

Land and Coal in Pakistan

A Study of the Impacts of the Thar Coal Projects

SUMMARY OF STUDY

Introduction:

The study is about the dispossession of Tharis, the indigenous people of Thar, in wake of recent coal rush in their native desert homeland, Tharparkar district of Sindh province. It covers 10 villages falling both within and outside the Thar coalfield blocks, the local population of which has been experiencing the violations and injustices committed by the national and international coal power companies and other proponents of Thar Coal in land acquisition for the development of coal mines, coal-fueled thermal power plants and the related infrastructure. The report gives (1) a historic overview of the colonial laws, policies and settlement processes dealing with land in Thar and their continuity in postcolonial time before the advent of coal power companies, (2) the traditional lifestyle and land use patterns of Tharis to survive in a desert region, (3) the ways the companies have been forcing Tharis to surrender their land, and (4) the stories of local people's sufferings due to ongoing land acquisition and resettlement processes and their resistance against the highhandedness of coal power companies.

Findings:

1. *Findings on Land Policy:* The laws and policies governing land management in Thar were devised during the colonial era. In postcolonial time, these laws and policies were reduced into redundant and ineffective piece of legislation and land management in Thar assumed an informal character, undermining people's formal right and access to land. The colonial laws and policies recognize three types of land: (1) privately owned *qabuli*, or survey, land, (2) leased out *yaksala* land, and (3) communal grazing *gowchar* land. All types of land are being acquired under Land Acquisition Act-1894, an archaic colonial law which is entirely unsuitable for the *yaksala* and *gowchar* land. *Yaksala* is not simply land leased out by the state, but also provides a path to ownership for the landless. *Gowchar's* collective rights of use and grazing are unrecognizable by the LAA-1894.

2. *Findings on Land Use Patterns:* The land in Thar, which is connected to Thari way of being, is mostly used for subsistence agriculture and livestock rearing. The *qabuli* land is exclusively used for agriculture and farming, *yaksala* land both for cultivation and grazing purposes and *gowchar* land for grazing purpose only. In the 10 villages surveyed for the study, 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 percent land is privately owned (*qabuli* or survey), 45 percent of the land is usually available to local communities on lease (*yaksala*) and one third land is held by the local communities for livestock grazing. The landless families, which constitute a significant proportion of the surveyed villages, have had access to all types of land acquisition started in their villages. They use the *qabuli* and *yaksala* land as farm workers and *gowchar* land for grazing their animals.

3. *Findings on Land Acquisition:* The formal acquisition of land does not give an accurate picture of land dispossession. There is a general air of uncertainty among communities and families, whose land is not directly acquired, are certain to be displaced due to ecological and environmental problems. Half of the total land of our survey villages has been or will be acquired under the Thar Coal projects, and 6 of 10 village communities expect complete dislocation. Overall displacement is expected to be 80-100% of

the communities surveyed in Block I and II. The government is providing compensation only against the privately owned *qabuli* or survey land. The local communities are being alienated from their *yaksala* and *gowchar* land without any compensation. Hence, the landless communities have been excluded from any compensation against land. However in case of their dislocation, they are entitled to house compensation. Major concerns of the communities regarding land acquisition process include: (1) lack of proper information on land acquisition and resettlement, (2) delays in payment of cash compensation, due to discrepancies in land record or other documents like CNIC, *nakahnaama* (marriage certificate, etc. of the displaced families, and (3) absence of any effective grievance redressing mechanism.

4. Findings of Case Studies: The community of Gorano faced both the challenges of land acquisition, but also the imminent threat of permanent displacement as toxic water from the mining sites is being pumped into a surface reservoir on their lands. The residents of Senhri Dars, the only village which has relocated in a new model village, have been living without any legal possession of their new houses, any freedom to alter their houses, any jobs or source of income. The promises made to them at the time of their displacement proved pack of lies. When the old Sehri Dars was relocated, the Sindh Engro Coal Mining Company (SECMC) promised them *gowchar* (grazing land) eventually allotting them land taken from their old and new neighbors in Thario Halepoto. This allotment and subsequent competition over *gowchar* resulted in a conflict between the two communities, and instead of seeking an amicable resolution, police raided and illegally detained 12 people of Thario Halepoto in Nov 2020. Kolhi Paro, a neighborhood of landless people in Bhavay Jo Tar village has been sieged by Sino Sind Resources (Private) Limited. The residents of Kolhi Paro are surrounded by Islamkot-Nangarparkar road on one side and a barbed wire fencing installed by the SSRL on three sides, facing severe issues of privacy and dust and air pollution in the nearby project site. Given their proximity to the mining site, communities in Khario Ghulam Shah, Talwaiyo, and Verwai villages have been facing acute problems of restriction on their physical mobility with increased securitization, lack of privacy, lack of employment and mistreatment by coal companies. The residents of Vejihar, where a reservoir for water supply for coal power plant has been built, have been exposed to the risks of reservoir-induced flooding.

Methodology:

The study is based on a set of tools, including legal and policy analysis of land in Thar, focused group discussions (FGDs) at village level, key informant interview (KIIs) of local community representatives, media persons and civil society activists; and case studies of the villages facing dispossession of land due to ever increasing land grab by coal power companies.