

## ANNEX 1

PROJECT CHRONOLOGY			
<b>Proposed Coal Mine Rehabilitation Project</b>			
January 1993	Government of India requests Bank to support Coal India Ltd.'s efforts to commercialize its mining operations. Project to include a self-standing environmental and social component		
May 1993	Identification Mission		
December 1993	Regional Loan Committee meeting to discuss conditions of appraisal. (Tentative dates proposed: Appraisal April 1994; Board presentation July 1994)		
March 1994	Initial Project Information Document (PID) prepared		
May 1994	Bank informed Coal India Ltd. that its R&R policy is in line with its policies on resettlement and rehabilitation		
Sept/Oct. 1994	Pre-Appraisal Mission to review baseline socio-economic surveys and RAPs		
May 1995	Loan Committee Meeting to review status of the proposed project. Meeting agrees that environmental & social components should be financed under a separate (stand-alone) IDA credit without change to their content and scope		
<b>Proposed Project Split</b>			
<b>Coal Sector Environmental and Social Mitigation Project (CSESMP)</b>		<b>Coal Sector Rehabilitation Project (CSR)</b>	
November 1995	Agreement reached with the GOI and Coal India Ltd. to package the environmental & social components as a separate project		
December 1995	Appraisal Mission		
	PID sent to the Public Information Center Environmental Assessment Summary sent to the Board		
April 1996	Staff Appraisal Report (SAR) and Memorandum and Recommendation of the President (MOP) sent to the Board		
May 1996	Management response to questions raised by NGOs circulated to the Board		
	Board approval of CSESMP		
July 1996	CSESMP effectiveness		
		March 1997	Appraisal
May 1997	Paris Meeting with NGOs and Bank staff to discuss progress of implementation of the CSESMP as a condition for negotiations of the CSR	May 1997	Management response to Outstanding Issues raised by NGOs on the CSESMP sent to the Board
June 1997	CSESMP Status of Implementation Note sent to the Board		
		August 1997	SAR and MOP sent to the Board
		September 1997	Board approval of Loan No. 4226-IN
		October 1997	PID processed by the Public Information Center
		June 1998	CSR effectiveness
February 1999	Midterm Review		

		March 2000	Supervision Mission found Coal India Ltd. not, inter alia, meeting cross-conditionalities between the CSESMP and the CSRP
		July 2000	Request from Coal India Ltd. to cancel the uncommitted amounts of the loan
			Loan cancellation
April 2001	GOI requests a one-year extension of the project		
June 2001	Original Credit closing date		
June 2002	Revised closing date		
		June 2003	Original loan closing date

**ANNEX 2**

**Supplement to the Request**

Rec'd. Inspection Panel 8/12/01 in East Parej

FROM CASS

To accompany  
Request for Inspection

To the  
Inspection Panel,  
World Bank

RE: Coal India Environmental and Social Mitigation Project.

The basic contention of this application is that

- 1) from the very beginning there have been flaws in the design of the CSESMP project.
- 2) These were flaws that the Bank with its multiple competences and resources could have seen and corrected. Instead it would seem to have turned a blind eye to them, both at the planning stage, and at the monitoring stage.
- 3) such flaws relate to:
  - a) the hiding of information about extensive pre-existing coal mining already around the East Parej project, the failure to document the already existing environmental and social impacts, which neutralize much of the effects of the CSESMP.
  - b) the pre-mining base-line survey in its very schedule design was defective, in that it failed to itemize many pre-mining existing sources of income of the PAPs.
  - c) The IPDP plan of Operations Research Group was not up to the standard of Bank consultancy, with inaccuracies, and trivial development projects being presented as "mitigation" for the destruction of life-giving nature resource base of the villages.
  - d) the early RAP and EIA documents on which the project was evaluated resorted to mere general policy statements with little documentary substantiation.
  - e) the peoples participation structures were soft on the prevalent stratified caste culture, where money power and caste status override democratic participatory functions.
  - g) already established and favoured client and market relationships vitiated some of the success of the self-employment projects.
  - h) A basic defect in the project is that from the beginning there has been heavy "oversell" of its capabilities. Such oversell is found often in the Planning documents (Cf SAR 1.8, 1.9, 2.2, 2.11 1.24, 4.2), almost appearing to exag-

gerate the value of the product it the hope that it would be approved by the Board. Such exaggeration, when accepted, has allowed the mining to go ahead, with the goals of environmental and social rehabilitation virtually impossible to achieve.

All these accumulated to create a situation where the CSESMP could not be successful, and this was clear from the beginning.

To coalmine a village, its lands and commons, and expect a Mitigation Project such as the CSESMP to compensate for the damage, a lot more realism and honesty as to the ground reality has to be integrated into the planning.

## INTRODUCTION

We are looking at action or omission on the part of the Bank.

Their required actions are

A) outlined in their own ODs

B) locally applied according to R&R policy/EMP/RAP/IPDP

C) the professed aim of the project as in SAR

Hence we are looking at the ground situation in relation to any of A, B, or C.

Here we collect points under various headings:

a) Livelihood Restoration, b) Vulnerable Groups, c) Common Property Resources, d) Compensation, e) Resettlement Site, f) Information and Participation, g) Other Issues. Finally a study of the Bank's Commitment to Monitor and Review, and a final Comment.

NB: References are to

-WB Operational Directives OD 4.30 and 4.20

-Coal India Resettlement and Rehabilitation Policy

-Staff Appraisal Report No 15405-IN, April 24, 1996.

-The Rehabilitation Action Plan (RAP) for East Parej Project (It has four editions: an earlier one undated (u/d), and in years 1998, 1999, 2000).

## A: LIVELIHOOD RESTORATION

### 1. RE: "REGAIN FORMER STANDARD OF LIVING:

Whereas SAR 2.17 says

"Socio-economics baseline surveys found that 16,310 people would be affected by these investments, of these, 9,260 would be entitled to rehabilitation assistance; Coal India and contractors would be expected to provide employment for 1,711 persons (18%), and 7,549 persons (82%) would be entitled to assistance for self-employment".

AND

Whereas SAR 3.1 says

"The proposed project would assist Coal India in making coal production more environmentally and socially sustainable. This objective would be achieved by...implementing appropriate policies for environmental mitigation and resettlement and rehabilitation of people affected by coal projects and providing support to communities, in particular tribals, living in coal mining areas; and by testing the effectiveness of these policies in the 25 coal mines that have been slated to receive financial support under the proposed Coal Sector Rehabilitation Project.

AND

whereas WB OD 4.20 no 14 (e) says

"development activities should support production systems that are well adapted to the needs and environment of indigenous peoples..."

AND

whereas WB OD 4.30 no 18 says

"alternative employment strategies are needed ... should exploit new economic activities...."

AND

whereas WB OD 4.30 21 says

"target date..expected benefits would be achieved.

AND

whereas CIR&R Policy no 7 says

"by resettlement and rehabilitation action plans subsidiaries will safeguard that project affected people improve, or at least regain, their former standard of living and earning capacity after a reasonable transition period. The transition period is to be kept to a minimum",

AND

where as SAR 2.11 says

"The present day population living around the coal mines has been affected by the mining operations in different ways and to varying degrees. Those losing land and other productive assets on which their livelihoods depended, such as land owners, tenants, agricultural laborers, etc; may experience a decline in their living standard. A total of 16,310 persons will be affected by

land acquisition during the implementation of the project. Out of these 9,260 persons are above 18 years of age, and would be rehabilitated under the project"

AND

whereas SAR 2.16 says

"(important change) from providing employment with the coal company as the major vehicle of rehabilitation to multiple rehabilitation options"

BUT

three years after displacement

--> the people of Turi Tola and Borwo Tola have not regained their former standard of living,

--> generally have not been given jobs or replacement land,

--> and the "self employment opportunities" have come to nothing.

## 2. RE: JOBS IN THE COMPANY

Whereas WB OD 4.30 no 18 says

"employment in the main investment project or in resettlement activities... and preference in public sector employment should all be considered..."

AND Coal India R&R Policy no 2 says

"The subsidiaries may still need to hire people in selected locations and continue to give preference to those whose livelihood will be affected by coal mining operations"

AND

Coal India R&R Policy . no 17 says

"Jobs will be given to eligible landless PAPs on a preferential basis when outside recruitment becomes necessary",

AND

whereas RAP u/d 4.ii says that

"to the extent new employment opportunities get created in the Project in unskilled or semi-skilled categories, these shall be reserved entirely for the land oustee families"

BUT

the fact is that

Village	Total over 18	Recd jobs	Contractors jobs
Turi Tola :	16	1	0
Borwa Tola :	78	6	0
Sunugutu :	24	4	0
Jugwa Tola :	20	3	0

the rest have lost their source of livelihood have received no such preferential basis for company or contractors jobs. They get temporary and casual work only.

### 3. RE: JOBS WITH CONTRACTORS:

Coal India R&R Policy no. B(i) says

"Sharecroppers, land lessces, with tenants and day labourers: Package C or jobs contractors. Contractors will be persuaded to give jobs to eligible PAPs on a preferential basis, where feasible",

BUT

- > the fact is that while a few PAPs find daily wage employment around the mine,
- > the majority are not able to do so,
- > they are living off their compensation money given for building their houses,
- > there is no substantiation of contractors giving jobs to them.
- > where it is given, it is temporary and casual work.

### 4. RE: REPLACEMENT-LAND INCOME RESTORATION

whereas WB OD 4.30 no 4 says

"preference for land-based resettlement strategies.."

AND

whereas WB OD 4.30 no 13 says

"The bank encourages 'land for land' approaches, providing replacement land at least equivalent to the lost land."

BUT --> this land-replacement option has not been pursued,

- > the amount for land compensation precludes buying replacement land
- > many have gone and built houses on plots of lands of their relatives, but have no supporting agricultural land.

### 5. RE: SELF EMPLOYMENT SCHEMES:

Whereas Coal India R&R Policy no 13 says

"For PAPs who opt for the non-farm self-employment package the subsidiary will assist in developing such options as dairy and poultry production, shops and petty contracts",

AND

whereas Coal India R&R Policy no 20 ii) says that

"(the RAP will contain) Socio-economic survey and activities to ensure restoration of incomes of PAPs in line with Coal India's resettlement and rehabilitation policy",

AND

whereas RAP 1999 page 2 gives specific names of PAPs for income restoration against specific occupations which include "Piggery, Welding, Mechanic, Leaf Plate Making, Goatry, Poultry, Driving, Electrical, Electronics, Typing, Grinder, Hand Shovel, Cane Basket, Sewing, Contract work, Security and Business",



AND

whereas the same RAP 1999 says

"as per the CIL obligation related to Resettlement Action Plan 250 EPAPS from Parej were to be considered for self-employment in the year 1999.....141 EPAPS of Parej will be the target for the financial year 1999..",

AND

whereas RAP n/d 7.2.2 says

"Scheme for Tribals" with plan to involve Tribal Cooperative Development corporation this is on paper only and has been used to persuade interested parties that adequate rehabilitation has been taking place whereas in fact the Respondents cannot establish that there is such a project in existence.

BUT

--> these projects are mostly on paper, they have not worked on the ground,

--> the much basked-making project is not sustainable (not paid or items rejected),

--> there is a lot of pressure on CCL from big contractors, in the face of which the products of the PAPs cannot compete, they cut in the market of favoured clients.

--> some afforestation work was offered at a distance away it was impracticable for the PAPs to do it.

--> after a suitable lapse of time the guarantee to adequately restore the income of the PAPs has not eventuated,

--> this large number of people has been deprived of their right to livelihood.

#### 6. RE: TRAINING FOR SELF EMPLOYMENT:-

Whereas WB OD 4.30 no 18 says

"Vocational training, employment counseling, transportation to jobs.....should all be considered".

AND

whereas RAP u/d no 4.ii says

"suitable training facility would be provided to the land losers to upgrade their skills for employment in other categories of jobs in the Project on a preferential basis",

AND

whereas SAR 4.7 says

"Since the revised policy was adopted in April 1994 several lessons have been learned: Training in itself for self employment is not enough, even when it is supported by loans or grants. The majority of project- affected persons are farmers or agricultural labourers, and the transition into a new profession requires a considerable amount of follow-up assistance. To reduce pressures

for employment, Coal India is keen to see this policy succeed and is working closely with NGOs that can offer assistance in this respect.

BUT

--> no training facility/centre as such exists as CCL have instituted in other mines (e.g. Ashoka Project),

--> any such training programmes have been of very short duration

--> and have failed to achieve the purpose of upgrading of skills for employment.

--> they have mainly "certificate granting" value.

--> the training programmes have mostly not been linked to specific income restoration

--> carpet weaving is being done by Muslim women

--> to convert a person from a tradeless villager, give him training, and turn him into an entrepreneur will take not less than a decade.

#### 7. RE: SUBSISTENCE ALLOWANCE:

that whereas Coal India R&R Policy no 10 A mentions a "subsistence allowance"

BUT

--> it is not known that any such subsistence allowance is being given to PAPs eligible for it,

--> at a rate of Rs 300 per month (below the poverty line) it fails to achieve any purpose of providing subsistence assistance.

--> the people don't seem to know about it, be claiming it.

## B: VULNERABLE GROUPS

### 8. RE: VULNERABLE GROUPS:-

Whereas WB OD 4.30 3 (b) says:

"particular attention should be paid to the poorest groups

AND

whereas Coal India R&R Policy no 4 says

"(the R&R policy) also underscores that the subsidiaries have a responsibility towards the landless, whose livelihood is often taken away".

AND

whereas SAR 2.21 says

"The objective of the community development policy is to assist local communities in mining areas to create, revive and maintain relevant and functioning community assets, institution and services that can improve their choices and living standards and maintain and develop traditional ways of living and the social ties of the communities. The benefits of these development activities are open to all people living in the mine areas, but will be especially aimed at tribal communities, women and youths. In all-tribal villages the target group will be the community as a whole".

BUT

--> the people of Turi Tola are landless tribals,

--> had eviction cases registered against them,

--> they still do not have their income restored to its former level.

### 9. RE: WOMEN:

the Petitioners submit that where as Coal India R&R Policy no 16 says that

"Special attempts will be made to ensure that women will be given adequate access to income generating opportunities offered under this policy",

AND

World Bank Project Information Document December 1995 under project objective categories allots 10% for "women in development",

BUT

--> no such preference has been given,

--> that apart from Bilaso Devi no women have been given employment,

--> no specific income generating opportunities been made for women apart from piggery training and carpet weaving.

10. RE: HEALTH:

Whereas WB OD 4.30 says:

"To ensure the economic and social viability of the relocated communities, adequate resources.... Foot note 12: Health care services may be important during and after relocation to prevent increases in morbidity..."

BUT

the following deaths of displaced people have occurred:

Name & age.	Displaced On	Dead On	Cause
<b>TURI TOLA</b>			
Mohan Turi, 2 mon.	20.3.98	03.03.99	Illness
Suresh turi, 23	20.3.98	25.11.99	Road Accident
<b>BORWA TOLA</b>			
Mahavir Turi, 50	Dec. 99	Sept. 2000	Destitution
Parwati Devi, 35	Dec. 99	02.11.00	Malaria, Lack of Cmty. support
Birsi Devi, 25	Dec. 99	31.10.00	Malaria
Kartik Turi, 60	-	20.07.99	With destruction of Banjari Sthan he went in depression, never recovered.
Bahamuni Besra, 6	Oct. 98	1999	Fever
<b>SUNUGHUTU</b>			
Binay Ram Manjhi, 35			Malaria
Karru Manjhi, 55			Alcoholic
Sita Hansda, 30	7.11.2000	20.07.01	Excess of drinking
<b>JOGWA TOLA</b>			
Kandana Manjhi, 58	Mar. 2001	15.05.01	Heat stroke and neglect
<b>AGARIA TOLA</b>			
(Houses not displaced, but forest, water, land, destroyed)			
Ratna Devi, 30		1998	T.B.
Sukri Devi, 50		1999	Diaorohea
Lala Bhuiya, 55		31.07.00	T.B.
Chena Soa, 60		2000	drinking accident
Nanki Devi, 40		2000	got burnt while drunk
Pankaj Kumar, 3		2000	kidney failure
Rania Kumari, 4		2000	Malaria
Sanjay Kumar, 2		2000	Fever
Jagdish Ganjhu, 45		2001	Fever
Rameshwar, 48		2001	Alcoholism

## 11. RE: TRIBAL COMMUNITIES:

where as World Bank OD 20 no 6 says

"to ensure that the development process fosters full respect for (indigenous people's) dignity, human rights...do not suffer adverse effects...receive culturally compatible social and economic benefits"

AND

where as WB OD 4.20 no 14d says

"Local patterns of social organization, religious beliefs and resource use would be taken into account.."

whereas Coal India R&R Policy no 11.B.ii says

"In addition, the subsidiaries will shift the tribal community as a unit and provide facilities to meet the specific needs of the tribal community that will allow them to maintain their unique cultural identity",

AND whereas SAR 2.28 says

"One of the project's main objectives is to extend social mitigating actions to communities surrounding the selected 25 coal mines and to improve the access to schools, health care, water supply and other community facilities, in particular to tribal populations and women. Most of the people living in these communities are poor. The project contains specific strategies for ensuring access to these facilities to these two groups. The implementation of Indigenous Peoples Development Plans in almost 200 communities would improve the lives of about 1,86,000 people, most of them poor. In preparing the Indigenous Peoples Development Plans, the consultants organized special focus groups with tribals and women to provide them with an opportunity to make their needs known.

BUT

--> the Banjari Puja Stan (sacred grove) of Borwo tola has been destroyed, its priest Kartik Pahan died not long after.

--> the Manji than (sacred puja place) of Borwo Tola has been destroyed.

--> Demolition of these sarnas is clear violation of the villagers fundamental right to practise religion guaranteed under Article 25 of the Constitution of India.

--> the resettlement site replacement worship places are replaced by other sacred places not of tribal tradition (Pindra).

--> the tribal graveyard of Parej has been surrounded by high OB dumps, is inaccessible, and has had to be abandoned.

--> the Co wants to build a bore well for the employees colony in Lupuntandi, which will affect the water level of tribal village.

--> sewage from the employees colony is discharged into the fields of Lupuntandi tribals.

--> The IPDP programme has provided mere marginal facilities such as unstaffed dispensary building, road (which means little to people without vehicles) water tank, all of which are of no value face to face with the mining impact.

--> the people are not being shifted as a unit. Some have gone to live in the colonies, some have gone off to live elsewhere.

--> In the resettlement colony, tribals are living with others who dominate them socially and culturally.

## C: COMMON PROPERTY RESOURCES

### 12. RE: LAND HELD UNDER TRADITIONAL RIGHTS:-

whereas Coal India Rehabilitation Policy 11 A(i) includes

"Persons (including tribals cultivating land under traditional rights) from whom land is acquired"

AND

whereas World Bank Operational Directives 4.20 no. 15(c) says

"Land Tenure: When local legislation needs strengthening, the Bank should offer to advise and assist the borrower in establishing legal recognition of the customary or traditional land tenure systems of indigenous peoples. Where the traditional lands of indigenous peoples have been brought by law into the domain of the state and where it is inappropriate to convert traditional rights into those of legal ownership, alternative arrangements should be implemented to grant long-term, renewable rights of custodianship and use to indigenous peoples. These steps should be taken before the initiation of other planning steps that may be contingent on recognized land titles".

AND

whereas World Bank Operational Directive 4.30 no 3(c) says

"compensation should be provided to the adversely affected population who may have usufruct or customary right to the land or other resources taken for the project"

AND

whereas World Bank Operational Directive 4.30 no. 17 says

"Resettlement plans should review the main land tenure and transfer system, including common property and non title-based usufruct system governed by locally recognized land allocation mechanisms. The objective is to treat customary and formal rights as equally as possible in devising compensation rules and procedures",

BUT

--> in Durukasmar village as well as other similar villages compensation is being paid only for Raiyati land and not for other lands such as the Gair Mazarua land which are being tilled by the villagers since a number of years, and all these lands are ignored while providing for compensation.

--> the PAPs have made innumerable attempts to have their traditional rights land registered, but it was bureaucratic indifference which has prevented them from having it registered.

--> Now there is consistent and firm refusal to acknowledge their traditional rights. GOI says it is not their policy, but in other ways they adjust according to the WB demands.

### 13. RE: COMMON PROPERTY RESOURCES

Whereas WB OD 4.30 11 (b) says

"socio economic surveys .. information on full resource base including income from informal sector...from common property..."

AND

"who may have usufruct or customary rights to the land or other resources taken for the project...."

AND

whereas WB OD 4.30 17 says

"resettlement plan ...including common property and non-title based usufruct systems governed by locally recognized land allocation system....."

AND

whereas WB OD 4.20 no 15 says ..

"attempts must be made to establish access to equivalent..resources and earning opportunities...."

AND

whereas CIRRP says

"grazing lands for cattle" as a facility in Resettlement Site

BUT

--> the Base Line Economic Survey and the Impact Assessment fails to mention:

a) the right of commons or the common property resources which are a vital source of income for the villagers and for which no compensation is being given.

[village common property resources include Mahua trees whose flowers, and oil from the fruits are sold and approximately Rs. 2000/- per annum is earned by the villagers from the trees. Similarly there are large number of Kendu trees which has an edible fruit and whose leaves are used for Beedi rolling. Similarly there are a number of medicinal trees, plants and herbs which have been used since generations for medical purposes by the residents. Khajur trees are also plentiful which are used for making brooms, brushes and Chatais. The proposed rehabilitation site will obviously have none of the above and neither are the villagers being compensated for them. Neither while computing compensation nor while providing rehabilitation sites any of the above have been taken into consideration.

b) that the villages in East Parej are thus multiply affected by other surrounding mines, and where as CCL claims it is only taking part of the village lands, the rest of the village lands is being taken by other mines.

[Contiguous to the very boundary of east Parej mining block are Fundi Block (South West), TISCO Open Cast project (east and south east), Tapin (west), Parej North (north)].

--> without a a regional area wise Impact Assessment to ascertain the true impact of the mining in the area, it has been impossible to have a correct picture of affected villages and families and the extent of such effect can be ascertained. A copy of the map showing the various mining projects is annexed at Exhibit 1.



## D: COMPENSATION

### 14. RE: COMPENSATION FOR LAND:-

whereas World Bank Operational Directive 4.30 no 3(b) states

"displaced persons should be compensated for their losses at full replacement cost prior to the actual move."

BUT

--> compensation has been given only for Raiyati land and that not at replacement rates.

--> In fact some of the villagers have already filed applications in the coal tribunal in the Civil Court Ranchi for enhancement of compensation as in many other villages higher compensation has been provided.

### 15. RE: COMPENSATION FOR HOUSES:-

whereas RAP w/d no 5.c.i says that

"the market value of the homestead... should not be less than the replacement cost",

BUT

--> the fact is that the homestead compensation is being given at the depreciated value of the homestead, which compensation makes it impossible for the PAPs to build new houses with it.

--> This is totally arbitrary since the houses will be demolished and the villagers will be expected to construct houses with the depleted construction value which is being provided.

## E: RESETTLEMENT SITES

### 16. re: RESETTLEMENT SITE HOUSING:-

whereas World Bank OD 4.30.19 says

"..shelter, infrastructure and services should take into account population growth..."

AND

whereas WB OD 4.30 no 13 says

"the new sites productive potential and locational advantages should be at least equivalent to those of the old site..."

BUT

--> the allowed plot of land of ~~400~~<sup>200</sup> sq m (Ac 0.10) makes second generation growth impossible, and

--> this is much smaller than the houses the people already had and is a fall in their standard of living,

--> the small plot of land makes vegetable garden and domestic animal rearing impossible, both of which have been an economic mainstay for the people in the old site,

--> as of the date of this submission, many PAPs are still residing in pathetic condition on a temporary basis in the company quarters and barracks. Cf Attached Schedules.

--> Pindra is further away from casual labour opportunities...

--> The Coal India Policy as implemented in Madhya Pradesh and Orissa have specified 400 sq.m. as reported in the Staff Appraisal Report of this project as set out in Exhibit 23

### 17. RE: RESETTLEMENT SITE LAND-TITLES:-

where as World Bank Operational Directives 4.30 no 13(c) says

"make legal arrangements for transferring titles to resettlers"

AND

World Bank Operational Directives 4.30 no 14 (a) says

"paying special attention to the adequacy of the legal arrangements concerning land title, registration, and site occupation"

BUT

--> the displacees are not being given legally recognized title to the plots. It is absolutely essential for an effective rehabilitation that legal ownership title be provided to the villagers.

--> the Co has taken the land on lease for r 30 years and say they cannot give legal right, so what happens to the people after that?

--> Pattas have been given which have no legal value, as if to delude the PAPs.

#### 18. RE: RESETTLEMENT SITE SERVICES:-

Where as OD 4.30 9 says

"improved education water, health and production services to both communities.

AND

whereas Coal India R&R Policy no 18 says

"community facilities and services would be available to all residents of the area, including PAPs and the host population",

AND

whereas Coal India R&R Policy no 19 says

"the approach for operation of community facilities would be flexible and all efforts will be made to involve the State and local self Government/Panchayat for operating the facilities",

AND

whereas the Coal India accept the obligation to provide services when RAP u/d no H says that

"Mobile Health Care facilities will be extended to the village by the CCL",

AND

whereas RAP 1998 no 2.0 says

"to be provided with appropriate compensation and adequate social and physical rehabilitation infrastructure, including community services and facilities",

AND

whereas World Bank policy in Operational Directive 4.30 11(d) says

"public infrastructure and social services that will be affected;

AND

whereas World Bank Operational Directive 4.30 no.19 says

"To ensure the economic and social viability of the relocated communities, adequate resources should be allocated to provide shelter, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health care centers)"

BUT

--> the fact is that while infrastructure (facilities) have been/are being set up,

--> there has been refusal to undertake the providing of services for the same, and efforts, if any to involve local governing bodies to provide such services have produced no results.

--> Company employees settled in the company colonies receive free supplies of coal as domestic fuel.

--> The displacees, with the loss of their land and their customary rights to jungle and trees (Sec. 81(n) Chotanagpur Tenancy Act, 1908) lose their traditional source of domestic fuel and usufructs. Being given no legal right to coal supplies like the Company employees, they have to resort to illegal acquisition of coal supplies, which makes them vulnerable to police action., and in this way the original inhabitants of the area become criminalized by the coming of the mining. This violates the principle of "former standard of living".

#### 19. RE POTABLE WATER:-

Contrary to what is stated in RAP/2000 no 1.4, no safe drinking water is available for the PAPs in Premnagar resettlement site.

The Pindra site people used the host-community well, the 2 wells and one hand-pump do not provide potable water.

## F: INFORMATION AND PEOPLES' PARTICIPATION

20. RE: PARTICIPATORY PLANNING with the PAPS,

whereas WB OD 4.20 no 8 says

"must be based on the informed participation of the indigenous people themselves"

AND

whereas WB OD 4.20 15 (d) says

"participation ..in decisions making throughout project planning, implementation and evaluation..."

AND

whereas WB OD 4.30 no 8 says

"need to be systematically informed and consulted about their options and rights.."

AND

whereas Coal India R&R Policy no 4 says

"the (R&R) statement emphasizes the need to cultivate and maintain good relationships with the people affected by Coal India's projects starting as early as possible",

AND

whereas SAR 2.1 says

"(important changes) from being mainly accountable to the coal company to being primarily accountable to the project-affected people; and "a shift from top-down management of resettlement and rehabilitation to process that is based on extensive consultation and participation of project-affected people".

AND

whereas SAR 1.9 says

"the most significant contribution ..is the extensive use of consultative processes with project-affected people in the preparation of the various actions plans.

BUT

the fact is

--> the peoples' participatory committees are not functioning as representative of the people, because democratic procedures have not been used in their selection,

--> when the people of Borwo Tola were evicted, an armed police and security force of about 150 persons were found to be necessary.

--> the people have repeatedly again and again go to the PO office (2-3km) for any needs (water supply problems, employment problems, compensation problems, fuel problems) where they receive little attention.

--> when there are incidents of stealing in the mine, the police are brought in and threaten the PAPs with arrest and cases

--> when people visit the Public Information Centre the register is not made available for recording their requests

--> Requests are commonly met by "not available at the moment, come another time"

--> Recording of information is not permitted.

--> The information provided is rather inadequate, many more documents should be available. (Detailed Project Report, Schedules of project affected Persons containing their full assets to be acquired in kind and number and actual compensation being given, detailed outlines of training programmes and economic rehabilitation projects, cost benefit analysis of the project, quarterly and annual environment reports sent to the State Pollution Control Board, permission of the Central Government to mine in forest area and the conditions under which the same has been granted).

#### 21: RE: PREPARING THE PEOPLE FOR THE MINING:-

whereas Coal India R&R Policy no 9 says

"By informing the potentially affected people, at the earliest possible stage, about the project and options for resettlement and rehabilitation, subsidiaries prepare the local population for the changes that are to come and ease the transition to new lifestyles"

BUT

--> the fact is there is no such preparation to ease the transition.

--> Even such basic preparation as literacy projects have not been started among the people to be displaced.

## G: OTHER ISSUES

### 22 RE: ELIGIBILITY

Whereas SAR 2.11 says

"Out of these 9,260 persons are above 18 years of age, and would be rehabilitated under the project"

Whereas SAR 2.16 says

"(Changes) from considering land-owning families as the unit of entitlement to considering every adult individual as the unit of entitlement"

AND

whereas RRPCIL: 10 says

"It is Coal India's policy to recognize adult individuals as the unit of entitlement".

BUT

--> there is no evidence of taking individuals as the unit of entitlement.

--> married women are not getting, widows are included with their sons

--> the age of 18 years is taken as per a cut-off date as of 1997, which means that young families formed after that date and before displacement either have no separate plot on which to build and live, or have to live together with their kins on their plot.

--> This is violation of a basic human right and eligibility should be fixed at the date of actual displacement.

### 23: IDENTITY CARDS:

Whereas SAR Annex 3.2 Table 3.2.4 says

" Coal India has agreed to issue photo identity cards covered by base line survey by June 1997

BUT

--> The ID cards fail to mention junior family members who, on achieving majority age, will not be given identity cards and hence their identity as members of displaced families can never be confirmed.

--> They further fail to mention details of acquired land. Hence ID cards (or an equivalent legally recognized document) must contain details of family, junior members and full land details as per the record of rights.

--> Identity cards are being given on which are recorded only name of person and village. A sample is annexed hereto as Exhibit 22.

The focus of this application has been on social impact only, many environmental issues remain unaddressed. Only one is indicated here, the fact of concurrent back filling, and preservation of top soil for the same. Where are the top soil dumps?

#### H: INBUILT COMMITMENTS TO MONITOR AND REVIEW

These shortcomings in implementation stand in spite of the following commitment to Review:-

SAR 1.7 "the aim of these reviews was to ensure that the coal companies had complied with Indian environmental legislation and rules...

SAR 2.4: "Coal India has agreed to review with the Association, by June 30 1997, a program satisfactory to the Association, to strengthen its environmental management capacity and to implement the program over the following 18 months.

AND

SAR 2.23 "Implementation of this policy in the communities surrounding the 25 selected mines would be a pilot effort. It would allow Coal India to gain experience, in particular in the use of NGOs, with the implementation of this policy. Coal India would be expected to apply the lessons learned from this pilot effort in other communities. Coal India has agreed to review with the Association, by December 31, 1997, the lessons learned from the implementation of the Rehabilitation Action Plans and the Indigenous Peoples Development Plans in the selected 25 mines.

AND

SAR 4.30: "Coal India has agreed to appoint a panel of social and environmental experts by October 31 1996 that will monitor the implementation of the various action plans.

AND

SAR 3.17 "Coal India has agreed to provide the Association with quarterly progress reports in a standard format that would track the physical implementation of the various project components, procurement and disbursement. These report would also quantify and compare progress with agreed performance indicators and highlight any emerging problems and constraints. The principal aim of the quarterly reports is to provide the Association with a clear indication whether a specific mine is in full compliance with the agreed implementation.....In addition, coal India has agreed to prepare a Midterm Review of project progress not later than



AND

SAR 3.18

- a) "A main supervision mission annually.....
- b) "a Project Monitoring Consultancy ... through a contract with a team of experienced consultants, satisfactory to the Association, would assist the Project Monitoring Cell in the periodic review .....the consultant team would visit each mine project at least once during each quarter.....

"OVERSELL" COMMENT

A basic defect in the project is that from the beginning there has been heavy "oversell" of the capabilities of the Project. For example,

"SAR 4.2 "The implementation of the Environmental and Social Mitigation Project will safeguard the rehabilitation of 9,260 people and the proper resettlement of about 10,000 people. In terms of the number of people affected, the implementation of the Indigenous Peoples Development Plans is more important and will improve the lives of about 186,000 people, of which 56,900 would be tribals. On its own Coal India will need to extend the benefits of its resettlement and rehabilitation policy and its community development policy to much larger number of people. It is simply not possible to limit these benefits in large coalfields to small isolated groups of people. However, it is also clear that without the involvement of the Association and the Bank, these benefits would not materialize.

Such oversell is found often in the Planning documents (Cf SAR 1.8, 1.9, 2.2, 2.11 1.24), appearing to exaggerate the value of the product so that it would be approved by the Board. Such exaggeration, when accepted, has allowed the mining to go ahead with the inevitable goals of environmental and social rehabilitation. \*\*\*\*\*

PAREJ - BORWATOLA

IPNRQ 01 / - 2 DOC - '92

KEY: Waid = Hindi word for son of/wife of, to ensure correct identity.  
 Tot Fam = total number of persons in that family  
 Work/Job eligibility = no. of male/female who above 18 years  
 ALT = accepted Rs 50,000 to go to other land of their choice  
 Pindra = Official rehabilitation site of CCL  
 CD = Head loading of coal trucks on a casual basis  
 BAR = still live temporarily in Barracks  
 VRS = Voluntary Retirement Scheme under TISCO  
 ALT\*\* = Opted for 50,000 but has constructed house in Pindra  
 Pindra\* = has opted for Pindra but lives with relatives  
 CL = casual labour (Women Rs.40/-, Men- Rs.50/-)  
 L = brewing illegal liquor

ENTITLED PERSONS ACCORDING TO COAL INDIA CLASSIFICATION VILLAGE: PAREJ, TOLA: BORWATOLA  
 CATEGORY A(ii) LAND + HOMESTEAD CATEGORY B(ii) TRIBALS ON FOREST PRODUCE

JUNE 2001

SN.	NAME	AGE	Tot Fam	Work/Job Eligibility	REHAB SITE	INCOME
1.	Umni Devi	50	1	F-1	in the Barracks	Beggar
2.	Dhani Ram Manj	35	9	M-1, F-2	Pindra	CCL job
3.	Bhoia Manjhi	60	2	M-1, F-1	ALT	Living elsewhere with relatives
4.	Talo Manjhi	35	6	M-1, F-1	ALT	Living elsewhere with relatives
5.	Bablu Murmu	30	6	M-1, F-1	ALT	Living elsewhere with relatives
6.	Sibu Basko	35	6	M-1, F-1	ALT	Living elsewhere with relatives
7.	Budhan Besra	30	8	M-1, F-3	ALT	Living elsewhere with relatives
8.	Ratan Manjhi	30	3	M-1, F-1	in the Barracks	Driver (Private)
9.	Hiralal Manjhi	21	3	M-1, F-1	ALT**	coal head loading
10.	Chamni	35	4	M-1, F-1	ALT**	VRS
11.	Aghnu Manjhi	40	4	M-1, F-1	ALT	selling illegal coal
12.	Balgovind Turi	40	7	M-1, F-1	Pindra	coal head loading
13.	Mahander Turi	35	8	M-1, F-1	ALT**	Driver
14.	Uggan Turi	45	5	M-2, F-1	Pindra	coal head loading
15.	Suggan Turi	35	7	M-2, F-1	Pindra	TISCO job
*****						

CATEGORY A(i) HOMESTEAD CATEGORY B(i) TRIBALS ON FOREST PRODUCE

JUNE 2001

SN.	NAME	AGE	Tot Fam	Work/Job Eligibility	REHAB SITE	INCOME
17.	Birju Manjhi	45	3	M-1, F-1	Pindra*	Living elsewhere with relatives
18.	Baha Manjhi	20	2	M-1, F-1	Pindra*	Living elsewhere with relatives
19.	Sitamuni Hansda	60	1	F-1	Pindra *	Living elsewhere with relatives
20.	Telomuni Murmu	36	3	M-1, F-1	Not recd.	Living elsewhere with relatives
21.	Bhim Besra	28	1	M-1	Pindra	Living elsewhere with relatives
22.	Mahadeo Hansda	30	4	M-1, F-1	in the Barracks	coal head loading
23.	Sarjug Turi	40	1	M-1	in the Barracks	coal head loading
24.	Jai Kishun Turi	30	8	M-1, f-1	ALT**	selling illegal timber from forest
25.	Koleswar Turi	40	2	M-1, F-1	in the Barracks	coal head loading
26.	Suresh Turi	28	5	M-1, F-1	in the Barracks	coal head loading
27.	Birsa Turi	21	6	M-1, F-1	in the Barracks	coal head loading
28.	Birsa Turi	21	6	M-1, F-1	in the Barracks	coal head loading

29.	Mahabir Turi	45	M-1	Dead	coal head loading
30.	Bilwa Devi	45	F-1	in the Barracks	coal head loading
31.	Basanti Devi	35	F-1	in the Barracks	CL
32.	Guddur Ganjhu	38	M-1, F-1	Homeless	coal head loading
33.	Biggan Ganjhu	32	M-1, F-1	in the Barracks	Contractor
34.	Jagdish Ganjhu	48	M-1, F-1	ALT**	coal head loading
35.	Bhola Ganjhu	38	M-1, F-1	Pindrax	coal head loading
36.	Ratho Ganjhu	30	M-1, F-1	ALT**	coal head loading
37.	Kissan Ganjhu	28	M-1	ALT**	coal head loading
38.	Kallu Ganjhu	19	M-1	Not recd.	Poultry farm
39.	RamchanderGiri	40	M-1, F-1	ALT**	L
40.	Shankar Giri	20	M-1	Not recd.	coal head loading

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KEY:

Wald = Hindi word for son of/wife of, to ensure correct identity.  
 Tot Fam = total number of persons in that family  
 Work/Job eligibility = no. of male/female who above 18 years  
 ALT = accepted Rs 50,000 to go to other land of their choice

PAREJ: JOGWATOLA  
 ENTITLED PERSONS ACCORDING TO COAL INDIA CLASSIFICATION VILLAGE: PAREJ, TOLA: JOGWATOLA  
 CATEGORY A(iii) LAND + HOMESTEAD CATEGORY B(ii) TRIBALS ON FOREST PRODUCE

JUNE 2001

SN.	NAME	AGE	WALD	Tot Fam	Work/Job Eligibility	REHAR SITE	INCOME
<b>Family I</b>							
1.	Mehilal Marandi	45	s/o Lt. Barku M.	3	M-1, F-1	ALT	TISCO job
2.	Deni Soren	40	w/o Mehilal				
3.	Mangari Marandi	12	d/o Mehilal				
<b>II</b>							
1.	Rupan Marandi	25	s/o Mehilal Man	6	M-1, F-2	ALT	1 job in CCL
2.	Chotki Soren	24	w/o Rupan Manjhi				
3.	Barki Soren	23	w/o Rupan Manjhi				
4.	Fujkumari Mara.		d/o Rupan Manjhi				
5.	Talomuni		" "				
6.	Fagu Marandi		" "				
<b>III</b>							
1.	Charo Manjhi	20	s/o Mehilal Manjhi	4	M-1, F-1	ALT	1 job in CCL
2.	Munia	18	w/o Charo Marandi				
3.	Sarita	3	d/o Charo Marandi				
4.	Sangceta	2months	d/o Charo Marandi				
<b>IV</b>							
1.	Sukhrum Marandi	18	s/o Mehilal Manjh	3	M-1, F-1	ALT	coal head loading
2.	Surajmuni	17	w/o Sukhrum				
3.	Ajay Marandi	6months	s/o Sukhrum				
<b>V</b>							
1.	Baburam Manjhi	26	Mehilal's son-in-	6	M-1, F-1	ALT	1 job in CCL
2.	Sukurmuni Mara.	24	w/o Baburam				
3.	Shanti Murmu	16	d/o Baburam				
4.	Santosh Murmu	14	s/o Baburam				
5.	Talo Murmu	12	s/o Baburam				
6.	Talomuni Murmu	10	d/o Baburam				
<b>VI</b>							
1.	Kando Hembrom	47	s/o Lt. Ratiya Man	7	M-2, F-1	died ALT	coal head loading No employment
2.	Barki Hembrom	45	w/o Kando Hembrom				
3.	Denu Manjhi	22	s/o Kando Hembrom				
4.	Shyam Hembrom	15	s/o Kando Hembrom				
5.	Chandan Chura	10	d/o Kando Hembrom				
6.	Guria Hembrom	8	d/o Kando Hembrom				
7.	Putual	6	d/o Kando Hembrom				

VII

1.	Sanjala Hembrom	20	s/o Kando Hembrom	2	M-1, F-1	ALT	coal head loading
2.	Anita	18	w/o Sanjala				

VIII

1.	Lagana Hembrom	35	s/o Lt. Ratiya Man	4	M-1, F-1	ALT	TISCO job
2.	Nanki	30	w/o Lagana				House wife
3.	Desrath	11	s/o Lagana				
4.	Dileep	9	s/o Lagana				

PAREJ : JOGMATOLA  
 ENTITLED PERSONS ACCORDING TO COAL INDIA CLASSIFICATION VILLAGE: PAREJ, TOLA: JOGMATOLA  
 CATEGORY A(ii) HOMESTEAD CATEGORY B(ii) TRIBALS ON FOREST PRODUCE

JUNE 2001

SN.	NAME	AGE	WALD	Tot Fam	Work/Job Eligibility	REHAB SITE	INCOME
I							
1.	Shikhari Murmu	30	??	5	M-1, F-1	ALT	Compensation money
2.	Bitwa Hansda	25	w/o Shikhari				
3.	Surji	13					
4.	Sukharmuni	10					
5.	Sunny	5					

\*\*\*\*\*

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KEY:  
 Wald = Hindi word for son of/wife of, to ensure correct identity.  
 Tot Fam = total number of persons in that family  
 Work/Job eligibility = no. of male/female who above 18 years  
 ALT = accepted Rs 50,000 to go to other land of their choice

PAREJ - SUNUSHUTU  
 ENTITLED PERSONS ACCORDING TO COAL INDIA CLASSIFICATION VILLAGE: PAREJ, TOLA: SUNUSHUTU  
 CATEGORY A(iii) LAND + HOMESTEAD CATEGORY B(ii) TRIBALS ON FOREST PRODUCE

June 2001

SN.	NAME	AGE	WALD	Tot Fam	Work/Job Eligibility	REHAB SITE	INCOME
<b>Family I</b>							
1.	Bablu Murmu	40	s/o Bhoala Manjhi	6	M-1 F-1	ALT	Elsewhere with relatives.
2.	Shanti Tudu	38	Wife				
3.	Simon Murmu	14	Son				
4.	Margaret Murmu	9	Daughter				
5.	Manoj Murmu	3	Son				
<b>II</b>							
1.	Talo Murmu	35	Lt.Chopa Manjhi	5	M-1, F-1	ALT	1 job in CCL
2.	Pholo Kisku	30	w/o Talo Manjhi				
3.	Sunil	12	s/o Talo Manjhi				
4.	Anil	9	s/o Talo Manjhi				
5.	Kiran	7	d/o Talo Manjhi				
<b>III</b>							
1.	Hopana Murmu	32	Lt.Chopa Manjhi	4	M-1, F-1	ALT	Vol retirement Scheme
2.	Sita Hansda	28	w/o Hopana Murmu				
3.	Sunita Murmu	10	Hopana Murmu				
4.	Talomuni Murmu	7	Hopana Murmu				
<b>IV</b>							
1.	Mt. Rania Hansda	45	Lt. Fuchu Murmu	1	F-1	ALT	Living elsewhere with relatives
<b>V</b>							
1.	Mt. Jhumri Soren	28	Lt. Beniram	4	F-1	ALT	Living elsewhere with relatives
2.	Munia	5	Lt. Fuchu				
3.	Naresh	2	"				
4.	Talku	1	"				
<b>VI</b>							
1.	Talo Murmu	24	Lt. Fuchu Murmu	5	M-1, F-1	ALT	Living elsewhere with relatives
2.	Nzelmuni Soren	24	w/o Talo Murmu				
3.	Mahesh	6	Talo Murmu				
4.	Fagani	3	Talo Murmu				
5.	Lalita	1	Talo Murmu				
<b>VII</b>							
1.	Baburam Murmu	20	Lt. Fuchu Murmu	4	M-1, F-1	ALT	Living elsewhere with relatives
2.	Phagni Hansda	19	Baburam Murmu				
3.	Sahibram	3	Baburam				
4.	Rakesh	18 mths	s/o Baburam				

Category	SN.	Name	Age	Wald	Category A(ii)	Homestead	Category B(ii)	Trials on Forest Produce
VIII	1.	Pinto Murmu	18	Lt. Fuchhu Murmu	2	M-1, F-1	ALT	Living elsewhere with relatives
	2.	Sadhini Soren	17	w/o Pinto Murmu				
IX	1.	Niraso	60	w/o Lt. Mahadev Mu	6	M-1, F-1	ALT	Living elsewhere with relatives
	2.	Bablu Murmu	30	Lt. Mahadev Murmu				
	3.	Karmi	28	w/o Bablu Murmu				
	4.	Dinesh Murmu	12	s/o Bablu Murmu				
	5.	Sadhni Murmu	15	d/o Bablu Murmu				
	6.	Duce Murmu	8	Lt. Mahadev Murmu				
X	1.	Talo Murmu	18	Lt. Mahadev Manjhi	3	M-1, F-1	ALT	Living elsewhere with relatives
	2.	Savita Soren	18					
XI	1.	Shanu Manjhi	20	Lt. Ram Manjhi	2	M-1, F-1	ALT	Living elsewhere with relatives
	2.	Manisha Tudu	19	w/o Shanu Manjhi				
XII	1.	Karma Manjhi	18	Lt. Ram Manjhi	1	M-1	ALT	Living elsewhere with relatives

PAREJ - SUNUGHUTU

ENTITLED PERSONS ACCORDING TO COAL INDIA CLASSIFICATION VILLAGE: PAREJ, TOLA: SUNUGHUTU  
CATEGORY A(ii) HOMESTEAD CATEGORY B(ii) TRIBALS ON FOREST PRODUCE

JUNE 2001

SN.	NAME	AGE	WALD	Tot Fam	Work/Job Eligibility	REHAB SITE	INCOME
I	Shani Murmu	23	d/o Lt. Ram Manjhi	4	M-1, F-1	ALT	Living elsewhere with relatives
2.	Chuto Manjhi	24	h/o Shani Murmu				
3.	Somra Manjhi	6	s/o Chuto Manjhi				
4.	Talo Manjhi	3	s/o Chuto Manjhi				

\*\*\*\*\*

A(i)	A(ii)	A(iii)	B(i)	B(ii)	TOTAL
	2		22		24

Land compensation pending of GMB land 1.74 ac and GMD land 6.20 ac.

House measurement all have done in February 2000. All have opted for Rs. 50,000/-.  
Three jobs are pending one for Shanu Manjhi, one for the nominee of Lt. Beniram Manjhi and one for Bablu Murmu.  
No one has received any sort of training in income generation.

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file/B-SU-FJ1

KEY:  
 Premnagar = Official Rehabilitation site.  
 Min. Quarters = still living temporarily in miners quarters  
 BAR = still living temporarily in barracks.  
 L = illegally brewing liquor  
 C = non-functioning cane project  
 CD= head loading coal trucks on a casual basis

PAREJ - TURI TOLA  
 ENTITLED PERSONS ACCORDING TO COAL INDIA CLASSIFICATION VILLAGE: PAREJ, TOLA: SUNUGHUTU  
 CATEGORY A(iii): LAND + HOMESTEAD CATEGORY B(ii) TRIBALS ON FOREST PRODUCE

June 2001

SN.	NAME	AGE	WALD	Tot Fam	Work/Job Eligibility	REHAB SITE	INCOME
<b>Family I</b>							
1.	Rameshwar Turi	52	Lt.Sukar Turi	10	M-1, F-2	Premnagar	VRS from TISCO
2.	Pairo Devi	44	w/o Rameshwar Turi				House wife
3.	Dhurpatia Devi	20	w/o Lt.suresh Turi				House wife
4.	Radha	3	d/o Lt.Suresh Turi				
5.	Rahul	2	s/o Lt.Suresh Turi				
6.	Mahesh	18	s/o Rameshwar Turi				
7.	Rekha Devi	18	w/o Mahesh Turi				
8.	Suraj Kumar	11	s/o Rameshwar Turi				House wife
9.	Rajesh Kumar	8	s/o Rameshwar Turi				
10.	Raju Kumar	6	s/o Rameshwar Turi				
<b>Family II</b>							
1.	Jirwa Devi	60	w/o Lt.Sukar Turi	1	F-1	Premnagar	Beggar
<b>Family III</b>							
1.	Ganesh Turi	49	s/o Lt.Sonwa Turi	7	M-1, F-1	Min. Quarters	Head loading Cane Basket someti
2.	Sugani Devi	40	w/o Ganesh Turi				
3.	Sarita Kumari	13	d/o Ganesh Turi				
4.	Pinki Kumari	10	d/o Ganesh Turi				
5.	Gudia Kumari	8	d/o Ganesh				
6.	Mohan	1yr.	s/o Ganesh				
7.	Rakesh	2yrs	s/o Ganesh				
<b>Family IV</b>							
1.	Laldev Turi	45	s/o Mannu Turi	6	M-1, F-1	Min. Quarters	Part Cane work
2.	Mannwa Devi	39	w/o Laldev Turi				Prep & sale liquic
3.	Mahesh Turi	12	s/o Laldev Turi				
4.	Pramilla Kumari	10	d/o Laldev				
5.	Chanchal Kumari	6	d/o Laldev				
6.	Sunita Kumari	5	d/o Laldev				
<b>Family V</b>							
1.	Pano Devi	45	w/o Lt. Teklal Turi	5	M-1, F-1	Min. Quarters	Prep & sale Liquic
2.	Bhola Turi	19	s/o Lt.Teklal Turi				House wife
3.	Sarita Devi	18	w/o Bhola Turi				
4.	Nisha Kumari	1yr.	d/o Bhola Turi				
5.	Chotana Kumar	18	s/o Lt.Teklal Turi				



Family VI				M-1, F-1	Min. Quarters	No work Prep & sale Lique
1.	Bisheshwar Turi	30	s/o Parmeshwar Turi	8		
2.	Manju Devi	28	w/o Bisheshwar Turi			
3.	Champa Kumari	12	d/o Bisheshwar Turi			
4.	Raju	10	s/o Bisheshwar Turi			
5.	Chanda	8	d/o Bisheshwar Turi			
6.	Phulmani Kumari	6	d/o Bisheshwar Turi			
7.	Jeetu	4	s/o Bisheshwar Turi			
8.	Mundi Devi	58	m/o Bisheshwar Turi			
Family VII				M-1, F-1	in the Barracks	coal head loading Sells coal to hotels parttime in school filling water & ca
1.	Arjun Turi	40	s/o Lt. Danu Turi	7		
2.	Lachoo Devi	35	w/o Arjun Turi			
3.	Arti Kumari	13	d/o Arjun Turi			
4.	Dasrath	11	s/o Arjun Turi			
5.	Naseen	8	s/o Arjun Turi			
6.	Bajrangi	5	s/o Arjun Turi			
7.	Ramchander	3	s/o Arjun Turi			

**ANNEX 3**

**Management Comments on  
Supplement to the Request**

**THE WORLD BANK**

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT  
INTERNATIONAL DEVELOPMENT ASSOCIATION

New Delhi Office  
70 Lodi Estate  
New Delhi - 110 003  
India

Telephone: 4624711  
Cable Address: INTBAFRAD  
Mailing Address: P.O. Box 416  
Telex: 3164193 IBRD IN  
Facsimile: 4632372

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THE INSPECTION PANEL

April 4, 2002

Mrs. Maartje van Putten  
Lead Inspector, RQ 01/02  
The World Bank Inspection Panel  
1818 H Street, NW  
Washington, DC 20433  
USA

*India: Coal Sector Environmental and Social Mitigation Project (RQ 01/02)*

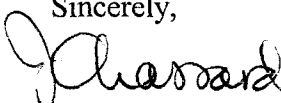
Dear Mrs. van Putten,

Thank you for your letter dated January 11, 2002.

A supervision mission for the Coal Sector Environmental and Social Mitigation Project visited India from February 4 to 14, 2002 and took the opportunity to update our information regarding the allegations raised by CASS on the implementation of the project in Parej East. We have summarized this information in the enclosed note.

We trust you will find this information useful.

Sincerely,

  
for Edwin R. Lim  
Country Director  
India

Enclosures

cc: Messrs. Ayensu, Abbott; Ms. Macedo

April 4, 2002

cc: Messrs./Mmes. Nishimizu; McKechnie, (SARVP); Hoban (SASIN); Chassard (SACIA); Ackermann, Christensen, Hasan, Forusz, Kvam, (SASES); Al Habsy, Ahmed, (LEGSA) ; Lintner, Sharma, Gill (ESDQC)

**Request for Inspection (RQ01/02)**

**INDIA**

**Coal Sector Environmental and Social Mitigation Project (Credit No. 2862-IN)**

**Coal Sector Rehabilitation Project (Loan No. 4226-IN)**

**Comments on Additional Issues Raised by CASS**

## List of Acronyms

CASS	Chotanagpur Adivasi Sewa Samiti
CBA Act	Coal Bearing Areas Act of 1957
CCL	Central Coalfields Ltd. In Jharkand (formerly part of Bihar)
CD/R&R	Community Development/Resettlement and Rehabilitation Officer
CGM	Chief General Manager, CIL
CIL	Coal India Ltd. (A public sector enterprise of the Government of India)
CMC	Coordination and Monitoring Committee
CMPDI	Central Mine Planning and Design Institute, Ltd.
CSESMP	Coal Sector Environmental and Social Mitigation Project
CSR	Coal Sector Rehabilitation Project
DAV	Dayanand Anglo Vikas – organization operating private schools
DEA	Department of Economic Affairs, Ministry of Finance
EMP	Environmental Management Plan
EPAP	Project-Affected Person entitled to economic rehabilitation assistance
GM	General Manager, CIL
GOI	Government of India
INTACH	Indian National Trust of Art and Cultural Heritage
IPDP	Indigenous Peoples Development Plan
JBIC	Japan Bank for International Cooperation
JEXIM	Export-Import Bank of Japan
MCL	Mahanadi Coalfields Ltd., Orissa
MoC	Ministry of Coal
MoEF	Ministry of Environment and Forests
NCL	Northern Coalfields Ltd., Uttar Pradesh & Madhya Pradesh
NDO	World Bank New Delhi Office
NGO	Non-Governmental Organization
OBC	Other Backward Castes
PAF	Project-Affected Family
PAP	Project-Affected Person
PIC	Public Information Center
R&R	Resettlement and Rehabilitation
RAP	Resettlement Action Plan
SAR	Staff Appraisal Report
SC	Scheduled Caste
SECL	South Eastern Coalfields Ltd., Chhattisgarh and Madhya Pradesh
ST	Scheduled Tribe
TATA	TATA owned West Bokaro Mine and Tata Iron and Steel Company (TISCO)
VWG	Village Working Group in an IPDP target village
WBPD	World Bank Project Division, CIL Headquarters, Kolkata
WCL	Western Coalfields Limited, Maharashtra
XISS	Xavier Institute of Social Service, facilitating NGO in Parej East

## Request for Inspection (RQ01/02)

### INDIA

#### Coal Sector Environmental and Social Mitigation Project (Credit No. 2862-IN) Coal Sector Rehabilitation Project (Loan No. 4226-IN)

#### Comments on Additional Issues Raised by CASS

1. This document provides comments on the issues set out in the attachment to a letter from the Inspection Panel to the Country Director, India, dated January 11, 2002, and the issues raised in an email from the Inspection Panel to the CSESMP team dated January 14, 2002. The issues in both communications from the Inspection Panel are raised by the Chotanagpur Adivasi Sewa Samiti (CASS). All the issues raised in these communications were investigated by the CSESMP team during a mission to CIL headquarters in Kolkata and the Parej East mine from February 4 to 14, 2002, and this note provides the Panel with additional evidence that the Bank is in compliance with all relevant policies and procedures related to the design and implementation of the above referenced project. The issues and concerns in these communications deal exclusively with actions carried out under the Coal Sector Environmental and Social Mitigation Project (CSESMP).
2. The Request alleges violations of Operational Directives 4.01 on Environmental Assessment, 4.20 on Indigenous Peoples, 4.30 on Involuntary Resettlement, and 13.05 on Project Supervision. The Request also alleges violations of BP 17.50 on Disclosure of Operational Information.
3. The comments are presented in 2 parts as follows: 1. Comments on issues raised in the communication of January 14, 2002; and 2. Comments on issues raised in the communication of January 11, 2002. Also attached are 3 Annexes: (a) IPDP activities in Parej East, (b) Composition of Village Working Groups for IPDP activities in Parej East, and (c) Information relating to 'Roster of PAPs' submitted by CASS.

#### COMMENTS ON ALLEGATIONS

1. **Comments on issues raised in communication dated January 14, 2002**
  - 1.1 **Resettlement impacts on hamlets of Baraghatu village:** CASS writes that "*Village Burughutu has some hamlets which were included in the original RAP. Subsequently they were removed from RAP as it was decided not to displace them, but only take their rice fields and land. Thus during the term of the ESMP they were then included in IPDP. Now, in the latter part of 2001, survey is being done for their displacement. Local govt officials have told the people to bring their papers for verification. This piece-meal approach questions the very integrity of the original planning, if not in intention, at least in competence. One could be led to suspect that some displacements were hidden from first planning to give a picture of minimum impact, now that the WB*

*project is over, they are brought out into the open. We suggest that a thorough investigation has to be done with regard to the hamlets of Burughutu village."*

4. Unlike a typical infrastructure project where all land acquisition required for the project takes place within the project period, the open cast coal mines operated by CIL involve land acquisition throughout the life of a particular mine, and this may significantly exceed the duration of the CSESMP. This is also the case with regard to the Parej East mine, where mining may continue for another 20 years or so. While CIL has adopted a corporate policy on resettlement and rehabilitation that is applicable to all land acquisition carried out by CIL, the obligations relating to resettlement and rehabilitation, as set out in the SAR, are limited to the projected caseload of PAPs created by land acquisition for mine expansion during the project period. In Parej East, as in other mines under the CSESMP, the actual mine expansion and the extent of associated land acquisition has turned out to be lower than what was projected during project preparation.

5. In Parej East, the revenue village of Baraghatu (Burughutu) comprises two hamlets, namely Agaria and Facodih (Baraghatu proper). While the Facodih hamlet is located inside the mine leasehold boundary, neither the original mine expansion plan (see attached Map 2), on which the 1994 RAP is based, nor the revised plan (see Map2) require resettlement of this hamlet. It was, therefore, included in the CSESMP as an IPDP village. The relocation of the Agaria hamlet, originally proposed to take place in 2008, seven years after the project closing date. Under the revised mine expansion plan, relocation is now expected to take place in 2010 (eight years beyond the revised CSESMP closing date of June 30, 2002). It is expected that preparations for resettlement will be carried out in accordance with CIL's Corporate R&R Policy, which complies with the Bank's OD 4.30.

6. As indicated in the revised mine expansion plan, relocation of the households in the Agaria hamlet will not take place until approximately eight years from now. Accordingly, CCL has not undertaken, nor plans to undertake surveys and house measurements to prepare for resettlement for approximately seven years. Inquiries made by the CSESMP team found, that the surveys referred to in the communication from CASS were neither conducted by CCL staff nor intended to prepare for displacement. They were those carried out by the government of the newly created Jharkand state as part of a state-wide updating of the old revenue records from 1909. The Circle Office of the Jharkand state government conducted these surveys in the Mandu Block (to which the revenue village of Baraghatu belongs) in November, 2001. The villagers interviewed by the CSESMP team seemed to be well aware of the purpose of these surveys

**1.2 Income restoration:** CASS writes that *"The fact is that the PAPs have been now deprived of their former economic survival base, and for an alarming large number of them, this has NOT been replaced. In the face of the lengthy response of Management, this fact still stands clearly. Para 76 of Management response indicates that 67.7% of those who completed training (what % of all PAPs?) have been able to establish income. We ask to see explicit identity of these PAPs, with the means and amount of claimed income."*

7. Para 76 of the Management Response of July 19, 2001, extensively covers the issue of income restoration for all EPAPs under the CSESMP, and in Parej East specifically. The figure given for EPAPs who are earning an income based on the training they received, is **65.7%**, not the 67.7% stated by CASS. Of the EPAPs in Parej East, who have completed training by the end



of 2000, 37% are earning an income based on the training received (for further information on income restoration, see section 2.1).

8. The figure of 65.7% of EPAPs with incomes based on training includes EPAPs from the 13 other mines with land acquisition under the project. To reveal the identities and/or the incomes of these EPAPs to CASS would be a violation of their rights to confidentiality, and would require their explicit consent. The same rationale applies to the EPAPs of Parej East whether they are tribal or non-tribal. The Bank will, however, make available to the Inspection Panel any and all information they require in the course of their investigation.

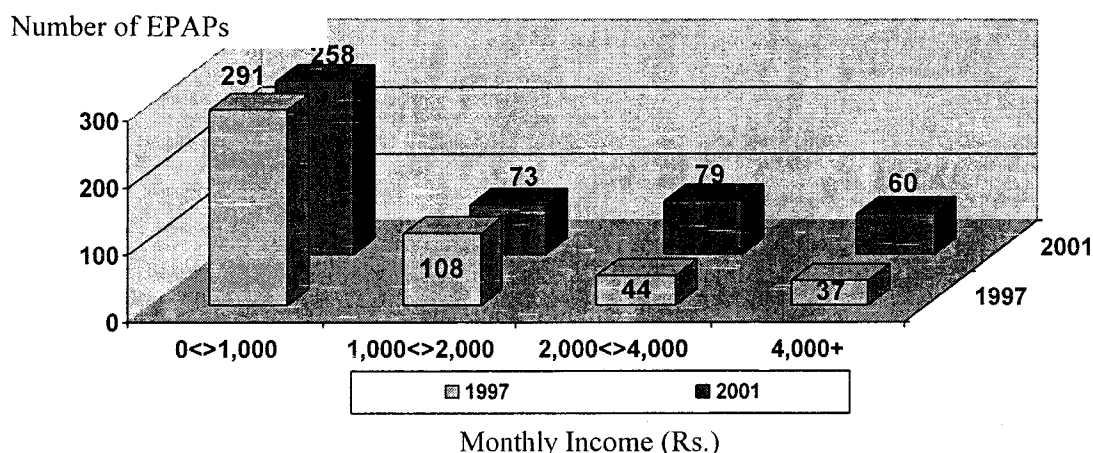
**2. Comments on issues raised in communication dated January 11, 2002**

**2.1 Issue 1: Regain former standard of living:** CASS writes that *“three years after displacement the people of Turi Tola and Borwo Tola have not regained their former standard of living, generally have not been given jobs or replacement land, and the ‘self-employment opportunities’ have come to nothing.”*

9. The process of land acquisition and subsequent relocation of the PAPs has been phased, and has taken place in accordance with mine advancement. The villagers of Turi Tola were originally displaced by the TATA owned West Bokaro mine before the start of the CSESMP. Under the CSESMP, one Turi Tola family relocated in February 1998, while the remaining eight families relocated in May 1998. The residents of Borwo Tola relocated between December 1999 and January 2000, and the residents of Sunugutu and Jogwa Tola relocated in October 2000 and March 2001, respectively.

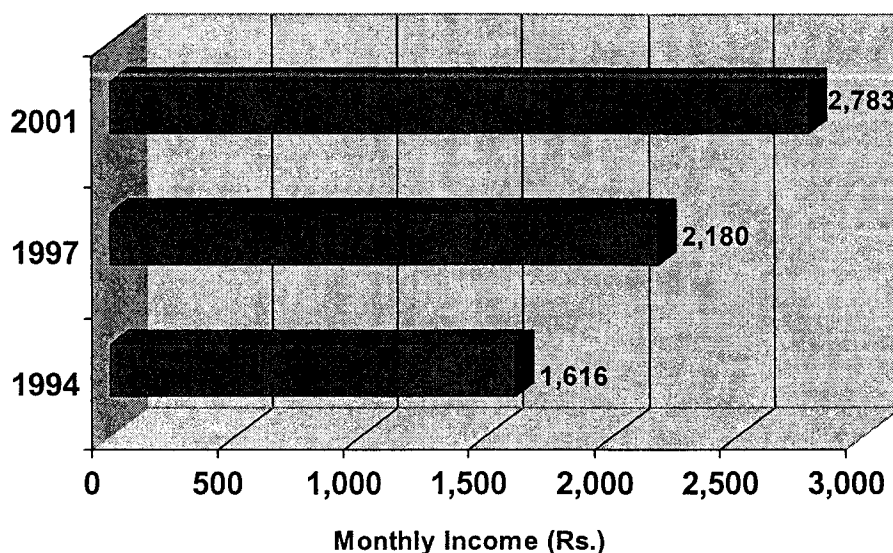
10. Analysis of inflation adjusted income data for Parej East from the April 2001 census, shows that for the 236 EPAPs (out of the total caseload of 480 EPAPs), who had two or more data points from which their incomes could be compared, 64% have increased their incomes, 20% have maintained their pre-project incomes, while 16% have experienced a decrease in their reported incomes. Among the 79 EPAPs from the tribal population (out of a total of 152), who had two or more data points from which their incomes could be compared, 58% have increased their reported incomes, 25% have maintained their pre-project incomes, while 16% have experienced a decreased in their reported incomes.

**Individual Incomes across all PAPs: 1997 and 2001**



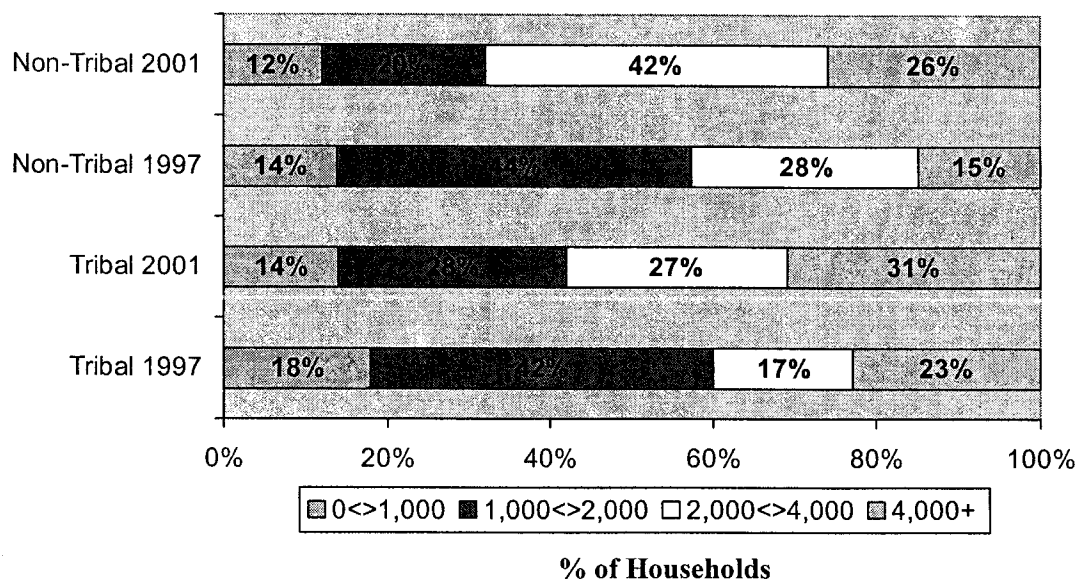
11. The inflation adjusted average individual monthly incomes of EPAPs increased 27.6%, from Rs. 1,013 to Rs. 1,293 between 1997 and 2001. In addition, the number of individual EPAPs with incomes in excess of Rs. 4,000 per month has nearly doubled. At the same time, the number of PAPs reporting incomes below Rs. 1,000 per month has decreased from 61% in 1997 to 56% in 2001.

**Average Monthly Household Income (Rs.) in Parej East:  
1994, 1997 and 2001**



12. The inflation adjusted average monthly income of all EPAP households also increased by 27.6%, from Rs. 2,180 to Rs. 2,783 between 1997 and 2001. Between 1994 and 2001, the average monthly household income increased significantly by approximately 70%. Among non-tribal PAPs, the percentage of households with incomes in excess of Rs. 2,000 per month increased from 43% in 1997 to 68% in 2001. Among tribal EPAPs, during the same period, the percentage of households with incomes in excess of Rs. 2,000 per month increased from 40% in 1997 to 58% in 2001.

**Increase in Non-tribal and Tribal Household Incomes:  
1997 to 2001**



13. In Parej East the Annual RAP for 2002 targets EPAPs who have experienced an income decrease, and provides those who are interested, with training and follow-up assistance regarding the necessary investments and market linkages to enable them to earn an income from the training. A follow-up census is being undertaken in March-April 2002, to enable further analysis of the status of income restoration achieved during the project period.<sup>1</sup> The results of this census will be independently verified by a consultant.

**2.2 Issue 2: Jobs in the company:** CASS writes that only 14 PAPs have received jobs in the company and quotes Coal India's (CIL) R&R Policy as follows, "*Jobs will be given to eligible landless PAPs on a preferential basis when outside recruitment becomes necessary.*" CASS quotes an undated earlier version of the Parej East Resettlement Action plan as follows: "*To the extent new employment opportunities get created in the Project in unskilled or semi-skilled categories, these shall be reserved entirely for the land oustee families*"

14. In accordance with Coal India's Resettlement and Rehabilitation Policy (R&R), CCL's employment records for Parej East indicate that they have provided 9<sup>2</sup> jobs during the project period to PAPs who have either lost 3 acres of non-irrigated land or two acres of irrigated land. Additionally, in accordance with CIL's corporate policy, CIL has informed the CSESMP team that no non-PAPs have been hired for any unskilled or semi-skilled jobs in CCL during the life of the CSESMP.

<sup>1</sup> See aide memoire for supervision mission from November 27 to December 6, 2001, (para 21).

<sup>2</sup> One mine job has been awarded to a PAP from Turi Tola, 3 to PAPs in Sunugutu, 2 to PAPs in Borwa Tola, and 3 to PAPs in Jogwa Tola.

**2.3 Issue 3: Jobs with contractors:** CASS writes that *“the fact is that while a few PAPs find daily wage employment around the mine, the majority are not able to do so. They are living off their compensation money given for building their houses. There is no substantiation of contractors giving jobs to them. Where it is given, it is temporary and casual work”*

15. Jobs with contractors for unskilled laborers are by definition temporary and casual work. However, this does not mean that this form of employment does not involve a significant number of PAPs, nor that CCL has not made an effort to link PAPs to available jobs with contractors.

16. Coal loading is one type of contractual work where many PAPs earn an income as casual laborers. At the coal loading dump at the Parej East mine, the loading of coal trucks is carried out by labor gangs (*dangal*) comprising 15 male and female laborers. There are 31 labor gangs engaged at the Parej East coal dump. Of these, seven are composed of PAPs. A committee composed of local leaders from the villages supplying labor has devised a system for the allocation of trucks to labor gangs. The committee has employed 35 supervisors (*munshi*) of which 20 are from Parej village and 15 from Duru village, who is responsible for allocating the trucks to labor gangs. These supervisors are paid a daily wage of Rs 50 by the truck owners. Under this system, trucks to be loaded are allocated on rotation to both PAP and non-PAP labor gangs. 10% of all trucks are reserved for PAPs, and the PAP labor gangs participate in the allocation of the balance on equal terms with non-PAP labor gangs. A labor gang earns Rs 1,400 per truck (about Rs 90 per laborer). Normally a labor gang will get to load only one truck in a day. This is a year round activity, and the number of trucks to be loaded vary. During January 2002, a total of 193 trucks were loaded at the dump.

17. In addition, the following project related employment opportunities have also occurred during the project period:

- To accommodate the expansion of the Parej East mine, the road through the area is being diverted to near the Duru village. The work started in August 2001, and is expected completed in October 2002. The entire casual labor force of 40 laborers consists of PAPs, who receive the State of Jharkand minimum daily wage of Rs 58.
- Under the CSESMP, a domestic effluent treatment plant was constructed for the Parej East mine colony. The construction took about one year, and during this period 35 PAPs were employed as casual laborers. PAPs have also been engaged in plantation work undertaken in the Parej East mine.
- In addition, CCL has made an agreement with the contractors who execute civil works contracts for the mine to employ PAPs as casual laborers. Finally, PAPs are also engaged by CCL as casual laborers to assist the PAFs who are relocating with the dismantling of their houses and salvaging of building materials.

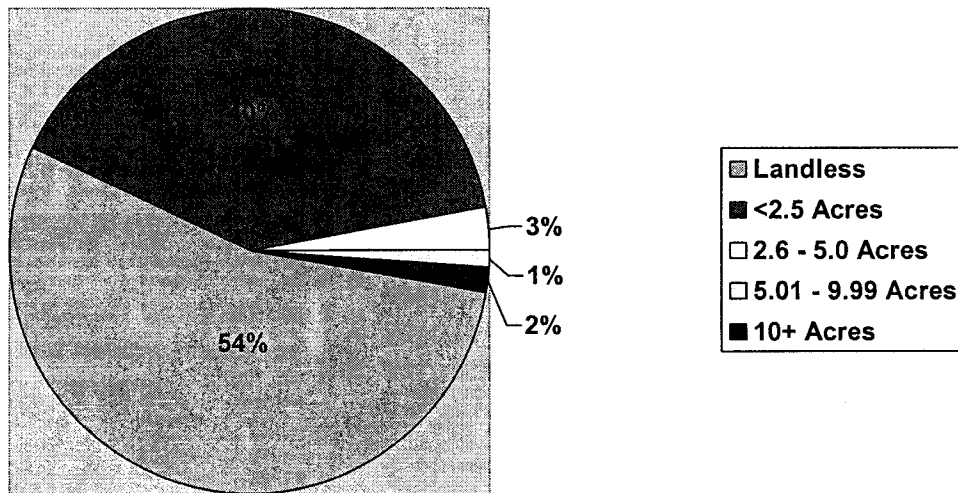
18. Thus, project related casual labor opportunities exist, and have been capitalized on by interested PAPs. CCL is not in a position to require the State Authorities to withhold the compensation money on the grounds that it should be released only for purchase of replacement land or other productive investments. Earlier suggestions made by the Bank to CCL to deposit house compensation in a joint CCL account with the PAPs, to be released upon initiation of

construction by the PAP were rejected on the grounds that this would infringe on the individual rights of the PAPs and would be very difficult to manage. . However, the facilitating NGO, which interacts with the PAPs on a regular basis, has been guiding the PAPs to use their compensation for productive investments. The survey of PAP's income restoration efforts in March, 2002 will review this issue in further detail and take appropriate measures, if necessary.

2.4 **Issue 4: Replacement land and compensation:** CASS writes that “*whereas WB OD 4.30 says ‘The Bank encourages land for land approaches’, this land replacement option has not been pursued, the amount for land compensation precludes buying replacement land, [and] many have gone and built houses on plots of land of their relatives, but have no supporting agricultural land’*”

19. CIL’s R&R Policy states that “*PAPs will identify and purchase land with assistance from the subsidiary*”. The PAPs were informed of this option when the R&R Policy was issued in April 1994, but CCL has not received requests for such assistance. Compensation for affected land is paid at its replacement value. To date, a total of 44 purchases of replacement land have been made by PAFs comprising a total of 97 EPAPs. Not all PAFs are in a position to purchase replacement land since not all PAFs owned agricultural land when they were displaced by land acquisition. Such PAFs have only received compensation for their house and the land on which this house was built. PAPs who opt for a site development grant of Rs 50,000 in lieu of a plot of land, may choose to settle with relatives or explore other alternatives.

**Land Ownership In Parej East - 1994**



2.5 **Issue 5: Self-employment schemes:** CASS writes that “*after a suitable lapse of time*” self-employment schemes have failed to restore incomes. “*The afforestation work that was offered was too far away. Basket making is not sustainable because CIL rejects or does not pay for the baskets. There is a lot of pressure on CCL from big contractors, in the face of which the products of the PAPs cannot compete, they cut in the market of favored clients*”

20. The implication of the above assertion is that the participants in the self-employment schemes should have restored their incomes by now, although other parts of the supplementary list of questions recognize that income restoration is a long-term process. Income restoration

requires not only adequate training but also follow up support to enable the PAPs to use the training received.

21. Of the 240 EPAPs that have completed training in various skills between 1998 and 2001, 89 are earning an income from the training received. As in the annual RAP for 2001, the focus of the annual RAP for 2002 is therefore to provide follow-up assistance comprising investment assistance, infrastructure, additional training, and assistance in establishing market linkages for the EPAPs who have been trained, but who have not been able to establish an income based on the training received. A total of 60 EPAPs (26 males and 34 females) have expressed an interest in receiving such follow-up assistance.

22. **Afforestation work:** Following up on a suggestion by CASS, CCL organized a meeting between CASS, EPAPs and XISS, the facilitating NGO in the area on December 15, 1999. As requested by CASS in this meeting, CCL changed their contract with the Forest Department to provide for weekly payments for daily labor instead of the normal monthly payments (at the State established minimum wage of Rs 58 per day). Although CCL invited CASS to facilitate the involvement of the women's cooperative in the plantation work, they did not receive this assistance from CASS. Since all planned plantation work on vacant land within the Parej East leasehold had been completed in 1997 and 1998, the work offered by CCL was located in the Tapin block, about 6 km from Parej East. Transport to this area is readily available at the cost of Rs 2 each way on the numerous private vehicles plying in the area.

23. **Cane basket manufacture:** All 10,000 cane baskets for use in underground mining stipulated in the original contract between CCL and the EPAPs in the Prem Nagar resettlement site have been manufactured by the EPAPs, and they have received payment from CCL. A new contract with the EPAPs to manufacture another 10,000 baskets is currently under preparation. Under the first contract, about 10% of the baskets were rejected since they were either too small or due to other quality problems. The materials in these baskets were reused in the manufacture of new baskets that conformed to the quality requirements.

24. **Competition from big contractors:** The relevant trade in this connection is the cane basket making by the Turi Tola villagers in Prem Nagar, which has not in any way been curtailed by competition from bigger contractors. The problems and delays that have affected the cane basket manufacture stems from a variety of reasons, principal among which have been delays in procuring quality cane from Assam, and irregular production by a section of the EPAPs. Some EPAPs have also abandoned manufacturing of baskets in favor of different types of casual labor including coal loading.

2.6 **Issue 6: Training for self-employment:** CASS writes that *"no training facility/ center as such exists as CCL has instituted in other mines (e.g. Ashoka Project). Any such training programs have been of very short duration and have failed to achieve the purpose of upgrading of skills for employment. The training programs have mostly not been linked to specific income restoration. Carpet weaving is being done by Muslim women"*

25. There is no training center for income generation for project affected people under Ashoka, CCL. To conduct skills training in the 14 mines under CSESMP where self-employment options are offered to the EPAPs, CIL has chosen to focus on the delivery of training through contracting external agencies rather than investing in the establishment and

operation of training centers. The types of skills training provided by the agencies selected, were based on the initial market surveys and options selected by EPAPs. Thus, all training programs have been linked to specific income generation options, and as the examples below demonstrate, the duration of the training is related to the complexity of the skills to be imparted.

Skill	Training agency	Location	Duration
Cane basket production	CRADLE, Ranchi	Production site in Prem Nagar	2 weeks with follow-up
Vehicle driving	Chotanagpur Motor Driving & Engineering School, Ramgar	Ramgar	First batch: 3 months, Second batch: 1 month, Both total of 30 hours of driving.
Carpet weaving	Chotanagpur Crafts Development Society, Ranchi	Production site in village	One year
Raising of goats, pigs, and chicken	CRADLE and XISS	In the villages	One week
Health worker training	RINCHI, Ranchi	Ranchi	Four days per month over two years

26. **Carpet weaving** training has been open to all interested EPAPs. A total of 65 women have received training in carpet weaving, and of these 30 are Muslim while 35 are Hindu or tribal. Since the original market linkage through the Chotanagpur Craft Development Society has proved problematic as the society has failed to provide quality raw materials on time and to pay for finished products on a regular basis, CCL is now assisting the women to form a cooperative. This cooperative will be associated with the Marketing Extension Service Center in Ranchi. As carpet producers, they may then also be able to draw on the Tribal Cooperative Development Corporation in Ranchi, which assists cooperatives that have been in operation for at least a year, have savings of Rs. 5,000 and maintain proper accounts (see claim under Issue 6 regarding the Tribal Cooperative Development Corporation).

**2.7 Issue 7: Subsistence allowance:** CASS states that CIL's R&R Policy "*mentions a subsistence allowance BUT it is not known that any such subsistence allowance is being given to PAPs eligible for it; at a rate of Rs. 300 per month (below the poverty line) it fails to achieve any purpose of providing subsistence assistance; the people don't seem to know about claiming it.*"

27. Paragraph 14 of CIL's R&R Policy refers to rehabilitation in the form of a subsistence allowance or lump sum grant for the purpose of productive investment (Package D). In order to be eligible for Package D, the PAP must be an individual from whom land is acquired (this includes tribals cultivating land under customary rights), the amount of land acquired must be less than 2 acres, the PAP must not have income from other sources that exceeds Rs. 12,000 per year, and none of the other options should be available to the PAP. CIL's R&R Policy does not prescribe any specific amount for the subsistence allowance.

28. To date, no PAP has received a subsistence allowance because the eligibility criteria have not been met. CIL's R&R Policy, translated into the local language, is available to all PAPs at the Public Information Center/CD R&R Office. It describes the eligibility criteria for receiving the subsistence allowance.

**2.8 Issue 8: Vulnerable groups:** CASS writes that *“the people of Turi Tola are landless tribals, [and] had eviction notices registered against them. They still do not have their incomes restored to its former level”*

29. The eight households of the Turi Tola hamlet (who are not tribals but Scheduled Caste people) were displaced by the TATA owned West Bokara mine bordering Parej East before the start of the CSESMP. They settled as squatters inside the Parej East leasehold boundary, where the advance of mining necessitated their resettlement in May 1998. It has not been possible to establish whether any eviction notices had been issued due to their squatting inside the Parej East leasehold. In any case, when resettled, they were given the same entitlements to compensation and rehabilitation as all other EPAPs in Parej East. One family, which lost agricultural land, also received a mine job in lieu of compensation for the land lost in addition to the house compensation. Following intermediation by CASS, the Turi Tola villagers selected the Prem Nagar resettlement site as a preferred alternative to the Pindra site. A reputed community development agency (CRADLE) was engaged by CCL to assist the Turi Tola PAPs to develop the manufacture of cane baskets as an avenue for income restoration (see also the response to Issue 2.5 above).

**2.9 Issue 9: Women:** CASS contends that although CIL’s R&R Policy mentions that *“Special attempts will be made to ensure that women will be given adequate access to income generating opportunities.....no such preference has be given; apart from Bilaso Devi no women have been given employment; no specific income generating opportunities have been made for women apart from piggery training and carpet weaving.”*

30. CCL’s employment records indicate that 2 women who had lost 3 acres of non-irrigated land or 2 acres of irrigated land received mine jobs, in accordance with the resettlement policy.

31. RAPs have been prepared on an annual basis, each following consultations with PAPs on the different self-employment opportunities available to them. An average of 388 PAPs have been consulted individually each year, with an average of 105 PAPs opting for training annually.<sup>3</sup> In Parej East, a total of 147 women have completed training, of their own choice, in pig raising, goat farming, poultry, leaf plate making, cane basket making, sewing, bee keeping, and carpet weaving. Women account for 61% of those who have completed training to date. As part of the 2002 RAP for Parej East, a total of 34 women who have completed training will receive follow-up assistance with increasing their incomes through exposure trips, linkages with craft societies, enhancement of marketing skills, and seminars.

**2.10 Issue10: Health:** The information presented by CASS implies that *“the following deaths of displaced people have occurred”* as a result of relocation under the project, and cites Footnote 12 of the World Bank’s OD 4.30 which notes that *“Health care services may be important during and after relocation to prevent increases in morbidity....”*

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<sup>3</sup> The number excludes PAPs who are already employed by CCL, West Bokaro Mine, and similar public enterprises. In addition, this number includes PAPs who were re-consulted after not opting for training in 1999.



32. CASS states that a total of 21 people, who range in age from 2 months to 60 years, have died since 1998 in Turi Tola, Borwa Tola, Sunugutu, Jogwa Tola, and Agaria Tola.<sup>4</sup> CASS intimates that the causes of death, including accidents, TB, malaria, and alcoholism are in some way project related and would not otherwise be prevalent. As suggested by health data from two recent sources, the 1998-99 Bihar National Family Health Survey (NFHS-2)<sup>5</sup> and *The Myth of the Healthy Tribal*,<sup>6</sup> published by Ranchi University, the health related issues raised by CASS are a result of a variety of economic, political and social factors, which pre-date the project, and have neither been caused nor exacerbated by the CSESMP.

33. The general health status in India is disturbingly low, with low life-expectancy, high rates of child and infant mortality, poor immunization coverage, and the prevalence of preventable diseases such as tuberculosis and diarrhea, despite the availability of low cost treatments. In terms of vaccine-preventable deaths and disabilities, India's share of total incidence is the highest in the developing world. The Health Modernity Survey (HMS) identifies poverty, illiteracy, ignorance, and government failure as the combined cause of low health status in India, which is in turn, a major impediment to human capital development.

34. In the NFHS-2, published by the International Institute for Population Sciences, a total of 1,642 households were surveyed in Jharkhand, including the areas of Hazaribagh, Ranchi, and Sigbhum.<sup>7</sup> The results of the survey indicate that the rates of infant mortality and under-five mortality in Jharkhand are 71.1 and 96.3 per 1,000 births, respectively. The survey further indicates that within the two weeks prior to the survey, a significant proportion of tribal children under 3 had suffered from acute respiratory infection (24.9%), fever (31.4%), and diarrhea (19.3%).

35. A further discussion of tribal health status in the area from A.K. Singh, et al. of Ranchi University is given in an excerpt here:

“PLEASE close your eyes and think of an average tribal person in the native habitat. The mental image, most likely, will be of a healthy, strong, carefree man with a flute on his lips, and of a woman, with flowers in her hair, dancing happily on the wild beats of the drum. This stereotype of a tribal, held by most Indians, alas, is a hollow romantic myth.

This myth has been exposed by the grim facts of a Health Modernity Survey<sup>8</sup> sponsored by the Indian Council of Medical Research in two rural blocks, Kanke and Namkum, of

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<sup>4</sup> As Agaria Tola is an IPDP village, there has been no land acquisition related to the Bank assisted Parej East mine. The latest mine plans indicate that this village is unlikely to be displaced for another 12 to 15 years.

<sup>5</sup> The National Family Health Survey (NFHS-2), India, 1998-99: Bihar. International Institute for Population Sciences (2001). Mumbai, India.

<sup>6</sup> Singh, A.K., et. al (1997). "The Myth of the Healthy Tribal: Health Modernity in Two Rural Blocks of Chotanagpur, Bihar". Ranchi University. Report on the Indian Council of Medical Research Task Force Health Modernity Education Project.

<sup>7</sup> The household response rate was 98.7%. The survey also interviewed 1,614 women members of these households, achieving a 95.4% response rate.

<sup>8</sup> "Health Modernity has been defined as scientifically correct information, attitudes and behaviour in relation to physical and mental health, family planning and childcare, personal hygiene and environmental sanitation and such other issues which are essential pre-requisites for healthy living and, therefore, for human and social development. A Health Modernity Scale, in the form of an interview-schedule, was administered on 991 tribals (male and female) in to rural blocks of Ranchi district in South Bihar. Their health status was also measured through health indicators, such as living conditions and food habits, age at marriage of women, fertility and family

Ranchi district in Chotanagpur region of Bihar.....Contrary to popular notion, a large number of the rural tribals are afflicted by illness and physical disability.”

36. The results of the Health Modernity Survey (HMS) of 991 tribal men and women, in Ranchi district, provide for some means of general comparison with the tribal population under the CSESMP.<sup>9</sup> In terms of overall health status, the HMS concludes that the tribal population is generally unhealthy, 29% of families reported illness at the time of the survey, less than 8% of children received immunizations, two-thirds of the children under five were malnourished, and the consumption of both tobacco and alcohol was high.

37. In Parej East, there are five persons in the average family, while the tribal population surveyed as part of the HMS noted the size of the average family was seven, living in only approximately two rooms. The two strongest correlates of health, illiteracy and poverty, are also discussed in the HMS. The results of the survey indicate that the level of illiteracy among the tribal population is 81%. In contrast, the baseline survey of 1994 indicates that the level of illiteracy among the tribal population was a significantly lower at 41%. As there is also a strong correlation between literacy and income, it should not be surprising that 87% of the tribals in the HMS reported incomes of less than Rs. 400 per month, while only 21%<sup>10</sup> of the PAPs under the CSESMP were below this level. See the response to Issue 1 above for information regarding income restoration among the tribal population in Parej East.

**2.11 Issue 11: Tribal Communities:** Responses are provided below to each of the specific issues raised by CASS:

2.11.1 *“The Banjari Puja Stan (sacred grove) of Borwo Tola has been destroyed, its priest Kartik Pahan died not long after. The Manji than (sacred puja place) of Borwo Tola has been destroyed. Demolition of these sarnas is clear violation of the villagers fundamental right to practice religion under Article 25 of the Constitution of India”*

38. The *Banjari Puja Stan* was a tree worshipped by one family. According to CCL, its sacred status was disputed by fellow villagers. An agreed compensation amount was paid to the owner to cover the costs of re-establishing the altar and conducting the necessary rituals to consecrate the new place of worship. The PAFs of Borwa Tola were resettled between December 1999 and January 2000. According to CCL, Kartik Pahan died at the age of 60 in June 1999. At that time, no houses or any other property had been taken into possession and demolished.

39. The *Manji than* was a stone platform or altar on which Hindu rituals were conducted by one family. An agreed compensation amount was paid to the owner to cover the costs of re-establishing the altar and conducting the necessary rituals to consecrate the new place of worship. Relocation of a tribal *sarna* or place for Hindu *puja* rituals can be undertaken if the necessary rituals are performed. In both of the instances mentioned by CASS, agreements were

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size, immunization and malnutrition in under-five children, and death and disabilities. The tribal community studied had very low health status and Health Modernity.” A.K. Singh, et al. (1997)

<sup>9</sup> Tribals account for approximately 60% of the population in Ranchi District. A.K. Singh, et al. 1997.

<sup>10</sup> This percentage includes both tribal PAPs with reported incomes of less than Rs. 400 per month and those who did not report income in April 2001, regardless of reason. If viewed only in terms of the PAPs who reported income, only 3 earned less than Rs. 400 per month.

reached with the individuals owning the sacred places regarding the compensation costs required to pay for the rituals associated with their relocation.

2.11.2 *“The resettlement site replacement worship places are replaced by other sacred places not of tribal tradition (Pindra)”*

40. This statement presumably refers to the shifting of a *sarna* (sacred grove) which was also dealt with in the previous Management Response of July 19, 2001 (para 89). The relocation of this particular *sarna* to the Pindra resettlement site was planned under the annual RAP of 2001 based on an agreed amount of Rs 29,000 to cover the associated rituals. Subsequently, the PAPs demanded an increased amount of Rs 40,000, which was agreed by CCL. In the meantime, the resettlers in Pindra have established another sacred site and consecrated it with the appropriate rituals. The PAPs in Pindra are of the opinion that the shifting of the *sarna* may bring misfortune, and are therefore opposed to it being shifted. This is a dispute among tribals, which will have to be settled among themselves. When the issue has been resolved, the CCL is committed to pay the agreed compensation to cover the rituals associated with the relocation of the *sarna*.

2.11.3 *“The tribal graveyard of Parej has been surrounded by high OB dumps, is inaccessible, and has had to be abandoned”*

41. The graveyard in question is bordered by the external overburden (OB) dump of Parej East. The OB dump was established in 1995 before the start of the CSESMP, and is thus not attributable to a project related impact. However, the layout of the OB dump, leaves a passage to the graveyard as is indicated on the mine land use plan from 1994 (see Map 2). No dumping has been undertaken on this OB dump since 1998. The CSESMP team visited the graveyard on February 8, 2002, and established that it is accessible on foot along a path through the passage indicated on the mine land use plan.

2.11.4 *“The Co wants to build a bore well for the employees colony in Lupuntandi, which will affect the water level of tribal village”*

42. The *“employees colony in Lupuntandi”* refer to the colony which houses staff from the mines of Parej East, Tapin North, and the Kedla Washery of Bokaro Coalfields on land acquired in the nineteen eighties. A tube well to supplement the water supply for the colony was drilled in mid 2000 inside the mine colony. The tube well has a depth of 100 meters and will yield about 3.5 liter per second when operational. Hydro-geological studies undertaken as part of the preparation for the establishment of the tube well do not indicate any adverse impacts on the groundwater table of the surrounding villages, including Lupuntandi which is located about 1.5 km away from the well site.

43. Near the tube well, and inside the mine colony, are five small fields on which villagers grow rain fed crops. The villagers cultivating these fields claim them as *Ghair Mazurwa Khas* land (GMK),<sup>11</sup> and since the claims have not been settled by District authorities, CCL has not interfered with the continued cultivation of this land within the mine colony. On April 10, 2000, CCL requested the District authorities to clarify the ownership, but the matter is still pending.

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<sup>11</sup> Ghair Mazurwa Khas (GMK) land was previously held by large landowners (zamindars), but was after independence either transferred to the cultivators or to the state.

44. The tube well, which is not funded under the CSESMP credit, will not have any negative impact on the groundwater table of the surrounding villages. Moreover, there is no link between the tube well and the land acquisition under CSESMP since the land for the colony was acquired nearly twenty years ago.

2.11.5 *“Sewage from the employees colony is discharged into the fields of Lupuntandi tribals”*

45. A domestic effluent treatment plant in the mine colony has been funded under the CSESMP Credit. It was commissioned in December 2000 and serves 688 families in the colony. The domestic effluent treatment plant replaced the previous disposal of sewage through badly maintained septic tanks, and has thus removed the threat of pollution of the ground water table that was posed by these septic tanks.

46. The treated water from the domestic effluent treatment plant is released into a soak pit lined with concrete and situated inside the mine colony. The CSESMP team observed limited overflow from the soak pit into a small valley leading down to the Bokaro River. The three rain-fed agricultural plots in this valley have the same unresolved ownership status as the fields near the tube well discussed above. The water quality of the treated effluent water from the domestic effluent treatment plant is monitored on a regular basis by CMPDI, and test results for BOD and TSS for November and December are fully in compliance with the standards established by the Government of India.<sup>12</sup> The Bank has recommended that arrangements should be made for restricted use of the treated effluent water from domestic treatment plants.<sup>13</sup> Such use could include irrigation of selected types of crops, and other vegetation. In the colony for Parej East, Tapin North, and the Kedla Washery, it is planned to use treated effluent water from the domestic effluent treatment plant in mobile water sprinklers for dust suppression on mine haul roads.

2.11.6 *“The IPDP program has provided mere marginal facilities such as unstaffed dispensary building, road (which mean little to people without vehicles), water tank, all of which are of no value face to face with the mining impact”*

47. The IPDP program, which covers 11 villages, is based on participatory planning of annual implementation plans based on an open menu, where villagers can chose practically any type of development activity they find relevant for their community. No dispensary buildings have been constructed under the IPDP program. Access roads were constructed or repaired in ten villages. The reason stated by villagers for wanting roads to be constructed or repaired was that this would facilitate the transport of seriously ill people to hospitals or clinics for treatment. In addition, such roads provide access to public transportation, which in turn improves access to markets, labor opportunities, and public services. See Annex 1 for the IPDP activities undertaken between 1998 and 2001.

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<sup>12</sup> BOD for November 2001 is 7.2, and for December 2001 is 6. TSS is 44 for both November and December 2001. The permissible limit for BOD is 30, and for TSS it is 100.

<sup>13</sup> See aide memoires from supervision mission from May 29 to June 15, 2001 (para 52), and from supervision mission From November 27 to December 6, 2001 (para 51).

2.11.7 *“The people are not being shifted as a unit. Some have gone to live in the colonies, some have gone off to live elsewhere”*

48. Where the PAFs select to stay is based on their own choice. The PAFs have a choice between a plot in the Pindra resettlement site and a site development grant of Rs. 50,000 instead of a plot in the resettlement site. This grant is in addition to the compensation for their house plot. Thus, PAFs have the option to choose whether they want to move as a unit to the resettlement site, move as a unit to a location elsewhere (as some have done), or settle individually away from members of their old village.

2.11.8 *“In the resettlement colony, tribals are living with others who dominate them socially and culturally”*

49. All the residents in the Pindra resettlement site are tribals from Borwa Tola, and all the residents in Prem Nagar are scheduled caste from Turi Tola. There does not seem to be any issue of social or cultural dominance by non-tribals in Pindra.

**2.12 Issue 12: Land held under traditional rights:** CASS writes that *“In Durukasmar village as well as other similar villages, compensation is being paid only for Raiyati land and not for other lands such as the Ghar Mazarua land which are being tilled by the villagers since a number of years, and all these lands are ignored while providing for compensation. The PAPs have made innumerable attempts to have their traditional rights registered, but it was bureaucratic indifference which prevented them from having it registered. Now there is consistent and firm refusal to acknowledge their traditional rights. GOI says it is not their policy, but in other ways they adjust according to the WB demands”*

50. CIL’s R&R Policy states that “tribals cultivating land under traditional rights” should be recognized as units of entitlement. Under Indian law, the PAPs must establish that they have a valid claim to the land, before compensation is paid for such land. Claims to rights in land cultivated under customary tenure are examined on a case-by-case basis by the District authorities. For recognized claims, the compensation amount is calculated in the same manner as for tenancy land.<sup>14</sup> During 2000, the District authorities have in Parej East conducted field camps to authenticate PAP claims to GMK land (*Ghair Mazurva Khas*) in the Parej and Duru village areas. For Parej village, 8.17 ha out of 59.5 ha of GMK land has been authenticated in favor of 11 PAPs, while 13 have had their claims rejected regarding 8.89 ha. Claims regarding the balance of 42.44 ha are yet to be settled. For Duru village, authentication of claims regarding 107 ha have been completed by the state authorities, but a final settlement has been delayed by the transition to the new state government.

51. The CSESMP team has monitored the status of land authentication during every supervision mission, and has repeatedly requested CCL to facilitate that the processing of these claims is expedited.<sup>15</sup> CCL has attempted this through repeated requests to the Jharkand state authorities to expedite the verification of the claims. During previous visits to Parej East, the supervision team has requested that CCL and XISS assist PAPs in assembling evidence for their

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<sup>14</sup> See para 63 in *Management Response to the Inspection Panel* of July 19, 2001.

<sup>15</sup> See para 48 in supervision mission aide memoire from mission February 28 to March 15, 2000, as well as subsequent aide memoires.

claims, and that the decisions are made in a transparent manner.<sup>16</sup> During the mission in February 2002, the Bank received assurances from CIL and CCL, that they would henceforth assist PAPs claiming rights in GMK land to provide the necessary documentation for authentication review by the state authorities.

**2.13 Issue 13: Common property resources:** CASS writes that *“The Base Line Economic Survey and the Impact Assessment fails to mention (a) the right of commoners or the common property resources which are a vital source of income for the villagers and for which no compensation s given, and (b) that the villages in Parej East are thus multiply affected by other surrounding mines, and whereas CCL claims it is only taking part of the village lands, the rest of the village lands is being taken by other mines”*

52. The census of PAPs, which comprises the baseline survey and impact assessment in the Resettlement Action Plan of 1994 does list “forest collection” and “forest products” as a source of income for those EPAPs, who depended on this for part of their livelihood. However, in an environment where the forest cover had already been depleted by decades of mining predating the start of the CSESMP, the collection of forest produce was only a supplementary activity to the casual wage labor or agriculture, which constituted the primary sources of income for tribal and non-tribal households alike. This is also reflected in the census and socioeconomic surveys of PAPs.<sup>17</sup>

53. Selection of the resettlement sites to compensate loss of villages has been made in consultation with the PAPs. The location of the main resettlement site - Pindra - is right next to the main road through the area, on the slope of a valley with access to both grazing and collection of forest produce. The Prem Nagar site for the 8 PAFs from Turi Tola was selected in direct consultation, and with the consent of the PAFs, and is located next to the Parej East mine colony with immediate access to a forest area. Thus, the choice of both resettlement sites does address the issue of access to common property resources such as forest and grazing land.

54. During its visit to Parej East in early February 2002, the CSESMP team had discussions with PAPs in Pindra and Prem Nagar regarding use of and access to the nearby forest areas. In both Pindra and Prem Nagar, people stated that they have access to forest land for collection of firewood and forest produce, and for grazing of domestic animals (mainly goats and pigs) without any opposition from neighboring “host” communities.<sup>18</sup>

55. The CSESMP has been designed to mitigate impacts deriving from the investments in specific mines under the CSR. Mitigation of land acquisition impacts caused by non-Bank funded investments in non-CSESMP mines are not an obligation of the CSESMP. However, if a PAP residing within the leasehold boundary of one of the CSESMP mines loses land to another mine, this is considered a consolidated loss in terms of provision of mine jobs. In addition, all

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<sup>16</sup> The facilitating NGO, XISS has assisted two EPAP brothers from Borwa Tola in obtaining a “succession certificate” to prove that they were rightful inheritors of their father’s claim to GMK land. See para 47 in supervision mission aide memoire from mission February 28 to March 15, 2000.

<sup>17</sup> See also *IPDP for Parej East Open Cast Project*, ORG, November 1995, page 7.

<sup>18</sup> Firewood is collected primarily for use in the production of soft coke coal, which is the primary source of domestic fuel, and which is also produced for sale. Other forest produce may include the mahua flower (used as an ingredient in food preparation and for country liquor), bamboo shoots (for domestic consumption or sale), rugra (a fungus which is collected for sale), leafs for leaf plate manufacture, and a particular root (gethi kanda) used as an emergency food and as pig feed.

EPAPs residing within the leasehold boundary of a CSESMP mine are entitled to self-employment assistance, if they so desire. Finally, in the event that IPDP villages –i.e. villages located within a one kilometer radius around a CSESMP mine, but not affected by land acquisition from this mine – are affected by land acquisition from a non-CSESMP mine, the villagers can chose income generation activities to be part of the annual IPDPs.

**2.14 Issue 14: Compensation for land:** CASS writes that *“compensation has been given only for Raiyati land and that not at replacement rates. In fact some of the villagers have already filed applications in the coal tribunal in the Civil Court Ranchi for enhancement of compensation as in many other villages higher compensation has been paid”*

56. The Management Response to the Inspection Panel dated July 19, 2001, contains an account of compensation for tenancy (*Raiyati*) land (para 62 to 66, and Annex 7), which documents that land compensation is at replacement rates. As explained above under Issue 12, the compensation amount for recognized claims to GMK land is calculated in the same manner as for tenancy land. The CSESMP team is not aware of any information that would support the argument that land compensation amounts have been higher in “other villages”. If more specific information is made available, the team would review this during its next mission, and discuss it with the project authorities.

57. The fact that 43 cases have been filed by PAPs with the Tribunal for an increase of land compensation, and that the Tribunal has settled 16 cases in favor of the PAPs with an increase of the awards, does not, by itself prove that the compensation amounts provided have been below replacement value. What this does demonstrate, however, is that a functioning grievance redress mechanism is in place, which does not discriminate against the PAPs.

**2.15 Issue 15: Compensation for houses:** CASS writes that *“the fact is that the homestead compensation is being given at the depreciated value of the homestead, which compensation makes it impossible for the PAPs to build new houses with it. This is totally arbitrary since the houses will be demolished and the villagers will be expected to construct houses with the depleted construction value which is being provided”*

58. The compensation for houses is calculated on the basis of the current Schedule of Rates for Chotanagpur Division from 2000. As shown in Annex 8 of the Management Response to the Inspection Panel dated July 19, 2001, the value of the building is depreciated at 1.6% per year, and a price escalation of 5% per year since the year of the Schedule of Rates is added. This price escalation has been increased to 10% per year from January 1, 2001. If a house was constructed prior to notification under the Coal Bearing Areas Act in 1983, an additional solatium of 30% is added. The owner of a house is entitled to salvage whatever he or she may want to use for construction of a replacement house, and the mine assists in dismantling the old house and transporting the salvaged materials to the new site. The value of the salvaged materials would equal or exceed the depreciation deducted from the compensation payable.

**2.16 Issue 16: Resettlement site housing:** Responses are provided below to each of the specific issues raised by CASS:

2.16.1 *“the allowed plot of land of 200 sq.m makes second generation growth impossible, and this is much smaller than the houses the people already had and is a fall in their standard of living”*

59. CIL's R&R Policy provides for a resettlement plot of 100 sq.m per family, and the plots provided in Parej East are therefore twice the size prescribed in the policy. In the case of extended families living together in one house, each married son will receive a separate plot. Of the 16 PAFs residing in the Pindra resettlement site, 6 were married sons, who lived in joint families before shifting and, therefore, received a separate plot.

60. During its visit to Parej East in early February 2002, the CSESMP team made a comparison between houses in the Pindra resettlement site and the house that the same PAF had owned in Borwa Tola. The size (measured along the outer walls) of a small sample of randomly chosen houses in the resettlement site was compared with information from the house compensation assessment. In three out of four cases, the replacement house in the resettlement site was found to be larger than the former house in the village of origin.<sup>19</sup> Moreover, houses in the resettlement site are of better quality since they are constructed of bricks with mud mortar, while houses in the original village had mud walls. In both locations, the houses had tile roofs.

2.16.2 *"The small plot of land makes vegetable garden and domestic animal rearing impossible, both of which have been an economic mainstay for the people in the old site"*

61. During its visit to Parej East in early February 2002, the CSESMP team found that five PAFs had vegetable gardens on their plots in the Pindra resettlement site. Other PAFs had chosen to use the space on the site not occupied by their house to produce soft coke coal. Domestic animals were kept by most of the PAFs (12 families). The animals consisted mostly of goats and pigs, and two families had cattle.

2.16.3 *"As of the date of this submission, many PAPs are still residing in pathetic condition on a temporary basis in the company quarters and barracks"*

62. There are seven PAFs from Borwa Tola residing in barracks next to the Parej East mine office, and five PAFs from Turi Tola residing in quarters normally used by mine workers in the mine colony. All of these PAFs have received plots in either the Pindra or the Prem Nagar resettlement sites. At the time of resettlement, all requested temporary residence in quarters provided by the mine until they had constructed houses on their plots in the resettlement sites. None have constructed new houses, and all refuse to move out of their present habitations. During its visit to Parej East in early February 2002, the CSESMP team learned, that the PAFs living in barracks next to the Parej East mine office were not interested in shifting to the resettlement site, since many male and female PAPs were now earning an income from different forms of casual labor related to the mine and mine colony. One PAP had even built his own house within the compound where the barracks were located.

2.16.4 *"Pindra is further away from casual labor opportunities"*

63. The distance from the Pindra resettlement site to casual labor opportunities such as the Parej East coal loading dump by the road from Charhi to Ghatto is roughly the same as was the case with Borwa Tola, namely 1.5 to 2 km (see Map 1).

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<sup>19</sup> Four houses were compared as follows: (i) old house: 68.5 sq.m; new house 225 sq.m; (ii) old house: 25.6 sq.m; new house 35 sq.m; (iii) old house: 30.5 sq.m; new house 55 sq.m; (iv) old house: 71.3 sq.m; new house 50 sq.m.



2.16.5 *“The Coal India Policy as implemented in Madhya Pradesh and Orissa have specified 400 sq.m [for a plot in a resettlement site] as reported in the Staff Appraisal Report”*

64. The Madhya Pradesh Package of 1991 and the Orissa Package of 1989 provided plots in resettlement sites of 400 sq.m. Both were superseded by CIL’s current R&R Policy of April, 1994, which sets out to *“streamline the different resettlement and rehabilitation practices being followed by the subsidiaries and to modify these in a way that allows subsidiaries to deal more effectively with resettlement and rehabilitation issues”*. However, as is the case with the Parej East mine, all other subsidiaries provide resettlement plots that are larger than the 100 sq.m. defined by the policy.<sup>20</sup>

**2.17 Issue 17: Resettlement site land titles:** CASS writes that *“the displacees are not being given legally recognized title to the plots. It is absolutely essential for an effective rehabilitation that legal ownership title be provided to the villagers. The Co has taken the land lease for 30 years [as per their agreement with the Government] and say they cannot give legal right, so what happens to the people after that? Pattas have been given which have no legal value, as if to delude the PAPs”*

65. A response was provided on this issue in para 57 of the Management Response to the Inspection Panel dated July 19, 2001. The provision of titles or long-term leases to plots in resettlement sites was committed to by CIL and MoC during the CSRP negotiations in July 1997, and is recorded in the Minutes of Negotiation. A *patta* format for long-term renewable leases proposed by CIL was forwarded to MoC on March 30, 1999. The Law Ministry has communicated to CIL that the issuing of *pattas* can be considered on a case-by-case basis for particular resettlement sites. Specific case applications have been submitted by CCL, NCL and SECL by May 2001 to the Law Ministry, but a response from the ministry is pending. Although this specific issue has not adversely affected the resettlement process, the Bank has raised this issue during every supervision mission with both the CIL and the Government of India. During the supervision mission in February 2002, the Ministry of Coal informed the CSESMP team, that it expects that a solution can be found and will follow up on the matter with the Law Ministry.

**2.18 Issue 18: Resettlement site services:** Responses are provided below to each of the specific issues raised by CASS:

2.18.1 *“the fact is that while infrastructure (facilities) have been/are being taken up, there has been refusal to undertake the providing of services for the same, and efforts, if any to involve local governing bodies to provide such services have produced no results”*

66. CIL has the position that while it should furnish the buildings for services such as schools and clinics in the resettlement sites, it is the responsibility of the concerned state authorities to manage and fund the operation. At Pindra, a school building with five class rooms has been constructed, and CCL has repeatedly been requesting the state authorities to provide teachers, but without result. More recently, CCL took action to arrange that the school in Parej village be continued in the school building provided in the Pindra resettlement site, but at the insistence of

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<sup>20</sup> Plot sizes vary depending on the availability of land and the number of PAFs to be resettled. The largest plots are provided in Belpahar, MCL, and are 400 sq.m, while Jagannath, MCL, provides plots of 200 sq.m. In the SECL mines of Gevra and Dipka the plot sizes are 240 sq.m, and in Kusmnda they are 150 sq.m.

CASS, the school was instead shifted by the state authorities to Lower Barisom village in March 2001.

67. During its visit to Parej East in early February 2002, the CSESMP team visited the school in Lower Barisom village, which has a predominantly tribal population of Santhals. The headmistress informed the team, that the same four teachers who taught when the school was in Parej village are teaching at the new location. The school continues to have classes from first to seventh grade. However, due to the fairly remote location of the school in Lower Barisom village, school attendance has dropped from the 350 pupils, who attended in Parej village, to 102 pupils. After establishing the school in this remote location, only four of the original pupils from Parej village are now attending the school.

68. Children from the Pindra resettlement site attend different schools in the vicinity of the site. A total of 29 children (13 boys and 16 girls) from the Pindra resettlement site are enrolled in four different schools.<sup>21</sup>

2.18.2 *“The displacees, with the loss of their land and their customary rights to jungle and trees (Sec. 81(n) Chotanagpur Tenancy Act 1908) lose their traditional source of domestic fuel and usufructs. Being given no legal right to coal supplies like the Company employees, they have to resort to illegal acquisition of coal supplies, which makes them vulnerable to police action, and in this way the original inhabitants of the area become criminalized by the coming of the mining. This violates the principle of ‘former standard of living’”*

69. The response above to Issue 13 regarding common property resources has clarified, that the PAFs in both the Pindra and Prem Nagar resettlement sites have access to forest land for grazing, and for collection of firewood and various forest produce. The coal ration for CCL workers is an employment entitlement, not a social welfare benefit. However, CCL has never initiated any police action against the local population to prevent people from collecting coal for domestic use or for small-scale commercial soft coke coal production. The manufacture, storage, and transport of commercial soft coke coal by the villagers (including the PAFs) is done openly, and is clearly visible to any visitor to the area. If this activity was subject to a substantial threat of police action, one would expect that it would be conducted somewhat more clandestinely.

**2.19 Issue 19: Potable water:** CASS writes that *“The Pindra people used the host community well, the 2 wells and one hand-pump do not provide potable water”*

70. In the Pindra resettlement site, the 16 PAFs have access to one hand pump and three dug wells. One of the dug wells is located right next to the resettlement site, and the PAFs have full access to use the well with the consent of the owner of the land on which the well is located.

71. Water quality testing results from December 2001 show that the water in two of the dug wells are within the limits set by the Bureau of Indian Standards, while one dug well has Manganese above the limit (0.73 against a limit of 0.1). Water from this well is only used for washing of utensils and bathing. The water from the hand pump has a high iron content, and is therefore only used for washing of utensils and bathing.

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<sup>21</sup> These schools include the state government school in Tapin, the DAV school in Tapin, a private school, and an English medium school operated by the Parej East mine.

72. In the Prem Nagar resettlement site, the PAFs have access to one dug well and a water storage tank supplied from the mine colony. Water quality testing results from December 2001 show that the water in the dug well is within the limits set by the Bureau of Indian Standards.

**2.20 Issue 20: Participatory planning:** Responses are provided below to each of the specific issues raised by CASS:

2.20.1 *“the peoples’ participatory committees are not functioning as representative of the people, because democratic procedures have not been used in their selection”*

73. Selection of PAP representatives for the committees related to resettlement and rehabilitation activities at Parej East is always done by the PAPs themselves. Village meetings (*Gram Sabha*) are called, and the assembled villagers are requested to select their representatives for the committees. At present there are 3 committees at Parej East dealing with resettlement and rehabilitation. These are:

- A Coordination Committee with four PAP representatives. Two are STs (one of which is female), one is Muslim, and one is Scheduled Caste.
- A Monitoring Committee with three PAP representatives. Two are STs (one of which is female), one is Scheduled Caste.
- A Grievance Redress Committee with 11 PAP representatives. Of these, three are STs, three are Muslim, and five are SCs.

74. Implementation of the annual IPDPs is based on participatory planning involving Village Working Groups (VWGs) nominated by the villagers. The representation of different social groups (STs, SCs etc) in the VWGs reflect the population composition of the IPDP villages (see Annex 2 for details).

2.20.2 *“when the people of Borwo Tola were evicted, an armed police and security force of about 150 persons were found to be necessary”*

75. The resettlement of Borwo Tola has been the subject of a previous complaint by CASS (letter of January 4, 2000), to which the Bank responded on February 8, 2000 after an investigation in Parej East by the CSESMP team of the issues raised in the complaint. The Bank’s response to CASS concluded that *“the examination by the Bank of the circumstances surrounding the relocation of the Borwo Tola villagers has not found compelling evidence that this event was carried out in contravention of Indian law, CIL’s corporate R&R Policy, or the Bank’s OD 4.30 on Involuntary resettlement.”* Further examination of the matter took place during a supervision mission from February 28 to March 15, 2000, and the CSESMP team concluded, that while the account submitted by CASS did not present a correct picture of the events surrounding the relocation, there were nevertheless a number of measures that should be taken by CCL to facilitate future relocation and which would help improve relations with the PAPs.<sup>22</sup> The CSESMP team conveyed their findings to CASS in a meeting on March 3, 2000.

2.20.3 *“the people have repeatedly again and again go to the PO office (2-3 km) for any needs (water supply problems, employment problems, compensation problems, fuel problems),*

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<sup>22</sup> Supervision mission aide memoire from mission February 28 to March 15, 2000 para 48.

*where they receive little attention. Requests are commonly met by 'not available at the moment, come another time'”*

76. Both the Project Officer (mine manager) and the CD/R&R officer are located in the same compound next to each other, and both contest the allegation that they are not available to the PAPs when they visit their offices. Moreover, both the CD/R&R officer and the staff of the facilitating NGO regularly visit the villages and the resettlement sites, and are on such occasions approached by the PAPs who have raised concerns. During its visit to Parej East in early February 2002, the CSESMP team observed the CD/R&R officer and the staff of the facilitating NGO interacting with the PAPs, and noted that they knew each PAP by name and were conversant with their respective circumstances and problems.

2.20.4 *“when people visit the Public Information Centre the register is not made available for recording their requests. Recording of information is not permitted”*

77. During its visit to Parej East in early February 2002, the CSESMP team examined the Grievance Register, where 67 complaints were registered (17 by STs, 29 by SCs, and 21 by other groups). Most of the complaints concerned the accuracy of house measurements, the valuation of house compensation, drinking water supply, assistance to shift salvaged house construction materials, and jobs as compensation for loss of land.

78. A visitors' register is maintained at the Public Information Center, which records 220 visits (69 by STs, 62 by SCs, and 89 by other groups). Most visitors request information on valuation of their house and land compensation, income restoration options, and payment arrangements and delays regarding IPDP activities. According to CCL, such information is provided to the visitors based on the requests received.

2.20.5 *“The information provided [in the Public Information Center] is rather inadequate, many more documents should be available. (Detailed Project Report, Schedules of project affected persons containing their full assets to be acquired in kind and number and actual compensation being given, detailed outlines of training programmes and economic rehabilitation projects, cost benefit analysis of the project, quarterly and annual environment reports sent to the State Pollution Control Board, permission from the Central Government to mine in forest areas and the conditions under which the same has been granted)”*

79. The following documents are available in the Center: (i) CIL's R&R Policy<sup>23</sup>; (ii) a printout of the database of EPAPs (which records assets to be acquired); (iii) a list of PAFs; (iv) the annual RAP and Income Restoration Plans (which include training plans and economic rehabilitation measures); (v) the annual IPDPs; (vi) application form for income restoration assistance; (vii) a specimen of a house compensation assessment; (viii) the EMP, (ix) the grievance register; and (x) a register of visitors. The Staff Appraisal Report is available upon request. The Bank would have no objection if CCL would make available the additional reports being requested by the EPAPs.

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<sup>23</sup> CIL's R&R Policy is available in English, Hindi, Marathi, Oriya, and Bengali.

**2.21 Issue 21: Preparing the people for the mining:** CASS writes that *“the fact is there is no such preparation to ease the transition. Even such basic preparation as literacy projects have not been started among the people to be displaced”*

80. The facilitating NGO, XISS has since it was recruited in March 1997 undertaken the following activities to prepare for the resettlement and economic rehabilitation of the PAPs:

- Rapport building through house-to-house visits in Parej and Duru villages;
- Information campaign to inform the PAPs about CIL’s R&R Policy through distribution of a Hindi version of the policy and small group meetings to explain the policy and rules regarding entitlements and compensation;
- Verification and updating in October 1997 of the 1994 census of PAPs. This also entailed visits to every PAF in the affected villages;
- Verification of PAPs claiming to have been left out when the census was updated in 1997;
- Mobilization of EPAPs for self-employment training through information dissemination and meetings.

81. While there have been no plans to provide adult literacy training to the PAPs, this activity would have been positively considered, if it had ever been requested by a group of PAPs. However, this has not happened, and plans to conduct non-formal education under the IPDP program in four villages during 2001 had to be abandoned due to lack of interest.<sup>24</sup>

**2.22 Issue 22: Eligibility:** Responses are provided below to each of the specific issues raised by CASS:

2.22.1 *“there is no evidence of taking individuals as the unit of entitlement”*

82. Economic rehabilitation assistance through support for self-employment is an individual entitlement that applies to all male and female PAPs who were 18 years or older at the time of the verification and updating of the census of PAPs in October 1997.

2.22.2 *“married women are not getting, widows are included with their sons”*

83. Compensation for lost assets is paid to the owner whether male or female, and is not distributed among the different family members. Where female headed households have lost assets to land acquisition, the compensation has been paid to the female household head. Thus, 16 widows have received compensation for houses.<sup>25</sup>

2.22.3 *“the age of 18 years is taken as cut-off date as of 1997, which means that young families formed after that date and before displacement either have no separate plot on which to build and live, or have to live together with their kins on their plot. This is violation of a basic human right and eligibility should be fixed at the date of actual displacement”*

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<sup>24</sup> The four villages for which non-formal education was planned under the annual IPDPs for 2001 were Barison Lower, Barison Upper, Facodih (Agaria), and Ulhara Zamunia.

<sup>25</sup> The widows who have received house compensation comprise two from Turi Tola, ten from Borwa Tola, two from Muslim Tola, and two from Sunu Ghutu.

84. A cut-off date is required in all resettlement plans, and is normally determined by the date of the census of PAPs and their losses. The updating in October 1997 of the 1994 census of PAPs was done at the suggestion of the Bank. CIL's policy of providing separate house plots to those above 18 years of age at the time of the 1997 cut-off date exceeds the requirement of at least restoring the standard of living of the PAPs. While the Bank has earlier suggested that a new updating of the census should be considered, CIL insists that the 1997 cut-off date is maintained.

85. In nearly all mines under the CSESMP, including Parej East, the actual mine expansion and the extent of land acquisition required for this expansion has turned out to be lower than projected during project preparation. As a result, the actual number of PAPs affected during the project period is lower than originally projected. The Bank has again suggested an updating of the census to assess the actual number of PAPs that have been affected by land acquisition during the project period (June 16, 1996 to June 30, 2002) against the caseload that was estimated during project preparation on the basis of too optimistic mine expansion plans.

**2.23 Issue 23: Identity cards:** CASS maintains that *"The ID cards fail to mention junior family members who, on achieving majority age, will not be given identity cards and hence their identity as members of displaced families can never be confirmed. They further fail to mention details of acquired land"*

86. The picture ID card was designed to provide an tool to enable a PAP to document his or her identity as a PAP as well as his or her entitlement category under CIL's R&R Policy. Information on other family members is not relevant for this purpose. Such information is available in the census of PAPs, which lists all members of each PAF with their name and age at the time the census was conducted.

87. Each identity card lists on one side the identification number of the EPAP, his or her name, father's/husband's name, caste, and village name. On the other side of the card is listed the nature of loss caused by land acquisition (land, house, land & house), and whether the person in question is the owner, related to the owner, or a squatter. Finally, the entitlement category and the entitlement package are listed.

**2.24 Issue 24: Environment:** CASS asks *"where are the top soil dumps?"*

88. The location of the top soil dump is indicated on Map 2. Top soil recovered from the northern edge of the quarry has been spread on the southern end of the internal dump (back-filled mine quarry) in July 2000. The layer of top soil on the areas that are being excavated for mining is quite thin, and the top soil is currently being spread immediately on back-filled internal dumps.

**2.25 Issue 25: Additional Comments:** Responses are provided below to each of the specific issues raised by CASS. *"These shortcomings in implementation stand in spite of the following commitments to review:"*

2.25.1 *"the aim of these reviews was to ensure that the coal companies complied with Indian environmental legislation and rules..."*

89. Monthly environmental monitoring reports are submitted by the Central Mine Planning and Design Institute (CMPDI) on air quality, water quality, and noise level. The monitoring results are further reviewed on a quarterly basis by the supervision consultant, DCL, and by the Bank during each supervision mission. The reports for the quarter ending September 30, 2001 were reviewed by DCL in their report for the quarter ending December 31, 2001. Analysis of drinking water samples indicated that there was no bacteria present and all other parameters were in accordance with IS 10500 standards. All 44 noise level reading taken during the quarter ending September 30, 2001 were less than the prescribed limit values. Regarding air quality, 11 of the 114 air samples taken throughout CCL during the quarter ending September 30, 2001 had higher than 200  $\mu\text{g}/\text{m}^3$  SPM value. All three Bank assisted projects in CCL were seen to have valid consent letters from the State Pollution Control Board during the visit of the supervision consultant, and were seen to have submitted the Environmental Management Plan compliance letters to the regional office of the Ministry of Environment and Forests in time.

2.25.2 *“Coal India has agreed to review with the Association, by June 30 1997, a program satisfactory to the Association, to strengthen its environmental management capacity and to implement the program over the following 18 months.”*

90. The institutional strengthening plan to improve Coal India’s environmental and social mitigation capacity has experienced significant delays. The consultant hired to undertake the study started work in February 2000, and the Bank attended a workshop with CIL that was organized by the consultant in October, 2000 to discuss the draft final report. Based on the recommendations of the study and after discussion with the Bank, CIL has developed an action plan to strengthen its capacity on a company-wide level. The action plan is under implementation, and further technical assistance has been procured to develop implementation manuals, training curricula, and conduct training of CIL staff. CIL’s agreement with the Bank to fund the activities in the action plan that will extend beyond the project closing date is a strong indication of their commitment to the company wide implementation of the study’s findings.

2.25.3 *“Implementation of this policy in the communities surrounding the 25 selected mines would be pilot effort. It would allow Coal India to gain experience, in particular in the use of NGOs, with the implementation of this policy. Coal India would be expected to apply the lessons learned from this pilot effort in other communities. Coal India has agreed to review with the Association, by December 31, 1997, the lessons learned from the implementation of the Rehabilitation Action Plans and the Indigenous Peoples Development Plans in the selected 25 mines.”*

91. Annual RAPs and IPDPs are prepared by CIL and reviewed and cleared by the Bank. Lessons learned from each previous year of implementation are incorporated into the following year’s plans.

2.25.4 *“Coal India has agreed to appoint a panel of social and environmental experts by October 31, 1996 that will monitor the implementation of the various action plans.”*

92. This has been done. Annex 4 of the Management Response of July 19, 2001 indicates the frequency of their visits.

2.25.5 *“Coal India has agreed to provide the Association with quarterly progress reports in a standard format that would track the physical implementation of the various project components, procurement and disbursement, These reports would also quantify and compare progress with agreed performance indicators and highlight any emerging problems and constraints. The principal aim of the quarterly reports is to provide the Association with a clear indication whether a specific mine is in full compliance with the agreed implementation.....In addition, coal India has agreed to prepare a Midterm Review of project progress not later than December 31, 1998.”*

93. Coal India has submitted quarterly progress reports to the Bank in every quarter. The Midterm Review was carried out in February 1999.

2.25.6 a) *“ A main supervision mission annually...*

b) *“ a Project Monitoring Consultancy ...through a contract with a team of experienced consultants, satisfactory to the Association, would assist the Project Monitoring Cell in the periodic review...the consultant team would visit each mine at least once during each quarter.”*

94. At the time the SAR was written, two supervision missions were planned each year, for a total of 11 supervision missions by the project closing date. As Annex 2 of the Management Response of July 19, 2001, indicates, Bank supervision mission have been significantly more frequent. At the time the Management Response was written, the Bank had carried out 21 supervision mission. Since that time, two addition supervision missions have been carried out by the Bank, for a current total of 23 missions.

95. Development Consultants Limited (DCL) in Kolkata was hired for the project monitoring consultancy. DCL's core team consists of two PhD environmentalists, and two PhD social scientists, who have made approximately 20 visits to each mine as a supplement to Bank supervision missions. The details of their visits, through January 2001, are given in Annex 4 of the Management Response of July 19, 2001.

**2.26 Issue 26: Roster of PAPs:** As part of their second application to the Inspection Panel, CASS has submitted a list of PAPs , dated June 2001, with the heading:

*“Parej – Turi Tola*

*Entitled Persons According to Coal India Classification Village: Parej, Tola: Sunughutu  
Category A(iii) Land + Homestead Category B(ii) Tribals on Forest Produce”*

96. Coal India's R&R Policy establishes the categories of persons affected by the project in Para 10 A and B. Category A(iii) includes land owners (including authenticated government land) from who land and their homestead are acquired. Category B (ii) includes those who are landless and those who are tribals dependent on forest produce. CIL's R&R Policy also includes an entitlement framework which defines the types of compensation and entitlement options available to each category of PAP.

97. However, in assessing the eligibility of the PAPs for whom CASS is claiming entitlement, one must apply a fundamental aspect of the R&R Policy found in Para 10, which states that, *“...adult individuals are the unit of entitlement.”* The list submitted by CASS



indicates that there are 167 persons for whom they are claiming entitlements. However, 90 of the individuals on that list are currently children, or were under the age of 18 at the cut off date in 1997, and as they are not adults, they do not constitute an independent unit of entitlement. Moreover, CASS has indicated that 24 of the remaining 77 persons on the list have relocated to alternate sites, 2 have died, and 11 who were not included in any previously mentioned category have a pension, a job with TISCO, or with CCL. After applying the criteria established in CIL's R&R Policy to all 167 persons on the list submitted by CASS, only 40 could actually be entitled to economic rehabilitation assistance under the CSESMP.

98. The names of the 40 individuals, identified as eligible in the CASS list, were cross-checked with the EPAP database and their status is given in Annex 3. The results, combining the information from CASS with the census data in the EPAP database, indicate that of these 40 individuals, 11 could not be definitively identified based on the name/spelling given by CASS. Among the remaining 29 individuals (including those who also have family members employed either by CCL or TISCO, and/or stated in the 2000 census that they were not interested in training), 26 reported that they had some type of earned income, either to CASS or during the census.

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## CSESMP

## Parej East: Indigenous People's Development -- Status of Annual Action Plans

VILLAGE / YEAR	ACTIVITY	STATUS
<b>All IPDP villages</b>		
<b>2001</b>	Formation of VWG apex body for interaction with authorities and implementation of development activities through contracting	Established
<b>Jharna Tungri</b>		
<b>2001</b>	Repair of link road	Completed 07-04-01
	Sustain existing Mahila Mandal	Completed 9-30-01
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Distribute bleaching powder	Completed 30-06-00
	Capacity building of Mahila Mandal	Completed 12-02-01
<b>1999</b>	Construct veranda	Completed 26-12-99
	Construct Dari & spring spot	Completed 26-12-99
	Health & hygiene awareness training	Completed 07-06-99
	Start non-formal education (NFE) center	Completed 15-05-99
	Initiate Mahila Mandal (Self help savings group)	Completed 05-07-99
	Distribute fruit trees	Completed 28-10-99
	IPAG fund activities	Completed 01-04-99
	Distribute bleaching powder	Completed 22-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>1998</b>	Construct community hall	Completed 25-12-98
<b>Borwa Tola</b>		
<b>2001</b>	Construction of place of worship	Completed Jan. 2002
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Repair link road	Completed 30-10-00
	Distribute bleaching powder	Completed 30-06-00
<b>1999</b>	Construct community hall	Completed 28-12-99
	Distribute bleaching powder	Completed 22-07-99
	Start NFE Centre	Completed 15-05-99
	IPAG fund activities	Completed 18-09-99
	Distribute fruit trees	Completed 28-10-99
	VWG member's capacity building training	Completed 28-09-99
<b>1998</b>	Renovation of well	Completed 30-01-99
<b>Kasmar Khas</b>		
<b>2001</b>	Self-employment training (2 in driving)	Completed 09-15-01
	Continued support for Mahila Mandal	09-30-01
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Construct well	Progress delayed by rock
	Training in bees keeping	Completed 30-06-00 and bee boxes provided
	Start NFE Centre	Completed 31-12-00
	Sustain existing Mahila Mandal	Completed 31-12-00
	Tree plantation	Completed 27-06-00
	Distribute bleaching powder	Completed 30-06-00
	Capacity building of Mahila Mandal	Completed 12-02-01
	VWG member's capacity building training	Completed 12-02-01

<b>1999</b>	Construct community hall	50% complete by 01-03-00
	Initiate Mahila Mandal	Completed 05-07-99
	Start Adult education activities	15-07-99
	IPAG fund activities	Completed 18-09-99
	Distribute fruit trees	Completed 28-10-99
	Distribute bleaching powder	Completed 22-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>1998</b>	Repair road	Completed 25-12-98
<b>Birhor Tola</b>		
<b>2001</b>	Repair of link road	Completed 05-12-01
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Start NFE Centre	Completed 31-12-00
	Distribute bleaching powder	Completed 30-06-00
	Goat rearing on share basis	Completed 17-12-00
	VWG member's capacity building training	Completed 12-02-01
<b>1999</b>	Construct Dari & spring spot	Completed 25-12-99
	Start Adult education activities	Initiated 15-07-99
	IPAG fund activities	Completed 31-07-99
	Distribute fruit trees	Completed 28-10-99
	Distribute bleaching powder	Completed 27-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>Barisom Upper</b>		
<b>2001</b>		
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Development of worship place	Completed 30-11-00
	Vegetable cultivation (tomato)	No response from villagers
	Tree plantation	Completed 27-06-00
	Distribute bleaching powder	Completed 30-06-00
	Start NFE Centre	Completed 31-12-00
	VWG member's capacity building training	Completed 12-02-01
<b>1999</b>	Construct link road	Completed 30-12-99
	IPAG fund activities	Completed 18-09-99
	Anti-alcohol drive	Completed 02-02-99
	Distribute fruit trees	Completed 13-09-99
	Distribute bleaching powder	Completed 27-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>1998</b>	Renovate community pond	Completed 31-12-98
	Repair well	Completed 31-12-98
<b>Barisom Lower</b>		
<b>2001</b>		
	Repair of link road	Completed 05-30-01
	Distribute bleaching powder for well	Completed 07-01-01
	Capacity building for Mahila Mandal	Completed 10-12-01
<b>2000</b>	Mushroom cultivation	No response from villagers
	Start NFE Centre	Completed 31-12-00
	Sustain existing Mahila Mandal	Completed 31-12-00
	Tree plantation	Activity dropped because of poor survival rate

	Distribute bleaching powder	Completed 30-06-00
	Capacity building of Mahila Mandal	Completed 09-30-01
	VWG member's capacity building training	Completed 12-02-01
<b>1999</b>	Construct link road	Completed 20-12-99
	IPAG fund activities	Completed 18-09-99
	Initiate Mahila Mandal	Completed 05-07-99
	Adult education activities	Completed 15-05-99
	Health & hygiene awareness training	Completed 07-06-99
	Fertilizer introduction	Completed 20-10-99
	Distribute fruit trees	Completed 13-09-99
	Distribute bleaching powder	Completed 22-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>1998</b>	Repair culvert	Completed 31-12-98
<b>Turi Tang Tola</b>		
<b>2001</b>		
	Continued support for Mahila Mandal	Completed 09-30-01
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Repair Panchayat Bhawan	Completed 10-12-00
	Goat rearing on share basis	Completed 17-12-00
	Sustain existing Mahila Mandal	Completed 31-12-00
	Distribute bleaching powder	Completed 30-06-00
	Health awareness (mother & child)	Completed camps 17-12-00
	Capacity building of Mahila Mandal	Completed 12-02-01
<b>1999</b>	Construction of link road	Completed 15-12-99
	IPAG fund activities	Completed 31-07-99
	Distribute fruit trees	Completed 28-10-99
	Distribute bleaching powder	Completed 22-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>Facodih (Ageria)</b>		
<b>2001</b>		
	Self-employment training (8 in driving)	Completed 09-15-01
	Capacity building for Mahila Mandal	Completed 09-30-01
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Construct community latrine	Completed 10-11-00
	Repair link road (Ageria)	Completed 15-12-00
	Distribute bleaching powder	Completed 30-06-00
	Tree plantation	Activity dropped because of poor survival rate
	VWG member's capacity building training	Completed 12-02-01
<b>1999</b>	Construct community hall	Completed (date unknown)
	Construct Dari & spring spot	Completed 25-02-00
	IPAG fund activities	Completed 15-08-99
	Distribute fruit trees	Completed 28-10-99
	Distribute bleaching powder	Completed 22-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>1998</b>	Renovate community pond	Completed 31-12-98
<b>Ulhara Tola (Behra Tand)</b>		
<b>2001</b>		
	Repair of well	Completed 09-20-01
	Agricultural development activities	Completed 12-31-01

	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Tree plantation	Completed 27-06-00
	Distribute bleaching powder	Completed 30-06-00
	VWG member's capacity building training	Completed 12-02-01
<b>1999</b>	Construct link road	Completed 31-12-99
	Repair two community wells	Completed 28-12-99
	IPAG fund activities	Completed 25-02-00
	Distribute fruit trees	Completed 28-10-99
	Distribute bleaching powder	Completed 22-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>1998</b>	Renovate community pond	Completed 31-12-98
<b>Ulhara Basti</b>		
<b>2001</b>		
	Dig community dam/pond	Completed 07-07-01
	Agricultural development activities	Completed 12-31-01
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Repair middle school	Completed 30-11-00
	Health awareness (mother & child)	Completed camps 17-12-00
	Distribute bleaching powder	Completed 30-06-00
<b>1999</b>	Construct link road	Completed 31-12-99
	IPAG fund activities	Completed 25-02-00
	Distribute fruit trees	Completed 28-10-99
	Distribute bleaching powder	Completed 22-07-99
	VWG member's capacity building training	Completed 29-09-99
<b>Ulhara Zamunia</b>		
<b>2001</b>		
	Repair of community hall	Completed 11-05-01
	Distribute bleaching powder for well	Completed 07-01-01
<b>2000</b>	Repair link road	Completed 20-10-00
	Poultry development for 2 families	Completed 10-12-00
	Distribute bleaching powder	Completed 30-06-00
<b>1999</b>	Construct Dari & Spring spot	Completed 20-10-99
	IPAG fund activities	Completed 06-09-99
	Anti Alcohol drive	Completed 02-02-99
	Distribute fruit trees	Completed 28-10-99
	Distribute bleaching powder	Completed 22-07-99
	VWG member's capacity building training	Completed 29-09-99

**CSESMP**  
**Information relating to 'Roster of PAPs' submitted by CASS**

In assessing the eligibility of the PAPs for whom CASS is claiming entitlement, one must apply a fundamental aspect of the R&R Policy found in Para 10, which states that, "...*adult individuals are the unit of entitlement.*" The list submitted by CASS indicates that there are 167 persons for whom they are claiming entitlements. However, 90 of the individuals on that list are currently children, or were under the age of 18 at the cut off date in 1997. They do therefore not constitute an independent unit of entitlement. Moreover, CASS has indicated that 24 of the remaining 77 persons on the list have relocated to alternate sites, 2 have died, and 11 who were not included in any previously mentioned category have a pension, a job with TISCO, or with CCL. After applying the criteria established in CIL's R&R Policy to all 167 persons on the list submitted by CASS, only 40 could actually be entitled to economic rehabilitation assistance under the CSESMP.

The names of the 40 individuals, identified as eligible in the CASS list, were cross-checked with the EPAP database. The results, combining the information from CASS with the census data in the EPAP database, indicate that of these 40 individuals, 11 could not be definitively identified based on the name/spelling given by CASS. Among the remaining 29 individuals (including those who also have family members employed either by CCL or TISCO, and/or stated in the 2000 census that they were not interested in training), 26 reported that they had some type of earned income, either to CASS or during the census.

Name	Status
Pourwa Devi (Pairo)	Is wife of Rameshwar Turi who has a job with CCL. She does not report any income.
Jirwa Devi	Is mother of Rameshwar Turi who has a job with CCL earning approximately Rs. 4,500 per month. Living with son in Prem Nagar. She was 65 at the time of the 1997 survey and later gave "old age" as her reason for not being interested in training.
Ganesh Turi	Age at the time of the 1997 survey was 30. In 1997 he reported a monthly income of Rs. 900. At the time of the April 2001 survey, he reported a monthly income of Rs. 2,000.
Sugni Turi (Sugani)	Age at the time of the 1997 survey was 26. She is the wife of Ganesh Turi, and they are living in the mine quarters. She does not report any income although CASS states that she sometimes works making cane baskets.
Laldeo Turi (Laldev)	Age at the time of the 1997 survey was 27. In 1997 he reported a monthly income of Rs. 1,500. At the time of the April 2001 survey, he reported a monthly income of Rs. 2,500. He works loading coal.

Manwa Turi	Age at the time of the 1997 survey was 25. She is the wife of Laldeo Turi and they are living in the mine quarters. She gave "other reasons" in the June 2000 census as her reason for not being interested in training. Although she reports no income, she is engaged in the preparation and sale of liquor.
Pano Devi	Age at the time of the 1997 survey was 30. She is the wife of Lotha Manjhi and they are living in the mine quarters. Her husband's income was reported as Rs. 1,500 in 1997, Rs. 2,630 in 2000, and Rs. 500 in 2001. She gave "prefers housework" in the June 2000 census as her reason for not being interested in training.
Bisheshwar Turi (Bishesher)	Age at the time of the 1997 survey was 28. His reported income has remained constant at Rs. 2,000.
Manju Devi	Age at the time of the 1997 survey was 26. She is the wife of Bisheshwar Turi and they live in the mine quarters. She gave "other reasons" in the June 2000 census as her reason for not being interested in training. Although she reports no income, she is engaged in the preparation and sale of liquor.
Mundi Devi	Mother of Bisheshwar Turi. CASS gives her age now as 58. She lives in the mine quarters with her son. There is no registered EPAP with this name under the CSESMP.
Arjun Turi	Age at the time of the 1997 survey was 29. In 1997 he reported a monthly income of Rs. 900, and in June 2000 his monthly income was reported as Rs. 1,800. He works loading coal.
Lacho Devi	Age at the time of the 1997 survey was 26. She is the wife of Arjun Turi and they live in the mine barracks. She reported a monthly income of Rs. 1,000 in April 2001. She is selling coal to hotels.
Umni Devi	Age at the time of the 1997 survey was 55 and she lives in the mine barracks. During the three census periods, she had reported monthly incomes of Rs. 500, Rs.1,000, and Rs. 800, respectively.
Ratan Manjhi	There is no registered EPAP with this name under the CSESMP. CASS lists his employment as a private driver, and states that he lives in the mine barrack.
Birsa/Aghnu Manjhi (Aghnu)	Age at the time of the 1997 survey was 35. He accepted the Rs. 50,000 lump sum package to settle at a place of his own choosing. In 1997 he reported a monthly income of Rs. 1,500, and in June 2000 his monthly income was reported as Rs. 1,900. He gave "other reasons" in the June 2000 census as his reason for not being interested in training, and CASS states that he is earning from the sale of pilfered coal.
Balgovind Turi	Age at the time of the 1997 survey was 35. He is living in Pindra and works loading coal. He was not interested in training because he "did not find the options attractive." His monthly income reported in all three periods is Rs. 1,000, Rs. 1,600, and Rs. 1,500, respectively.



Mahendra Turi (Mahander)	Age at the time of the 1997 survey was 32. He accepted the Rs. 50,000 lump sum package to settle at a place of his own choosing, but then also constructed a house in Pindra. He had a reported monthly income of Rs. 3,000 in 1997, and CASS indicates that he works as a driver.
Uggan Turi	Age at the time of the 1997 survey was 45. His wife Surti was 42 in 1997. He works loading coal and has reported monthly income of Rs. 1,200 in both 1997 and 2000. He gave "other reasons" for not being interested in training, and his wife stated that she "preferred housework." They are living in Pindra.
Mahadeo Murmu (Hansda)	Age at the time of the 1997 survey was 22. He works loading coal and has reported monthly income of Rs. 1,200 in both 1997 and 2000. He is living in the mine barracks. His father is employed by CCL and had a monthly income of Rs. 6,000.
Sarju Turi (Sarjug)	Age at the time of the 1997 survey was 42. He is living in the mine barracks. CASS states that he sells illegal timber from the forest and he reports an average monthly income of Rs. 1,000.
Jai Kishun Turi	Age at the time of the 1997 survey was 30. He accepted the Rs. 50,000 lump sum package to settle at a place of his own choosing, but then also constructed a house in Pindra. He works loading coal and has reported monthly income of Rs. 1,500. His wife Gansi Devi gave "prefers housework" as her reason for not being interested in training, and reported a monthly income of Rs. 1,200 in April 2001.
Kaleshwar Turi (Koleshwar)	Age at the time of the 1997 survey was 38. He works loading coal and has reported monthly income of Rs. 2,500 in both 1997 and 2000. He is living in the mine barracks.
Suresh Turi	Age at the time of the 1997 survey was 20. He works loading coal and has reported monthly income of Rs. 1,000 in 2000. He gave "other reasons" for not being interested in training. He is living in the mine barracks with his wife. His wife Dhurpatia Devi was 18 at the time of the 1997 survey. In June 2000, her reported monthly income was Rs. 1,090.
Bilwa Devi	Age at the time of the 1997 survey was 35. She works loading coal and has reported an average monthly income of Rs. 900. She is living in the mine barracks.
Basmati Devi (Basanti)	Age at the time of the 1997 survey was 43. She gave "other reasons" for not being interested in training. CASS states that she works loading coal, but she does not report income. He husband is employed by CCL and earns Rs. 5,000 per month. She is living in the mine barracks.
Gudar Ganjhu (Guddur)	Age at the time of the 1997 survey was 35. CASS states that he is homeless and works as a casual laborer. He reports income in all three surveys at an average of Rs. 1, 067 per month.

Biggan Ganjhu	Age at the time of the 1997 survey was 23. He works loading coal and has reported monthly income in all three surveys at an average of Rs. 1,867. He is living in the mine barracks with his wife.
Jagdish Ganjhu	Age at the time of the 1997 survey was 40. He accepted the Rs. 50,000 lump sum package to settle at a place of his own choosing, but then also constructed a house in Pindra. He works loading coal and has reported monthly income in all three surveys at an average of Rs. 1,233.
Bhola Ganjhu	There is no registered EPAP with this name under the CSESMP. There is a Bhola Turi who is registered as an EPAP and he was 18 at the time of the 1997 survey. He reported monthly income in all three surveys at an average of Rs. 1,690. CASS states that Bhola Ganjhu works as a contractor and has opted for a plot at Pindra, but has instead settled with relatives.
Ratho Ganjhu	Age at the time of the 1997 survey was 25. He accepted the Rs. 50,000 lump sum package to settle at a place of his own choosing, but then also constructed a house in Pindra. He works loading coal and has reported monthly income in all three surveys at an average of Rs. 1,133. His wife Sonia Muni Devi was 24 in 1997. She gave "prefers housework" as her reason for not being interested in training.
Kissan Ganjhu	There is no registered EPAP with this name under the CSESMP.
Ram Chandra Giri (Ramchander)	Age at the time of the 1997 survey was 50. He accepted the Rs. 50,000 lump sum package to settle at a place of his own choosing, but then also constructed a house in Pindra. He works brewing illegal liquor and has reported monthly income in all three surveys at an average of Rs. 1,833. He gave "other reasons" for not being interested in training, as did his wife Kamla Devi who was 48 in 1997.
Deni Soren	There is no registered EPAP with this name under the CSESMP. CASS states that her husband is employed by TISCO.
Chokti Soren	There is no registered EPAP with this name under the CSESMP. CASS that her husband is employed by CCL. There is an EPAP with the name of Chotka Manjhi whose husband is employed by CCL and earns Rs. 6,000 per month, and may be the person CASS is referring to. This family accepted the Rs. 50,000 lump sum package to settle at a place of their own choosing.
Barki Soren	There is no registered EPAP with this name under the CSESMP. There are two women with the name Barki Devi who are the wives of Mahdev Manjhi and Babu Ram Manjhi. CASS states that Barki Soren is the wife of a CCL employee and has accepted the Rs. 50,000 lump sum package to settle at a place of their own choosing.

Sukurmuni Mara.	There is no registered EPAP with this name under the CSESMP. CASS states that Sukurmuni Mara. is the wife of a CCL employee and has accepted the Rs. 50,000 lump sum package to settle at a place of their own choosing. The is a Sukarmuni Murmu who is the wife of Talo Murmu but we do not know if this is the same person.
Barki Hembrom	There is no registered EPAP with this name under the CSESMP. CASS states that Barki Devi is the wife Kando Hembrom who works loading coal and has accepted the Rs. 50,000 lump sum package to settle at a place of their own choosing. There is also no registered EPAP with the name Kando Hembrom, although there are 17 other EPAPs with this last name.
Nanki Devi	Age at the time of the 1997 survey was 32. She gave "prefers housework" as her reason for not being interested in training. CASS states that her husband Lagana Hembrom is employed by TISCO and this family has accepted the Rs. 50,000 lump sum package to settle at a place of their own choosing. The Nanki Devi who is a registered EPAP, has a husband named Lagna Manjhi who has a monthly income of Rs. 5,000. This salary would be in line with employment by TISCO.
Shikhari Murmu	There is no registered EPAP with this name under the CSESMP. CASS states that his wife is Bitwa Hansda (below) and that this family has accepted the Rs. 50,000 lump sum package to settle at a place of their own choosing.
Bitwa Hansda	There is no registered EPAP with this name under the CSESMP.

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# ATTACHMENT

## Biographies

**Professor Edward S. Ayensu**, Chairman, a Ghanaian national, appointed to the Panel August 1998. Professor Ayensu is Chairman of the Council for Scientific and Industrial Research (CSIR) of Ghana, President of the Pan-African Union for Science and Technology, and International Vice Chairman of the International Institute for Sustainable Development (IISD). He is an international development advisor on environment, energy, mining, housing, biotechnology and agriculture. He was Senior Advisor to the President and Director for Central Projects Department of the African Development Bank. He was formerly the Vice-Chairman of the Scientific and Technical Advisory Panel (STAP) of the Global Environment Facility administered by the World Bank, UNDP and UNEP. He was also a Member of the Energy Sector Management Assistance Program Consultative Group, which is administered by the World Bank and UNDP, and member of the Senior Advisory Council of the Global Environmental Facility. He held many senior positions including Director of Biological Conservation and Senior Scientist during his 20 years at the Smithsonian Institution in Washington D.C. He was Secretary-General of the International Union of Biological Sciences for thirteen years and Founding Chairman of the African Biosciences Network. A Prolific writer and photographer, Professor Ayensu has authored 18 books and numerous scientific and technical papers. He recently co-authored a publication, *HIV/AIDS: Knowledge Protects; New and Specific Approaches to Contain the Spread of HIV in Developing Countries, 2001*. He obtained his doctorate degree from the University of London, and was appointed a Visiting Fellow at Wolfson College, Oxford University. He is a Distinguished Professor of the University of Ghana and, for many years, a member of the Visiting Committee at Harvard University. He is a Fellow of the Ghana Academy of Arts and Sciences, Foreign Fellow of the Indian National Science Academy, Fellow of the Linnaean Society of London, Fellow of the Third World Academy of Sciences, Founding Fellow of the African Academy of Sciences and Fellow of the New York Academy of Sciences. He was twice the recipient of the Ghana National Science Award, the recipient of the U.S. National Museum of Natural History Outstanding Award, and the Outstanding Statesman Award in Ghana during the Millennium celebrations.

**Maartje van Putten (Lead Inspector)**, a Dutch national, appointed to the Panel October 1999. Ms. van Putten was a member of the European Parliament. She has been a highly active member of the Committee on Development and Cooperation for the past 10 years. Ms. van Putten has produced many outstanding reports on the effects of the GATT/Uruguay Round on the developing countries, fair trade, development aid for Asia and Latin America, the EU program for tropical forests and European policies towards indigenous peoples. She has extensive exposure to developing countries, and is active with non-governmental organizations and extremely committed to the cause of development. Ms. van Putten has closely worked with the WWF European policy Office as a key political partner to promote better EU conservation and sustainable development policies. She was also a consistently active member of the ACP (African, Caribbean and Pacific Group)-European Union Joint Assembly. Ms. van Putten was a freelance multimedia journalist for most of her professional career, and was a Senior Fellow of the Evert Vermeer Foundation from 1981 to 1989. She is the author of many articles and books on globalization, international division of labor and on gender issues. Currently a Vice-Chairperson of the European Center of Development Policy Management, Ms. van Putten is President of the Board of European Network of Street Children Worldwide (ENSCW). She holds a HBO (bachelor) degree in community development from Sociale Academie Amsterdam, and a master's degree in social sector management from Protestantse Voortgezette Opleiding (PVO) Amsterdam. At present, she is working on a dissertation at the Catholic University of Tilburg in the Netherlands on the subject of "Compliance Mechanisms for both Multilateral Organizations and the Private Sector".

compliance issues. She received a B.A. degree from Stanford University with Great Distinction. She earned an LL.B. (J.D.) from Harvard Law School and a Ph.D. in political science from the University of California at Berkeley and received an honorary Doctor of Laws from Chicago-Kent College of Law. Ms. Brown Weiss is currently Francis Cabell Brown Professor of International law at Georgetown University Law Center where she has been on the faculty since 1978. Prior to that, Ms. Brown Weiss was on the faculty of Princeton University. She has won several prizes for her work, including the Elizabeth Haub prize from the Free University of Brussels and the IUCN for international environmental law. She served as President of the American Society of International Law and as Associate General Counsel for the U.S. Environmental Protection Agency, where she established the division of international law. She is a member of many editorial boards, including the American Journal of International Law, and the Journal of International Economic Law; and has been a board member or advisor for the Japanese Institute for Global Environmental Strategies, the Cousteau Society, the Center for International Environmental Law; and the National Center for Atmospheric Research, among others. Ms. Brown Weiss has been a Special Legal Advisor to the North American Commission on Environmental Cooperation and chaired the Committee for Research in Global Environmental Change of the Social Science Research Council. She has been a member of the U.S. National Academy of Sciences' Commission on Geosciences, Environment and Resources, the Water Science and Technology Board, and the Committee on Sustainable Water Supplies in the Middle East. She has been elected to membership in the American Law Institute, the Council on Foreign Relations, and the IUCN Commission on Environmental Law.

**Jim MacNeill**, a Canadian National, former Panel member, served on the Panel from August 1, 1997 to July 31, 2002. He is a policy advisor on the environment, energy, management, and sustainable development to international organizations, governments, and industry. He is Chairman Emeritus of the International Institute of Sustainable Development, and a member of the boards of the Woods Hole Research Center, the Wuppertal Institute on Climate and Energy Policy, and a member of the Jury of the Volvo Environmental Prize. He was Secretary General of the World Commission on the Environment and Development (the Brundtland Commission) and lead author of the Commission's world-acclaimed report, "Our Common Future." He served for seven years as Director of Environment for the Organization for Economic Cooperation and Development. Earlier, he was a Deputy Minister in the Government of Canada. Mr. MacNeill holds a graduate diploma in economics and political science from the University of Stockholm and bachelor degrees in science (math and physics) and mechanical engineering from Saskatchewan University. He is the author of many books and articles and the recipient of a number of awards, national and international, including the Order of Canada, his country's highest honor.

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**Professor Sachchidananda**, is Emeritus Professor in the A. N. Sinha Institute of Social Studies, and honorary Director for the Planning, Research and Evaluation Centre for Participatory Transformation in Patna, India. He received his D. Litt. in sociology from Patna University, and M.A. in anthropology from London University. Professor Sachchidananda served as a Visiting Professor of Anthropology, to City University in New York, and as an U.N.E.S.C.O. instructor in development in South Korea. He is a life member of the Indian Anthropology Association, Chairman of the Indian Institute of Science and Management, and Vice Chairman of the L.B.S. Institute of Rural Management and Rural Development, as well as Honorary Director of the Sulabh Institute of Development Studies. He has published over a hundred papers in national and international research journals, and about 20 books on anthropology and sociology. He has received many awards and distinctions including the Life Time Achievement Award from the Indian Social Science Association.

**Dr. Richard Fuggle**, holds the Shell Chair of Environmental Studies at the University of Cape Town. He received his PhD from McGill University. He is Head of the Department of Environmental and Geographical Science and is Director of the Environmental Evaluation Unit. He has served as Visiting Professor to Universities in the United States, Canada, Australia, New Zealand and the United Kingdom and has visited the Peoples' Republic of China and the United States as a distinguished scholar. He is a

Founder Member of the Academy of Science of South Africa and is a Registered Natural Scientist and Professional Member of the South African Institute of Ecologists and Environmental Scientists. He serves on the Board of Directors for the Network for Environment and Development in Africa and serves on the editorial boards of the Journal for Impact Assessment and Project Appraisal, the South African Journal of Environmental Law and Policy and the International Journal of Geography and Environmental Education. He has edited two books on environmental management in South Africa and has published over 100 academic papers on environmental topics. He led the teams which developed the South African Guidelines for Integrated Environmental Management. He has served on five Commissions of Enquiry related to Environmental Assessments. He has received many awards and distinctions for his contributions to the advancement of EIA.

**Dr. Elliot Fratkin**, is Professor of Anthropology at Smith College, Northampton Massachusetts, and Chair (1999-2002) of the Five Colleges African Studies Council. He received his PhD from Catholic University of America, M. Phil. from the London School of Economics and Political Science, and B.A. from the University of Pennsylvania. Dr. Fratkin is an authority on African pastoralist societies and has written 30 articles and four books on topics including drought and development policy in arid lands, health and social change in East Africa, and problems of African land tenure. Dr. Fratkin is a recipient of research awards from the National Science Foundation, Social Science Research Council, The Bill and Melinda Gates Foundation, and the Smithsonian Institution, and has served on review panels for the National Science Foundation, National Geographic Society, Fonds Pour la Formation de Chercheurs et l'Aide a la Reserche (Quebec), and the Netherlands Foundation for Tropical Research. He is an editorial board member of the journals *African Studies Review*, *Human Ecology*, and *Nomadic Peoples*.