programs on motivation and alcohol addiction as well as development related services.

Access to clean water still remains a key problem in the region despite the bank's development assistance and programs initiated by the Hazaribagh District Administration to provide safe drinking water in villages².

To avoid rehabilitation costs, the company left 18 houses intact in Agraria Tola and mined around the village. This action has destroyed their fields and water table, leaving shallow, stagnant water in the well. Agraria Tola is now perched on a peninsular between encroaching coalmines within 100 m of Adivasi homes.



Women at the company well surrounded by heavy equipment and encroaching destruction

“...are these programs for us or for the bank and company?”

“How can dependence on a mechanical tanker that brings water by an unknown driver, poured into cement troughs and tasting of kerosene be a substitute for a living spring?”

² As part of the Rajiv Gandhi National Drinking Water Programme

Agraria Tola Water and Land Issues

In 2000, the Tata Iron and Steel Company (TISCO) operating for the West Bokaro colliery, adjacent to Parej East mine, bulldozed a natural spring that provided water to over 100 families from six neighbouring hamlets.

As well as supplying clean water, the spring was an important place for women to socialise and connect with other life forms sharing dependence on the spring; such as the snakes who they protected and treated as their own.

The villagers made a proposal to the company for a mine exclusion area to save the spring and its catchment. The company denied the proposal and dug a well to replace the spring. Additional water was transported to the well in a converted oil tanker.

During the height of mining around the natural spring, the women protested numerous times, seeking dialogue to avoid the devastation. Their protestations were only heeded when they caused the mine to stop work by obstructing the bulldozers. The mining company was not prepared to communicate with villagers about their concerns and called in security guards to take action against the women for hampering coal production.

Source: CCL letter PO/DROCD/02/1993, dated 20.6.02

“...if holding up coal production is a criminal act, why is the destruction of our village water supply not a criminal act?”

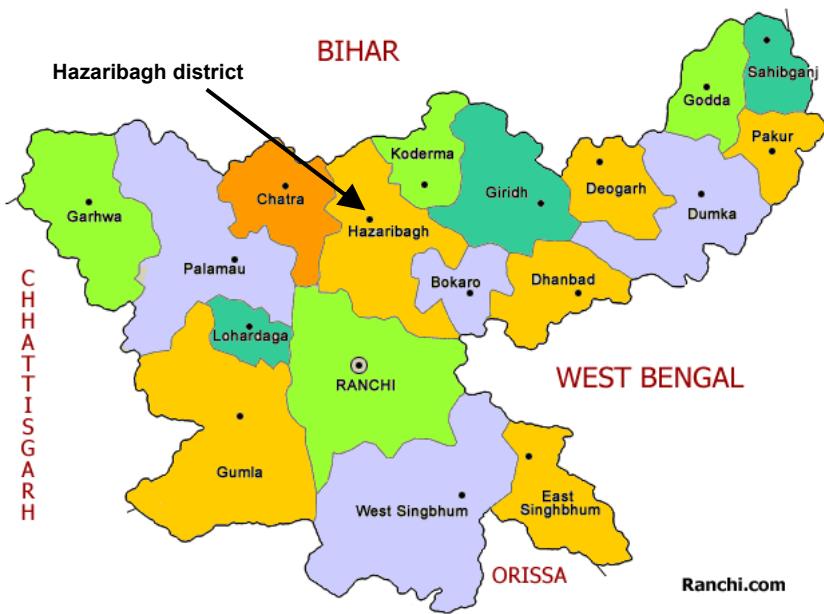


Map of India indicating the location of the 28th state of Jharkhand.

Coal Mining in India

Mineral resources are of significant importance to industrial progress and economic development in modern day India. While open-cast coal mining is cost effective, especially with access to a workforce prepared to accept low wages, it has an expensive and deleterious impact on the land and people.

Even though this report deals with the Parej East mine, similar experiences are widely reported from remote mining areas in India. Inadequate consultation in project planning, implementation and rehabilitation in coal mining is common throughout India and impacted communities, often already impoverished, face increasing poverty and deteriorating well being.



Map of Jharkhand - Hazaribagh district is located in the state's central north

Problems Faced by the Adivasis

Land Rights and Acquisition

Land is fundamental to indigenous livelihoods and hence the acquisition of their land by the state for the purposes of mining has been a devastating experience for them. Not only did they lose their land and livelihood but they have had to adjust to living in a derelict landscape with numerous coal fires and their caustic emissions. There have been instances of land, not officially acquired under the acquisition scheme, used for dumping the overburden. This dumping has caused destruction of underground and surface water supplies and increased dust levels.

In general, Adivasi land titleholders in the Parej East mine affected area were compensated for their land, however many of those affected were residents without title and they were ineligible for compensation. An agreement between the company and villagers provided around 60 hectares for cultivation for an additional ten years after which time the company would acquire the land.

Resettlement and Rehabilitation

The Central Mine Planning and Design Institute at Ranchi prepared the Resettlement and Rehabilitation Action Plan (RAP) in August 1994 and determined that only 133 of the total 286 Adivasi were entitled to rehabilitation assistance.

Employment opportunities for mine-impacted people were found to be statement of options rather than intention; with 15 persons employed by the coal mining company and 118 entitled to self-employment assistance. Even after ten years of the mine operating the company had not put in place any structure or process to address stakeholder grievances.

Rehabilitation progress statements issued by the company did not tally with the pace of house construction at resettlement sites, hampered by long periods of inaction. Also, inconsistencies have been found in Project Affected Persons' records of agreement with the company and in some cases resettlement details are incorrect.

Transparency and Planning

Underlying the plight of the affected people is an inherent mistrust regarding genuineness of authorities to carry out effective social and environmental rehabilitation. Documents often fail to take note of the complexity that exists for the buffer zone villages straddling the impacts from different mining operations. Villages have been relocated in contravention of the plans and some villages are not included in the survey reports, giving the impression that they are not affected.

The World Bank's, Indigenous Peoples Development Project (IPDP) is viewed as obsolete because in most areas there has not been any rehabilitation. In addition there are inconsistencies regarding the baseline data of project components and reality on the ground.

The mining company conducted a socio-economic survey as per World Bank guidelines. The information gathered from mine-impacted villagers was used in the formulation of the company's rehabilitation action plan but it has yet to show positive impact on Adivasi socio-economic circumstances.

Environmental Issues

Environmental rehabilitation is commonly regarded as inadequate with widespread dumping of overburden that has covered the fertile topsoil and now land is only suited to tree cultivation. There is generally poor enforcement of air and water quality regulations and safeguards.

In five years, stream water in the region has become undrinkable and the ground water has subsided. Overall, land based activities have reduced significantly with the destruction of forests by resettlement schemes and environmental degradation caused by mining activity.

Social Issues

A key area of neglect has been the failure of the company and the state to recognize the intrinsic human rights of displaced people with appropriate or formal representation in the decision-making processes. In the absence of stakeholder input, inappropriate planning and poor understanding of the situa-

"...programs have fallen well short of promises"



Children in the opencast coal mine in Parej



Villagers removing soil and stone covering the coal seam at Parej

Continued from page 4 - Problems Faced by the Adivasis

tion on the ground has caused the failure of income generating schemes that has led to increasing levels of poverty for Adivasi in the region.

Intervention of CASS and Parej villagers

In 1982 CASS started working in the Charhi area among the Santhal tribals providing medical services before the impact of coal mining became apparent.

In 1990 they became a registered entity and joined forces with the Jharkhand Janadhikar Manch; a forum of Peoples' Movements and NGOs connected with tribal affairs. As a group they facilitate negotiations, provided reports and logistic services especially for

displaced people and projects that impact on tribal life and welfare.



Loading coal at Parej

“How can coal be an instrument in transforming livelihoods of local people?”

Chotanagpur Adivasi Sewa Samiti Aims (CASS)

- Help Adivasis improve, or at least regain their former standard of living and earning capacity, and integrate them with regional development programs
- Address flaws in mining company’s implementation of WB policy
- Research and implement viable income generating schemes for the Adivasi

Summary of Issues that Highlight the Plight of Displaced Tribals, 1995 Survey by CASS

- Adivasis have been involuntarily displaced and have lost their potential for economic development
- Displaced people have not being rehabilitated with land or employment
- Proposed income generating schemes lack feasibility and implementation unlikely
- Implementation is undermined by flaws in rehabilitation planning
- IPDP programs are considered ineffectual without impacting adivasi conditions
- Despite the facts, the displacement program continues

In this context, tribals are being violated by those responsible for their well being. Their rights to representation are denied and provision for consent ignored and they are now deprived economic participation. Their natural resources have been usurped and the wealth transferred to the national economy where they have no voice and are now left to suffer ongoing socio-economic marginalisation.

CASS Recommendations Submitted to CCL and the World Bank in 1996

- Action Multiple Impact Assessment of Parej East and its adjacent mines
- Clarify details of mine affected villages with special attention for hamlets marginal-ised by mining
- Follow WB rehabilitation policy and address inaccuracies in records
- Review IPDP and facilitate cooperation between programs related to implementing Adivasi resettlement and rehabilitation
- Address the need for meaningful income generating schemes
- Provide rehabilitation office at district level to facilitate link between government, Adivasi and the company
- Create positions for tribals representation in the IPDP
- Amend acquisition and development clauses in the Coal Bearing Areas Act 1957 to facilitate Adivasi participation
- Make changes to Coal India's Rehabilitation and Resettlement Policy to reinstate land-for-land and employment as a baseline in Adivasi rehabilitation
- Devise appropriate databases for gathering baseline information
- Focus on improvements in information sharing and project participation
- Perform consultation process with tribal leaders regarding sites of cultural significance

Evaluation

In 1996, CCL subsidiary, Coal India Limited (CIL) entered into the largest WB loan package worth nearly US\$600 million. The WB support was both for CILs coal mine expansion and to improve environmental performance.

Local NGOs used this changed climate to mobilise on behalf of the Parej East people, particularly with regard to CIL handling of adivasi resettlement and rehabilitation and its failure to comply with WB guidelines.

NGO actions resulted in the bank commissioning an in-house inspection panel to investigate the bank's role in the supervision of Parej East project. In June 2001, a formal

complaint was made to the World Bank inspection panel³ by CASS regarding Parej East.



Agricola Tola women being interviewed by the bank's inspection panel members

Despite the panel's investigation having clear conflict of interest, they found many flaws in planning and implementation for Adivasi impacted by the opencast coal mining project.

³ The Inspection Panel is a quasi-independent body created by the WB as a mechanism for holding the bank accountable for violation of its policies and procedures. The three-member Panel investigates claims brought by claimants for inspection.

Case Study No. 7, written by Gustav Imam, 2007

Continued from page 6 - Evaluation

The CASS complaint claimed the bank was in violation of its policies on:

- involuntary resettlement of indigenous peoples;
- environmental assessment;
- project supervision;
- disclosure of information; and
- management of cultural property.

Preliminary assessment substantiated the

complaint and the bank commissioned its Inspection Panel to investigate the bank's role in the Parej East mine.

The panel's final report listed over 30 violations of bank policy with another 10 issues of serious concern (World Bank, 2002).

The Bank management⁴ submitted a response regarding the panel's report to the Bank Board with suggestions for remedial action. The Bank's Board of Executive Directors approved the management response in 2003 (World Bank, 2003).

The report is not just damning of World Bank failure but also of the mining companies who have been on the scene in direct contact with the plight of the Parej East Project Affected Persons.

⁴ Management refers to Bank officials responsible for appraisal, reviewing, approving, negotiating and supervising the two loans.

Conclusion

The purpose of this case study has been to highlight the key issues raised by the Parej East case to inform a wider audience. In particular this case demonstrates how even the most oppressed society can have their voice heard by government and big business.

Parej east is one of the many mining operations financed by the WB in India but one of the few subject to intensive review. One can assume on the basis of this study, the pitiful situation of other coal mines in India that are not under such scrutiny.

Decades of mining for coal accompanied by industrialisation and urbanisation have already destroyed large parts of Jharkhand. Despite WB monitoring, new coal mines and thermal projects in the Hazaribagh and adjacent areas, are going to destroy more land and forests. Such projects are now threatening the economic, social and cultural survival of indigenous communities in hundreds of villages in the administrative districts of Hazaribagh, Ranchi, Chatra, and Palamau.

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Artisanal and Small-Scale Mining (ASM) in Asia-Pacific Portal <http://www.asmasiapacific.org>

ASM Asia-Pacific Case Study Series

This series of case studies documents concrete examples of equitable, effective, and sustainable local-level partnerships including small-scale miners or their communities as a guide to develop better policy and practice in the Asia-Pacific region.

The project has been led by Kuntala Lahiri-Dutt. The case studies have been edited by Joel Katz and designed by Rachel P Lorenzen.

Artisanal and Small-Scale Mining (ASM) in Asia-Pacific Portal

The ASM Asia Pacific Portal is the public interface of a loose network of individuals and institutions working on poverty eradication, development and livelihoods in Artisanal and Small-scale Mining (ASM) in the Asia-Pacific region.

The portal's mandate is to disseminate knowledge about ASM in the Asia-Pacific, to document best practice in community development and environmental management, and to promote fellowship and cooperation among stakeholders interested in poverty eradication and sustainable development.