

## **JHARIA: A TOWN ON FIRE** A Microcosm of Neglect and Greed

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Jharia, a small, bustling and mineral-rich urban town in the Dhanbad district of Jharkhand is gradually sinking. It has one of India's largest and high quality coking coal reserves. The fire, burning in its belly for over a century refuses to be quenched and the day may not be far when a major disaster will wipe the town of the maps. Fire rages in nearly 70 mining<sup>1</sup> areas in the coalfields, which roughly covers over 100 square miles<sup>2</sup> of area and even rises to 60 feet high at some places. There are millions of cracks on the surface exuding noxious fumes and flames while lakhs struggle to survive.

What are the issues plaguing this town? Is it just nature or the nexus between officials, politicians, power brokers, land mafia and their greed, inaction and exploitation, which has brought this mineral-rich town so close to its doom?

This article attempts to focus on the story behind the persistent Jharia fires and is a case study on how insatiable greed has chafed away at the very foundations of this town, both literally and figuratively. It attempts to offer an insight into how it all began and how have we come to the present day crisis.

### **How did the Fire Spread?**

The mining activities in Jharia coalfields began in 1894 and got intensified in 1925. History of coal fire at Jharia dates back to 1916 when fire was detected at Bhowra colliery. It spread to several seams due to unscientific mining by British firms and later by private mine owners. These fires create "goafs" beneath the earth's surface and thus engulfs the houses or settlements present there. They can lead to cave-ins and gas spills. The unplanned mining activities before nationalisation of mining industries in 1971 also caused a lot of geo-environmental degradation.<sup>3</sup> The implications of extensive mining and unscrupulous exploitation for "black gold" on public health, environment, working conditions and global warming are thus manifold.

### **Extent of the Problem**

The town and nearby villages are sitting on top of an active volcano with nearly five lakh lives depending on the region. According to Bharat Coking Coal Limited (BCCL), a subsidiary of Coal India Limited estimates, the fires have already consumed about 37 million tonnes of coal. Another two billion tonnes of coal has become inaccessible, resulting in losses worth \$220 billion.<sup>4</sup>

Although various reports and studies have sounded the alarm over the years, authorities began seeking a comprehensive solution only in the early 2000s. Officials maintain that BCCL, a subsidiary of Coal India Limited, inherited a troubled legacy after nationalisation of mines. Most of the affected mines date back to before Independence, when the thrust was on production and profit, with little regard for safety.<sup>5</sup> Even though official documents claim that the fires have considerably reduced,<sup>6</sup> officials on conditions of anonymity admit that Jharia town may have to be fully vacated as it sits on coking coal-bearing areas,<sup>7</sup> raising fears of many.

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<sup>1</sup><http://indianexpress.com/article/explained/for-burning-problem-in-jharias-coalfields-a-difficult-solution-4685024/>

<sup>2</sup><https://www.cnbc.com/2015/12/02/indias-jharia-coal-field-has-been-burning-for-100-years.html>

<sup>3</sup><http://dspace.tiss.edu/jspui/bitstream/1/1273/1/1/Agnibina%20Mitra.pdf>

<sup>4</sup><https://yourstory.com/2017/06/jharia-coal-fire/>

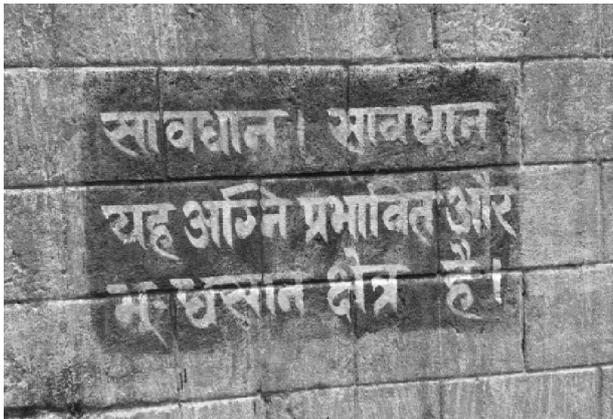
<sup>5</sup><http://indianexpress.com/article/explained/for-burning-problem-in-jharias-coalfields-a-difficult-solution-4685024/>

<sup>6</sup>[http://164.100.47.193/lssccommittee/Coal%20&%20Steel/16\\_Coal\\_And\\_Steel\\_24.pdf](http://164.100.47.193/lssccommittee/Coal%20&%20Steel/16_Coal_And_Steel_24.pdf)

<sup>7</sup><http://www.cmpdi.co.in/docfiles/cmdInterviewJan-2016.pdf>, Interviews with BCCL employees

### Who are the Stakeholders?

BCCL mines coking coal in the Jharia coal-fields belt. Over the years, the company has been facing resentment of the towns' residents over a range of issues. These include failure to control the underground fire, poor rehabilitation strategies, willful inaction<sup>8</sup> and even "deliberately"<sup>9</sup> allowing the inferno to strengthen in residential areas so that due to the fear of subsidence people abandon their houses and migrate to other places.



*A slogan in Bokapahadi cluster*



*Fire emanating from a residential cluster*

The land would thus become free for "grabbing"<sup>10</sup> and open cast mining by the state-run company and its associates with or without negligible compensation to the affected.<sup>11</sup> Directorate General of Mines Safety (DGMS), responsible for overseeing the implementation of various legislations on mining laws, is also accused by residents and activists of collusion with the BCCL.

Efforts were made by the writer to seek more information on this through electronic mails to senior officials of the company. These remained unanswered, even as a Kolkata-based official of the CIL insisted that "being socially responsible corporate entities CIL and BCCL would not resort to such measures" but failed to counter the charges. Some junior employees blamed the industry and government pressure for the mess in the coalfields.

### Complex Pattern of Land Ownership

There are three kinds of settlements in Jharia town – BCCL settlements, land owned by the people (ryot lands), and government lands (owned by BCCL and state government on which people have been living for decades). In the late 19th century when mining was started in the Jharia coalfields, the entire patch of land was owned by zamindars (Jharia was entirely a zamindari estate<sup>12</sup>), who gave permission to coal<sup>13</sup> companies to mine coals. These companies leased and even purchased lands from zamindars, including from the Raja of Jharia.<sup>14</sup> They hired workers for mining activities and other errands and gave them land to build houses.<sup>15</sup>

<sup>8</sup>Interviews with Ashok Agarwal, Gopal Agarwal, many others across Jharia town

<sup>9</sup>Ibid, <http://www.frontline.in/static/html/fl2323/stories/20061201001304900.htm> and

<http://www.aljazeera.com/programmes/peopleandpower/2016/07/india-burning-city-160711081146127.html>

<sup>10</sup>Ibid

<sup>11</sup><http://www.aljazeera.com/news/asia/2014/03/living-with-fire-india-jharia-201432863738261372.html>

<sup>12</sup>Papendick, Henner, British Managing Agencies in the Indian Coalfield", in Rothermund, Dietmar & Wadhwa, D.C., (eds), Zaminders, Mines and Peasants. Studies in the History of an Indian Coalfield and its rural Hinterland, New Delhi, 1978, p. 166

<sup>13</sup>[http://shodhganga.inflibnet.ac.in/bitstream/10603/22094/10/10\\_chapter%205.pdf](http://shodhganga.inflibnet.ac.in/bitstream/10603/22094/10/10_chapter%205.pdf) Page 199

<sup>14</sup><https://indiankanoon.org/doc/1519161/> and interaction with people in Jharia Market

<sup>15</sup>[http://shodhganga.inflibnet.ac.in/bitstream/10603/22094/10/10\\_chapter%205.pdf](http://shodhganga.inflibnet.ac.in/bitstream/10603/22094/10/10_chapter%205.pdf) Page 199



*An open-cast mine on fire in Jharia coalfields*

Despite abolition of *zamindari* in 1952, these people continued residing on these lands, claiming that their forefathers had legal rights over it. Marwaris, Gujaratis and other business communities who came here as mine owners and businessmen in late 19th century too purchased land from the Raja of Jharia. After nationalisation of these private coal companies during 1971-75, the legality of lands near the mining leases became very complicated, with the BCCL, which came into being in 1975, claiming that these coal-bearing areas belonged to it, while other residents maintain that they have legal ownership over the land. The entire town of Jharia sits on a coal-bearing area,<sup>16</sup> prompting BCCL to claim its ownership on the land. The Zamindars too, upon the abolition of Zamindari system, did not share with the government details of the sale and transfer of land, resulting in numerous litigations.

Owner of the iconic Deshbandhu Cinema, Gopal Agarwal said that his land was purchased in 1912. He opined that the central government and BCCL give conflicting statements on the fate of Jharia town. At times, they claim that more coal is not needed but then issue a statement saying that the town needed to be vacated. "This contradiction has led to many people selling their lands at a cheaper price and moving away," he says. At many places in Jharia, people allege that mutation certificates are not being issued by district authorities.<sup>17</sup> They fear that it may be a deliberate act to evict them.

### **Charges against BCCL**

The writer in his interviews was told that BCCL has devised a new strategy of allowing the fire<sup>18</sup> to spread in residential areas and create panic, forcing many to shift either to the new township in Belgaria, 10-kilometers from Jharia, or to migrate elsewhere. Akhtar Ahmad of Upper Coolih, who owns a shop near Phularibagh, where land sinking<sup>19</sup> in May this year claimed the lives of a father-son duo, says: "They wait for tragedies to happen. In a nearby locality near Indira Chowk, two rooms of a house subsided. Fortunately, no one was there in the house. The entire *mohalla* kept silent and did not inform the authorities, as they feared that it would give BCCL an excuse to vacate the entire colony, and give the area for open-cast mining." In government records the area is owned by BCCL and the settlements are "illegal". A senior company official from Bastacolla Collieries Area rejected the charges and blamed "the vested interests for defaming"<sup>20</sup> the public sector mining company.

<sup>16</sup><http://www.cmpdi.co.in/docfiles/cmdInterviewJan-2016.pdf>

<sup>17</sup>Interviews near Katras More, Jharia town

<sup>18</sup>Interviews with people in Shamshernagar, Indira Chowk, Upper Coolih in Jharia township

<sup>19</sup>Interaction with top officials in General Manager office, Bastacolla Area in September

<sup>20</sup><http://www.aljazeera.com/programmes/peopleandpower/2016/07/india-burning-city-160711081146127.html>

### Exploitation of The Country's Coal Wealth

BCCL has also been accused of relentless over-exploitation of the country's coal wealth. Experts have observed that for quick, easy and cheap coal and to show production targets for profitability, BCCL indulges in indiscriminate open-cast mining.<sup>21</sup> On pretext of fire and greed for quick coal, they have converted underground mines into open-cast projects. Will these be again re-converted into under-ground (to mine lower seams) mode after mining upper-seams? This is the question in the minds of residents and trade union leaders. They are apprehensive that the country will be deprived of coal for the future generations due to this haphazard mining policy.

### BCCL Under Pressure from Steel, Power Industries, Government

BCCL officials transfer the blame on the government, which, in order to meet the demands of the steel, energy and power industries, do not pay heed to the immense suffering and impact of such exploitative mining activities. After US and China, India is the world's third largest consumer of energy, which is mostly coal-based. A senior CIL official was quoted as saying that the company is determined to fulfill the Prime Minister Narendra Modi's government dream of doubling India's coal production to 1.5 billion tonnes by 2020 of which 90 per cent is likely to come from open-cast.<sup>22</sup>



*OB (Overburden) dumps dot Jharia Skyline. An OB dump in Bastacolla Area of BCCL*

*Overburden is the term used to describe the materials (rock and soil) that lies above the coal seam. According to an Indian School of Mines faculties paper in sciencepub.net by Arvind Kumar Rai, Biswajit Paul and Gurdeep Singh, OB dump materials has posed a serious threat to the densely populated mining areas in the Jharia coalfields, Dhanbad. The overburden materials are generally loose, highly prone to rain washing, and smaller particles generated out of these get spread over the nearby surface water bodies.*

<sup>21</sup><http://www.aljazeera.com/programmes/peopleandpower/2016/07/india-burning-city-160711081146127.html>

<sup>22</sup><https://economictimes.indiatimes.com/news/politics-and-nation/lethal-gases-from-jharias-coalfields-fire-continue-to-wreck-havoc-a-century-later/articleshow/52705763.cms>

### **No Fire-Fighting in the Town**

It appeared during interviews that BCCL is reluctant to douse the fire. According to a local resident and president of Jharia Bachao Samiti Ashok Agarwal: "BCCL is currently not carrying out any fire-fighting in the town."<sup>23</sup> He also brought this up before the union Minister of Coal in a personal meeting. He is fighting a case on the issue, which is currently pending in the Supreme Court. The lawyer in the matter, Shadab Anwar informed that hearing dates keep getting postponed due to delay tactics of the government counsel.<sup>24</sup>

BCCL is also blamed by residents for encouraging the outsourcing of mining operations to private players. This is another factor for expansion of fire.<sup>25</sup> Former MLA OP Lal confirms this, "They want to take out the coal, thus they are spreading the fire. They are not taking preventive steps to stop the fire. They closed down the Dhanbad-Chandrapur railway line on the pretext of fire. Private outsourcing companies are also adding to the problem."

### **Outsourcing of Mining Operations**

AK Jha, leader of Rashtriya Colliery Mazdoor Sangh says, "They are spreading aatank (terror) of fire to vacate the area. Right of citizenship as an Indian is compromised. The outsourcing companies indulge in coal theft, encourage fire as they get more bills from clearing OB dumps. (rock and soil above coal seams)"

During mid-2000 onwards, BCCL started outsourcing workers and equipment to private players for excavation and loading. As of now, BCCL has only 52,000 permanent staff and more than 80,000 contractual workers. This has given a huge opportunity to power brokers of all hues – trade union leaders, private company owners, goons and politicians. They are turning the clock back to pre-nationalisation era when private companies with help of goons controlled the worker.<sup>26</sup>

To win the tendering process for excavation and loading these companies bid at a lower rate, e.g if 200 workers are needed for the advertised project, tender would be filled for 150 workers<sup>27</sup> and 50 workers would be hired illegally. Salaries of these would be paid from the salaries of 150 workers. In case of death, injury of any of these 50 workers they are not only denied benefits but also face charges of intrusion and coal theft.<sup>28</sup>

This system helps BCCL cut cost at all levels and show profitability in the account books. "BCCL's private outsourcing firms indulge in violation of labour laws, give them less than official minimum wages and no weekly offs. They are forced to work for ₹10000 or even ₹5000 a month with no medical or housing facility," AK Jha says. This charge was substantiated during the author's field visit to Dohari Colliery in Bastacolla area during September 2017, where a group of workers, mostly belonging to the SC/ST communities, alleged that they are not paid the minimum wages, and that the local thugs often rob them of their earnings.

### **Role of Political Class**

Most of these outsourcing companies are either owned by the politicians or their proxies, from across the political spectrum, who have earned huge sums from these BCCL contracts. Simultaneously they

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<sup>23</sup> Letter written to Coal Minister Piyush Goyal and handed over to him along with CPI-M leader Brinda Karat in Sept 2017

<sup>24</sup> Interaction with Shadab Anwar in his Defence Colony office

<sup>25</sup> Interview with Gopal Agarwall and <http://www.tehelka.com/2016/05/jharias-infinite-inferno/>

<sup>26</sup> Interview with AK Jha, leader of Rashtriya Colliery Mazdoor Sangh

<sup>27</sup> Interactions in Tetulmari Area

<sup>28</sup> Interview with a BCCL employee

discourage people from moving out of fire ridden Jharia town, falsely assuring them that they were fighting their battle with the government and BCCL.

During elections, caste and communal issues are brought to the campaign by these politicians, while pushing the issues of displacement and fire-fighting to the back burner.<sup>29</sup>

### **Illegal Mining**

BCCL does not dig for coal beyond 400 meters in open-cast mines, but most of the mines are not closed or filled with sand, leading to illegalities. In 2010, Ministry of Coal told the Standing Committee of Coal and Steel that there are 49 illegal mining sites in Jharia.<sup>30</sup> As per reports most of these illegal sites continue to exist. The former Dhanbad Deputy Mayor Niraj Singh had blamed "... (from) top officials of the BCCL to the police and politicians,"<sup>31</sup> for this thriving illegal mining.

Singh too was of the opinion that BCCL was using coal-mine fire as a pretext to force evacuation of Jharia. "The BCCL wants more and more land for open-cast mining and make unscrupulous money," he was quoted as saying.<sup>32</sup>

### **Writ Petition in Supreme Court for Rehabilitation, Stabilisation, 1997**

The former MP Haradhan Rai filed a writ petition (Civil) 381/97 in the apex court calling for relief for the fire-affected people in Jharia town. It led to formation of a Master Plan (1999). In April 2003, an action plan was prepared on the basis of 1999 Master Plan for shifting and rehabilitation.<sup>33</sup> In 2005, the Supreme Court asked DGMS to prepare a report on the implementation of action plan.

Acting on this petition the Supreme Court committee under DGMS submitted its report in August 2005. It held that as "there were no scientific methods available to check long-term stability, it was possible to certify that stabilized areas could stand unaffected for a long time, say 15-20 years. The committee felt that such stabilisation work could restrict the effect of subsidence and allow some time by which permanent measures like evacuation of the area could be undertaken."<sup>34</sup>

In response to an RTI query filed by Jharia Bachao Samiti on the 'status' of sand stowing in around Jharia coal fields in 2011 to quench fire, BCCL referred to the reco of SC panel, and said, "There is no scientific method available to check long term stability of the site stabilised by stowing with sand, it might not be possible to certify that the areas thus stabilised by stand stowing..(sic). Further, the Committee opined that "the final and permanent solution is evacuation of the affected area and rehabilitation."

Jharia Bachao Samiti leader Ashok Agarwal reiterated that this omission was acceptance of its "ill design of destruction of Jharia" in a memorandum submitted to Union Minister of Coal in New Delhi on September 12 2017. The giving up of stabilisation resulted in massive subsidence in and around Jharia coal-fields.

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<sup>29</sup>Interview with Ashok Agarwal, trade union leaders

<sup>30</sup><http://www.thesundayindian.com/en/story/crimes-of-endearament/7/47533/>

<sup>31</sup>Ibid

<sup>32</sup><http://www.thesundayindian.com/en/story/crimes-of-endearament/7/47533/>

<sup>33</sup>DGMS Note on Unstable Area/Fire in Jharia Mines submitted to central government

<sup>34</sup>Annexure 9, Page 54 of the Report of the Committee On Verification of "Action Plan for Control of Fires, Subsidence and Rehabilitation of the Affected People in The Leasehold Area of BCC

### Is This Idea of Mass-Relocation Realistic?

Working on master plans and action plans, in December 2005, Jharia Rehabilitation and Development Authority (JRDA) under Jharkhand government was formed for rehabilitation of fire-affected people living in private houses (either owned by them or on BCCL land). Land was acquired in Belgaria, a town 10-kms from Jharia, which still lacks basic facilities.

In the action plan, authorities had planned to rehabilitate 65,000 families (Category A fire area), who were supposed to be shifted to Belgaria. They had a 10-years-period to complete this process but till date only 3,500 families have been shifted. Presently, the number of families which need immediate shifting has increased to one lakh. There are an estimated three to four lakhs families living in Jharia coalfields, and it would be impractical to relocate or re-settle the entire population to a new area. "Where is the land to shift and re-locate?", asks Agarwal.

JRDA and BCCL always blame<sup>35</sup> each other for the slow rehabilitation process. The authority officials always say they have not been provided enough land by the company in non-coal bearing areas for building settlements. Recently Jharkhand CM Raghuvar Das announced that one lakh houses would be constructed for fire-affected people.<sup>36</sup> He also said that the government will acquire 1,000 acres of land for rehabilitation and take steps to build 40,000 flats.

Residents dismiss these statements as a "lie", as in the last 10 years they have not been able to build 4,000 houses. Neither the tendering process has been initiated, nor the land made available. There are seven lakh families<sup>37</sup> that require rehabilitation, according to one estimate. However, a top JRDA official says that L&T has done "some preliminary survey and it is under verification by the authority".<sup>38</sup> He refused to give more details. The general refrain is that "the cost of coal is billions of dollars, and the company can waste the coal by burning them, allowing the fire to spread in new areas but is not willing to pay us the right kind of compensation for our houses that we live in."

### Accusation by the Railways

On April 5, 2002, Chairman, Railway Board had written a letter<sup>39</sup> to Secretary, Ministry of Coal, saying that due to "non-filling/(in)adequate filling of underlying seams" coal mine fire has spread near railway tracks in Eastern Railway. "Stability of many railway lines are also threatened due to indiscriminate mining without following safety provisions stipulated by DG/Mines Safety."

Activists say that no action was taken over the years and in March 2007 Railways were forced to dismantle the 22-km Dhanbad-Jharia-Pathardih line.<sup>40</sup> On June 15, 2017, Railway Board was again forced to close traffic on another route - Dhanbad -Chandrapur section - due to underground fire of the Jharia coalfield.<sup>41</sup> Media reports say that Railways will suffer a massive loss of ₹2,500 crore annually due to this closure of 41-kilometer stretch.<sup>42</sup> Locals protested the loss of livelihoods of many, but to no avail.

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<sup>35</sup><http://www.aljazeera.com/news/asia/2014/03/living-with-fire-india-jharia-201432863738261372.html>

<sup>36</sup><http://naidunia.jagran.com/national-one-lakh-home-will-be-make-for-jharia-fire-victim-585209>

<sup>37</sup><http://www.aljazeera.com/programmes/peopleandpower/2016/07/india-burning-city-160711081146127.html>

<sup>38</sup>Interaction with a top JRDA official

<sup>39</sup>Letter by Chairman Railway Board to NK Sinha, Secretary Coal on 5.4.2002

<sup>40</sup><https://timesofindia.indiatimes.com/india/Jharia-may-turn-into-a-ghost-town-soon/articleshow/2715918.cms>

<sup>41</sup><http://www.hindustantimes.com/ranchi/jharia-fire-impact-rly-board-cancels-19-trains-diverts-7-from-june-15-due/story-OhhVqilYc7lwLfAa3NdugJ.html>

<sup>42</sup><https://www.outlookindia.com/newsscroll/exit-from-jharia-coal-belt-to-cost-railways-rs-2500-crore/1072801>

### **Are BCCL, Government 'Disinterested' in Quenching Fire?**

Amid public pressure, BCCL in 2014 invited Expression of Interests from global companies to quench the underground fire. DMT Group of Germany which has “quenched coal mine fires in Germany (since 1880), China and Eastern Coalfields Ltd (ECL) made it clear that resources can be mined progressively even as the fires are extinguished. No relocation of the population will be required either.”

Both the central government and BCCL are “silent” after the 2014 meeting with DMT officials who had termed as “incorrect”, the “convoluted statements” (by the BCCL, government) “that there is no technology in the world to deal with such fires,” according to a Times of India report.

Agarwal and many other residents are of the opinion that the government had made up its mind to vacate the entire town. It was simply buying time, making master plans, giving political statements, deliberately misleading the courts and the press.

### **Conclusion**

Jharia is a microcosm of greed, neglect, policy failure and faulty implementation. Corporate interest and greed in most of the mining areas take precedence over citizen's rights. The government finds it difficult to forcefully evacuate Jharia in a manner it has been doing in the tribal areas of Odisha and Chattisgarh. Dhanbad has been dominated by upper and middle classes and castes (Rajputs, Bhumihars, Kayasthas), intermediary castes – Yadavs and Kurmis (Mahtos), along with a substantial Muslim population with tribals confined to the fringes.

The Marwari-Gujarati business communities, upper caste Hindus and Muslims are in significant proportion in the town and enjoy immense social, economic and political clout. The tribals and Dalits who once owned swathes of forested land in the Jharia coalfields, have gradually lost them to the mining companies and the migrants from north Bihar, Gujarat, Rajasthan and Bengal. These vulnerable communities failed to get government employment during nationalisation and are now being forced by the authorities<sup>43</sup> to leave their place of dwelling.

The government recently forcefully vacated Raja Shiv Prasad College with 7,000 students and shifted it to a school (capacity of 500) in Belgaria, putting their careers at risk. Many girl students are likely to leave their studies mid-way as Belgaria is 10 kms from Jharia town and the road is not considered safe. It is clear that the issues of education and community welfare are not a priority with the policy makers.

It is absolutely shocking to the residents of Jharia that the public sector company, whose responsibility is to protect the interest of the citizens has continued the legacy of exploitation that it inherited from the British and private mine owners. If a private company or a colonial power does this, it is understandable. We are not citizens of Pakistan or Bangladesh, we are Indians and it is the duty of the government to protect us and not exploit us, is the general refrain among them.

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<sup>43</sup>Interviews with Raju Paswan, Dilip Paswan, Himarti Devi (Bastacolla 10 Number) and Manoj Kumar Verma (Indira Chowk)