



HASDEO WILL WIN

Fact-finding Report on the ongoing people's struggle to save the forest and livelihoods in Chhattisgarh's Hasdeo Aranya





कोयला लोहा बॉक्साइट के साथ
कई गांवों को लादकर वह ट्रक
जो रोज़ शहर की और जाता है
अब सिर्फ वहीं मेरे गांव का
असली पता बताता है।

- जसिंता केरकेट्टा
ईश्वर और बाज़ार (कवितांश)

With coal iron bauxite
the truck which loads several villages
and goes to the city every day
Now it alone tells
my real address.

- Jacinta Kerketta
Ishwar aur Bazaar (excerpt)



Photos: Abir Dasgupta (top), Brian Casey (bottom)

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Glossary of Terms

AEL - Adani Enterprises Limited	NGT - National Green Tribunal
BJP - Bharatiya Janata Party	OB - Overburden
CECB - Chhattisgarh Environment Conservation Board	PEKB - Parsa East and Kanta Basan
CFR - Community forest rights	PESA - Provisions of the Panchayats (Extension to Scheduled Areas) Act, 1996
CM - Chief Minister	PIL - Public interest litigation
CPR - Centre for Policy Research	PKCL - Parsa Kente Collieries Limited
EC - Environmental clearance	PM - Prime Minister
EIA - Environmental Impact Assessment	RRT - Rapid Response Teams
FAC - Forest Advisory Committee	RRVUNL - Rajasthan Rajya Vidyut Utpadan Nigam Limited
FC - Forest clearance	RTI - Right to Information
FIR - First information report	SECL - South Eastern Coalfields Limited
FRA - Forest Rights Act, 2006	SKM - Samyukt Kisan Morcha
FSI - Forest Survey of India	UPA - United Progressive Alliance
GCF - Gross calorific value	WII - Wildlife Institute of India
GW - Gigawatt	
HABSS - Hasdeo Aranya Bachao Sangharsh Samiti	
HACF - Hasdeo Arand Coal Fields	
ICFRE - Indian Council of Forestry Research and Education	
IFR - Individual forest rights	
INC - Indian National Congress	
IUCN - International Union for Conservation of Nature	
MOD - Mine operator and developer	
MoEFCC - Ministry of Environment, Forest and Climate Change	
NDA - National Democratic Alliance	



1. Fighting the richest man in Asia

Around 4 am on the morning of December 21, 2023, Jainandan Singh Porte was picked up by Chhattisgarh Police from his home in Ghatbarra in Surguja district. Porte is the sarpanch of this village situated on the edges of the country's largest contiguous dense forest, Hasdeo Arand. Spanning 1.5 lakh hectares of central India, this pristine natural forest is roughly three times the size of Mumbai. Within 72 hours of his arrest, over 15,000 of India's oldest trees were cut down, with another 2.3 lakh to follow. 91 hectares, roughly the size of 58 football fields, in Ghatbarra, Fatehpur, and Salhee are in line for deforestation.

Ghatbarra had been the first village to reject the advances of Adani Enterprises Limited (AEL) when it was green-lit for mining coal in 2012. At the time, Gautam Adani was the 16th richest individual in India by net worth. Today, he is the richest person in Asia. Porte, along with other members of the *Hasdeo Aranya Bachao Sangharsh Samiti* (HABSS), won gram panchayat elections in 2021 with the promise to defeat the Adani project.

Nandkumar, a B.Tech. graduate from neighbouring Fatehpur, recounts how the area was turned into a chhavni, or cantonment, exactly a week after Chhattisgarh was bestowed its first Adivasi chief minister, Vishu Deo Sai of the Bharatiya Janata Party. The same day, Ramlal Kariyam from Salhee village was charged with a FIR, the third that members of HABSS are contesting.

These events form the latest addition to the long and disturbing history of the struggle to save the Hasdeo Arand forests. The story begins

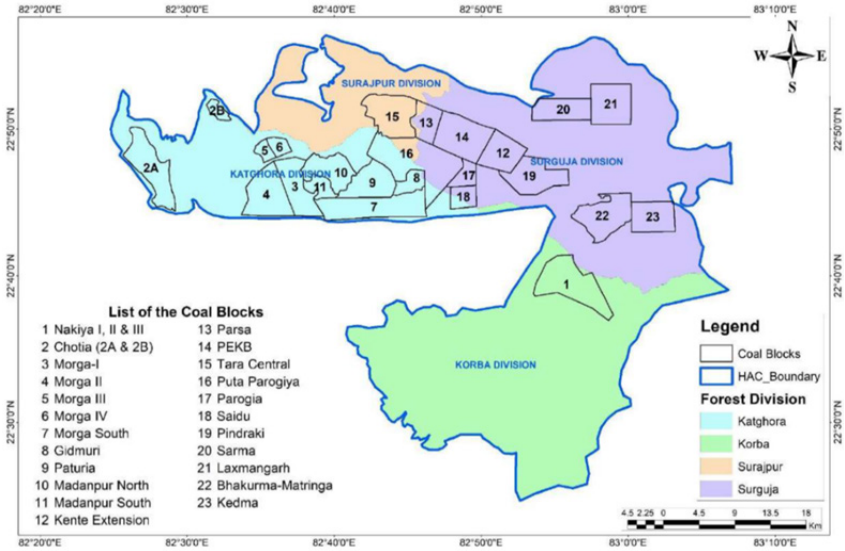


Fig. 1.1. 23 coal blocks have been identified in the Katghora, Korba, Surajpur and Surguja divisions of Hasdeo Aranya forest region (ICFRE 2014)

in 2007, when the Parsa East and Kante Basan (PEKB) coal block, located in the Hasdeo Arand region of Chhattisgarh, were allocated by the central government to the Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL). The same year, RRVUNL formed a joint venture – the Parsa Kente Collieries Limited (PKCL) – with Adani Mining Private Limited, in which the latter owns 74% and the former 26%. At this juncture in history, a large part of the region was set to be converted into the Lemru Elephant Reserve, being an important elephant corridor of the country.

In Surguja and Surajpur districts, the Scheduled Tribes constitute about 55% of the total population, chief among them being the Agaria, Gond, Binjwar, Manjwar, Pahadi Korwa, Pando, Rajwar, Nai, Teli, Nagesiya, Oraon, Baiga, Kanwar, Panika and Dand Korwa. Their livelihoods depend on a variety of non-timber forest products including food plants, fodder, medicinal plants, honey, and others. Marketable sale of forest products contributed to roughly 46% of average monthly income, excluding self-use by the forest dwellers, as per a survey conducted by the Wildlife Institute of India (WII 2014). Their primary occupation is agriculture, with around 97% of the surveyed population engaged in two-crop paddy cultivation and other allied activities. Monsoon water collected in pits and ponds are used by them for irrigation. 87% of the surveyed population owned livestock in the form of cattle, goats, sheep,



Fig. 1.2. Map showing forest density and geological features in Hasdeo area

pig and fowl. Most of this livestock depends on the forests for grazing.

The Hasdeo Arand region, known as the lungs of Chhattisgarh, were opened up for the profits of one entity: the Adani Group, which currently holds two more coal blocks in the region (the Parsa coal block and the Kete Extension coal block) while having received clearance to expand mining under the PEKB project.

S. No.	Name of Coal Block	Forest Area (Ha)	Non-forest land (Ha)	Total Area (H)
1.	Parsa	841.538	410.909	1252.447
2.	ParsaEastandKeteBasan	1898.328	812.706	2711.034
3.	KeteExtension	1745.883	16.956	1762.839
	Total	4485.749	1240.571	5726.32

Fig. 1.3. Forest and non-forest area approved for coal mining in Parsa, PEKB and Kete Extension blocks of Hasdeo Aranya (MoEFCC 2018b)

In the process of acquiring these coal blocks, the State-Adani nexus brought in the Coal Mines (Special Provisions) Act, 2015 explicitly to favour a single corporate entity, weakened the provisions of the Forest Rights Act, 2006 (FRA), diluted scientific categories used by ecologists and conservation experts, violated their own terms and endangered the rights and livelihoods of lakhs of Adivasis living in the Hasdeo Arand region. The situation is only bound to get worse given that the proposal to expand the Parsa coal block is already underway. The recent letter by the Association of Power Productions, of which Adani Enterprises Lim-

ited is a constituent member, requesting for further coal blocks to be opened up in the region, only goes further to show that the mining conglomerate’s ambitions will not end at the expansion into the coal blocks under contention at present.

S.No.	Name of Coal Mine	State	District	Successful Bidder / Allottee	Vesting order/ Allotment order date	Mine Opening Permission	Actually Producing
1	Chotia	Chhattisgarh	Korba	Bharat Aluminium Company Ltd.	23-03-2015	Yes	Yes
2	Parsa	Chhattisgarh	Sarguja and Surajpur	Rajasthan Rajya Vidyut Utpadan Nigam Ltd.	08-09-2015	Yes	No
3-4	Parsa East & Kanta Basan	Chhattisgarh	Sarguja and Surajpur	Rajasthan Rajya Vidyut Utpadan Nigam Ltd.	31-03-2015	Yes	Yes
5	Madanpur South	Chhattisgarh	Korba	Andhra Pradesh Mineral Development Corporation Ltd.	29-09-2016	No	No
6	Kente Extension	Chhattisgarh	Sarguja	Rajasthan Rajya Vidyut Utpadan Nigam Ltd.	31-03-2015	No	No

Fig. 1.4. Six coal blocks have been given the go-ahead for mining, of which two are in operation (RS 2023)

Keeping in view the immense ecological importance of the Hasdeo Arand region as well as the severe violations of environmental rules, be it in explicit or underhanded ways, the report aims to provide a complete picture to understand the significance of the HABSS-led struggle as a key ecological people’s struggle challenging the State-corporate nexus today. In the course of undertaking this study, we collected in-depth oral testimonies of villagers from Ghatburra, Fatehpur and Salhee villages as well as conducted group discussions with villagers present at the HABSS





protest site in Hariharpur, particularly focussing on Adivasi women's experiences in the struggle. We also spoke to a range of lawyers, civil society activists and a varied spectrum of political forces engaged in the movement to contextualise these narratives. We are grateful to the cooperation extended by all those who participated in this exercise.

Chapter 2 of the report ('Environmental Impacts of Mining') draws from two publications by court-appointed bodies to highlight the severe impact of mining activities on the region's ecological wellbeing. Chapter 3 ('Subverting the Law') draws attention to various means used by the State-corporate nexus to undermine environmental studies, laws, and Constitutional mechanisms put in place to safeguard Adivasi rights over forests. In examining and exposing these facts, we aim to underscore how administrators, bureaucrats and even judges have repeatedly bowed down before unbridled corporate power in the performance of their Constitutional duties. Chapter 4 ('Adani's Path to Profits') goes into the various ways in which a particular corporate conglomerate has been favoured in the push towards opening up Hasdeo forests to coal mining. This chapter also shows that several alternatives were available in the bid for ensuring energy security of the country which were wilfully ignored in order to benefit a particular corporate house, namely, Adani Enterprises Limited. Appendix A provides an easily-accessible summary of the timeline of events as well as important milestones in the people's struggle to save Hasdeo forests. Appendix B contains the list of references consulted while preparing this report.



2. Environmental Impact of Mining

Hasdeo is covered with ‘very dense’ and ‘moderately dense’ forests, as per official classification. Around 80% of the forest area is covered by good quality forest (approximately 1176 sq. km. has a canopy cover of over 40% while an additional 116 sq. km. has a canopy cover of over 70%).¹

One of the primary reasons for public opposition to the mining projects in the Hasdeo forests is the impact it has had and will have on the state of Chhattisgarh and neighbouring areas. Time and again, environmental clearance for the project has been denied and yet, as we will show in [Chapter 3](#), central and state governments have subverted their own legal procedures to benefit a particular financial entity, the Adani Enterprises Limited.

In 2011, the initial proposal for diversion of 1,898.328 hectares of forest land in PEKB for the project was considered and rejected by the Forest Advisory Committee (FAC), a statutory body of the Ministry of Environment, Forest and Climate Change (MoEFCC). Despite this, then-Environment Minister Jairam Ramesh rejected his own ministry’s

¹ GIS analysis conducted by the Ecoinformatics Lab at the Ashoka Trust for Research in Ecology and Environment (ATREE), Bangalore.

advice and granted clearance for Phase I of mining in the PEKB block. Then-Environment Minister Jairam Ramesh argued that these blocks were located on the ‘fringe area’ of the densely-forested Hasdeo Aranya region and that the FAC’s recommendations were being overruled by him ‘to keep the broader development picture in mind and balance out different objectives and considerations’.

In 2012, this was challenged before the National Green Tribunal (NGT), a statutory body for speedy decision-making in ecologically-sensitive issues. In 2014, the NGT ordered a stay on the mining licences, instructing the Dehradun-based scientific bodies Wildlife Institute of India (WII) and the Indian Council of Forestry Research and Education (ICFRE) to assess the environmental impact of mining in the region (NGT 2014). As we argue below, the WII and ICFRE surveys showed that these coal blocks are not located in the ‘fringe areas’ of the densely-forested Hasdeo Aranya region. We will also show in [Chapter 4](#) that the ‘broader development picture’ would not be sidelined in refusing to allow mining in this ecologically-fraught Hasdeo Aranya region given the availability of alternative sources of coal and renewable energy that were considered by RRVUNL but overruled in order to benefit Adani Enterprises Limited.

Listed below are some of the important findings of the WII-ICFRE environmental assessments conducted for the PEKB block.

2.1. Wildlife

The Hasdeo-Arand forest region supports over 25 large mammals, including several endangered and vulnerable species.

Wildlife (Protection) Act, 1972	IUCN RED List*
Schedule I: 9 species	Endangered: 2
Schedule II: 10 species	Vulnerable: 5
Schedule III: 4 species	Near threatened: 3
Schedule IV: 2 species	Least concern: 15

Fig. 2.1. Mammalian species found in the Hasdeo Aranya region (WII 2021: 167)
* International Union for Conservation of Nature (IUCN) publishes the peer-reviewed RED List of threatened species.

Invertebrates, herpetofauna, small birds and commensal species of mammals that play a crucial role in agro-pastoral landscapes through pollination, pest control etc. are also likely to be affected by the mining.

Mining has caused a serious increase in human-animal conflict in the region, leading to loss of lives, destruction of crops and homes, and further endangering Schedule I species in the region.

Elephants

Less than 1% of India's wild elephant population is found in Chhattisgarh but over 15% of reported deaths (60 human lives are lost every year).

- As per the forest department data, 325 human deaths and 117 cases of human injury have been reported between 2014-'15 and 2018-'19 in the state.
- Additional expense for forest dept which paid Rs. 65.75 crore in compensation for these losses in the same period.
- Dispersal of elephant herds from the Hasdeo region also increases conflict in neighbouring states of Odisha and Jharkhand. Hasdeo serves as an important corridor for elephant migration from Gumla district in Jharkhand to Korba district in Chhattisgarh.



Sloth Bears

Increase in human-sloth bear conflict in northern Chhattisgarh, particularly districts of Korba and Mahasamund.

- Increase in fear of bears impacts access to education as students often have to travel through isolated roads to reach their schools.
- Fragmentation of forest areas adversely impacts migration and mobility of sloth bears and other animals.
- Already a vulnerable species, sloth bears are subject to poaching (both for local use and international trafficking). Increased access of humans to reserve forest areas heightens the risk.

Elephants and Sloth-bears are not the only vulnerable species in the Hasdeo Arand region. It is reported that the last of the cheetahs to be

shot in India were found inhabiting forests of Surguja. Moreover, the region has been identified as a potential corridor for revival of tigers due to the strong habitat connectivity between Achanakmar, Kanha, Sanjay and other Central Indian tiger reserves located towards the west of the Hasdeo forests. Ecologically similar to other habitats, this forest could potentially support a conservative number of tigers (10-15) if conditions of ungulate prey, habitat connectivity, and real-time mitigation of human-wildlife conflict are met.

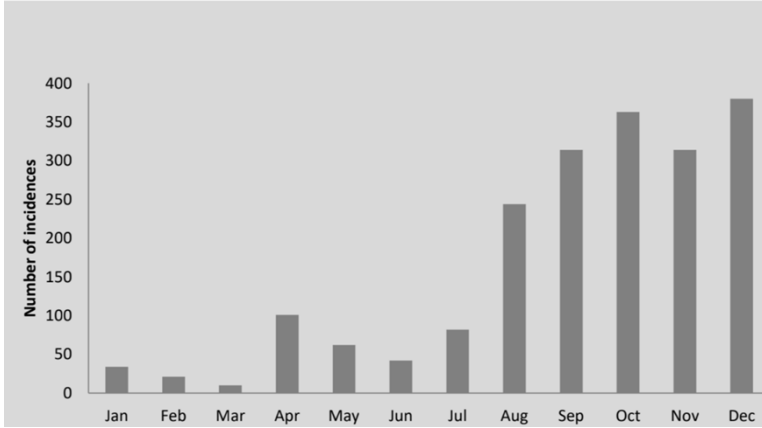


Fig. 2.2. Monthly crop damage between 2015 and 2018. (WII 2021: 56)

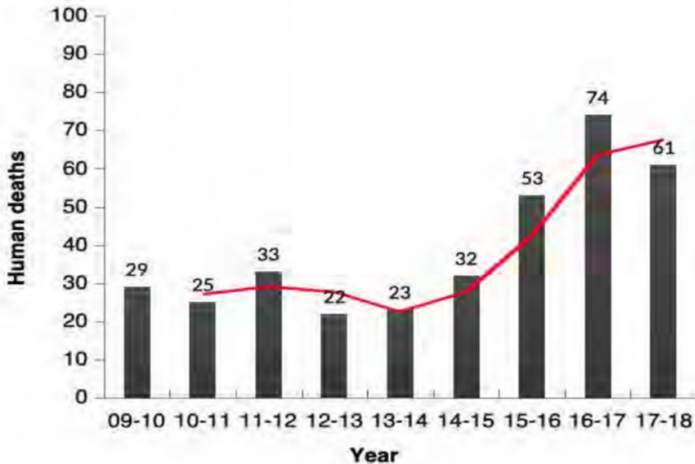


Fig. 2.3. Yearly patterns of human casualties between 2010 and 2018. (WII 2021: 56)

Birds

Birds are a good indicator of environment quality and are important seed dispensers and pollinators in tropical forest regions. Insec-

S.No	Scientific/Common Name	IIFM 2009		WII 2020	Conservation Status	
		CZ	BZ		IUCN	WPA
1. Butterfly*						
1	<i>Hypolimnna misippus</i> Danaid eggfly*			✓*		Sch II
2	<i>Charaxes bernardus</i> Tawny Rajah*			✓*		Sch II
2. Reptiles						
3	<i>Python molurus</i> - Indian rock python	✓	✓			Sch-I
4	<i>Varanus bengalensis</i> -Bengal Monitor Lizard**			✓		Sch-I
3. Terrestrial Birds						
5	<i>Accipiter badius</i> - Shikra	✓	✓	✓		Sch-I
6	<i>Aquila rapax</i> - Tawny Eagle		✓			Sch-I
7	<i>Buteo teesa</i> - White-eyed Buzzard*			✓		Sch-I
8	<i>Elanus caeruleus</i> - Black-shouldered Kite	✓	✓	✓		Sch-I
9	<i>Ictinaetus malaiensis</i> -Black Eagle			✓		Sch-I
10	<i>Milvus migrans</i> - Black Kite	✓	✓	✓		Sch-I
11	<i>Spilornis cheela</i> - Crested Serpent Eagle	✓	✓	✓		Sch-I
12	<i>Spizaetus cirrhatus</i> - Changeable Hawk Eagle	✓	✓			Sch-I
13	<i>Pavo cristatus</i> - Indian Peafowl		✓			Sch-I
14	<i>Ocyrceros birostris</i> - Grey hornbill	✓	✓			
4. Mammals						
15	<i>Elephas maximus</i> - Elephant	✓	✓	✓	En	Sch I
16	<i>Melursus ursinus</i> - Sloth bear		✓	✓	Vu	Sch I
17	<i>Tetracerus quadricornis</i> - Four-horned antelope			✓	Vu	Sch I
18	<i>Canis lupus</i> - Indian grey wolf			✓	Lc	Sch I
19	<i>Panthera pardus</i> – Common leopard			✓	Vu	Sch I
20	<i>Manis crassicaudata</i> -Indian pangolin			✓	En	Sch I
21	<i>Lutraqale perspicillata</i> - Smooth-coated otter			✓	Vu	Sch II
22	<i>Mellivora capensis</i> - Honey badger			✓	Lc	Sch I
Total Species		10	13	15		

Fig. 2.4. Table of threatened fauna found in the Hasdeo Aranya region (WII 2021: 100-101) (CZ: Core Zone, BZ: Buffer Zone, Vu: Vulnerable, En: Endangered, Lc: Least concern, WPA: Wildlife Protection Act)



Winged guests bracing for final flight

- Asian Open Bill Stork reach Korba in May and lay their eggs at Kanki
- The birds find their favourite food on the banks of Hasdeo River
- After being trained in flying, they return to their native land, in the first week of October

■ **Our Correspondent**
KORBA, Sept 23

MIGRATORY birds Asian Open Bill Stork have been visiting Kanki for the past three decades. The birds reach here in the month of May and lay their eggs at Kanki.

According to information, the birds find their favourite food on the banks of Hasdeo



Asian Open Bill Stork

River. The offspring feed on these and become healthy. After being trained in flying, they return to their native

land, in the first week of October. As the date of departure is drawing near, the little birds can be seen

attempting flight on the banks of Hasdeo River.

These birds come from countries of Thailand and Burma, and reach village Kanki, situated at a distance of 30kms from district headquarters. The villagers consider their arrival as a good omen. Several tourists reach the village to see these birds.

This year, the birds had reached Kanki on May 17 and the new offsprings were born in July. The little birds are finding small insects, frogs and other food of their choice on the banks of Hasdeo River.

They are also being trained in flying, so that they may accompany their parents back to their native land. It needs to be mentioned that the local residents take special care for the safety of these migratory birds.

(The Hitavada, 24 September 2020)



Crested serpent eagle

tivorous birds even influence tree growth by reducing the effect of folivorous arthropods. A total of 92 bird species belonging to over 44 families were recorded in Hasdeo of which several migratory birds have also been observed.

- Six of these 92 are protected under Schedule I of the Wildlife Act, 1972, including the White-eyed Buzzard, Crested Serpent Eagle, Shikra, Black-Winger Kite, Black Eagle and Black Kite.
- 19 of them are range restricted to the Indian subcontinent.
- While 74 are resident species, four are summer migrants and 14 are winter migrants.
- 12 species are endemic to the Indian subcontinent.

2.2. Flora

Mining will lead to the loss of about eight lakh trees of the Sal forests in Hasdeo, which will end up affecting the catchment of the Has-

S.No	Family and Scientific Name	Local Name	Habit	Conservation Status (IUCN)
	Acoraceae			
1	<i>Acorus calamus</i>	Bach	Herb	Endangered
	Asteraceae			
2	<i>Peucedanum nagpurens</i>	Tejraj	Herb	Vulnerable
	Burseraceae			
3	<i>Boswellia serrata</i>	Saliha	Tree	Vulnerable
	Celastraceae			
4	<i>Calastrus paniculata</i>	Unjain	Woody climber	Vulnerable
	Combrataceae			
5	<i>Terminalia chebula</i>	Harra	Tree	Vulnerable
	Dioscoraceae			
6	<i>Dioscorea bulbifera</i>	Agitha	Climber	Vulnerable
	Euphorbinaceae			
7	<i>Phyllanthus emblica</i>	Awala	Tree	Vulnerable
	Leguminoceae			
8	<i>Pterocarpus marsupium</i>	Biju	Tree	Vulnerable
	Liliaceae			
9	<i>Chlorophytum tuberosum</i>	Safed musli	Herb	Vulnerable
10	<i>Gloriosa superba</i>	Kharha godi, karihari	Herb	Vulnerable
	Sterculiniaceae			
11	<i>Sterculia urens</i>	Khurlu	Tree	Vulnerable
	Zingiberaceae			
12	<i>Costus speciosus</i>	Kewu, ban haldi	Herb	Vulnerable
13	<i>Curcuma angustifolia</i>	Tikhur	Herb	Vulnerable

Fig. 2.4. Table of threatened plant species found in the Hasdeo Aranya region (WII 2021: 98-9)

deo river. 41 hectares of trees were felled in 2022 during the Covid-19 pandemic, the same year when Gautam Adani's personal wealth rose by 46%. Clearance for an additional 93 hectares was granted in November 2023. The actual number of trees felled will be much larger than the number provided by government records as they exclude small and medium trees with less than one-foot thickness as well as various shrubs.

Apart from tree-felling, a number of other plant species were recorded in the core zone of the PEKB block:

- 57% of 180 plant species .
- 91% of the 23 species of faunal groups.
- 71% of the 82 species of avifauna (birds of a particular region).
- 66% of the 12 species of mammalian fauna.

2.3. Pollution and Impact

Mining projects cause serious noise, air, water and land pollution in surrounding areas. They involve use of heavy machinery, oil and grease spillage, tremendous use of water for washeries, and generate of such huge quantities of waste material that additional land is then required as dumping grounds.

Water

The region serves as a watershed of the Hasdeo Bango reservoir on the Hasdeo River, which is a tributary of the Mahanadi and one of the most important rivers of Chhattisgarh. This also houses the Bango dam which is critical for irrigating approximately three lakh hectares of agricultural land in Korba and Janjgir-Champa districts, the rice bowl of the state.

- Acquisition of land area includes acquisition of natural water bodies like rivers, major streams, nullah, and lakes as well as construction of small dams and diversion of natural flow.
- Significant quantities of water are required for mining processes along with portable water (filtered and treated) for domestic uses.
- Overexploitation of resources can affect surface water regime and the hydroperiod (monsoons).
- Total water requirement for the mine and washery: approximately 6,880 m³/day and 5,700 m³/day, respectively (EIA report).
- Domestic use requirement: estimated at 615 m³/day is to be sourced from designated tube wells with statutory permission.
- Aquatic floral and faunal biomass and biodiversity will be affected by (1.) reduced surface water flow into the major riverine habitats, (2.) solid and sewage disposal into streams or rivers and (3.) discharge of storm and rain water generated due to excavation of pits for ore extraction.
- Reduced water quality will consequently affect the health and well-being of the local communities which depend on the river system for their day-to-day needs.
- Draining from the PEKB area will also collect 2 kms away from the northern boundary of the coal block, affecting Atem Nadi (a perennial river) as well.

Air

- The major pollutants in mining will be gaseous emissions (SPM, SO₂ & NO_x) and enormous quantity of windblown dust particulates/par-

ticulate matter (PM) from land clearing, drilling, blasting, crushing, loading, haulage and other transport activities.

- Air pollution is known to affect the species richness and abundance status of faunal species of the adjacent forest habitat, mainly the butterfly and avifauna immediately and other faunal groups later.
- Windblown suspended solids would deposit/settle down in the adjacent agriculture habitats and impact its productivity as well as biodiversity values.

Noise

- The major sources of noise pollution in open cast mining are the starting of mining operations, deployment of machinery, drilling, blasting, excavation, crushing/processing and transportation of ore as well as drilling and blasting.
- Changing the normal behavioural patterns (feeding, movement, resting and breeding) of major faunal groups of the project area.
- Noise and ground vibration would affect reptiles and ground dwelling small mammals in terms of restriction of movement.

Effects of transportation systems

Construction of new roads, widening of existing roads (during consequent planning) and frequent movement of heavy vehicles and machinery for excavation, transportation of ore can lead to:

- Fragmentation of natural habitats and isolation of populations of lesser mammals and herpetofauna, which are reluctant to cross the roads.
- Herpetofauna and smaller mammals are prone to road kill due to intensive vehicle movements.
- Intensive movement of vehicles will reduce the birds and other mammal species' richness and abundance in the habitats along the road sides of forest areas.

Conveyor belt systems used by mining projects to transport ore to the plant over short distances are less harmful than vehicular transportation but nevertheless impact floral-faunal habitats, especially during the construction phase:

- Clearing of dense forest cover for the construction of conveyor system outside the lease area led to loss of habitat and associated fauna.
- Ground level conveyor systems restrict the movement of wildlife and local livestock.
- Coal dust emission along the conveyor belt route and create air pollution.

The WII report also indicated that establishment of worker's colonies in the forest land area is likely to further impact forest resources and faunal species adversely. In-migration of workers for expansion of mining activities is likely to create a strain on forest-based resources, such as tree cutting for small timbers and fuel wood, and thereby deplete local resources. This in turn could lead to hostility between migrant and local populations regarding the resolution of resource sharing mechanisms.

Chhattisgarh has reported over 70 elephant deaths in the last five years, with an increase in human-animal conflicts rising sharply over the previous decade. An elephant was found wire-trapped, chopped in pieces and disposed of in Surajpur district on 29 January, 2024. While three villagers from Dhuriya have been arrested by forest officials for this crime, the increase in human-animal conflicts in the region are not merely acts of nature but can be attributed to the actions of other humans, namely, Adani Enterprises Limited and the State-corporate nexus which profits from the devastation of animal habitats in the Hasdeo region. WII (2021: 166) made specific mention of the various attenuation measures which will have to be put in place to control this situation. We wish to reiterate the WII survey's findings in full to emphasise this point:

- Maintaining the ecological integrity of intact natural habitats without fragmentation and degradation is critical. Any additional mining leading to loss of habitat would escalate human-elephant conflict to unpredictably high levels.
- Formation of landscape-level Rapid Response Teams (RRT) by engaging village youth with adequate remuneration is essential. The RRT members should be adequately trained in elephant behaviour and conflict management methods.
- Judicious use of mobile barriers in select areas of Hasdeo Aranya Coalfield region and surrounding landscape where human-elephant conflict is high needs to be experimented with active community participation.
- *Ex gratia* payment for crop, property and other losses due to elephants have to be adequate and timely. The overall process of filing and obtaining compensation by villages should be made smooth and transparent.
- Habitat enrichment by improving surface water availability in carefully selected locations, development of grasslands and fodder base based on the list of plants suggested in the report and protection of critical micro-habitats such as riparian tracts are critical.
- Human-elephant conflict is dynamic in nature. The above mentioned mitigation measures need to be experimented in smaller areas and, based on the evaluation of efficacy, can be scaled up.



3. Subverting the Law

Over the past decade, government ministries, statutory bodies and the courts of our country have played hot-potato with the issue of environmental and other clearances in the Hasdeo Aranya Coalfield region. Protections won from Actions taken by one state institution are undermined by another and increasingly, people are beginning to lose faith in the democratic mechanisms once believed to be capable of countering corporate muscle and money power.

In 2014, the NGT passed a stay order on mining activities so that studies could be conducted by the WII and ICFRE. Less than a month later, the Supreme Court revoked the stay until ‘further orders’ from the MoEFCC, on the grounds that mining need not be stopped for the review studies to be conducted. It further ordered a stay on all non-mining activities in the region but felling of trees for the construction of a railway line to transport coal was not prevented. The Forest Advisory Committee dragged its feet with the studies, until forest clearance became a ‘fait accompli’, a Latin term used in law to refer to a fact which can no longer be prevented.

In 2014, the Supreme Court issued a decisive verdict on coal mining, cancelling coal-block allocations for over 204 mines, including PEKB. The court observed that the free hand given by joint ventures such as the one between the Rajasthan government-owned RRVUNL to a private mine developer and operator such as Adani Mining Private Limited were a troubling trend and should not be encouraged. This decision was completely undermined in 2015, however, with the Modi government’s new Coal Mines (Protection) Act that allowed for auctioning coal blocks to private companies through or joint ventures with PSUs. PEKB, Para and Kete Extension were simply reallocated to Parsa Kente Collieries

Limited (PKCL), a joint venture between Adani Enterprises Limited and RRVUNL.

While granting clearance to PEKB, the MoEFCC had specifically stated that no further clearance for Hasdeo Arand region shall be provided since the region is highly ecologically fragile. However, in 2019, the Forest Advisory Committee FAC granted ‘in-principle’ approval to mining in the Parsa coal block and by April 2022, final approval was eventually granted.

Measures which have not been actively undermined are simply left pending. There are currently at least 17 ongoing court cases related to environmental and forest clearances in PEKB and Parsa coal blocks. Despite this, the Chhattisgarh Environment Conservation Board (CECB) issued formal consent to establish the Parsa coal mine in December 2020.

3.1. Dilution of scientifically-established environmental categories

Lemru Elephant Reserve: Chhattisgarh State Assembly unanimously approved a proposal to set up an elephant reserve in Hasdeo in 2005. The MoEFCC approved this in 2007 but later scrapped the proposal under pressure from the mining lobby and the Confederation of Indian Industry (Gupta & Roy-chowdhury 2017). It was finally declared only in 2022 after pressure from the people’s struggle in Hasdeo.

‘No-go’ regions: A 2010 joint study by the Ministry of Coal (MoC) and the MoEFCC declared the entire region as ‘no-go’ for coal mining. It was the only region among the nine surveyed coalfields to be declared as entirely ‘no-go’. However, in 2012, MoEFCC gave clearance to RRVUNL to mine PEKB and the UPA-led Union government withdrew the go/no-go classification (*ibid*).

‘Violate/Inviolat’ category: This was meant to replace the ‘go/no-go’ classification and was to be determined on the basis of six ‘measurable’ parameters. Under the NDA regime, the MoEFCC reduced these parameters to four based on inputs from the Union Coal and Power Ministries (‘stakeholder ministries’) (Business Standard 2015).

The Forest Survey of India (FSI) released a report in 2014 further diluting the mechanism. Out of 793 coal blocks, only 35 were considered ‘inviolat’ (India Today 2014).

During a meeting between the Coal Ministry and MoEFCC in 2015, more blocks were arbitrarily taken out of the ‘inviolat’ category.

This included Paturia, Pindrakshi, Kente Extension and Parsa East in Hasdeo Arand.

In 2020, the list of blocks for auction included Morga South, one of the last remaining blocks of Hasdeo Arand. With 97% forest cover, the block was never allotted or auctioned before. This was done despite other blocks being available in the nearby Mand-Raigarh coalfield.

Forest clearance is all about saying 'Yes'

Down To Earth has accessed minutes of a meeting held between the environment and coal ministries on November 17, 2015. It shows how coal ministry officials were "deputed" in the Forest Survey of India to reassess inviolate forest areas and then dilute parameters for their assessment. The minutes say:

- Of the 216 partly inviolate blocks affected by hydrological layer, 58 are already under mining; forest clearance was approved for these. Mining in these blocks need to be continued by taking them out of inviolate status. Boundary modification is feasible in 113 coal blocks so they can come out of inviolate category after re-drawn boundaries. In case of 45 coal blocks boundary modification is not feasible.
- 73 coal blocks fall under inviolate category, of which: 12 are already under mining and forest clearance was accorded to these, so they should be kept out of inviolate category; 49 are affected by Decision Rule-I (29 blocks due to very dense forest only); 6 are affected by Decision Rule-II; 6, allotted earlier by the Ministry of Coal after reconciling

the position from the Ministry of Environment, Forest and Climate Change, now fall under inviolate category which need to be taken out of inviolate list. These blocks are: Paturia in Hasdeo-Arand; Pindrakshi in Hasdeo-Arand; Kente Extension in Hasdeo-Arand; Parsa East in Hasdeo-Arand; Talaipalli in Mand-Raigarh; and Amelia North in Singrauli.

- Out of 29 coal blocks affected due to very dense forest, over 1 sq km boundary modification in 19 blocks is feasible so that they can be out of inviolate category.
- While analysing data at Forest Survey of India, it was observed that even fraction of area of very dense forest of contiguous patch falling in the block make the entire block inviolate under Decision Rule-I. Fifteen blocks are affected due to

this parameter, which is to be kept outside the inviolate category.

- While computing the weighted forest cover, area of open forest x 0.25 + area of moderately dense forest x 0.55 + area of very dense forest x 0.85 have already been taken into account in Decision Rule-II. So, considering the parameter of very dense forest under Decision Rule-I leads to duplicity of parameter. Hence, very dense forest should not be considered in Decision Rule-II.

NOTE: Decision Rule-I includes areas that have very dense forests, protected forests and river catchments, making them inviolate. Decision Rule-II includes areas that are not inviolate as per Decision Rule-I, but have a substantial forest cover, biodiversity and wildlife presence.

Fig. 3.1. Union Ministry of Coal officials were involved in diluting scientific standards for classification of dense forests in November 2015 (DTE 2020).

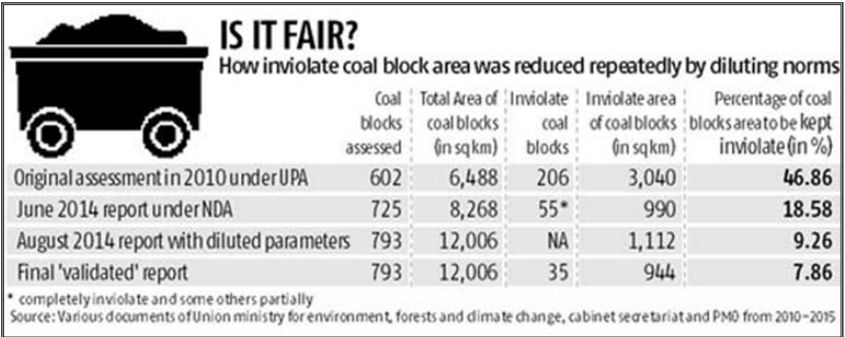


Fig. 3.2. 'No-go' or 'inviolate' area restrictions on coal mining have been progressively relaxed over the last decade (Business Standard 2015)

3.2. Violations in clearance mechanisms

3.2.1. PEKB Coal Block

Stage 1 forest clearance refers to the ‘in-principle’ approval given to proposals relating to transfer, mutation and declaration of equivalent non-forest land for compensatory afforestation (of ‘reserved forest’ or ‘protected forest’, as defined by the Indian Forest Act, 1927) and funds allocated for this purpose. Formal (or Stage 2) clearance is issued after receiving a compliance report from the state government that the stipulated conditions have been fulfilled. In 2011, by granting Stage 1 forest and environmental clearances to RRVUNL, the MoEFCC violated the guidelines for both.

Environmental Clearance

- Violation of policies: The MoEFCC had itself classified the block as ‘no-go’.
- Violation of process: Then Environment Minister Jairam Ramesh arbitrarily rejected the FAC’s recommendation against mining the Parsa, Tara and PEKB blocks due to high ecological sensitivity.
- Violation of Environmental Impact Assessment (EIA) Notification of 2006: A letter from the affected Gram Sabhas in 2012 highlighted that fake public consultations had been held by the companies in favour of the project.

Forest Clearance

- MoEFCC granted clearance despite forest rights claims not being settled in the region.
- As per MoEFCC’s own circular from 2009, FRA claims must be settled before forest land is diverted for non-forest purposes and the written consent or rejection of Gram Sabha must be provided for diversion to take place.
- Affected Gram Sabhas officially wrote to the concerned authorities three times in 2012 highlighting that the recognition of their rights was pending and therefore the diversion should not be allowed.

Despite this, the MoEFCC granted Stage 2 approval in November 2012.

3.2.2. Parsa Coal Block and Kete Extension Coal Block

While clearance for the new blocks was underway, HABSS organised strong resistance against the mining activities.

Environmental Clearance: The villages affected by Kete Extension withheld consent from company officials to hold public hearings in their villages, which are required under the Environmental Impact Assessment (EIA) Notification, 2006. In the public hearing for the Parsa coal block, the company attempted to prevent members of those opposing the project from expressing their views. It has been documented that they also brought in people from other regions in buses to tilt the public consensus in favour of mining. This was a clear and severe violation of established procedures for environmental clearance which require affected villages to be consulted before granting project approval.

Forest Clearance: HABSS has held several public demonstrations alleging that the consent of the Gram Sabhas were forged and in some cases, the consent of individuals for land acquisition was taken forcefully. HABSS is challenging in court the forgery of Gram Sabha consent taken before granting Phase II clearance in Parsa block although the petition has not been granted an urgent hearing..

3.3. Violations of Terms of Clearance during mining

The EIA report prepared before granting clearances to the PEKB coal block was based on data that was not consonant with the actual operations of the mine. This implies that the auditors were either intentionally misinformed or vital facts were concealed while preparing the assessment, a punishable offence under the MoEFCC's EIA Notification, 2006 (HABSS 2014).

- The EIA report for the PEKB mining project did not mention the construction of a rail project for transportation of coal and the setting up of a power plant in the mining area, both of which were critical elements from an environmental impact standpoint. Information on forest density, wildlife and flora was also concealed.
- The EIA report for open cast mining at the Parsa East was against the MoEFCC's Terms of Reference which specified evaluation of underground mining for the project. Residents have stated that the company acknowledged this during the public hearing but concealed this in its minutes.
- The clearance was also conditional on the setting up of an environmentally friendly super-critical thermal power plant but Adani Enterprises Limited did not invest in the same.

In 2016, as identified by the Centre for Policy Research (CPR 2016), there were six violations of the Environmental Clearance (EC):



Special Conditions in 2011 EC Letter	Findings of 2016 CPR Report
2 A (iv): Coal transportation across a distance of 78 km should be entirely by rail except for the initial two to three years.	Coal was being transported through heavy-duty trucks much later than three years after clearance was granted, causing an increase in road accidents.
2 A (v): A railway siding should be constructed adjoining the mine within 24 months to transport coal.	Even after 24 months, no railway line was constructed. As per a compliance report submitted by the proponent, it was found that the project authority had constructed 53 kms of rail siding from Surajpur to Tarkeshwar, but it did not stretch along the mine. Use of heavy vehicles to transport coal created a 'red alert' for residents who were forced to spend their lives amidst a ball of dust and smoke arising from vehicular emission. Schools and <i>anganwadis</i> along the road were also affected.

Special Conditions in 2011 EC Letter	Findings of 2016 CPR Report
<p>2 A (xv): The raw coal, washed coal and coal wastes (rejects) shall be stacked properly within stockyards of one-day capacity that are fitted with windbreakers/shields. Adequate measures should be taken to ensure that the stored raw coal, washed coal and coal wastes do not catch fire.</p>	<p>Villagers in Parsa regularly saw coal on fire at the stockyard. This gave rise to a suffocating odour that flew across Parsa, Kanta and Salhi. Storage capacity of the site for rejected coal went over the official limit.</p>
<p>2 A (vii): The drainage of River Atem outside the project area should not be disturbed through construction of an embankment or by diversion of nalas/streams without prior study and approval.</p>	<p>Adani Mining Private Limited was continuously draining coal mixed waste water into the Ghatbarra nala via a pipeline. This waste water was flowing down to Salhi through a canal and black water was subsequently entering the River Atem. As a result, the water across the channel was being polluted, and this affected the villagers, the animals dependent on the 'Nistari' water, and the crops on which many depend as their sole income.</p> <p>The project proponent diverted the flow of the natural stream by constructing a temporary reservoir with mud within the stream itself. This diverted the flow of water. Being a mud structure, the reservoir often exceeded its capacity and the wall broke. This resulted in all the waste water flowing down the stream, crossing the Salhi and Shivnagar nalas and finally flowing into River Atem.</p>



Special Conditions in 2011 EC Letter	Findings of 2016 CPR Report
2 A (xiii): Retaining wall should be constructed and rainfall data should be referred to in the process.	No retaining wall was constructed around the overburden (OB) dump, leading to even more water pollution. During rainfall, the water from the OB dump flew down the streets and percolated into nearby areas. Similarly, the stockyard where rejected coal was stored had no retaining wall. In the rainy season, the reject coal mixed with water and entered into the fields of farmers and other water bodies. Thick black slurry now went into the river, leaving the residents unable to use this water.
2 A (xx): The Washery unit shall be a zero discharge facility and no wastewater shall be discharged from the washery into the drains/natural watercourses. Recycled water shall be used for development and maintenance of green belt and in the plant operations. A Filter Press shall be installed in the washery plant for recovery of water.	Adani Mining Private Limited merely installed motor pumps to discharge waste water from the pit into the reservoir. No waste water was recycled. The waste water could be treated and used for development of a green belt and the plant's operation, but these measures were not adopted by Adani.

3.4. Violations of Forest Rights Act, 2006 and Panchayat (Extension to Scheduled Areas) Act, 1996

In June 2004, the Government of India admitted the 'historical injustice' dealt to the forest-dwelling Adivasi communities of the country due to colonial-era forest management and conservation policies. The Forest Rights Act, 2006 (FRA) was a watershed moment in Indian forest law, recognising the rights of forest-dwelling communities over forest land and formally providing for ownership of forest resources. Crucially, together with the Provisions of the Panchayats (Extension to Scheduled

Areas) Act, 1996 (PESA), it empowered Gram Sabhas as the primary authority in receiving and verifying claims to forest land, and explicitly required the consent of the Gram Sabha for any forest diversion.

In Hasdeo however, both the FRA and PESA have been blatantly violated by the MoEFCC. Gram Sabhas of the affected villages repeatedly wrote to the authorities through the clearance stage to register their protest against mining activities. Forest clearance was still given.

In June 2013, the Gram Sabhas of Ghatbarra, Fatehpur, Sedu, Suskam, Parogiya, Salhi and Hariharpur sent their Community Forest Rights (CFR) claims to the concerned sub divisional committee as per the due process. CFR, a novel innovation protected by the FRA give the Gram Sabha the right to manage the forest within its traditional boundary. In 2013, 24 community forest rights titles were granted but forest resource titles were not granted. As per the HABSS, there were several issues with the forest rights granted.

- The CFR titles in seven affected villages of PEKB project were handed over only post the land acquisition for the mine.
- Actual claims were granted over a far lesser area than the claimed area. In some cases, the area mentioned in the CFR title was reduced on account of land already having been transferred to the mine.
- Parsa and Progiya villages were not allowed to submit applications for claims. They still do not have CFR titles.
- The process of filing of 'Form C', i.e. community forest resource management rights had not even been commenced as the local administration was still awaiting the format and directions from the Chhattisgarh government.
- The settlement of Individual Forest Rights claims continues to be extremely low and there has been widespread incidence of recognition of far lower claims than due. In many cases, even less than 0.1-0.2 hectare which evidently is impractically low for residence and agriculture by these communities.
- The titles handed over do not contain a map or coordinates as is required, leading to complete lack of clarity on claim area and duplication of titles on the same piece of land.

The District Level Committee, consisting of the district collector, divisional forest officer and assistant commissioner of tribal development, revoked the forest rights of Ghatbarra village on 8 January 2016. It argued that ever since the Gram Sabha had received its CFR in September 2013, this had caused disturbances to mining operations. The letter further justified the move by stating that the titles for CFR were received

only following the approval for forest diversion in 2012, based on a complaint from Adani Enterprises Limited.

The FRA clearly states that IFR and CFR are vested to the people from the very day the Act came into being, not when they received the title. It states that claims by forest-dwelling Scheduled Tribes or traditional forest dwellers are valid for land that has been ‘under the occupation of an individual or family or community on the date of commencement of this Act [FRA 2006]’.¹ The District Level Committee did not bother to check or clarify AEL’s pretext of having received forest clearance, which had been cancelled by the NGT in 2014. As per the FRA, a window of 60 days is available for disputing land claims and the District Level Committee must present a chance to all aggrieved before settling the matter. AEL had moved too late.²

In 2016, the BJP-led Union government also brought in amendments allowing go-ahead to ‘linear projects’, that is road, railway, transmission or other ancillary projects related to the mining venture, without Gram Sabha approval. Based only on the district collector’s certificate rather than the deliberative Gram Sabha approval route, the go-ahead to linear projects formally diluted the provisions of the FRA 2006. Now, ancillary projects can be approved as standalone ventures (after further amendments to the Mines and Mineral (Development and Regulation) Act, 1957) without seeking consent of those affected by the project, nor requiring environmental impact assessment and environmental clearances.

¹ Chapter III (6) of the FRA 2006.

² Chapter IV (4) of the FRA 2006.

In March 2020, days before the country was put under Covid-19 lockdown, the MoEFCC published two notices which set off the process of further reading down the environmental restrictions. The changes paved the stage for more reforms that increased coal’s commercialization. Mining corporations have now gained land rights, mining rights, and an extension of who might mine as a result. Thanks to the revisions, anyone can now take part in the mine purchase process, regardless of prior mining expertise. The easing of the Coal Mines (Special Provisions) Act regulations for the final use of coal, which were restricted to a few approved purposes like steel and power generation earlier, has been the second and more alarming modification. The precondition for privately mining coal only for approved uses has been eliminated.

Villagers have charged that the written assent mandated by PESA for Hariharpur, Salhi and Fatehpur have been forged. In 2018, villagers were astounded by the enforcement of ‘fake’ Gram Sabhas conducted by bringing in people from faraway places who would not be displaced by the project. Despite filing complaints with the police and district collector, no action was taken. The matter is pending before the Chhattisgarh High Court, even as tree-felling on the disputed land continues apace. In October 2021, thousands from Hasdeo, including a 94-year old participant, marched by foot over 300 km. to Raipur to demand a probe into the matter. They met then-CM Bhupesh Baghel as well as then-Governor Anusuiya Uikey who assured them of a probe. Baghel has since been voted out of power while Uikey, formerly a BJP MP in the Rajya Sabha, has been shifted to Manipur.

The experience of villages like Ghatbarra is simultaneously one of the few examples of the successful implementation of certain provisions of the FRA as well as an example of severe and blatant violations of the spirit and content of the FRA.

Not only was Forest Clearance granted before the community had received their forest rights, forest rights were also revoked on the grounds that the community was using their rights to get in the way of mining activities. Aside from the complete lack of legal grounds to the revocation, the statement is also a clear indication that there was no intention for FRA recognition to be anything but a tokenistic gesture. This is indicative of the realities of forest rights in the country, that either remain entirely unimplemented and unheard of, or are only superficially implemented in ways that continue to undermine the communities’ forest rights in the interest of big capitalists. These projects are often justified in the name of giving employment to the ‘poor and backward’ Adivasis, but the systematic and blatant undermining of the FRA, which empowers traditional forest-dwellers to manage forest resources, only goes to show where the State’s real interests lie.





4. Adani's Path to Profits

Gautam Adani's carbon footprint is among the highest in the world, much of it from mining coal or generating thermal power. AEL-owned Adani Energy was the world's third largest carbon polluter in 2022 and just six AEL subsidiaries pumped out equivalent to 29,528 kilo-tonnes of carbon dioxide (Oxfam 2022). Much of this was coal-powered, with AEL emerging as the largest private coal-based energy producer in the country. The conglomerate owns nine operational or upcoming coal mines in India. Abroad, it is operating the Bunyu mine, on an island off the coast of Kalimantan in Indonesia, and the disputed Carmichael mine which is wrecking the sensitive marine ecosystem of Australia's Great Barrier Reef, home to one-tenth of all known aquatic species. It would take about 1,500 years for someone in the bottom 99 per cent to produce as much carbon as the Earth's richest billionaires do in a year. The carbon emissions of the richest one percent are set to be 22 times greater than the level compatible with the 1.5°C goal of the Paris Climate Agreement in 2030. By contrast, the emissions of the poorest half of the global population will remain at one-fifth of the 1.5°C compatible level.

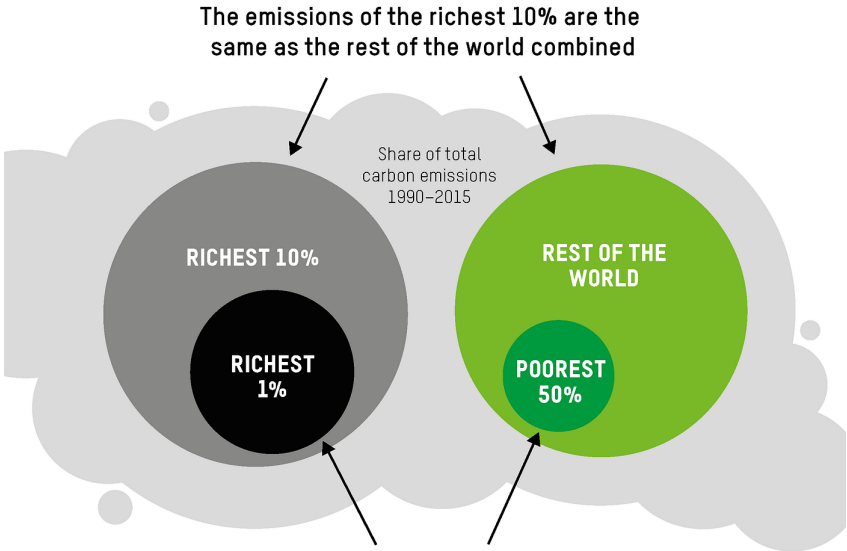
Despite serious environmental concerns around the highly de-

'Inappropriate' deal

How Adani Group remained the mine developer and operator (MDO) for two coal blocks post the 2014 Supreme Court judgement.



Fig. 4.1. Favours granted to Adani Enterprises Limited in Hasdeo (2006-20) (Al Jazeera 2023).



The richest 1% are responsible for double the carbon emissions of the poorest 50%

चित्र 4.1. Carbon inequality and class (Oxfam 2022).

structive nature of coal mining and worldwide acknowledgment of the unsustainability of coal-based power consumption, the nexus of State and corporate power continues to bulldoze its way to the mines. While we all remember the Coalgate scandal during the previous United Progressive Alliance regime, the Bharatiya Janata Party-led regime has gone leaps ahead in clearing the way for Adani-linked subsidiaries in particular to reap the benefits of the black gold. Within a year of assuming office, the Modi-led government introduced the Coal Mines (Special Provisions) Act, 2015, mandating the auctioning of all captive coal blocks allocated to private companies. Notably, it also allowed the government to assign blocks to state-owned enterprises and joint ventures between state-owned and private firms. This move effectively set aside the decisive Supreme Court verdict that cancelled the allocation of 204 coal blocks (including Parsa and PEKB) and described state-private joint ventures as a troubling trend (SC 2014).

All along, the government's primary justification for clearance and allocation of blocks within the Hasdeo Arand forest region has been coal-based power requirements for the state of Rajasthan. The plan proposed by the RRVUNL-AEL joint venture in 2011 was to extract about 140 million tonnes of coal from PEKB over a span of 15 years. Yet, in September 2020, RRVUNL under former Rajasthan CM Ashok Gehlot,

approached the MoEFCC for an expansion of mining into Phase II of PEKB, claiming that only 20 million tonnes of coal were left in the existing mines. This rapid depletion, along with records of coal freight transport from PEKB block obtained through RTI requests during an investigation by *Scroll* (2022), raise questions about where Hasdeo Aranya coal reserves are really going.

Facade of ‘Coal Quality’ to benefit Adani Enterprises Limited

In 2021, about 15 million tonnes of coal were sent from PEKB. This included two types: ‘washed coal’ and ‘reject coal’. Washing coal refers to the process of cleaning it to lower ash levels and increase energy output, and this process also creates ‘reject’ coal. Rajasthan’s agreement with Adani Enterprises states that it will accept coal of 4,000 GCV (gross calorific value) and only coal that is below this threshold needs to be washed. Two-thirds of the raw coal from PEKB meets this requirement and yet, Adani bills the Rajasthan government for washing it anyway.

While the washed coal is dispatched to power stations in Rajasthan (Chhabra, Kalisindh and Suratgarh) and Chattisgarh, PEKB’s ‘reject’ coal is dispatched to Adani’s power stations: Raipur Energen and Mahan Energen Limited. The Mahan plant is situated in Madhya Pradesh’s coal-rich Singrauli district. Surprisingly, Adani Power deemed it worthwhile to pay ₹1,228 per tonne in freight charges to transport reject coal to this area.

The price disparity between the coal purchased by RRVUNL and Adani Power is substantial, with the Rajasthan government-owned energy producer paying ₹2,175 per tonne compared to Adani Power’s ₹450

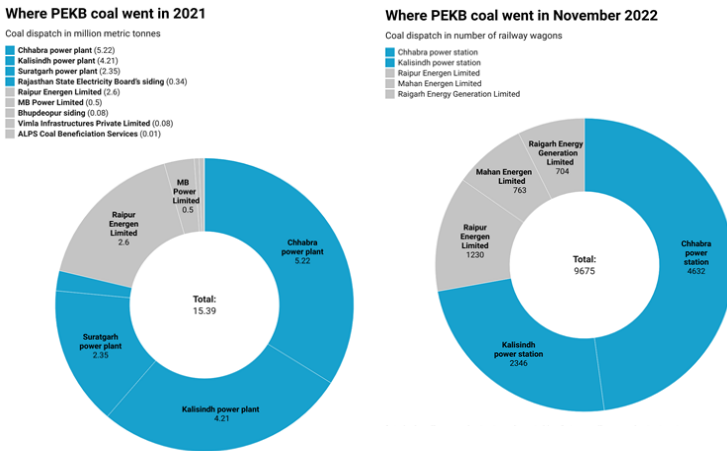


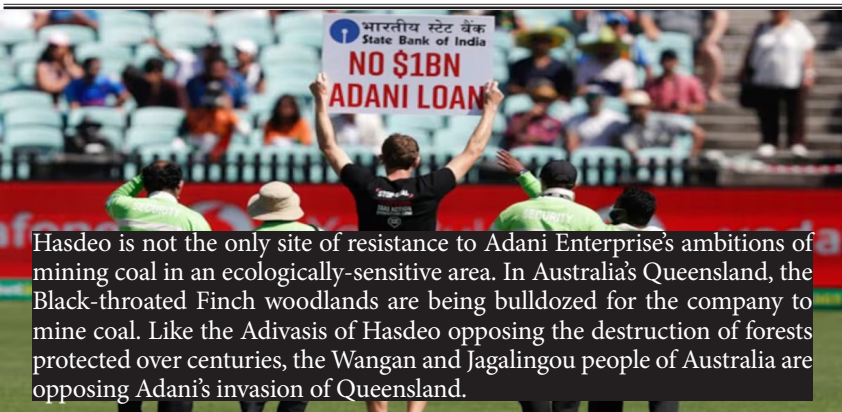
Fig. 4.2. Where PEKB coal went in 2021 (left) and 2022 (right) (Scroll 2022).

per tonne.

Chhattisgarh comes under the purview of South Eastern Coalfields Limited (SECL), a subsidiary of Coal India Limited, that provides coal to power utilities at discounted rates. With over 50 mines in Chhattisgarh, SECL offers an alternative source of coal compared to Adani-controlled PKCL. The difference in cost between SECL and PKCL amounts to ₹274.16 per tonne, excluding transportation charges. Adani Enterprise Limited's annual report for the 2016-17 financial year reveals that PKCL dispatched 7.33 million tonnes of washed coal to power plants during that period. This results in an annual excess payment of approximately ₹200.9 crore to PKCL compared to state-owned SECL's rate. Projected over the 30-year mining lease duration for Parsa East and Kanta Basan, this amounts to a cumulative excess payment of approximately ₹6,029 crore by RRVUNL to PKCL.

Rajasthan recently achieved full electrification, yet still heavily relies on coal, with half of its electricity sourced from PEKB. Former Chief Minister Ashok Gehlot pressed for expedited clearances for coal blocks in Parsa Kente due to shortages. Despite abundant sunlight and plans for 30 GW of solar power by 2019, Rajasthan's current 22 GW capacity includes 10 GW from coal-fired thermal power. Although the state is swiftly integrating solar and wind energy, it may take a decade for renewables to meet 75% of the state's power demand, according to estimates from the Institute for Energy Economics and Financial Analysis.

PEKB and Parsa are not enough. Since then, Adani-linked subsidiaries have grabbed four new coal blocks: Khargaon and Jhigador in Chhattisgarh, Dhirauli in Andhra Pradesh and Gondkhairi in Maharashtra. Pendrakhi in Hasdeo and other coal blocks in Madhya Pradesh's Singrauli are also of significant interest to AEL. The allocation of Gondbahera Ujheeni East coal block to AEL in 2022 also drew ire as it was the sole bidder at the auction. Gautam Adani's personal wealth grew by 46% that year (by 42 billion USD), making him the second richest person in the world.



Hasdeo is not the only site of resistance to Adani Enterprise's ambitions of mining coal in an ecologically-sensitive area. In Australia's Queensland, the Black-throated Finch woodlands are being bulldozed for the company to mine coal. Like the Adivasis of Hasdeo opposing the destruction of forests protected over centuries, the Wangan and Jagalingou people of Australia are opposing Adani's invasion of Queensland.



Epilogue: A Decade of Struggle

As this report goes to print, HABSS enters its 720th day of indefinite dharna (sit-in protest) against the extension of mining by Adani Enterprises Limited in the Hasdeo region. On 7 January 2024, a state-wide mass mobilisation by several democratic organisations to the protest site was brutally suppressed by the Chhattisgarh Police. Barricades stretched as far away from Hasdeo as Raipur and Bilaspur, over 300 kilometres away, as several of those vocal against the favouritism shown towards Adani Enterprises were pre-emptively detained. Under the new BJP-led state government, permissions for mass protests and padyatras (rallies) in solidarity with the HABSS were denied permission and dispersed by lathi-charge over the month of January.

On 26 February 2024, several mass organisations have called for a gherao (picketing) of the Chhattisgarh Vidhan Sabha against the tree-felling conducted at gunpoint in Hasdeo in December last year and various types of state repression faced by 24 different ongoing protest sites against forced displacement of Adivasis in the southern districts of Bastar. Echoes of Hasdeo can be heard as far away as in Madhya Pradesh and Rajasthan, where Adivasi communities have sensed the dark clouds gathering. Samyukt Kisan Morcha (SKM), the joint platform of farmers unions which spearheaded the historic Kisan Andolan against RSS BJP's farm laws in 2021, has also extended solidarity to the protesting Adivasi peasants.

Hasdeo, which holds less than two percent of the total coal reserves in the country, is not the only site of resistance against the ecologically-disastrous displacement of Adivasis from their forest-based sources of livelihood. There are over 200 coal blocks identified in Chhattisgarh itself, out of roughly 900 across the country of which only 153 blocks were classified as ‘no-go’ given their ecological sensitivity. As argued in [Chapter 4](#), several alternative captive coal blocks currently operated by Coal India Limited, a public sector utility, are in barren areas unsuitable for agriculture and can provide coal at a lower cost than Adani Enterprises’ mines in Hasdeo. It would be less burdensome on the public exchequer, ultimately passed on to residents of Rajasthan in the form of higher electricity bills, if these alternatives are explored along with non-coal sources of energy generation.

The sole reason Adani Enterprises Limited is engaged in a fear-some dog race to the bottom, uprooting countless lives in its wake, is that the coal in the Hasdeo region is located at a relatively shallow range and can be mined using open-cast methods at cheaper cost to the company. This is among the primary impetus for the residents of Hasdeo to be forcefully dispossessed of their Constitutionally-protected claims to the land, despite having protected the biodiverse region while using a range of forest products alongside two-crop agriculture in its fertile soil. The promises of alternative employment and rehabilitation, as surveyed by this fact-finding team, have been nowhere close to what was advertised at the time of beginning Phase I of mining in the initial blocks.



The rehabilitation colony in Kanta Basan lies empty.

A majority of those displaced appear to have become ‘untraceable’ on paper, while the compensation received by a few families in Kanta Basan in the form of ₹40 lakh lump sum pay-offs and a 350 square feet single-bedroom flat have been insufficient to rehabilitate them in alter-

native vocations and secure sources of income to rebuild their lives after mining-related displacement. Promises made by Adani Enterprises Limited to invest in social architecture, such as building primary schools and hospitals in the affected villages, have also been broken. As we surveyed the villages, this appeared to have taken the form of a few solar-powered street lamps and government-run primary schools and primary health-care centres being rebranded with the Adani Enterprises logo. Hariharpur residents alleged that few Adivasi students are admitted in these company-administered schools. This is far short of the commitments made on paper at the time mining first began.

The fact-finding team holds the actions of Adani Enterprises Limited responsible for the ongoing people's resistance in Hasdeo, which has shown great resilience over a decade of testing circumstances. Several regime changes at the Union and state level have failed to provide a democratic resolution to the issues raised by HABSS and other political forces involved in the Hasdeo people's movement. The violation of Constitutional provisions for Scheduled Tribes, such as the Forest Rights Act, 2006 and the Provisions of the Panchayats (Extension to Scheduled Areas) Act, 1996 has been driven by the financial interests of the Adani-led conglomerate.

That such people's struggles to safeguard the ecology and livelihoods continue, is testimony to the power of ordinary people to come together for universal causes that stretch beyond their immediate personal interests. Their resolute determination stands out, in having limited mining to a single block of the 23 coal fields identified for commercial coal. As expressed by Nandai Kumari Porte, a sexagenarian resident of Ghatbarra, "*Company baandhe apna boriya-bistar, loha-lakkad. Chale jai apna des... Nahi jayega toh kaatenge usske pahiyе. Hum hai Adivasi, maa-range chhar lathi.*" (Let the company pack up its belongings and go back to where it came from... We are Adivasi, we will jam its wheels and pick up lathis.)

The question of how long Nandai and others will be able to hold their ground is not politically foreclosed but indeterminate. It is contingent on the support they receive from the varied democratic and revolutionary forces battling corporate power, which enjoys unbridled dominance in India today. It calls upon every reader to engage creatively, to generalise the torch of resistance held up by the Adivasi residents of Hasdeo Aranya. This is a plea to act with the sense of urgency that the current global ecological crisis demands of each one of us.

Appendix A: Timeline of Events

2005

- The Chhattisgarh state assembly unanimously approves a proposal to turn 450 sq. km. of Hasdeo Arand forest region into Lemru Elephant Reserve.

2007

- MoEFCC approves the proposal for Lemru Elephant Reserve.
- Parsa Kente Collieries Limited (PKCL) is formed: joint venture between Adani Enterprise Limited (AEL: 74%) and Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RRVUNL: 26%) for their two thermal power projects viz. Chabra Phase II and Jhalawar projects. 30 year contract in two phases.

2008

- 5 February, 2008: Confederation of Indian Industry (CII) state chief writes to the forest department arguing that the proposed sanctuary will block at least 40 million tonne per annum (MTPA) of coal production and requests that the sanctuary be moved elsewhere. The department reduces the area of the reserve and eventually scraps the entire proposal. The decision to drop Lemru was never made public.
- Adani Mining Private Limited (a wholly-owned subsidiary of AEL) given the sub-contract of mine development and operations. Adani enters power production with Rajasthan discoms with Baran plant using imported coal from Indonesian mines.

2010

- Union Ministry of Coal and MoEFCC marks the entire Hasdeo Arand region as a proposed 'no go' area for coal mining.

2011

- 20-21 June, 2011: The proposal for diversion of 1,898 hectares of forest land in the Surguja district of Chhattisgarh was considered by the Forest Advisory Committee (FAC) of the MoEFCC in its meeting. Rejected clearance.
- 23 June, 2011: Environment Minister Jairam Ramesh rejects FAC recommendations and grants forest clearance for PEKB Stage 1 (762 hectares) mining.

2012

- 15 March 2012: PEKB Stage 2 approval granted.
- Petition is filed against approval in the NGT.

2013

- AEL subsidiary appointed Mine Developer and Operator (MDO) of RRVUNL, along with three other blocks in Chhattisgarh and Odisha.
- 2013-14: Work begins, with the Adani sub-contract extending for 30 years, permitting the operation to extract and supply 10 MTPA coal.
- September, 2013: 24 Community Forest Rights (CFR) claims are recognised, including that of Ghatbarra.

2014

- January, 2014: Public meeting in Salhi village against the proposed coal mining projects in Hasdeo.
- 24 March 2014: Acting on the petition, NGT quashes the forest clearance and orders a stay on mining operations in PEKB. It further instructs the Wildlife Institute of India (WII) and the Indian Council of Forestry Research and Education (ICFRE) to conduct a study on biodiversity and endemic species in the Hasdeo Arand region and assess its ecological conservation value. The same month, a demonstration was held against the public hearing of Parsa coal mine in Hariharpur village.
- April, 2014: The Supreme Court allows for mining to resume by placing a stay

on the NGT's decision regarding PEKB until further notice by the Environment Ministry.

- May - June, 2014: Community March to 'Save Hasdeo Aranya' is carried out from village to village, culminating with a convention at Morga village.
- 24 September, 2014: The Supreme Court, in another case, cancels coal-block allocations for several mines, including PEKB mine. Court declares joint ventures such as PCKL to be illegal.
- 24 December, 2014: Union government re-issues ordinance to auction land and forest across 90 coal blocks to permit mining of coal. 16 villages hold Gram Sabhas and pass resolutions opposing coal-mining in the Hasdeo Arand region.

2015

- March, 2015: Coal Mines (Special Provisions) Act amended by the Modi-led Union government to allow coal blocks to be re-auctioned to private companies or allocated to government entities. It once again allocated the PEKB block to RRVUNL, which simply appointed the same joint venture as MDO. Other blocks like Parsa and Kete Extension were also granted to Adani. Adani-linked subsidiaries are the sole beneficiaries of this amendment.
- May, 2015: Protest in Korba opposing the allocation of coal blocks in Hasdeo and demanding implementation of CFR in Hasdeo.

2016

- March, 2016: Local district administration cancels the CFR of Ghatbarra village. The law does not provide for such a cancellation and the Gram Sabha approached the Chhattisgarh High Court against this decision. The case is still pending. Protest held in Ambikapur.
- June, 2016: Environment Day observed in Madanpur village with the theme 'Role of Gram Sabha in self-governance and environment conservation'.

2017

- February, 2017: Protest and rally in Podi Uproda against violation and non-implementation of FRA 2006.
- September, 2017: Protest in Udaipur against the violation of PESA and FRA laws.

2018

- 25 January, 2018: FAC discusses PEKB project again and, considering that mining has already taken place, declares it *fait accompli*.
- February, 2018: General meeting and rally in Morga demanding cancellation of all the coal blocks in Hasdeo.
- August, 2018: FAC permits expansion of production capacity from 10 to 15 MTPA.

2019

- 15 January, 2019: FAC grants in-principle approval to mining in the Parsa coal block. WII-ICFRE studies are conducted that month.
- 13 February, 2019: Stage 1 Forest Clearance is granted to Parsa coal mine. Gram Sabha organised in Morga village later this month.
- March, 2019: Padyatra from Hariharpur to Udaipur to cancel the fake Gram Sabha resolution of Parsa coal mine.
- June, 2019: Protest mounted outside the Indian High Commission in Canberra, Australia, to show solidarity with the Adivasi people's resistance to Adani's proposed Parsa mine.
- 12 July, 2019: Environmental Clearance is granted for Parsa coal mine to operate at 5 MTPA.
- October - December, 2019: 75 days-long protest in Fatehpur village demanding cancellation of forest clearance of Parsa coal block obtained on the basis

of forged Gram Sabha documents and illegal land acquisition proceedings.

- November, 2019: Diwali celebration with cultural program in protest site at Fatehpur. Later, SC admits a public interest litigation (PIL) plea challenging the mining clearance granted to RRVUNL in Hasdeo Aranya for the Parsa coal blocks. Several outfits join the batch of pleas, including the HABSS.

2020

- December, 2020: Despite the mine being sub-judice in several courts on different grounds, the Chhattisgarh Environment Conservation Board (CECB) issues formal consent to establish the Parsa coal mine.

2021

- WII and ICFRE studies submitted to the Supreme Court.
- 2-14 October, 2021: 300 km. march from Madanpur to Raipur by HABSS. Memorandum submitted to then CM Bhupesh Baghel after the padyatra. Meeting with Governor Anusiya Uikey after the rally and submission of memorandum demanding the investigation of forged Gram Sabha for Parsa coal block forest clearance.
- 21 October, 2021: Stage 2 Forest Clearance granted to Parsa coal mine.
- November, 2021: Association of Power Producers writes to the coal ministry to open up for auctions two coal blocks: one, in Madhya Pradesh's Singrauli coalfields, close to a thermal power plant the Adani Group acquired in March 2022, and another, Pendrakhi, in Hasdeo Arand forests, adjacent to blocks mined by AEL.
- December, 2021: A convention is organised in Madanpur village to celebrate Shaheed Veer Narayan Singh Day.

2022

- February, 2022: MoEFCC approves environmental and forest clearance for PEKB Phase II mining projects.
- March, 2022: Chhattisgarh government grants approval for expansion of PEKB Phase II coal blocks under Hariharpur. HABSS begins an indefinite protest demanding cancellation of forest clearance and land acquisition.
- 6 April, 2022: Chhattisgarh state government issues final order under Section 2 of Forest (Conservation) Act for forest clearance to Parsa Coal Mine.
- 26 July, 2022: Hasdeo people's struggle forces the Chhattisgarh state assembly to pass a unanimous resolution (supported by the INC and BJP) calling for the Union government to cancel all coal blocks in Hasdeo Aranya, 2,000 sq. km. designated as a mining-free Lemru Elephant Reserve.
- Mining halted temporarily in mid-August amid protests and opposition.
- 26 September, 2022: Deforestation begins and 43 acres of forest land is cleared for mining as part of PEKB Phase II.

2023

- 12 July, 2023: MoEFCC grants clearance for PEKB expansion from 15 to 21 MTPA.
- 21 December, 2023: A week after the BJP forms the state government with Vishnu Sai Deo elected CM, deforestation of 91 hectares of forest land takes place in PEKB Phase II.
- 28 December, 2023: Citizens' Resistance March is held in Raipur against destruction of Hasdeo forests. A memorandum is submitted to the Governor and a call is given for a Hasdeo Chalo march on 7 January.

2024

- 7 January, 2024: *Hasdeo Chalo* march is disrupted with heavy statewide police deployment. Farmer leaders from SKM extend solidarity to the struggle.
- 8 February, 2024: 30 Opposition MLAs suspended from Chhattisgarh state assembly for raising the issue of tree-felling.

Appendix B: Notes

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Have you heard about Hasdeo?

Where India's largest contiguous forest is being cut down

And hundreds of endangered and vulnerable species left without a home

But Adivasis are fighting with their lives to save their livelihoods

A people's struggle of over 13 years against Adani Enterprises Limited, headed by Asia's richest man with friends in high places.

