

METHODOLOGY

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 over 100 quantitative and qualitative parameters for every land conflict it maps. These parameters include information on the people impacted; investments associated with the land conflict; area under 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. 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.

LCW gathers and maintains the requisite evidence to support the data; this includes official, administrative and legal records pertaining to the conflict. 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 of them has clearly defined roles in the process of conflict identification, data collection, verification and analysis.

The research uses specific terminology and definitions oriented towards field research and the subsequent analysis of land conflicts. We list key definitions and the step-by-step process of data collection and analysis here.

DEFINITIONS

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.

INVESTMENTS INVOLVED IN CONFLICT: An investment involved in conflict is the total amount of investment made, or expected to be made, at the time of the commissioning of the project that is being undertaken on the land under conflict. The amounts are based on evidence available in the public domain, as cited by project developers, government records or news reports. If different investment figures are available in the public domain, the figures from government and company documents, or the most conservative estimates presented in news reports are considered.

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.

SCRAPPED PROJECTS: Infrastructure, power, mining and other industrial projects involved in land conflicts, which are eventually cancelled, are called scrapped projects. Their cancellation could be due to any reason.

COMPLETED PROJECTS: Infrastructure, power, mining and other industrial projects that are involved in land conflicts, which have reached the commissioning stage are called completed projects.

STALLED PROJECTS: Stalled projects are infrastructure, power, mining and other industrial projects involved in land conflicts where work has stopped, but the projects may or may not have crossed their original commissioning deadlines.

UNDERWAY PROJECTS: These are infrastructure, power, mining and other industrial projects involved in land conflicts, which are ongoing and may or may not have crossed their original commissioning deadlines.

DELAYED PROJECTS: Stalled and underway projects that are involved in land conflicts, and which have crossed their original commissioning deadlines, are delayed projects. We use publicly available records of the original dates of commissioning to calculate the time overruns of delayed projects. In this report, we analyse delays only for stalled and underway projects.

STARTING YEAR OF CONFLICT: This refers to the year in which the contest over the land began. It could be different from the starting year of the project/activity that caused the conflict. It could also be different from the year in which the conflict was recorded in the LCW database.

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.

LEGAL LOOPHOLES/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.

SCHEDULED AREAS: The Indian Constitution enshrines a special legal and administrative framework for the land rights of Scheduled Tribes in geographically demarcated areas, known as Scheduled Areas, in 10 peninsular and 4 northeastern states. Areas within the northeastern states are demarcated in the Sixth Schedule and those in peninsular India are demarcated in the Fifth Schedule.

HOUSEHOLD: For all calculations, a household comprises an average of 4.8 individuals, as per Census 2011 data.

DATA COLLECTION, VERIFICATION AND ANALYSIS

CONFLICT IDENTIFICATION: LCW has a team of 42 part-time field researchers in 24 of the 28 states and 3 of the 8 union territories working to identify and collect data

on land conflicts. Some large states have more than one researcher assigned to them. However, some states and regions are under-reported, either due to difficult terrain or the periodic absence of the affiliated researchers. LCW's researchers include academics, lawyers and research scholars, all of whom have specialised professional experience in their respective geographic areas.

DATA SOURCES: Field researchers based in different states draw upon local and regional sources to identify potential leads, follow them up and verify and report them to the core team of reviewers. 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:

1. **REGIONAL AND LOCAL NEWS SOURCES:** Researchers monitor local and regional newspapers for signs of potential land conflicts. These necessarily include newspapers published in regional languages.
2. **GOOGLE ALERTS:** Google Alerts is a useful tool for identifying potential conflicts. Researchers use them to track specific issues, industries and districts in national and regional news reports.
3. **OFFICIAL DOCUMENTS:** Whenever viable, researchers use official documentation available on public record to ascertain details. Such documentation can include, but is not restricted to, environmental impact assessments (EIAs), affidavits, court case transcripts, police reports, petitions, village assembly resolutions, and any other official documentation that confirms the presence of a conflict.
4. **PRIMARY SOURCES:** First-hand accounts, videos, audio recordings and photographs often form part of the evidence gathered from those involved in conflicts.
5. **CROWDSOURCING:** People can inform the LCW team about a land conflict in their region by filling a publicly available form on the LCW website. Field researchers then follow up to collect data on those disputes.

Researchers are encouraged to build networks with locals, grassroots organisations, peasant movement leaders, government officials, industry leaders and NGOs that are active in their region of focus. LCW's team of regional researchers – combined with their wide network of informed citizens' groups and resource people – are essential for the effective, accurate and detailed identification of land conflicts.

DOCUMENTATION: LCW equips all researchers with a research manual that gives them the necessary context and instructions. It also provides researchers access to LCW's online database platform built on Airtable and trains them to use the platform. To file a conflict, researchers fill an online form that has quantitative and qualitative questions.

VERIFICATION: As part of the review phase, the reviewers' team verifies and crossreferences 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 can respond through a workflow built into the platform. After verification, the conflict is published and uploaded onto the LCW website.

DATA SHARING: Data on each conflict is made available to the public on an open online platform. Aggregate data on basic trends across geographical regions, industrial sectors and land types can also be analysed through the interactive data explorer. Interested parties can request access to the LCW database, or segments of it, for further research. The platform does not share personal data about the people and communities involved in the conflicts.

UPDATING CONFLICTS: As land conflicts are constantly evolving, the field researchers periodically review and update records pertaining to conflicts in their region. They reach out to the original sources, conduct online searches for the latest information, and make phone calls to the resource persons and the representatives of the parties involved to keep track of updates. If a conflict is resolved or closed, it is marked as such and archived in another section of the database.

DATA ANALYSIS: 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.

CAVEATS AND LIMITATIONS

1. The list of land conflicts in the LCW database and in this analysis is not exhaustive. The database is dependent on researchers reporting on conflicts from their regions; this is further dependent on the availability of documentary evidence of conflicts in the public domain. The state-wise distribution of conflicts does not, therefore, represent the actual distribution of conflicts on the ground.
2. When available, we retrieve data from official reports and independent studies. LCW relies on media reports and other secondary sources when primary sources are unavailable. When data differs across sources, LCW relies on government sources. In case government sources are unavailable, LCW considers the most conservative figures from other sources.
3. The figures that we use in our analysis of the investments involved in conflicts are conservative. In many ongoing projects, only data of the partial costs incurred, and/ or the partial investments made until the time of reporting, were available. In many conflicts, data on investments were not available. The project cost estimations

may also not include revised outlays estimated by project developers from time to time. The database presents the most recent figure available in the public domain at the time of recording of the conflict.

4. Data on every conflict is reviewed and updated every three to six months. Some updates from the ground or in the news reports, may not reflect in the database for a few months.