



**DISPLACEMENTS WITHIN THE FRAMEWORK OF
ENVIRONMENTAL AND CLIMATE JUSTICE:**
CONCEPTS, DEBATES, AND CASES

6/8

Mining-Induced Displacements in Chhattisgarh, India

India is the second leading country in global coal production after China. The total amount of coal excavated across India in 2021 is 771 million metric tons.¹ The ruling Modi government is expected to increase the yearly coal production to one billion metric tons by opening 55 new coal mines and expanding the existing 193 mines by 2022.² Considering the coal mines that the Indian government plans to open all across the country, it appears that the country will not easily give up its position as the world's second coal producer.³ The effects of coal production and consumption in the country on the growth of the climate crisis are undoubted. On the other hand, the coal industry causes devastating ecological and social destruction and intense climate injustice in many regions of India. 93% of all mines across India are operated as open-pit mines, where ecological destruction and changes in soil use are at the highest level. As a result, several ecological destructions, such as ecosystem and biological diversity disruptions, deforestation, and pollution of soil and waters, intertwine with social and economic problems. People who live in coal regions are losing their houses, lands, and livelihoods and are devoid of their right to live in a healthy and clean environment. All across India, many people are displaced short term due to the coal industry; as for the rest, due to the emergent ecological and social destruction, their living spaces are under threat in the mid and long term.

The states of Chhattisgarh, Jharkhand, and Odisha, where 70% of the country's coal reserves are located, are the regions where social and ecological destruction is the





most extensive and intensive. The majority of the population in these states, where coal mining prevails, are poor, constituted by disadvantaged groups with limited access to health, education, and other services. For example, the traditional living spaces of nearly one-fourth of Adivasi indigenous communities, whose total population across India is 26 million, stand within the borders of these three states. Although Adivasis' rights and cultural existence are protected by law, which grants them special status, they are exposed to several economic, social, and cultural injustices in practice. This situation also makes them vulnerable in the face of social and ecological risks caused by the coal sector. Besides, several poor small farmers in these states are also similarly affected by

coal sector-induced displacements, destruction of living spaces, and ecological disruption. The direct and indirect displacements in the short and long terms that Adivasis and poor small farmers are exposed to in the Korba region of Chhattisgarh state reveal the environmental and social injustices that coal projects cause.

The Korba region, located in Chhattisgarh state, is India's largest coal production area. 16% of the total coal production in India takes place in coal mines in Korba. 95% of the coal produced in the region is excavated in three large open-pit mines Gevra, Kusunda, and Dipka. The remaining 5% is produced in smaller two open-pit and eight closed-pit mines. In addition to the coal mines, there are coal-fired thermal power plants, whose total production capacity is 6428 MW, and coal washing, storing, and transportation facilities. All these coal facilities and the industry that has expanded based on coal make up 60% of the Korba region's GDP (gross domestic product).⁴

Korba is also one of the regions in India where poverty is prevalent and prosperity is low. 41% of the population in the region, constituted mostly by Adivasis, live under the poverty line. 32% of the population who are faced with multidimensional poverty have either restricted or no access to education, health, and other essential services.⁵ The monthly income of two-thirds of the population in the region is under 10,000 rupees (as of 2022, around 132 dollars). Only 7% of the households in the rural areas have access to utility water; in the cities, this percentage is estimated to be between 32 to 55%. In only 35% of the households, the energy used in cooking is derived from resources which do not directly pose a threat to human health.⁶

The activities of the coal sector in the region further deepen this poverty. As in several coal regions worldwide, the coal sector in Korba also dominates the local economy. However, it cannot be said that the coal activities correspondingly increase the local inhabitants' prosperity and income levels. Only 10% of the local inhabitants maintain their income by regularly working in the coal sector. On the other hand, other informal jobs related to the coal sector require low-wage, precarious, and irregular work. The majority of the local inhabitants earn their livelihoods through agriculture, forestry, and fishery. Around 20% of the land is used for agriculture; 64% of the labor force works in the agricultural sector as farmers, agricultural workers, etc. 40% of the households in the rural area have ownership of their land. Nearly all of the agricultural lands in the region where small land ownership is prevalent are

Nearly all of the agricultural lands in the region where small land ownership is prevalent are comprised of small plots of two hectares or less, described as “marginal land”.

comprised of small plots of two hectares or less, described as “marginal land”. In the region where watering and technology opportunities are scarce, the income earned from agriculture is meagre, and agricultural activities are subsistence-oriented rather than profit-oriented.⁷

Chhattisgarh also has quite a rich ecological diversity and ecosystem. Within the state borders, 45% of the land is forestlands. Around 40% of the forestlands are under protection. The region has three national parks and 11 wildlife protection areas.⁸ The ecosystem services in these areas are an essential source of livelihood for the local inhabitants. Part of the income of around 44% of the households in the Korba region depends on forestry activities. The forestry activities, undertaken using traditional methods, are one of the primary sources of income of Adivasi indigenous communities, in addition to agriculture. On the other hand, since forestry activities are seasonal, most households have to secure income from multiple jobs. The destruction of forest areas and ecosystem by the coal sector causes the local inhabitants, primarily indigenous communities, to lose their livelihood. The coal sector’s contribution to the local economy is minimal, yet it leads to extreme poverty, eradicating livelihood sources through the destruction and pollution of soil, forests and water resources.⁹

Among the chief injustices caused by the coal mines is the loss of lands and homes by indigenous communities and small farmers through displacement. Kusmunda, one of the most important coal mines in the region, is a striking example of this. Kusmunda is the second biggest coal mine in the region and has the capacity to produce 50 million metric tons of coal per year. Around 80% of the coal activities across the country are operated by South Eastern Coalfields Limited (SECL), incorporated by the public corporation Indian Coal Limited (CIL), the world’s biggest coal mining and operation company. The open-pit coal mine, which started operating in 1977 with a 10 Mt capacity, became one of the largest mining companies in India today. Each expansion phase of the mine added to the environmental injustices and displacements in the region.



The first capacity increase of the Kusmunda mine took place in 2009. The mine site was expanded to increase the capacity to 15 Mt; the lands in five villages (Risdi, Sonpuri, Pali, Padania, Jatraj), where around 3600 people lived, were expropriated. The company increased the annual capacity of the mine site to 18.75 Mt in 2014 without expansion and attempted to increase the annual capacity to 62.5 Mt the same year. Five villages with a total population of around 13,000 people were in the 1127-hectare-wide area which was planned to be included in the mine site. Meanwhile, villagers also started protesting to stop the expansion attempts in the other two large coal mines, Gevra and Dipka. However, despite all the objections of the locals, the capacity of the Kusmunda coal mine was increased to 26 Mt annually with the government's permission. While the local people's protests continued, the company made another application for a capacity increase. In 2018, the government approved to increase the annual production capacity of the mine up to 62.5 Mt; the Indian Ministry of Environment decided that the mine could operate for another 30 years by expanding.¹⁰

During the long-term expansion process of the Kusmundu coal mine, although there were a series of legal regulations in place on the national level and internation-

LEGISLATIVE REGULATIONS AGAINST DISPLACEMENTS IN INDIA

In the Indian legal system, several laws safeguard indigenous communities' rights to prevent displacement-induced injustices and destructions caused by development projects on protected lands. These laws include:¹

→ The Land Acquisition Act, which was in effect until 2013, was based on a general and ambiguous definition of "public interest" and did not contain articles that protect displaced people's rights or enabled the participation of groups affected by the projects in the decision-making processes. This law, which gave way to the displacement of millions of people without receiving any compensation for the losses and damages, was renewed in 2014. The reformed law, which was renamed The Act of Land Acquisition, Rehabilitation and Fair Compensation in Displacements and Transparency (LARR), made it obligatory for big development projects to get local populations' ideas and consent regarding land acquisitions and conduct social impact assessments before starting their projects.

→ According to PESA, enacted in 1996 to protect the rights of indigenous communities, to acquire land for development projects or for other reasons in the places where protected indigenous com-

munities live, it is obligatory to consult the village councils (*gram panchayat*) whose representatives are chosen with elections recognized by the Indian Constitution.

→ The Act of Preventing Atrocity Towards Protected Castes and Protected Communities, enacted in 1989 and positively amended in 2016, introduced prison sentences against the unlawful deterritorialization of local communities.

→ The Environmental Protection Act, dated 1989, makes Environmental Impact Assessment Reports (EIA) mandatory for significant industrial and development projects.

→ The Forest Rights Act, implemented in 2016, acknowledges the individual and collective rights of indigenous communities in forests, which are their traditional living spaces. The act foresees a central role for the participation of all adults living in villages in the public forums, named *gram sabha*, regarding decision-making processes about the use of forest resources.

1- Amnesty International, "India: When Land Is lost, Do We Eat Coal? Coal Mining and Violations of Adivasi Rights in India," <https://www.amnesty.org/en/documents/asa20/4391/2016/en/> (Accessed: July 31, 2022).

al agreements to protect indigenous communities and small peasants from displacements and loss of livelihoods, thousands of people were displaced, dispossessed of their lands, and exposed to climate injustices as a result of the Indian government's and the mining company's failure to comply with these legal regulations and inadequate implementation of the laws. It is estimated that during the whole expansion process of the Kusmunda coal mine, around 9200 households living in 17 villages in the region were directly affected by various injustices such as being dispossessed of their lands, losing their livelihoods, becoming unemployed, their living places being destroyed, and exposure to air, water, and soil pollution. Also seen in many coal regions around the world, the problems faced by Kavar, Gond, Rathia, and Agaria communities of Adivasis living in the regions of the mine for centuries and small peasants

during the expansion process of the coal mine in terms of participatory, recognition-al, and distributive justice are listed below:¹¹

- The local community was not directly informed about the project assessment meetings' location, time, and agenda, and the required conditions for the meetings being opened to public participation as provided by laws based on the *gram sabha* (village forum) systems were not met.
- The local community did not have access to or had limited access to the meetings since the meetings were organized in distant places.
- The information provided at the meetings about the mine expansion project was insufficient and deficient.
- The *gram sabhas*, which are organized in accordance with the law on the initiative of the villagers, were not recognized; instead, the participatory mechanisms were carried out flexibly and irregularly, as in the example of the local government's organizing separate village meetings to get permission for the project.
- No detailed information was provided regarding the land purchase, compensation, and rehabilitation; no assurance was given for the fulfilment of commitments.
- There was no program aiming at compensating the losses that landless peasants were exposed to as a result of displacements; they were not included in relocation programs and were not paid any compensation.
- The complaints about noise pollution and houses being damaged due to dynamite use during mining activities were not taken into account.
- The lands of those, who were able to attend the meetings, which were limited in terms of participation, were bought, and the rest of the local community was excluded from this process.
- Anxieties, complaints, demands, and needs about relocations, rehabilitations, and compensations were not recorded and not assessed.
- The local community was not informed that their lands would be bought for allocation to the coal mine.
- By using the legal loopholes and contradictions, CIL and SECL acted in reference to the Law of Coalfield Sites, which does not contain any restrictions on human rights violations during displacements, rather than referring to laws which foresee the approval of *gram sabhas*, such as the Panchayat Law (PESA).
- The results and summaries of EIA reports were not shared with the local community.

- There was no social effect assessment work in addition to EIA.
- There was no cumulative effect assessment regarding the pollution and other destructions that the mines caused.

People living in Barkuta Village, located in the north of the Kusmunda mine, are a telling example of the displacement processes that coal mining caused in Korba (and many other places in the world where there is coal production). The central government expropriated the lands in Barkuta Village in 1979 to open them for the use of SECL company. However, in the expropriated lands, there was no coal production activity for a couple of years; villagers were allowed to stay in their houses. Yet, SECL paid compensation to the villagers for their houses and other properties in 1994 and their lands in 1996. SECL's compensation consisted of a one-time cash payment, a small amount of land in the rehabilitation area established about 6 km away, and job opportunities in the coal mine. Most of the inhabitants in Barkuta migrated to either the rehabilitation area or other nearby villages. The rest, living in 35 households, waited to receive the promised jobs in the mine. Citing the nature of the jobs in the coal mine, SECL said it could only employ one man from each household, thus women were not able to work in the mine. Those who continued to live in the Barkuta Village in deep poverty were also deprived of opportunities such as borrowing, getting loans or earning income by selling their lands by pledging it as collateral. According to the records of the SECL company, the lands of 187 households were expropriated during the process, and 45 people were hired in the mine. On March 21, 2013, a notification was sent to people who continued living in Barkuta Village, indicating that they had to evacuate their houses in five days. The demolition did not take place as a result of the meetings of the villagers with the authorities, who demanded time to find work, remove their crops, and improve their living conditions. In December of the same year, the villagers, who this time got the notification that they had to evacuate their houses in seven days, were informed that the company authorities paid the compensations, and rehabilitation was completed. While the villagers argued that for intimidation, the SECL company cut the households' electricity and water, 17 houses and schools in the village were demolished in February 2014 without prior notification. Most of the families migrated to the nearby villages of Pali, Sonpuri, and Padania. Yet, these villages remained within the next mine expansion area.

Another mining project situated in Chhattisgarh state, which is a rich forestland, threatens Hasdeo Arand, one of the few dense and undivided forestlands left in the coun-



try. In 2006, the construction of two coal mine operations, Chotia, and Parsa East and Kete Basan (PEKB) was permitted. These are located in and around Hasdeo Arand Forest, which lies toward the north of Chhattisgarh state with rich biological diversity and a fragile ecosystem. In 2010, the Indian government declared Hasdeo Arand a “no entry” zone for mining, but this decision did not put a stop to the mine projects.¹² The PEBK mines were opened in 2013, operated by Rajasthan Rajya Vidyut Utpadan Nigam (RRVUNL) as the public corporation and Adani Company as the subcontractor, with an annual capacity of 15 million ton production, spreading over an 1878-square-kilometre-area, 80% of which is forestland. Chotia I and II coal mines also started production in 2015, operated by Prakash Industries, with a production capacity of one million metric tons per year.¹³

Hasdeo Arand is a habitat for around 450 fauna and flora species. The forest is also home to nearly 20,000 indigenous people from Adivasi communities (Gond, Oraon, Lohar, Kunwar, and others) and forest peasants. With the coal mine being opened, infrastructure construction such as roads for transportation results in deforestation and dividing of the forest, causing a massive ecosystem disruption.¹⁴ It is estimated that only within the life span of the PEBK mine around 370,000 trees will be cut. The usage of

The forest is also an area that the indigenous community considers sacred. Due to the destruction the coal mine will cause in Hasdeo Arand, the cultural existence of the indigenous communities will also be at risk.

soil and changes in the soil quality is also threatening the agricultural activities in the region. This causes the local communities who maintain their lives through forestry activities to lose their food, medicine, and livelihood resources. The forest is also an area that the indigenous community considers sacred. Due to the destruction the coal mine will cause in Hasdeo Arand, the cultural existence of the indigenous communities will also be at risk.¹⁵

Displacements due to mines are also on the agenda. For example, again, with the expansion of the PEKB mine, it is planned to relocate the entire Hariharpur Village, which remained in the mine site and was previously partially expropriated. It is expected that the devastating results of the coal mines will affect a larger region. There is also the risk that due to the destruction of the river and other water resources in the region, agricultural activities, especially rice production, will be affected adversely, and a large population will not be able to meet their need for water in places that are located beyond Hasdeo Arand.¹⁶

Indigenous communities and peasants who face all of the abovementioned risks mentioned have been mobilized for quite some time and they still continue their protests. With the approval of *gram sabhas*, the first mass resistance in the region against the project started in 2014, with thousands of people from 17 villages taking action. The peasants who resist the opening of coal mines announced a six-article declaration, which states that their rights granted by the legislations of FRA (Forest Rights Act) and PESA are being violated.¹⁷ Later, they extended their struggle to the legal sphere and started to organize conventional actions such as collecting signatures. The 75-day sit-in in 2019 and the 10-day, 330-kilometer walk ending at the state's capital Raipur, inspired by Gandhi's famous Salt March, are among the protests organized by the local community.

The local community, who are against the injustices such as the blockage of *gram sabhas*, legally recognized participation mechanisms, authorities not asking for their

A protest against coal mining
at Hasdeo Arand Forest.
©Twitter: @SHasdeo



consent regarding the opening and expanding of a mine, and dispossession of their villages and lands, asked first and foremost for the cancellation of all mining projects in Hasdeo Arand.¹⁸ On the other hand, Hasdeo Arand activists face many obstacles and pressures, such as the authorities ignoring their demands, violence, sexual harassment, especially toward women, by the security forces, detentions, and arrests.¹⁹ In short, despite all the objections, the mine project continues to threaten the social, economic, and cultural lives of the indigenous communities and peasants in the region.

The authorities, when the Gram Sabhas did not give permission to the project based on the local community's resistance, forced the leaders of the villages to sign fake consent documents in a meeting held behind closed doors. We protest this injustice.

Farmer, Sahli Village, Chhattisgarh²⁰

- 1- IEA, "Coal 2020" (2020), <https://www.iea.org/reports/coal-2020/supply> (Accessed: July 31, 2022).
- 2- Survival, "Coal mine plans spark huge protest from India's tribal people," Survival International (October 1, 2021), <https://www.survivalinternational.org/news/12656> (Accessed: July 31, 2022).
- 3- Even though India announced in the COP26 Summit, organized in Glasgow in 2021, that it put the goal of net zero for 2070, it is planning to increase its coal production to one billion metric tons thereby contradicting this goal; it is adding new coal mines to the existing ones. Within the scope of the "Unleashing Coal" program that the Indian government announced in mid-2020, it is predicted that 41 new areas will open for mining. Thus, while the Indian government will be increasing its coal production by 30%, it will also increase the export of coal. At the same time, India's effort and contribution to replace the term *phase out* with *phase down* in the final text of the COP26 Summit also shows the country's position regarding the "exit from coal" commitment: Ministry of Coal, *Unleashing Coal: New Hopes for Atmanirbhar Bharat*, (June 11, 2020), <https://pib.gov.in/PressReleasePage.aspx?PRID=1630919> (Accessed: July 7, 2022); Lauren Frayer, "India pledges net-zero emissions by 2070 — but also wants to expand coal mining," NPR, (November 3, 2021), <https://www.npr.org/2021/11/03/1051805674/modi-india-cop26-coal-renewable-energy> (Accessed: July 7, 2022); Amit Dave, "India proposes new wording on phasing coal 'down' not 'out,'" Reuters, (November 13, 2021), <https://www.reuters.com/business/cop/india-proposes-new-wording-phasing-coal-down-not-out-2021-11-13/> (Accessed: July 30, 2022).
- 4- Srestha Banerjee, *Korba: Planning a Just Transition for India's Biggest Coal and Power District*, (IFOREST, 2022), <https://iforest.global/wp-content/uploads/2022/02/Korba-Report.pdf> (Accessed: July 31, 2022).
- 5- Energyworld, *Coal, Korba and Climate: A Case Study for India's Energy Transition* (February 21, 2022), <https://energy.economictimes.indiatimes.com/news/coal/coal-korba-and-climate-a-case-study-for-indias-energy-transition/89710332> (Accessed: July 31, 2022).
- 6- Srestha Banerjee, 2022, Ibid.
- 7- Ibid.
- 8- ENVIS Center, *Forest* (September 29, 2015), <http://chtenvis.nic.in/Forest.html> (Accessed: July 31, 2022).
- 9- Srestha Banerjee, 2022, Ibid.
- 10- Amnesty International, *India: When Land is Lost, Do We Eat Coal? Coal Mining and Violations of Adivasi Rights in India*, (July 13, 2016), <https://www.amnesty.org/en/documents/asa20/4391/2016/en/> (Accessed: July 31, 2022); Riddhi Pandey, "MoEFCC grants multiple extensions to Kusmunda mine in Chhattisgarh despite public opposition," *Land Conflict Watch*, (September 26, 2016), <https://www.landconflictwatch.org/conflicts/kusmunda-coal-mines-expansion> (Accessed: July 31, 2022); Debjoy Sengupta, "Environment Ministry clears 10 coal mining projects," *India Times* (January 9, 2020), <https://economictimes.indiatimes.com/industry/indl-goods/svs/metals-mining/environment-ministry-clears-10-coal-mining-projects/articleshow/73164833.cms?from=mdr> (Accessed: July 31, 2022).
- 11- Amnesty International, July 13, 2016, 2016, Ibid.; Riddhi Pandey, September 26, 2016, Ibid.
- 12- Mayank Aggarwal, "Yes, no or maybe: Fate of Hasdeo Arand forest back in limbo," *Mongobay* (September 23, 2021), <https://india.mongobay.com/2021/09/yes-no-or-maybe-fate-of-hasdeo-arand-coalfield-back-in-limbo/> (Accessed: July 31, 2022).
- 13- Kuwar Singh, "An Indian mining conglomerate is eating up a sacred forest grove," *Quartz India* (October 24, 2019), <https://qz.com/india/1729021/an-adani-coal-mine-threatens-a-sacred-forest-grove-in-india/> (Accessed: July 31, 2022); Mining Technology, "Vedanta's subsidiary inaugurates Chotia coal mine in Chhattisgarh, India," (November 9, 2015), <https://www.mining-technology.com/news/newsvedantas-subsidiary-inaugurates-chotia-coal-mine-in-chhattisgarh-india-4715337/> (Accessed: July 31, 2022); EJAAtlas, *Direct Violation of Forest Rights Act in the Mining Belt of Surguja District, Chhattisgarh, India*, (January 12 2017), <https://ejatlas.org/conflict/direct-violation-of-forest-rights-act-in-the-mining-belt-of-surguja-district-chhattisgarh> (Accessed: July 31, 2022).
- 14- Sravani Sarkar, "Chhattisgarh: Villagers take out 330-km march to oppose coal mining projects," *The Week* (October 8, 2021), <https://www.theweek.in/news/india/2021/10/08/chhattisgarh-villagers-take-330-km-march-oppose-coal-mining-projects.html> (Accessed: July 31, 2022).
- 15- Kuwar Singh, October 24, 2019, Ibid.; Survival (n.d.), "Adivasis against coal," Survival International, <https://www.survivalinternational.org/campaigns/adivasisagainstcoal> (Accessed: July 31, 2022).
- 16- Sravani Sarkar, October 8, 2021, Ibid.
- 17- DNA, "Villagers protest coal mines re-allotment in Chhattisgarh," *DNA India* (January 2, 2015), <https://www.dnaindia.com/india/report-villagers-protest-coal-mines-re-allotment-in-chhattisgarh-2048904> (Accessed: July 31, 2022).
- 18- Sravani Sarkar, October 8, 2021, Ibid.; Survival, n.d., Ibid.
- 19- Survival, "New report exposes brutal persecution of Adivasi women defending their land," (March 8, 2022), <https://www.survivalinternational.org/news/12735> (Accessed: July 31, 2022).
- 20- Shuchita Jha, "Environmentalists protest Chhattisgarh's green signal to mining projects in Hasdeo Aranya," *DownToEarth* (April 11, 2022), <https://www.downtoearth.org.in/news/forests/environmentalists-protest-chhattisgarh-s-green-signal-to-mining-projects-in-hasdeo-aranya-82330> (Accessed: July 31, 2022).