

# Manual to Report Land Conflicts



**Land Conflict Watch**

**2019**

# Introduction

Land Conflict Watch (LCW) is a data-journalism initiative that documents and analyses land conflicts across India. Our work is supported by a growing network of researchers, contributors and associates who, through their tireless work, aid us in addressing the systemic issues underlying conflicts over land in India.

Our organisation started in 2016 and has slowly evolved into what it is today. Together with our researchers, we have investigated and documented over 700 land conflicts, creating the biggest database of India-specific land conflicts in the world (this is a big claim. Can we prove it. All of our work and data can be found on the [Land Conflict Watch](#) portal.

Before delving further into our organisation and work, it is important to first understand what a land conflict is. A 'land conflict' has been defined as any instance in which two or more parties contest the use, access and/or control over land, and its associated resources. Land conflicts between two private parties or two industries, or between a private party and the government have been excluded from LCW's database unless the conflict is such that it affects the larger public interest. Only those conflicts that can be verified and in which one of the affected parties is the community at large will be included in our database.

Land conflicts have far reaching, often existential, implications on communities in rural and urban areas alike. It is, therefore, of vital importance to document and record these conflicts, draw inferences and provide data that could contribute towards inclusive strategies to address the foundations of conflict.

Our work here at LCW can be divided into two important functions. The first is concerned with identifying, investigating, documenting and analysing land conflicts. This is our data initiative. The second involves meeting and interviewing land conflict-affected people, writing stories that highlight their plight, bridging the gap between conflict and civil society and providing a platform where the victims of conflict may voice their experiences and opinions. This is our story initiative.

Bridging the gap between land conflicts and civil society is central to the work we do. We aim to increase public awareness through the content and quality of our work. We believe that the data we collect is crucial to raise such awareness as well as to aim for policy change, which is why we want to make this data freely available to professionals and the public to view and use. We welcome and encourage academicians, policy makers, journalists and civil society groups to contact us and use our data for their work and interests, requesting only appropriate attribution to Land Conflict Watch. To ensure the data presented on our website is accurate and up-to-date, LCW has a core team that reviews and analyses all the data.

This data is provided by each of our researchers based in different states and Union Territories across the country. Researchers are at the heart of our work, collecting data as expansive and inclusive as possible. As land conflicts impact communities, cultures and individuals in a multitude of ways, we are grateful to have a diverse team of researchers ensuring what we report is representative and inclusive of the complex dynamics expressed across India.

As we are continually growing and learning, we have decided to create this manual for our researchers in the hope that it will aid them in the work they do for us. This document details the methodology we expect our researchers to follow, in addition to highlighting key laws and terminologies that are often used and associated with land conflicts.

We hope that you find this document useful and that it becomes a point of reference for any questions and difficulties you may run into during your time with us as a researcher.

# Methodology

## Conflict Identification

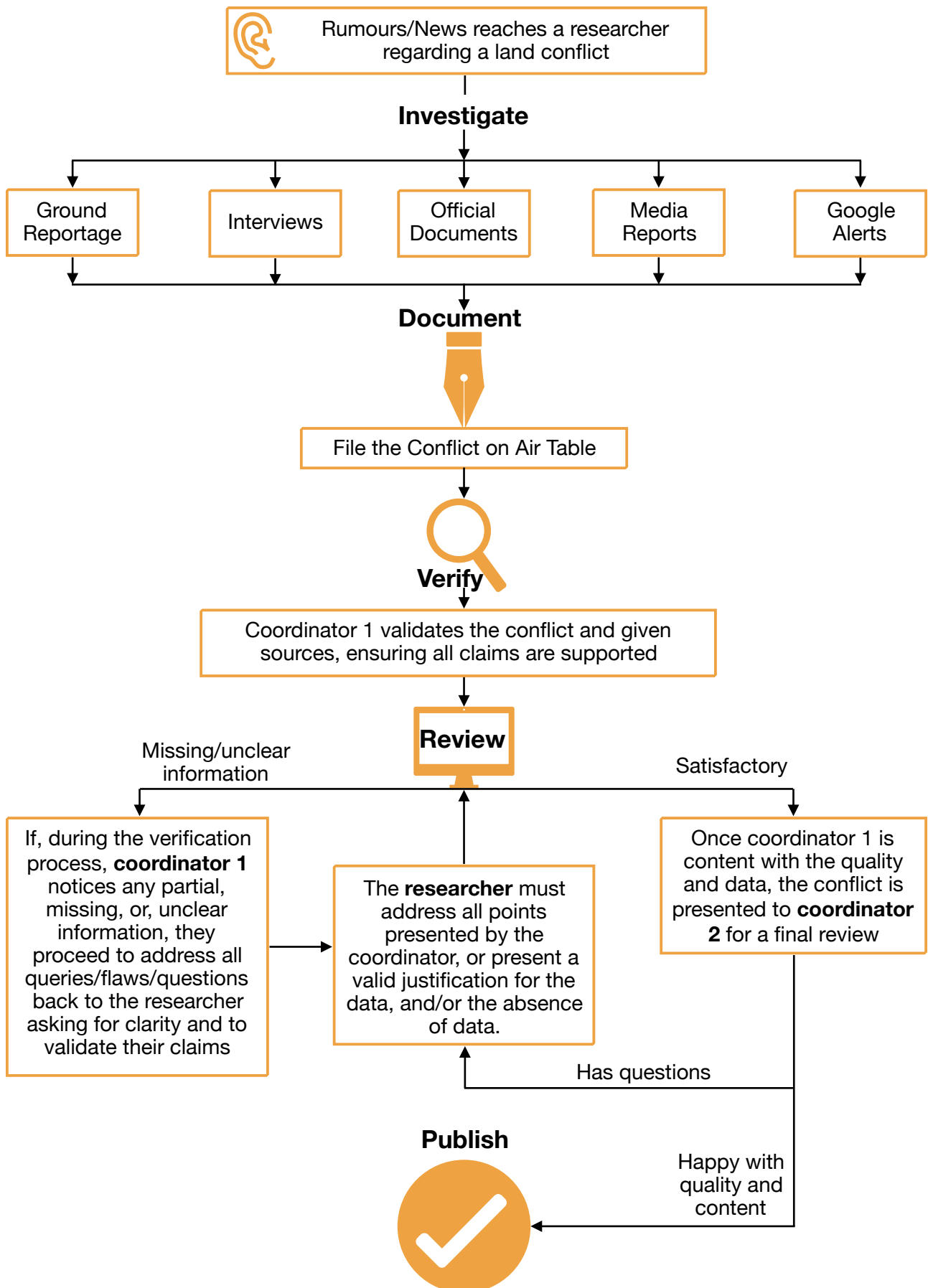
Each researcher is responsible for the region in which they are most specialised or reside in. Almost every state has at least one researcher; however, there are some states and regions that under-reported due to their remoteness and/or the periodic absence of affiliated researchers. This is an issue that we have actively addressed and hope that with new researchers in these areas, our conflict reporting becomes more representative. Our researchers are encouraged to explore their regions and investigate and identify land conflicts to the best of their ability, drawing on multiple sources and field investigations. Researchers are encouraged to identify conflicts by using the following sources:

- **Ground reportage:** First-person accounts, interviews and recordings are the preferred form of conflict identification.
- **Primary sources:** First-hand accounts, videos, recordings and photographs are the most valuable data collected. Researchers are encouraged to build networks with locals, grassroots organisations, activist groups, peasant movement leaders, government officials, industry leaders, and NGOs who are active in the region.
- **Official documents:** All official documentation available in the public domain is to be used whenever possible. These can be, but are not restricted to, environmental impact assessments (EIAs), affidavits, court case transcripts, government documents, police reports/FIRs, petitions, village council resolutions and any other official documentation that confirms the presence of a conflict.
- **Regional and local news sources:** Researchers should choose at least three local and regional newspapers to keep track of land conflicts. All researchers are encouraged to use a wide variety of these sources. It is preferable that the newspaper articles are accompanied with other sources, such as official documents.
- **Google Alerts:** Google Alerts have become a useful tool for identifying potential conflicts as well as conflict updates. Alerts can be used to identify specific issues, industries and districts in news reports.

## Data Verification

All data provided by the researcher undergoes a secondary round of verification by dedicated reviewers. The provided information should be referenced with multiple sources. A new addition to our conflict reporting form is the option to copy or attach the relevant link/document where the researcher found the information. Please note that mentioning the source of all important figures (whenever mentioned) is compulsory.

# The Process of Filing a Conflict: from Researcher to the Content Management System of Land Conflict Watch (LCW)



## Other Things to Keep in Mind

When available, the numbers for ‘Affected Population’, ‘Area’ and ‘Investment’ should be included and taken from official reports and independent studies. When primary sources are not available to provide these figures, we must rely on media reports and any other sources available. When differing data is presented across sources, the figure from the more credible source (i.e. official documents) should be used. In case official data is not available, the most conservative numbers from available data are selected.

In cases where documented evidence is unavailable, researchers should reach out to people directly associated with the conflict for verification. When government and industries are involved, we encourage our researchers to file Right To Information (RTI) applications to obtain official responses and data about each conflict.

We have already mentioned how, due to the absence of researchers, some regions have been under-represented in our data. We have since expanded our network in these regions. We encourage researchers to get to know their peers in their respective states (where more than one researcher is present) and collaborate when possible. This will avoid repetitions in data collection.

It is important to keep in mind that some forms of conflict may be more obvious and, therefore, easier to identify than others. For example, infrastructure-related conflicts may be more easily identifiable than complex caste-based conflicts or mining conflicts in remote areas. We request our researchers to be on the lookout for such less obvious conflicts too, so that we can document in our database what other organisations/media houses do not.

## Consent

LCW collects the personal data of its researchers for administrative purposes. This data is stored on Airtable and, if consent by the researcher is given, some of this information is also shown on the website. If researchers wish to remain anonymous, or be associated to an NGO rather than give their name, they are given the option to remain anonymous.

If the community leaders and resource persons from the parties involved face a risk<sup>1</sup> of harassment from other parties involved in the conflict, any personal data should be kept securely and coded in a responsible manner. We strictly keep all data of community organisations and their representatives confidential and do not make it public.

Any participants interviewed during the process of collecting conflict data should be informed of LCW and the way in which data will be used and shared. Their feedback and personal perception of potential risks must be considered and acted upon accordingly, anonymising sources when there is the perception or potential of danger.

LCW follows journalistic practices for ethically citing sources, and researchers must seek consent from participants if information they provide is to be used, maintaining confidentiality of sources if required.

## Organisation

Land Conflict Watch is a small organisation, with the core team comprising of less than 10 people. All our researchers should be acquainted with the reviewer/coordinator who reviews and publishes conflicts. The two will work closely to build up the database. Among other

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<sup>1</sup> Potential risks include, threats, intimidation, physical, mental or financial harassment.

responsibilities, the reviewer/coordinator verifies all incoming conflicts and ensures all information provided is accurate.

## Definitions

While exploring land conflicts, one is often exposed to new definitions and terms that are important to understand if one is to effectively identify the key actors and issues that prolong, cause and perpetuate land conflicts. Below is a list of several terminologies that have caused confusion among our researchers in the past and which are important to be uniformly understood across all areas of LCW's operations.

- **Affected Area:** This is strictly the area of land that is affected by the conflict. For example, if an infrastructure project comes up on 50 acres of land in a village that is spread across, say 100 acres, the area affected will be 50 acres and not the entire area of the village.
- **Affected Population:**
  - For private land, those who have legal ownership over the conflict-affected land or are dependent on it for their livelihood are considered the affected population.
  - For common land, the people/communities who have community rights over the land, such as farming, grazing etc., are considered the affected population.
- **Areas with Left Wing Extremism:** Left Wing Extremism areas refer to those areas where armed groups affiliated with Maoist ideologies operate. The Government of India has identified 90 districts across the country as affected by Left Wing Extremism. The government keeps updating the list every year. You can find the most recent list in the footnote below<sup>2</sup>.
- **Common Land/Government Land:** Lands that are not owned by individuals or held under private tenure systems are considered government land. If these lands are used by communities who are dependant on them for livelihood or who hold a traditional claim to these lands, it is considered to be 'common' land. Common land has no specific ownership title. For example, forestland, wastelands and grazing lands are held by the government yet are common lands as communities/tribes may be dependent on them to earn their livelihood.
- **Common Land type:** Common lands have been divided into forested and non-forested lands. Non-forested land has been further classified into 'grazing land' and any land other than grazing land. Please ignore the category of 'common land type' if the land is private.
- **Encroacher:** This is a common term used in land conflicts, and much like the term 'encroachment' is a definition produced under the pre-text of a power dynamic. It is important to note that even though the media or the government may label people or communities as 'encroachers', these communities may have legitimate claims to the land in question or may have been displaced by the government/industry without proper rehabilitation and thus have been left landless. Please note that LCW, being an impartial organisation, does not want to enforce the language used by the government and media. We, therefore, encourage our researchers to replace 'encroachers' with the name of the community or ethnicity the alleged 'encroachers' belong to; for eg, 'landless farmers' or 'displaced dalits'.
- **Encroachment:** Encroachment can be defined as occupation of land by non-rights holders over which they have no legal ownership. Please ensure the same care is used for the term 'encroachment' as you would for 'encroacher', being sensitive to the specific situation.

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<sup>2</sup> LWE districts: <https://pib.gov.in/newsite/PrintRelease.aspx?relid=188075>

- **Extra Legal:** Extra legal conflicts are those that are being fought outside of the legal system. This is a common occurrence when communities or individuals are unaware of their rights and voice their disagreements or struggles in other ways, such as protests. There are times when a conflict is being fought in a court but there are also protests happening simultaneously. Nonetheless, any conflict case pending in a court cannot be classified as an 'extra legal' conflict.
- **Households Affected:** It is often the case that the people affected by conflicts are given in terms of the number of houses/families/ households affected. For all calculations, a 'household' has been considered equal to 4.8 people.
- **Investment:** A researcher may occasionally come across the proposed investment in the project inducing conflict. In other cases, it could be the actual investment in the project. In a few cases, the investment may be what the project is expected to attract in future. If available, it is important to incorporate this data, especially if the project entails construction. The most preferred source for investment would be official documents, but if that is not available and there are multiple sources providing varying figures, please use the most credible source and the most conservative number.
- **Legislations Involved:** Any legislation may be involved in a land conflict. It is important to identify how and which legislations are involved in the conflict and which provisions of the law have been used by the government/community to trigger/resolve the conflict. A legislation may be involved in a land conflict because it is not followed or implemented or is undermined by other laws. There may be more than one law involved in a land conflict, and it may be a national law or a state law. Some common examples of laws that are usually involved in land conflicts are the Forest Rights Act of 2006 and the Land Acquisition, Rehabilitation and Resettlement Act of 2013. Please note:
  - A state law may not provide the provisions for consent, fair compensation, rehabilitation or any other such provision that protects the rights of land/livelihood losers. However, as 'land' is a state subject in the Constitution, these laws may be used to undermine Central laws that do provide these protective legislations.
  - If forest rights claims are pending under the Forest Rights Act, all activities in the conflict area should be halted until the court has given its verdict. Even though no formal rights have been granted to communities while decisions are pending in the courts, the land in question should not have any development taking place while the matter is in court.
- **Scheduled Area:** The Indian Constitution offers special protection for land rights in geographically demarcated tribal-majority areas known as 'Scheduled Areas'. The provisions for these areas can be found under the Fifth and Sixth Schedules of the Indian Constitution (Art. 244 (1), 244 (2) and 275 (1)<sup>3</sup>), and a list of districts that fall under Scheduled Areas can be found on government websites. An area inhabited by Scheduled Tribes does not always correspond to that district being a Scheduled Area.
- **Tribes Peoples:** The term "tribal" or "tribals" is often used to denote India's diverse tribal community. LCW encourages all researchers to identify the ethnic or cultural group impacted by land conflict by referring to them as "tribes peoples" or "indigenous peoples" instead of using "tribal" or "tribals".
- **What Constitutes a Human Rights Violation?** Human rights are inherent to all humans, irrespective of nationality, place of residence, sex, national or ethnic origin, colour, religion, language or any other status. They are universal and inalienable, and every person is equally entitled to enjoy his or her rights without discrimination. Human rights include the right to life,

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<sup>3</sup> The Constitution of India [India], 26 January 1950, available at: <https://www.refworld.org/docid/3ae6b5e20.html> [accessed 4 July 2019]

right to work, right to health and right to freedom of expression. The state has an obligation to respect, protect and fulfil these rights. Human rights violations occur when a state fails to uphold these rights. Some examples of rights violations include arrests, torture, torching of houses and physical attack, among others. For more information the Office of the United Nations High Commissioner for Human Rights (OHCHR) website is a good source that contains many links to rights documents<sup>4</sup>. India's latest Universal Periodic review can be found in the foot note below<sup>5</sup>.

## Writing a Summary

A summary is an important part of completing the land conflict reporting form. You are expected to write the summary as clearly and concisely as possible while ensuring that all important points are covered. All claims made in a summary must have the necessary data cited in the area of the form pertaining to that data set (e.g. people affected by conflict as mentioned in Figure 4).

The importance of the summary is to provide a brief description of all the data from the conflict form. In some instances, filtering data may be enough to identify conflicts of interest, but more often than not, it is the description that informs the reader about the 'Whys' and 'Hows' of the land conflict.

If you are having trouble formulating a summary, we have created some pointers below to aid you in this process. Remember, these are just helpful tips and need not be followed rigorously.

1. Start with the project/latest development that has led to the conflict (try to give as much information on the project as possible)
  - What is the project?
  - Give a background on when it was proposed and when it will be completed.
  - Who is in charge of executing the project?
  - Who will the project benefit?
  - How much land will be acquired?
2. Building on the points, 'Who will benefit from the project and how much land will be acquired', answer these questions.
  - Why is the project leading to a conflict?
  - How many people/households will be affected?
  - How will they be affected? Important to note here that it won't suffice to say people will be affected. We need to mention specifically how they will be affected: displaced/loss of livelihood/ lack of rehabilitation etc.
  - With this previous point you can link the laws and legislations that are triggering/being used to give rise to the land conflict.
3. How have the people reacted?
  - Is the conflict being fought in or out of the courts?
  - Have there been protests?

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<sup>4</sup> Other Social Cultural and economic rights can be found here: <https://www.ohchr.org/EN/pages/home.aspx>

<sup>5</sup> A/HRC/WG.6/27/IND/. Accessed online: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/044/56/PDF/G1704456.pdf?OpenElement>



- If yes, mention the details: when and where did the protest happen? How many people protested? What did they demand?
- What was the outcome of the protest? If people have submitted a petition or lodged complaints, mention the response of the authorities.
- Has there been any arrest/violation of human rights?

4. Any important/controversial quote/statement needs to be attributed or hyperlinked.

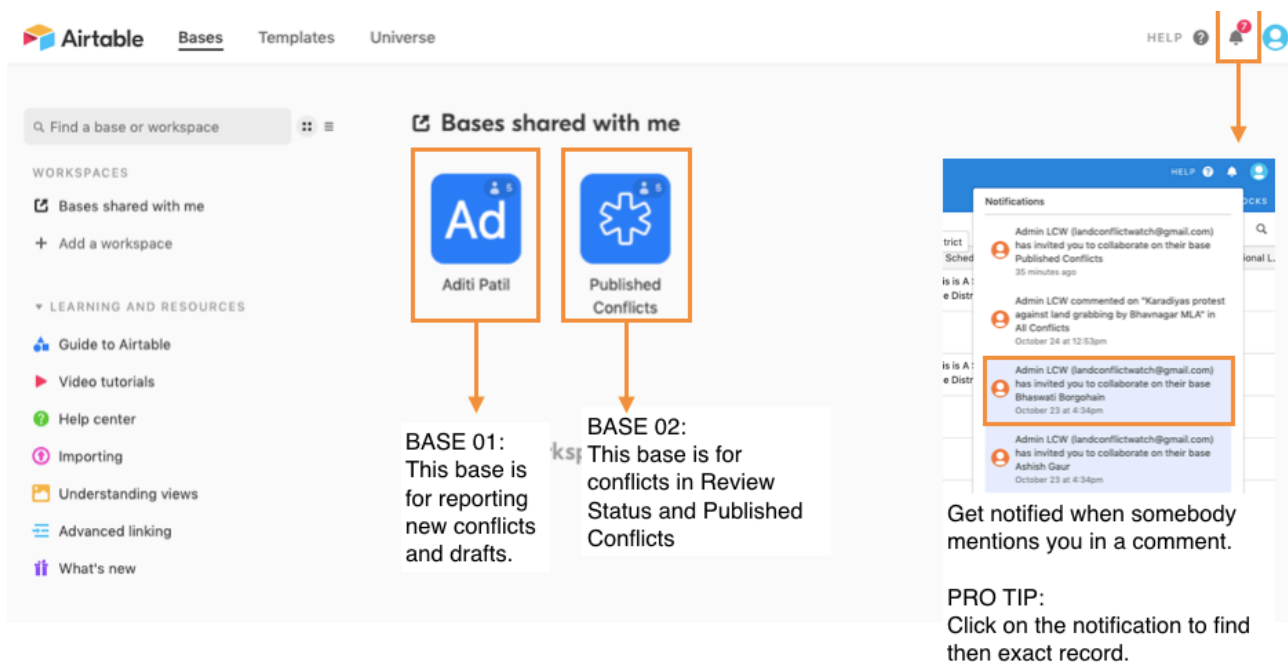
5. Please remember to mention the sources for ‘No. of people/households affected’, ‘land area affected’ and ‘investment’ in the respective boxes provided in the form.

## On-boarding and filing a Conflict

LCW has recently revamped its website and data entry platform. We hope the new data entry and conflict reporting form makes the process easy and seamless for our researchers and reviewers alike.

LCW now uses the Web platform “Airtable” for data entry and monitoring. To get started, all you need to do is make an account at [www.airtable.com](http://www.airtable.com) (our coordinator will ideally send you an email invite to join Airtable while sharing your base, or account, with you). Every researcher will have his/her own base that they can use to report conflicts.

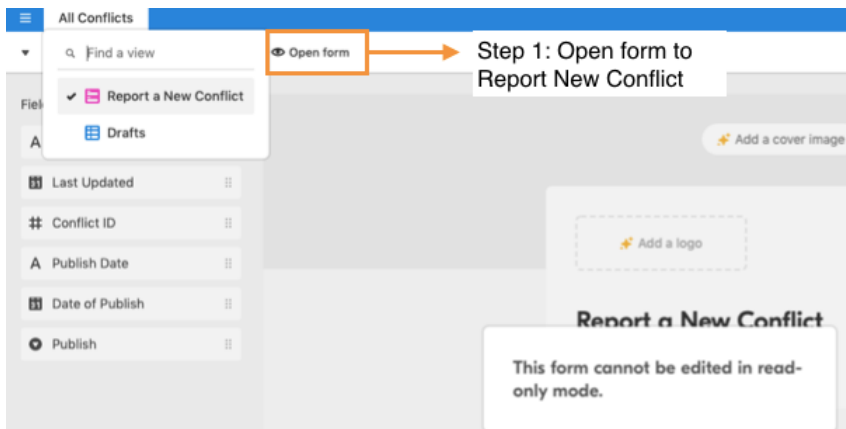
**Figure 1:** Air table home page



As you can see, ‘BASE 1’ will be a researcher’s main point of access. It is by clicking on his/her personalised base that a researcher will gain all access to their conflicts.

## Filing conflicts

Figure 2: Reporting a Conflict



Once you click on your base (which will have your name), you will see this view (or an excel sheet). To get this 'view', you must select the 'Report a New Conflict' option. To file a new conflict, you **must** click on 'Open form', after which you will be redirected to the new online form to fill with all the information on the conflict you are reporting.

Figure 3: The 'Report a New Conflict' Form

### Report a New Conflict

A screenshot of a form titled 'Report a New Conflict'. The first field is 'Title of Conflict \*' with a red asterisk. Below it is a text input box with the instruction 'Give a headline for the conflict in not more than 12 words.' The second field is 'State \*' with a red asterisk. Below it is a dropdown menu with the text 'Select State Name' and a downward arrow.

When you open the form, you will be redirected to a new page. Please proceed to fill in the form as required. **Note:** All data entry points marked with a **\*red asterisk** are compulsory fields.

Figure 4: Sources

A screenshot of a form section titled 'Upload Source For People Affected'. It contains the text 'Please mention your source for this figure.' and an 'Attach file' button. Below that is a 'Drop files here' area with a circular icon. The next section is 'Link to Information Source' with the text 'Please mention your source for this figure.' and a text input box.

A new feature in the form is the provision to add data source. We request our researchers to add this source wherever asked. This allows the core team, the reviewers and others who wish to review the data in the future to quickly and easily find where a researcher has got particular information. If you upload a document, please mention the page number of the figure in the box 'Page number'. If the source is an online article or report, please provide a link in the relevant box.

**Figure 5: Submitting the form for review or saving as a draft**

**Moderation Status \***

Set as Draft to edit from 'Draft Page', or Send for Review.

Draft

Review

**Submit**

If a you finish filling up the form to the best of your ability and wish to submit the conflict for review, you need to set the 'Moderation Status' too 'Review and click 'Submit'. If you want to make additions/changes in the form before sending it for review, you can set the 'Moderation Status' too 'Draft' and submit. The conflict will get saved in your drafts and you will be able to access it later. Researchers can also work on multiple drafts at once.

**Figure 6: The 'Draft' View in Researchers personal Base**

	Title of Conflict	State	District	Sector	Type of Land	Moderation Status	Publish
1	Protest against construction on a water body in Vadodara	Gujarat	Vadodara	Infrastructure	Common	Review	Yes
2	Karadiyas protest against land grabbing by Bhavnagar MLA	Gujarat	Bhavnagar	Land Use	Private	Draft	
3	Tribals Oppose Par-Tapi-Narmada Link in Gujarat	Gujarat	Valsad	Land Use	Both	Review	Yes

In the same drop-down menu where you find 'Report a New Conflict', you have the option to access a 'Draft' view. Here, you get access to all the conflicts you have on draft status and others you have filed.

Note the red numbers in Figure 6.

1. Is a drop down menu that gives the option of 2 views: 'DRAFT' and 'Report a New Conflict'. The view of the image is currently 'Draft' view.
2. Provides you the option to filter out columns to make viewing of conflicts easier.
3. The moderation status, which is either 'draft' or 'review'.
4. Whether the conflict is published or not.
5. When a number is visible by the name of the conflict, it means there is a comment left by the reviewer that needs to be addressed (you will also be notified if the reviewer tags your name in her comment).

**Figure 7: Continuing work on a 'Draft'**

1	Protest against construction on a water body in Vadodara	Gujarat	Vadodara				
2	Karadiyas protest against land grabbing by Bhavnagar MLA	Gujarat	Bhavnagar				
3	Tribals Oppose Par-Tapi-Narmada Link in Gujarat	Gujarat	Valsad				
4	Tribals Affected by Statue of Unity Boycott Inauguration, ...	Gujarat	Narmada				

If you could not finish filing a conflict and left it in 'Draft' to be returned to later, you can find your draft in your personal database. Move your cursor over the name and the icon highlighted in Figure 7 with pop up. Click on this icon to

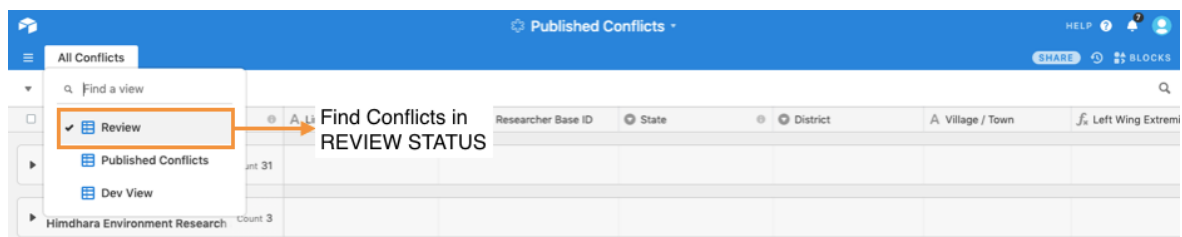
be sent back to the form to continue working on the conflicts.

**Note:** After completing the form, change the moderation status to Review. Please note that once the status changes to Review and you submit it, you **WILL NOT** be able to make further changes to the record but only add comments or respond to the reviewer's queries.

## Reviewing Conflicts

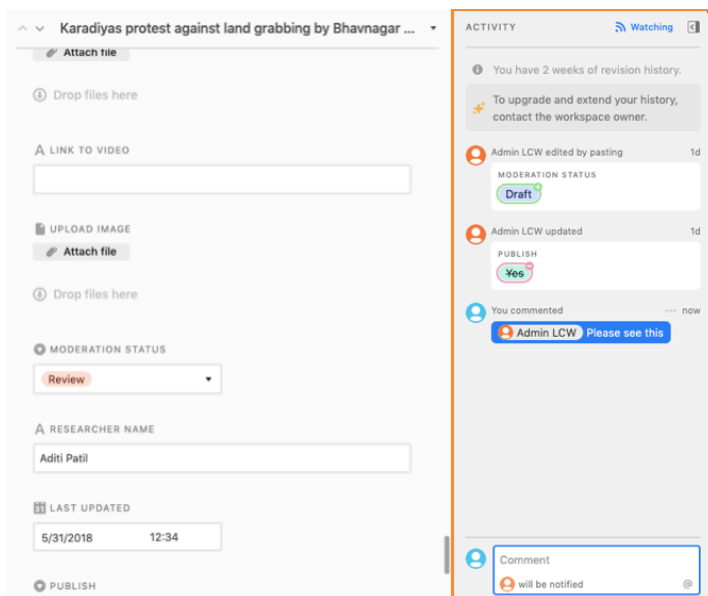
To access conflicts under REVIEW revert back to your home page and access your BASE 02, as shown in figure 1.

**Figure 8:** Working on Reviewed conflicts



To address the reviewer's queries on reviewed conflicts, you will need to Access Base 02 (as shown in Figure 1). Expand your record to view the reviewers comments.

**Figure 9:** Comments and editing



When you open the comments section, your notifications will direct you to the reviewer's questions. This section shows all changes made by the reviewer as well comments made by both you and the reviewer. You can notify the Reviewer by tagging her with **@ in the comments**. The reviewer can do the same. You will be notified over email and on the Airtable homepage, if you are logged in, when the reviewer mentions you in the comments. Use this comments section to answer any queries the reviewer might have.

## Questions?

If you still have any questions that we were unable to answer through this manual, please feel free to get in touch with us. We look forward to a fruitful and long-lasting collaboration.

Good luck!