

BALLOT AND LAND

How land conflicts define communities' demands ahead of general elections





**Land Conflict
Watch**

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EXECUTIVE SUMMARY

- Out of the 781 conflicts in the Land Conflict Watch (LCW) database, 264 conflicts were mapped to parliamentary constituencies that have Forest Rights Act (FRA) implementation as an important electoral factor, or the 'FRA constituencies' as identified by the *People's Forest* report. These FRA-significant constituencies see a higher incidence of land conflicts. Within this classification, critical value constituencies see the highest number of conflicts.
- In these FRA constituencies, 117 land conflicts directly affect forest-dwelling communities eligible for or having individual and community forest rights. These conflicts involve 2,10,949.74 hectares of land and affect at least 6,11,557 people.
 - At least 44 per cent of these 117 conflicts were triggered due to conservation and forestry projects, such as plantations, and involved forest administration and protected areas management. This indicates that the primary adversarial party in conflicts posing a risk to forest land rights of communities is the Forest Department. Other significant sectors triggering land conflicts are the mining sector (16 per cent cases) and the power sector (15 per cent cases).
 - The majority of conflicts (88.1 per cent) involve the non-implementation or violation of key provisions of the FRA, such as the prohibition on evicting forest-dwelling communities before their rights claims have been vested or the requirement to obtain prior consent from the Gram Sabha before diversion of land to other uses. Other contentious legal issues in these conflicts include the lack of legal protection over land rights (49.15 per cent) and forced evictions and dispossession of land (40.68 per cent). These issues indicate that communities eligible for forest rights are facing evictions due to non implementation of the FRA, wrongful rejection of claims and forest diversions.
 - In 63 (53.4 per cent) conflicts, affected communities use the land for extraction of natural resources, such as minor forest produce, followed by agriculture (34.7 per cent) and residential purposes (33.9 per cent).
 - At 60.2 per cent, the legal recognition of land rights is the most frequent demand raised by the affected communities. This is followed by demands to retain access to common lands and associated resources (55.93 per cent) and complaints against procedural violations in land transactions (52.5 per cent). These demands revolve around the main contention to formalise the land rights held by communities under the FRA, and to govern and manage the community forest resources.

- From the 781 ongoing conflicts in the LCW database, 187 cases emerged from 69 reserved parliamentary constituencies. Out of these, 110 conflicts are in constituencies reserved for Scheduled Tribes (STs) and 77 cases are from constituencies reserved for Scheduled Castes (SCs).
 - The majority of conflicts in reserved constituencies occur over common land, both community forests and non-forested commons (86.09 per cent). Unreserved constituencies see a higher frequency of conflicts over private land, i.e., revenue patta lands (23.39 per cent) as compared to conflicts in reserved constituencies involving private land (13.9 per cent). This indicates a lower rate of private land ownership among populations in reserved constituencies.
 - In ST-reserved constituencies, conflicts on an average see complaints against procedural violations in land transactions more frequently (in 67.53 per cent of 110 conflicts). Other legal issues in these conflicts include the non-implementation of FRA provisions (37.27 per cent of 110 conflicts). In these constituencies, communities regularly face forced evictions that do not follow due process.
 - In reserved constituencies, the most common economic activities involved in conflicts are infrastructure projects, followed by land use and mining activities. In SC-reserved constituencies particularly, roads and railways projects are the leading cause of land conflicts.
 - According to the *People's Forest* report, Maharashtra, Odisha and Madhya Pradesh have the maximum number of core FRA constituencies. The states with the leading number of land conflicts involving forest rights issues in FRA-critical constituencies are Odisha, Chhattisgarh and the union territory of Jammu and Kashmir.
 - According to the latest data by the Ministry of Tribal Affairs, the highest number of pending FRA claims (3.29 lakh) are in Telangana. It is followed by Maharashtra (1.16 lakh), Gujarat (85,591), Odisha (29,125) and Karnataka (24,894). Additionally, over 17.5 lakh claims have been rejected so far. However, affidavits filed by state governments, following a 2019 order by the Supreme Court, showed that many of the earlier FRA claims were wrongfully rejected. Communities in such pending and wrongful rejection cases are vulnerable to forced evictions and displacement due to several infrastructure or conservation and forestry projects.

INTRODUCTION

India is witnessing the world's largest democratic election in 2024. National and regional political parties are walking the extra mile, with several promises in their election manifestos to woo a total of 96.88 crore Indians, who will be eligible to vote this year.¹ The heated election campaigns and promise-laden manifestos have paved the way for often-ignored issues, largely affecting the more vulnerable population of the country, to become part of the national political discourse. As a result, issues surrounding Adivasis and other marginalised communities and their land rights, which often get sidestepped², have found a mention in election "guarantees" this year.

India's Adivasi communities see high rates of poverty, malnutrition and disease³. The union government has noted from time to time that indications of primitive traits, backwardness and geographical isolation should be considered for specification of a community as a Scheduled Tribe⁴. However, there's seldom any mention of how these vulnerable communities are affected by land alienation.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Forest Rights Act, 2006 or FRA) was enacted to undo historical wrongs of denying these communities any sort of formalised rights over the land that they have protected and resided on for generations. The landmark legislation allowed forest-dwelling communities to claim ownership, management and access rights over their traditional forest land.

In our 2022 research report titled "*Land Locked: Investments and Lives in Land Disputes - State of Land Conflicts in India 2022*", we had highlighted that FRA and its non-implementation played a key role in over 180 land conflicts⁵. These land conflicts affected generations of Adivasi communities in several states/union territories. A recent study titled "*People's Forest: Advancing a People's Agenda for 2024 General Elections*," estimated that 153 parliamentary constituencies have significant potential for recognition of forest rights under FRA. Overall, there are 543 parliamentary constituencies, each of which elects one member to the Lok Sabha, the lower house of the Parliament. The study further stated that at least 30 million hectares of forest land could be vested with Gram Sabhas across the country under Community Forest Rights (CFR).

In this report, we attempt to analyse land conflicts in which the affected people belong to marginalised communities, particularly Adivasi communities, who are eligible for individual or community forest rights under FRA. In view of the upcoming elections, we have mapped

these land conflicts against parliamentary constituencies and potential FRA constituencies listed in the *People's Forest* report. This was done to analyse systemic issues and processes, particularly in the process of recognition and vesting of rights under the FRA, that induce or aggravate land conflicts. The land-conflict case studies around the implementation of the FRA provide an additional layer of dataset, based on on-ground data collection, highlighting the importance of forest rights in these constituencies.

We further analyse land conflicts in ST/SC reserved constituencies and dig into the intensity of non-implementation of FRA, the significance of land for affected communities, demands and contentions of the communities, instances of constitutional rights violations and key activities that trigger these conflicts. Whereas conflicts in unreserved constituencies also involve populations from marginalised castes, looking at conflicts in reserved constituencies helps us examine how land conflicts tend to affect more vulnerable communities. The trends emerging from these regions are meant to illustrate what issues may impact Dalit, Bahujan and historically landless communities.

We also highlight the current status of FRA claims across states and touch upon the on-ground implications of delayed/non-implementation of the law.

This report intends to shed light on issues that disempower communities from their landholdings, and their demands to facilitate more informed discussions on FRA-related issues, ahead of the general elections.

¹ *The Hindu Bureau*, "Nearly 97 crore people eligible to vote in coming Lok Sabha polls: EC", *The Hindu*, February 9, 2024, <https://www.thehindu.com/news/national/india-has-nearly-97-crore-voters-now-says-ec/article67828780.ece>

² Nileena MS, "Despite platitudes, the BJP and INC sidestep Adivasi land rights in Chhattisgarh campaign", *The Caravan*, November 14, 2023, <https://caravanmagazine.in/politics/bjp-inc-land-rights-chhattisgarh-ativasi>

³ Patrik Oskarsson, "Adivasi Land Rights and Dispossession." *Landlock: Paralyzing Dispute over Minerals on Adivasi Land in India*, 14:29–50. ANU Press, 2018. <http://www.jstor.org/stable/j.ctv75d8rq.8>.

⁴ Ministry of Tribal Affairs, "Change in Criteria for inclusion in ST List", Press Information Bureau, Government of India, December 28, 2017, <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1514486>

⁵ Mrinali K., Anmol Gupta, and Mukta Joshi. "Land Locked: Investments and Lives in Land Disputes - State of Land Conflicts in India 2022," *Land Conflict Watch*, December 2022

⁶ Soz and Tushar Dash "People's Forest: Advancing a People's Agenda for 2024 General Elections", 2024, fra.org.in.

METHODOLOGY

Land Conflict Watch (LCW) has developed peer-reviewed protocols, standards and methodology for data collection, research and analysis. These were fine-tuned with the help of academicians, researchers and practitioners working in the field of land governance.

LCW collects data on 70 quantitative and qualitative parameters for every land conflict it maps. These parameters include information on the number of people impacted, investments affected by the land conflict, land area affected, land tenure systems, the parties involved and their demands. LCW also conducts an independent legal analysis of each conflict by documenting legislations involved in the conflict, contentious legal issues and other details such as ongoing litigation. A cross-referenced narrative summary of the conflict also documents why and how the conflict emerged and evolved. If a conflict ended or was resolved eventually, LCW records the reasons behind its closing or resolution.

Official, administrative and legal records pertaining to the conflict are gathered and maintained as evidence to support the data. This information is supplemented by interviews carried out by LCW field researchers, who source additional information from the affected parties. The LCW team consists of field researchers, coordinators, reviewers, legal researchers and data analysts—each has clearly defined roles in the process of conflict identification, data collection, verification and analysis.

For the purposes of this report, each land conflict in the LCW database was mapped to the respective parliamentary constituency from information available in the public domain. However, conflicts in the north-eastern state of Assam and the erstwhile state of Jammu and Kashmir have been segregated on the basis of pre-delimitation information due to non-availability of updated data.

Further, for the purposes of this report, each land conflict in the LCW database was also classified on the basis of whether it fell within parliamentary constituencies where Forest Rights Act could be an important electoral factor, or the FRA constituencies defined by the *People's Forest* report 2024. The report categorises parliamentary constituencies into five categories: Critical Value, High Value, Good Value, Medium Value and Marginal Value. The constituencies were categorised based on the percentage of voters eligible for FRA, where the FRA was likely to be an important electoral factor. All ST-reserved constituencies that have more than 10 per cent electors as potential Forest Rights holders were considered having critical value of FRA as an electoral factor while those with less than 10 per cent were

defined as having good value. And, for the unreserved constituencies, the criterion for FRA's value as an electoral factor are given in Table 1.

Table 1: Criterion for deciding Value of FRA as an electoral factor in unreserved Parliamentary Constituencies

Value of FRA as an electoral Factor	% Electors are potential FR holders
Critical Value	>60%
High Value	50-60%
Good Value	30-50%
Medium Value	20-30%
Marginal Value	<20%

Source: People's Forest: A tool for agenda setting for 2024 General Election

Both reserved and unreserved parliamentary constituencies falling in the first four categories – Critical, High, Good and Medium Value – have been named as core FRA constituencies. These core FRA constituencies have been used to identify key land conflicts which involve FRA implementation issues.

KEY CONCEPTS AND DEFINITIONS USED IN THE STUDY

A **land conflict** is defined as any instance in which the use of, access to, ownership of and/or control over land and its associated resources are contested by two or more parties, and where at least one of the contesting parties is a community (group of families). The LCW database records only those conflicts for which documentary (and/or audio-visual) evidence of such an ongoing contest is available for verification. Land conflicts between two private parties are excluded unless the particular conflict has a larger underlying public interest.

Land conflicts are marked either as **resolved**, **closed** or **ongoing**. Resolved conflicts only include land conflicts where contesting parties have arrived at a consensus. Conflicts which have become inactive on the ground are categorised as closed conflicts. In such conflicts, a consensus may or may not have been reached. This study analyses only the currently ongoing conflicts.

The **affected area** for every conflict is defined as the extent of land area under contention. This could be different from the area of the project/activity causing the conflict, as the entire area of the project/activity may or may not be contested.

In the case of private land, the **affected population** for every conflict includes people who hold or claim legal and rightful tenure over the conflict-affected land or depend on it for their livelihood. In the case of common land, people who have a stake in the contested land parcel and the services it provides, or who depend on it for their livelihoods, are considered the affected population. For all calculations, a household comprises an average of 4.8 individuals, as per Census 2011 data.

A complete list of the terms used in this report can be found in Appendix I. A complete list of researchers contributing to the recording of conflicts used for this report can be found in Appendix II.

CHAPTER 1

Land Conflicts in FRA-significant Constituencies

OVERVIEW

Between November 2016 and March 2024, 871 land conflicts have been documented in the Land Conflict Watch (LCW) database. Among which, 781 conflicts are currently ongoing while the rest have ended in due course. In the ongoing conflicts, disputing parties are yet to arrive at a consensus and the affected communities are continuing to protest against the competing interests over the disputed land. For the purposes of this report, these 781 conflicts have been mapped over the parliamentary constituencies for a systematic analysis across some of the key parameters which can help explain the factors driving the discourse around land conflicts in those constituencies. A complete list of the constituencies which see land conflicts along with the number of recorded land conflicts have been included in Appendix III.

The *People's Forest* report classifies 153 parliamentary constituencies as 'core FRA constituencies'⁷. After segregating the 781 ongoing land conflicts present in the LCW database, 264 land conflicts were identified as falling within these core FRA constituencies.

Graph 1 shows the distribution of these conflicts across the categories of FRA constituencies proposed in the *People's Forest* report. According to the report, these critical value constituencies see a significant proportion of the population eligible for forest rights. At least 100 of the 264 conflicts (37.26 per cent) fall within these critical value constituencies.

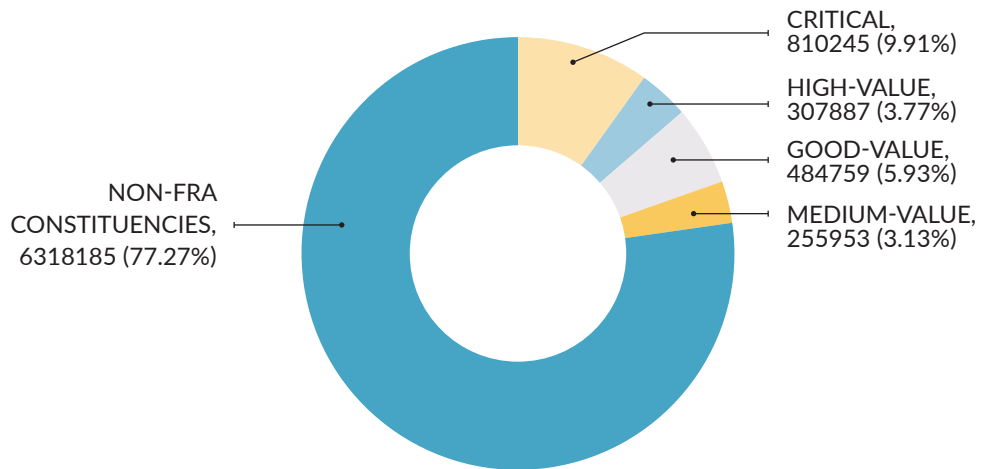
Overall, a total of 18,58,844 people and 5,38,978.59 hectares of land have been affected due to these 264 conflicts.

Graph 2 shows the distribution of the total number of people affected across the categories proposed by the *People's Forest* report for FRA-significant constituencies. Graph 3 also shows the distribution of land area affected in hectares.

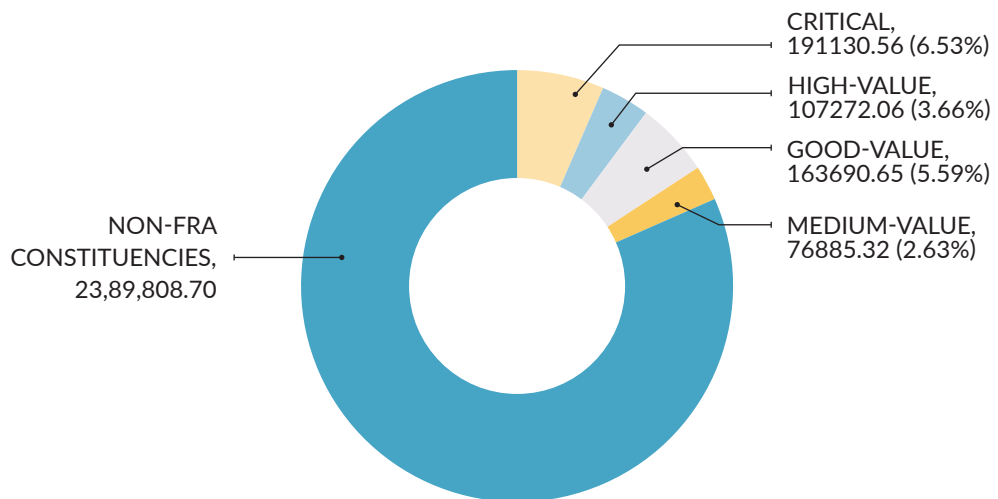
Graph 1. Distribution of land conflicts across core FRA constituencies



Graph 2. Distribution of people affected by land conflicts across core FRA constituencies



Graph 3. Distribution of land area affected by land conflicts across core FRA constituencies

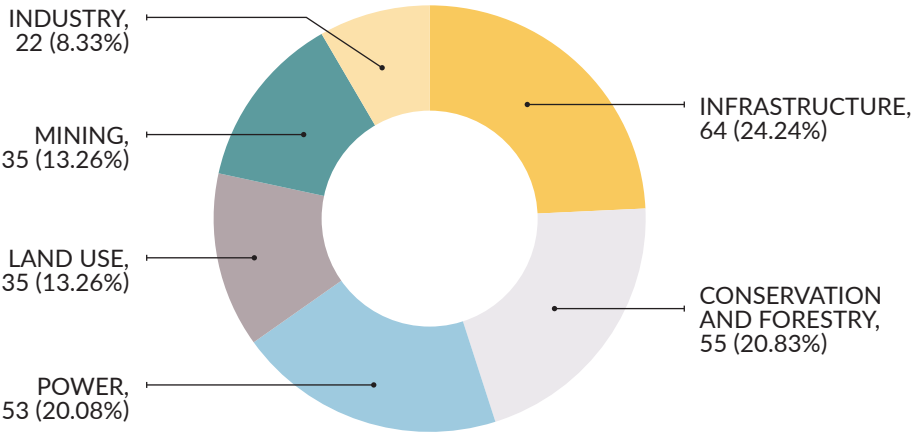


While the LCW database is not an exhaustive record of all land conflicts, it is evident from graph 1 that the FRA-significant constituencies see a higher incidence of land conflicts. Within this classification, critical value constituencies see the highest number of conflicts. In fact, 73.33 per cent of the critical value constituencies see at least one conflict recorded. 98 land conflicts were recorded in these constituencies. Koraput in Odisha saw the largest number of conflicts in this group (with 8 conflicts).

Similarly, almost all the high value FRA constituencies (10 out of 11 or 90.9 per cent) saw at least one conflict recorded. Kalahandi in Odisha and Outer Manipur in Manipur saw at least 12 land conflicts each. In comparison, only 45 per cent of the non-FRA constituencies see at least one recorded land conflict.

A legal analysis of these 264 conflicts was conducted first to identify the core legal framework that either triggered or prevented the resolution of conflicts. In the LCW database, an independent legal review is conducted for each conflict based on contentious legal issues present in the conflict. These contentious legal issues include situations and/or issues in a land conflict where a question of law is involved, and which aggravate a land conflict or prevent its resolution. Such situations and issues may or may not be covered under existing legislation. They may also arise out of violation of laws.

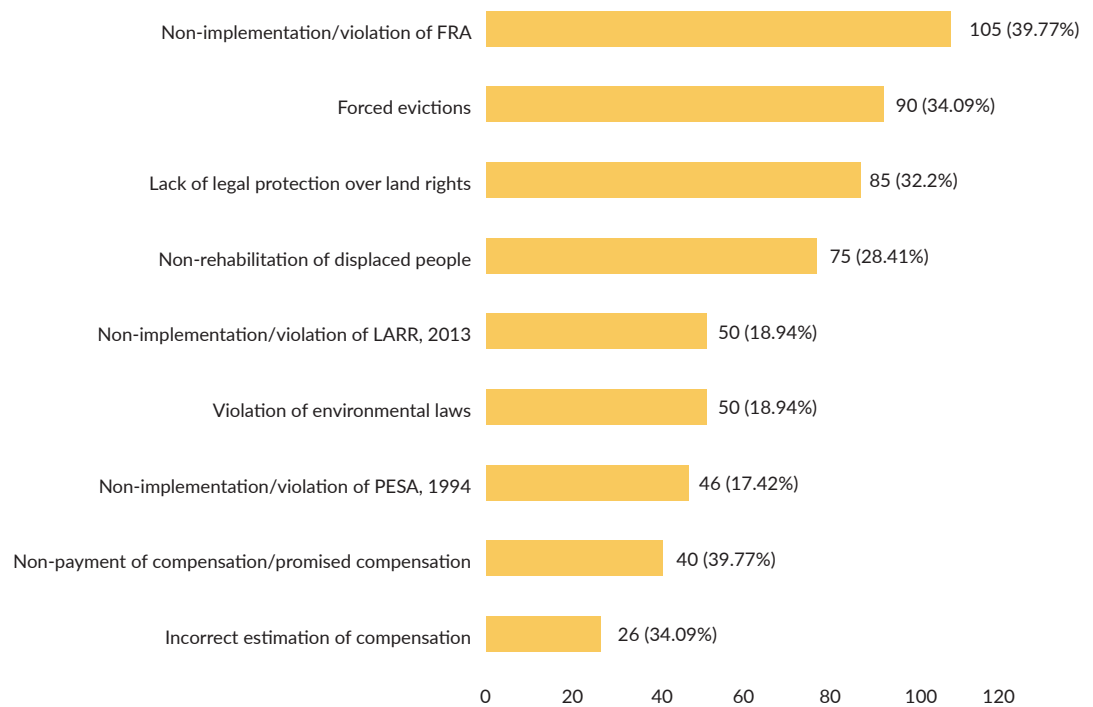
Graph 4. Sector-wise distribution of conflicts in FRA constituencies



Graph 4 shows the distribution of conflicts in the core FRA constituencies based on the sector. A sector is the broad category of the activities that induce conflicts. Since neither the government nor academia have a universally accepted categorisation of the economic or social activities that induce land conflicts, LCW has classified these activities into six broad categories – infrastructure, power, mining, industry, conservation/forestry and land use⁸. A list of activities clubbed under each sector is given at Appendix I.

Infrastructure is the leading sector contributing to land conflicts in the FRA-significant constituencies (with 64 or 24% conflicts). The next two leading sectors are Conservation and Forestry (20.83%) and Power (20.07%).

Graph 5. Most frequently occurring contentious Legal Issues and Processes in conflicts in core FRA constituencies



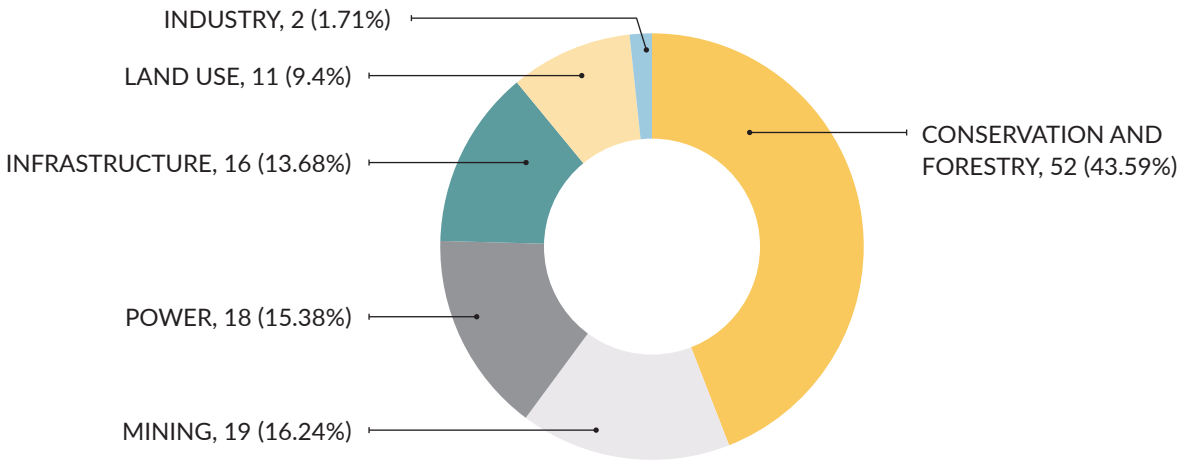
Graph 5 shows the prevalence of contentious legal issues or processes in conflicts in the core FRA constituencies. From these 264 conflicts, the most frequent contentious legal issue is the non-implementation or violation of the Forest Rights Act (FRA), 2006. These conflicts often involve the FRA process being stuck in the verification stage for years. The lack of settlement of claims makes communities vulnerable to the risk of being subjected to forced evictions. The lack of legal recognition of their land rights further paves the way for various agencies to acquire land without providing rehabilitation options or compensation for denied access to collect forest produce on which the majority of these communities rely on for their livelihood. In most cases, more than one legal issue/process highlighted above overlap with each other.

ANALYSIS OF CONFLICTS INVOLVING FRA COMMUNITIES

A closer look at conflicts involving communities affected by FRA can help explain issues surrounding land conflicts related to forested commons. Among the conflicts falling in core FRA constituencies, 117 conflicts involved communities eligible for FRA or those already granted forest rights. These conflicts affect 6,11,557 people and see 2,10,949.74 hectares of land being in dispute. In the section below, we took a closer look at these conflicts alone.

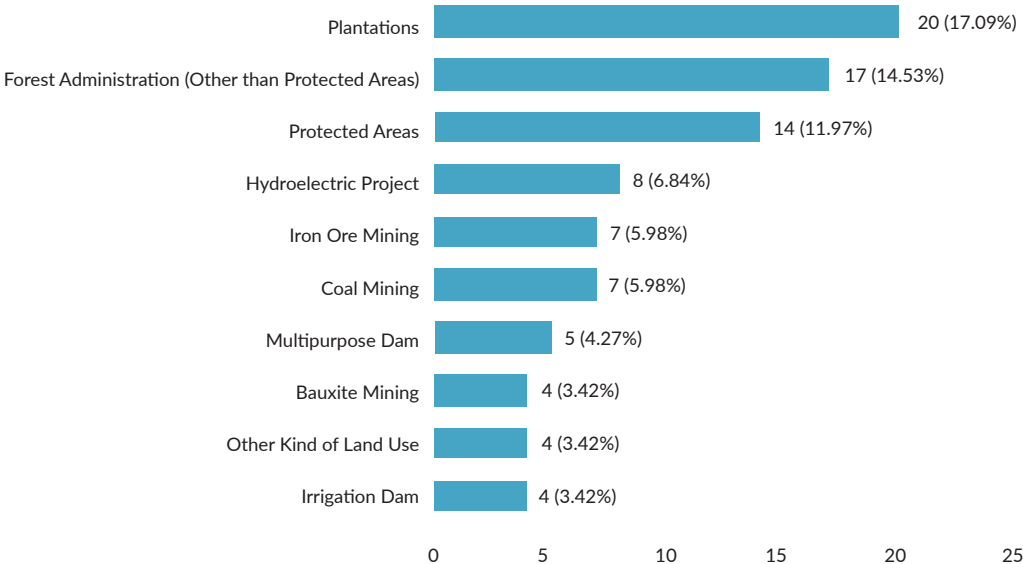
An analysis of the activities that trigger these conflicts show that nearly half of the 117 conflicts involving FRA communities were triggered by the Conservation and Forestry sector (44 per cent). The next leading causes are the mining (16 per cent) and power sectors (15 per cent).

Graph 6. Sector-wise distribution of conflicts involving FRA communities



Graph 6 shows the distribution of sub-sectors behind the 117 FRA-related conflicts. The three leading causes under the conservation and forestry sector include: plantations, forest administration and protected areas management. This indicates that the primary adversarial party in conflicts where forest land rights of communities are contested is the Forest Department.

Graph 7. Most frequent sub-sectors seen in land conflicts involving FRA communities

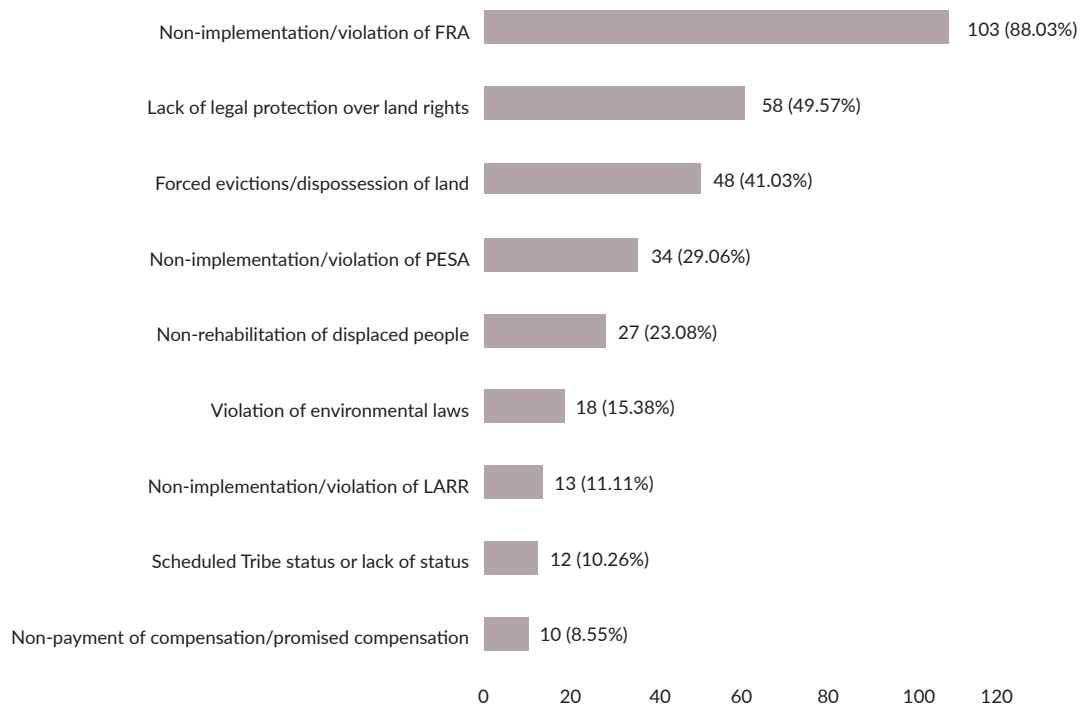


CONTENTIOUS LEGAL ISSUES AND LEGAL PROCESSES

Graph 8 shows the distribution of contentious legal issues or processes involved in conflicts related to implementation of FRA. The overwhelming majority of conflicts involve the non-implementation or violation of the provisions of FRA (88.1 per cent). The next most frequently recorded legal issues involve the lack of legal protection over land rights (49.57 per cent) and forced evictions and dispossession of land (41.03 per cent).

It is necessary to note that these three legal processes often occur simultaneously. The FRA contains provisions to prevent the eviction of FRA right holders, regardless of whether the FRA recognition and vesting process has been completed. Evictions carried out without giving the evictees prior notice or an opportunity to contest the proceedings are termed as forced evictions. In the case of FRA communities, forced evictions would also mean carrying out evictions without completing the process of forest rights recognition. Additionally, 27 conflicts (or 23.08 per cent) involve the non-rehabilitation of displaced people. Together, these processes indicate that communities eligible for forest rights are facing large scale evictions.

Graph 8. Most frequently occurring contentious legal issues in land conflicts involving FRA communities

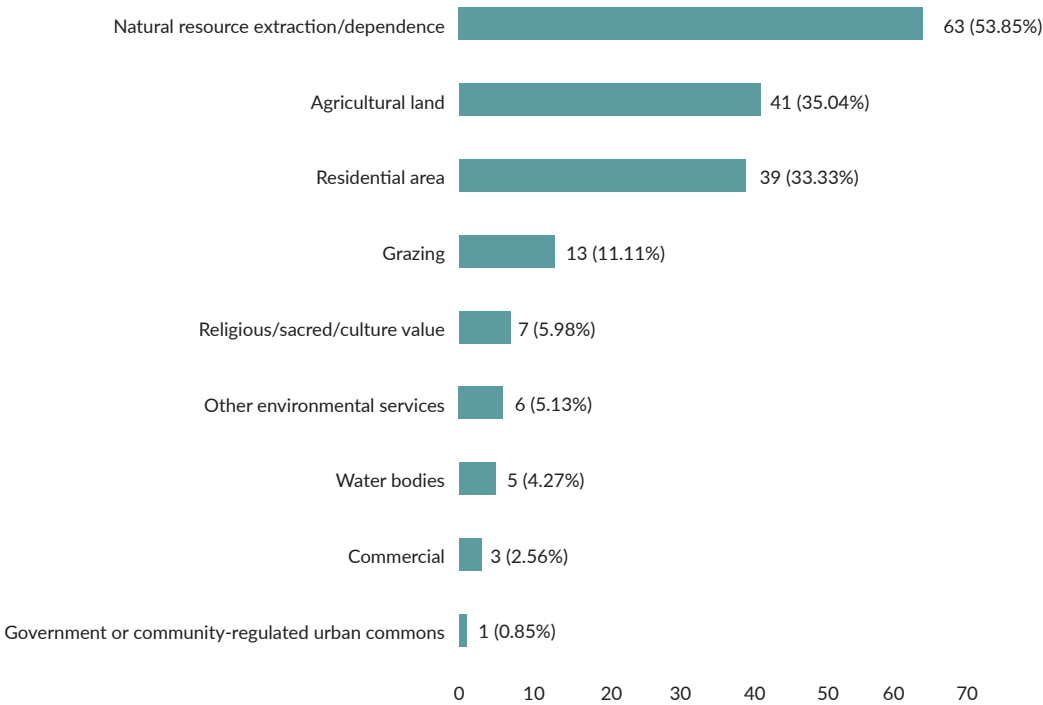


SIGNIFICANCE OF LAND

The Forest Rights Act (FRA), 2006 enables tribal communities and forest-dwelling citizens to claim legal rights over the forest land they have occupied for generations. Most of these tribal communities depend on forest produce for their livelihood, but are denied access and authority to manage the forest due to non-implementation or violation of FRA resulting in them being robbed of their land rights.

Graph 9 shows the significance of land to the affected communities in the 117 conflicts involving the implementation of FRA. The most frequent land use seen in such conflicts is for extraction of natural resource extraction, such as minor forest produce or water crops (in 63 cases or 54 per cent). The other significant land uses include agriculture (in 41 cases or 35 per cent) or for residential purposes (in 40 cases or 33 per cent). This indicates that FRA communities are not only dependent on forestland for their livelihood but also for shelter. Evictions in such cases would entail dispossession of land which has been historically the source of livelihood for many communities. Without rehabilitation, such communities would not have provisions for shelter or a source of revenue.

Graph 9. Significance of Land to Communities in FRA-related conflicts



TYPE OF LAND

Nearly 95 per cent of the 117 conflicts involving the implementation of FRA in potential FRA constituencies occurred in rural regions. This is largely due to forestlands being located largely in the rural regions of the country.

Significantly, the majority of these 117 conflicts occur over common land in some way (in 113 or 97 per cent cases). This is largely due to the nature of land rights held by the communities, i.e., community management of common property resources. Further, regardless of whether community forest rights have been granted over a piece of land, forestland has historically been recorded as government land or land vested with the government, particularly the state Forest Department. In such cases, we classified the land ‘common’ due to non-private ownership.

The overwhelming majority of these conflicts (108 of the 117 or 92%) see forested commons being affected. Whereas 48 conflicts see both forested and non-forested commons (such as grazing lands, water bodies etc.) being used, it is evident that the majority of these conflicts involve communities who reside in and around forestland.

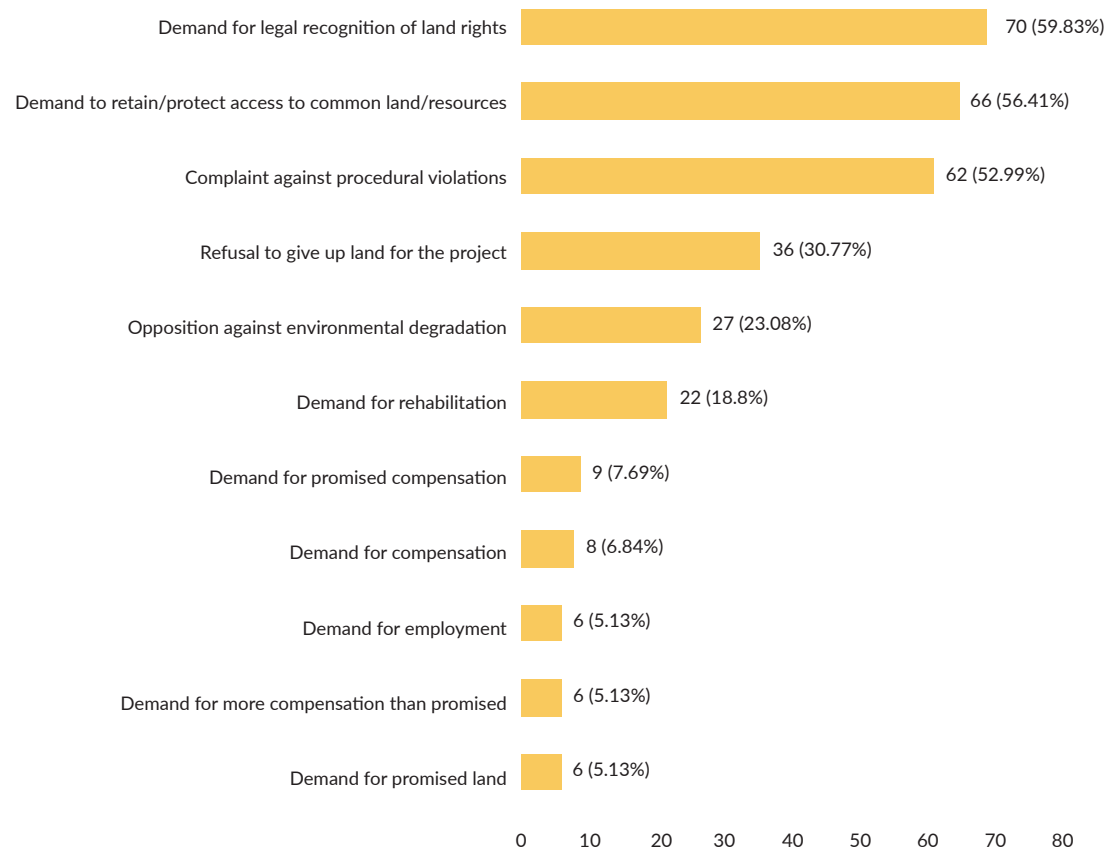
DEMANDS AND CONTENTIONS OF AFFECTED COMMUNITIES

It is necessary to document the demands raised by communities to understand land conflicts. This data is based on the community’s actions and voices documented at the government and judicial level and in public forums.

Graph 10 shows that the most frequent demand raised by the affected communities is for legal recognition of land rights (in 71 cases or 60.2 per cent). In the context of FRA, these

conflicts often include the demand to complete the forest rights recognition process so that there is an official record of the community's title over the land or to adhere to the provisions of FRA so that communities are not unduly evicted from such land. The other two most frequently occurring demands are to retain access to the common land or resources, which includes the demand to manage and access community forest resources (in 66 cases or 55.93 per cent), and complaints against procedural violations (in 62 cases or 52.5 per cent). Seen together, these demands indicate a larger demand to formalise the land and community forest rights held by communities eligible for land titles under FRA and to maintain such rights over the forestland.

Graph 10. Demand/Contention of the Affected Community



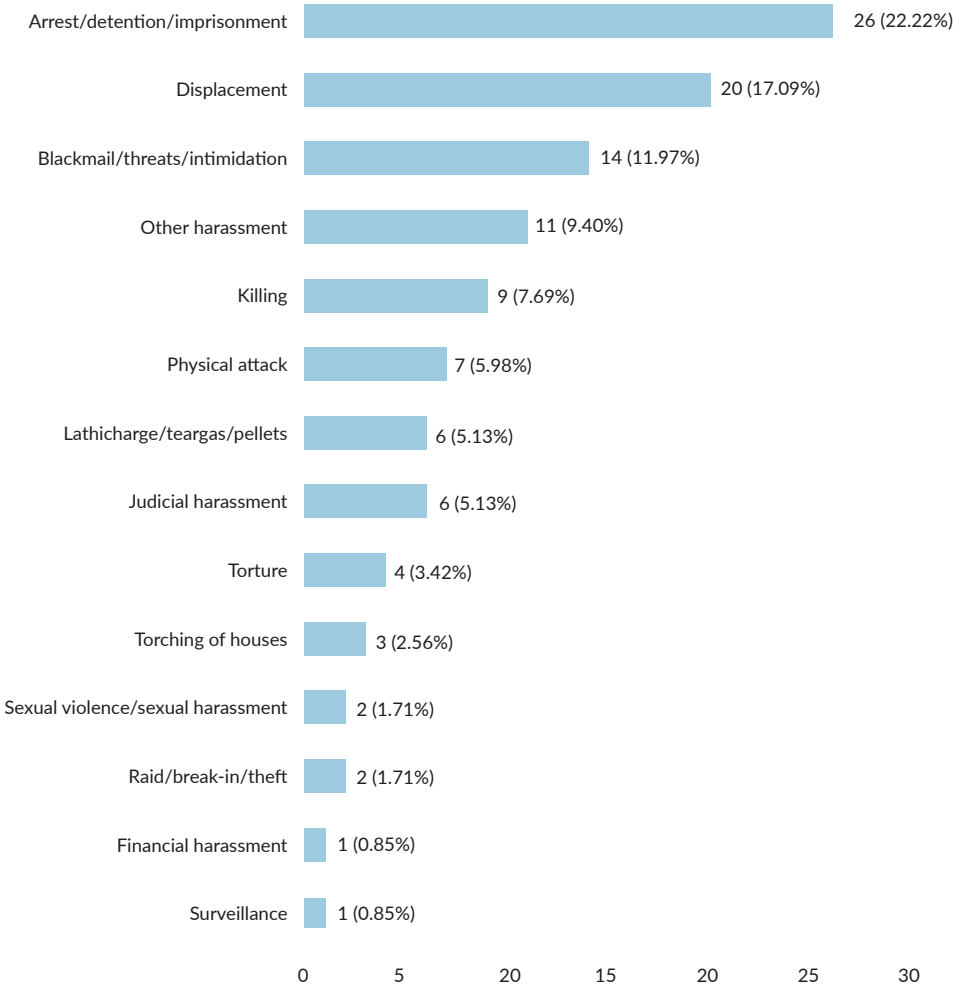
REPORTED VIOLENCE AND CONSTITUTIONAL RIGHTS VIOLATIONS

Land conflicts often entail incidences of reported violence and the violation of constitutional rights of affected people. LCW collects data on instances of such violence or violations, classified by the nature of such incidents. However, it is based only on reported instances, and, thus, reflects a conservative estimate, as all such incidents may not be reported.

Graph 11 shows the distribution of reported instances of violence and constitutional rights violations across the conflicts involving the implementation of FRA. Frequent instances of arrest, detention or imprisonment could indicate the repressive use of criminal law to curb protests in land conflicts (as seen in 26 cases). It is closely followed by the instances of

displacement due to lack of legal right over the land, largely because of non-implementation of FRA.

Graph 11. Reported Instances of Violence and Constitutional Rights Violations in FRA conflicts



⁷ See Methodology, Table 1

⁸ Here 'land use' signifies all the activities that do not fall under any other category, and where land is not assigned by the government or the industry to any specific project/activity.

CHAPTER 2

Land Conflicts in ST/SC Reserved constituencies

OVERVIEW

Article 330 of the Constitution mandates that seats in the Lok Sabha should be reserved for members of Scheduled Castes (SC) and Scheduled Tribes (ST). According to the article, such seats are meant to be reserved in proportion to the population of SC and ST populations present in each state⁹. Of the 543 seats in the Lok Sabha, 84 seats are reserved for Scheduled Castes and 47 for Scheduled Tribes¹⁰.

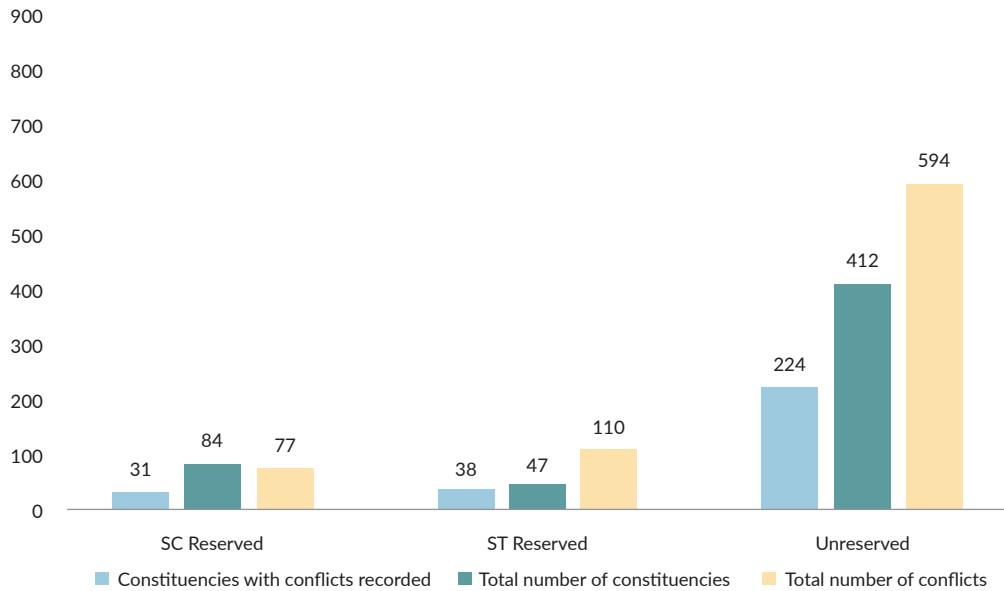
The Delimitation Act was enacted in 2002 to mandate that seats reserved for Scheduled Castes should be distributed in different parts of the state, proportionate to where the population of SC communities is large. Similarly, constituencies reserved for Scheduled Tribes are also located where the ST population is largest. However, the delimitation of constituencies has been frozen based on the 1971 census until after 2026 in order to encourage population control measures¹¹. The number of seats to be reserved for SCs and STs was to be reworked based on the 2001 census, according to the Constitution (87th Amendment) Act of 2003.¹²

Since 2001, there has been no change in the allotment of reserved constituencies across states, barring the rare delimitation exercises undertaken for specific states. Land conflicts tend to span decades across different regimes of political parties. A necessary caveat to note is a constituency being unreserved does not indicate that the conflict does not involve populations from marginalised communities. However, by looking at land conflicts in reserved constituencies, it is possible to examine how land conflicts tend to affect more vulnerable communities.

Graph 12 shows the distribution of land conflicts across reserved constituencies. From the 781 ongoing conflicts in the LCW database, 187 cases can be seen from reserved parliamentary constituencies. These 187 conflicts span 69 of the 131 (52.6 per cent) reserved constituencies. The remaining 594 conflicts span 224 of the 412 (54.4 per cent) unreserved constituencies. More significantly, 110 conflicts can be seen in 38 out of the 47 (81 per cent) constituencies reserved for STs. Further, 77 conflicts were recorded in the 31 out of 84

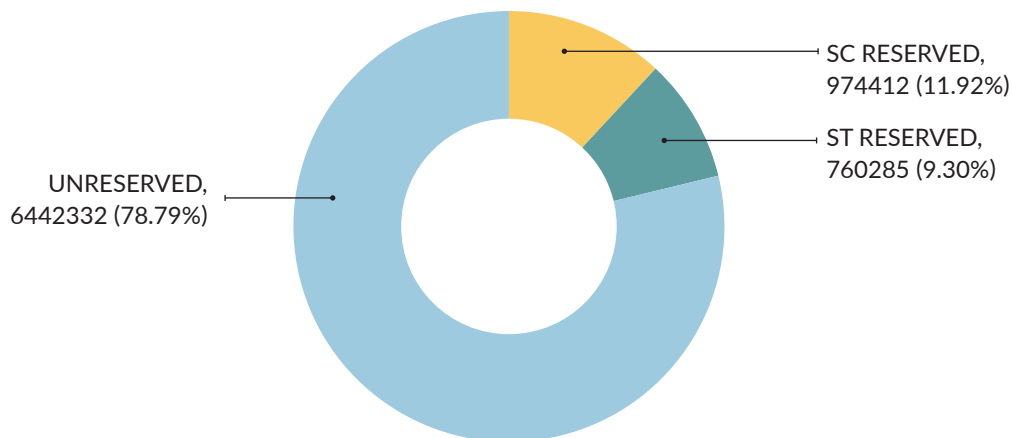
constituencies (36.9 per cent) reserved for SCs. While the LCW database is not an exhaustive record of conflicts, these conflicts suggest that ST-reserved constituencies do see on average, a higher number of conflicts. A complete list of reserved constituencies, where conflicts were recorded, has been included in Appendix IV.

Graph 12: Distribution of conflicts across reserved and unreserved constituencies

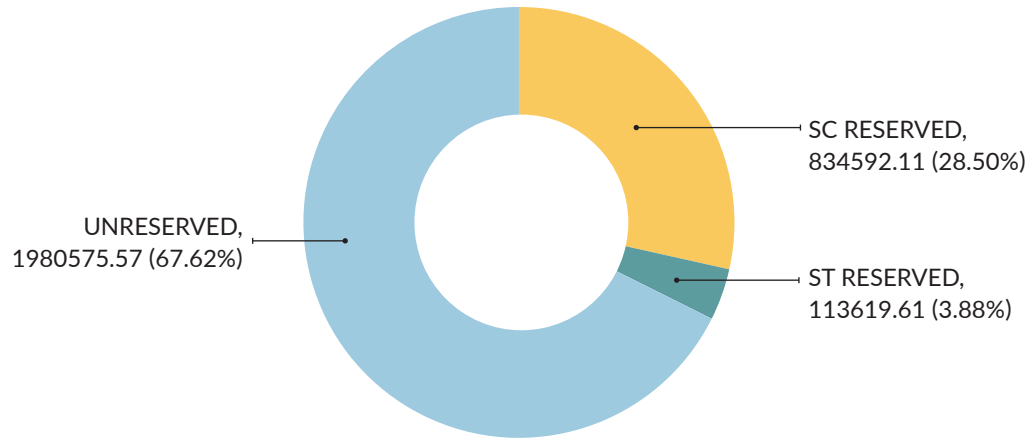


Graph 13 shows the distribution of the number of people affected by land conflicts across reserved and unreserved constituencies. Despite conflicts in SC-constituencies being lesser than ST-constituencies, the number of affected people is higher. This may be due to the numerous large-scale conflicts, such as the protests around the non-closure of a landfill in Ahmedabad West in Gujarat¹³. Similarly, graph 13 shows the distribution of affected land area across reserved and unreserved constituencies. It is evident that large swathes of land are being contested in SC-reserved constituencies, such as in the Kachchh in Gujarat, where multiple pastoral communities have been fighting for their common property rights¹⁴.

Graph 13: Distribution of people affected across reserved constituencies



Graph 14: Distribution of land area affected across reserved constituencies

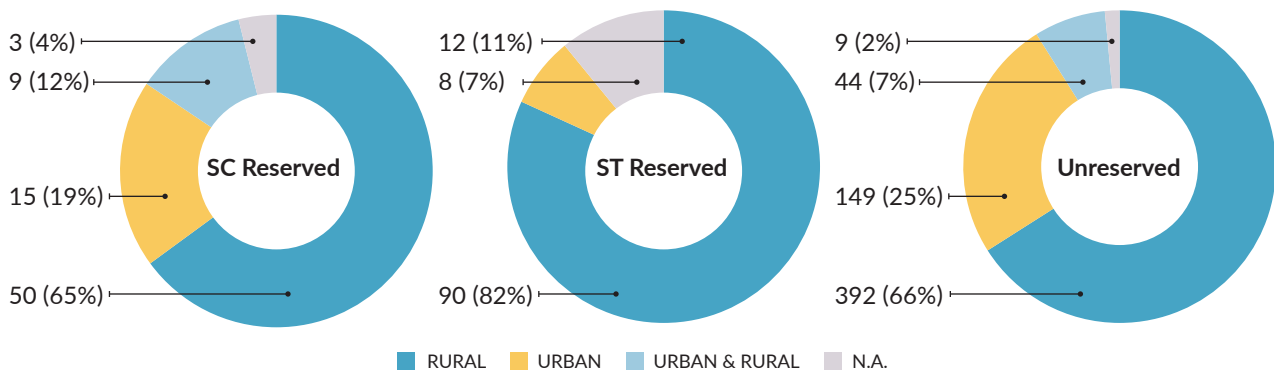


REGION

A majority of the conflicts from reserved constituencies lie in rural areas. Graph 15 shows the distribution of conflicts across regions. Only a fraction (12 per cent) of the conflicts lie in urban areas. Some reserved constituencies seeing a higher frequency of conflicts in the rural regions include Ahmedabad West in Gujarat (9 cases), Shillong in Meghalaya (3 cases) and North West Delhi in Delhi (2 cases). However, it is necessary to note that the reporting of such cases is based on publicly available data surrounding such conflicts.

In comparison, in unreserved constituencies, the percentage of urban conflicts is higher (as seen in 25 per cent of 594 conflicts compared to 12 per cent of 187 conflicts in reserved constituencies). However, the prevalence of conflicts mostly in the rural region indicates an urgent need to recentre the electoral focus to more comprehensively address land conflicts in such regions.

Graph 15. Distribution of conflicts as per region across reserved and unreserved constituencies

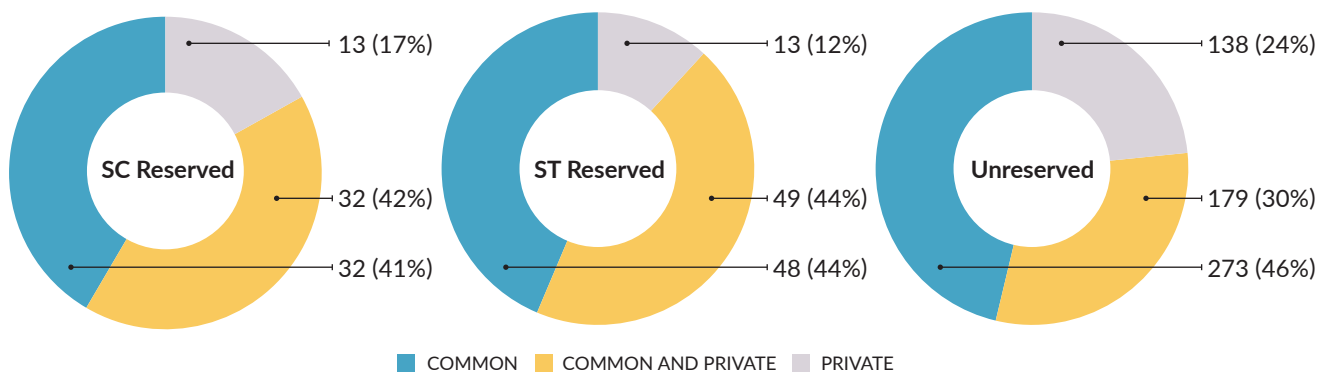


TENURE TYPE OF LAND

Graph 16 shows the distribution of conflicts across the tenure type of land for conflicts in both reserved and unreserved constituencies. The majority of conflicts in reserved constituencies occur over common land in some way (86.09 per cent). While the conflicts in unreserved constituencies also largely occur over common land, there is a higher frequency

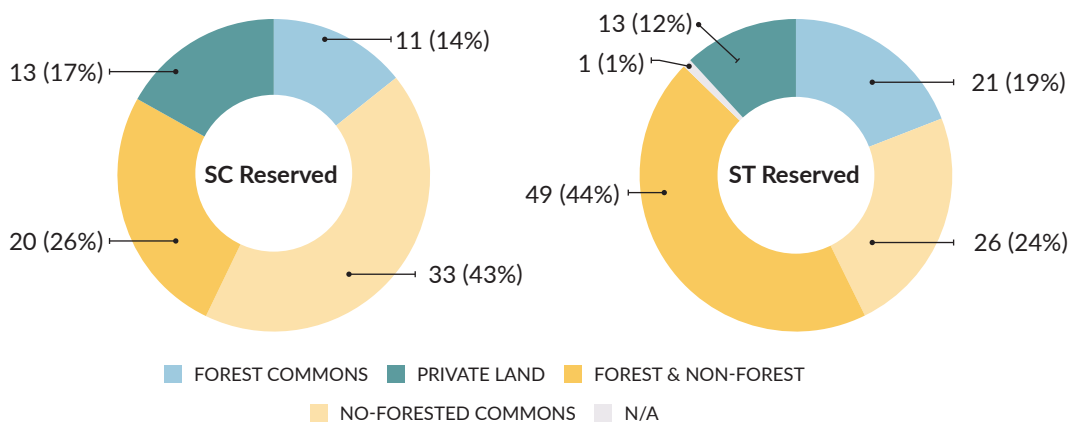
of conflicts with private lands being affected (23.39 per cent) as compared to conflicts in reserved constituencies (13.9 per cent). This may indicate a lower threshold of private land ownership rates among populations in reserved constituencies. Further, this also indicates that communities affected by land conflicts in these regions more frequently tend to rely on common property resources. This is made more evident when considering the type of common land being affected.

Graph 16. Distribution of conflicts as per tenure type of land across reserved and unreserved constituencies



Graph 17 shows the distribution of conflicts based on the type of common land being affected. It is evident that constituencies reserved for STs commonly involve forest land in most cases (70 cases or 63.63 per cent). However, a high prevalence of non-forested commons, particularly for conflicts in constituencies reserved for Scheduled Castes, indicates that communities in these regions tend to rely more on common lands for sustenance. An earlier research by LCW showed that communities residing on such lands are more at risk of eviction due to no formal legal protections¹⁵. These issues are not exclusive to constituencies reserved for SCs as non-forested commons are involved in conflicts in unreserved constituencies as well. However, it indicates a need to examine electoral promises to address land conflicts with the lens of recognising historical land use over such regions, particularly from landless communities.

Graph 17. Distribution of conflicts as per type of common land across reserved and unreserved constituencies

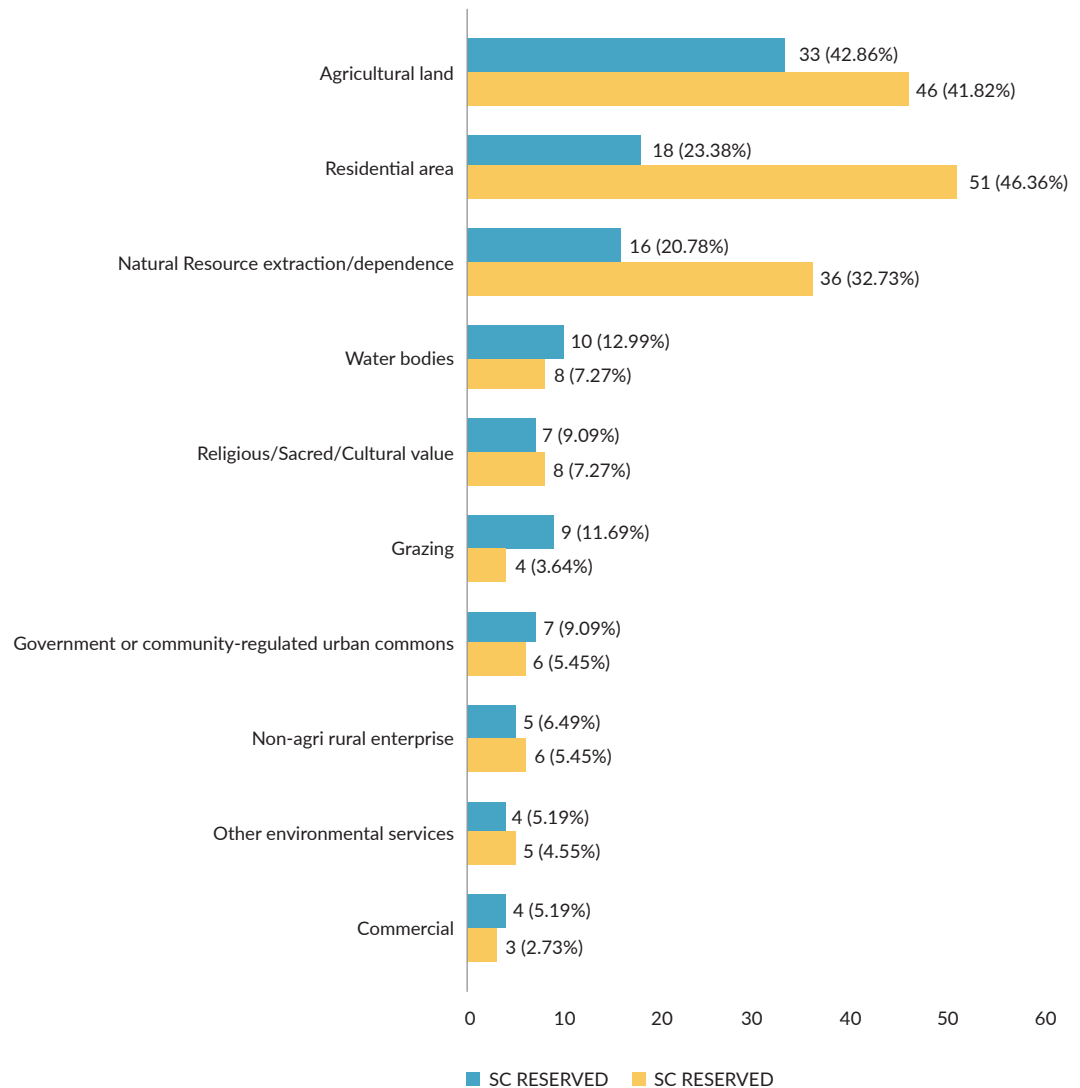


SIGNIFICANCE OF LAND

Graph 18 shows the distribution of conflicts based on the significance of land to the affected communities. Agriculture is the most frequent land use for conflicts in the reserved constituencies with 75 cases overall (40 per cent of 187 cases). Similarly, the next most frequent land use is for residential purposes with 69 cases overall (36.9 per cent of 187 cases).

For SC constituencies, the most frequent land use is for agricultural purposes (in 33 cases or 42.86 per cent). For ST constituencies, the most frequent land use is for residential purposes (in 51 cases or 46.36 per cent). Further, natural resource extraction is common in both categories. Hence, it is evident that the high frequency of conflicts in the ST constituencies involves communities dependent on forests for extraction of minor forest produce. At least 35 conflicts in the ST reserved constituencies see communities dependent on forest or forest-adjacent land for residential purposes.

Graph 18. Significance of land to affected landowners/users across reserved constituencies



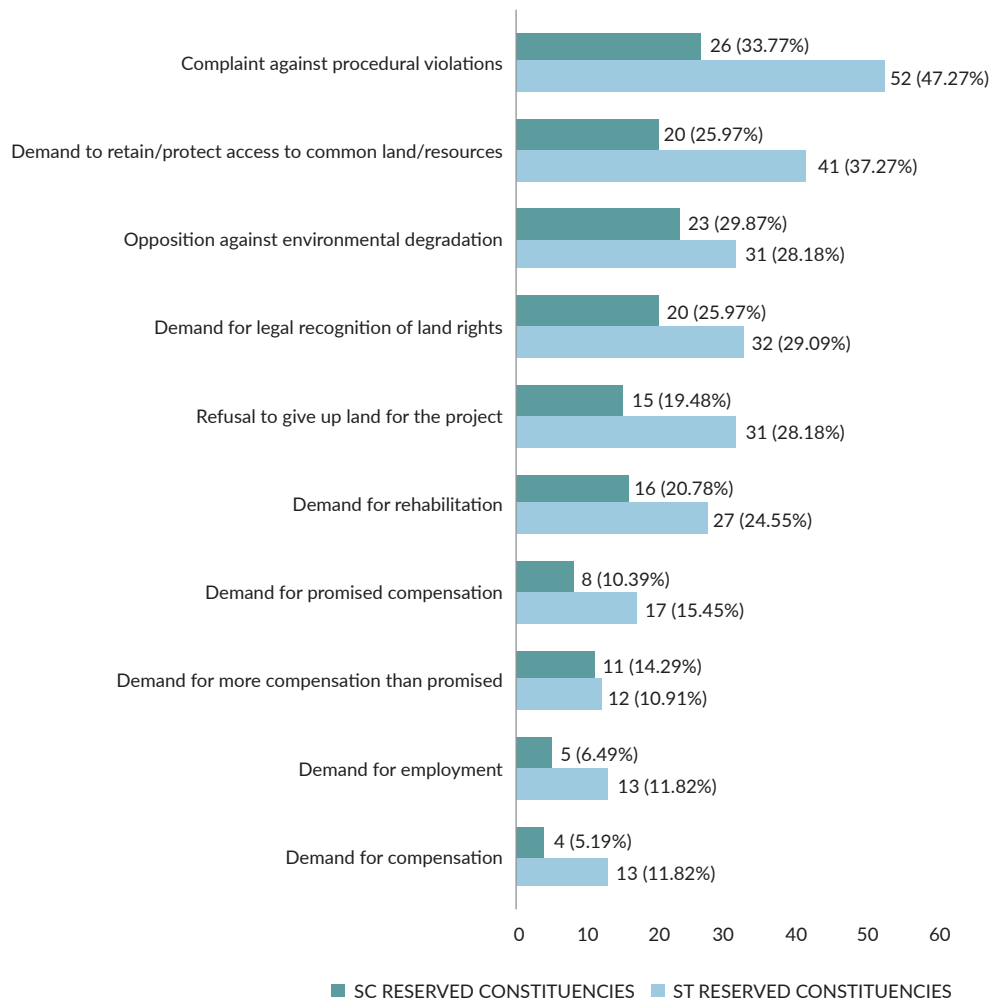
DEMANDS AND CONTENTIONS OF COMMUNITIES

Graph 19 shows the most frequently raised demands or contentions by the affected communities in land conflicts in reserved constituencies. Complaints against procedural violations are seen most frequently in both sets of reserved constituencies. However, on an average, conflicts from ST constituencies see complaints against procedural violations more frequently (67.53 per cent of 110 conflicts).

Similarly, the demand to retain or protect access to common land and resources is also commonly seen across the two categories of constituencies. However, on an average, conflicts in ST constituencies are more likely to see communities demanding the same (37.27 per cent of 110 conflicts).

Significantly, the second most frequently occurring demand in conflicts in SC constituencies is the opposition against environmental degradation (29.8 per cent of 77 conflicts). Some notable conflicts include protests against industrial projects to protect existing protected areas, such as national parks and wildlife sanctuaries in the constituencies of Kancheepuram in Tamil Nadu¹⁶ and Kachchh in Gujarat¹⁷.

Graph 19. Demands/contentions of affected communities across reserved constituencies

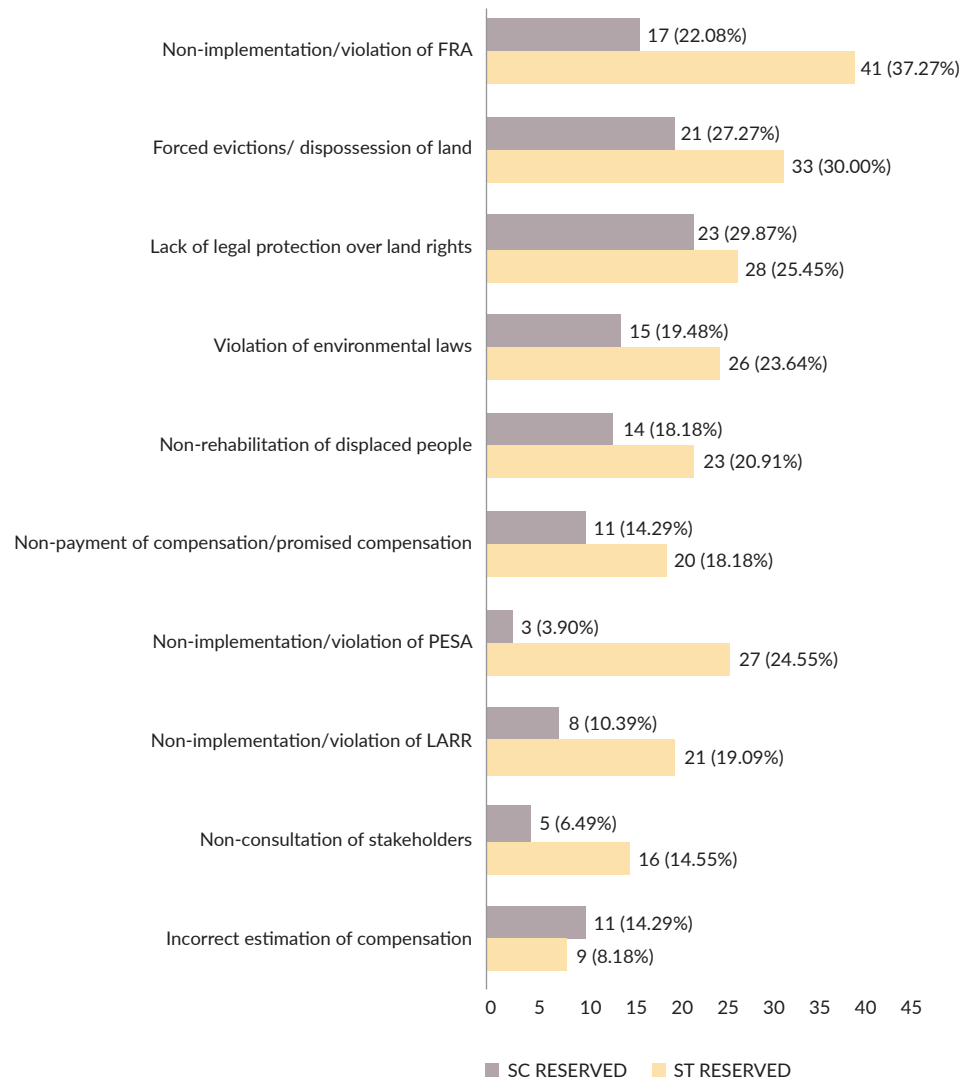


CONTENTIOUS LEGAL ISSUES AND PROCESSES

An analysis of the most frequently occurring contentious legal issues and processes sheds more light on the different trends emerging in each set of constituencies. For instance, the most frequently occurring contentious legal issue in conflicts in SC constituencies is that of lack of legal protection over land rights (29.8 per cent of 77 conflicts). This may be due to the large presence of non-forested commons in conflict areas – where affected communities may not have the formal titles required to protect their land rights.

In case of conflicts in ST constituencies, the most frequently occurring legal issue is the non-implementation of FRA (37.27 per cent of 110 conflicts). As explained in Chapter 1, some of the most common issues faced by communities in these areas is the overlap of non-compliance with FRA provisions and forced evictions without following due process.

Graph 20. Contentious legal issues and processes across reserved constituencies

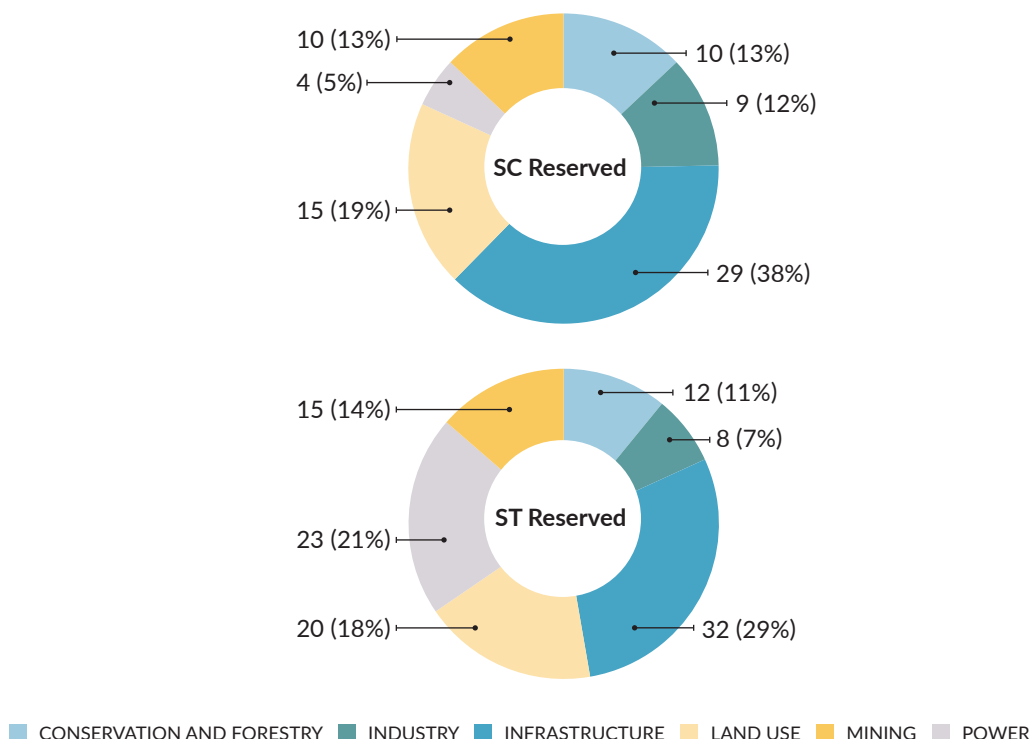


CONFLICTS BY ACTIVITIES/ SECTOR

The principal driving sector in conflicts in reserved constituencies is infrastructure. In SC constituencies, conflicts are primarily driven by the infrastructure sector (in 29 cases or 37.66 per cent). Leading sub-sectors within the infrastructure sector for these conflicts include roads and railways. The next leading sector is that of land use. Here 'land use' signifies all the activities where land is not assigned by the government or the industry to any specific project/activity. The leading sub-sector in 'land use' is that of encroachment by non-right holders.

In ST constituencies too, roads are the root cause of most conflicts falling within the infrastructure sector. However, the next leading sector is that of mining (in 23 cases or 20.9 per cent). Such mining conflicts are marked with procedural violations, including the violation of free prior informed consent - the right granted to the right holding indigenous communities to decide development on their land.

Graph 21. Sector-wise distribution of conflicts across reserved constituencies

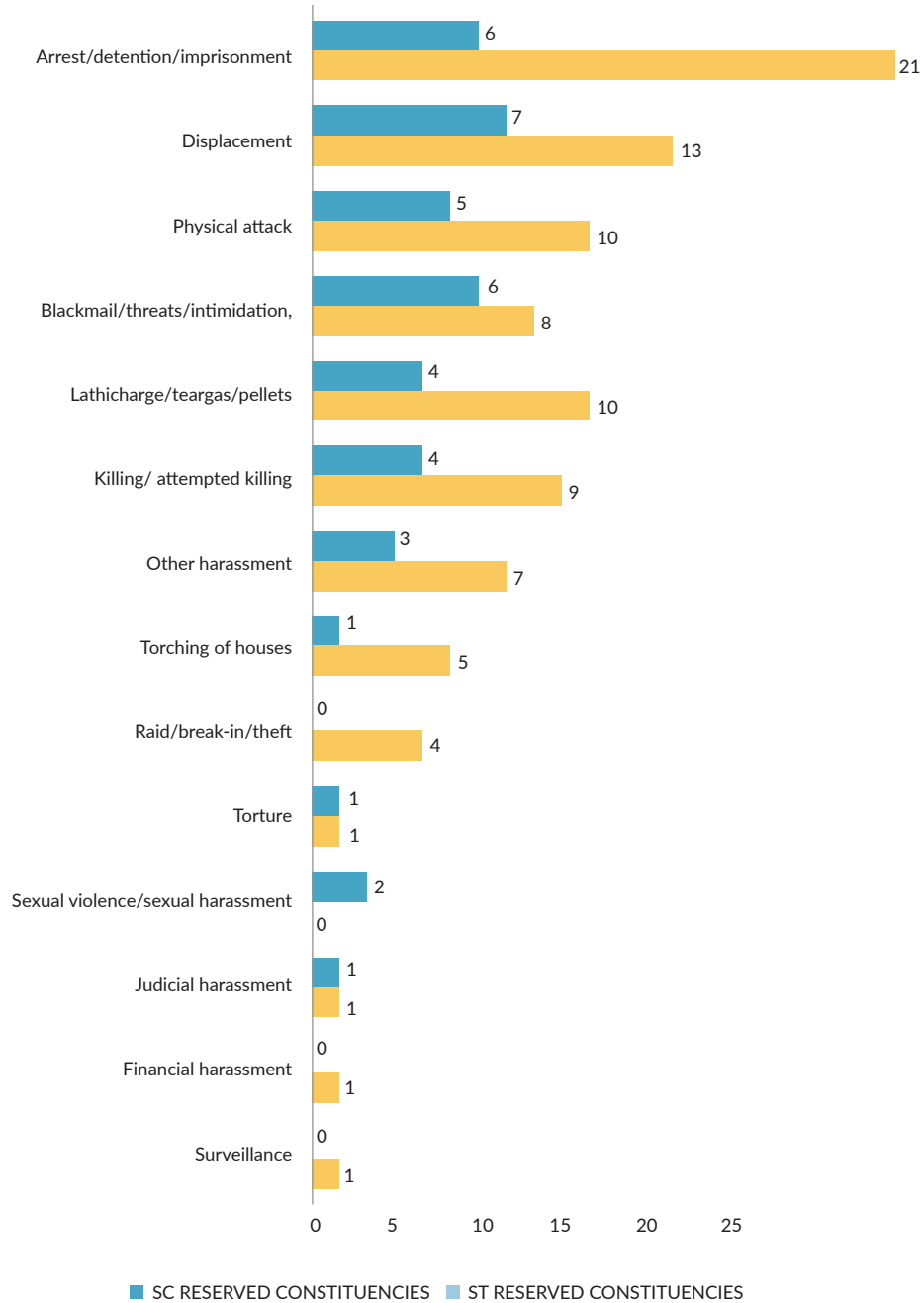


REPORTED VIOLENCE AND CONSTITUTIONAL RIGHTS VIOLATIONS

Instances of reported violence and constitutional right violations can indicate the violent nature of conflicts. In ST constituencies, the most frequently recorded instance is that of arrests, detentions or imprisonment (in 21 cases). Other notable violations include physical attacks and lathi charge or use of teargas and pellets (in 10 conflicts each). Physical attacks are usually recorded in inter-community conflicts where residents are attacked by unidentified

assailants. However, the other frequently recorded instances indicate a higher incidence of violence being used against protesting communities to curb protests.

Graph 22. Violence and Constitutional rights violations in conflicts across reserved constituencies



⁹ Constitution of India, Summary of Article 330. Available at <https://www.constitutionofindia.net/articles/article-330-reservation-of-seats-for-scheduled-castes-and-scheduled-tribes-in-the-house-of-the-people/>

¹⁰ Utkarsh Anand, "Legislative and judicial contours of SC/ST quota in Lok Sabha and assemblies", *Hindustan Times*, October 3, 2023 <https://www.hindustantimes.com/india-news/legislative-and-judicial-contours-of-sc-st-quota-101696273398768.html>

¹¹ Rangarajan R, "Understanding the Delimitation Exercise| Explained", *The Hindu*, February 6, 2024 <https://www.thehindu.com/news/national/understanding-the-delimitation-exercise-explained/article67819203.ece>

¹² The Constitution (Eighty-seventh Amendment) Act, 2003, <https://www.india.gov.in/my-government/constitution-india/amendments/constitution-india-eighty-seventh-amendment-act-2003>

¹³ Aditi Patil, "Gujarat Government Fails to Close Down Pirana Landfill, 3 Lakh People at Health Risk", *Land Conflict Watch* <https://www.landconflictwatch.org/conflicts/gujarat-government-fails-to-close-down-pirana-landfill-3-lakh-people-at-health-risk>

¹⁴ Suchak Patel, "Denied entry into Little Rann of Kutch, Agariyas of Patan allege discrimination in granting permits", *Land Conflict Watch* <https://www.landconflictwatch.org/conflicts/denied-entry-into-little-rann-of-kutch-agariyas-of-gujarat-s-patan-cry-foul-over-discrimination-in-granting-permits>, Aditi Patil, "Pastoral Community in Gujarat's Banni Grasslands Demands Titles Recognising Community Forest Rights", *Land Conflict Watch* <https://www.landconflictwatch.org/conflicts/pastoral-community-in-gujarat-s-banni-grasslands-demands-titles-recognising-community-forest-rights>

¹⁵ See Anmol Gupta, Bhavesh Seth, Mukta Joshi, and Prudhvira Rupavath, "(Un)Common Verdicts: Analysis of Supreme Court and High Court Judgments on Common Lands," *Land Conflict Watch*, December 2022.

¹⁶ Hariprasad Radhakrishnan, "Environmental clearance for Sun Pharma expansion in Vedanthangal bird sanctuary sparks row", *Land Conflict Watch* <https://www.landconflictwatch.org/conflicts/environmental-clearance-for-sun-pharma-expansion-in-vedanthangal-bird-sanctuary-sparks-row>

¹⁷ Aditi Patil, "Adani's Mundra Port in Gujarat gets Government's Nod, Mangroves, Livelihoods at Risk", *Land Conflict Watch* <https://www.landconflictwatch.org/conflicts/kutchi-fishermen-and-farmers-still-suffering-after-adani-s-mundra-port-setup>

CHAPTER 3

The State of Forest Rights in India

Ahead of the Lok Sabha election 2024, issues surrounding forest rights have again become a point of discussion as at least one of the leading national political parties, the Indian National Congress or INC, has rolled out a 'tribal manifesto' or 'Adivasi Sankalp' comprising six guarantees. It includes promises of a speedy settlement of all pending FRA claims within a year and the establishment of a process to review all the rejected FRA claims in six months, among others. The Communist Party of India (Marxist) has also included FRA implementation "in full" as an electoral promise in its manifesto. Additionally, it has emphasised that no Adivasi will be evicted from their habitat.

The Bharatiya Janata Party (BJP) led government at the Centre has also shown actions towards FRA implementation in the run up to the elections. On March 14, 2024, the tribal affairs and environment ministries released a joint advisory to the chief secretaries of all states and union territories to promptly update their revenue and forest records to ensure that all forest rights holders can benefit from the Pradhan Mantri Janjati Adivasi Nyaya Maha Abhiyan (PM-JANMAN). Under the scheme, the government promises to provide particularly vulnerable tribal groups (PVTG) households and habitations with basic facilities such as safe housing, clean drinking water and sanitation, improved access to education, health and nutrition, road and telecom connectivity, and sustainable livelihood opportunities. PVTGs are the most vulnerable among the Scheduled Tribes. A total of 75 PVTGs have been identified across the country so far.

The demand for forest rights is an important issue in tribal-dominant states like Odisha, Chhattisgarh, and Madhya Pradesh as reflected from the LCW database. Mass rejection of FRA claims, delayed or non-review of the rejected FRA claims or quoting baseless reasons for re-rejecting the claims are some of the concerns of tribal communities in these states. Even as these issues affect millions of FRA claimants, ruling governments in many states continue to put these problems on the backburner.

Even in the run-up to the elections, tribal communities in Chhattisgarh's Bastar have threatened to boycott the upcoming elections stating that the government ignored their issues and demands that were made over the past few years. Meanwhile, in Rajasthan,

villagers from Jaisalmer have united under the banner of “Oran nahi toh vote nahi” (If there is no Oran, there will be no vote) following the Rajasthan government’s move to declare Orans as ‘deemed forest’. Orans are the community-conserved green spaces that include indigenous trees (Khejri, Rohida) and grazing lands that offer livelihood to herding communities and sustenance to wildlife. Villagers fear that the change in its status will negatively impact the conservation of ecologically-rich Orans.

According to the *People’s Forest* report, the BJP won 103 seats out of the 153 core FRA constituencies and Congress clinched just 11, in the 2019 Lok Sabha elections. The Congress was, however, the runner-up in as many as 79 core FRA constituencies. Out of these, 74 seats saw the BJP and the Congress directly contesting against each other across states, with the maximum number of seats in Madhya Pradesh (16).

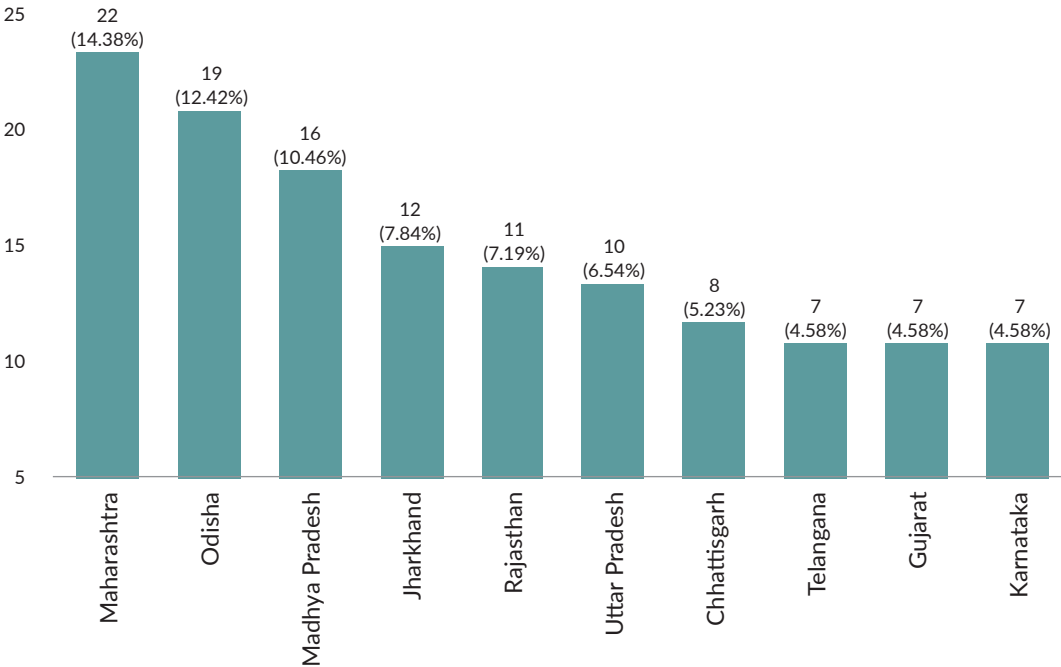
Many regional parties like the Biju Janata Dal are yet to release their election manifesto. But a state-wide analysis of FRA conflicts in core FRA constituencies and the status of FRA implementation in those states can give a glimpse of where FRA could become a political issue in the upcoming election.

Across the country, the rejection rate of overall FRA claims is 34.9 per cent, with a total of 17,59,331 claims being rejected by the administrations, according to the government data till February 2024. The rejection rate of IFR claims stands at 35.31 per cent and that of CFR claims at 26.98 per cent.

The top 5 states with the maximum number of core FRA constituencies are Maharashtra (22), Odisha (19), Madhya Pradesh (16), Jharkhand (12) and Rajasthan (11). In terms of number of FRA conflicts in the core FRA constituencies, the top 5 states are Odisha (33), Chhattisgarh (20) Jammu and Kashmir (10), Maharashtra (7) and Madhya Pradesh (6).

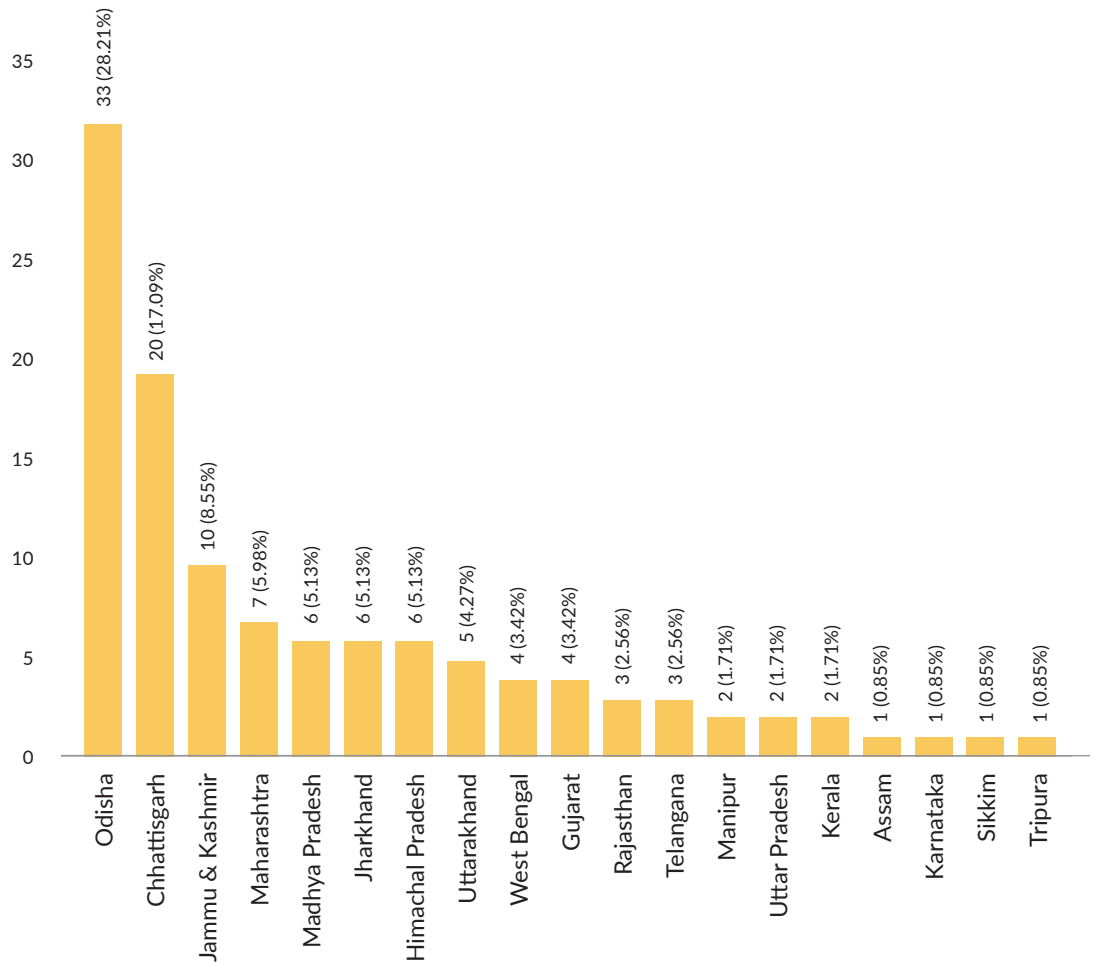
The total forest cover of all these states is over 25 crore hectares with Madhya Pradesh being home to 77,49,300 hectares of forest, followed by Chhattisgarh (55,71,700 ha), Odisha (52,15,600 ha), Maharashtra (50,79,800 ha) and Jammu and Kashmir (21,38,700 ha).

Graph 23. Number of core FRA constituencies across states



Odisha tops the chart (33) even in terms of the number of conflicts involving the FRA. It is followed by Chhattisgarh (20), Jammu and Kashmir (10), Maharashtra (7) and Madhya Pradesh (6).

Graph 24. Number of FRA conflicts across states



According to the latest data by the Ministry of Tribal Affairs, shown in graph 25, the highest number of pending FRA claims (3.29 lakh) are in Telangana. It is followed by Maharashtra (1.16 lakh), Gujarat (85,591), Odisha (29,125) and Karnataka (24,894). As of February 2024, at least 8.14 lakh FRA claims, including over 19,800 CFR claims and 7.94 lakh Individual Forest Rights (IFR) claims, were pending with the government for approval, leaving the claimants vulnerable to forced evictions and displacement due to several infrastructure or conservation and forestry projects.

There are two states – Assam and Bihar – where adequate information is not available for these data points. Interestingly, the pending rate of Madhya Pradesh is NIL in the below data set, which has not been the case earlier. According to independent FRA researchers, this might be a result of discrepancies of rejection data that is supplied at different levels by the Madhya Pradesh government.

Graph 25. Number of pending FRA claims across states (up to 29.02.2024)

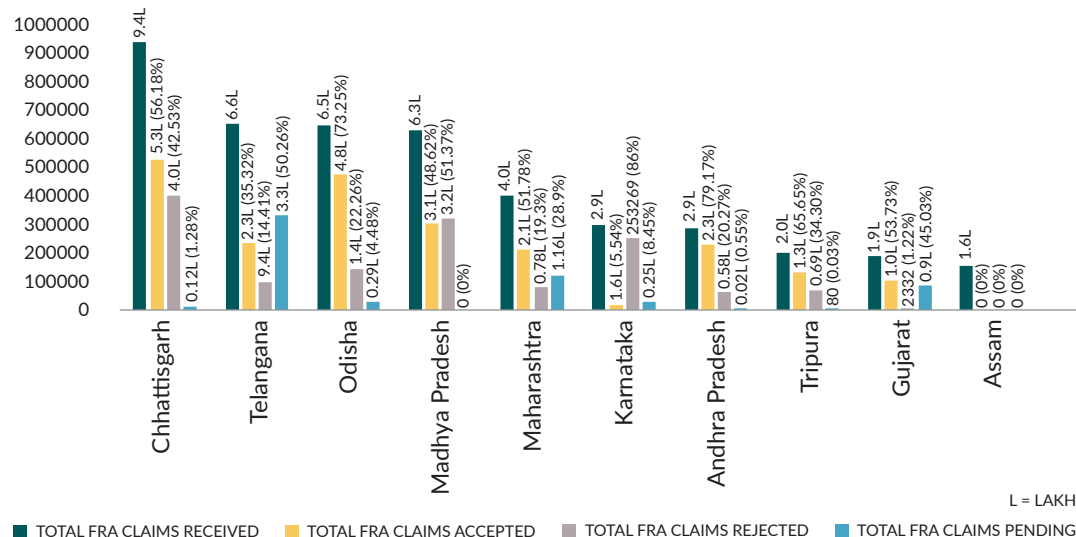


Table 2. Number of pending FRA claims across states (up to 29.02.2024)

States	Total FRA claims received	Total FRA claims accepted	% of FRA claims accepted	Total FRA claims rejected	% of FRA claims rejected	Total FRA claims pending	% of FRA claims pending
Telangana	655249	231456	35.32	94426	14.41	329367	50.26
Maharashtra	401800	208081	51.78	77580	19.30	116139	28.90
Gujarat	190056	102133	53.73	2332	1.22	85591	45.03
Odisha	648865	475301	73.25	144439	22.26	29125	4.48
Karnataka	294489	16326	5.54	253269	86	24894	8.45
Jharkhand	110756	62051	56.02	28107	25.37	20598	18.59
Chhattisgarh	941977	529205	56.18	400649	42.53	12123	1.28
Tamil Nadu	37461	11993	32.01	14849	39.63	10619	28.34
Goa	10136	1301	12.83	49	0.48	8786	86.68
Himachal Pradesh	5346	344	6.43	54	1.01	4948	92.55
J&K	42431	4505	10.61	33187	78.21	4739	11.16
Rajasthan	121691	51843	42.60	66547	54.68	3301	2.71
Kerala	45191	29796	65.93	12233	27.06	3162	6.99
Andhra Pradesh	287588	227695	79.17	58299	20.27	1594	0.55
West Bengal	142081	45130	31.76	96587	67.983	364	0.25
Uttarakhand	6678	0	0	6493	97.22970949	185	2.77
Tripura	200721	131793	65.65	68848	34.30034725	80	0.03
Uttar Pradesh	93739	18910	20.17	74761	79.75	68	0.07
Madhya Pradesh	627513	305106	48.62	322407	51.37	0	0
Assam	155011	-	-	-	-	-	-
Bihar	8022	-	-	4215	52.54	-	-
Total	5026801	2452969	48.79	1759331	34.99	814501	16.20

*The total FRA claims that have been received by the Gram Sabha until 29.02.2024

*The total FRA claims that have been accepted at the District Level Committee (DLC) level until 29.02.2024

* Source: Ministry of Tribal Affairs

IMPACT OF PENDING AND WRONGFULLY REJECTED FRA CLAIMS ON COMMUNITIES

A deep dive into FRA-related conflicts, sourced from the LCW database, from the two states with the highest potential for FRA – Odisha and Maharashtra – shed light on the distress of communities on the ground, which could turn it into an electoral issue in the upcoming election.

The conflicts are largely based in rural areas on common forested areas, where violations are regarding pending FRA claims. A common trend follows in both states where the Forest Department is accused of evicting people and carrying out forced plantation activities even before responses to the pending claims are produced. This action goes against the Supreme Court's direction in 2019, which stated that the authorities should not evict the FRA applicants despite the rejection of their claims until further order.

In the case of Odisha, the highest number of FRA conflicts lodged in our database are from Kalahandi district. One of the conflicts originated in the Dainiguda village, about three hours away from the district headquarters, where at least 120 people have been awaiting Forest Rights titles since 2017.

About 25 households applied for Individual Forest Rights (IFR) claims in the village, but only one received it since the conflict began. The village community had also claimed Community Forest Rights (CFR) for about 291 hectares but a delay in granting CFR titles made them vulnerable to dispossession due to the Odisha Forest Department's forced plantation drives.

Amid the pending claims, the Forest Department started planting species like teak, acacia, karanja and eucalyptus under CAMPA funds on the lands that have been claimed under FRA.

The villagers continue to live in fear of being denied access to the land over which they depend for their livelihoods or being displaced due to the lack of the legal recognition of their land rights.

In another village, Ratanpala, of the same district, 100 families have been awaiting CFR on about 350 hectares (870 acres) of forest land since 2017. The Forest Department had fenced off and restricted the access to the land, where they forcibly carried out teak and eucalyptus plantations using CAMPA funds, without Gram Sabha's consent. Even till 2021, the CFR had not been recognised but due to protests from villagers, the restricted land was opened to the community and no new plantation had taken place in the last two years.

Meanwhile, Maharashtra, which has the highest number of core FRA constituencies and a massive potential to recognise the CFR rights, has also witnessed similar violations.

Farmers in the Allapalli division of Gadchiroli district had filed CFR claims in 2011, but the Forest Department allotted that land to the Forest Development Corporation of Maharashtra (FDCM) in 2014, without processing their claims. The leasing out of the high-density forestland was meant for "regeneration," which means the renewal of a forest crop by natural or artificial means. The plan involved clearing 8,000 hectares of forest, which was opposed by the local people.

The local communities, dependent on those forests for their livelihood, alleged that the state Forest Department had not taken the consent of the Gram Sabha. Despite their protest, the authorities felled the trees in three phases affecting 1,000 hectares of forest and seven villages that depended on it for forest produce and other natural resources.

These forests had rich biodiversity, but the tree felling continued despite several resolutions by the Gram Sabha and written complaints to the District Collector. The villagers even approached the National Green Tribunal (NGT), but the Tribunal said that it cannot interfere with the said Management Plan. The villagers are now mulling approaching the Supreme Court against the Maharashtra forest body.

Bypassing of Gram Sabha's approval is quite common in conflict-ridden states. Though Maharashtra was the first state to "deregulate" the minor forest produce, it has not been able to ensure the prevention of harassment of communities who already have clinched CFR rights.

Community forest rights of families from nine villages were recognised in Tadoba Andhari Wildlife Sanctuary (later tiger reserve) in Chandrapur district between 2016-2020. Those village communities had filed claims because they were being forcefully relocated from the core zone after the area was notified as Critical Tiger Habitat (CTH) in 2007 even when many families possessed ownership rights. Their new dwelling place was unfit for cultivation and they were not allowed to collect forest produce like bamboo from the forest. So, they fought for the CFR implementation to get their rights to trade the minor forest produce recognised under the provision. However, it has been found that despite getting CFR recognised, they are not being allowed to manage forest produce in a communitarian way. It indicates that gaps exist in the implementation of the FRA even after the titles are granted to the land rights holders.

CONCLUSION

The *People's Forest* report, for the first time, comprehensively estimates the potential voting population eligible for forest rights in parliamentary constituencies. Central to its methodology is imagining systems where communities can come together to govern and manage the common forest land that they are dependent on. The Forest Rights Act is the primary mechanism through which this future can be realised. However, the implementation of the FRA has not been without fault.

The aim of this report was first to understand the nature of conflicts occurring in the constituencies which are said to be critical for potential FRA holders. It is evident that a large share of land conflicts has been brought about due to non-implementation of the provisions of FRA itself. Communities hopeful to have their rights recognised are forced to navigate bureaucratic hurdles as they face the constant risk of eviction at the hands of government agencies. Even communities which have been granted FRA recognition see a subversion of the mandatory prior consultation clauses laid down in the Act.

Campaign promises by political parties and government directions ahead of the elections could speed up the implementation of the law, albeit temporarily. Such announcements do not account for the problems raised by circumvention of existing norms and the land conflicts that ensue. The most frequent demands across such conflicts include compliance with existing rules and procedure, and to retain the access to land that communities have historically enjoyed.

A large share of conflicts involving the use of FRA have been observed to be driven by the forest administration. Whereas the forest-rights recognition process is supposed to involve multiple representatives of local administration, it is clear that the rights of such communities are seen as secondary to the land ownership of the State. Despite the FRA containing provisions prohibiting evictions before the recognition process is complete, communities have been subjected to forced and disproportionate evictions frequently. It is necessary to move beyond promising mere recognition of rights and ensure the protection of such rights.

Similar trends can be observed in other parts of the country where Dalit and other marginalised communities are dependent on non-forested commons. Such communities do not even have formal protections over the land and face the risk of eviction. Similar to FRA communities, the people affected by such land conflicts most frequently demand retaining access to the land that they have been utilising for generations. Much like the systems envisaged in the Forest Rights Act, it is necessary to move towards a legal regime which recognises and protects the land rights of people over common land.

APPENDIX

APPENDIX I: GLOSSARY

- **LAND CONFLICT:** A land conflict is defined as any instance in which the use of, access to, ownership of and/or control over land and its associated resources are contested by two or more parties, and where at least one of the contesting parties is a community (group of families). The LCW database records only those conflicts for which documentary (and/or audio-visual) evidence of such a contest is available for verification. Land conflicts between two private parties are excluded unless the particular conflict has a larger underlying public interest.
- **LAND TENURE TYPE:** This refers to the nature of ownership or control of the land. Land may be privately owned by individuals/families or collectively controlled/managed by a community as commons.
- **AFFECTED AREA:** The extent of land area under contestation is the affected area. This could be different from the area of the project/activity causing the conflict, as the entire area of the project/activity may or may not be contested.
- **AFFECTED POPULATION:** For private lands, people who hold or claim legal and rightful tenure over the conflict-affected land, or depend on it for their livelihood, are considered the affected population. For common lands, people who have a stake in the contested land parcel and the services it provides, or who depend on it for their livelihoods, are considered the affected populations.
- **SECTOR:** A sector is the broad category of the activities that induce conflicts. Since neither the government nor academia have a universally accepted categorisation of the economic or social activities that induce land conflicts, LCW has classified these activities into six broad categories – infrastructure, power, mining, industry, conservation/forestry and land use. Here ‘land use’ signifies all the activities that do not fall under any other category, and where land is not assigned by the government or the industry to any specific project/activity.
- **SUBSECTOR:** A subsector is the sub-categorisation of the nature of the activity causing the land conflict. It narrows the conflict down to the primary trigger of the dispute, like the industrial project, government scheme or other activity inducing it. The following list is used in the LCW database:

Subsector	Related Sector
Forest administration (other than protected areas) Plantations Protected areas	Conservation and Forestry

Subsector	Related Sector
Airport Defence and security establishments Education Health Multipurpose dams Other kinds of infrastructure Port Railways Roads Smart cities Special economic zones (SEZ) Township/real estate Urban development (other than smart cities) Waste management Water management	Infrastructure
Beverages Commercial agriculture/ agro-business Food processing Manufacturing Metal processing Other kinds of industry Petroleum and gas Pharmaceutical industry Steel plants Technology Textile Tourism	Industry
Border dispute Caste-based conflict Communal/ethnic conflict Encroachment by non-right holders (other than caste-based) Environmental/ecological Damage Landbank Natural calamities Non-commercial agriculture Other kinds of land use	Land Use
Bauxite mining Coal mining Diamond mining Gold mining Iron ore mining Limestone mining Other kinds of mining Sand mining Uranium mining	Mining

Subsector	Related Sector
Hydroelectric projects	Power
Irrigation dams	
Nuclear power plants	
Renewable powers	
Thermal power plants	
Transmission lines	

- **RESOLVED CONFLICT:** A land conflict in which the contesting parties eventually arrived at a consensus is considered a resolved conflict.
- **CLOSED CONFLICT:** This is a land conflict that has become inactive on the ground. The contesting parties may or may not have arrived at a consensus in such cases.
- **DEMAND/CONTENTION OF COMMUNITIES:** These are demands and contentions with respect to the ownership, control, use, access to or transfer of the land, articulated by the communities directly involved in land conflicts or by their representatives. The following demands/ contentions are recorded in the LCW database:
 - o Complaint against procedural violations
 - o Demand for better access to common land/resources
 - o Demand for compensation
 - o Demand for employment
 - o Demand for legal recognition of land rights
 - o Demand for more compensation than promised
 - o Demand for more land than promised
 - o Demand for promised compensation
 - o Demand for promised land
 - o Demand for rehabilitation
 - o Demand to cancel the project
 - o Demand to get back acquired land
 - o Demand to retain/protect access to common land/resources
 - o Opposition against environmental degradation
 - o Refusal to give up land for the project
- **CONTENTIOUS LEGAL ISSUES/ PROCESSES IN CONFLICT:** Situations and/or issues in a land conflict where a question of law is involved, and which aggravate a land conflict or prevent its resolution, are legal loopholes or processes in conflict. Such situations and issues may or may not be covered under existing legislations; they may also arise out of violation of laws. The following issues are recorded in the LCW database:
 - o Constitutional inconsistencies between state and union land laws
 - o Controversial land acquisition by the government
 - o Delay in allotment and possession of land/property
 - o Delay in compensation
 - o Forced evictions/dispossession of land
 - o Incorrect estimation of compensation
 - o Lack of legal protection over land rights
 - o Land record discrepancies
 - o Non-consultation with stakeholders
 - o Non-implementation of land ceiling laws
 - o Non-implementation of land reform laws
 - o Non-implementation/violation of FRA

- o Non-implementation/violation of LARR Act
- o Non-implementation/violation of PESA
- o Non-payment of compensation/ promised compensation
- o Non-rehabilitation of displaced people
- o Scheduled Tribe status or lack of status
- o Use of old/outdated laws
- o Violation of environmental laws
- o Violation of free prior informed consent
- o Violation of fundamental rights
- o Violation of standard international laws
- HOUSEHOLD: For all calculations, a household comprises an average of 4.8 individuals, as per Census 2011 data.

APPENDIX II: LIST OF ALL FIELD RESEARCHERS

- | | |
|-----------------------------------|---|
| 1. 101 Reporters | 34. Dr. K.H. Amitha Bachan |
| 2. Aashish Deep | 35. East Street Journal Asia |
| 3. Abdul Kalam Azad | 36. Eleonora Fanari |
| 4. Aditi Patil | 37. Elizabeth Mani |
| 5. Aishwarya Mohanty | 38. Emilo Yanthan |
| 6. Alinery Lalngilneii Lianhlawng | 39. Faizi Ahmad |
| 7. Alok | 40. Flavia Lopes |
| 8. Amulya Rastogi | 41. Furkan Khan |
| 9. Anamika Gode | 42. Gourav Jaiswal |
| 10. Anjali Dalmia | 43. Gurfateh Singh Khosa |
| 11. Ankur Goswami | 44. Gurvinder Singh |
| 12. Ankur Paliwal | 45. Hariprasad Radhakrishnan |
| 13. Ankur Phukan | 46. Himdhara Environment Research and Action Collective |
| 14. Anuradha Thapa | 47. Ishan |
| 15. Anurag Das | 48. Ishita Patil |
| 16. Arpit Deshmukh | 49. Jeff Joseph |
| 17. Asha Verma | 50. Jonah |
| 18. Ashish Gaur | 51. Jyotsna Singh |
| 19. Ashmita Bhattacharya | 52. Krithika A |
| 20. Asmi Sharma | 53. Kuber Bathla |
| 21. Athar Parvaiz | 54. Lakhvinder Singh |
| 22. Atom Samarendra Singh | 55. Lokendra |
| 23. Basudev Mahapatra | 56. Mahesh Deka |
| 24. Bhanu Shridharan | 57. Maitreya Ghorpade |
| 25. Bimla Vishwapremi | 58. Maitreya Prithwiraj Ghorpade |
| 26. Bodhi Ramteke | 59. Malavika Neurekar |
| 27. Chicu logariwar | 60. Manasi Karthik |
| 28. Chicu Lokgariwar | 61. Manish Tiwari |
| 29. Connor Staggs | 62. Maria Teresa Raju |
| 30. Damandeep Singh | 63. Meenakshi Kapoor |
| 31. Deepak C N | 64. Mhao Kikon |
| 32. Deepika Joshi | 65. Mir Aiyaz |
| 33. Dilraj Singh | |

66. Mir Farhat
67. Mitali Biswas
68. Mubashir Bukhari
69. Nayantara Lakshman
70. Nazimuddin Siddique
71. Neerajha
72. Nihar Gokhale
73. Nupur Sonar
74. Pravin Mote
75. Purna Chaurashe
76. Prudhviraaj Rupavath
77. Pushpendra Singh
78. Rabiya Bashir
79. Rachit Tiwari
80. Rahul Maganti
81. Rahul Shrivastava
82. Rakesh Agrwal
83. Rama Shanker Singh
84. Rejitha Nair
85. Riddhi Pandey
86. Rimki Patgiri
87. Rishabh Shrivastava
88. Sandeep Dahiya
89. Sandeep Pattnaik
90. Sanghamitra Dubey
91. Sapna Yadav
92. Sarfaraz Hamid
93. Sarup Sinha
94. Satish Bharatiya
95. Satish Bhartiya
96. Satyendra Singh Narwaria
97. Saumya Srivastava
98. Saurabh Sharma
99. Seethalakshmi
100. Shalini
101. Shazia Nigar
102. Shivam Mogha
103. Shivani
104. Shubham Kothari
105. Sibasish Ray
106. Siddhant Kalra
107. Siddhartha Datta
108. Sooraj H S
109. Soumik Dutta
110. Soumya Pandey
111. Stella James
112. Suchak Patel
113. Sukriti Vats
114. Sumana
115. Sundara Babu Nagappan
116. Surabhi Bhandari
117. Sushmita
118. Tamanna Naseer
119. Tarun Joshi
120. Thokchom Seema
121. Urvashi Mahtolia
122. Vaibhav Walunj
123. Varsha Torgalkar
124. Viswanathan Shridhar
125. Viswanathan Sridhar
126. Vivek Gupta
127. Yaniam Chukhu

APPENDIX III: LIST OF FRA-SIGNIFICANT CONSTITUENCIES WITH RECORDED LAND CONFLICTS

Parliamentary Constituency	State	Number of Ongoing Conflicts	Number of FRA-specific conflicts	Core FRA value
Adilabad	Telengana	1		Critical
Alipurduars	West Bengal	2	2	Critical
Almora	Uttarakhand	3	2	High
Bankura	West Bengal	3		Medium
Baramati	Maharashtra	3		Good
Barasat	West Bengal	1		
Bardoli	Gujarat	3	1	Critical
Bargarh	Odisha	1	1	High
Bastar	Chhattisgarh	5	2	Critical

Parliamentary Constituency	State	Number of Ongoing Conflicts	Number of FRA-specific conflicts	Core FRA value
Berhampur	Odisha	2	1	Good
Betul	Madhya Pradesh	1		Critical
Bhilwara	Rajasthan	1	1	Medium
Bhiwandi	Maharashtra	1		Medium
Bidar	Karnataka	1		Good
Bolangir	Odisha	2		High
Chandrapur	Maharashtra	3	2	Medium
Chhindwara	Madhya Pradesh	3	1	Good
Chhota Udaipur	Gujarat	1		Critical
Cuttack	Odisha	1	1	Good
Dahod	Gujarat	1	1	Critical
Dakshina Kannada	Karnataka	1		Good
Damoh	Madhya Pradesh	2		Good
Dausa	Rajasthan	1		Critical
Dhar	Madhya Pradesh	2		Critical
Dharmapuri	Tamil Nadu	1		Medium
Dhenkanal	Odisha	1	1	High
Dindori	Maharashtra	1		Critical
Gadchiroli-Chimur	Maharashtra	4	4	Critical
Garhwal	Uttarakhand	5	3	Good
Guna	Madhya Pradesh	3	1	Medium
Hamirpur	Himachal Pradesh	2	1	Medium
Hamirpur	Uttar Pradesh	1		Medium
Hazaribagh	Jharkhand	3	1	High
Hindupur	Andhra Pradesh	2		Medium
Jajpur	Odisha	2	1	Good
Jammu	Jammu and Kashmir	13	7	Good
Jamshedpur	Jharkhand	3	1	Medium
Jhansi	Uttar Pradesh	1		Medium
Jhargram	West Bengal	2	1	Critical
Kalahandi	Odisha	12	9	High
Kandhamal	Odisha	6	6	Critical
Kangra	Himachal Pradesh	2	1	Good
Kanker	Chhattisgarh	4	4	Critical
Khajuraho	Madhya Pradesh	2		Good
Khammam	Telangana	4	3	Medium
Khandwa	Madhya Pradesh	2	1	Good
Khargone	Madhya Pradesh	3		Critical
Kheri	Uttar Pradesh	1	1	Medium
Kokrajhar	Assam	1	1	High
Koraput	Odisha	8	6	Critical
Korba	Chhattisgarh	4	2	High
Mahasamund	Chhattisgarh	3	3	Good
Mandi	Himachal Pradesh	6	4	Good

Parliamentary Constituency	State	Number of Ongoing Conflicts	Number of FRA-specific conflicts	Core FRA value
Mandla	Madhya Pradesh	3	2	Critical
Medak	Telangana	6		Medium
Nabarangpur	Odisha	1	1	Critical
Nalgonda	Telangana	1		Critical
Nandurbar	Maharashtra	2		Critical
Nellore	Andhra Pradesh	1		Medium
Outer Manipur	Manipur	12	2	High
Palakkad	Kerala	2	1	Good
Palamu	Jharkhand	4	2	High
Palghar	Maharashtra	1		Critical
Puri	Odisha	1		Good
Purulia	West Bengal	1	1	Good
Raigad	Maharashtra	2		Good
Raigarh	Chhattisgarh	7	5	Critical
Rajnandgaon	Chhattisgarh	2	2	Medium
Ramtek	Maharashtra	1		Good
Ranchi	Jharkhand	1	1	Medium
Ratlam	Madhya Pradesh	1		Critical
Ratnagiri-Sindhudurg	Maharashtra	4		Medium
Robertsganj	Uttar Pradesh	2	1	Good
Sambalpur	Odisha	6	4	Critical
Sabarkantha	Gujarat	1		Medium
Satara	Maharashtra	2		Medium
Shimla	Himachal Pradesh	1		Medium
Shahdol	Madhya Pradesh	2	1	Critical
Shimoga	Karnataka	1	1	Good
Shirur	Maharashtra	2	1	Medium
Sikkim	Sikkim	4	1	Critical
Singhbhum	Jharkhand	3	1	Critical
Silchar	Assam	4		Medium
Sundargarh	Odisha	5	2	Critical
Surguja	Chhattisgarh	2	2	Critical
Surendranagar	Gujarat	1		Medium
Tehri Garhwal	Uttarakhand	5		Medium
Tirupati	Andhra Pradesh	1		Medium
Tonk-Sawai Madhopur	Rajasthan	1	1	Medium
Tripura East	Tripura	6	1	Critical
Tripura West	Tripura	1		Good
Udaipur	Rajasthan	1	1	Critical
Udhampur	Jammu and Kashmir	5	3	Critical
Udupi Chikmagalur	Karnataka	2		Good
Uttara Kannada	Karnataka	2		Good
Valsad	Gujarat	3	2	Critical
Wayanad	Kerala	1	1	Good

APPENDIX IV: LIST OF RESERVED CONSTITUENCIES WITH RECORDED LAND CONFLICTS

PC	State	Reservation	Number of ongoing conflicts
Adilabad	Telangana	ST	1
Ahmedabad West	Gujarat	SC	13
Alipurduars	West Bengal	ST	2
Almora	Uttarakhand	SC	3
Ambala	Haryana	SC	1
Amravati	Maharashtra	SC	2
Anantnag	Jammu and Kashmir	SC	2
Arambagh	West Bengal	SC	1
Autonomous District	Assam	ST	5
Bardoli	Gujarat	ST	2
Bastar	Chhattisgarh	ST	5
Betul	Madhya Pradesh	ST	1
Bolpur	West Bengal	SC	1
Chhota Udaipur	Gujarat	ST	1
Chitradurga	Karnataka	SC	3
Dahod	Gujarat	ST	1
Dausa	Rajasthan	ST	1
Dhar	Madhya Pradesh	ST	2
Dindori	Maharashtra	ST	1
Faridkot	Punjab	SC	1
Gadchiroli-Chimur	Maharashtra	ST	4
Ganganagar	Rajasthan	SC	1
Jagatsinghpur	Odisha	SC	4
Jajpur	Odisha	SC	
Jajpur	Odisha	SC	2
Janjgir	Chhattisgarh	SC	5
Jhargram	West Bengal	ST	2
Kachchh	Gujarat	SC	9
Kancheepuram	Tamil Nadu	SC	5
Kanker	Chhattisgarh	ST	4
Karimganj	Assam	SC	1
Khargone	Madhya Pradesh	ST	3
Kokrajhar	Assam	ST	1
Kolar	Karnataka	SC	1
Koraput	Odisha	ST	8
Mandla	Madhya Pradesh	ST	3
Mizoram	Mizoram	ST	2
Mohanlalganj	Uttar Pradesh	SC	3
Nabarangpur	Odisha	ST	1
Nagapattinam	Tamil Nadu	SC	1
Nandurbar	Maharashtra	ST	2
Nilgiris	Tamil Nadu	SC	3

PC	State	Reservation	Number of ongoing conflicts
North West Delhi	Delhi	SC	2
Outer Manipur	Manipur	ST	12
Palamu	Jharkhand	SC	4
Palghar	Maharashtra	ST	1
Raigarh	Chhattisgarh	ST	7
Ramtek	Maharashtra	SC	1
Ratlam	Madhya Pradesh	ST	1
Robertsganj	Uttar Pradesh	SC	2
Shahdol	Madhya Pradesh	ST	2
Shillong	Meghalaya	ST	13
Shimla	Himachal Pradesh	SC	1
Singhbhum	Jharkhand	ST	3
Sirsa	Haryana	SC	1
Solapur	Maharashtra	SC	1
Sundargarh	Odisha	ST	5
Surguja	Chhattisgarh	ST	2
Thiruvallur	Tamil Nadu	SC	1
Tirupati	Andhra Pradesh	SC	1
Tripura East	Tripura	ST	6
Tura	Meghalaya	ST	1
Udaipur	Rajasthan	ST	1
Ujjain	Madhya Pradesh	SC	1
Valsad	Gujarat	ST	3
Warangal	Telangana	SC	2



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