

India: Resolving Land Disputes through Multiple Pathways

OVERVIEW

Submitting Organization	Nath Sanskriti Seva Sansthan
Type of Grievance Mechanism	Innovative and Hybrid Mechanisms
Level of operation	National
Geographic Scope	India

SYNOPSIS

India addresses land-related grievances through a integrated land grievance system rather than a single institutional mechanism. The system combines community-based institutions, administrative authorities, statutory alternative dispute resolution bodies, and formal courts, providing multiple entry points and flexible pathways for resolving land and tenure disputes. Rooted in constitutional safeguards and a series of specialized legal reforms, it integrates customary practices with formal legal processes while recognizing the diversity of India's land-tenure systems. Through the participation of government institutions, Gram Sabhas, customary leaders, civil society, and affected communities, the system seeks to provide accessible, locally legitimate, and legally enforceable solutions, particularly for vulnerable groups such as Indigenous Peoples, women, pastoralists, and smallholder farmers.

BACKGROUND

The accountability and grievance mechanism described in this case emerged in response to rising disputes, dissatisfaction, and lack of transparency in land-based projects and programs across India. Communities, particularly those in rural and tribal areas, often felt excluded from land-related decision-making processes. This led to rising grievances and a growing need for a system that could provide fair, accessible, and accountable redress pathways for individuals and groups affected by land acquisition, dispossession, tenure insecurity, and other land-based interventions. Underlying land tenure challenges include:

- **Lack of formal recognition of customary land rights**, leaving many Indigenous and rural communities without legal documentation for ancestral or traditionally occupied lands.
- **Overlapping claims and boundary disputes** between individuals and groups due to unclear demarcations.
- **Unclear and weak land titles**, coupled with poor governance and incomplete land records, contributing to tenure insecurity.
- **Evictions and dispossession** caused by large-scale land acquisitions and development projects.

- **Marginalization of vulnerable groups** such as women, tribal communities, and small farmers, who often had limited voice in land governance structures.

MECHANISM

Land-related grievances in India are addressed not through a single institutional body but through a hybrid and interconnected land grievance system. Evolving over time, this system has developed through constitutional amendments, specialized legislation, and successive administrative and digital reforms that combine long-standing local governance traditions with formal legal standards and procedures.

The system brings together community-based institutions, administrative authorities, statutory alternative dispute resolution bodies, and formal courts. Its design reflects a multi-stakeholder framework in which state, customary, and non-state actors exercise distinct yet complementary roles in grievance handling and dispute resolution. Key institutional actors include:

- **Government ministries and agencies**, such as the Ministry of Rural Development, the Ministry of Environment and Forests, and state-level land revenue and land records departments, which provide policy oversight and coordination.
- **Land administration authorities**, including district land offices and survey departments, responsible for land registration, record-keeping, boundary verification, and the implementation of decisions.
- **Judicial and quasi-judicial bodies**, particularly Lok Adalats (People's Courts), Revenue Courts, and Legal Services Authorities, which provide accessible dispute resolution, legal aid, and adjudication.
- **Customary institutions**, including village councils, Gram Sabhas, Panchayats, and tribal leaders empowered under the Panchayats (Extension to Scheduled Areas) Act (PESA), which facilitate local mediation and safeguard community rights.
- **Civil society organizations and Non-Governmental Organizations (NGOs)**, including organizations working on land, women's, and tribal rights, which support awareness raising, mediation, documentation, and legal assistance, often in partnership with international organizations such as UNDP, FAO, and the World Bank.
- **Private-sector actors and affected communities**, including agribusinesses engaged in land-based investments as well as smallholders, pastoralists, Indigenous Peoples, and women land users, whose interests and grievances shape the functioning of the system.

The grievance and accountability system rests on a layered legal architecture that has developed incrementally to address evolving governance challenges. Its foundations lie in constitutional protections, sector-specific land and forest legislation, and statutory dispute-resolution frameworks introduced at different points in time. Collectively, these instruments clarify institutional mandates, allocate authority across actors, and define how land-related grievances may be raised, reviewed, and resolved at different levels of the state and community. Key legal reference points include:

- **Legal Services Authorities Act (1987)**
Establishes Lok Adalats as statutory alternative dispute resolution forums operating under the National, State, and District Legal Services Authorities. Lok Adalats provide low-cost, accessible mediation for civil and land-related disputes, with settlements carrying the legal status of civil-court decrees.

- **Constitutional Foundations (1992)**

The 73rd and 74th Constitutional Amendments provided the base by granting constitutional status to Panchayati Raj Institutions (PRIs). This decentralized governance to the village level, enabling local bodies to handle social justice matters, including land-related issues.

- **Panchayats (Extension to Scheduled Areas) Act (PESA), 1996**

Applies in Scheduled (tribal) Areas and empowers Gram Sabhas to manage community land, forests, and natural resources. PESA embeds grievance handling and accountability within local self-governance structures, recognizing customary practices and protecting against land alienation.

Scheduled Areas: Constitutionally Protected Tribal Regions

Scheduled Areas are specific geographic regions in India that have a high concentration of Indigenous (tribal) populations and where special legal protections apply to safeguard their land, livelihoods, and self-governance systems. They are called “Scheduled” because they are listed (scheduled) in the Constitution of India, rather than treated like ordinary administrative areas.

- **Forest Rights Act (2006)**

Recognises and vests individual and community forest rights of Scheduled Tribes and other traditional forest dwellers. It provides a statutory basis for addressing tenure insecurity, exclusion, and displacement related to forest land.

- **Land Acquisition, Rehabilitation and Resettlement Act (2013)**

Applies nationwide and establishes safeguards for land acquisition, including fair compensation, rehabilitation, and resettlement. The Act incorporates consultation and grievance redress requirements into land acquisition processes.

Stakeholder Engagement

The hybrid land grievance system has been accompanied by broad-based consultations, expert committee recommendations, and research studies aimed at bridging formal and informal justice systems. These processes involved a wide range of institutional and societal actors and, most notably, included the participation of groups directly affected by land tenure disputes, whose lived experiences informed the design of grievance pathways. These consultations were conducted through *Gram Sabhas* and community-based organizations to ensure local representation and the inclusion of diverse perspectives. Participants included land users and smallholder farmers facing tenure insecurity and boundary disputes; Indigenous Peoples and tribal communities—particularly in Scheduled Areas—where customary land rights and cultural ties to land required formal recognition; and women, whose engagement sought to address persistent barriers to land ownership, inheritance, and use. Pastoralists, nomadic groups, landless laborers, and other marginalized populations were also considered due to their exposure to land-use change and acquisition processes.

These stakeholder inputs contributed to the development of grievance arrangements that recognize customary tenure systems, reduce procedural barriers, and incorporate gender-sensitive approaches. Particular attention was given to women’s participation in decision-making bodies and to ensuring that grievance channels remain locally accessible through culturally appropriate processes. The consultations also highlighted the importance of transparency and accountability, leading to calls for public hearings, accessible records, and clear communication to strengthen community confidence in the system.

Evolution

Since its establishment, the mechanism has evolved through successive reforms to become more inclusive, participatory, and responsive to complex land-tenure realities. Initially focused on individual ownership disputes, it now also addresses customary rights, collective claims, and community-based tenure systems, reflecting the diversity of India's rural and tribal land contexts.

Reforms have notably strengthened women's land rights, embedding gender equity in grievance processes, and formally aligned the mechanism with the Panchayats (Extension to Scheduled Areas) Act (1996) and the Forest Rights Act (2006), which safeguard Indigenous and tribal land governance through empowered Gram Sabhas.

Institutional improvements have granted Gram Sabhas and Lok Adalats formal roles in grievance handling, while environmental and social safeguards introduced by national and international partners ensure that land allocation and acquisition respect community rights and sustainability standards.

These revisions emerged through a multi-level participatory process involving government agencies, judicial bodies, and civil society. The Ministry of Rural Development, Ministry of Tribal Affairs, and Lok Adalats led key reforms, supported by NGOs, rights defenders, and development partners who helped align the system with global land-governance standards.

Accessibility

The mechanism is designed to be inclusive and participatory, theoretically open to all people. It however specifically targets vulnerable and high-risk stakeholders, including: — Small and marginal farmers Indigenous Peoples, women, widows, and pastoralists. Displaced households. In practice, access varies with literacy, geography, and awareness.

Special measures—community awareness programs, paralegal support, translation into local languages, and no-cost filing—aim to improve access for marginalized groups. Nevertheless, structural inequalities continue to pose barriers for landless laborers, women, and remote rural communities.

PROCESS

Land-related grievances processes are addressed through a layered system that combines community-based dispute resolution with formal administrative and legal processes.

Most cases begin at the local level, where affected individuals raise concerns with Gram Sabhas (village assemblies), Panchayats, traditional leaders, or NGO-supported community groups. At this stage, complaints may be submitted verbally, and the emphasis is on dialogue, mediation, and consensus, often drawing on customary practices—particularly in tribal and rural areas. If an agreement is reached, it may later be recorded in official land records, giving it administrative recognition.

When disputes cannot be resolved locally, cases move to formal state institutions, such as revenue offices, district administrations, or Lok Adalats (People's Courts). Lok Adalats play a central role by offering free or low-cost mediation with legal backing; their decisions are legally binding and can be enforced like court judgments.

When these administrative and mediation-based pathways do not lead to resolution parties turn to formal courts, which are generally considered a last resort due to their cost and duration. In tribal

Scheduled Areas, the process places greater weight on Gram Sabha authority under the PESA Act, ensuring that customary rights and community consent remain integral to land dispute resolution.

Filing a grievance is free or low-cost. Provisions exist for women, tribal groups, and other vulnerable households, allowing their grievances to be formally recorded and addressed within the existing land-governance framework.

The system follows a six-step process combining procedural steps with community-level engagement. It operates through *Panchayat* offices, community forums, and digital platforms. Oral submissions are accepted for illiterate or vulnerable users.

1.Submission of Complaint.

Affected individuals, groups, or communities may submit grievances verbally, in writing, or electronically through local *Panchayat* offices, revenue authorities, or community grievance cells. Oral submissions are accepted and recorded by the receiving officer.

2. Registration and Acknowledgment.

Complaints are entered into a register or digital tracking system and assigned a reference number. The complainant receives formal acknowledgment of submission.

3. Preliminary Screening and Hearing.

Cases are screened to confirm jurisdiction, typically including matters related to ownership, tenancy, boundaries, evictions, or compensation. Cases outside the mandate are redirected. Hearings are conducted to allow parties to present evidence, assisted by local officers or community representatives.

4. Review and Investigation.

Authorities review land records, cadastral maps, and supporting documentation and may conduct field inspections or participatory hearings. *Gram Sabhas*, women's groups, and tribal representatives are involved in certain cases.

5. Resolution and Decision.

Disputes are addressed through conciliation, mediation, or adjudication. *Lok Adalats* (People's Courts) and *Panchayati Raj Institutions* handle cases locally, while more complex cases are referred to *Revenue Courts*, *Land Tribunals*, or *Sub-Divisional Magistrates*. In tribal and pastoral areas, customary norms such as shared grazing rights or collective ownership are applied.

6. Appeal

Parties dissatisfied with decisions complainants may pursue several alternative pathways. Cases can be appealed to higher revenue authorities such as the *Sub-Divisional Magistrate (SDM)*, *District Collector*, or *Revenue Board*, or taken to *Land Tribunals* with legal aid from *State* or *National Legal Services Authorities (NALSA)*. Formal judicial options include *Civil Courts*, *High Courts*, and the *Supreme Court*, as well as *Public Interest Litigations (PILs)* for broader land-governance issues.

Disputes may also be referred to Alternative Dispute Resolution (ADR) mechanisms such as *Lok Adalats*, mediation, arbitration, or village-level reconciliation through *Panchayati Raj Institutions*. Additional remedies include administrative review by *Ombudsman offices* or *district grievance cells*, re-verification of records through the *Digital India Land Records Modernization Programme (DILRMP)* and *Bhumi*

Adhikar Abhiyan, and compensation claims under the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (2013)*.

In rural and tribal areas, *traditional panchayats*, NGOs and women's support structures such as *Commissions for Women* and *Self-Help Group federations* assist in mediation and follow-up of unresolved land disputes.

While informal, community-based resolution is encouraged in many cases to promote early settlement and reduce pressure on the courts, individuals retain the right to seek resolution through formal administrative (Revenue Courts) or judicial (Civil Courts) forums. These formal mechanisms are generally regarded as a last resort because they tend to be more time-consuming, costly, and procedurally complex.

A defining feature of the system is its flexibility. A grievance may originate at the community level and later be referred to a Lok Adalat or a Revenue Court for legal recognition or enforcement. Conversely, a case may enter the formal system directly and subsequently involve community institutions for fact-finding, mediation, or verification where local knowledge or customary practices are relevant. This flexibility enables disputes to move between community-based and formal pathways according to the nature of the dispute and the level of legal authority required

OUTCOMES

The grievance system has produced a range of practical results at community and institutional levels, addressing long-standing land disputes and helping to prevent future conflicts.

A key outcome has been the resolution of long-pending cases, including disputes unresolved for several decades. Through *Lok Adalats* and block-level legal aid camps, and with NGO facilitation, families were able to obtain land titles without going through lengthy or costly court cases.

The process also strengthened the participation of NGOs in land dispute resolution. In Rajasthan for example Nath Sanskriti Seva Sansthan (NSSS) participated as a member of *Lok Adalats*, assisting government authorities in mediation, documentation, and community outreach.

The mechanism supported poor farmers, widows, and smallholders in claiming land rights and accessing grievance procedures. Awareness campaigns and NGO-led outreach helped reach remote villages with limited access to information or legal services.

Key Features Supporting Conflict Prevention

The grievance mechanism helped prevent future land and tenure-related conflicts by improving local procedures, awareness, and coordination.

Policy and Institutional Reforms: Experiences from grievance handling informed measures promoting early, local-level resolution through Lok Adalats and simplified legal frameworks.

Strengthened Documentation: Improved titling, registration, and record-keeping reduced ambiguity in land ownership and inheritance.

Legal Literacy and Dialogue: Awareness campaigns and dialogue-based approaches fostered trust between communities and local authorities.

Women's Land Ownership: Recognition of women's independent land titles helped prevent succession-related disputes.

NGO Facilitation: Early reporting and mediation through NGO engagement supported timely, community-based resolution.

Replication of Practices: Local reconciliation models, such as those facilitated by Nath Sanskriti Seva Sansthan (NSSS), were applied in other regions to extend preventive effects.

An important result was the recognition of women's land ownership, allowing widows and women cultivators to obtain titles in their names. The mechanism promoted conciliation and mediation through free legal aid, *Lok Adalat* hearings, and NGO involvement, reducing reliance on formal court processes.

Disputes were often settled through dialogue, contributing to reconciliation within communities. Regular registration and record-keeping introduced greater transparency, as grievances and outcomes were documented. Continuous NGO involvement also supported the implementation of the *Legal Services Authorities Act (1987)* and the functioning of *Lok Adalats*. Capacity-building and legal literacy activities were conducted for farmers and women to improve understanding of land rights.

LESSONS LEARNED

Key enabling factors include a solid legal framework, active institutional involvement, and strong community participation. The *Legal Services Authorities Act (1987)*, *Panchayati Raj Act*, and state *Land Revenue Codes* underpin grievance handling, while *Lok Adalats* and *District Legal Services Authorities* provide accessible legal aid. Revenue Departments, Tehsil offices, and Gram Panchayats offer administrative reach, supported by land-record modernization and e-governance reforms. NGOs and community bodies enhance awareness and mediation, and Alternative Dispute Resolution forums such as *Lok Adalats* and mediation camps help reduce costs and resolve long-standing disputes.

Challenges and Barriers

Despite these foundations, the system faces persistent barriers. Limited awareness and legal literacy among farmers, women, and marginalized groups remain major constraints. Many claimants lack information about their land rights or the existence of accessible grievance channels. Geographical isolation, particularly in desert and tribal districts, creates additional barriers due to long travel distances and poor transport links. Affordability remains a challenge, as travel, documentation, and legal expenses impose a burden on poor farmers and widows, despite provisions for free legal aid.

Power imbalances, social pressure, and political influence sometimes affect proceedings. Poor households may hesitate to pursue complaints against wealthy or politically connected actors, fearing social exclusion or retaliation. Instances of corruption and bureaucratic delay reduce confidence in institutions, while overlapping jurisdictions among inheritance, tenancy, and forest laws create procedural confusion. Outdated land records, lack of digital access, and low digital literacy further hinder participation. The limited capacity of NGOs and legal-aid institutions restricts community-level support and outreach.

Areas for Improvement

While the existing land grievance system provides multiple avenues for dispute resolution, several opportunities have been identified to strengthen its effectiveness. Priorities include improving accessibility through village legal help desks, mobile *Lok Adalats*, multilingual grievance forms, and targeted outreach to vulnerable groups. Greater affordability could be achieved through fee waivers, expanded legal aid, and fast-track procedures for widows, women-headed households, and smallholder farmers. Strengthening transparency through digital land records, GIS-based mapping, independent

monitoring, and publicly accessible grievance tracking would further enhance accountability and reduce disputes.

Future improvements also focus on strengthening participation, institutional capacity, and protection for vulnerable groups. Proposed measures include establishing inclusive community mediation committees, reinforcing the role of Gram Sabhas and women's groups in dispute resolution, expanding collaboration with NGOs, and increasing legal literacy. Wider use of digital technologies, together with training for government officials, Panchayat members, and legal aid providers, could improve responsiveness and efficiency. Particular emphasis is placed on safeguarding the rights of women, Indigenous Peoples, widows, orphans, and other vulnerable groups, including stronger recognition of women as landowners to enhance tenure security and reduce inheritance-related disputes.