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Nomadic Van Gujjars in northern India fear remaining in the forest while their resettled relatives struggle to adjust.



The Van Gujjars are a forest-dwelling community who live in several different pockets spread across northern India's lower Himalayan region. **The Van Gujjars**

Name

The name 'Van Gujjar' loosely translates to 'forest pastoral community'. 'Van' in Hindi means forest and 'Gujjar' is a sub-caste in India. The Van Gujjars are an ethnic agricultural and pastoral community

found in the mountainous areas of Northern India, Pakistan, and Afghanistan. They follow Islam and speak a language called Gojra.

Identity

In the present, the Van Gujjars are forest-dwellers residing in several pockets across northern India's lower Himalayan region. Their identity can be traced back to the Gurjara kingdom of 570 CE in present-day Rajasthan. The Van Gujjars are a sub-community within the larger 'Gujjar' community that is religiously, occupationally and linguistically diverse and is largely spread across Northern and Western India.

Origin

It is believed the Gujjars from the Gurjara kingdom migrated to the rest of the Indian sub-continent to states such as Rajasthan, Gujarat, Uttar Pradesh and Madhya Pradesh; whereas the Muslim Gujjars, which included the Van Gujjars, went further north to Pakistan, Afghanistan and the present-day Indian Himalayan states of Jammu & Kashmir, Uttarakhand and Himachal Pradesh. Some believe their ancestors migrated to Uttarakhand from Kashmir about 1500 years ago.

Migration

Van Gujjars are a semi-nomadic tribe practising 'transhumance'. This means they migrate with their livestock seasonally. They spend their winter months in the lower Shivalik regions of Uttarakhand, around Dehradun as the temperatures there are relatively higher allowing for plenty of vegetation and fodder. As summer months arrive and the river beds start drying up, they migrate higher up to the Himalayan regions on foot with their entire families and herds of cattle. They build temporary dwellings and stay with their clans.

A bleak future

While the mystery of the community's past cannot be easily solved, many are more concerned with how bleak their future seems.

"Over the last decade, the forests have become well connected to the mainland, yet we have no easy access to basic amenities such as healthcare, public transportation," laments Mohammad Alim, 35, who lives with his brothers Mir Hamza, 45, and Yusuf, 50.

The brothers struggle to feed their family of 10 with only three buffaloes to their names, and survive on daily wages of about 300 rupees (\$3.94) they earn by doing manual labour in nearby towns. Their wives do the housework in the huts, situated along the Song river on the foothills of the Shivaliks.

Their children up until a few years ago attended a special Van Gujjar school some 15km (9 miles) away from their dera, in Mohand village, near where the Shivalik forest stretch ends. Set up jointly by a manufacturing company and a non-profit organisation, the school teaches the usual state government curriculum as well as the history, culture and folk tales of the Van Gujjar community. Children also learn about animal husbandry and how to market and sell milk.

But the brothers' children no longer attend school, because the school bus stopped doing rounds in the forests, and the family cannot cover the travel costs themselves. The boys now spend their time wandering in the forests, occasionally helping their fathers tend to the buffaloes, while the girls help their mothers stitch clothes, make beaded jewellery

and embroider the traditional caps the Van Gujjars wear on occasions such as Eid.

A changing relationship

The Van Gujjars have lived on forest land for generations and enjoy an intimate, symbiotic relationship with it. Well aware of the topography and ecology of the forests, their minimalist, vegetarian lifestyle believes in only taking what is required from the land.

"Sometimes, monkeys enter the kitchens, take our food and run. We hardly mind sharing our food, if they let us share the land," says 65-year-old Likayat, who believes in peacefully coexisting with the animals. Several older members, including Likayat, feel the forests have changed considerably. "The river has dried up, the road connecting Dehradun and Mohand has resulted in the shelling of trees, and temperatures are much warmer," he says.

"We can live without electricity, but we have to travel miles to get access to proper drinking water."

Because of changing environmental conditions, only living off the land is no longer possible. Now, some Van Gujjars who can afford bicycles and

motorbikes occasionally make the long journey to Mohand, the nearest village, to bring back basic amenities for the entire dera. Most also have basic mobile phones to communicate with each other, even though reception in the forest is not very good.

Claims of harassment

As the Van Gujjars try to deal with these issues that affect their basic lifestyle, a larger problem looms - one that directly affects not just their lives in the forest, but also their identity.

Harassment, the demand of bribes, and the use of force by some forest officials are among the allegations the Van Gujjars of Shivaliks claim. "They think we are wrecking the forest by felling trees and letting our animals graze. These are all lies," asserts Likayat. "Van Gujjars take very little from the land. The forest is our home," says Jumman, who claims he was beaten by a ranger the week before for refusing to pay a bribe to allow his cattle to graze.

Refuting these claims, R Balachandran, the divisional forest officer of Shivalik (Mohand) Forest Department in Uttar Pradesh, told Al Jazeera, "We

have not resorted to any kind of bribery or violence towards the Van Gujjars. These accusations are simply wrong." "Van Gujjars have been living in these forests for over 100 years, and we recognise their rights to the land," he said, adding that the Van Gujjars generally respect the rules. "There are certain rules in place with regards to the felling of trees and grazing. If those rules are broken, we are bound to conduct a strict inquiry and charge a fee," he added. For their part, the Van Gujjars say they are made to pay around 1,000 rupees (\$13) in grazing and loping fines to some officials, which is why they prefer to take the cattle out to graze in the early morning hours.

"I never thought I would want to leave the forest, but given the circumstances, I wouldn't mind," Jumman says. Several other community members echo his sentiments. They want the forest department to give them land to live in villages, like they gave their neighbours.

The "neighbours" the Van Gujjars mention are friends and relatives from their community who formerly resided in the forests on the other side of the winding, 20km (12-mile) road that connects Dehradun and Mohand. Those ranges in the

Shivalik forests were made part of Rajaji National Park, which was established in 1983. Almost all Van Gujjars who resided there were resettled in villages by 2005.

The laws of the forest

It was during the construction of Rajaji National Park that the eviction threats and atrocities against the Van Gujjars began.

A National Human Rights Commission report on the proceedings of the case of Justice VS Malimath, published in 1999, alleges that the notification to establish Rajaji was issued in violation of the provisions of the Wildlife Protection Act.

It details, "the state is worried because the forest is being denuded by reckless exploitation. They are, therefore, anxious to protect the forest, the wildlife living therein and the environment. Until appropriate action is taken to issue a final notification under section 35 of the Wildlife Protection Act, 1972, the Van Gujjars residing in the forest cannot be forced to move out or settled in a new camp, without consulting them as required by law."

In 2006, the government introduced The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, or FRA. It gives forest-dwellers the right to reside on the land and to use minor forest produce and grazing areas, as well as development and rehabilitation rights, and forest management rights.

The FRA has seldom been pitted against the Wildlife Protection Act because there are clashes of interest. But Zuha Fathima Junaidi, a lawyer working for Van Gujjars with the All Indian Union of Forest Working People (AIUFW), asserts that the FRA is a powerful act that recognises pastoralist communities and overwrites provisions in other acts such as the Indian Forest Act and the Wildlife Protection Act. "No law in the constitution allows forceful eviction," she says. "Even if there are settlements found in 'Critical Wildlife Habitats' - they cannot be evicted without a resettlement plan. The problem is not with the law, but with its slow and inefficient implementation."

The Van Gujjars are experts in the ecology of the forest, and have long coexisted with its wildlife. Their insights into growth patterns, biodiversity hotspots, and the nature of the wildlife can be

crucial for "Community Conservation" - an important provision under the FRA.

However, the Van Gujjars have found it difficult to claim these rights because the government has not provided them with tribal status, which would afford special protection of their culture and lifestyle, political representation, and reserved seats in higher education and employment. India's Ministry of Tribal Affairs has a list of criteria for a community to attain tribal status, but these criteria are not well detailed in the Constitution, which makes the process long and bureaucratic.

Avdhash Kaushal, chairperson of the NGO Rural Litigation and Entitlement Kendra (RLEK), says the Van Gujjars, like other forest-dwelling communities, can get the desired protection through the FRA, but not easily.

"They need to prove their family's existence in the forests for the last three generations, or for 75 years," he explains. "It is difficult to do so without any authentic documentation. While the testimony of an old member of the community also counts towards the same, the looseness in the law has led forest

officials to take advantage of the illiteracy and vulnerability of the Van Gujjars."

'We miss living in the forest'

While the Van Gujjars of Shivaliks continue fighting for their rights and demanding better amenities, those in Rajaji have long been resettled. About 512 families now live in Pathri village and about 878 families in Gaindikhata village near Haridwar. These Van Gujjars have left the forest forever.

The "Gurjar Basti" in Gaindikhata village is a conglomeration of hundreds of huts belonging to the Van Gujjars of Rajaji. These mud huts quite resemble the ones in the forests, except that they have electricity. There are also schools, mosques and madrasas, along with a primary health clinic. The resettled families were given 3,000 rupees (\$40) for travel expenses and have been allotted about a hectare (two acres) of land each, on which to live and farm. Some continue cohabiting with their cattle and selling milk.

"We do miss living in the forests; the fresh air, the cool climate, the quiet," says Mohammad Alam, who was resettled along with his family of six in 2005. "But at least here, drinking water

is easily available, and the hospital is only a few minutes away. Our children can attend school."

No papers

In the village, 65-year-old Feroz complains of the warm summer weather and its effect on the health of elderly people in the Gurjar Basti. But he has bigger worries: The forest department has not provided many of them with papers or pattas that certify their right to reside in this space, which is owned by the government. The Van Gujjars have been told that they can claim the ownership of the land after having resided there for 30 years. Several people share his worries. Husan Bibi, a middle-aged woman who was resettled from the Chilka range of Rajaji National Park, says "this makes it hard for us to borrow a loan from a bank and hinders other processes because we have no address proof. My biggest fear is that they will ask us to leave again"

Komal Singh, forest warden of Haridwar Forest Division who is in charge of Van Gujjar resettlement in Gaindikhata, says, "we have cases to show how some people leased their lands

on a 100 rupee stamp paper and went back to the forest. To curb such activities, we have given them a house number, but no papers." Many Van Gujjars who were resettled call the process an "inefficient rehabilitation scheme" that only allotted the land to a select few people. "While the entire rehabilitation process was going on, the forest officials came to our huts for surveys. Those who were present in the house got their names on the list. Those that were away got left out," Rustam Malik, an elderly Van Gujjar, explains. Although it is difficult to determine the number of evicted people left without land, 60-yearold Amir Hamza says that at least one can be found in every family.

A lost home

While the Van Gujjars in the Shivaliks fear staying in their own homes, those resettled in Pathri and Gaidikhata struggle to define the meaning of home. With the law on their side, many feel it is the inefficient implementation coupled with government apathy that has resulted in a sense of loss and despair among their community. Those helping them believe there is a need for community mobilisation and efforts to make the

Van Gujjars aware of their rights - a mission several non-profits and unions such as RLEK, Sophia and AIUFWP are working towards. But the cultural legacy of the Van Gujjars is at risk, along with their identity. And saving this heritage is not a privilege they enjoy.

As Husan Bibi, a Van Gujjar in Gairdikhata, puts it, "we crave to live a secure life, one where we wouldn't have to live like guests in our own homes."