

Situation Analysis and Claim Status

World Bank Funded East Parej Coal Project

**EAST PAREJ OPEN CAST MINES
MANDU BLOCK,
HAZARIBAGH DISTRICT, JHARKHAND**

**Environics Trust – mines, minerals and PEOPLE - Samatha
Supported by Global Greengrant Funds
2006**



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1.0 Background

India has a very large base of coal mining and associated thermal power generation projects and is on the verge of massive expansion¹. In the past, the World Bank has supported coal mining and power generation and accompanying environmental and rehabilitation programmes. Two of the World Bank funded programmes, the Singrauli Project and the East Parej Project, have been controversial because of the immense damage it has caused to the environment and many lapses have been highlighted in the rehabilitation programme. The efforts of several organizations forced the World Bank to field its Inspection Panel for investigation and the panel has indicted these project proponents for their negligence and has also recommended corrective measures. Now the implementation of these corrective measures is an issue of contention as there are signatures that these are not effectively undertaken.

This study which comes as a sequel to the efforts made by a numbers of groups to force the World Bank Management to adhere to the EIR review set up by the Bank itself. The principle objective is to investigate the current status of the environmental and social conditions and the status of the claims accepted by the inspection panel and compliance by the promoters.

a) Introduction to Parej East OCP: Parej East Open Cast Project (PEOCP) is located on the West Bokaro Coalfields of Hazaribagh area of the Central Coalfields Limited (CCL), a subsidiary of Coal India Limited. The villages affected by this project are in Mandu Development Block of Hazaribagh District in the newly formed Jharkhand State. The process of acquisition for PEOCP began in 1981 though it is only a decade later that the mine was opened formally.

Parej East Coal Field is in the Mandu CD Block of Hazaribagh District. National Highway 33 passes through Charhi 12 km away from Parej, which is 90 km from Ranchi and 30 km from Hazaribagh. The Bokaro River flows southeastward. Chutua nalla is situated to the northern part of the mine. It is in the southern sector of Parej Block, and will provide medium coking coal to the proposed Parej washery. A railway siding will be built from Dania station, about 21 km away, which is on the Barkakana-Gomoh railway line.

PEOCP is significant as it is sponsored by the World Bank under its ambitious Environment and Social Mitigation Project (ESMP). ESMP adds a new dimension to rehabilitation efforts, ushering in, theoretically speaking, an extensive use of consultative processes with project-affected people in the preparation of the various action plans. This would, as stated in ESMP outline, make rehabilitation not only visible and sustainable but more importantly would address itself to people's needs. ESMP sponsors 25 open cast mines of CIL in various parts of the country. ESMP consists of the implementation of the Environmental Action Plan (EAP), Rehabilitation Action Plan (RAP) and Indigenous

PAREJ EAST OPEN CAST PROJECT - OVERVIEW	
Name of the Project:	Parej East Open Cast Coal Project (PEOCP)
Cost of Project (Rs. Crores):	116.19
Time Schedule:	1999 - 2026
Date of Sanction:	March 93
Manpower required:	1195
Manpower so far engaged:	566
Mining method:	Truck & Shovel
Current Production:	0.35 million tonnes
Capacity:	1.75 million tonnes
Mine life:	27 years
Number of coal seams:	5 (Thickness: average 27.6m)
Ash content:	33.5 - 34.5%
Strip ratio:	2:7:1
Max. Quarry depth:	102 m
Coal destination:	Linked to Parej Washery
Coal Utility:	Coking coal to various Steel Plants
Name of Localities affected	PAREJ, DURUKUSMAR
Total Land Area required:	399.53 Ha
Land procured under L.A.Act, 1894:	69.97
Total Number of families affected:	138
Volume of Overburden:	100 M CuM

¹ Currently Thermal power contributes 78% of the total generation of nearly 100,000 Mw. An additional 100,000 Mw demand is projected for 2020.

Peoples Development Plan (IPDP) for each of the 25 mines. The settlements studied are Chanaro, Pindra (CCL rehabilitation site), Bairakh, Premnagar (CCL rehabilitation site), Tapin, Agariatola and Parej.

2.0 People Voices Today: A Picture of Pain and Resignation

We present here some testimonies from local people with our comments;

Rooplal Bhokta (Ganju), Ex Village Headman of East Parej (Living in Tapin south after displacement)

“ Pahley hum raja theye aab bhikhari ho gaya”

Earlier we were like kings now we are beggars

Rooplal Bhokta, used to be the biggest land owner in Parej before displacement. His family has 5 jobs from CCL as a part of the compensation package, yet his concern about present situation reflects the status of people in Parej and their self-perception. According to them, job by CCL can provide income till 25 years or so whereas agriculture was a support base for whole life. CCL's inability in providing a sustainable livelihood support base to community is evident.

Devanti Devi(Ganju), Village: Agaraia Tola

“ Mine blasting honay say dharti kampati hai aur kabh kabhi pather ud kar hamarey ghar pay girta hai aur hamarey ghar ki chat damage ho gaya hai, aur meri payer bhi damage ho gaya hai,par CCL naye koi muawaja nahi diya”

Fly rocks from mine blasting is causing damage to our home and people are regularly getting injured, but still CCL hasn't paid any compensation to us.

Agaraia Tola village lies within the blasting range of East Parej Open cast project (within 500m zone of blasting), simply shows CCL violating the Open Cast blasting Regulation which says “ no blasting should be carried out within 500m zone of community settlement” and at the same time CCL is turning a blind eye to people affected by blasting.

Kishan Ganju, Village: Pindra

“ CCL kay jabran jamin hatiyany key khilaf hamnay ladyi ki par Police aur CCL administration kay athyachar key agay jhuk gaye”

We started to fight against CCL, as they were forcibly acquiring our land but Police and CCL administration atrocities have broken us down

“If we raise our voice, CCL warned us to put behind bars”

Atrocities on PAPs by local administration and CCL management started with the forcible acquisition of Community land and are still continuing in the region. Affected community show their helplessness to raise voice against these inhuman behavior.

Jaikishan Ganju, Village: Pindra

“ Pahley khetin main kaam karkey 6 mahinay ka anaz aa jata tha ab tho bhuko marney ki halata hai”

Earlier six month of food was managed by working in other's agriculture land but now we are on the verge of starvation

Situation of landless people from Parej is worst, as their all livelihood support base is finished and now the only option left for them is to work in coal dumps, which provide an income of Rs 90 after 2 months of work. This shows the truth behind CCL claim of sustainable income source to PAPs through coal dump.

Babloo Majhi, Village: Bairak

“ Hamaray sarna sathal aur puja sathel ko barbad kar diye aur boltey hain hum en pay viswas nahin kartey”

They destroyed our religious places and all sacred tree, saying we (CCL) don't believe in it

Protecting the cultural property and admiring the religious sentiment of community seems to be the least priority of CCL in Parej. World Bank guideline to CCL for taking the concern and involvement of local community is completely ignored in Parej.

Kalesar Turi, Resettlement Site, Bairak

“ Aye din tumharey jaysay log survey sheet lekehye aatey hain aur kuch nahin hota, agli bar tumko kaat key phenk dengay”

Every other day people come with survey sheets and questionnaire but nothing happens for us, next time we are going to slay you and throw away.

Rameshwar turi, Village :Premnagar

“ Hamney sab kuch kho diya , jamin, ghar or log, ab tumhay kya chahiye”

We lost our people, we lost our land, and we lost our house, now what you (surveying team) wants from us

This shows community frustration on the entire process and provides a strong indictment on the repeated intrusion into their privacy and with no results. The indignity suffered by these processes is severe.

Niyamat khan: Village: Parej

“ Aaj sath saal baad bhi apnay compensation leney key liye mujhay court ka sahara lena pad raha hai”

Even today after 7 years of my resettlement, I still need to take help of court for getting my compensation.

Niyamt khan is the head of Muslim community in the Parej village and has filed a case in court against CCL for compensation release. This shows if community head has to struggle so much for compensation what would be the situation of other local community.

Ratho Ghanju, Village Pindra

“ wo hamarey leader, hamara sab kuch kahrid letey hain, batao ab hum kahan jayen”

They buy out everything, our leaders, tell us where should we go

CCL has been a bad influence on political and bureaucratic functionaries and have become the only other gainers from the resettlement process and not the actual PAPs.

3.0 Divided Families and Dismembered Communities

At present only Parej village comprising of four tolas Manji tola, Sunu ghutu, Ganjhu tola, Muslim tola are being displaced because of POECP. While Durukasmar village is still on the list of being displaced. The forest and agriculture land of this village has already been taken away by CCL thereby

Settlement (tola)	Household	Population
Majhi tola	20	103
Sunu ghutu	14	70
Ganjutola	17	98
Muslim tola	87	355
Total	138	626

cutting off their livelihood support, but they are not resettled.

	HH	Male	Females	SC	ST	Others
PAPs	626	324	302	30	21	87
Percentage	100	51.76	48.24	22	15	63

After being displaced from Parej, the villagers moved to different locations within the region. Details of this new resettlement configuration are explicit from the exhaustive list of villages where households from Parej are living.

Village (tola)	House hold	
	HH at time of shifting	HH now (after shifting)
Chanaro	3	4
Pindra (CCL rehabilitation site)	12	24
Dagdagia	4	6
Naniabeda	1	2
Phusari	5	7
Karmabeda	2	3
Birikhab kasiadi	2	3
Ulhara (janunia tola)	1	1
Bairaikh	10	10
Ghato	1	1
Sarubeda	2	4
Premnagar(CCL rehabilitation site)	6	9
Tapin	4	8
Agariatola	13	22
Parej	73	100
Total	138	204

This very clearly indicates how the community has been dismembered and the families have been split and grown over the years.

- **Nature of the Acquired Lands**

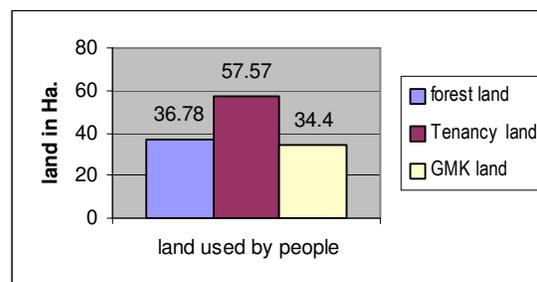
The PEOPCP involves acquisition of nearly 400 ha of land from the villages of Parej and Durukusmar. The total land acquired, *defacto*² from the Parej Village is as follows

Forest area	Land not available for cultivation	Pasture, grazing and cultural waste	Land in Direct Use of People	TOTAL
117.58	0.17	11.5	128.98	258.23
(45.53)	(0.07)	(4.45)	(49.95)	(100.0)

While the Forest Area also provided them with supportive elements, the land under the control of the people also comprise a third as forests, basically to collect NTFP.

The rest of nearly 90 Ha of land was used for agriculture.

The complication with the agricultural land is that a third of this land is technically a 'privatised common'



² Wherever large land acquisitions are made in India the areas, which are not recorded between different cadastral units, get included in the actual acquisition .

and cultivators do not have documents to establish their tenancy rights over these lands called 'gair mazurwa khas'³

- **Land Holding Patterns**

In Parej village out of total 138 household only 20 (14%) people was having land while rest 119 (86%) household were landless. These landless HH used to work as agriculture labour on landowner fields as well as worked as wage labour in nearby Tata colliery or other places in the vicinity. On an average at least 2 landless household were dependent on the landholders. Community and land distribution at the time of displacement was as follows:

Tola	Caste	HH	Landless	Landowner		
				> 3 acres	< 3 acres	Total
Majhi tola	ST	20	10	6	4	10
Ganjutola	SC	17	12	5	1	6
Muslim tola	M/ GE	87	86	1	0	1
Sunu ghutu	SC/ST	14	11	1	2	3
Total		138	119	13	7	20
Percentage			86%	65%	35%	14%

4.0 Promise of Jobs: (Compensation for agriculture land)

In Parej village, land for land was not given in compensation. Jobs and cash are offered as compensation.

"One Job per Family"

For every 3 acres of land 1 job + 25,000(average) per acre of land (Monetary value is decided on the basis of 1932 service settlement policy).

On what basis and with whose consent this policy was imposed is not clear to the local community which says that jobs will be given only to those families that have 3 acres or more land, or who have two acres of land in the case of those who either are matriculates or who have irrigated land.

Land is treated like any other commodity purchasable for a price determined by the market. Consequently, a land price in remote areas tends to be rather suppressed. Again, due to land transfers not being faithfully recorded in the official books for various reasons, the recorded prices tend to be low. Also, potential for future development is not taken into account in determining land values.

There are numerous social costs in land acquisition that are ignored: land is not just a purchasable commodity, for village people it is the very basis of their systems, their religion and culture, their way of life. It can never be replaced by money, no matter how much. The up rooting of agricultural families and the landless labour that depend on them, from their point of view is disinheritance, not development. Nothing in their culture or upbringing has prepared them for the trauma that this disinheritance causes.

- **Compensation Rate for Tenancy Land**

In spite of many efforts, it has not been possible to obtain any consistent figures paid as compensation for land. According to people in the area, initially they were fixed lower and with protests from the people it was subsequently enhanced.

SI No.	Land Classification	Initial Rate (Rs/Acre)	RevisedRate (Rs/Acre)
1	Tanr - 1	28000	50000
2	Tanr - 2	7000	12000
3	Tanr - 3	1750	3200

³ See Annexure

4	Don - 1	28000	34000
5	Don - 2	17500	NA
6	Don - 3	14000	25000

- **Problems Associated with such compensation:**

1. Three acres: In this way it favours landed and educated people, and very effectively cuts off large number of oustees who should get jobs, especially in this area where there are large numbers of marginal farmers and the majority are illiterate.

2. G M land not considered: Further, in considering the 3-acre level, consideration is made only for *rayoti* (tenant) land, not for the category of *gair majurwa* land, even though the tenant's family may have been in possession of the latter for decades. This fact effectively eliminates many more *bona fide* oustees.

3. Old land records: In deciding on the legal owner of rayoti land, the village *khatiyān* records are referred to. The last land survey of the District was done in 1910, and so the legal titleholder is normally somebody going back 3 to 4 generations. Today his land may be divided between 10 to 20 descendants, presently all legal holders of their inherited portion.

4. Joint family system: "One job per family" fails to acknowledge the common joint family system whereby there may be within one family four or five brothers each with their own families. A job may be given to one, leaving others without and causing

It is this "one job per family" compensation, which is being held out by CCL to the oustees to win their consent to leave their village and lands. It is also this, which is widely advertised as evidence of just compensation to the oustees.

The number of household entitled for 1 job on the basis of CCL policy and how many actually got it is as follows:

Tolas	HH more than 3 acres of land	Job given	Not given
Majhitola	6	1	5
Ganjutola	5	3	2
Muslimtola	1	0	1
Sunu Ghutu	1	1	0
Total	13	5	8

5.0 The Anatomy of Securing Consent

a) The Lure of Jobs: Villager told us that when the survey of the land was still being made, CCL people told them that there was "black gold under your village, and you will become very rich." The benefit to go to them was the securing of permanent employment in the mines. This employment, *naukari*, with the resulting economic security and access to consumer items that they see among others who already have *naukari*, was the great consent winner. All we have met were agreed that in the early days when the project began, they were given the expectation of getting jobs. This was the main factor in winning consent then and there was no opposition. It did not last. The promise of jobs was hedged in by a number of conditions that precludes a number of the displaced and affected persons. Consent turned to opposition.

"In the beginning, we were told that if we give up the land we would get jobs. But later we were told that only those who had 3 acres of land would get jobs. We felt cheated"

Also people to whom jobs being offered have to work for 3 years just at a salary of 2000/- per month (24,000/- per year). After that they might be recruited as permanent employee in the organization (7000/- per month). In most of the cases on a 3 acre of land almost 2-3 families were dependent, but only 1 job is offered to any of the two family. and hence the other family is facing the crisis for a living.

b) Buying out Local Leaders:By far the most common way of winning consent is by buying out the local leadership. It is used also when somebody stands out as offering any opposition to the project. Such a person is offered a contract to build some part of the construction work. The money involved is such that the offer is rarely refused, the work involved ensures that the person is away from his village most of the time, and the trust put in that leader by his fellows is destroyed. The opposition collapses.

c) The Lure of Contract Jobs: Besides the major construction works given out on contract, there is any number of smaller contract jobs for the supporting infrastructure. The making of roads, office construction, brick making, fencing construction, the houses in the resettlement colony, the material to go into to the workshops, and so on, are all given to contractors and sub-contractors, the *tekedars*. There is a whole *tekedar* culture, which plays a major role in CCL's work.

For one thing, these contracting jobs provide a welcome income for the many displaced people who do not get employment, immediately alleviating the loss of their traditional income. This relief is only temporal, but the fact is they are given something at the crucial time they might object to their displacement. When the time comes for the construction work to cease and they are left to their own resources, it is too late to object.

Displaced people shown their anger over CCL for giving all construction and related jobs to outside contractors and hence completely ignoring PAP. According to them not a single person for PAP is considered for construction labour work by CCL. They said for construction CCL contact outside big contractor, which can provide necessary labour (more than a single rehabilitate village population), so there are no chances of getting income out of CCL construction work. Hence they need to go looking for work in TATA colliery in spite of its distance of 8-9 km from the village, while CCL collieries are just 3-4 km from there place

The contractors or *tekedars* themselves are also crucial people in this play of events. They are often people who are old hands in the contracting business, generally not local to the area. They are ones who have the money to put down as security deposit, they are ones who are well practiced at muscling up labour, at controlling them while underpaying them, and the ones who are adept at the art of greasing official hands at the right time and with the right amount.

In the contractors' culture of which we allude, the winning of a contract entails heavy initial payments. Heavy initial payments require subsequent recovery of losses, which is commonly done in two ways. One is by the underpayment of wages to the unskilled labour. The most common ploy is to be well behind with payments, and when the contract work is complete, still with several weeks wages owed to labour either to close up and leave the scene, or to plead non payment of final cheque from the company because of failure to pay bribes. The uneducated labourers have no knowledge of the process of legal appeal. Even if they do, the complexity of the process, their social distance from government offices, the money required, the callousness of officials who are only happy to get the job done for the company and the ones who have really taken bribe - all ensure that this casual labour are a continual soft target.

d) Black Marketing of Coal: Another way of winning consent has been to open up coal depots for "local consumption". In reality this means providing casual employment to the people of the area and buying off local leaders by giving them access to the lucrative black market in coal. The local depot being supplied by East Parej is at Pindra, barely 3 km away on the northern side of the mine. It operates in this way:

A coal agent can order as many truck loads as he has "strength" (*taket*) for, which means: influence, good contacts, and cash down for the project officials. Further, under license for one truckload, he can normally bring in 4 truckloads to his depot.

In coal dumps provided to Parej displaced people by CCL, the loading is done by manual labour, who are organized into teams of approximately 15 people called *dangal*. Each *dangal* is given a token. For a single coal dump assigned to Pindra, Prem Nager and present PAP areas there are 120 *dangals*. Token system is followed for allotment of trucks to different *dangals*, and on an average each one gets a truck to load after every 2 months. The amount given for single truck is 1500/- (approx) and hence a family gets 90/- for every 2 months out of these coal dumps.

A coal buyer taking coal from the depot will normally have a license, issued by his local Supply Officer, to sell in one of the nearby towns for home use. For every 3 or 4 trucks he will take out for this purpose, it is alleged that one will go for its licensed purpose, the others will be shipped, often interstate, and sold in the lucrative black market.

Further it is alleged that the Police is in collusion and every police station the truck passes on the way, he will pay Rs 500. The owner of the truck "fixes" it with the police before, so that his driver is not harassed on the way. A police station might have 25 -30 coal trucks passing it on the way. A truck load of coal on the black market fetches about Rs 15,000. The truck owner would spend about Rs 6000 per truck load, giving him a profit of approximately Rs 7000.

There are more laborious ways of living off the racket for the smaller people. Workers in the project, employed by CCL or by contractors, are allowed to take home for their own domestic consumption, a load on the back of their cycles. No record of this is kept. It is one a day, maybe more if a person is ready to take on regular coal running. A gunny bag of such coal is sold at depot for Rs 20.

CCL officials are reluctant to give details of amounts of licensed coal going to the Pindra. One, Pandey's collusion with CCL is proverbial in the area, hence the necessity of paying off other party leaders. Co-opting is cheaper than party struggles. The sale and the "tax" imposed provide a healthy income for the political party, and enables them to keep their political hold over the area. It also provides unspecified income for the CCL officials. Most important, the relationship between the two enables CCL to buy the basic control in the locality so that they can go ahead with the project without any powerful opposition.

6.0 Condition of Promised Amenities

Apart from securing jobs, CCL has been advertising the amenities of the proposed colony for the displaced persons (access road, electricity, community house, dispensary, school). CCL has provided claims that almost all infrastructure in Pindra and Premnagar village like community hall, primary health centre, primary school, well have been provided, but most of them are inoperational.

Pindra		
Facility	No.	Remarks
Community hall	1	Community does not use it, used as a house instead.
Primary health center	1	No doctor provided, community themselves manage it.
Primary school	1	No teacher provided, community arranged for teacher
Source of drinking water	1 hand pump 2 wells 1 private well acquired by CCL	Hand pump water is highly polluted, and not in service. 1 well has no water in it. 1 well is polluted and contains lot of dust and unhygienic for villagers. Hence only source of drinking water is on which is acquired by CCL.

Premnagar		
Facility	No.	Remarks
Community hall	1	Not used by community
Primary health center	1	No doctor provided
Primary school	1	No teacher provided, used as a house instead
Well (source of drinking water)	1 well	Polluted and contains lot of dust and unhygienic for drink

Situation is worst in other places, for example in Agariatola village, which is just 300 m from east Parej O/C mine, the only source of drinking water is 7 km away from the village and that too is private well. For both they are total relying on water collected in mine area. (many people are faced with problems of skin diseases). Agariatola was not on the map of displaced villages, and were assured that they would not be affected. They even came under the Bank's Environmental and Social Mitigation project, meant for development assistance for villages in the areas surrounding the mine. They were given aid in the form of "renovation of a pond, 6 months adult education classes, and motivation against alcoholism and development related consultancy"

But what has happened is, to save money that would be spent in rehabilitating these eighteen families, CCL has decided not to mine under the houses. The mine will run around the edge, leaving the houses. To save money, it will leave the houses, but will destroy the fields. And it has destroyed the water table, leaving the well as it is now, with dirty, shallow, stagnant water. The mine has now come to within 80 metres of the well. Similarly for Tapin village the only source of drinking water is one well, which is highly polluted because of its closeness to Tapin colliery.

7.0 Poor Compensation for house

The project had offered land of 200 sq.m. on any of the two rehabilitation sites (Pindra and Premnagar) or Rs 50,000 per family. However, interviews with people from Pindra and Premnagar, people reveal that they were given only Rs 7000. Many have either taken loan or used up all resources to build their current shelter. The cost incurred in building new house is between Rs 35000 and Rs 50,000.

8.0 Non Payment of Subsistence allowance

In case of those land loser who are not able to get any employment because of low land holding, a subsistence allowance at following rates for 20 years is payable:

Subsistence allowance of 400/- per month for people for losing 1 acres of land, and 1100/- per month +300/- per month per acre for people who lost more than 1 acres of land

But till now no amount is given to any PAP. In fact people are simply unaware of any such allowance. Even if some are people who have been deprived of their assets and have been forced to turned into daily wage labour are not in position to collect it. Further they said they won't even try for that, because they know that 10% "commission" will be charged by every clerk on the way out of the compensation office.

9.0 Lack of Concerted efforts in Generating Self-Employment

The much-hyped self-employment training has failed. Lack of continuous monitoring and funds to invest, no effort to secure proper market linkages and poor training and fundamentally a lack of seriousness from CCL official in providing training is the main reason of its failure.

" One training officer for self employment training said, take these training as picnic for you"

10.0 Preliminary Evaluation of Economic Impacts on the Displaced Communities

- **Loss of Produce for Self-Consumption and Cash Income from Sale of Agricultural Produce**

Impacts from loss of agriculture are the most severe and have affected the families to a great extent. This is true even of landless families.

According to the displaced, every acre of land was capable enough to support the landowner's family for 6 months besides employing a landless family for 3-4 months. But now since land is taken over by CCL both are facing problem to earn.

For the purposes of analysis we take a 3-acre farm, as this is the cut-off norm for getting a job with CCL.

The normal pattern is to grow rice, maize and some vegetables. Vegetables were largely for self-consumption, while rice and maize were for self-consumption as well as for sale in the market. Out of these produce, some quantity was also given to landless labour. Cash income for a wage of 30-40 /- per day.

Crop	Acres planted	Production (Tons)	Self Consumed (Tons)	Sold	Margin on Sale	Cash Income (Rs)
Rice	2	6	4	2 ton	1200/ton	2400
Maize	1	2	1 ton +60 kg	40 kg	5/kg	200
Vega	½ acres	1	All	Neg.	5-6/kg	
Total Cash Income						2600
# Estimates for 3 acres of land			# all figures are approximate figures.			

Hence for the Agricultural Land Holder lost his food security and is deprived of nearly Rs 2500-3000 he earned additionally as cash. The expenditure incurred on the basic food items currently is between Rs 6000 – Rs 7000. Thus annually on agriculture alone the displaced loose annually Rs 8500 – Rs 10000.

- **Income from Working as Labour**

Even while practicing farming the displaced used to work as casual labour in mines or construction. On an average a landowner family would go for 100 days for wage labour when the work on the farm is no heavy. A landless families used to go for 150-170 days (say 160 days) for wage labour of which around 80-100 days (say 90 days) they work as farm labour. Wage rates were almost same for construction and mines at Rs 50 per day while agriculture wage was around Rs 40 per day. Thus a land holder was earning about Rs 5000 as wage labour while a landless was earning Rs 8000 – Rs 10000.

The current incomes for landowner and landless families are as follows.

Nature	Labour days	Wage (Rs)	Amount/year (Rs)
Mining/Construction	160 days	50	8,000
Coal dump (CCL)	6 times/year	90	540
Total			8540

- **Income from forest**

Much of the life of the villagers is centered on common property resources (CPR). These include fields that are left fallow even in the monsoon for the grazing of animals, roads, wells, compost heaps, rivulets and water tanks for bathing, drinking places for the animals, jungle for minor forest produce. These are as essential for living as are basic facilities for urban dwellers. There are supplies of all of these in or near the villages concerned. There are also traditional cultural and religious places such as *sarna*, *mandap*, burial ground, cremation ground, *akhara*, *mahavirsthan*, temple and mosque.

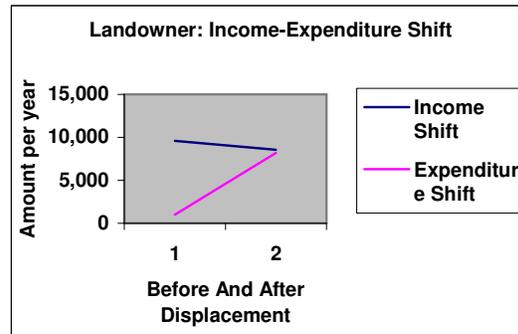
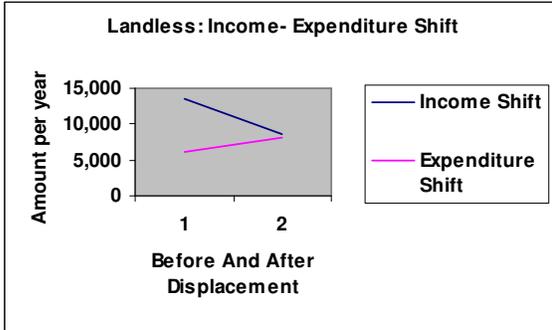
Parej people also were collecting NTFP from forest, some of them are Mahua, jhadu, karil, kanusag, khukhadi, Manu sag, etc., but except mahua every other NTFP is collected for the purpose of self-consumption. Mahua is the only alternate source of income for them. They used to sell mahua either to local villagers or in the local markets fetching them annually Rs 2000.

Now, on an average a family has to spend Rs 2000- Rs 4000 on purchase of these NTFP, which were earlier free from the forest. Earlier selling of mahua was also used to add to their annual income. Instead of adding to their kitty, it is taking money from them.

- **Conservative Estimate of Income and Expenditure Shift**

A conservative estimate has been made of the income and expenditure changes due to displacement of a typical land holding and landless family.

Conservative Estimate of Income and Expenditure Shift				
	Before Displacement		After Displacement	
	Income	Expenditure	Income	Expenditure
Landless HH	13,600	6,200	8,540	8,200
Landowner HH	9,600	1,000	8,540	8,200



After displacement, the annual fall in the net incomes for landowner families is around Rs 8,260, while for landless families its Rs 7,060. As net cash flow has gone down, the indebtedness of both the communities has increased. At earlier time, loan used to be of very small in nature and that too is being taken within the community, but because of the loss in incomes commercial loans with heavy interest rates (approximately 50-60%) are taken..

A self-dependent community earlier, the displaced are now looking towards external agent like a pawn-broker, *mahajan* for running normal life. This displacement has increased indebtedness within communities and forcing them to fall into the debt-trap. That's why one of them said;

“ Forget about community hall, school, health center provide us food to eat”

11.0 Evaluation of Environmental and Social Impacts

While detailed analysis of the Environmental Impacts is needed we highlight some of the critical aspects;

- **Impact on land**

In any open cast mine, huge amount of land is needed for mining as well as over burden stacking. In Parej the land which used to be an agriculture land providing income and livelihood to people is now turned into a huge pile of dumps and pit holes. Such unkempt dumping without any proper topsoil conservation plan and regeneration action plan, it leads to greater devastation of surrounding areas. Along with destroying the scenic beauty of the area, these huge piles of dump are completely destroying the regeneration capacity of Parej.

In CCL EMP plan there is a provision of providing guarding sump around the over burden dump, so that any accumulating in these guarding sump can check waste or soil erosion from these dumps. In reality, CCL doesn't seem to invest money or attention on these aspect. Mine waste collected during overburden removal is simply strewn and allowed to seep into underground water aquifers.

Lack of proper regeneration is to everyone to see in Parej. Huge pile of these overburden dumps are left without any action taken and whole area is covered is barren or with weeds, which are of no economic and for that matter any sort of use to surrounding or affected community. No consultation with PAPs or local community is done by CCL for chalking out any specific plans to generate local species on these overburden dumps have been ever attempted.

- **Impact on forest and wild life**

In Parej whole forest land is being deforested, giving barren land looks to once a rich forest zone. Strangely, preparing the forest land for mining operation involves strategically deforestation of the area so that questions are not raised on the forests. In Parej the only technique which CCL seems to be using is deforesting the whole area.

For local community, forest holds not only the aesthetic values but a very important position for economical and cultural aspects. Forest provides alternate income source to community by means of NTFPs like Mahua, bamboo, etc. and also holds a very basic cultural affinity, especially to the tribals living in these zones. Deforesting the zone leads to completely denial of this alternate income option source as well as a direct onslaught on their culture.

Along with flora, fauna in the region is also affected because of these mining operations. Many species like Tendua (leopard cat), wild boar etc and couple of bird species, which were a common sight earlier are now simply either dead or migrated out of this huge disturbance zone. CCL people seem to be simply blind or unaware of any such impact of mining on wild life. When communities try to confront them, they said we are here to mine and not for wild life conservation. This statement itself shows the inclination of CCL toward forest, wild life or community.

- **Impact on local atmosphere and Water resources**

High rate of death and people suffering from different skin problems, itself gives a clear picture of general atmosphere and water contamination story of the Parej Block. After mining started in the region, malaria incidence has increased. Water resources in the region and wells provided to PAPs in Pindra and Premnagar blocks are found to be highly contaminated and unhygienic for drinking, and scarcity has aggravated the problem for them. People in Parej are left with no other option but to use these contaminated and unhygienic water sources for drinking and water collected in mine pits for bathing, resulting in higher rate of skin diseases in the region.

Mining operations in the region, along with affecting the general surface structure of the region by means of huge overburden dumps and pit holes like lunar craters, is also disturbing the underground as well as stream flow in the region. This disturbance results into collection of water in mine sump or pit holes created by abandoned open cast mines instead of flowing into natural ponds or streams.

No coal mining operation anywhere can provide pollution free atmosphere. Therefore it calls for effective pollution control techniques and environment management, but Parej seems to be oblivious. Disturbance due to noise and air pollution are prominent in the region. Trucks loaded with coal with huge fog of dust, coal ash and coal dust is a very common site in Parej and when these coal loaded trucks take the path which is close to a habitat the reason of high rate of disease within community is not too far to seek.

- **Tribal Cultural Sites**

Government of India guidelines has provided special provision for the tribal cultural system in their rehabilitation. A brief sketch of the situation highlights the impact of the loss. The *pahan* is the tribal priest who performs the nature rituals of the people at the key festivals of Sarhul, Karma and Soharai. These rituals are celebrate in the *sarna*, or sacred grove of trees, a cluster of virgin jungle that the tribal have left untouched since the time their ancestors first cleared the jungle to make their fields. It symbolizes the very identity of the tribe. The sacred person of the *pahan*, the sacred place of the *sarna* and the sacred rites at key times of the year enacting the myths of the tribe, are the anchors to the tribal meaning system, that by which the village relates to nature, to the tribe, and to the Ultimate. The *akhara* is a clearing in or near the village used as the meeting place and dancing ground. The *sansan* is the burial place beyond the village in the forest. Traditionally, in the absence of written documents, till the arrival of the British and the introduction of the landlord and private property system, the burial ground of the ancestors showed that the tribe had cleared the fields of the village and it was proof of their ownership. These sacred places and persons are physical manifestations of the whole tribal mythology, destroy them and the tribal culture and system disintegrates. There were one 'devasthan' in Parej, one 'Sarna' place in Parej. Including this, there was one mosque and one temple in Parej. These social, economic and religious infrastructures are all destroyed by CCL

- **Other Social Issues**

In spite of being surrounded by forest, these people are not allowed to take NTFP and especially Mahua from the forest areas by people living in the adjacent villages. The entire forest is used collectively by people who are living over here and hence any outsider like PAP cannot collect NTFP especially mahua (which is the biggest collection priority for every villagers) from these forest area. It is difficult even to access drinking water as Shohadri Devi from Agariatola says this poignantly;

“ Aab pani aur Mahua leney bhi 7 km dur jana padta hai aur baki jan boltey hain , tumnay apna ghar aur jamin bech di tumhay pani nahi milega ”

Now we need to go 7 km to get drinking water and when we go to get drinking water from others well or mahua from forest, people say, you sold your mother (land) to CCL you either don't deserve it or will get the last drop.

This statement itself shows the truth behind CCL claim of providing all necessary amenities to PAPs . The social and communal isolation people of Parej because of CCL 's acquisition of their lands is real and unfortunate.

Babloo Majhi of Bairak reflects upon the community life and says;

“ aab thoyhar mananey ka maan nahi raha hai kyunki ab samudayik jewan kharab ho gaya hai”
We are in no mood to celebrate festivals as the community life is disrupted.

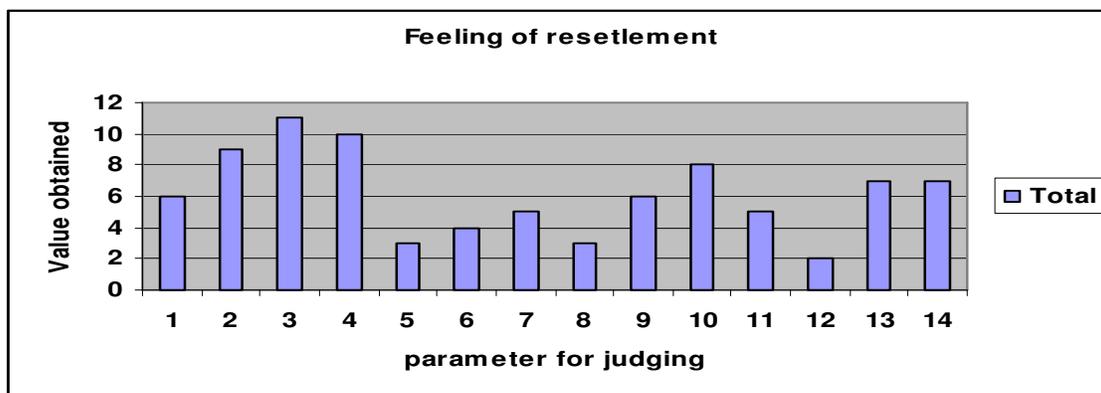
Cultural association has declined because of their separation from each other, their forests and sacred places because of displacement.

- **Feelings about resettlement**

We asked the people about their feelings regarding displacement and resettlement. They need to give response within the range of values 0-5, were (5 signifies happy with resettlement and 0 signifies very affected or worried by resettlement). These are given in below table.

Village	01	02	03	04	05	06	07	08	09	10	11	12	13	14
Chanaro	0	1	2	0	0	0	1	0	0	0	0	0	1	0
Pindra	1	2	4	2	1	0	0	0	1	2	1	0	1	2
Bairaikh	2	3	2	0	1	0	0	0	1	0	1	1	0	0
Premnagar	1	1	0	2	0	0	3	1	2	2	1	0	3	3
Tapin	0	0	1	2	1	1	0	1	1	3	0	1	0	1
Agariatola	0	0	0	3	0	2	1	0	1	1	1	0	1	0
Parej	2	2	2	1	0	1	0	1	0	0	1	0	1	1
Total	6	9	11	10	3	4	5	3	6	8	5	2	7	7

01:happy, 02:fear of future, 03:hope in new life, 04:anxiety about getting a job, 05:helplessness, 06:separated from relatives, 07:where to graze cattle, 08:where to get firewood, 09: Where to do sarna puja, 10:where cremate/bury dead, 11:ancestors sacred places? 12: what to eat without crops & mahua, 13: what will happen to children, 14: Reception by host village.



Over here low value (0) signifies extremely worried about the situation and higher value shows happy (5) about the settlement.

From the table its clear that villagers are extremely worried about food to eat as it gets the lowest value (i.e., 2), then came there worries for getting firewood as forest land is also been taken away and they rely dependent on coal which they need to buy from market or illegally mine it out from nearby abandoned coal mines. They feel help less about the situation and really worried about separation from relatives.

Top 5 ranking of Worries on the basis of these values are as follows

Rank	Worries	Value
1	What to eat without crops & mahua	2
2	Where to get firewood, Helplessness	3,3
3	How to cope with separation from relatives	4
4	Where to graze cattle, ancestors sacred places	5,5
5	Where to do <i>sarna</i> puja	6

12.0 World Bank Task Matrix

In the context of the World Bank policy a matrix has been drawn up reflecting the situation.

World Bank Policy		CCL response	Present situation
Compensation package			
OD:4.20 Indigenous Peoples OD:4.30 Involuntary Resettlement Land, housing, infrastructure and other compensation should be provided to the adversely affected population, indigenous groups, ethnic minorities and pastoralists who may have usufruct or customary rights to the land or other resources taken for the project	Disbursement of Subsistence allowance to PAPs in East Parej	According to CCL RR policy: Subsistence allowance of 400/- per month for people losing 1 acre of land , and 1100/- per month +300/- per month per acre for people who lost more than 1 acre of land	But till now no amount is given to any PAP. In fact people are simply unaware of any such allowance.
	Compensation for Land	Promise of Jobs: (Compensation for agriculture land) "One Job per Family": <i>For every 3 acres of land 1 job + 25,000(average) per acre of land (Monetary value is decided on the basis of 1932 service settlement policy).</i>	Out of total 13 families, eligible to get job in CCL only 5 are given job and for rest CCL claims to provide them alternate earning option from Coal dumps but family gets 90/- for every 2 month out of these coal dumps.

World Bank Policy		CCL response	Present situation
	Compensation for House	Land of 200 sq.m. on any of the two rehabilitation sites (Pindra and Premnagar) or 50,000/- per family.	Out of total 138 PAPs. Only 18 are the occupant of rehabilitation sites provided by CCL. Rest chosen to move to other places considering the unhygienic and inappropriate conditions at the rehabilitation sites.
	Rehabilitation site condition	Apart from securing jobs, there has been the advertising the amenities of the proposed colony for the displaced persons (access road, electricity, community house, dispensary, school) at the rehabilitation sites i.e., Pindra and Premnagar	CCL has supposedly provided almost all infrastructure in Pindra and Premnagar village like community hall, primary health centre, primary school but most of them are lying idle or facilities are not given.
OD 11.03 Management of cultural Property	Protection of cultural property of indigenous people	CCL guidelines has provided special provision for the tribal cultural system in their rehabilitation	There were one 'devasthan' in Parej, one 'Sarna' place in Parej. Including this, there was one mosque and one temple in Parej. These are all destroyed by CCL
OD 4.01 Environmental Assessment (EA)	Water quality at Resettlement sites	CCL is to provide all to the proposed colony for the displaced persons (access road, electricity, community house, dispensary, school) at the rehabilitation sites i.e., Pindra and Premnagar	Situation is worst in these places, for example in Agariatola village, which is just 300 m from east Parej O/C mine, the only source of drinking water is 7 km away from the village and that too is private well. For bath they are total relying on water collected in mine area. (Many people suffer from skin diseases).
	Reclamation of mine land	Miner reclamation plans will be followed	Overburden dumps are left unattended causing degradation of water sources and environment. Instead of cultivating proposed plantation on over dumps, it's left for weeds to grow. Mismanagement of tops soil is prominent in region.

A brief note on land ownership patterns and regulations will be helpful, as they tend to be very complex. Several factors contribute to this. There are different acts for tribal lands. In the tribal areas of Chotanagpur (of which Hazaribagh District is part) the Chotanagpur Tenancy Act takes effect, with special provisions for tribal land ownership, which is non-transferable. Notwithstanding these complications, a simplified summary of tenure is attempted here. It is important background for understanding dissatisfaction regarding compensation for land.

On the basis of ownership and control, there are three categories of lands:

Forest Land: The Forest Department is the sole custodian. The distinction between reserved and protected is not of significance here, as both come under the Forest (Conservation) Act of 1980, and require compensatory afforestation in lieu of land acquired for the project. It should be noted however that as the forest, even when depleted, is a major source of livelihood for village people; its acquisition deprives them of a major source of income, a loss that is nowhere given official recognition.

Tenancy or *rayoti* Land: There are many categories of tenants or *ryots*, the most significant for our purpose being the *kathiyani* tenant, the one whose name is entered in the record of rights, the *kathiyani*, prepared by the last settlement survey operations. The last settlement survey in Hazaribagh District was made about 1910. Evidence of a tenant's ownership of land is threefold: his name on the *kathiyani*, the possession of revenue receipts, and physical possession of the land.

In the event of the death of the *kathiyani* tenant, the land generally passes to his male descendants. If they cease to work the land together and divide it (*batwara*), this fact is registered in Register II of the land revenue records. If a tenant sells his land, this likewise is noted in Register II where mutation or *dakil karij* is done. However, village people often do transactions without registering, and so even the Register II will not always be up to date. To ascertain the actual land situation of land in a village it is always necessary to ascertain both from the Register II and the *defacto* situation from the people.

The last Revisional Survey was eighty years ago, the names on the *kathiyani* are not up to date. Three generations have passed, the land has been divided among innumerable descendants, and there are precious few records of this. (It is strange that no updating settlement survey has been done in Hazaribagh-Chatra Districts when they have been done in other neighbouring districts.). When compensation money is to be given for land, to whom is it given? When one job is given on the basis of three acres, to whom is it given? The ingredients are all here for bitterness and dissension.

Gair Mazurwa Land: This literally means "vacant land", and is land that at the time of the settlement was not registered in the name of any tenant. However, it does have its own special registers which contain full relevant details with regard to trees on it, fishing rights if it is a pond, and what the land is used for if at all.

There are two categories of GM land, *aam* or public, and *khas* or reserved. *Aam* is what is for common village use: roads, drains, places of worship, graveyard, grazing lands, etc. It is inalienable.

In the absence of any tenant, G.M.Khas is considered government land. It is common practice that in the course of time village people clear and plough this vacant land for agriculture, particularly if it is adjacent to their own tenancy land. They thus become *de facto* tenants without settlement *patta*, and are called *sikmi ryots*. If however the occupier gets possession with the permission of the local revenue office, he becomes a *kaimi ryot* or settled tenant, and the tenant has full occupancy and settlement rights.

This latter case of becoming a *kaimi ryot* is rather a long and laborious process. Application is made to the Circle Officer at the local revenue office (*anchal*). The application is sent to the District level "in the course of time". (This means many visits to the *anchal*, and that, for village people, means repeated long journeys on foot to the office. It also means perseveringly persuading the Circle Officer to "move" the file, and that means

payment of money.) At the District level, again in the course of time, it is approved or disapproved by the Land Revenue Deputy Commissioner. It is then sent back to the CO, who orders the panchayat revenue collector (the *karamchari*) to make the necessary changes in the registers and to start cutting receipts. He does so, again in the course of time.

In cases of dispute over ownership of such land, favour is given to a tenant who has his own *ryoti* land adjacent to the G.M. land, but in all cases it is the person who is currently ploughing the land who has prior rights. The customary law of "adverse possession" also comes into play: a person, who retains physical possession (*dakal*) over land for twelve years (for thirty years in scheduled areas of the Chotanagpur Tenancy Act) even in the face of settlement by another party, can by law claim occupancy rights. It is this principle of "adverse possession", the fact that they have made and developed the fields that is paramount in the minds of the people in claiming rights over long occupied GM land. Hence to refer to them as "encroachers" is inaccurate.

In actual fact, villagers who occupy and develop GM land are considered to have rights over the land, though rarely will this land be settled in their name. This is so for a variety of reason. One is ignorance of the land laws. Another is the desire to side step payment of land revenue. Another, and most common, is that when *bona fide* applications are made to the local Circle Officer, as mentioned above, the payment of bribes and the constant trips to the office to get the work done make it not worth the effort.

It is this *bona fide* occupancy of GM land for many years and the failure to get any compensation for it that is causing most anger among village people. According to norms in practice for many years, they are undisputed occupiers of this land. Among the weaker farmers, this can sometimes comprise the greater part of their land, and hence of their income. On hearing of intended requisition of their land, they have made special efforts to get it settled, have often paid money for this, only to have the process stalled and eventually be told that settlement is no longer possible because of proposed coal mining.

Other relevant categories of land are:

Pahanai land is land that belongs to the village as a corporate body, and is inalienable. It is given as service tenure to the *pahan* or the tribal village priest. This is in return for his religious services to the village. This land does not go to his descendants, but to whoever succeeds him as *pahan* of the village.

Bhudan land is surplus land that has been given by the former zamindars to a Bhudan Committee, which settles the land for agriculture purposes, the first preference being given to landless people.

Battaidari land is that which is given actual landowner to sharecropper for share-cropping. The usual system is that the land-owner provides the seed for planting, and sometimes fertilizer. The crop is shared on a half and half basis. The arrangement made is a verbal one between the two, but it has strong binding power. The landowner cannot arbitrarily give the land to another sharecropper; it reflects the strong relationship bond that exists between a landlord and his Kamiah. This system is relevant in the current scrutiny of compensation for land. Some people have been sharecropping for many years on the owner's land of others, and this has been the source of their livelihood. According to law they have no right for compensation, the fact is, and they feel it very intensely, they are being deprived of a source of livelihood, one that is not recognized as existing in official circles.

Bandaki land is land that is given in mortgage, and can be legally or not. Village people usually don't bother with troublesome and expensive court formalities and instead make binding agreements among themselves. The compensation rules do not recognize such transactions.