

R E S E A R C H S T U D Y

COAL RUSH

THE IMPACTS OF COAL POWER GENERATION
ON THARIS' LAND RIGHTS



***Coal rush: The impacts of coal power generation on
Tharis' land rights***

Produced by

**Policy Research Institute for Equitable Development
(PRIED)**

&

Rural Development Policy Institute (RDPI)

Acknowledgement

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This research study is produced jointly by Policy Research Institute for Equitable Development (PRIED) and Rural Development Policy Institute (RDPI).

PRIED and RDPI are thankful to Ms Aliya Bakhshal and Ms Amar Sindhu for sharing their knowledge and wisdom with us. Their contribution has added immensely both to the quality of this research study and its focus and findings.

PRIED and RDPI also acknowledge the contribution of Thar's residents to this research study. Without their interviews and insights shared during focus group discussions, the content and analysis of this study would have lacked depth and relevance.

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TABLE OF CONTENTS

	List of Abbreviations	04
	Executive Summary	05
1	Introduction	12
	1.1. The Coal Rush in Thar	15
2	Tools of Land Dispossession	20
	2.1. Historical Land Use and Land Settlement	21
	2.2. Land Acquisition as Dispossession	29
3	Tharis and Their Land	35
	3.1. Land Use in Thari Villages	35
	3.2. Land Acquisition Problems	41
4	The Multi-headed <i>Ifrit</i> of Coal	47
	4.1. Gorano: Poisoned Waters	48
	4.2. New Senhri Dars: The Fraught Model Village	52
	4.3. Thario Halepoto: Manufacturing Conflicts over Grazing Land	55
	4.4. Bhavay Jo Tar: A Village under Siege	58
	4.5. Resettlement Woes of Khario Ghulam Shah, Verwai and Tilwayo	62
	4.6. Ranjhoo Noon: Awaiting Displacement	65
	4.7. Vejhiyar: Risky Reservoirs in the Desert	67
5	Conclusion: Tharis, Coal and Land	70
	Annex A: Community Maps	73

List of Abbreviations

AC	▶ Assistant Commissioner
CM	▶ Chief Minister
CPEC	▶ China Pakistan Economic Corridor
CSR	▶ Corporate Social Responsibility
DC	▶ District Commissioner
EIA	▶ Environmental Impact Assessment
EPL	▶ Engro Powergen Limited
ESIA	▶ Environmental & Social Impact Assessment
GRC	▶ Grievance Redressal Committee
IBIS	▶ Indus Basin Irrigation System
IUCN	▶ International Union for Conservation of Nature
LAA	▶ Land Acquisition Act of 1894
RO	▶ Reverse Osmosis
SCC	▶ Sindh Carbon Company
SCEL	▶ Sindh Carbon Energy Limited
SDO	▶ Sub Divisional Officer
SECMC	▶ Sindh Engro Coal Mining Company
SSRL	▶ Sino Sindh Resources (Private) Limited
TCB-I	▶ Thar Coal Block-I
TCB-II	▶ Thar Coal Block-II
TCB-VI	▶ Thar Coal Block-VI
UC	▶ Union Council
UNDP	▶ United Nations Development Program

Executive Summary

Pakistan's rush to coal in recent years has been alarming for many observers. Despite official claims of moving away from coal-mining and coal-fired power, the Pakistani government is prioritizing coal projects over cleaner alternatives. Thar Coal remains a center-piece of this coal rush with two open pit mines and a power plant already operational, while mining and more power plants are under various stages of development.

Recent studies have shown that Thar Coal will have disastrous consequences for public health, water security and environmental justice. The long-term alarming impacts in terms of carbon footprint, pollution and hydrology must offer the government some pause.

While slogans such as *Thar badlega Pakistan* (Thar will transform Pakistan) are used to underscore the significance of indigenous coal for the national economy, Thari people are facing the harsh reality of the coal rush. They have been expressing their concerns and grievances publicly, which is evident from the emergence of several protest movements since the Thar Coal projects began in 2014. Locals have protested at multiple times against land acquisition procedures, loss of livelihood, increased securitization and the short-term and long-term adverse impacts on public health, water security as well as Thar's ecology.

The protests suggest that the government and coal corporations are either unaware of the grievances and demands of Thari people or are simply ignoring them. Whilst there is a dearth of information on coal in Thar, the problem is particularly pronounced in policies and procedures regarding land acquisition and resettlement, and on-the-ground issues related to the same.

In this report, we fill this gap in public knowledge about the concerns of Thari people over the Thar Coal projects. Our findings are based on a review of relevant policies, community-surveys and case study analyses. The study describes how Thari people are dealing with the various adverse impacts of the Thar Coal projects, in particular with the involuntary resettlement and forced transformation in the land use patterns, sources of livelihood and socio-ecological damages. The key findings of our analysis of the land laws and policies, land use patterns and dispossession through land acquisition procedures are listed below.

1. Key findings on land policy

- 1.1. Land laws and policies in Thar were devised during the colonial era and recognized several types of land use and proprietary rights including: private ownership (*qabuli/survey*), communal lands with collective grazing rights (*gowchar/grazing*), forms of leasehold tenures that worked as pathways to private ownership of state land (*yaksala/leased*), forest land, and other lands under the stewardship of the state.
- 1.2. Apart from cultivation based on exclusive ownership (*qabuli*) or lease (*yakasla*) arrangements, Tharis rely heavily on *gowchar*, or grazing land, for their livelihoods and their cultural and social way of being. As a historical system of collective land use, the *gowchar* had integrated human communities, land tracts, seasonal water bodies, vegetation and animal life into a seamless continuum of cultural and livelihood practices.
- 1.3. While progressively, laws and policies have had the effect of taking away people's formal rights to land, access is still mediated through informal communal practices. The state had a limited role in land management before the launch of Thar Coal projects.
- 1.4. By definition Thar Coal will transform the land of Thar. This land is taken under the mechanisms of the Land Acquisition Act (LAA), a colonial-era statute enacted in 1894, whereby land can be acquired by the state and handed over to private profit-seeking corporations for vaguely defined "public purpose".
- 1.5. The LAA is an archaic piece of legislation, unfit for the demands of sustainable development and out of sync with international best practices in resettlement and rehabilitation of forcibly displaced peoples. Its problems are numerous: "public purpose" is often stretched to include private profiteering; unfair compensation is awarded particularly in areas with inactive land markets; the "urgency" clause is often invoked to deny people's right to appeal against acquisition, compensation amounts, and procedural failures; compensation delivery is commonly delayed without accounting for inflation; no proper accountability and transparency mechanisms exist; and the Act lacks both a clear definition and a requirement for proper resettlement and rehabilitation of the displaced peoples.
- 1.6. Acquisition and resettlement policies by and large ignore both landless populations and communal rights. In Thar this means that the LAA is entirely unsuitable for the categories of *yaksala* and *gowchar*. *Yaksala* is not simply land leased out by the state, but has historically provided a pathway to land ownership for the landless. *Gowchar's* collective rights of use and grazing are unrecognizable by the LAA.

2. Key findings on land use patterns

- 2.1. We surveyed 10 village communities with a population of about 30,000 people who have access to about 78,000 acres of land for cultivation, grazing, and other activities. Only 23% of this land is privately owned, whereas 45% of the land is usually available to local communities on lease. About a third of the total land is exclusively used for livestock grazing and is held in common by the local communities.
- 2.2. Only a third of the families own land (*qabuli*) and a third have access to state land via lease (*yaksala*). At present, most of the *yaksala* land is cultivated by those who already own other parcels of land. About half of the total population is landless, though the landless are unevenly distributed across different villages.
- 2.3. Aside from homes and other community structures, the land is primarily used for three purposes: cropping, grazing and cultural activities.
 - 1.1.1. Most of the *qabuli* land is cultivated, though periodically some land is set aside to restore soil fertility. Landowners either cultivate the land themselves or together with landless tenants, who are paid in cash or in-kind. Bajra, green beans, cluster beans, and *moth* (*daal*) are the most common crops. Locals sow the crops during the summer months of June to August and harvest in October to December.
 - 1.1.2. Locals use *gowchar* or grazing lands throughout the year – day and night. Our surveyed communities take care of over 63 thousand livestock animals, averaging about 13 animals per family. While most of the grazing is done on communal *gowchar* lands, locals also use *qabuli*, *yaksala* and other land types for pastures. They use the livestock's produce at homes to enrich their diet with milk, butter, *desi* ghee and meat. The produce is also sold in local markets.
 - 1.1.3. Land is deeply connected to Thari way of being. The cultural life of the village communities draws from the seasonal cropping cycles, sounds of cow-bells, the dances of *mor* (peacocks), the songs of *teetar* (a species of partridge), and a reverence for sacred trees. Most of the sacred trees, temples, mosques and shrines are located on communal land. Land dispossession is not merely an economic issue, it is also a cultural, economic, ecological, and spiritual assault on the Thari people.

2. Key findings on land acquisition

The Thar Coal land acquisition and resettlement policy suffers from the numerous problems associated with the application of the Land Acquisition Act of 1894. Our research shows that Thari communities are facing all of the aforementioned problems (see points 1.4 – 1.6), plus some additional challenges.

- 1.1. Half of the total land of surveyed villages has been or will be acquired under the Thar Coal projects, and 6 of 10 village communities expect complete displacement. This will displace about 80-100% of the communities we surveyed in Block I and II.
- 1.2. Official stats on land acquisition do not give an accurate picture of land dispossession. The communities and families face an uncertain future, even when their land is not directly acquired through LAA policies. Many more will be displaced due to ecological and environmental problems.
- 1.3. Thar Coal project officials have not held due and proper consultations with the communities. Only 3 of 10 villages reported that a public hearing was held in their village. One of these “hearings” amounted to a short unannounced visit by the officials of one of the Thar Coal companies.
- 1.4. There are remarkable discrepancies in the type, amount, process and timeline of compensation awards. Most reported knowledge of compensation plans for survey (*qabuli*) land. Some reported that the state and company officials promised compensation for trees and houses. The majority of the surveyed villages reported that the ‘house rate’ for compensation had not been decided. Different rates were offered to different communities at different times. The disparities in rates have exaggerated local discontent with the process, and consequently, some communities have rejected the official awards. Some who have agreed to the award amount have only received the first payment – they are unable to meet the conditions for the second payment (start construction on the house) as the low awards have been used up merely purchasing land where prices have skyrocketed.
- 1.5. Some communities were promised jobs and monthly payments in lieu of the loss of livelihood, but most reported that they neither received monthly payments nor employment. This is likely connected to the numerous reports of corruption by coal companies who reportedly offered a handful of unskilled jobs to the locals, whereas most of the labor and skilled professionals are hired from outside Thar.

- 1.6. Working conditions in the coal mines are inhumane with reports revealing that Thar Coal companies discipline workers through illegal confinement and, at times, physical torture. The recent death of a local worker, Dodo Bheel, is a testament to these harsh conditions. As per media reports, Dodo Bheel died after Sindh Engro Coal Mining Company (SECMC) officials illegally confined him and beat him up, in collusion with local police¹ – an extreme outcome of otherwise routine violence against mine workers.
- 1.7. Communities have voiced deep fears and anxieties about their future – fearing displacement, loss of livelihood, environmental destruction, and forced migration. Many fear that they will become landless, unable to rear animals, and will be forced to emigrate to barrage-irrigated rural areas or large urban centers in search of work. They also have deep fear and mistrust of Thar Coal companies, as these officials threaten violence against them instead of hearing their grievances. Company officials are silencing communities with threats of withholding land and housing compensation, or foreclosing any employment opportunities.

2. Key findings of case studies

Based on numerous field visits and in-depth conversations, our team prepared six short case studies highlighting the plights of different village communities. These case studies show that Thari people are impacted by Thar Coal projects in many different ways.

- 2.1. **The poisoned waters of Gorano:** The community of Gorano faces the problems of land acquisition process, and imminent displacement as toxic water from the mines is being pumped into a surface reservoir on their land. The Gorano villagers have offered their land on lease, hoping to get their ancestral land back after mining operations end. But their concerns were ignored by the Sindh Engro Coal Mining Company. As a result, the community started a protest movement in May 2016, setting up a hunger-strike camp for almost two years (636 days). Despite their protests, the community was merely offered some compensation in lieu of the loss of privately owned land. Officials continue to ignore other issues such as contamination of groundwater due to mining waste, increased incidences of disease, and cattle sickness and deaths, etc.

¹ Ali, Imtiaz. "Dodo Bheel Murder: Fact-Finding Mission Recommends Replacing SSP, Other Officials over 'Mismanagement.'" Dawn, August 10, 2021. <https://www.dawn.com/news/1639892>.

- 2.2. **The fraught model village:** The old Senhri Dars village fell in the middle of the first coal mine of Block-II and the community was relocated with much fanfare to a model village. While the new Senhri Dars model village projects a pleasant image with indigenous architecture, the relocated families face many challenges. Officials built 172 houses for 320 families and no one from the community owns the land they occupy, or any other residential, agriculture or grazing land. Occupants can't modify the model village houses to allow for expanding families. Officials haven't provided sufficient access to grazing lands and livestock holdings have dropped tenfold. Officials haven't provided livelihood grants or employment opportunities to offset loss of land and livestock. The "model village" has become a model of bad resettlement, and serves as a cautionary tale for other Tharis who face displacement.
- 2.3. **Manufacturing conflicts in Thario Halepoto:** When people from the old Senhri Dars were relocated, the SECMC promised them access to gowchar (grazing land). No land was provided in the model village, but upon protest the company officials allotted the Dars community a small parcel of land where neighboring Thario Halepoto had cultivated crops. The subsequent competition over this small parcel of land caused tensions between the two communities, but it turned into a violent conflict when the police raided and detained 12 people of Thario Halepoto in August 2020. Locals report that the company officials instigated the conflict and fueled division between locals. The company's divide-and-rule policy has pitted two historically peaceful neighboring villages against each other over grazing rights to the same parcel of land.
- 2.4. **A village under siege:** The village of Bhavay Jo Tar is surrounded by coal infrastructure – roads, power plant, and residential areas for workers of Thar Coal companies. Barbed wire and fences surround the village while large 'searchlights' point towards the village till the late hours of the night. The Kohli group from the village are particularly living precarious in siege-like conditions. Dust and noise pollution has already made life unbearable, and will likely get worse after the power plant starts operating. Villagers report an exodus of people and animals from the village. Officials haven't come forth with a proper compensation and resettlement.
- 2.5. **Resettlement woes near the mines:** The villages near the Block-I mines also face a similar fate. Communities in Khario Ghulam Shah, Talwaiyo, and Verwai reported a whole host of problems with land acquisition, compensation amounts, gowchar and livestock loss, increased securitization, lack of privacy, lack of employment and mistreatment by coal companies. Given their proximity to mining and coal power areas, the villagers were especially concerned with the noise and dust pollution. They report a gradual loss of the flora and fauna, an outmigration of local animals – something that foretells the fate of the human residents of the area. The communities are actively protesting and blocking access roads to the coal sites.

2.6. Risky reservoirs of Vejhiyar: The coal infrastructure extends beyond the mining blocks, particularly when it comes to the water infrastructure. The coal power plant will largely rely on water from the Indus River, supplied through 200 cusec Farsh-Makhi canal, two reservoirs at Nabisar in district Umerkot and Vejhiyar in district Tharparkar, a 60km pipeline from Nabisar to Vejhiyar, and pipelines from Vejhiyar to coal power plants. The Vejhiyar reservoir is poorly constructed and badly located, with risks of floods, blockage of natural drainage, and limiting access by blocking cattle and human pathways. The reservoir splits the communities dividing their houses, grazing lands, religious sites and graveyards. Officials have ignored local demands to build the reservoir away from the village, to cut costs and transfer the risk to local communities.

3. Concluding remarks

- 3.1. Pakistan's unfortunate turn to coal has widespread support, but the plight of the Thari people has been overlooked despite widespread protests on issues of land, water, pollution, unemployment and public health concerns. Thari communities face the short and long term impacts of land dispossession, water scarcity, and environmental degradation. The future generations of Thar will pay a heavy price for Pakistan's misguided coal rush.
- 3.2. Our research shows that Thari communities have diverse and collective land management practices that nurture local culture and ecology. Historical land policies incorporated formal and informal rights to land use, including right to ownership, paths to ownership for the landless, and collective rights over communal land. These rights are ignored by the Thar Coal project companies.
- 3.3. Thar Coal projects threaten Thari way being, primarily through the application of the Land Acquisition Act. Many locals have been rendered landless, and forced to sell their livestock and migrate to urban and irrigated rural areas of Sindh. Those who stay are living with uncertainty and fear of imminent displacement. The coal projects have caused massive land dispossession in Thar.
- 3.4. The government and private corporations haven't delivered on their promises of fair compensation, access to grazing lands, jobs and proper resettlement. Instead, they have used violent and repressive tactics by threatening protestors, pitting communities against each other, preventing women's mobility, and even torturing mine workers.
- 3.5. It is high time that the state, investors, and the mining, construction, and power companies acknowledge the real cost of Thar Coal. Pakistan should consider the viability and cost effectiveness of the Thar Coal projects by considering both our increased carbon footprint and the social and environmental costs to Thar and Thari people. When it comes to Thar Coal, Thari people must come first.

Introduction

The woes of climate change have turned many of the sensible nations of the world away from dirty fossil fuels. However, unfortunately Pakistan seems to be running at full speed towards the dirtiest fuel of them all – coal. This is despite the official claim of a coal moratorium in December 2020 ². In 2019–2020, four recently built coal-fired power plants accounted for 19% of total power generation, ³ including a coal plant in Tharparkar under the Thar Coal projects. These projects were formally launched in 2014 beginning with mining operations and since then the work only seemed to have picked up pace. Now, two large open-pit mines operate day and night and a third will open soon. The government inaugurated the 660 MW Engro Thar Coal Power Plant in 2019, with more to come ⁴. Coal mining and power plants have already transformed the Thari landscape, along with the array of supplemental infrastructure projects such as roads, residential blocks, dams, pipelines, fences and security checkpoints.

Views on coal as the basis for Pakistan’s energy mix are, unfortunately, divisive. Proponents including the prime minister and higher state officials pay lip service to the global community’s concerns regarding investments in coal given the concerns for planetary destruction due to global warming and climate change induced by our reliance on carbon-based fuels. However, they still point to Pakistan’s energy crises and continue to use archaic logic that underdeveloped and developing nations such as Pakistan neither have a large carbon footprint nor the luxury that developed nations have to move away from fossil fuels. These pro-coal positions have been discredited by a wealth of evidence that show, on one hand, the high cost of coal in ecological and economic terms while on the other hand, the decreasing costs of adding renewables to the energy mix. ⁵ Coal remains the dirtiest fuel technology and yet given the projects already underway and the stated commitments to other projects, it’s unlikely that we can wash our hands clean of it.

The coal debate, often framed in the context of energy, development, and security, misses a critical aspect of the Thar Coal projects: the high cost of land dispossession and socio-ecological harm for the Thari communities living in the project-proximate areas. Large development and extractive mining projects create numerous issues including environmental

² Dawn.com. “60pc of Pakistan’s Energy Will Be ‘clean’ by 2030: PM Imran.” Dawn, December 12, 2020. <https://www.dawn.com/news/1595373>.

³ Isaad, Haneea. “Opinion: Is Pakistan Really Phasing out Coal?” The Third Pole (blog). Accessed August 28, 2021. <https://www.thethirdpole.net/en/energy/opinion-is-pakistan-really-phasing-out-coal/>.

⁴ APP “Nawaz, Zardari Launch Thar Coal Power Project.” DAWN, January 31, 2014. <http://www.dawn.com/news/1084003>.

⁵ Myllyvirta, Lauri. “[Air Quality, Health and Toxics Impacts of the Proposed Coal Mining and Power Cluster in Thar, Pakistan.](#)” Centre for Research on Energy and Clean Air, May 2020.

degradation, development-induced displacement, and changes in land use patterns. Most of these costs are borne by local communities, both human and nonhuman. These impacts range from forced displacement, involuntary resettlement and loss of livelihoods to long-term damage to public health and local environment due to deforestation. Other impacts include biodiversity loss, water scarcity, degradation of water quality, changes in surface and sub soil hydrology patterns, air pollution, and subsequent shifts in society-nature interactions. Such harmful impacts are well-documented by international organizations, academics, and scientists.⁶ The cost of these adverse effects are often externalized, with local communities bearing the brunt of these large infrastructure and extractive mining projects. Some experts argue that the social and environmental costs to communities are often of the same order as the entire cost of planning, construction, and management of large scale projects.⁷

Ideally, the cost to Thari communities should be taken into account, with in-depth baseline studies and accurate projections of the various social, economic, cultural, public health and environmental impacts of the Thar Coal projects. However, despite formal requirements the government and private actors have failed to produce substantive studies in a transparent and accountable manner. When produced, these are limited in scope, inaccessible and often merely pay lip service to participatory and transparent processes. The Environmental and Social Impact Assessment (ESIA) studies in the case of Thar projects have been severely limited, and unfortunately serve as rubber stamps for project approval. Independent international evaluations of the health and air pollution impacts of Thar Coal⁸ and its water footprint⁹ have shown that the Environmental Impact Assessment (EIA) study and resettlement plans are not only lacking, but also appear to be deliberately malicious, intent on propaganda rather than scientific research.

Along with water and health impacts and wider concerns with climate change, land disputes are at the heart of Thar Coal projects. Since the commencements of various coal projects in 2014, local and international

⁶ c.f. [“Coal and the Environment – U.S. Energy Information Administration \(EIA\).”](#) Accessed August 29, 2021. [Toxic Air: The Case for Cleaning Up Coal-fired Power Plants](#) (Report). American Lung Association. March 2011.

⁷ As per Micheal Cernea, a leading expert on displacement and socio-ecological impacts of large infrastructure projects, the scope of social and environmental impact is of the same order as that of engineering design and construction. Cernea is a leading expert who was instrumental in developing standards who was instrumental in developing best practices for Social and Environmental Impact Assessments for the World Bank during the 1980s and 1990s – these now form the basis for the industry standard. [Emerging Lessons Series: Involuntary Resettlement 12 April 2016](#). The World Bank. Accessed October 4, 2019.

⁸ Myllyvirta, Lauri. [“Air Quality, Health and Toxics Impacts of the Proposed Coal Mining and Power Cluster in Thar, Pakistan.”](#) Centre for Research on Energy and Clean Air, May 2020.

⁹ Winn, Paunl. “Evaluation of Groundwater Impacts from Block VI Tharparkar Lignite Mine and Power Plant Project, Pakistan.” Newcastle, Australia: Hydrocology Environmental Consulting, March 15, 2020.

media is full of reports of local communities protesting against the limited and bad resettlement action plans.¹⁰ These protestors have raised concerns about land dispossession, insufficient compensation, loss of grazing lands, loss of livelihood, broken promises of employment, increased securitization, lack of privacy, health, air and noise pollution due to mining operations, toxins in the water and a general dissatisfaction with the land acquisition and resettlement plans along with the lack of a proper equitable method for rehabilitation.

The present situation of local discontent and lack of transparency calls for a detailed analysis of the existing and shifting land use patterns of Thar Coal mining areas. This report aims to fill the alarming gap in knowledge and condition of Thari people, produce knowledge about their way of life and their relation to land and how Thar Coal has affected it all.

This study relied on three sets of data collection and analysis, which will be presented in subsequent chapters: legal-policy, village surveys and case study analysis. Our team, composed of local Tharis along with lawyers and researchers from across Pakistan, conducted a survey of 10 villages in the coal region of Tharparkar. We used a standard questionnaire to collect community-level data on land use patterns and land acquisitions problems. The case studies allowed for collecting in-depth stories of how communities are coping with the adverse effects of coal mining and power projects. These were supplemented by historical and legal analysis of land regulations, laws and policies that are used by the state and coal corporations to effectively take away people's land. We also conducted several field trips for the study during 2020–21 and conducted additional interviews with government officials, civil society members and other relevant people. All in all, this report presents the findings of the first independent study into issues of land use changes caused by Thar Coal projects.

Before delving into the findings, the next section gives a brief overview of Tharparkar district and the areas under the Thar Coal projects.

¹⁰ Daily Times. "[Thar Samaji Tehreek Stages a Rally to Protest against the Brutalities of the Coal Mining Companies.](#)" June 28, 2021. "People of Thar Coal Area Resume Protest against Reservoir." The News International, Pakistan, November 22, 2016. "[Thar Villagers Protest against Mining Firms over 'Accords.'](#)" Dawn, January 25, 2021. Ebrahim, Zofeen T. "[Locals Accuse Pakistan of Doing the Dirty by Turning to Coal to Meet Energy Needs.](#)" The Guardian. February 27, 2017, sec. Global development. Ebrahim, Zofeen. "[Locals Urge Pakistani Government to Drop CPEC Coal Mining Plans.](#)" The Third Pole,, July 15, 2020.

1.1. The Coal Rush in Thar

Back in 1990s, Pakistan discovered one of the largest reserves of low-grade lignite coal in Thar desert, spread over 90,000 sq km of contiguous area. Commonly known as “Thar Coal”, 176 of 186 billion ton (bt) of lignite coal are located in the Tharparkar district of Sindh province. These reserves are 50 million ton more than the combined oil reserves of Saudi Arabia and Iran. Officials estimate that Thar Coal can generate 100,000 megawatt (MW) of electricity over 200 years.¹¹ In terms of quality, Thar Coal is ranked as lignite ‘B’.¹² Lignite coal is considered the lowest rank of coal due to its low heat and high carbon, sulphur and ash contents.



Coal Power Plant Block II, Thar

In 2002, the government of Pakistan introduced “Policy for Power Generation Projects”, which underlined the significance of indigenous resources, especially coal, for power generation. In 2008, the then federal and provincial (Sindh) governments decided to exploit Thar Coal reserves for power generation on a ‘fast track basis.’ The Thar Coal and Energy Board was established to facilitate investment and development of coal-based power projects.¹³

Thar Coal is divided into 13 coalfield blocks. Of these 13 coalfield blocks, development of open-pit mining and coal power thermal power plants is ongoing in two blocks – Thar Coalfield Block-II (TCB-II) and Thar Coal Block-I (TCB-I). The development of TCB-II started around five years ago while the development of TCB-I started in 2019. A number of other power plants in TCB-II are either under construction or in the pipeline. A 1,300 MW power plant is under construction in TCB-I. After the TCB-I, coal

¹³ Pakistan’s Thar Coal Power Generation Potential, a report by Pakistan Power and Infrastructure Board (PPIB) published in July 2008

¹¹ A powerpoint presentation of Engro Powergen by Kahlid Mansoor on 6th April 2012

¹² ‘Thar Coal mining: potential, concerns and mining’, a joint publication of Thardeep Rural Development Program (TRDP) and Novib

mining and coal-fueled power generation is supposed to start in TCB-VI.

The TCB-II, which is estimated to produce 5,000 MW for 50 years after completion, has been allocated to SECMC, a joint venture of the Sindh government and Engro Powergen Limited (EPL). The EPL is a subsidiary of Engro Corporation Limited, China Power International Holding and Sino Sindh Resources (Private) Limited (SSR). The leased area is spread over 95.5 square kilometers. The SECMC is supposed to develop the mine in three phases — production of 3.8 million ton per annum (Mtpa) coal for the 660 MW power plant in first phase, production of 7.6Mtpa coal for two additional 330MW power plants in second phase and 33Mtpa coal with a potential to produce 3,960 MW of electricity in the third and final phase¹⁴. Surface mining methods such as open pit and open cast mining are used to extract coal. After two years of extraction, the SECMC finally discovered the first layer of indigenous coal in Thar in June 2018¹⁵. This coal serves the coal-based electricity-generating plant built in proximity to TCB-II coal mine, (mine mouth). The first open coal pit and a power plant using the indigenous coal reserves of Thar in Block-II were inaugurated in April 2019¹⁶. Located 5km away from Block II, it is a subcritical power plant that started pumping electricity into the national grid in March 2019.¹⁷ In TCB-II, a mine-mouth coal-based power plant of 660MW has already been completed and linked to the national grid.

Apart from the above-mentioned 660MW subcritical plant, three other coal-based power plants in Block-II, each having a power generation capacity of 330 MW, will be installed in the years to come. One plant is already under construction while the financial closure of the remaining two is under progress. The two plants, financial closure of which is under progress, will be built by Thal Nova Power (Pvt.) Limited and Siddiqsons Energy Limited. Aggregate generation capacity of the completed power plants and the ones in pipeline amounts to 1,650 MW. Keeping its total 5,000 MW production capacity, at least 10 more 330 MW power plants are likely to be installed in Block-II to exploit its remaining power generation potential of 3,350 MW.

TCB-I was the next block to be developed after the TCB-II. The coal mining and coal-based power generation project in TCB-I is formally known as by

¹⁴ Engro Thar Block II Power Plant, Tharparkar, Pakistan. (n.d.). Retrieved November 1, 2021, from <https://www.power-technology.com/projects/engro-thar-block-ii-power-plant/>.

¹⁵ Sadhwani, S. (2018, June 10). 'Black gold' finally unearthed in Tharparkar. Samaa. Retrieved November 1, 2021, from <https://www.samaa.tv/news/2018/06/black-gold-finally-unearthed-in-tharparkar/>.

¹⁶ Samoon, H. (2019, April 11). Bilawal inaugurates 660MW coal-based power plants. Dawn. Retrieved November 1, 2021, from <https://www.dawn.com/news/1475287>.

¹⁷ Thar Coal plant begins pumping power into national grid. (2019, March 19). Dawn. Retrieved November 1, 2021, from <https://www.dawn.com/news/1470581>.

Sino Sindh Resource Limited (SSRL) Coal Block-I 6.8 Mtpa & Power Plant (2X660 MW) (Chinese power company Shanghai Electric). The 1,320 MW coal-fired power plant, being developed by Shanghai Electric, will use the local lignite coal to be supplied by SSRL – a subsidiary of Global Mining (China). SSRL was awarded a 30-year mining lease for the TCB-I in October 2011. Following the mining lease award, a feasibility study on mining in TCB-I was completed in 2012.¹⁸ After securing a licence for establishing a 1,320 MW coal-fired power plant in TCB-I in 2017,¹⁹ Shanghai Electric agreed to become the controlling shareholder of SSRL in September 2018. Civil works on TCB-I, comprising a coal mine and a thermal power plant, started in October 2019 when Shanghai Electric mobilized its machinery and started removing overburden for the development of an open-pit mine and installation of a 1,320 megawatt (MW) subcritical coal-fired power plant²⁰. In December 2019, the government of Pakistan signed an implementation agreement with Shanghai Electric for the power project.²¹

In January 2020, the SSRL achieved financial close on its \$1.08 billion integrated coal mine-power project being developed in TCB-I.²² Despite the COVID-19 pandemic, the project didn't see any delays. Instead the pace of work on integrated mining and power projects remained in full swing and 20% mining work in TCB-I was completed by July 2020.²³ The civil work on the project was expected to further speed up following the arrival of a batch of 500 Chinese engineers and managers on a special chartered flight in August 2020.²⁴ Despite the pandemic and subsequent economic slowdown, the TCB-I project kept progressing quickly.²⁵

¹⁸ Thar Block-1 Integrated Coal Mine and Power Project – NS Energy. (n.d.). Retrieved November 1, 2021, from <https://www.nsenergybusiness.com/projects/thar-block-1-integrated-coal-mine-and-power-project/>.

¹⁹ Shanghai Electric secures generation licence. (n.d.). Retrieved November 1, 2021, from <https://www.thenews.com.pk/print/177251-Shanghai-Electric-secures-generation-licence>.

²⁰ Mining work begins in Thar Coal Block-I. (2019, October 8). The Express Tribune. Retrieved November 1, 2021, from <http://tribune.com.pk/story/2075310/1-mining-work-begins-thar-coal-block>.

²¹ Yousafzai, F. (2019, December 17). Pakistan signs IA with Chinese company for 1320MW coal-based project. The Nation. Retrieved November 1, 2021, from <https://nation.com.pk/17-Dec-2019/pakistan-signs-ia-with-chinese-company-for-1320mw-coal-based-project>.

²² SSRL, SECMC achieve \$1.3bln financial close. (2020, January 2). The News. Retrieved November 1, 2021, from <https://www.thenews.com.pk/print/592035-ssrl-secmc-achieve-1-3bln-financial-close>.

²³ Work at Thar Coal block-I sped up despite corona: Asim Bajwa. (2020, July 28). The News. Retrieved November 1, 2021, from <https://www.thenews.com.pk/print/693186-work-at-thar-coal-block-i-spiced-up-despite-corona-asim-bajwa>.

²⁴ Work on Thar Block-I project under CPEC in full swing. (2020, August 7). China Pakistan Economic Corridor. Retrieved November 1, 2021, from <http://cpecinfo.com/work-on-thar-block-i-project-under-cpec-in-full-swing/>.

²⁵ CPEC's Thar Coal Block-1 project progressing quickly, says top official. (2021, February 9). The News. Retrieved November 1, 2021, from <https://www.thenews.com.pk/latest/786977-cpecs-thar-coal-block-1-project-progressing-quickly-says-top-official>.

By February 2021, 40% mining work in TCB-I was completed, whereas work on the coal power plant in the TCB-I is also in progress.²⁶

According to the basic information chart about the project given on China Pakistan Economic Corridor's (CPEC) website, the first unit (660 MW) of the power plant is expected to be operational by August 2022 while the commercially operational date of the complete project is February 2023.²⁷ The project proponents claim that once completed the project's energy production would be enough to power four million households in Pakistan.²⁸

Though civil work has not yet started in Thar Coalfield Block-VI (TCB-VI), it is the next block after the TCB-I to start mining and power generation. Development of TCB-VI began in 2007 when Sindh Carbon Energy Limited (SCEL), a subsidiary of Oracle Power PLC, was granted an exploration license by Sindh Coal Authority (SCA) on a 66.1 km² tract of land.²⁹ An in-depth technical feasibility study was initiated to determine the extent of coal reserves in the area. The study yielded positive results and a mining licence was awarded to SCEL in 2012 to carry out extraction operations for a period of 30 years, extendable to another 30 years. Through this licence, Oracle Power is now aiming to establish a lignite mine and a 1,320 MW mine mouth coal fired power plant.

A coal gasification project has also been proposed for urea production.³⁰ In 2016 the project was added to the list of priority projects under CPEC,³¹ and with its changed management and expansion of scope, it was officially inducted into the Oil and Gas Group in December 2019.³²

²⁶ Siddiqui, T. (2021, February 3). 40pc mining work complete at Thar Coal Block-I: Murad. Dawn. Retrieved November 1, 2021, from <https://www.dawn.com/news/1605196>.

²⁷ 1320 SSRL Thar Coal Block-I 7.8 mtpa & Power Plant (2*660MW) (Shanghai Electric) | China-Pakistan Economic Corridor (CPEC) Authority Official Website. (n.d.). Retrieved November 1, 2021, from <http://cpec.gov.pk/project-details/9>.

²⁸ Shanghai Electric reaches financial close for Pakistan mine project. (2020, March 2). Retrieved November 1, 2021, from <https://www.power-technology.com/news/shanghai-electric-reaches-financial-close-for-pakistan-mine-project/>.

²⁹ Environmental and Social Impact Assessment: Block VI Lignite Mining Project: Volume 1 of 3 (Main Report). (2013). Sindh Carbon Energy Limited. Retrieved November 1, 2021, from <http://www.oraclepower.co.uk/wp-content/uploads/2016/02/ESIA-of-Block-VI-Lignite-Mining-Project-Volume-1-of-3-R3E03TCO.pdf>.

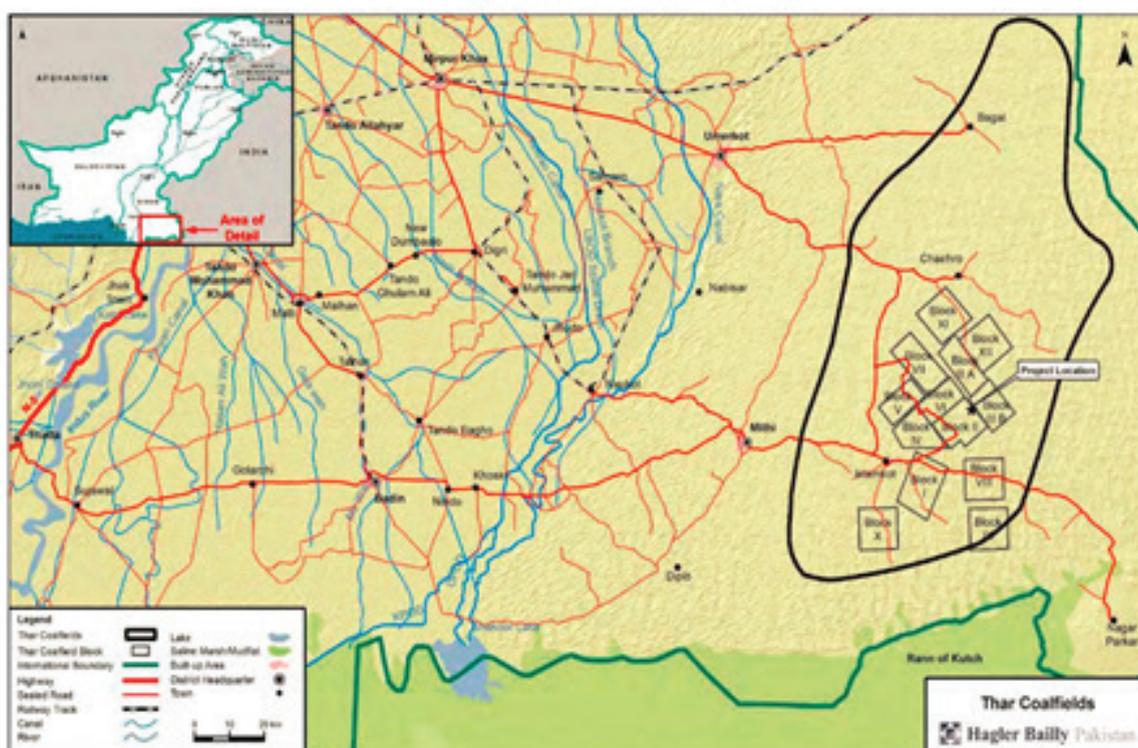
³⁰ At a Glance. (n.d.). Oracle Power PLC. Retrieved November 1, 2021, from <http://www.oraclepower.co.uk/about-us/at-a-glance/>.

³¹ Ibid

³² Reporter, T. N. S. (2019, December 12). Sindh plans to launch Thar Coal Block-VI under CPEC. Dawn. Retrieved November 1, 2021, from <https://www.dawn.com/news/1521780>.

District Tharparkar is one of the most underdeveloped regions of Sindh, owing to historic neglect evident from a variety of human development outcomes. According to the United Nations Development Program's (UNDP) Multidimensional Poverty Index, 87% of the population of Tharparkar lives under poverty.³³ District Tharparkar has an area of 19,683 sq km and a population of 1.65 million, with a population density of 83 per sq km.³⁴ The area has three urban centers namely Mithi, Islamkot and Diplo, which house about 4.5% of the total district's population. The district is divided into four talukas – Chachro, Diplo, Mithi and Nagarparkar, 44 Union Councils (UC), 166 Mauzas, three town committees namely Mithi, Islamkot and Diplo and over 2,300 villages ranging from 50 to over 2,000 people. The district was ranked 109 out of the 114 districts in Pakistan in 2015 on the human development index. Education and literacy rates are low, with 18.3% recorded in the 1998 census, female literacy rate at 6.9% and male at 28.3%. The district had 163,147 houses in 1998, with about 7% pacca.

Exhibit I: Project Location within the Thar Coalfields



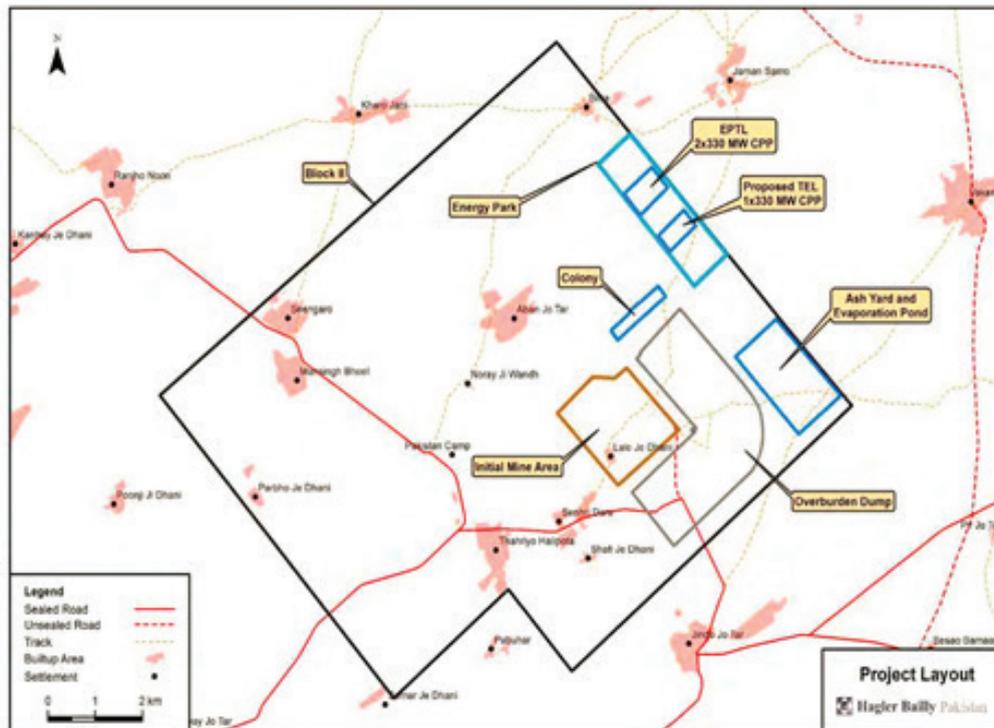
Hagler Bailly Pakistan
REV04/UP: 09/09/18

Executive Summary
ix

³³ Developing local solutions to create a lasting impact in Tharparkar District | UNDP in Pakistan. (2018, May 17). UNDP Pakistan. Retrieved November 1, 2021, from <https://www.pk.undp.org/content/pakistan/en/home/presscenter/articles/2018/05/17/developing-local-solutions-to-create-a-lasting-impact-in-tharparkar-district.html>.

³⁴ The 1998 census lists the population as 91,4291. [District at a Glance: Tharparkar](#), Pakistan Bureau of Statistics website, Accessed: 5/11/21

Exhibit II: Project Layout



Hagler Bailly Pakistan
REV04-UP: 05/09/16

Executive Summary
v

2. Tools of Land Dispossession

Before delving into how Thar Coal has affected land use and Thari communities, we begin by discussing the legal-bureaucratic regime of land governance and land acquisition. We conducted a thorough review of the legal and policy documents along with interviews with ex-land revenue officials, local lawyers and conversations with community members. Our review reveals a fairly consistent picture of the historical management of land in Thar, highlighting both the formal and informal mechanisms of land access and land use patterns.

What follows is a historical account of the various land laws and policies used through the colonial and post-colonial periods. We demonstrate that while the state classified land into two categories, 'private' and 'state' land, the local communities have always enjoyed access and rights to use commons and grazing lands, protected through various legislative and judicial actions. The state also provided a mechanism for increasing local ownership, by 'leasing' state land and cultivating it for 3-6 consecutive years. Furthermore, a whole set of limitations are imposed on the state's ability to unilaterally take away land that has been historically used by local communities as a collective resource. However, with the invocation of the Land Acquisition Act of 1894 and in the absence of a comprehensive federal or provincial resettlement and rehabilitation policy, Thar Coal companies have ignored local land rights. Overall, it appears that the

formal laws and policies have been exploited to the unfair advantage of the coal companies – they have functioned primarily as tools of dispossession disguised as law and ‘public interest’.

2.1. Historical Land Use and Land Settlement

Historically, the Thar desert region has functioned mostly as an ‘autonomous’ space with its own indigenous conventions of land and water use along with local patterns of animal grazing and cultivation. The region of modern day Tharparkar has been home mainly to semi-migrant pastoralists with the local ecology allowing only limited forms of cultivation. Land was mostly controlled by upper caste land-owning Muslim and Hindu Rajputs and the descendants of various Baloch tribal settlers in the 17th and 18th centuries. The middle classes including Hindu and Muslim businessmen, traders and money-lenders, and the artisan castes (or *menghwars*), who generally worked as tanners, *kumars* (potters) and *lohars* (blacksmiths) were by all accounts integrated into a customary hierarchy of land and water use rights. The Bheel and Kohli tribes traditionally made up the landless “aborigine” class and worked mainly as seasonal agricultural labor and herdsman.³⁵ In local retellings, the traditional system of land use in the villages of the inner desert area was governed entirely by local custom, characterized by a shared access to historical grazing tracts and natural water reservoirs. Despite the ‘feudal’ and hierarchical character of the society, local rulers and landlord families exercised authority more as adjudicatory councils in case of any disputes over land use, rather than as absolute and exclusive ‘private’ owners of expanded and enclosed fiefdoms.³⁶ Therefore, for the most part the desert land remained a subject of the commons – an unenclosed, non-commodified and extended natural resource. The state appears to be only peripherally involved in its regulation in the early-modern period.

After the British conquered Sindh, the district of Thar and Parkar was initially placed under the political agent of Kutch, then annexed to Sindh in 1854 and later absorbed into the Bombay Presidency.³⁷ In 1935, Sindh became a separate province. Although British archives from the early colonial era contain highly detailed accounts of the ancestral ‘feudal’ holdings of local *jagirdars* along with the tenancy and agricultural rights and arrangements in various areas of Sindh, the desert area of Tharparkar has found only scant mention in this regard presumably because of its muted significance for agricultural and revenue extraction purposes. Throughout this period, the British appear to have extended legal recognition to the customary practices of the communities in the desert

³⁵ Hassan, A. (2009). (tech.). Nagarparkar Taluka Planning Project, Existing Conditions and Future Scenarios (Vol. 1). Karachi: Hasan & Polak – Architects and Planners.

³⁶ Interview with ex-Revenue official in Mithi

³⁷ Gidumal, Dayaram. History of ALIENATIONS in the Province of Sind. Compiled from The Jagir and Other Records in the Commissioner's Office on the Authority of Bombay Government, RESOLUTION No. 12, Dated 2nd January 1878, Revenue Department. Printed at the "Commissioner's Press", 1886.

area, along with an implicit recognition of their communal grazing grounds and water resources.³⁸ Land was continued to be held by various villages in the manner of a common resource governed by customary access and use rights — especially the grazing lands.³⁹ Reportedly, the late colonial period did see the introduction of a grazing tax, however, it appears to have been inconsistently applied and the desert grant policies do not speak of such a tax regime.⁴⁰ As per the testimony of revenue officials, virtually any villager could use the grazing lands freely and without any charge in the areas constituting the present day talukas of Mithi, Islamkot and Nagarparkar, as long as the use was in keeping with the local custom.⁴¹ Although the Sindh Commissioner was responsible for administration, Tharparkar's day-to-day public affairs seem to have remained almost exclusively in the hands of local influential landholders. Reportedly, to this day, it isn't unusual for historical records and maps to be absent from the *mukhtiarkar* and talukdar's offices, only to be found in the homes of historical notables where they assume significance both as official documents and as well as family heirlooms.⁴²

By the late 19th and early 20th century, the British developed the basic legislative and administrative machinery for regularizing land use rights in most of the sub-continent.⁴³ The Colonization of Government Lands Act, 1912 was enforced to “make better provision for the Colonization and administration of Government Lands.”⁴⁴ The Act envisions a set of conditions and formal mechanisms whereby lands in the colony could be granted to tenants and put to various uses. The effective force of this and various other statutes was to render all lands as state-owned by default, unless formally recognized as privately owned. This basic dualistic imagination of land as either owned by private individuals or else a part of the state's largesse undergirds most of the colonial legislative instruments from this period. However, as explained shortly, there were (and still are) important exceptions and qualifications to this dualistic presumption.

³⁸ Diplai, H. (n.d.). Land Rights in Tharparkar, Technical Paper presented in Thar Development Conference dated 09 June 2013 [web log].
<https://diplai.wordpress.com/2013/06/25/land-rights-in-tharparkar/>.

⁴⁰ Interview with local lawyers and an ex-Revenue official in Mithi.

⁴¹ Ibid

⁴² Ibid

⁴³ Driven by the twin imperatives of extraction and market commodification, a series of laws institutionalized a more modern conception of property ownership and marketization of land complete with a thoroughly rational-legal system of revenue collection and administration. Acts like the Transfer of Property Act, Land Acquisition Act, The Government Grants Act, 1895, and the Colonization of Government Lands Act, 1912, are some of the instruments through which this colonial perception of land and its attendant classification and use was given legislative shape in the region. The latter two pieces of legislation in particular, gave legal cover to land grants made by the colonial authority and laid out the criteria and conditions for such grants. Grants to tenants made under the Colonization of Government Lands Act, 1912, could be in the nature of leases, sales, and conditional or gratuitous transfers that could create a variety of interests in property e.g. occupancy and usufructuary rights with specific and sometimes detailed conditions of tenure and holding, and could also function as transfer of ownership.

⁴⁴ The Colonization of Government Lands Act, 1912

In Tharparkar, policies for the official classification and regularization of land-use date back to 1923 and the first Land Grant Policy was formulated by the Collector's office in 1930.⁴⁵ The policy purports to settle disputes amongst "abadgars" (cultivators or farmers) and aims to "secure a speedy disposal of land grant questions" in the Tharparkar desert area.⁴⁶ Its basic function was to lay out a criteria and framework for the acquisition and confirmation of ownership rights in state lands, but it also details the principal categories through which the British conceptualized and articulated land ownership rights and land use in the desert. The policy rests on three basic categories of land and land holding: *qabuli* (privately owned 'survey' land), *yaksala* (leasehold land) and 'public use' lands, e.g. *asaish* and *gowchar* (easements and collectively owned natural grazing lands).⁴⁷

The *qabuli* lands refer to ancestral private family holdings which were demarcated and systematically incorporated into the survey records by officials and assigned survey numbers. Our interviews suggest that this was far from a streamlined process. There was considerable disputation both internally between influential feudal lords and other locals as well as between villages and government officials, over which lands were considered as private holdings and where the boundaries were to be drawn. There are also records of departmental tussles between the survey authorities and land revenue officials in the pre-partition era, with revenue officials reportedly refusing to accept the veracity of some of the survey reports when recording ownership rights.⁴⁸ Nevertheless, as a machinery of the state, the survey process came to be seen as confirming and even conferring a distinct class of private holding. The use of the term "survey land" is therefore, virtually identical with "*qabuli*" (i.e. privately owned land) in the local lexicon.

The *yaksala* lands seem to have had an even more chequered history. The *yaksala* was a form of tenure on land that was not 'originally' held under *qabuli* ownership from pre-colonial days and therefore, presumably vesting in the state. In principle, it amounted to a form of constructive leasehold over hitherto 'unproductive' state-land which, either by a discretionary grant or through continued cultivation, was transferred into

⁴⁵ Collector's Office Tharparkar, & Ridley, S., Circular No. 1258-R 'Land Grant Policy in the Desert Portion of the Tharparkar District (1930). Collector's Office Tharparkar. The policy was formulated under sub-section (2) of Section 10 of Colonization of Government Lands, Sindh Act 1912 which provides that the Provincial Government may issue a "statement or statements of the conditions on which it is willing to grant land in a colony to tenants."

⁴⁶ Ibid

⁴⁷ In the post-partition era, two other categories, namely, evacuee property (i.e. land left behind in 1947 by Hindu landholders) and enemy land (i.e. property left behind by Hindus in 1971) are also recorded. A policy was formulated in 2000 for granting enemy lands to local haris on thirty years leases for agricultural purposes. It is unclear whether such lands could be allotted permanently. These two categories of land appear to be more relevant in the Nagarpakar Taluka, though some of the land in the village areas around the Vejhiyar reservoir is evacuee property.

⁴⁸ Interview with ex-revenue official in Mithi

the hands of local cultivators after a said number of years.⁴⁹ As a formal category, the *yaksala* marks a method for crossing across the border from state-owned to private land in the state's dualistic imagination of property.

The 1930 policy expends considerable energy clarifying the terms and conditions governing the *yaksala* tenure and lays out a detailed criterion and method for private parties to acquire ownership rights in non-*qabuli* (non-privately owned) land. In classic Lockean vein, this criterion revolves around the act of transforming "government waste land" into productive land by cultivation. The policy extends the privilege of *yaksala* tenure to any one residing in the *makan* who "cultivate(s) land with their own hands" and guarantees the tenure to any such party irrespective of whether they already owned land or whether the cultivators initially (or even subsequently) sought "permission to enter upon the land" or not.⁵⁰ The eligibility criteria for the *yaksala* is thus restricted to *abadgars* i.e. cultivators/agriculturalists, although the definition also includes *zamindars* who engage *haris* (hired laborers) for the cultivation, seasonal laborers or small tradesmen whose primary source of livelihood is agriculture, as well as persons not cultivating land themselves but belonging to a family of cultivators.⁵¹ The policy does prescribe some limitations on eligibility for the *yaksala* with non-*abadgars* or locals already holding *qabuli* land in excess of 100 acres excluded from this privilege.⁵²

The policy also specifies the five-year rule associated with the *yaksala* tenure.⁵³ This rule provides that (with some exceptions) government land under continuous cultivation for five uninterrupted years may be "confirmed permanently" to such cultivators in the 6th year (even if they had worked on the land without prior permission).⁵⁴ This latter confirmation would lead to an entry of the ownership details in a '*Hameshgi Yadasht*' which recorded the transfer of rights in the land presumably confirming the cultivator's status as a permanent private owner thereafter. In practice, however, there is considerable inconsistency and confusion around the application of the *yaksala* tenure system. There are conflicting testimonies about the history and present status of the *yaksala* tenure

⁴⁹ Ibid

⁵⁰ Clause 2 (ii) of the Land Grant Policy 1930.

⁵¹ Clause 1(C) of the Land Grant Policy 1930.

⁵² Clause 9 of the Land Grant Policy 1930. Although cultivation without permission was made illegal for anyone holding *qabuli* land in excess of 100 acres, prior permission of the Government could be sought by such holders under this section and granted subject to certain further conditions. Later policy revisions further lowered this 100 acre ceiling.

⁵³ This tenure duration seems to be a bitter bone of contention for a number of locals who feel robbed off their rightful due on non-*qabuli* lands that they have been cultivating for many years. In villages surrounding Vejhiyar, for instance, members of the Soomra community report that they have been cultivating vast tracts of government waste lands for at least three generations with no formal conferral of title.

⁵⁴ Clause 9 of the Land Grant Policy 1930.

with reports of it being formally followed initially but disrespected by later governments and unilaterally suspended or even abolished at various stages.⁵⁵ There are also differences in the reported duration of the leasehold with some claiming one, two, three and others five-year terms as the standard duration before accrual of property interests.⁵⁶

The largest and most important category of land rights in the desert area, however, relate to the **gowchar** lands. The vast majority of the land falling in the present coal block areas is of the nature of this indigenous land use type with its historical systems of collective rights. It is also the most heavily '(mis)appropriated' of land types in the coal block areas. As a type of communal land use, gowchar functions as a distinct category that accords legal recognition to the customary rights of Thari communities in land and land-based resources. As a historical system of collective land use, the gowchar had integrated human communities, land tracts, seasonal water bodies, vegetation and animal life into a seamless continuum of cultural and livelihood practices.

This perception of the gowchar as a system of collective land rights and as a shared natural resource isn't simply restricted to the imagination of indigenous Thari communities. It percolated into the imagination of colonial officials as well and is revealed in layers of attempted legislative protections of such lands as well as ambiguities and qualifications in the state's assertion of "sovereign rights" in relation to them. The 1930 Land Grant Policy, for instance, lays out concrete provisions for protecting collective lands, natural resources, and cultural landmarks from private capture. The policy prohibits the state from handing over any land for private cultivation that lies "within 20 chains of a Tarai-Tobho⁵⁷, well a village site, or within 10 chains of a mukam (graveyard) or within 5 chains of a hamlet."⁵⁸ Similarly, it directs that a list of Tarais, wells and reserved grazing grounds be maintained by state officials.⁵⁹ Although the policy allows for granting lands in the vicinity of roads, paths, and grazing grounds, it excludes by extension any disturbance of those roads, paths and grazing lands themselves. It also envisions several situations/events where a dispute may be heard in relation to non-private land that is subjected to cultivation by private persons or subsequently alienated by way of a state grant. Amongst the situations envisioned are cases where

⁵⁵ Interviews with an ex-Revenue official at Mithi and locals from Soomra community at Vejhiyar.

⁵⁶ It appears that a duration of cultivation for one or two years (designated as 'Eksali' cultivation by the 1930 policy) did confer a kind of priority of claims in the event of a dispute between private cultivators over the right to cultivate the land. However, this priority excluded any "prescriptive right to the land." (See Clauses 12 and 15 of the policy for more detail). In practice, however, government officials have reportedly exercised unchecked discretion and engaged in corrupt dealings varying the duration and conditions arbitrarily for different persons. See Order of the High Court of Sindh (Circuit Court Hyderabad) dated 07.08.2017 in CP No.D 2375 of 2017 for a discussion on some of these practices.

⁵⁷ Defined by the policy as a reservoir on which water stands for a month

⁵⁸ Defined by the policy as a small collection of houses

⁵⁹ Clause 6 of the Land Grant Policy 1930

the land in question had been in use “as a grazing ground,” was located “near a village or well” or through which any “cattle track” passes.⁶⁰ There are also prescribed procedures for the revenue authorities to settle disputes over yaksala land, which includes measures such as “reserv[ing] the land for goucher or asaish”.⁶¹

This recognition of a system of collective rights is maintained and even extended in subsequent notifications revising the The Land Grant Policy of 1986 and 1997.⁶² The policy protects the lands lying in the vicinity of established gowchars, roads and paths. The lands lying within a 2 mile radius of a town are additionally designated as “reserved” gowchar.⁶³ The more recent Land Grant Policy of 2000 designates a further 5 km radius around Mithi as reserved gowchar. Clause 16 of the 2000 policy prohibits the use of land for any purpose other than its intended use and gives the collector the power to “reserve area whichever is necessary for grazing ground (*gaucher*) in the *makan* [village].”⁶⁴

The state is, therefore, prevented from a wholesale allocation of existing gowchar lands to private persons indicating gowchar's status as a category of specifically protected communal land distinct both from privately owned property as well as state land simpliciter. Both the yaksala tenure and the gowchar policy also hold important clues for how the colonial state conceptualized collective identity and land use rights in the desert area in geo-spatial terms. The yaksala tenure, for instance, is restricted to “*makanis*” defined as those residing in a *makan* (village) for 10 years continuously or holding land in a *makan* for 20 years in a desert area taluka. The 1930 policy emphasizes that in the case of non-*makanis* “previous permission to enter upon land would be insisted on”, thereby instituting an important legal demarcation between *makans*.⁶⁵ The recognitions, allocations and reservations of gowchars follow a similar suit with each *makan* having its own designated and legally recognized grazing land specific to its boundaries and for the exclusive use of its inhabitants. Locals recount a long history of disputes over gowchar land; between adjoining villages as well as between private cultivators, government officials and individual villages. According to a senior lawyer and an ex-revenue official, revenue officers are required to keep entries regarding disputed gowchar land in the “Takraree Register” (Register of

⁶⁰ Clause 10 of the Land Grant Policy 1930.

⁶¹ Clause 11(b) of the Land Grant Policy 1930.

⁶² See Land Utilization Department, & Qadri, A. H., Notification No.SB.III/I-59/P/1978/1760, Government of Sind, Land Utilization Department Notification, pg 1417–1420 (1986). Hyderabad; The Sind Government Gazette (referred to hereinafter as The Land Grant Policy 1986), and Land Utilization Department, & Secretary to Government of Sindh, Notification No. SB-III/P/I-539/56 Government of Sind, Land Utilization Department Notification pg 48–51 (1997). Karachi; The Sindh Government Gazette Ext. (referred to hereinafter as the Land Grant Policy 1997).

⁶³ Clause 7 of the Land Grant Policy 1986, and Clause 7 of the Land Grant Policy 1997.

⁶⁴ Clause 16 of the Land Grant Policy 2000.

⁶⁵ Clause 2 (I) of the Land Grant Policy 1930.

Disputed Matters) while the details of sanctioned gowchar have to be entered and maintained in the 'Record of Rights' register. This latter entry extends an official recognition of the common and joint rights of the villagers of a village (or more than one village) in the sanctioned and historical gowchar lands of a *makan*.

The above discussion suggests ample recognition by the state to not just gowchar as a form of public rights but also a broader scaffolding of collective community entitlements to public resources tied to land, including cattle pathways, easements, wells, historical waterways, natural reservoirs and religious and cultural sites. These entitlements are distinguishable from either private ownership rights in *qabuli* lands or the state's rights in government lands. While the state lands falling outside the public tracts are free to be granted or appropriated at the unqualified discretion of the government, the gowchar, public easements on land and the natural and cultural resources tied to it are treated differently and cannot be appropriated for purposes other than their use as communal grazing grounds. There are also statutory restrictions and limitations against the sequestration and partitioning of grazing grounds under the Sindh Land Revenue Act.⁶⁶ The language of the law also appears to convey a dual recognition of the gowchar as both a distinct category of historical land rights, as well as a necessary and desirable policy objective to be further promoted by the government in its stewardship of the region. In the aforementioned policies, for instance, there is an implicit and explicit distinction drawn between historically existing or "established" gowchars and gowchars that are later declared as such and specifically "reserved" by the government for use by the community as part of the state's assessment of local needs.⁶⁷

Our review of the broader statutes and judicial narratives from courts across the provinces also shows that public grazing lands have been expressly protected against appropriation or conversion for "any other purpose" even where such purpose appears to be tied to a public interest. As such, state or corporate capture of these grazing lands, alienation of any kind, or a grant of private proprietary rights within them are not in consonance with either state policies or the jurisprudence of Pakistani courts. Courts have held that grazing land cannot be converted into "state land" or put to any other alternative purpose except with the prior permission of the Board of Revenue.⁶⁸ In addition, any such change in the use and character of grazing land is subservient not simply to some

⁶⁷ Under Clause 7.1 of the Land Grant Policy 2000 for instance "no land within twenty chains of a village, Tarai, Tobho, or established Gaucher or well" can be allotted out by the state to a private party. Likewise, Clause 16.2 envisions the collector "reserving the area whichever is necessary for grazing ground in the *makan*." The policy subjects all government allotments of land to private persons to easement rights including the right of way and water and further prohibits any disturbance caused to the natural flow of water. Interestingly, Clause 24.1 states that granted land may be resumed by the collector if required for public purposes like minerals, etc., but does not subject land that has been 'reserved' or 'established' as gowchar to any similar condition of a de-reservation.

⁶⁸ PLJ 2021 Lahore 1; A policy related to grazing or 'Charagah' land dated 04.02.1998 finds mention in this judgment and is particularly significant in this regard. The relevant paragraph from the

general idea of “public purpose,” but must be accompanied by a proper procedure in the Board of Revenue which, according to a judgment of the Lahore high court, is obligated to “objectively ascertain the public purpose with a judicious application of mind by demonstrating all superior objectives of public purpose.” The same judgment notes that in the absence of such legal procedures and reasoning process, the character of such lands “cannot be modified as per policy on the subject”.⁶⁹ A similar judicial protection and recognition of community rights in grazing lands has also been extended by the Sindh High Court to the gowchar and asaish lands in the desert areas of Tharparkar, even where these rights have been made to contest with a competing public need such as housing.⁷⁰

Unfortunately, this protective feature of the desert land grant policies and court rulings on grazing rights have not been appreciated in recent years following the coal rush. According to locals, the records of the gowchars have not been correctly maintained in the concerned registers as a result of which these lands have been subjected to wanton misappropriation by influential parties, government officials and now the coal companies.⁷¹ The indiscriminate and uncalibrated use of the land acquisition act in particular, has expropriated the very collective lands, which have historically always been in the possession and use of locals for their livelihood and sustenance and have received clear recognition from the state. Gowchars and rangelands are two of the most important categories of land that have been appropriated by the state in various regions of Pakistan, practically doing away with the historical and customary right of the local public over them.

judgment is reproduced here: “The Charagah land around the village abadis as also along with roads shall not be converted into State land and shall not be used for any purpose except with the prior permission of the Board of Revenue and that for a public purpose only. A recommendation in this behalf should invariably be initiated by the District Collector through the Commissioner of the relevant division.”(emphasis ours)

⁶⁹ Ibid.

⁷⁰ See Order of the High Court of Sindh (Circuit Court Hyderabad) dated 07.08.2017 in CP No.D 2375 of 2017. The case is still pending final judgment however.

⁷¹ As per land revenue procedures (S.44 and S.45 of the Sindh Land Revenue Act in particular), in the event of any disputes arising over land, entries are required to be made in the “Takrree Register” with the Collector required to resolve the matter. According to local lawyers and an ex-revenue official, a copy of this Takrree Register has historically been maintained in the Taluka Mukhtiarkar’s office (Revenue). A senior lawyer based in Mithi, however, reports that despite repeated recent requests in the Mukhtiarkar’s office in Islamkot and in the revenue offices of other Talukas, their team was denied access to the register and were instead told that not a single sanctioned gowchar existed in Taluka Islamkot. Later, in a turn of events it was admitted by officials that there existed at least seventeen sanctioned gowchars in Taluka Islamkot along with others entered in the Takrree Register, but that the register had been stolen by influential persons. They were also informed that various revenue officials had burnt the concerned records. Our field visits reveal, however, that despite these intrigues in the revenue offices, locals have historically maintained detailed records of the gowchars on their own initiative, including certified copies of maps and other drawings and site plans sometimes signed by revenue officers. The exact nature and details of these gowchars requires further research.

2.2. Land Acquisition as Dispossession

According to local testimonies, despite the changes brought on by colonial and post-colonial legislation, the desert area continued largely undisturbed in its traditional patterns of land use. Sales and other forms of alienation of land were exceedingly rare and the grazing of animals together with the customary rules governing access to water and pasture lands remained the primary practices binding communities and their land together. The *gowchar* retained this central role throughout the post-partition decades and well into the 2000s.

With the discovery of coal, a major shift appears to have occurred in the state's assertion and articulation of its interests in the Thar desert land, which resulted in an increase in the importance accorded to the "official" records of land ownership and registers of land classification. The desert, which in local imagination had been for the most part an undivided, peacefully self-governed and a collective resource, was now increasingly cast as fragmented parcels of private holdings subject to forcible acquisition or exclusively state-owned tracts susceptible to sequestration, division and policing by state authorities and the private company alike. Several interviewees have observed a sharp interruption and change in the public perception of land and land use rights from the pre-coal days.

Thar Coal's need for land is massive, and like other mega-development projects, its process of land acquisition rests on the Land Acquisition Act of 1884 (LAA) — a contentious piece of legislation widely criticized for its draconian design. While the Constitution of Pakistan acknowledges and protects the fundamental right to property, these rights are subjected to "reasonable restrictions." In principle, the forcible taking of land by the state is an "extraordinary" measure and should be viewed as a rare "exception" subject to strict regulation and judicial check. Acquisition without compensation is also prohibited under the Constitution.⁷² In practice, however, forcible acquisitions ostensibly for "public purpose" are a commonplace phenomenon that have plagued indigenous communities historically settled in areas rich in natural resources. The LAA remains the primary instrument for these seizures. Although several enactments and statutes of the colonial period have been co-opted by the Pakistani state, either wholesale or with certain adaptations to regulate the process of acquisition,⁷³ the LAA is unique in that it describes the entire range of steps to be taken by the relevant authorities to justify and complete the process of acquisition. It also covers several related topics pertaining to the procedures for compensation, the formula for compensation and the process of appeal.

⁷² Article 23 of the Constitution confers upon citizens the right to hold, acquire or dispose of their property subject to the reasonable restrictions of law. Similarly, Article 24 protects the private properties against compulsory acquisition save in accordance with the process of law and save by the authorities specifically empowered in this regard by the law.

⁷³ Examples of a few acts that contain the provisions of land acquisition for public purposes: Land acquisition act, 1894, The Telegraphs Act, 1885, the Railways Act, 1890, the Electricity Act, 1910, and the Forest Act, 1927.

The box below shows the steps of land acquisition.

Step by step process of acquisition

Under Section 4, a preliminary notification showing the intent is published in the Official Gazette, which makes it lawful for the designated officer to enter the land and conduct survey to ascertain its suitability for the purpose. If the land supposed to be needed for the public purpose happens to be a private dwelling, a prior notification of 7 days is also required.

Under Section 5, after the completion of the survey, a further notification is published in the official gazette and also displayed in conspicuous places to the effect that particular land is indeed needed for a public purpose or for the company.

Section 5 A, allows the persons interested in the land being acquired and having been previously notified under Section 5 to raise objections. However, after proper hearing the decision of the Executive District Officer (Revenue) shall be final.

A declaration is issued under Section 6 by the Executive District Officer (Revenue) stating that the land is required for public purpose; this declaration is published in the official gazette.

Section 7: After declaration the District Officer (Revenue) or any authorized officer shall direct the Collector to take order for the acquisition of the land.

Section 8: The land to be acquired is to be marked out, measured and planned if not done previously under section 4.

Under Section 9, the Collector issues public notice pertaining to the fact that the government intends to take possession of the land and that claims and compensation to all interests may be made.

Section 10 empowers the Collector to gather and demand information about the persons having interest in the land being acquired as/qua co-proprietor, sub-proprietor, mortgagee, tenant, or as according to the nature of their interest.

Under Section 11, the collector decides the day and invites everyone to submit their objections with regards to the land being taken, if any, and after conducting inquiry makes an award of compensation.

The award so declared, Section 12 says, shall be conclusive evidence as between the Collector and the persons, of the true area and value of the land, and the apportionment of the compensation among the persons interested.

Section 12-A makes room for the correction of clerical mistakes in the award.

Section 13 and 14 confer upon the Collector the power to summon the production of documents with regards to the ownership/interest of the land or to adjourn the inquiry.

Section 17 governs acquisitions in cases of urgency. It envisions two scenarios for the urgent acquisition of land: situations where the possession may be taken by the Collector after 15 days from the date of publication of notice under Section 9 (1) and situations where in case of unforeseen urgency it is necessary to take possession immediately after the issuance of notice under Section 9 (1) with the consent of the Executive District Officer Revenue. This section, however, does not define 'urgency' and confers wide-ranging powers to the Executive District Officer Revenue to determine at his unregulated discretion whether a situation of 'urgency' in fact exists. In case of acquisition under the urgency clause, the persons interested lose their rights to be heard or to file objections under Sections 5-A and 11 of the Act.

Problems of land acquisition

The LAA symbolizes the paternalistic attitude of the state wherein the underlying assumption is that wherever and whenever the state feels like it requires a piece of land, that decision is ought to be considered intrinsically good and that no interested persons should harbor any doubts about that. It is precisely because of this that the acquisition process is solely reliant on the discretion of the government and no consultative, collaborative or participatory role of the public has been carved out.

Apart from the absence of public consent, there is no prescribed criterion for determining what legitimately constitutes public purpose, nor has a procedure been laid out for how it is to be evaluated. The expression as it stands is so elastic that even the acquisition of land for private profit seeking companies is equated with public interest. Similarly, the Act does not require any prior investigation of the social and environmental impact of the project for which the land is being acquired.

In addition to that, the Act construes the expression "persons interested" in a very restrictive way. The subjects of compensation require their interest in land to be formally registered as private ownership (i.e as *qabuli* / survey land). The Act, therefore, recognizes the right to compensation and a hearing (if there is any) of only those who have a title to the land. The consequences are that many communities whose livelihoods may be based upon the land to which they may have deep historical connections

but no formal legal title, are dispossessed of their means of survival. Those who have no *qabuli* holdings and are entirely dependent on *gowchar* in particular, are outright excluded and denied any right to compensation despite their extensive land use rights under communal custom. In addition to that, the compensatory formula for private owners dispossessed under the Act, is based on the premise that a simple monetary compensation is adequate for all the social, cultural and material disruptions that occur in the wake of acquisition. Therefore, the state easily absolves itself of any obligation with regards to rehabilitation, restoration and resettlement. The irony is that even the monetary compensation provided for the land is grossly inadequate as it computes the value of the land from the standpoint of market value at the time of acquisition and no future potential of the land is calculated. This problem is closely tied to the lack of timelines prescribed in the Act for the period between the first notification and the final acquisition and payment of compensation, which often results in inordinate delays resulting in losses for persons interested who have to deal with the devaluing effects of inflation and the rise of prices of alternative land.

One particularly ugly feature of the LAA is the ability of a for-profit company to deploy the statute and the state's coercive machinery along with it, for the acquisition of lands for its own ends. The Act has increasingly been used by private actors, as well as private-public bodies, as a result of a historical colonial jurisprudence as well as the current 'neo-liberal' economic orthodoxy. This has articulated a conception of 'public purpose' which includes the economic benefits of industry. When a company requires land for its activity, the Act creates a symbiotic relation of it with the state. The Act allows for any company "desiring to acquire land for its purpose" to be authorized to enter, survey the land and exercise any of the powers enumerated for officers of the state.⁷⁴ The state undertakes the act of acquisition, while the company's purpose becomes conflated with the doctrine of public purpose. Even more egregious is the urgency clause. The Act does not define 'urgency' and confers wide-ranging powers to the Executive District Officer Revenue to determine at his unregulated discretion whether a situation of 'urgency' does in fact exist or not. The operation of the urgency clause effectively extinguishes every right of an interested person (in the property itself as well as the right to be heard) in a single stroke of a pen. In Thar Coal it has also been used selectively in various areas while other areas have been spared leading to a non-uniform and discriminatory set of circumstances for different affectees.⁷⁵

⁷⁴ S.38 of the Land Acquisition Act

⁷⁵ For instance, in some survey numbers of the village of Khario Ghulam Shah, S.4 of the Land Acquisition Act has been applied whereas in others S.17 has been used for acquisition. (C.f Deputy Commissioner/Collector Tharparkar Notification No. DC/TPR/3023 of 2016 and The Commissioner Mirpurkhas Division, Mirpurkhas, Notification No. COM/MPS/REV/1551/2016, Notification U/S 6&17 of L.A. Act, 1894.)

Here's a short list of some of the major failings of the LAA:⁷⁶

- 1. Failure to define 'public purpose':** This leads to misuse and there's no provision prohibiting the change of public purpose for which the land was acquired.
- 2. Failure to define 'urgency':** This results in unguided discretion by the Executive District Officer Revenue (district level revenue official). Under urgency provisions interested parties have no right of hearing.
- 3. Delays and financial cost to affected people:** No time period specified between acquisition stages, making an award and payment of compensation, which leads to significant delays and loss to persons impacted.
- 4. No return of land to owners:** No provision for restoration of land to previous owners if the project for which acquisition of land took place is cancelled.
- 5. Low land valuation:** Land valuations are set on the date of issuance of first notification, "according to average rate prevailing prior to the year before issuance of such notification," but the Federal Shariat Court declared that the valuation must be at the time of taking possession and asked for amendment.
- 6. No effective participation:** The persons impacted by land acquisitions have the right to raise objections to acquisition, compensation amount and land measurement. However, they are not meaningfully involved in any proceedings from commencement of acquisition proceedings till the award.
- 7. Lack of transparency:** Persons interested have right to information, but lack of strict observance of the procedure to service notices (as per the Act) means that important information does not reach people in time.
- 8. No proper accountability:** The checks and balances to protect the rights of persons interested as per the Act and 1983 Rules are loosely implemented.
- 9. No resettlement/rehabilitation provisions:** The Act does not recognize the concept of 'resettlement' and 'rehabilitation' whereas any ad hoc resettlement plans fail to have the same weight as the LAA provisions, which as discussed here, are severely limited and limiting.

⁷⁶ Based on Kalanauri, Zafar Iqbal. "Analysis of the Law of the Land Acquisition in Pakistan and the Recommendations for Change," n.d.

The preceding discussion shows that constitutional principles, land regulatory policies and the land acquisition procedures don't align. The LAA, as the principle tool of resettlement, is a flawed and legacy/colonial law that goes against constitutional provisions and common sense reasoning.⁷⁷ In case of Tharparkar, the existing categories of land use, both in the sense of the formal/legal and informal/customary practices, are not adequately reflected in, or recognized by the land acquisition laws and state practices. Not only has land acquisition in Tharparkar suffered from all the design flaws and systematic shortcomings of the LAA listed above, there has also been no effective recognition of historical and collective rights in *gowchar*. SECMC and Thar Coal authorities have also made no attempt to follow any uniform rehabilitation and resettlement policy.⁷⁸ The result has been a mass dispossession of multiple communities and the dismantling of an entire tradition of life.

In the next chapter, we present the findings of our community survey, to get a better sense of how Tharis are using their land and how Thar Coal is impacting their daily lives.

⁷⁷ Some of these design flaws in the LAA have been challenged in India with acquisition laws considerably revised and revamped. India also inherited the act and developed its jurisprudence around the LAA in parallel to that here in Pakistan. Indian attempts to amend the Act in 1984 by removing the company acquisition powers was met with resistance by the courts, and has now culminated, many years later, in a new acquisition act, The Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlements Act 2013. This Act radically overhauls the colonial system of land acquisition. Fundamental shifts include the provisions of a social cost-benefit analysis (including livelihood losers and land holders), a detailed enumeration of public purpose, the requirement of consent of at least 80% of landowners in company acquisitions and 75% in public-private projects (no consent is required for land that is required for public purpose and held by the government), heavily enhanced compensatory schemes and calculations, procedures of resettlement and rehabilitation, and spatial restrictions on the acquisition of fertile agricultural lands by industry.

⁷⁸ Although, the Sindh Coal Act 2012 does include several provisions in this regard, including one for environmental and social impact assessments as well as a clause requiring compliance with the resettlement policies of the Government (See Section 9 of the Act), these are at best lip service to settled international principles of rehabilitation given that no such policies or guidelines exist at the federal or provincial levels. This is in spite of plans for a National Resettlement Policy being floated as early as 2002, which plans were reportedly meant to include a detailed Project Implementation and Resettlement Ordinance for supplementing the Land Acquisition Act in acquisition and involuntary settlement. This policy however, has yet to be enacted after all these years, despite news reports that a ready draft has been available for a number of years. Similarly, the Sindh Coal Authority Energy Department had formulated a Resettlement Policy Framework for the Thar Coal Fields in 2015. (See MacDonald, Mott. "Environmental and Social Studies Including Resettlement Frameworks, Land Use Plan for Thar Coal Fields," April 2015.) This latter "resettlement policy framework" specifically attempts to address the issue of grazing lands and admits that a "substantial proportion of the land in Thar Coalfields is common land or community land." It envisions a "provision of equivalent grazing land" for displaced communities further providing that "every effort will be made by the Project Proponent to assure that appropriate *gaucher* land is provided to affectees" and that "this [provision of *gowchar*] should be given top priority while relocating the settlement." However, in practice none of these provisions have been adhered to, nor have any concrete procedures for ensuring their uniform application been drawn up (See case studies on New Senhri Dars and Thario Halepota in this report for details on deviations from this rhetoric).

3. Tharis and Their Land

In the previous chapter, we gave a general overview of the historic and legal patterns of land use and showed that Thar Coal land acquisition policies ignore Thari land rights enshrined in the Constitution and various land policies. In this section we present a detailed, data-driven picture of Thari people's concerns regarding land dispossession. Our findings are based on a community survey of 10 villages from the Thar Coal project area. Such information is missing from the publicly available official documents on development-induced displacement in Thar. Our survey is not exhaustive, but it gives a good account of the political economy of land use and current challenges faced by the Thari people.

3.1. Land Use in Thari Villages

To give an on the ground account of Tharis shifting land use, we surveyed 10 villages representing the worst affected areas. The list of all the villages that fall in the Thar Coal mining areas is given in Table 1 below, with those in bold text showing villages that we surveyed. Most other villages are located further away from the project sites and are, therefore, less affected. However, land acquisition is taking place in the villages of Seenhar Vikia, Shahmir Vikia in Block I and Jeando Dars, Aban Jo Tar and Jaman Samoon in Block II. The villages of Mansingh Jo Tar, Seengaro and Yousif Ji Dhani have not seen any land acquisition so far.

Table 1: Villages in Thar Coal project areas

S. No.	Name of Village	Block	Coal Power Development
01	Verwai	Thar Coalfield Block-I (TCB-I)	Mining + Coal power plant
02	Male-jo-Tar		
03	Saren-jo-Tar		
04	Sinhar Vikio		
05	Ajbe-Jo-Tar		
06	Khario Ghulam Shah		Mining + Coal power plant
07	Tilvaio		Mining + Coal power plant
08	Bhave-jo-Tar		
09	Shahmir Vikio/ Qurban Vikio		
10	Aban Jo Tar	Thar Coalfield Block-II (TCB-II)	
11	Bitra		
12	Seengaro		
13	Senhri Dars		
14	Thahriyo Halipota		

15	Mansingh Bheel		
16	Shafi Je Dhani		
17	Parbho Je Dhani		
18	Noray Ji Wandh		
19	Kharo Jaani		
20	Ranjho Noon	Thar Coalfield Block-VI (TCB-VI)	Mining + Coal power plant
21	Yaqoob ji Dhani		
22	Yousuf ji Dhani		
23	Gangoo ji Dhani		
24	Salar ji		
25	Vajihar	These villages and towns are located outside the boundary of Thar Coalfield blocks	Water supply dam for Thar Coal power plants
26	Gorano		Dewatering reservoir
27	Dukar Chau		Dewatering reservoir
28	Nabisar (Umerkot districts)		Water supply dam and pipelines from Indus Basin Irrigation System (IBIS)

Table 2 gives the location and population of our survey. Most of these villages lie in the Taluka Islamkot, with five located in Thar Coal Block I, two in Block II and one in Block VI. Two of the villages, Gorano and Vejhiyar, are located outside the mining blocks, but these are important sites for the water supply and drainage dams related to the coal mining and power plant projects. The population of these villages range from 894 to 8,100, with a total of over 30,000 people and average of about 2,800 people per village. Most villages lie within the population range of 2,000 to 3,000 people.

Table 2: Affected communities surveyed

S. No.	Place	UC	Taluka	Block Number	Estimated Population
01	Bhavay Jo Tar	Khario Ghulam Shah	Islamkot	TCB-I	3,175
02	Dukar Chau	Giryanchi	Islamkot	Outside coalfield	894
03	Gorano	Giryanchi	Islamkot	Outside coalfield	2,400
04	Khario Ghulam Shah	Khario Ghulam Shah	Islamkot	TCB-I	8,100
05	New Senhri Dars	Khario Ghulam Shah	Islamkot	TCB-II	1,975

06	Ranjho Noon	Sonel Beh	Islamkot	TCB-VI	1,835
07	Thario Halepoto	Khario Ghulam Shah	Islamkot	TCB-II	3,185
08	Tilwayo	Khario Ghulam Shah	Islamkot	TCB-II	2,675
09	Vejhiyar	Vejhiyar	Mithi	Outside coalfield	2,998
10	Verwai Lanja	Khario Ghulam Shah	Islamkot	TCB-I	2,875
Total population					30,112

The land use patterns in these villages depend on a variety of factors, but formal classification of lands is the most significant determinant of land use. The major categories of land, as mentioned in the previous section, are: qabuli (survey); yaksala (leased); and gowchar (grazing). Qabuli or survey land is privately owned. Yaksala is the leased public land that provides locals a path to land ownership. Gowchar or grazing land may be viewed as the commons, or public use land that is informally entrusted to the communities, with protected communal rights.⁷⁹

The land holding distribution as per these categories is listed in these Table 3. About 78,000 acres of land is actively used by our survey communities for cropping and grazing. Only 23% of this land is privately owned, whereas 45% of the land is usually available to local communities on lease. About a third of the total land is exclusively used for livestock grazing and is held in common by the village communities.

Table 3: Land distribution

S. No.	Name of Village	Survey / Qabuli (acres)	Leased / Yaksala (acres)	Common / Gowchar (acres)	Total land
01	Bhavay Jo Tar	1,650	4,050	2,500	8,200
02	Dukar Chau	1,290	1,973	350	3,613
03	Gorano	1,650	2,750	2,250	6,650
04	Khario Ghulam Shah	4,750	9,750	3,150	17,650

⁷⁹ There are some other categories of land, such as Evacuee land (land left by Hindu landowners who migrated to India), Begoti (yaksala that is now privately owned), and forest lands. But for the most part, land is divided into three categories of owned (qabuli), leased (yaksala) and commons (gowchar).

05	Senhri Dars*	1,850	3,400	1,250	6,500
06	Ranjho Noon	2,750	6,250	7,000	16,000
07	Thario Halepoto	550	750	1,100	2,400
08	Tilwayo	575	1,650	1,050	3,275
09	Vejhiyar	1,303	1,583	4,290	7,176
10	Verwai Lanja	1,450	2,650	3,250	7,350
	Total	17,818 (23%)	34,806 (44%)	26,190 (33%)	78,814

*Data for Senhri Dars is based on old village locations.

The population of these villages and the distribution of village families as per land use patterns are given in Table 4. The table shows that only a little over one third of the families own land, about a third may have the ability to lease land and almost half of the total population is landless, although the landless are unevenly distributed in the different villages. For instance, most people in Dukar Chau and Vejihar own land (88% and 71% respectively), while in Bhavay Jo Tar, Gorano and Verwai Lanja the landowners are merely 19–27 % of the total population. Most of the landless, if not all, work as tenants and agricultural labor.

**Table 4: Village population by class:
Land owners, leasers, landless and labor**

Village	No. of Families	Landholding Families		Leaseholding Families		Landless Families		Farm Worker Families	
		Number	%	Number	%	Number	%	Number	%
Bhavay Jo Tar	505	98	19%	163	32%	225	45%	185	37%
Dukar Chau	163	144	88%	124	76%	13	8%	12	7%
Gorano	405	110	27%	150	37%	145	36%	125	31%
Khario Ghulam Shah	1,240	420	34%	480	39%	745	60%	575	46%
New Senhri Dars*	320	155	48%	145	45%	320	100%	-	0%
Ranjho Noon	208	145	52%	130	46%	110	39%	80	29%
Thario Halepoto	513	148	29%	143	28%	223	43%	115	22%
Tilwayo	395	143	36%	143	36%	120	30%	95	24%

Vejhiyar	576	410	71%	189	33%	94	16%	25	4%
Verwai Lanja	425	115	27%	120	28%	190	45%	165	39%
Total	4,821	1,888	39%	1,787	37%	2,185	45%		

* No one in the relocated village of New Senhri Dars has land ownership rights

Apart from people's homes and other community structures, the land is primarily used for three purposes: cropping, grazing and cultural activities. Details of these land uses are given below.

Cropping

Most of the *qabuli* land is cultivated, while in some cases locals reported some land (2%-7%) was left uncultivated. The land is not cultivated primarily because some owners don't have enough money to purchase seeds or hire tractors. In some cases, the land is also left uncultivated to restore fertility. This land can be used for animal grazing, which also increases soil quality.

Land is cultivated both by owners and landless peasants, who are generally paid in kind. Most reported paying a third of the crop yield to the *haris* (landless tenants), while some might pay a fourth or half the yield to tenants and agricultural labor.

The most common crops in these villages include *bajra*, green beans, cluster beans and moth (lentil). The cropping cycle depends on rain. Crops are sowed during the monsoon months of June, July and August and harvested October through December. The crop yield and average prices are given in Table 5 below.

Table 5: Crop yields and income

S. No.	Crop	Per acre production range (mound/40kg)	Average per acre production (kg)	Per acre income (Rs.)
1	Millet (<i>bajra</i>)	6 to 8	280	78,400
2	Cluster beans (<i>gowar</i>)	6 to 8	280	78,400
3	Green beans (<i>mong</i>)	1 to 3	80	6,400
4	Lentil (<i>moth</i>)	3 to 4	140	19,600

Apart from cropping, the land also bears seasonal fruits such as *peeron bair* (berry), vegetables such as *sengrie* and *doonra*, and provides wood for fuel, other household uses and in the case of *devi* wood, sold to others.

Grazing

Animal grazing in Tharparkar district is undertaken around the year, day and night, mostly by men but sometimes by both men and women. The animals are also allowed to graze on their own. About half the villages reported livestock grazing was safe even if unsupervised. While most grazing is done in gowchar, the yaksala and qabuli land is also used for grazing. Gowchar land is not taxed, neither are the cattle. Livestock produce is sold in the market, with milk at Rs60 per kg, butter at Rs800 per kg and desi ghee at Rs1200 per kg.

Table 6: Livestock held by communities

Place	Sheep	Goats	Cows	Buffalos	Camels	Donkeys	Total
Bhavay Jo Tar	1,350	2,500	375	-	115	220	4,560
Dukar Chau	205	310	52	-	-	20	587
Gorano	650	1,500	500	-	125	350	3,125
Khario Ghulam Shah	3,200	5,500	2,250	75	135	305	11,465
New Senhri Dars	2,000	2,750	450	-	65	225	5,490
Ranjho Noon	3,700	4,750	300	15	300	400	9,465
Thario Halepoto	2,250	3,250	600	-	225	350	6,675
Tilwayo	2,000	2,750	375	10	245	210	5,590
Vejhiyar	2,250	2,925	348	-	210	280	6,013
Verwai Lanja	3,250	4,500	1,350	200	325	500	10,125
Total	20,855	30,735	6,600	300	1,745	2,860	63,095

Table 6 shows that the number of livestock held in these 10 villages is more than twice the number of people. Goats alone surpass the number of humans. On average, each family owns about 13 animals.

In official policy, non-humans are generally viewed as human property or wildlife and are not deemed worthy of consideration in resettlement plans. However, it is clear that if we only count the gowchar land, then each animal has access to about half an acre of grazing land on average. If we consider that qabuli and yaksala lands are not harvested through the entire year and include these as grazing lands as well, then each animal is, on average, entitled to 1.25 acres of land.

However, even if we consider solely the monetary value of these animal beings, as per market price, then the total estimated value of these animals is Rs1.12 billion, which is a significant sum worthy of consideration in resettlement plans.

Cultural uses

Land is deeply connected to Thari's way of being. The cultural life of the village communities draws from the peculiar political ecology, seasonal rhythms and relation to non-human communities. The cropping and grazing patterns shape their everyday life, along with the presence of a large number of animals – both livestock and others that communities may take care of, such as teetar and mor or peacocks.⁸⁰

Trees also constitute an important cultural and spiritual connection between human and non-human communities of Thar. Many Tharis view certain trees as sacred and will only fell trees when absolutely necessary. Trees such as *Sami Jo Jaar* or *Astan* are deemed as sacred. Such trees are considered as sites that offer protection from Satan and evil, and every year a sweet meal is shared in the name of *Saami* at *Sami Jo Jaar/Astan*. Most of these sacred sites are located in *gowchar* land, though some are in privately owned and leased land as well.

Each village has spiritual and ancestral sites that include mosques, temples, graveyards and *marhi*. *Marhi* are the places where *Satsang* – a spiritual and mystical practice of recognizing the truth and the true self – are organized. These are sacred sites of everyday use. Prayers are offered five times a day in mosques, evening prayer and *aarti*⁸¹ is done in the temples; the Shrine of Ghulam Shah is also located in village Thario Ghulam Shah and locals have deep affinity and attachment to these places.

Most of the sacred trees, temples, mosques and shrines are located on communal land. Taking away the Thari land is not only an economic assault, but also a cultural and spiritual assault as well.

3.2. Land Acquisition Problems

As noted in chapter 2, the primary instrument of dispossession is the LAA of 1894. Readers will recall our discussion of general problems with LAA, which included lack of transparency and accountability, low valuation for privately owned property, no compensation or alternative arrangement for communal lands, delays in compensation payment, inability to appeal the projects, financial awards and procedures, and an archaic and colonial-era law that forcibly takes possession of people's land. Here we look at the data on how land acquisition is unfolding on the ground.

Land acquisition is widespread in areas affected by the projects. Half of the total land of our survey communities has been or will be acquired

⁸⁰ Tharparkar district has the largest per capita livestock in the Sindh province - remarkable for a region viewed as 'arid' and 'bleak'.

⁸¹ A religio-cultural ritual

under the Thar Coal projects. Table 6 lists the land expected to be acquired from the various communities, as per community reports. In most cases, this land has been acquired to build infrastructure. However, as we show below, the formal acquisition of land does not give an accurate picture of the land dispossession, as there's a general air of uncertainty among communities and families whose land is not directly acquired, but are certain to be displaced due to ecological and environmental problems.

Table 7: Category-wise land acquisition (in acres)

Village	Qabuli (survey)		Yaksala (lease)		Gowchar (common)		Total Land	
	Acres	%	Acres	%	Acres	%	Total	%
Bhavay Jo Tar	500	30%	1,500	37%	2,000	80%	4,000	49%
Dukar Chau	115	9%	170	9%	-	0%	285	8%
Gorano	984	60%	1,250	45%	-	0%	2,234	34%
Khario Ghulam Shah	900	19%	2,400	25%	1,600	51%	4,900	28%
New Senhri Dars	1,850	100%	3,400	100%	1,250	100%	6,500	100%
Ranjho Noon	-	0%	-	0%	-	0%	-	0%
Thario Halepoto	600	100%	800	100%	1100	100%	2500	100%
Tilwayo	300	52%	950	58%	700	67%	1,950	60%
Vejhiyar*	65	5%	48	1%	600	14%	713	10%
Verwai Lanja	1,450	100%	2,650	100%	3,250	100%	7,350	100%
Total	8,264		16,428		12,900		37,632	48%

*Vejhiyar reported an acquisition of 40 acres of Begoti land, which is included in yaksala here

Let's first look at land acquisition. As per villagers, the process of land acquisition has started, and for the most part, has fully or partially completed. Communities in Block I, II and the water infrastructure sites in Gorano and Vajhiyar have reported land acquisition, whereas the village of Ranjho Noon that lies in Block VI has not reported of land acquisition starting. This is expected as only Block I and II are operational at the moment for mining and power plant construction.

When asked about the process of land acquisition, there was a general state of confusion among locals. Only three of 10 villages reported that a public hearing was held and in one instance this 'hearing' amounted to a mere visit by the officials of SECMC. Senhri Dars, one of the first villages to be relocated and resettled in the New Senhri Dars Model Village, reported that a public hearing was held in the old village in June 2013. The mining company officials visited Gorano in 2015, where the villagers

demanded that the land be acquired on lease. In Thario Halepoto, a hearing was held in 2014.

All the villagers who face displacement induced by coal power projects, except the Sehri Dars residents, are currently living in their ancestral villages but are already facing the adverse impacts of the mining and power plant operation. In general, most feared imminent displacement for a variety of reasons that go beyond official categorization of the displaced.⁸²

Table 8: Expected Displacement

S. No.	Name of Village	Total Families	Expected Displaced Families	% Expected Displaced
01	Bhavay Jo Tar	505	181	36%
02	Dukar Chau	163	83	51%
03	Gorano	405	405	100%
04	Khario Ghulam Shah	1,240	1,240	100%
05	New Senhri Dars	320	320	100%
06	Ranjho Noon	280	-	-
07	Thario Halepoto	513	513	100%
08	Tilwayo	395	395	100%
09	Vejhiyar	575	126	22%
10	Verwai Lanja	425	425	100%
		4,821	3,688	82%

The numbers given in the table also indicate that the official numbers of the ‘displaced’ ignored a variety of pathways through which immediate and future displacement takes place. The community at Gorano, in particular, stated that while formal land acquisition may not have been extensive, the village lies close to the Gorano reservoir that stores the groundwater excavated with the mining operation.⁸³ Many others stated that evictions were imminent, either through land dispossession, or through decline in water quality. One respondent stated:

“ Yes, the villagers are living in the village, but life is very risky. They face consequences on a daily basis, the villagers are likely to leave the village in near future because the Gorano lies near the reservoir; the impacts of brine water are appearing slowly and gradually. ”

⁸² Officially, the Land Acquisition Act does not define “displaced” people. The 2015 Thar Coal Resettlement policy framework classifies displaced as those individuals who are physically or economically adversely impacted by land acquisition or shifts in land use patterns, who may have formal or informal access to land use, as displaced. MacDonald, Mott. “Environmental and Social Studies Including Resettlement Frameworks, Land Use Plan for Thar Coal Fields,” April 2015.

⁸³ Also see Winn, Paunl. “Evaluation of Groundwater Impacts from Block VI Tharparkar Lignite Mine and Power Plant Project, Pakistan.” Newcastle, Australia: Hydrocology Environmental Consulting, March 15, 2020.

Decline in water quantity and quality is evident in other places as well. Moreover, villages adjacent to the project areas also face problems of dust and noise pollution, along with the increased securitization with fences, searchlights and checkpoints. The problem is particularly pronounced in Bhavay Jo Tar, Talwaiyo, Verwai Lanja, and Khario Ghulam Shah (for details see our case studies section). One resident of Khario Ghulam Shah said:

“ Our village doesn't lie in the range of Block I; the impacts: underground water shortage, unemployment, limited access and mobility due to fencing and dust and pollution, will displace us. ”

Overall, there's a high degree of uncertainty where these communities would go if they are forcibly displaced. Some stated they'd move to the neighboring villages, others to the city. Some stated a firm intention to resist and not move without proper and complete resettlement. In this context, the official resettlement plans are severely limited and don't cater to the needs of a large number of the affected people. The resettlement plans primarily consist of paying compensation to landowners, however, there's remarkable discrepancies in the type, amount, process and timeline of awarding compensation. Most communities noted that a compensation plan has been decided, in particular for *qabuli* (survey) land and the trees on this land. Some listed trees on owned land and houses are part of compensation plan, though apart from already resettled villages (Senhri Dars), most said that the house rate has not been decided.

One community listed an additional compensation for 'livelihoods', with confusion of whether this would be a one-time payment of Rs100,000 per married couple, or a monthly payment of Rs8,000 for an unspecified amount of time. No livelihood payments were made. Verwai also noted how they were promised school, temple, mosque, etc. The village of Senhri Dars stated that all the landowners (48%) received compensation in March 2018. Tilwayo reported getting compensation for 60 landowning families (15% of total) in 2019 and 2020.

Most face the problem of receiving partial compensation and reported other typical challenges of LAA. Some stated that they didn't have clear ownership after inheritance and land disputes emerged in the *khata* (records). Some stated that their CNICs were issued in a different area and thus they were denied compensation. Those with housing reported only half of the amount being given. Whereas, some mentioned that a single full payment was made for land (survey) but housing compensation was divided into two tranches – the second tranche was handed out once the communities had moved to the new location.

People are, in general, uncertain about when they will receive the money in hand and in case of livelihood and other promised grants, whether these will be paid in full, in tranches or monthly installments. This uncertainty

displays a failure of the government to make consistent plans and relay the information to the people. Disparities in the amount paid for qabuli land, given the absence of land markets, presents an unclear picture as to why different compensation amounts were awarded in different locations.

One community reported that they were offered land for houses instead of cash compensation, though nothing for gowchar. Other offers included construction of school, road and community center, availability of electricity and Rs400,000 to Rs600,000 for each house where they settled (after survey of houses of Kohli Paro). New Senhri Dars Model Village was unique in its experiences as it was offered houses, community center, RO Plant, temple, mosque, graveyard, school, playground, government dispensary, market and metal roads. Others also demanded similar deals. More than half of the communities expected other facilities beyond financial awards, including houses, roads, electricity, RO plants, government dispensary, schools, playgrounds, community centers, temples, mosques and gowchar lands. Some emphasized that officials only promised these additional facilities, beyond the scope of LAA, after significant protests by locals. These promises, however, are not legally binding for government and company officials.

The disparities in rates for houses and land also led to some discontent, as some communities reported being offered lower rates that they rejected (such as in Bhavay jo Tar). Some reported divided opinions, stating that "half of the village opposed the [government] offer, because they had concerns regarding the possession of [their ancestral land]..." Some communities had witnessed the case of the New Senhri Dars Model Village and the conflict that emerged there after resettlement – particularly the lack of facilities and lack of provision of gowchar. Residents of another village expressed these concerns:

“ Our villagers are concerned that the possession of houses will not be given to us just like New Senhri Dars Model Village; the land chosen by company or government may be yaksala or gowcher, so it can be the cause of once again forced displacement. ”

In terms of loss of livelihood, Dars and Haelpoto noted that they were told that they will be provided with gowchar, though others claimed that the situation wasn't clear as to who and where this grazing land will be provided. One community noted that they weren't offered any gowchar and instead were told that two members of each family will be given jobs. Their names are on the list of employed people, but it seems that some company officials were pocketing their salaries.

“ After losing the livelihood sources, unemployment has increased. The company has failed to provide us [locals] the opportunity, as we got the [information] that the company is showing our names in jobs records but actually they are out of jobs. ”

While compensation, jobs and in some cases grazing lands were offered to some of the earliest displaced communities, there was limited delivery on this front. Some communities were promised jobs and monthly payments in lieu of loss of livelihood, but most reported not receiving any monthly payment or employment. A limited number of unskilled jobs are offered to locals, with most labor and skilled professionals coming from outside of Thar. Working conditions in coal mines are terrible, with reports of torture and illegal confinement. Recent media reports speak of the death of a coal mine worker named Dodo Bheel, after ‘intense torture’ by SECMC officials.⁸⁴

Given these conditions, all the communities we interviewed displayed severe concerns about their future. They were particularly concerned about their impending displacement, loss of livelihood, lack of access to grazing lands, and lack of access to clean water. When asked, in general, whether locals were satisfied with official responses, the answer was overwhelmingly in the negative:

“ No. we are not satisfied with their responses, because of their complete ignorance to the critical issue of the affected human population. First thing is that they didn’t listen to our demands and concerns. Second, they just put on their propaganda everywhere but the real issues of the public have not been addressed yet at any stage. We met the elected representatives and focal person of the power company in 2017, 2018 and 2019, but they denied everything. We are going to be landless and displaced from our houses, where we lived hundreds of years ago but everything is under threat. ”

All reported that they approached state officials and aired their grievances, but to no avail. When asked if they had aired their grievances to the relevant officials, one community member responded that they had done so numerous times, despite the long distances they had to cover. But all of their efforts fell on deaf ears, even when the villagers resorted to protests and hunger strikes.

“ Yes. Many times regarding unemployment, compensation, land for lease, in 2019 and 2020. Before that we could go by vehicle within an hour, it was about 3 to 4 kilometers, but after the fence it was about 10 to 15 kilometers.... ”

They denied our grievances and put pressure on folks of the village to keep silent. There are several sit-ins. Hunger strikes and protest demonstrations organized and also panel discussion in literary and local based programmes. We shared our grievances but the company bought some people from our community. They sometimes threaten us, sometimes offer some cash to buy some people off. All these tactics to silence our voice and demands. ”

⁸⁴ Ali, Imtiaz. “Dodo Bheel Murder: Fact-Finding Mission Recommends Replacing SSP, Other Officials over ‘Mismanagement.’” Dawn, August 10, 2021. <https://www.dawn.com/news/1639892>.

Thari communities, once thriving on their land, are now living in a climate of fear and uncertainty. Communities fear for their future, fearing displacement, loss of livelihood and forced migration. Many feared that they'd be rendered landless and won't be able to rear animals and would be forced to migrate to barrage-irrigated areas or urban centers in search of work. They also fear the company officials, who instead of hearing their grievances are threatening locals and putting pressure on locals to stay silent or face severe consequences, like losing any chance of receiving minimal compensation or employment. Fear, uncertainty and violence against Tharis seems to be part of the official policies of government and company actors to "resettle" the displaced.

4. The Multi-headed *Ifrit* of Coal

The previous chapter gave an overview of the situation regarding land use and ongoing processes of forced displacement of Thari people. We also outlined the common problems faced by Thari villagers and communities. However, the situation on ground is even worse and more complex.

The Thar Coal projects can be likened to a many-headed monster that promises to breathe fire and destruction on communities in various ways. It is the dark demon, an *ifrit*, summoned from the underworld by the desire of lesser humans chasing material wealth and unleashing violence towards others.⁸⁵ The *ifrit* of coal haunts the Thari communities and villages in many distinct ways.

In what follows, we present six narratives based on repeated visits and in-depth conversation with community members as they battle this *ifrit*. In these narratives we emphasize different aspects of the ongoing violence against Tharis. It must be kept in mind that these narratives do not suggest that these communities only face the issues highlighted in these case studies. We have chosen to emphasize certain issues faced by certain communities, but these must be read in totality and along with the findings of the previous section.

The resulting community-narrative studies cover a wide-range of issues, the many-headed *ifrit* of Thar Coal mining projects – from the poisoned waters of Gorano to the risky reservoirs of Vejhiyar; from the relocation without ownership of New Senhri Dars to the manufacturing of community conflict in Thario Halepoto; from the health woes in Thario Ghulam Shah to the conditions of siege in Bhavay Jo Tar; from the experiences of the already displaced to the dreadful wait of future displacement in Ranjho Noon. The case studies tell us about the harrowing experiences of Tharis and will give the readers a better sense of the land woes in Thar.

⁸⁵ In Islamic folklore, *ifrit* or *تيرفيع* refers to a type of jinn usually associated with the underworld, formed of smoke and fire. While the *ifrit* may not be evil, it can be summoned by wizards to wreak havoc in people's lives. C.f.: <https://en.wikipedia.org/wiki/Ifrit>

4.1. Gorano: Poisoned Waters

Land dispossession and poisoned waters of villagers near Gorano dam, where SECMC stores the toxic waters from the mining operations!

Gorano was one of the first cases of mass protest against the social and ecological cost of Thar Coal projects. When mining operations in Block II began, the land around Gorano village was acquired to build an artificial reservoir in a natural depression. Gorano dam would store the water removed from the mining operation through a 35 km long pipeline. About 2500 acres of land was acquired by the local community and then slowly drowned in the reservoir with brackish and toxic water. As the mining pits grew and the aquifers filled the mining areas, the water had to be removed and moved to Gorano reservoir. The reservoir seems to be growing, with some news reports suggesting that the actual size of the reservoir might be 4,000 acres and would impact 12 surrounding villages.⁸⁶



The contaminated water of Gorano reservoir where toxic water from the mines is dumped.

Local communities didn't only face the challenges of land acquisition, but faced a much larger threat of imminent displacement as the reservoir transfers its poison to the underground water. The impact on land was, however, not limited to forcible acquisition of land but it extends beyond that both in time and scale, threatening the very future of these villagers.

When the SECMC and government officials came to take the land for Gorano, they started with the survey records of the area. But while the locals had been paying dhal (tax) since the time of the British colonization, to the revenue tappeddar (tax collector), the land records were not updated. In fact, some villagers reported that the tappeddar told them that many landowners were not listed in the survey. Here's a local recounting the incident of land acquisition survey:

⁸⁶ <https://tribune.com.pk/story/2288523/they-say-water-is-life-but-can-it-breed-death>

“ We’ve been paying *dhal* since the time of the British, but now the company and *tappedar* came and told us that there’s no signature on the records of the *mukhtiarkar* (senior revenue department official). The land of my grandfather was not recorded in his name. So I kicked the survey team out of my land. They showed me a map which displayed only half of my land. ‘Where’s the rest?’ I asked. They tasked me to sweeten the deal, and I told him to burn all the records and put that ash on his face. ”

Many report that they can trace their links to the land for more than 200 years, but as with the established problems of land acquisition, they reported not having proper records. Attesting to a strong sense of attachment and belonging to their ancestral land, another villager said:

“ Our ancestors are buried here. If the British did a survey and did not include us, is it our fault? We were here after the British left. Now where shall we go? Should we disown our land and leave? Instead of supporting us, you are forbidding us to plow the land. They say they will beat me if I use my ancestor’s land. No one asked us. No one sought our permission. They just took land with force. The police officials said to me I am old and not to make a fuss. But where have they left dignity and respect? Where are their morals? Now we have nowhere left. We are destroyed. ”

Another elderly man, Mr. Muhammad,⁸⁷ recounted how his land was taken from him. It all started, he said, in 2016 when the assistant commissioner, revenue officials, *mukhtiarkar* and others came to the village and informed them that the government needed their land for the company operations. He had four acres in a village where 500 acres of privately-held land and 1000 acres of leased land was forcibly acquired.

Early visits by land acquisition teams took locals by surprise. Many were going about their daily lives when suddenly teams of company and government officials arrived on the scene. One villager reported that he was on top of a tree, collecting leaves to feed his goats when he saw officials entering his field with heavy machinery. The Gorano communities are deeply attached to their land, and even offered to give their land on lease, hoping that after a while the mining operations would stop and they could regain full control over their ancestral land. However, this option was completely disregarded by the company officials.

This is when a protest movement started in Gorano, as the locals began a hunger-strike against their forcible dispossession. The strike started on May 3, 2016 in front of Islamkot Press Club and lasted for 636 days (almost two years). The community was led by their own and local women and children also participated in the hunger-strike camps.

These protests gained wider support as many political and social organizations came out to support them, including Awami Tahreek and

⁸⁷ Fictional name!

Thar Sujaag Sath. The protestors had simple demands: change the location of the reservoir, acquire the land on lease and provide employment to local and affected youth. They asked for social and economic security of locals along with land for the people and their animals. They were given coverage in local media and, to a limited extent, in national media, whereas activists, civil society members and intellectuals also supported the cause.

The government and the company used a variety of repression tactics – threats, causing divisions and even fake cases, but the villagers peacefully continued the protest. It is pertinent to note here that a large number of the Gorano protestors belonged to the Hindu community, who were united in strength, but had long faced marginalization in the wider Pakistani society. Nonetheless, the protest camp continued despite threats. Locals also traveled to Karachi to record their protest, where a group of about 30 men, women and children sat in a hunger-strike camp in front of the Karachi Press club for 22 days, starting on December 22, 2016. However, the media coverage of this protest was lax, whereas neither did the government meet the protestors nor address the problems of these locals.

After the long struggle, the villagers finally decided to go the legal route and file a case against the company. Local leaders filed a petition in the Sindh High Court on June 23, 2016. They presented their case against the socio-economic impacts of the reservoir, their demand for the change of location and the overall problems caused by the Thar Coal operations for the local people.

A full account of this protest and its impact is beyond the scope of this report. However, after two years of protests, the people of Gorano were merely offered some compensation in lieu of loss of privately owned land. The challenges for the community continue. Locals report that the entire agricultural economy of the village is badly impacted. They estimate a loss of regular income of about Rs0.1million to Rs0.3million per acre annually. Many have been forced to change their mode of life and have become daily wage laborers.

But their miseries extended beyond the issue of privately owned land. When the reservoir started to fill, it impacted the quality of their water. Their pleas to the company and government to change the location of the land and to build it further from the *abad* areas, fell on deaf ears.

Mr. Muhammad said that the reservoir is causing the contamination of groundwater. Most of the existing wells, about 18 in the villages of Gorano, Shive Jo Tar, Suleman Hajam, Alhe Ji Dhani, Nebo Ji Dhani and others, have turned brackish. The water used to be sweet but now it is becoming undrinkable. Even their livestock was using the reservoir, which led to diseases and deaths. The *mallwand* (livestock holders) had to sell most of their animals, given the shortage of land and water. Many families had to shift their animals to nearby villages after the seasonal monsoons.

Officials have refrained from releasing accurate data on the quality of water, but there are several indicators of their lack of concern for the local people and their lives. During our visit to the dam and the “green park”, we were informed by locals that government teams come and take samples of the water, but they never report the quality of water to the locals. Instead, the Engro company has been paying environmental groups, such as International Union for Conservation of Nature (IUCN), to claim that how the reservoir has become a wildlife sanctuary, boasting it as a ‘vulture’ safe zone.⁸⁸ The reservoir, however, paints a hauntingly bleak picture – a dystopian image of a series of dead trees, blackened by the poison of the water. Animals were seen drinking from the reservoir, and on further questioning, many villagers reported that this is resulting in diseases. Why let the animals drink from the reservoir? What else to do, they ask us. The water in the wells is the same, we were told.

The company has installed water treatment reverse osmosis (RO) plants in two villages, but these are insufficient for the people, what to speak of the animals. The RO plants were launched with much fanfare, but many villages suspect the quality of this water. They report body aches and bone problems. Mr. Nohrio noted that in the villages of Shive Jo Tar, Nabo Ji Dhani and Alhe Ji Dhani, the groundwater had completely turned useless due to seepage from the reservoir. Residents of the affected villages have to fetch water from the village Kattan, which is approximately 3 km away from them. This has increased the burden on women in particular, who are usually responsible for providing potable water. It takes about 4–5 hours to fetch water, they reported.

Mr. Muhammad Nohrio spoke about their relation to land, not as a commodity to be sold, but as something that cannot be priced through market operations. Land only exchanged hands as a last resort, when locals were under severe economic stress. Now it is being forcibly taken from Tharis.

“ We rarely sold our land before the reservoir was built. Only to pay health bills to treat someone with chronic illness, or in some cases to pay back high-interest loans from the seths (business men). Our villagers were and (are) serious in purchasing and selling the land, no other villagers were able to purchase land in our village. The selling of land is counted as disobedience in (*bradri*) village. Whether the rate of land was low before the reservoir but we were not selling the land easily. Now our land is forcibly occupied, and we are being evicted. They are taking our land and not listening to us.”

⁸⁸ <https://www.iucn.org/news/pakistan/201912/thar-identified-vulture-safe-zone-pakistan>

4.2. New Senhri Dars: The Fraught Model Village

A model village where the residents neither have ownership, nor jobs or the ability to make the houses their homes!

When mining operations began in Block II in Thar, the village of Senhri Dars became ground zero, standing smack in the middle of the mining fields. The resettlement of the Senhri Dars village became a prominent feature of SECMC Corporate Social Responsibility programs. With much fanfare, architects were brought in to design an “exemplary model village”, properly planned with a playground, market, school, dispensary, roads with solar lights, a mosque for Muslims and a temple for the Hindus. The Thar Foundation boasted of ensuring that the new village was built according to the cultural values and aesthetics of the old village. Official visits to the coal fields were accompanied with a visit to the ‘model village’. This was supposed to be the example on which Thar’s displaced communities would be resettled.

Notwithstanding the tall claims and the fanfare, the model village has proved to be inadequate as it can’t be scaled for the vast majority of the Thar’s displaced communities. Furthermore, those settled here are facing severe challenges.



The New Senhri Dars ‘model’ village, where displaced residents of old SenhriDars Village were resettled but never given ownership of the houses.

The village is located about 30 km from Islamkot city, just past the coal power plant being built in Block I. The villagers of the original Senhri Dars village were displaced from their lands in December 2018 and were resettled in the ‘model village’, to the west of the village Thario Halepoto. The 320 families included the Dars, Bhil and Kohli communities, with a current population of about 2,000 people.

There are 172 houses, each with three rooms, a corridor, a kitchen, store room, one washroom and a *chounra* (traditional thatched roof hut). The houses are spread on an area of about 200 acres, with about 800 acres allotted as *gowchar*. The *gowchar* land has led to conflict with the neighboring Thario Halepoto community, details of which are given in a separate section below. All 320 families in this model village have been rendered landless. No family has access to any privately owned (survey) or leased (*yaksala*) land for agriculture.

The land that these communities had was acquired, starting in May 2013, when the company held a public hearing in the village. Not knowing what was to come, the villagers didn't put up much resistance. About 1200 acres of survey land was acquired from 170 families, 3500 acres of *yaksala* from 170 families and about 1300 acres of *gowchar* land. About 150 families were already landless. The land owners were paid Rs180,000 per acre. Before land acquisition, the villagers had about 2000 sheep, 3000 goats, 500 cows, 350 donkeys and 80 camels. After resettlement, the number of animals dwindled to about 120 sheep, 400 goats, 50 cows and 20 donkeys - a tenfold decline in the number of animals held.

With no land to crop and 10 times less animals, the villagers of New Senhri Dars Model Village are facing severe challenges with a great loss of income. The locals estimate that they have lost about Rs20,000 - Rs30,000 annually for each acre of crop land (survey and *yaksala*), the total loss of income can be estimated to be between Rs94 million to Rs141 million per year. Many have had to migrate to the barrage irrigated areas of adjacent districts, such as Badin, as seasonal agricultural labor. A few have started small businesses, while others have even resorted to selling firewood to make ends meet. Many families have reported that they have had to sell their already meager assets, including women's jewelry, animals and donkey carts, purely to survive on a day-to-day basis.

If the loss of land, animals and income was not enough, the villagers also face shortage of houses. When the initial survey was conducted in 2014, the surveyors did not account for seasonal migrants and the natural growth of families through marriages and reproduction. A total of 172 houses were allotted based on the 2014 survey. However, the relocation happened in December 2018 and by that time seasonal migrant families and new marriages had increased the total number of families in the model village. About 30 landless Bhil families were not accounted for in the resettlement survey. The resettlement plans also created an incentive for early marriages. Currently, locals claim that the number of families is presently at over 300 - a number that accounts for those left out and those who started new families in the seven-year gap between initial survey and final relocation. This has forced multiple families to occupy the houses. Local sources reported that 32 families were living in eight houses, while in some cases two or more families were living in a total of about 20 odd houses. At present, at least 51 families need immediate housing, while 14 have already emigrated to Islamkot and other cities of Tharparkar.

For those lucky enough to get housing, the Thar Foundation and SECMC did not give legal ownership to the villagers and no written agreements were signed. This has created a sense of constant insecurity among the villagers, as many of them fear eviction even from the new settlement. The upkeep of the houses has also become a challenge. While the company claimed that the houses would be repaired annually, the current state of houses is beyond ideal. Around 35 houses were reported of facing leakages during the August 2020 monsoon rains. When the villagers approached the relevant company official named Mr. Muhammad Hingorjo, they were assured that repairs would ensue shortly. However, no action has been taken yet.

The resettlement package had other promises, including that 100 units of electricity were to be provided free of cost, with a yearly livelihood grant of Rs120,000 in lieu of lost livelihood. The first grant for 2019 was received in December 2020 and the grant for 2020 is yet to be paid. No information is being provided on that front. Furthermore, in August 2020 the residents of the model village were sent an electricity bill for the past three years - a total amount of Rs178,000 after Rs20,000 per family were deducted from the livelihood grant. Subsequently, power was cut from the village due to lack of payment of electricity bills. This led to protests by villagers in January 2021, after six months of living in darkness. Only after these protests the power was restored to these villages by the end of February.



Remains of a destroyed hut in Old Senhri Dars Village from where local community was displaced.

The company has also used suppression tactics against the aggrieved villagers. When in 2019, Pakistan Peoples Party Chairperson Bilawal Bhutto Zardari visited the model village, the company officials orchestrated the entire event and only allowed their preferred community members to meet with him. Utam Chand, a local, revealed with much anger that these invited people were told not to speak up or share their concerns freely. Many younger people of the community reported similar anger and wanted to share their grievances about the lack of employment, loss of income and delayed compensation payments. However, none were allowed to voice their grievances.

The future looks bleak. The natural process of reproduction means that the village population is increasing, but the residents are neither allowed to construct any new houses or shops, nor are they allowed to extend the existing structures and build additional rooms. The cultural practice of building a new room and extending a house after a marriage in the family are being prevented by a strict company policy that wants to keep the 'model village' looking 'model' and 'exemplary', but not practical and suitable for local needs.

The residents of New Senhri Dars Model Village have become a notorious case for many communities elsewhere in Thar. Numerous villagers from other communities told us that they do not want this kind of resettlement that takes away their land and livelihoods, doesn't give them ownership of their own houses. They added that they don't want any such compensation which doesn't even allow them to alter the design of the house to meet their needs, only so that the company can keep appearances and show the 'model village' architecture to the rest of the world. All of this while living next to a power plant, where construction is causing noise and dust pollution for the residents. Despite this proximity to mining and power plant operations, the locals have not been provided any jobs.

4.3. Thario Halepoto: Manufacturing Conflicts over Grazing Land

The company's divide-and-rule policy pits two neighboring villages against each other over grazing rights.

The village of Thario Halepoto lies east of the New Senhri Dars Model Village, separated by tall sand dunes. The coalfields of Block II are visible from the village and in that sense the Halepoto and Dars communities had been neighbors for as long as the villages have existed. However, with the relocation of Senhri Dars communities to the new location at the New Senhri Dars Model Village, the Halepoto and Dars communities have been forced to fight over the same tracts of land - a conflict created by the ill-formulated policies of the SECMC and Thar Foundation.

Thario Halepoto has a population of around 3,270 people in 525 families, including the Halepoto, Meghwar, Bheel and Kolhi communities. These communities survive through agriculture and animal husbandry. The village had about 500 acres of survey land owned by 145 families, 700 acres of yaksala leased by 135 families and 1,200 acres of gowchar used by the entire village. Roughly half of the families in the village (245) are landless, 50 of which provide farm labor. The village has 2,000 sheep, 3000 goats, 700 cows, 200 camels and 400 donkeys. Milk is sold at Rs50 per kg while butter and ghee can fetch Rs800 to Rs1,200 per kg.

Like the old Senhri Dar village, Thario Halepoto was one of the first villages in Block-II where land acquisition process began. In May 2013, SECMC approached locals through revenue officials (*tappeddar* and *mukhtiarkar*) for acquiring the land. Unlike old Senhri Dars, Thario Halepoto did not fall within the coalfields, so locals suspected that they would not need to relocate. Therefore, when the land acquisition process began, the villagers demanded that instead of taking their land, they could lease out the land to the company. But the company didn't agree to these demands and proceeded to take possession of the land. No further hearings or consultations were held.

The community didn't stop here and instead decided to highlight their problems through protests. On February 1, 2014, when the then Prime Minister Nawaz Sharif visited the coalfields of Block-I, about 400 men, women and children came out to protest, led by locals under the common platform of "*Thario Halepoto Ja Gothana*". The protestors blocked the company's site-office road in protest against the company for neither listening to their concerns, nor paying any heed to their demands.

The SECMC adopted a new strategy and hired two local wadero (influential landlords) as company spokesperson. Reportedly, the wadero was not happy with the fact that they were getting the same kind of house as their *haris* (tenants). They worked with company officials and were the first ones to sell their land. Soon others followed suit and the poorer families started selling land. 2500 acres of land was eventually acquired for the coal projects. The locals were paid Rs180,000 per acre of survey land, with 80 families having received payment whereas 35 are to be paid after some disputes over inheritance are resolved in the courts.

The resettlement woes of Thario Halepoto continue to this day. In 2018, the company offered the resettlement plan for village Thario Halepoto which included houses, school, hospital, graveyard, mosque, temple, electricity, playground, market, road and RO plant. The community, however, was divided in opinion about this resettlement plan, with about half the villagers in favor and the other half against it. Those opposed to the plans wanted to be resettled closer to the Islamkot city. Wary of the experience of New Senhri Dars, the villagers wanted written agreements that ensured legal possession of the resettlement town land. If ownership was not offered, they would prefer cash compensation for land and houses. Currently, the villagers reside in fear of eviction, and they are yet to hear about concrete plans from the company.

Locals have also shown concerns about lack of privacy due to a massive influx of outsiders. The conservative local culture means that women and children now experience restricted mobility. They fear that their way of life, already deeply impacted by the coal projects, will decline further if they are to be displaced. Reports suggest that local wildlife has also adversely impacted, with about 30 peacocks reportedly fleeing and dying due to noise and dust pollution from the mining operations. Like other villages, lack of gowchar land has forced villagers to sell some of their animals, as only those who can afford to purchase fodder from markets can continue rearing livestock. The estimated monthly loss of income borne by each family ranges from Rs5,000 to Rs10,000.

With all these changes, the biggest shock came in November 2020, when the police raided and arrested a total of 12 people from the village. These people were arrested on charges of trespassing their own ancestral lands. The convoluted story of these arrests shows the dark face of SECMC's resettlement policy – a policy that not only divides communities from within, but also pits old neighboring communities against each other.

The story involves Engro company's promise to the residents of New Senhri Dars Model Village that they would be provided with alternative gowchar land near the resettlement town. As discussed in the previous section, the 'model village' of New Senhri Dars is marred with numerous problems, among which the lack of provision for animal husbandry was primary. In 2019, the company decided to allot a part of gowchar land that has historically been used by the locals of Thario Halepoto village to the newly resettled residents of the model village. For the New Senhri Dars residents, gowchar land was their right. However, for Thario Halepoto, the land under contention was something they had accessed historically. As per common local practice, part of this land was also used for cultivation during the monsoon months.

While the residents of Thario Halepoto were aware that the land was forcibly acquired for Engro's mining operations, they were under the impression that the company would only take possession of the land once all the compensation amounts had been resettled. Furthermore, they viewed the land, which was 'technically' acquired but still unused, as something they could continue to use until their own resettlement was completed. With these assumptions, they informally asked the district administration and their political representatives to grant them permission to sow crops on the tract of land on the boundary of Thario Halepoto and New Senhri Dars Model Village. On their part, the residents of the model village started protesting as they needed the same piece of land for grazing.

Things got heated in the summer of 2020, when Halepoto had standing *bajra* and millet crops in the field and the Dars community was encouraged by the SECMC to let their animals graze in these same fields.

When a group of young Halepoto farmers went to the field to protect their crops, the company officials arrived on sight with a contingent of police and started damaging the crops. When the locals resisted, they arrested seven local landowners on spot, including Muhammad Ramzan Haleopto and Mutalib Halepoto among others. They were detained without any formal procedure and were released on bail after a few days of protests, legal action and lobbying by local groups. The cases are still ongoing.

Two communities were pitted against each other in this war of attrition between these powerful companies such as Engro and the government of Sindh, against the ordinary communities of Thar. Animals of one resettled community were used as weapons against the other displaced community which waits to be fully resettled. Blaming the local communities, officials of Thar Foundation and SECMC were quick to dismiss these as 'local' disputes, rather than taking responsibility for creating divisions and disputes among locals that are already facing the violence of displacement and dispossession. Dividing, pitting communities against each other, creates the opportunities for claiming the moral high ground – but the attitude only belies the insincerity of the coal mining companies and the government.

4.4. Bhavay Jo Tar: A Village under Siege

A village under siege

Bhavay Jo Tar is a village about 16 km east of Islamkot accessible through the newly built Islamkot–Nagarparkar road. Instead of the road providing access and some path to development, the villagers have been in conditions of virtual siege, surrounded on all four sides by Thar Coal infrastructure projects. The village has about 500 households and a population of about 3200, with Syed, Khaskheli, Bheel and Kohli communities living here since centuries in relative harmony and peace. The coal projects are impacting these communities, in particular the landless Hindu communities that comprise about half of the village population.

The Kolhi Paro, a neighborhood of the village, is surrounded on all sides by different coal infrastructure projects – the Islamkot–Nagarparkar road, the Thar Coal road and the Block-I Shanghai Electric power plant, along with the offices and residential areas of the Sino Sindh Resources (Private) Limited (SSRL).⁸⁹ The close proximity of the village to the power plant under construction is the biggest cause of concern for the locals. The company has put barbed wires and fences around the village, and large 'searchlights' point towards the village in the late hours of the night. The dust and noise pollution from the construction site has also destroyed local harmony and peace.

⁸⁹ CM Murad's assistant requests relocation of villagers 'under siege' of mining firms, DAWN, June 19, 2021; <https://www.dawn.com/news/1630141>

The conditions are made worse by the land acquisition policies. The village has about 1,500 acres of survey land, owned by 150 families, and another 170 families had possession of about 4,000 acres of leased or *yaksala* land. Another 2,500 acres of *gowchar* grazing land was in use and was sometimes a boon for the 225 odd landless families which could access this land informally along with providing farm labor to landowning groups. Crops of *bajra* (millet), cluster beans, green beans and lentils provided the main source of livelihood along with livestock rearing. The villagers have in total about 1,500 sheep, 2,500 goats, 350 cows, 100 camels and 200 donkeys. Milk produced from livestock rearing provides valuable supplemental income. The wood from the trees was also collected and used as fuels, to make small household items and to build the *chourna* huts.

Land markets were virtually absent in the area, but in March 2018 land acquisition started for building the coal power plant. With no public hearing held by the SSRL, the land acquisition process was marked by its opaqueness. Total land acquired for the power plant includes 500 acres of survey land from 70 families, 1,500 acres of *yaksala* land leased out to 90 households, and about 2,000 acres of *gowchar* that was commonly used by the entire village community. While a compensation of Rs180,000 per acre against survey land and an additional amount of Rs40,000 in lieu of trees and standing crops were paid, only 60 out of total 520 families received this amount, with another 10 families to be given the compensation after certain property related disputes are resolved through litigation in local courts.

One could estimate the loss of income merely by the loss of this land. A family loses about Rs30,000 per acre each year. Furthermore, with *gowchar* land in shortage, many had started to sell their livestock. Some families have to even purchase fodder from the market, which makes the enterprise extremely expensive. Furthermore, despite promises of employment in the construction site, only 30 people were employed in the unskilled sector, out of a village of 3,200 people. Given the immediate proximity of the village to the construction site, it's not clear why more job opportunities were not offered to the locals.

But the problems are not restricted to those who owned land and were given inadequate compensation. The majority of the villagers haven't received a penny for their loss of income. For the majority of landless people income was tied to land, even through informal arrangements that do not allow these groups to make any 'legally-sanctioned' claims in terms of loss of property.

Apart from loss of income, the proximity with coal power plants has caused numerous problems. First and foremost is the problem of pollution. Dust and noise from the construction site has made life difficult and has severe public health impacts that are yet to be fully recognized. The public health crisis is likely to impact the most vulnerable groups the most, which includes the landless, elderly, pregnant women and children. Even the animals are not safe from this violence. Peacocks, teetar and rabbits are reportedly migrating from the village due to the noise and dust problems.

These animals have cultural and spiritual significance for the humans that remain there, and unfortunately this type of loss is not even on the radar of most policymakers and observers.

The biggest challenge, however, is mobility and accessibility. Locals report that the access routes to their village have been cut off by the companies. Historical routes to the villages of Verwai, Tilwayo, Jam Ji Wandh and Borli Tarai have been fenced in. The securitization of the area has also impacted mobility. The villagers are practically living in conditions of siege.

The Kohli groups are the worst impacted. Living on a small area of eight acres of land, they are fenced in and have searchlights pointed at their homes. On three sides they are surrounded by fences, ditches, search lights and closed circuit television cameras, as if they are living inside a prison. Each day, about 3,000 employees of the company pass near the kaccha houses of this community, while the women have been restricted to their houses for long hours due to such mass mobility outside their houses.

This situation has disproportionately impacted women, who already suffer from limited mobility and accessibility. The women comparatively had better mobility before coal projects started – they'd go to the wells to fetch water, even go to the fields and *gowchar* on their own freely and easily. Now they are bound and restricted to the securitization and the large presence of outsiders in the area. The problem is magnified as the poorest groups don't have access to washrooms and latrines, as earlier it was safe to go out in the fields. After the arrival of outsiders en masse, they had to build 26 new washrooms, which added to their cost of living.

The Kohli community of Bhavay Jo Tar is demanding that even though their land has not been acquired, they should be resettled with the rest of their village community. The company argues that they don't fall in their area of concern and won't be relocated. It appears that the company wants these local folks to move out of the area on their own, rather than spending any money on their resettlement.

The government and the companies have been completely insensitive to these numerous challenges and have merely resorted to the least-cost approach using draconian colonial era rules and policies. The case of Bhavay Jo Tar in Block-I also indicates the unevenness of policy in the different villages and communities, as the experience here is even worse than that of the Block-I community.

The villagers have protested under the platform of '*Kohli Paro Ja Mutasir-Gothana*' or 'The Affected Households of the Kolhi Neighborhood'. They protested against these numerous problems for 36 days starting on May 11, 2019, in which over 200 men, women and children participated. The government representatives responded to these protests and convinced locals to end their protest on June 7, 2019. They reached an agreement on November 13, 2019 (terms listed in box below).

Demands of Kolhi Paro Ja Mutasi-Gothana, from Bhavay Jo Tar

- (1) The wall will be constructed on the west side of the Kolhi Paro for their privacy.
- (2) The lights of the plant tower will not be pointed at the houses.
- (3) Facilities of washrooms and latrine will be provided to all needy families after a survey.
- (4) The RO plant will be maintained and repaired by the company.
- (5) Through the pipeline from RO, the drinking water will be provided to all families door to door.
- (6) For sanitation, the water will be provided by hand pumps to all families.
- (7) After the survey of the village, the Kolhi paro will be highly considered in employment.
- (8) The vocational training and relevant equipment will be provided to all women of Kolhi paro.
- (9) The company will allocate the budget in their corporate social responsibility for school, dispensary, electricity and community for the Kolhi Paro.

So far the situation remains unresolved, as none of these demands have been met. This prompted the locals to hold another 11-day protest camp (from January 30, 2020 to February 11, 2020) outside the Islamkot Press Club. This time about 300 villagers participated, who reasserted their right to privacy, proper resettlement and the provision and maintenance of water supply and sanitation. Once again, the company sent some officials to the village and agreed to pay a compensation of Rs400,000 to Rs600,000 to each household in order to facilitate their resettlement. But the villagers were concerned that their compensation amounts were far less than what was being given in Verwai and Tilwayo (Rs4,200,000 per household), and the residents of these villages were far from the power plants and did not suffer from the issues of noise and dust pollution.

The protest came to a halt on February 11, 2020 when Mr. Veerji Kolhi, the special advisor to the Chief Minister (CM), Sindh, promised to take up the issue till its resolution. However, there hasn't been any progress in terms of meeting the locals' demand. Even Mr. Kolhi has communicated this to the Sindh CM in a letter on June 10, 2020. Mr. Kolhi observed that the Kolhi communities of Bhavay Jo Tar were facing "occupation" of their lands by Chinese companies, who were keeping the village under conditions of

siege. He noted that the “mining companies have placed a barbed-wire fence around their houses, which has disturbed their social life,” and urged the CM to act for the resettlement of the villagers under siege.

The villagers of Bhavay Jo Tar started yet another protest camp. But the company and the government seem to be content in prolonging their suffering. A village under siege, a panopticon, where the landed and landless are suffering. The *ifrit* of coal has left them far worse off than they had ever been.

4.5. Resettlement Woes of Khario Ghulam Shah, Verwai and Tilwayo

The villages of Verwai, Tilwayo and Khario Ghulam Shah are located in Block-I, almost 20 km from Islamkot city. The problems faced by these communities are an amalgamation of the general and some specific issues of resettling and compensating the communities adversely impacted by the coal mining operations.

The total population of the three villages is around 13,450 (2,040 households). It is marked with a diversity, consisting of Hindu and Muslim cast groups, including Syed, Bheel, Bhatti, Meghwar, Junejo, Lanja, Rahimoon, Mehranpoto and Kolhi communities. A total of 3,800 acres of survey land is owned by 390 families, 7,300 acres of yaksala land leased to 400 families and 2000 acres of gowchar land is used by all 2,040 families. The total number of landless are about 1,270, without 200 families rendered landless through the process of land acquisition.

The land acquisition process started in Tilwayo and Verwai in April and May 2018, respectively, and in April 2019 in Khario Ghulam Shah. Villagers were informed about land acquisition by the officials of the revenue department whereas the company did not hold any public meetings. Given their knowledge of the resettlement problems in other villages, the communities in these three villages were already cognizant of the issues they were likely to face. When no public consultations were held, the villagers started a protest movement in April 2019 demanding public consultations. Under local leadership, the communities organized sit-ins outside the press club in Islamkot. They demanded public consultations; the company should not take land by force and instead offer them the option of leasing their privately owned land to the company for a limited duration.

As with the case of other villages, the company hired three major landowners as their Public Relations Officers, in order to deal with the villagers. These landlords were the first to sell their lands and started to convince other community members, especially the poorest, to stop resisting and sell their land at the rates offered by the company officials. They warned folks that the government had the power to take their land without paying any compensation and selling their land voluntarily was the best option.



Toxic waste from coal fields of Block I is dumped in Tilwayo village, making displacement inevitable for residents.

Slowly other villagers started to surrender their land. Over the next few months a total of 2,800 acres of survey land of 665 families, 5,800 acres of *yaksala* land of 770 families and 4,600 acres of *gowchar* land of the three villages was taken under the provisions of LAA-1894. The compensation rates were Rs250,000 for each acre of survey land – a higher rate than given in some other places. However, only 210 families have been paid in full.

Verwai and Tilwayo villages are suffering from delays in the estimation and payment of compensation. Here only 17 of 840 houses have been given full payment, while 281 have received half of the amount from December 2019 to June 2020 at the office of the assistant commissioner in Islamkot. Around 13 families reported that the officials withheld their cheques for a number of months before corrections could be made. Another 30 families had migrated to the barrage area when the village survey was being conducted. They claim that they had been left out of the government records and therefore, were not given their dues and fair compensation. Locals of some neighborhoods had anticipated that their unmarried youth would be deprived of compensation and had rushed to marry their kids in a hurry. Some villagers reported that they had started to get young girls of ages 12 and 13 years married in order to ensure that their financial futures are secure. These are desperate measures of a community that is facing uncertainty and a bleak future. However, the villagers of these communities seem relatively well-informed and well-organized. An indicator of this is that about 352 families have filed their complaints with the Grievance Redressal Committee (GRC).

Many fear that they won't be able to meet the strict requirements laid out by the GRC. The GRC was established on September 9, 2020 by the District Commissioner of Mithi and operates only in Block-I. It mainly operated in the villages of Tilwayo and Verwai through public notice by the Sindh Energy Department. The GRC requires a variety of documents, including marriage certificates, family registration certificate, residential certificate, electricity bills, sanad, voter list of 2018 and the survey cards issued by the Environment Management Consultants in 2017. Many who were absent during the survey don't possess the survey cards. Older married men do not possess nikahnama, the marriage certificate. All in all the villagers face severe delays in the delivery of compensation.

About 840 families of Verwai and Tilwayo are destined to be displaced and these folks are facing severe difficulty in finding alternative places to be relocated. Around 70 families of the Meghwar community of Tilwayo and Verwai have purchased the 18 acres of land in Islamkot, which costs about Rs2,300,000 per acre — more than 10 times per acre of compensation. Around 215 Lanja families of Verwai have pooled resources to purchase 60 acres of land near Islamkot paying about Rs800,000 per acre. Another 200 families of the Kolhi and Rahimoon community purchased 40 acres of land on the south-east side of Islamkot, paying Rs150,000 per acre of survey land. The 355 families of Mehranpoto, Junejo, Bheel and Kolhi communities of Tilwayo haven't yet decided where to be relocated. They will decide their relocation after the full payment for house compensation.

Displacement is inevitable. The dust and noise pollution from the coalfields of Block-I have made life extremely difficult. The constant rumbling of dump trucks and mining machines sends ripples through the nearby village. Locals have reported increasing cases of cough and asthma in adults, while children have been suffering from severe dust allergies. As the heavy machinery plugs away through the late hours of the night, the peacocks of the village cry loudly and children lay awake in bed. People used to sleep out in the open, but that is no longer possible.

As health problems increase, the loss of income and livelihood makes it impossible to stay in place. While the company had promised employment, they only provided 120 petty jobs, hiring flagmen, dumper drivers, wage labor and mason, out of a total of 13,450 people in the affected villages of Khario Ghulam Shah, Verwai and Tilwayo. Villagers now continue to protest - demonstrations were held at the time of field work, with a 10-day protest organized from October 21, 2020 to November 1, 2020 outside the Islamkot Press Club. United under the platform of '*Thar Coal Block-I ja Mutasir Gothana*' or '*The Affected Villages of Thar Coal Block-I*'. Locals also protested during CM Sindh Murad Ali Shah's visit on October 28, 2020 to demand for employment opportunities. While the CM took notice and assured the locals of getting them jobs, no action has been taken. Instead, 52 dump truck drivers were fired from their jobs on January 16, 2021 as they protested the physical torture of one of their compatriots, Ghulam Rasool Mehranpoto.

4.6. Ranjhoo Noon: Awaiting Displacement

The village Ranjho Noon lies in Block-VI, some 25 km away from Islamkot town in its north eastern side. The total estimated population is 300 of 2,000 houses. The population consists of Muslim communities of Noon and Khaskheli and the Hindu Meghwar community, who have been living together in the village with brotherhood and harmony since centuries.

There is about 2,500 acres survey land in this village owned by 150 families, 5,000 acres *yaksala* land possessed by 130 families and 6,000 acres *gowchar* utilized by 300 families. In the village, 100 families are landless and 80 families do work as farm labour on the available land. The 80 landless farmers, including 150 families of survey and *yaksala* land holders, sow the major crops *bajra* (millet), cluster bean, green beans and moth (lentil) after seasonal monsoon in July to August and harvest the crops in November to December. The average production of the different crops ranges from one to eightmonds/40 kg per acre.

The second major livelihood source of villagers is livestock, which consist of sheep (3,000), goats (4,000), cows (200), buffalos (15), camels (300) and donkeys (400) reared by villagers. The men graze the animals in 6,000 acres *gowchar* of village. The folks sell the milk by-products butter for Rs800 per kg and *desi ghee* for Rs1,200 per kg.

The villagers use their land for fuelwood, wood for furniture, to make the kacha thatched roof house (*chourna*) and also collect Thari fruits *pairoon*, *bai'r* (wild barriers) and vegetable *seengri* from the land.

The trend of sale and purchase of land in village Ranjho Noon is very rare. In the past, the folks would sell their land only to pay back the loan of a seth or a rich man. The purpose of purchasing and selling the land is not commercial nor housing and building.

In 2015, Sindh Carbon Company (SCC) organized a public hearing in the village to consult the people of Ranjho Noon and other nearby villages, where they listened to the local community's concerns, shared PowerPoint presentations and delivered speeches in English and Urdu. The community at large couldn't make any head and tail of these presentations and speeches in these two languages. However, Khatau Jani, a local journalist and Ali Akber Rahimoon, a civil society activist, raised questions and concerns regarding the displacement and relocation of the local communities.

The company spokesperson said that the company would facilitate the community and provide one job to each family belonging to the villages lying in Block-VI, including village Ranjhoo Noon, Kharo Jaani Lanja, Yousif-ji-Wandh, Gangoo Ji Dhani, Jodho Ji Dhani and Salaam Ji Dhani.

The power plant is likely to be constructed some 8 km north-east of Ranjho Noon and west of Khario Jaani village. Since the power company hasn't shared any proper information, the local communities are not clear about the quantity and type of their land – survey, *yaksala* and *gowcher* – to be acquired. Besides raising questions and concerns at the public hearing, the local journalist and the civil society activist suggested that instead of purchasing the land, the companies should acquire land on lease.

At the public hearing organized by the SCC in 2015, a local villager angrily said, "If you [the company] need our land, you will have to take it on lease as long as you work in Block-VI. We, the locals, can clearly anticipate that our land will be forcibly acquired and the coal power development will render us landless. The land, trees, plants, animals, wild animals and *gowchar* will be adversely affected due to the contamination of water, dust, noise and air pollution caused by mining operations and thermal power generation."⁹⁰

He added that as the mining operations and power generation begin, the social life of the village would be badly affected due to in-migration of the outsiders. In Thar, he said, the women along with their male relatives worked in fields with husbands. The mobility of women would be reduced due to the possible establishment of security check posts on the pattern of Block-I and Block-II, he lamented. To access the nearby villages including Khario Jaani Lanja, Yousinf-ji-Wandh, Gangoo Ji Dhani, Jodho Ji Dhani and Salaam Ji Dhani, he said, the locals would have to bear extra monetary cost and additional time since the connectivity of Ranjhoo Noon with nearby villages would become difficult. With the power plant becoming functional, he said, the smoke billowing from it will induce environmental problems and respiratory diseases.

"The traditional lifestyle and rich culture of folks will be affected due to the power cluster in the village. Nowadays, the women and children can freely go to their land and *gowchar* to look after their fields and animals and collect firewood and for seasonal fruits. After the power plant is installed, the conditions will drastically change. The women and children will not be able to step out of their homes due to the mass movement of outsiders [in the area]. In our traditional culture, the women observe *pardo* [veil] from unknown men. Once the movement of strangers starts day and night, the women will not be able to go out of their homes. The role of women in farming and livestock-rearing will come to an end," he said.

⁹⁰ Name withheld to maintain privacy and anonymity.

4.7. Vejhiyar: Risky Reservoirs in the Desert

Thar Coal is a drain on Sindh's water resources and the communities in Vejhiyar are worse off due to the risky reservoirs built for supplying water to the coal power plants.

The coal infrastructure extends beyond the model village and the immediate vicinity of the Thar Coal mining blocks. If Gorano reservoir was built to store groundwater extracted from the mining operations, the reservoirs in the village of Vejhiyar are built to supply water to the coal fired power plants. The reservoirs built in Vejhiyar are part of a larger water infrastructure consisting of storage reservoir in Nabisar, Umerkot and Vejhiyar, along with the Farash-Makhi canals and pipelines that would draw water from the IBIS and supply these for the coal-power plants. Here, we focus on the issues of Vejhiyar, while pointing to potential challenges that would extend beyond Tharparkar into the districts of Umerkot and Sanghar, as conflicts around water distribution will come into play when the power plants begin their operations.⁹¹



The reservoirs built in Vejhiyar village to supply water to the coal fired power plants.

Vejhiyar is located about 30 km north of Islamkot town, and the site for two reservoirs, one of about 80x2 acre pools already built and another 200x2 acre pool to be completed in near future. These reservoirs will be connected with a pipeline stretching about 65km towards the east,

⁹¹ Some details of the wider impact on the Indus Basin Irrigation System are given in a report by Paul Winn, 2020, Thar Coalfield Water Impacts: Financial and Social Risks.

connecting the Vejhiyar reservoirs with the four reservoirs Nabisar that will be supplied with 200 cusecs of water from the IBIS via Farash–Makhi link canal.⁹² The EIA for the project ignores much of the broader concerns of Nabisar water users.⁹³ Similarly, communities in Vejhiyar are also facing severe challenges.

Vejhiyar village has an estimated population of 3,000 distributed across 600 houses. The main castes here include the Rajput, Soomra, Bheel and Kolhi. The village has about 1,315 acres of privately held (*qabuli*) land owned by 480 families and another 1,600 acres of leased (*yaksala*) land held by 245 families. The landholding patterns in the village differ from other villages in our survey, as it includes two new categories: *begoti* and *evacuee* land.⁹⁴ The village includes about 6,510 acres of *begoti* land owned by 150 families that also hold survey and *yaksala* land, while another 1,250 acres of *evacuee* land is owned by 140 families. The *gowchar* land is about 4,500, collectively utilized by the 600 families of the village. Unlike other villages, the number of landless in Vejhiyar is low, as only 55 families hold no land and of them, 34 work as farm labor on the available land. Cropping patterns are similar to other areas of Thar and livestock comprises the second largest source of livelihood with a total number of 2,500 sheep, 2,850 goats, 295 cows, 120 camels, 260 donkeys and two horses.

The land acquisition started in April 2014, with a private construction company involved in the process. The villagers were informed that their land was to be acquired to build a water storage reservoir for the coal power projects. No public hearings or consultations were held by the company. About 90 acres of survey land was acquired from 50 families, 50 acres of *begoti* from 30 families and another 200 acres of *gowchar* grazing land was taken. This land acquisition process was marred with the usual challenges of unfair compensation, opaque processes and lack of exploration of alternative sites for the dams.

The reservoir built is in dire state, with cracks emerging in the bottom of both the concrete-lined pools. The villagers report that the reservoir doesn't even hold the rainwater, as all the water seeps through these cracks. They fear that this seepage can undermine the very foundations of the reservoirs. Fears of breakage and floods are palpable, particularly for

⁹² Project details: 200 cusec fresh water from Farash Complex at Makhi Farash Canal near Dhoro Naro, district Umerkot by a concrete lined channel; 45 cusec intake from Makhi–Farash Canal; 45 day water storage reservoir (5 million cubic meter); water treatment; pumping station and 60.71 km pipeline from Nabisar to Vajhair; 30 day storage reservoir (3.3 million cubic meter); Src: Enertech Water Private Ltd, 2020, Owner's Engineer for Supply of Water from Nabisar and Vajhiar: Environmental Impact Assessment, Vajhair10754-ILF-PAK-OD-0003.

⁹³ "PFF Urges Sepa to Reject 'Bogus' EIA for Nabisar Dam Project." DAWN, July 9, 2020. <https://www.dawn.com/news/1567814>.

⁹⁴ *Begoti* is a term used in some communities to refer to land that was transferred under private ownership (*qabuli*) after several years of cultivation as on lease (*yaksala*). *Evacuee* refers to *Evacuee* property, which is left by outgoing migrations at the time of partition in 1947 and in later waves after wars between India and Pakistan.

the 40 odd families of Bheel and Thakur groups that are living merely 20 meters south of the reservoir wall. About 70 families from the Soomro parro (mohalla) live merely 50 meters north of the reservoir wall. The land acquisition did not account for the imminent threat and risk to these communities in case of dam breakage. Furthermore, the water naturally drains from the north to the south-east side of the village, which is also blocked by the concrete reservoir. Furthermore, the reservoir split the village in such a way that the direct path from houses to the agricultural farms and grazing land had been cut off, adding the time and energy needed for the villagers to go about fulfilling their basic everyday livelihood activities.

The villagers have protested and demanded changing the location of the reservoir in 2014. They blocked the main road for hours and even went to Islamkot to organize a protest camp and press conferences. They demanded fair compensation, as they were being given Rs100,000 per acre for survey and Rs50,000 per acre for begoti land, which is even less than what was being offered to other Thari communities. Furthermore, no compensation was being awarded for the trees in the survey, begoti or gowchar land. The total disregard for communal use and a sense of collective ownership over gowchar land indicates the callous attitude of the government and private construction companies - a callousness consistently shown towards Tharis across the board.

The government officials, particularly the Deputy Commissioner (DC) of Tharparkar and other relevant bodies, completely ignored the demands of the people. Neither holding any public consultations nor paying any heed to the protests, the officials of the revenue department visited the village in summer of 2014. They were informed about concerns regarding a reservoir smack in the middle of the village, dividing communities and blocking natural walkways and drainage pathways. No risk calculations were made and alternative locations were not considered even when they offered less risky options.

The communities have even filed a legal petition against the construction contractor D Baloch Company in the session court in Mithi through Advocate Hemraj Bheel in June, 2014, with Inder Sindh and Molvi Taj Muhammad Soomro as the petitioners. In response to this legal action, the court has issued a notice to the company, as hearings went on for more than two months. The Manager of D Baloch Company, Mr. Suhaid Ahmed, met with the petitioners Taj Muhammad Soomro and Inder Singh Thakur and strong-armed them into withdrawing the legal case and surrendering their land as of May 2014. Subsequently, a reservoir with two pools was built over the acquired area of about 160 acres.

In 2019, a second round of land acquisition process started in the village. A new much larger reservoir was to be built by new contractors, the Solangi company. This time 500 acres of gowchar land was earmarked as the site, northeast of the already built reservoir. About 130 families of the various neighborhoods (parro) Achio Jo Tar, Bheel Paro and Rajput Paro are the victims of the new construction.

A new round of protests resulted in promises by the district administration that they will consider people's needs and demands. The villagers once again resisted this forcible land acquisition, holding sit-ins in front of the company offices. They approached the various elected representatives, pleading once again that the location of the reservoir be shifted further from the village, to decrease the risk of floods and imminent displacement. They filed an appeal with the district authorities on July 13, 2020, requesting change in location and a pathway for villagers to cross the existing reservoir. DC Abdullah Soho and Sub Divisional Officer Irrigation Saleem Mahar visited the water supply scheme in response to this petition and organized a *khuli kachehri* (public hearing) on December 18, 2020. The villagers once again asserted their demands of changing the location of the reservoir and providing access through the reservoirs so that people's houses, farms and grazing lands are directly connected.⁹⁵

Unfortunately, despite assurances, no practical steps have been taken by the district administration. In the December 2020 public hearing, the Deputy Commissioner assured the community that the dam will be constructed after the considerations of villagers. He promised that a gate will be built to provide access across the reservoir and that the site of the new reservoir will be changed.

Currently, the acquisition of additional *gowchar* land leaves the villagers with no option but to bring their animals to grazing lands that are about 3km away from the village. They estimate that the loss of grazing land has cost each family about Rs5,000 income per month. They even resorted to stocking the dried leaves of cluster beans as alternative fodder for the animals; these leaves would have previously been sold in the market.

The risky reservoirs of Vejihar villagers have made life extremely difficult for the local communities. People have lost sources of income and have been paid very little in compensation. The reservoirs are built smack in the middle of the village, dividing the communities and forcing locals to travel additional and long distances to access their graveyards, grazing lands and farmlands. Those living close to the reservoirs risk floods. Seepage and cracks are already visible in the reservoir that haven't even been used. They fear the worst when the reservoirs are filled and the monsoon rainfall. A disaster feels imminent, but the government is not paying much heed to the villagers' demands.

5. Conclusion: Tharis, Coal and Land

Pakistan's unfortunate turn to coal has widespread support, but the plight of the Thari people has been overlooked despite widespread protests on issues of land, water, pollution, unemployment and public health concerns. Despite promises of ending coal projects, the Pakistani state has allowed a coal rush in Thar, with numerous national and global companies seeking

⁹⁵ Reportedly, the earliest design of the reservoirs left no gaps between them, severely limiting local access.

to profit from the misery of Thari people.⁹⁶ They haven't included the real cost of these projects; the damage they are causing for the Thari people. Not only are Tharis feeling the immediate impacts of land dispossession, they will also be paying the price of "transforming" Pakistan for many generations to come. The situation is bad as it is, but will get worse for locals unless immediate action is taken.

The first step is to recognize Thari's right to their land and make all efforts to preserve their way of being. Unfortunately, official and popular discourse tend to present Thar as a bleak desert. Our research shows it is anything but a barren wasteland. Thari communities have lived in relative harmony with the land and in a mutually beneficial relationship. The conditions are undoubtedly harsh, but their collective and communal management of land creates a vibrant and dynamic relation with land, water and seasonal cycles of rain and drought. They cultivate numerous crops relying on seasonal rains and have transformed patches of desert into green fields despite limited water availability. Large swaths of land in this rather green desert provide ample fodder for cattle and animals. Free range grazing, multi-cropping and collective land management practices have a positive impact on local ecology and counters desertification. Tharis, in their wisdom and care for their land, have known for centuries what many modern farmers and ranchers are discovering now.⁹⁷

The complexities of Thari land use forced the British colonists and later the Pakistani governments to recognize a variety of land use rights. The Thar land management regimes historically allowed private ownership (*qabuli*), provided a path to ownership for the landless through productive use of public use leased land (*yaksala*) and collective rights to communal grazing land (*gowchar*). Locals continued to enjoy land use and access rights through formal and informal mechanisms, even as successive policy reforms chipped away at local control over land. While these policies did not completely uplift the landless and lower cast groups, they provided locals with some means of sustaining themselves, and by all accounts maintaining a nutrient rich diet.

All this changed when the *ifrit* of coal was unleashed on Thar. The use of colonial era LAA of 1894 systematically undermined Thari people's access to their land by merely offering compensation for privately owned land and houses. Other categories, particularly *gowchar*, were completely ignored. This massive land dispossession along with increased water

⁹⁷ For scientific research on the role of grazing, crop rotation, and rest on preventing desertification, see: Weber, Keith T., and Shannon Horst. "Desertification and Livestock Grazing: The Roles of Sedentarization, Mobility and Rest." *Pastoralism: Research, Policy and Practice* 1, no. 1 (October 20, 2011): 19; Álvarez-Martínez, Javier, Amelia Gómez-Villar, and Teodoro Lasanta. "The Use of Goats Grazing to Restore Pastures Invaded by Shrubs and Avoid Desertification: A Preliminary Case Study in the Spanish Cantabrian Mountains." *Land Degradation & Development* 27, no. 1 (2016): 3–13; For use of traditional Thari knowledge to prevent desertification in India, see Gaur, Mahesh K., and Hemlata Gaur. "Combating Desertification: Building on Traditional Knowledge Systems of the Thar Desert Communities." *Environmental Monitoring and Assessment* 99, no. 1 (January 1, 2004): 89–103. <https://doi.org/10.1007/s10661-004-4005-7>.

insecurity has already forced many locals to sell their animals and migrate to urban and irrigated rural areas of Sindh. Those who stayed are living with uncertainty and fear of imminent displacement.

Other promises are also broken. The companies promised compensation, housing and employment, but delivered very little. Very few jobs are offered to locals, almost entirely for unskilled labor. Newspapers carry frequent reports of torture and dire working conditions, which have even resulted in death of mine workers. Those resettled in the 'model village' have no land ownership, cannot modify the houses they live in and have multiple families occupying a single-family home. The model village has become a cautionary tale for other local communities.

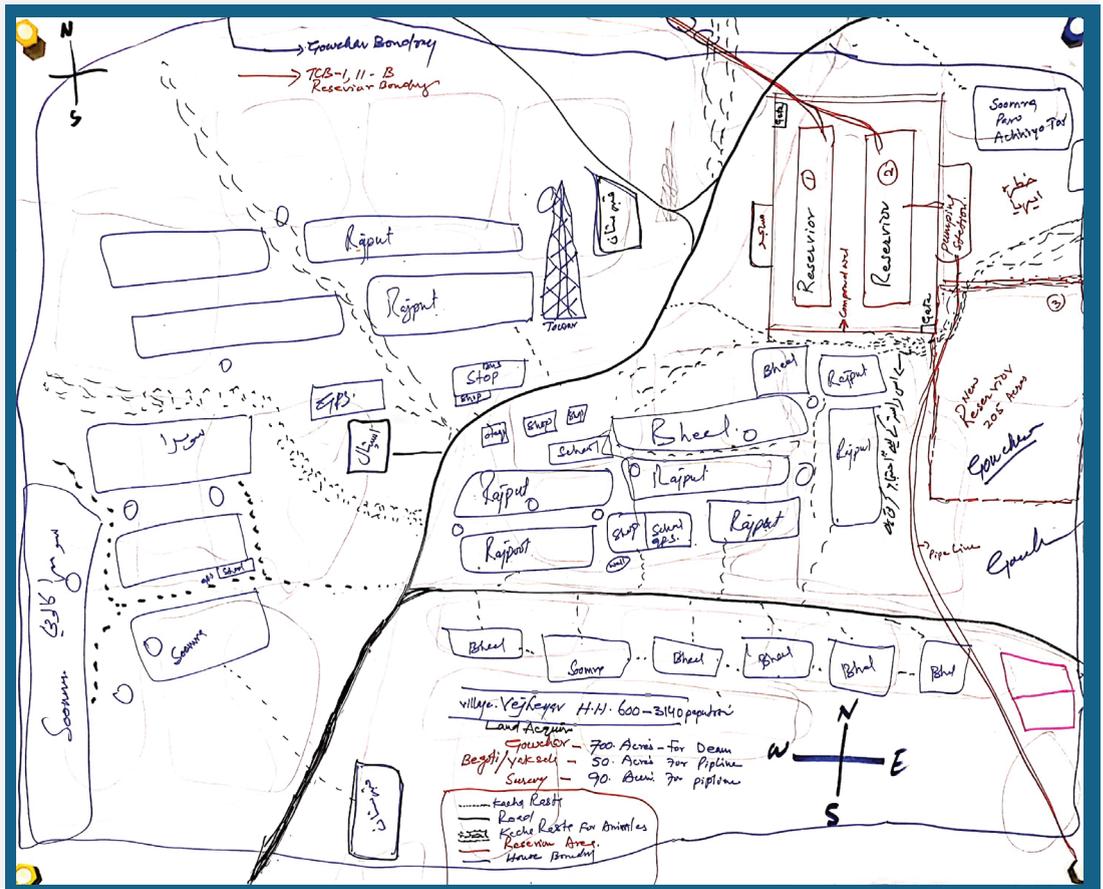
Locals report that the state and coal companies have used violent tactics against locals. They have threatened local protesters, divided communities by buying some influential people off and pitted neighboring villages against each other by manufacturing conflict over grazing land. The use of fences has caused severe accessibility issues. Increased securitization and influx of outsiders has destroyed the peace and privacy of women, limiting their mobility. Some communities are living in conditions of virtual siege, surrounded by various coal infrastructure projects.

The official resettlement policy is both insufficient and inconsistent. It hides the true cost of the coal projects. As outlined here, it misses not only the long-term impacts of the projects, including land dispossession and displacement, but also some of the immediate concerns. It is high time that the state, investors and the coal mining and power companies come clean about the real cost of Thar Coal projects.

There's a need to affirm and recognize Thari rights to their land and their way of being. The protestors must not be silenced. Their rights of grazing and easement access must be respected in policies and principles. Instead of poisoning their water, they must be supplied with clean and sufficient water regardless of the status of coal projects. Archaic land acquisition policies and ad hoc half-baked resettlement plans must be abolished. Instead, the state must adopt globally recognized principles of free and informed consultations with locals, before undertaking any projects that have immediate and inter-generational social, economic, cultural and ecological costs.

The proliferation of protests in Thar indicates a deep dissatisfaction with the government policies and corporate practice. Some of the damage will have lasting effects, but it's still not too late to reverse the damage. Thari's suffering under the weight of a massive transformation of their future for the worse. While we need to consider how Pakistan fits in the global community in terms of the increased carbon footprint and contributions to climate change, we must center the cost to our own people in all conversations on the matter. Thari people must come first.

Annex A: Community Maps



COAL RUSH: THE IMPACTS OF COAL POWER GENERATION ON THARIS' LAND RIGHTS

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