

CASE STUDY

India: Public Land Protection Cells Safeguarding India's Commons

OVERVIEW

Submitting Organization	Foundation for Ecological Security (FES), India https://fes.org.in/
Type of Grievance Mechanism	State-Based Non-Judicial / Informal
Level of Operation	Provincial and Municipal
Geographic Scope	India (Rajasthan) – Mechanism implemented across multiple districts in Rajasthan; similar mechanisms later introduced in Madhya Pradesh (2021) and Assam (2023)

SYNOPSIS

The Public Land Protection Cells in Rajasthan represent an important judicially backed experiment in state-based, non-judicial grievance redress for land-tenure issues related to commons. They demonstrate how administrative mechanisms, anchored in legal authority but operating outside the courts, can offer a pathway for land-related grievances. However, the experience also underscores persistent systemic challenges: limited awareness, uneven enforcement, social inequities, and lack of transparency. Strengthening PLPCs requires policy attention to participation, data disclosure, and adaptive capacity, aligning with broader goals of inclusive and accountable land governance in India.

BACKGROUND

The **Public Land Protection Cells (PLPCs) in Rajasthan** were established in 2019 in response to persistent encroachment on common lands. Weak tenure security, fragmented land records, limited administrative capacity, and weak enforcement have made commons highly susceptible to encroachment and informal privatization. These processes disrupt land-use relations and ecosystems, undermining social cohesion, livelihoods, and environmental functions.

The lack of reliable and accessible grievance mechanisms has further exacerbated the problem, as disputes frequently escalate into litigation, overburdening courts and resulting in reactive, ad hoc responses rather than preventive or systemic solutions. Evictions have tended to disproportionately affect vulnerable groups, such as landless laborers and nomadic communities, while politically

connected actors often retain unlawful control.^{1 2} Ethnographic studies also document instances of state complicity in legitimizing land grabs.^{3 4 5}

High Value, High Risk: Governance Challenges Facing Common Lands in India and Rajasthan

Common lands account for approximately one-fifth of India's total landmass, supporting the livelihoods of more than 350 million rural people and providing ecosystem services valued at an estimated USD 90.5 billion annually. In the state of Rajasthan, community lands constitute about 36 percent of the total area and include pastures, *orans* (sacred groves), village forests, ponds, and threshing grounds. Despite their significant ecological, social, and economic functions, these lands are frequently governed under insecure tenure arrangements, where customary use rights remain inadequately recognized. Many such areas are officially recorded as “wastelands,” a classification that increases their vulnerability to conversion, encroachment, and privatization.

MECHANISM

In response to these longstanding challenges, the Supreme Court of India's 2011 judgment in *Jagpal Singh v. State of Punjab and Others* directed states to remove unauthorized occupants from common lands and restore them to village councils. In subsequent years, several states adopted legal or policy instruments to protect commons⁶, and regional courts reaffirmed this precedent.⁷

As a major institutional innovation building on this judicial foundation, the Rajasthan High Court introduced the PLPCs in 2019 as a judicially mandated grievance mechanism, responding to a surge in *public interest litigation* concerning persistent encroachments on common lands. Many petitions alleged inaction by land authorities, despite repeated community representations, resulting in case backlogs. The Court therefore mandated a permanent administrative mechanism to investigate complaints, remove encroachments, and restore affected lands to village councils in accordance with due legal process.

The Land Revenue Department was directed to establish PLPCs in every district. Each Cell is chaired by the District Collector, the senior-most district official, and includes other land administration officers. Implementation began in April 2019, with district-level Cells progressively established across the state.

Legal Anchoring and Institutional Placement of the PLPCs

Although no single law explicitly mandates grievance mechanisms such as the PLPCs, they operate alongside existing state legislation. Key instruments include the Rajasthan Land Revenue Act (1956), which empowers Tehsildars to evict unlawful occupants following due process, and the Rajasthan Panchayati Raj Act (1994), which requires Panchayats to report encroachments. Institutionally, the PLPCs are embedded within the district administrative hierarchy and operate under the authority of the District Collector, who holds statutory powers to enforce both remedial and penal decisions.

The PLPCs are supported by legal and institutional frameworks at multiple levels. Their architecture, grounded in the 2019 judicial directive, situates them within the formal land governance system. The

¹ Gupta et al. 2024.

² Brara 2006.

³ Martin 2019.

⁴ Singh 2023.

⁵ Brara 2006.

⁶ Bhutani and Kohli 2015.

⁷ Chandran 2024.

High Court further stipulated that *public interest litigations* related to common land encroachments would be admissible only if the PLPC failed to act, reinforcing the Cells' central role in grievance redress.

There is no documented evidence of formal stakeholder engagement; however, the mechanism emerged from community-driven public interest litigation and can therefore be understood as an institutional response to local grievances of common land users and stewards

Although the PLPCs are formally accessible to all citizens at no cost, several barriers limit their effectiveness in practice. These include resource constraints low public awareness, limited dissemination at village level, the individualization of complaints (with most filed by single petitioners rather than collectives), and socio-political inequalities, notably caste-based hierarchies and patronage networks that influence which cases advance and how they are addressed. Despite these constraints, the PLPCs handled at least 452 cases between 2019 and 2025, reflecting growing administrative recognition of the need for a permanent mechanism to address encroachments on common lands.

PROCESS

Grievances are initiated when citizens file a **complaint on encroachment of common land** with the relevant PLPC. Complainants must submit supporting evidence such as land records, cadastral maps, or photographs. The requirement for formal documentation often excludes those whose tenure is customary or informal.

After registration, the PLPC conducts a **fact-finding inquiry**—usually through the *Tehsildar* under the *Land Revenue Act*. The officer verifies the claim, serves notice to the alleged encroacher to vacate or justify occupation, and may conduct a hearing before recommending eviction or closure.

Once verified, the PLPC issues a **“speaking order”** (reasoned administrative decision) directing eviction and restoration of the land to the village council, and may request police assistance for enforcement. Copies of orders are circulated to affected parties and local institutions.

Procedurally, the PLPC framework sets a **90-day timeline for case resolution**, yet only about 43 percent of cases are concluded within this period. Delays often stem from permanent structures on disputed lands, politically sensitive cases, and weak coordination among local administrative departments.

In one Pali district case, for example, an eviction was halted indefinitely after a single anonymous call, despite concerted community efforts to proceed.

These patterns suggest that the 90-day deadline serves more as a **normative benchmark** than an operational reality.

OUTCOMES

Publicly available information on PLPC **outcomes is limited**, as decisions and case registers are not routinely disclosed, affecting transparency and trust. The mechanism has achieved **partial success**, including evictions and restoration of land in some cases, but effectiveness remains uneven due to delays, inconsistent enforcement, and political interference.

While PLPCs signal administrative commitment and may help deter future encroachments, they remain **reactive, lack independent monitoring**, and offer **no formal appeal mechanism**, leaving complainants to rely on contempt petitions or collective action when outcomes are unsatisfactory.

LESSONS LEARNED

The most important **enabling factor** underpinning the PLPC mechanism is its **judicial foundation**, which lends legitimacy and enforceability. The linkage to the Supreme Court’s 2011 ruling and subsequent High Court directive provides both authority and a basis for legal recourse when officials fail to act—through the filing of contempt petitions. This legal anchoring distinguishes PLPCs from purely administrative or voluntary initiatives and has elevated the issue of common-land governance within India’s policy discourse.

Key Constraints Affecting the Effectiveness of the PLPCs

- **Low public awareness:** Outreach activities are minimal due to the absence of earmarked budgets, resulting in limited knowledge of the mechanism among rural communities.
- **Accessibility barriers:** Formal evidentiary requirements (e.g. land records, GIS data) disadvantage households with customary or informal tenure.
- **Individualization of grievances:** Most complaints are filed by individuals; collective petitions account for only **2.2 percent** of recorded cases, weakening the mechanism’s ability to address structural commons issues.
- **Power asymmetries and political influence:** Local social hierarchies and caste politics affect whose grievances are prioritized and whose encroachments are acted upon.
- **Fear of retaliation and low legal literacy:** Marginalized communities are less likely to pursue or sustain complaints.
- **Lack of independent verification:** The same officials responsible for investigating encroachments also enforce evictions, creating risks of conflict of interest or collusion.
- **Delays and transparency gaps:** The absence of public registries or regular information sharing leaves complainants uncertain about case progress and undermines trust.
- **Limited community participation:** Panchayats and village-level institutions are largely sidelined during proceedings.

Several opportunities for reform could **strengthen the effectiveness, equity, and transparency** of the PLPC framework and enhance its contribution to accountable land governance.

First, PLPCs should be designed to **empower collectives rather than individuals**. Filing and documentation procedures could be revised to recognize—or even require—group petitions, reflecting the shared nature of rights and responsibilities over commons. Introducing consultative and participatory approaches, such as mediation and facilitated negotiation, would allow for more consensus-based and preventive dispute resolution. These processes should actively involve Panchayats, sub-panchayat bodies, and *Gram Sabhas*—the local institutions best placed to represent community interests and ensure legitimacy in decision-making.

Second, PLPCs should adopt stronger measures to promote **transparency and proactive disclosure**. Making key data on the type, status, and outcomes of complaints publicly available would help build trust, enable communities to identify shared concerns, and foster dialogue and collective advocacy⁸. Greater transparency would also strengthen the adaptive governance of commons, which relies on reliable information about resource stocks, flows, and system dynamics^{9 10}. To achieve this, adequate

⁸ Hossain, Joshi, and Pande 2023.

⁹ Dietz, Ostrom, and Stern 2003.

¹⁰ Mansbridge 2014.

resources must be allocated for complaint registration, digital tracking, and regular public reporting—areas that currently remain underfunded.

Third, PLPCs must explicitly address **power dynamics and social inequities** that constrain access for marginalized groups. Evidence shows that upper-caste actors often have greater access and influence, while Scheduled Tribes and poorer households face barriers such as limited awareness, fear of retaliation, and reduced ability to influence outcomes. To address these imbalances, PLPCs should provide free or subsidized legal aid, conduct targeted outreach and legal literacy programmes, and consider anonymous submission options to minimize the “fear factor” when filing grievances¹¹. Collaboration with Panchayats and civil-society organizations could extend outreach and provide localized support.

Finally, the **adaptive and multi-level governance of commons requires careful diagnosis** of the factors shaping land use and vulnerability. In high-informality systems, institutions must better understand how individuals and communities mobilize resources to meet their needs and how this affects ecological processes and social outcomes over time. Climate change adds further stress by intensifying environmental hazards, particularly in disaster-prone regions.¹² When state responses are delayed or inadequate, affected populations often rely on informal coping strategies, including temporary settlement on unguarded public or common lands. In Assam, for instance, flooding in the Brahmaputra basin regularly displaces thousands, and climate change is projected to increase both the frequency and severity of such events.¹³ Many displaced families are later labelled as *encroachers* and face eviction. To remain effective, PLPCs should integrate environmental and social change into their procedures, learn from feedback, and realign processes to better support communities confronting recurrent shocks or slow-moving crises.

Together, these reforms could help transform PLPCs from a reactive administrative tool into a proactive, participatory, and learning-oriented mechanism for protecting commons, reducing tenure insecurity, and strengthening accountability in land governance.

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¹¹ Fox 2015.

¹² IPCC 2023.

¹³ Apurv et al. 2015.

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FURTHER INFORMATION

A manuscript on this topic, titled "Grievance Redressal Mechanisms for Commons: Evaluating the Design and Effectiveness of Public Land Protection Cells in Rajasthan, India" has been accepted after a double blind peer-review process in the [Journal of Law and Public Policy](#).

The forthcoming issue [9(1)] will be published in October 2025. Abstract below.

"Encroachment on common land poses a significant governance challenge in India. Weak institutions, inconsistent enforcement, and power imbalances often leave marginalised communities more vulnerable to eviction than others. This article examines the design and effectiveness of Public Land Protection Cells (PLPCs)—a judicially mandated grievance redressal mechanism in Rajasthan—in addressing common land encroachment disputes. Drawing on an analysis of 452 cases before the Rajasthan High Court, field observations, and stakeholder interviews, it evaluates how PLPCs address enforcement gaps and promote accountability. Using the United Nations Guiding Principles 31 as a foundation, the article develops a contextualised framework to assess PLPCs, highlighting both opportunities and limitations. Key challenges include individualisation of grievances, low transparency, limited community participation, and entrenched power asymmetries. The findings suggest that PLPCs must evolve beyond reactive, individual-based forums into proactive models capable of addressing systemic threats to commons governance."

<https://idronline.org/article/rights/public-land-protection-cells-a-new-hope-for-indias-common-lands/>

<https://thebastion.co.in/politics-and/environment/conservation-and-development/in-rajasthan-a-public-land-protection-cell-is-removing-encroachments-but-challenges-abound/>