

2023 INDIA LAND CONFLICT MONITORING REPORT

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Spanning about 3.2 million square kilometers, India has just 2.4 percent of the world's land area. However, it supports 17 percent of the world's population and is home to some eight percent of the world's biodiversity.

India is also one of the world's fastest growing economies, and it relies heavily on natural resources to fuel this growth. This sets up contests between industry, the State, the political class and citizens over the use and ownership of land and natural resources.

Furthermore, divisions based on class and caste in India have led to increasing inequality in the use of and access to natural resources. The failure to implement agrarian reform and land distribution schemes (Chacko, 2020) has also contributed to the problem in the long term.

This inequality of access to resources exacerbates poverty and pushes a large section of society to the socio-economic margins, making them increasingly vulnerable to emerging threats, such as climate change, food and water shortages, disasters, and pandemics. Marginalized communities that are involved in conflicts over resources have often been subjected to excessive or arbitrary administrative actions. Protesters at the

forefront of land conflicts have been arrested, detained, or imprisoned (Joshi, 2022).

Land Conflict Monitoring Report on India

In the past seven years, Land Conflict Watch (LCW) has been documenting issues in India's complex land governance system. In 2020, LCW found that over 6.5 million people were affected by land conflicts across India (Worsdell and Sambhav, 2020). A closer look at some of these conflicts revealed patterns, such as communities being invariably the victims of land conflicts. For instance, informal settlers with no formal housing rights were displaced en masse when the capital New Delhi underwent renovations in 2022 to 2023 (Rupavath and Joshi, 2023). Other commonly affected groups include indigenous people (Joseph, 2023) and agrarian communities (Rupavath, 2022).

In 2022, LCW found that the highest number of conflicts were concentrated in the infrastructure sector (Mrinali et al., 2022). At the same time, forestry and conservation schemes were a major trigger for land conflicts.

This report looks at systemic issues and processes that shape land conflicts in India, in

an empirical and aggregated manner with a view towards proposing effective solutions. By looking at the causes of land conflicts and the affected populations, LCW aims to record the driving factors of these conflicts as well as the most vulnerable stakeholders.

Methodology and data sources

LCW regularly collects data on over 70 quantitative and qualitative parameters for every land conflict that it maps. These parameters include information on the people impacted; investments on projects associated with the land conflict; area affected by conflict; type of economic activity undertaken on the land; land tenure systems; the parties involved and their demands and contentions; the significance of the land to communities; the legislations and judicial pronouncements involved; legal loopholes and procedural violations associated with the conflict; and, other location-specific characteristics.

Over 40 researchers from across the country regularly update the database with the latest data as conflicts emerge over time. Field researchers collect information from a mix of primary and secondary sources. They are encouraged to verify details about conflicts using evidence from multiple sources, including regional and local news sources, official government documents, and primary sources, such as first-hand accounts of affected persons.

Table 1 shows the different types of information sources used by LCW in the recording of land conflicts. The primary source used for nearly all land conflicts in the LCW database is mainstream media. At the same time, researchers are instructed to verify details of the conflicts using information from multiple media publications. Official documents from government and judicial records are also often utilized.

Table 1. Sources of information for the cases

Source	Number of cases	Percent of cases (%)
Mainstream media (print, online, radio)	127	60
Courts	48	23
Government agencies, institutions	33	16
Community, community-based organization	2	1
CSO/NGO	1	0
Police reports	1	0
Total	212	100

The reviewer verifies and cross-references all the data and citations that the researcher provides and edits the case summaries. The reviewer can raise queries about the data, and the researcher responds through a workflow built into Airtable. Airtable is a cloud collaboration platform. It features a spreadsheet-database hybrid, which has the features of a database but applied to a spreadsheet. The fields in an Airtable table are similar to cells in a spreadsheet, but have types such as “checkbox,” “phone number,” and “drop-down list,” and can reference file attachments like images.

After verification, the conflict is published and uploaded onto the LCW website. Following data collection, verification, and updating, a team of data analysts conduct quantitative and qualitative analysis. Data from Airtable can be exported to other software for analysis.

The database reveals not only macro trends and statistics about disputes at scale, but also presents a micro picture of each dispute, with granular data and documents. Each case study also tells the story of people, communities, organizations, and other actors at the frontline of the conflicts.

For the 2023 Land Conflict Monitoring Report on India, LCW has taken a closer look at 128 land conflicts which were recorded in 2023. This collection includes land conflicts which were recorded for the first time in the LCW database in 2023, or previously recorded conflicts for which a significant update was added in 2023.

This secondary review involved re-analyzing the conflicts with 22 additional parameters decided in consultation with the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC).

Key findings of the study

Population and area affected by conflicts

The 128 land conflicts recorded by LCW in 2023 covered 129,820 hectares of land and affected 162,716 households (Table 2).

Table 3 shows the distribution of cases in terms of duration. The majority of cases (52 cases, or 41 percent) have been going on for less than two years. Twenty-four cases (19 percent) have lasted less than five years; 16 cases (13 percent), less than 10 years; seven cases (five percent), less than 15 years; and, nine cases (seven percent), less than 20 years.

The longest-running cases (13 cases, or 10 percent) have been ongoing for more than 20 years, and of these, the oldest case involves

Table 2. Total number of cases, area, and households affected by land and resource conflicts, 2023

Ongoing cases	Number
Total number of cases	128
Total number of hectares affected	129,820
Total number of households affected	162,716

Table 3. Duration of conflicts, in number of years

Duration	Number of cases	Percent of cases (%)
Less than 2 years	52	41
2 to less than 5 years	24	19
5 to less than 10 years	16	13
10 to less than 15 years	7	5
15 to less than 20 years	9	7
20 years or more	13	10
Unknown	7	5
Total	128	100

indigenous and agrarian communities in Arunachal Pradesh, a State in the north-east region of India, who have been protesting against multiple hydropower projects since 1972 (East Street Journal Asia, 2023).

Types of land and resources affected by conflict

The conflicts have been categorized based on the significance of the land for the affected communities, whether or not they have a legal claim over the land. In India, land is largely classified as either owned by private individuals or owned by the government. At the same time, a large share of the population is dependent on the use of common lands or common property resources for agriculture, agroforestry, or settlement.

Table 4 shows that the largest number of cases (42 cases, or 33 percent) are related to housing and settlements. Other notable categories which involve large swathes of land include smallholder agriculture/farming land (31 cases, or 24 percent), social/community forests (16 cases, or 13 percent) and IP (indigenous

peoples) land/ancestral domain (12 cases, or nine percent).

The 12 conflicts involving IP land generally occurred on forest land. The legal framework in India allows forest land to be put under the stewardship of the community. However, such legal provisions are plagued by poor implementation, rendering forest resources inaccessible to IP communities. These 12 cases represent the largest contested area, with over 58,000 hectares of land affected.

In the cases involving community/social forests, forest land was being utilized by non-IPs and communities, even though the land is considered as “government land.” In the 16 cases in this category, communities protested against the use of forest land for non-forest purposes. A notable example is that of indigenous communities that are protesting against a proposed iron ore mine (Neurekar, 2023) in Goa, a State in western India, which

would affect over 70 hectares of forest and agricultural land (Gokhale, 2023).

The category of housing and settlements involved only 14,778 hectares of land. This is largely because the majority of these conflicts took place in small and congested urban slums and informal settlements.

Twelve cases which involved miscellaneous types of land were categorized as “Others.” These largely included shops and commercial establishments, where eviction drives were conducted in 2023.

Table 5 lists the sectors or groups that were significantly affected by land conflicts. Farming communities were the most affected (36 cases, or 28 percent). Typically, in such conflicts, farming communities were pushed out of land that they had been cultivating for generations because they lacked proof of land ownership.

Table 4. Type of land and resource affected by conflicts based on number and percent of cases and contested area (in hectares)

Type of land/resource	Number of cases	Percent of cases (%)	Contested area (in hectares)	Percent of contested area (%)
Housing and settlements	42	33	14,778	11
Smallholder agriculture/farming	31	24	49,405	38
Community forest/Social forest	16	13	326	0.5
Indigenous people’s land/ancestral domain	12	9	58,308	45
Common lands/Public lands managed by the community	8	6	5,558	4
Water/fisheries resources	7	6	1,104	1
Others (shops, commercial establishments)	12	9	341	0.5
Total	128	100	129,820	100

Other notable categories include informal settlers/slum dwellers (30 cases, or 23 percent). In one case, over 200,000 slum dwellers were affected by a new draft master plan proposed by municipal authorities in Maharashtra, a State in western India (Kothari, 2023).

IPs fought for their land rights in 19 of the cases. The second largest conflict in the dataset involved over 110,000 IPs that were displaced or affected by a multi-purpose irrigation project in Andhra Pradesh, a State in South India (Khan, 2016).

The category of tenured residents was applied to 15 cases where revenue villages or towns were involved. These included instances where communities, which owned the land privately, protested against large-scale public infrastructure or utility projects.

Table 5. Primary sector or community affected by conflicts based on number and percent of cases

Primary sector/community	Number of cases	Percent of cases (%)
Farmers	36	28
Informal settlers/Slum dwellers	30	23
Indigenous people (IP)	19	15
Tenured residents	15	12
Fisherfolk	6	5
Discriminated sectors (caste, religion, ethnicity)	6	5
Non-IP Forest users, pastoralists	3	2
Others (shop owners, street vendors)	13	10
Total	128	100

Thirteen cases, classified as “Others,” involved various groups, such as village residents, shop owners or street vendors, who do not fall under the other named categories and groups. A notable example in this category was the eviction of 3,500 households from a colony in New Delhi, the national capital, leading to the displacement of thousands of folk artistes (Fanari, 2023).

Adversarial claimants and drivers of land conflict

As LCW largely records conflicts involving communities’ existing interests and claims over land, the adversarial claimants in the cases are by default the parties that have competing interests or claims. In 69 percent of the cases, these parties were government agencies, and in

Table 6. Adversarial claimants in land conflict cases based on number and percent of cases

Adversarial claimants	Number of cases	Percent of cases (%)
Government agencies and State enterprises	88	69
Private companies	14	11
Local Government	13	10
Community vs. community (residents, settlers, migrants, refugees)	8	6
Powerful individuals	3	2
Military, police, armed forces	1	1
Non-State group, insurgent group	1	1
Total	128	100

11 percent of the cases, private companies. Even where projects were undertaken by private companies, conflicts were triggered by the manner in which the State carried out the transfer or acquisition of land.

In conflicts where local governments played a role (10 percent), activities by either municipal bodies or elected rural bodies, such as *panchayats*, caused the land conflict. Conflicts which involved large-scale eviction drives implicated local government and often State security agencies that aided the land reclamation, among others. Conflicts in which other communities (six percent) were the catalyst usually involved State-border disputes, or violence arising from a difference in caste identity or access to land.

Table 7 shows the distribution of conflicts based on the main cause of the land conflict. For instance, the largest share of conflicts resulted from government-led programs, such as land reclamation (28 cases) and public infrastructure (27 cases).

In the case of public infrastructure, projects such as the building of roads, highways and airports were significant drivers of conflicts. A recurring legal issue in such cases was the lack of compliance with procedures laid out in Indian land acquisition laws, which require prior public consultation and the awarding of fair and just compensation to affected persons.

In the case of land reclamation projects, large swathes of land were cleared of “encroachment.” These projects targeted either IPs residing near forested areas, or slum dwellers in urban hotspots. Some of the most notable examples of such conflicts included land reclamation undertaken for the renovation of the national capital, New Delhi.

Similar kinds of conflicts were recorded on reserved land, including conservation/protection areas. Such cases involved large-scale eviction drives to remove “encroachment” from wildlife sanctuaries, national parks and other protected areas.

Responses of affected communities

Table 8 shows the distribution of cases based on the response of communities to the land conflict. The majority of these cases involved inter-community disputes over land, primarily border disputes between different States.

In a large number of conflicts (49 cases), communities approached judicial courts for resolution of the conflict. It is significant to note that (34 percent) all of the cases involved mass protests. However, 58 percent (74 cases out of 128), communities were able to engage with the administration directly, either through local or direct negotiation, formal government mechanisms, and judicial courts.

In just six cases, retaliation was the community’s response to conflict.

Table 9 shows the distribution of cases based on the corrective action taken by the government to address the land conflict. The overwhelming majority of cases did not see any action being undertaken by the government (117 cases, or 91 percent). In the remaining 11 cases (nine percent), the government or the courts recognized that corrective action was required. However, communities continued to protest as the action taken was inadequate or was not fully carried out.

Incidents of human rights violations and perpetrators

In the 128 conflicts documented, LCW recorded at least four instances of violence or human

rights violations (HRVs) against individuals. Incidents of HRVs against individuals were recorded only where the particular conflict that

triggered the incident has a larger underlying public interest (e.g., if a member of a protected community faced violence or a local activist was

Table 7. Drivers of land and resource conflict based on number and percent of cases and contested area (in hectares)

Drivers of conflict	Number of cases	Percent of cases (%)	Contested area (in hectares)	Percent of contested area (%)
Government projects/programs	73	57	87,710	68
Land reclamation	28		1,360	
Public infrastructure (including roads, bridges, airports, ports)	27		64,730	
Public utilities (dams, power lines, power/energy, irrigation, etc.)	8		14,206	
Social housing, urban development	5		1,565	
Special economic zones	2		5,833	
Military facilities	1		4	
Others	2		12	
Private-led business enterprises	19	15	6,126	5
Power generation and transmission	7		2,232	
Mining, quarrying	4		461	
Agribusiness, plantations	3		46	
Industry, manufacturing, production	3		2,927	
Property, housing, real estate development	1		460	
Tourism, eco-tourism	1		no data available	
Conservation/Protected Areas and "No Go" Zones	15	12	14,088	11
Conflicting claims between communities/sectors over land and resource	11	9	371	0
Overlapping tenure and use	8		360	
Encroachment (e.g., migrants, settlers, refugees)	3		11	
Government-led business/State enterprises	9	7	21,524	16
Total	128	100	129,820	100

threatened with arrest as a result of an ongoing land conflict). In all four instances, either an activist or a member of a marginalized community was targeted due to ongoing protests.

LCW also recorded 23 instances of violence or HRVs against communities. These instances included forms of violence – including physical threats, large-scale evictions and mass arrests/detention – against communities that were involved in land conflicts. At least 9,525 households were affected in these 23 instances.

Tables 11 to 12 contain details of the HRVs that individuals were subjected to. Two instances involved physical injury/assault due to an ongoing border conflict in the north eastern region of the country (Yanthan, 2023). Both of these assaulted individuals were males. The other two instances involved arrests of individuals known for activism. No information was provided on the gender of these two individuals.

Tables 13 to 15 contain details of communities that experienced HRVs. Approximately 43 percent (10 cases) of these incidents involved informal settlers/slum dwellers while 34 percent (eight cases) involved farming communities. Because the cases took place in densely populated cities, such as New Delhi, the number of informal settlers affected by instances of HRVs is the highest in the dataset with over 9,502 households. Indigenous communities were the victims in three instances. The “Others” category included shop owners/vendors that were affected by anti-encroachment eviction drives (Table 13).

In at least 11 incidents, communities were subjected to forced evictions, that is, eviction was carried out without following procedural norms or with the use of excessive and disproportionate force. Moreover, in at least four

Table 8. Responses to land conflicts by communities

Responses of Communities to Land Conflicts	Number	Percent of Responses (%)
Seek conflict resolution	74	58
• Through judicial courts, NHRC, legal adjudication	49	
• Through government administrative mechanism	22	
• Through local or direct negotiations	3	
Peaceful demonstrations/non-violent acts	45	34
Retaliation	6	5
No response	1	1
No information available	2	2
Total	128	100

Table 9. Corrective actions to address the land conflict

Were there any corrective actions taken to address the conflict?	Number
Yes, by the Government/State	11
No/Not yet	117
Total	128

incidents, crops of community members were destroyed. There were seven cases classified as "Others," with data not recorded in terms of number of households affected (Table 14).

In the majority (48 percent) of the cases, State security agencies were blamed for the HRVs (Table 15). It is significant to note that these instances involved police arresting, detaining, or allegedly inflicting brutality on protesting communities.

Table 10. HRVs based on number of incidents and victims

Incidents of HRVs	Number of incidents	Number of victims
Against individuals	4	4
Against communities	23	9,525 HHs
Total	27	

Table 11. Types of HRVs committed against individuals, by number of incidents, number of victims, and gender

Type of HRVs	Number of incidents	Number of individual victims	Gender		
			Male	Female	Unidentified
Physical injury/ assault	2	2	2	0	0
Detainment/ legal arrest or illegal detention	2	2	0	0	2
Total	4	4	2	0	2

There were multiple instances of the police allegedly engaging in "lathi-charge" -- a form of baton charge used to disperse crowds. Police presence was also used to maintain law and order in eviction drives. The victims of such conflicts were primarily poor farmers, IPs, and informal settlers.

Unidentified assailants were involved in incidents of violence against villages, such as in border disputes. In such cases, unknown parties either destroyed property or attacked resident villagers following a larger conflict over tenurial rights in the area.

Table 12. Reported perpetrators of HRVs against individuals based on number and percent of incidents

Perpetrators of HRVs against individuals	Number of incidents	Percent of incidents (%)
Armed agents of the State	2	50
Unidentified	2	50
Total	4	100

Table 13. Communities affected by HRVs based on number of incidents and affected households

Communities affected by HRVs	Number of incidents	Number of affected households
Informal settlers/ slum dwellers	10	9,502
Farmers	8	No data available
Indigenous people (IP)	3	No data available
Fisherfolk	1	6
Others	1	17
Total	23	9,525

Conclusion

Land conflicts tend to impact not only poor and marginalized communities that are dependent on the land, but also other stakeholders who seek to utilize the land for larger projects. Policies promoted by the government have often prioritized “ease of doing business” over consultation with all stakeholders. Processes which bypass resident communities' demands adversely impact both the communities as well as the project proponents.

Conflicts on the ground show that simply securing the land by force does not guarantee that the government agencies or private entities that are taking over the land will gain unfettered access to it. This has been observed in industrial projects for which land has been acquired, as well as in land reclamation projects where informal settler communities have been evicted en masse.

Table 14. Types of HRVs committed against communities based on number of incidents and affected households

Type of HRVs against communities	Number of incidents	Number of affected household
Eviction, displacement, work termination	11	9,525
Destruction of crops, homes, property	4	No data available
Physical threat and other forms of intimidation	1	No data available
Others	7	No data available
Total	23	9,525

In the 128 conflicts studied for this report, one of the most frequent complaints by the communities has been about procedural violations, i.e., where the prescribed law has not been followed. Laws such as the Land Acquisition Act, 2013, and the Forest Rights Act, 2006 (FRA), mandate that resident communities must be consulted prior to embarking on development projects or taking over their land. Such protections are based on a constitutional rights framework which recognizes the autonomy and dignity of individuals. Government agencies must follow the letter of the law to ensure that the fundamental rights enshrined in the Constitution are respected.

In the case of common lands, the most frequent demand put forth by communities has been to retain access to such land. For indigenous forest-dwelling communities, protections such as the FRA can help communities seek legal recourse. However, no such formal protections exist over the use of non-forested common lands, such as *nazul* land (non-agricultural

Table 15. Reported perpetrators of HRVs against communities based on number and percent of incidents

Perpetrators of HRVs against communities	Number of incidents	Percent of incidents (%)
Armed agents of the State	11	48
Unidentified assailants	5	22
Government agencies	4	17
Local government	3	13
Total	23	100

common land) or *poramboke* land (unassessed revenue land), especially in urban areas. Even when such conflicts are likely to go to court, without formal rights, communities can only contest on the grounds of established procedure – often leading to adverse judgments which prioritize development over their rights. Without the recognition of formal rights to live off the land, communities are constantly at risk of being evicted despite having lived on the land for generations.

The labelling of communities as “encroachers” subjects them to stigmatization by the government and in the media. When the most common land use by such “encroachers” is for the purpose of shelter, it is necessary to discuss the fundamental rights of every citizen to housing and shelter when considering their cases.

Lastly, the alleged use of police force in land conflicts indicates a pattern of repressive practices. Multiple reports of lathi-charge and arbitrary arrests indicate that poor and

marginalized communities may be subject to excessive force when exercising their right to free speech. It is necessary to highlight these instances to ensure that communities have access to legal aid and representation. By identifying these macro level trends, this report is expected to be beneficial to policymakers, including stakeholders responsible for training police, magistrates, and legal aid lawyers.

As the LCW database grows, it will serve as an effective tool in fostering a comprehensive understanding of broad trends and in promoting a better understanding of land and natural resource uses. In the past couple of years, our research has focused on understanding the economic impact of land conflicts at different levels, and for various stakeholders, as well as the evolving legal issues, jurisprudence and dispute settlement practices. We hope that the findings of this research will help inform a more holistic approach to addressing land conflicts. ■

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