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# CULTURE, COMMUNICATION AND COLONIAL FOREST POLICY:VAN GUJJAR MARGINALIZATION AND STRUGGLE FOR FOREST RIGHTS

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**Abstract**

The Indian Forest Governance has been a leftover of the colonial British policies. The colonial forestry instigated the territorialisation of forests to restrict common access and to exclude the traditional forest dwellers and forest-dependent people. Independent India's approach towards the forests made no difference from the colonial policies rather than promoting the Forest Department as the sole manager of the forests. The state, through the intervention of the Forest Department, excluded the traditional forest dwellers from the policy-making processes and then from the forest itself. Van Gujjars, a pastoral, nomadic, Muslim indigenous community in the Uttarakhand and U.P,have been subjected to systematic oppression leading to the eviction and displacement from their traditional forest lands. This research explores the Van Gujjar struggle for forest rights and the oppressive elements in the state forest policy.

**Keywords:** Van Gujjars, FRA, Forest policy, Cultural Communication, Community Forest Management

**List of Acronyms**

AIUFWP - All India Union of Forest Working People
CFR - Community Forest Rights
FD - Forest Department
FRA - The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition ofForest Rights) Act, 2006
GS - Gram Sabha
IFR - Individual Forest Rights
MFP - Minor Forest Produce
MoEFCC - Ministry of Environment Forest and Climate Change
MoTA - Ministry of Tribal Affairs
NCA - National Commission for Agriculture
NDA - National Democratic Alliance
NGO - Non-Government Organisation
NTFP - Non-Timber Forest Produce
OTFD - Other Traditional Forest Dwellers
PVTG - Particularly Vulnerable Tribal Group
RLEK - Rural Litigation and Entitlement Kendra
RNP - Rajaji National Park
RSS - Rashtriya Swayamsevak Sangh
ST - Scheduled Tribes

## Introduction

Discourse on Forests and forest rights of the Scheduled Tribes (ST) and Other Traditional Forest Dwellers (OTFD) has always been problematic in the global scenario and particularly in India. Over the years since the inception of the Forest Department (FD) in the colonial British period, the rights of forest-dwelling communities have been shrinking. The commercialisation of forests

and the exploitation of forest resources for industrial purposes further deteriorated the forests and forest dwelling indigenous communities in India. The forest policies adopted by the various governmentsare particularly exclusionary and only benefitinfluential corporates. Conservation politics and policies are primarily aimed at drawing the huge international funds to the administration. Establishing national parks and wildlife sanctuaries is one of the ways to lure those funds. Meantime, the plights of forest dwellers and forest dependent people evicted and displaced with such projects are ignored and often curbed. The Supreme Court order in February 2019 for the eviction of more than one million forest dwellers, after the central government failed to defend the law, should be read in this context. The ignorance of the state towards these marginalised communities is explicit from this. Almost 275 million underprivileged people in India (more than a fifth of the population), especially indigenous communities, depend on forests and forest resources for subsistence and livelihoods. Almost 50 percent of the food requirements of forest dwellers are provided by forests (Al Jazeera, n.d.). It is in this context; the Indian forests are witnessing massive and robust protests in the ground level, i.e., from the traditional inhabitants of the forests, against the current forest management policies.

**The Van Gujjars**

The Van Gujjars are a pastoral, nomadic, transhumant, Muslim indigenous community residing in the foothills of the Himalayas in the states of Uttar Pradesh and Uttarakhand. They are said to be descended from Afghanistan and current Pakistan through Kashmir, Jammu and Himachal Pradesh to Uttarakhand and Uttar Pradesh. They are closely related to the Gujjars, a similar pastoral community in Jammu and Kashmir, Himachal Pradesh. They have been inhabiting the Himalayan region for centuries. They have their traditional language, Gujari. Distinct from other Muslim societies across the world, Van Gujjars are vegetarians, which is believed as a result of their close affiliation with wildlife and creatures. The Van Gujjars are traditionally buffalo herders. They rear indigenous bred water buffaloes which produce a higher yield than native breeds. Marketing milk and milk products in nearby towns comprises their economy.

Along with buffaloes, they keep cows, goats,horses, bulls, and dogs. They are maintaining a symbiotic relationship with nature. They are influenced by Sufi natural mysticism, which perceives nature with god. They practice transhumance, the annual migration between winter pastures in the foothills and summer grazing pastures in the upper ranges of the Himalayas. Van Gujjars are well known for having developed a resource management practice by utilising the mountainous grazing resources in summer and migrating to foothill forests in winter (Nusrat, Pattanaik, & Farooquee, 2011).Van Gujjars perceive forest as an ecosystem consisting of themselves and their buffaloes.

A *Dehra*[1]constitutes the primary structure of Van Gujjar social organisation. The public meeting of village elders or *panchayat* is the social control mechanism in the community. They prefer to avoid outside authorities involved in the settlement of disputes. Head of the family is known as *lambardar*. Each family has distinguished territories for lopping and grazing of their livestock. They consider environmental conservation as an essential duty. Their cultural values are integrated into the wildlife and environment. The concepts of home and nature are identical to the community. Van Gujjar *dehras* have no doors and are open to wild creatures. Lack of access to formal education, insecurity with land, and inadequate health care systemsare identified as significant setbacks for the community. They do not suffer from abject poverty, but in the contemporary situation, they face difficulties in maintaining their traditional lifestyle.

Van Gujjars were initially known as Gujjars; it was only in the 1990s, the prefix 'Van' (forest) added to their identity to distinguish themselves from the Hindu Gujjars. The community was serenely leading a nomadic pastoral lifestyle. Since the colonial takeover of forests and formation

[1] A traditional Van Gujjar hut

of nation-state boundaries, Van Gujjars began to face restrictions in access to forests and their annual migration. Later on, with the inception of Rajaji National Park (RNP) in 1983, they were facing eviction threats from their traditional habitat. In 1992, returning after their migration from the higher ranges of the Himalayas, the Van Gujjars were denied entry to parts of their winter residences in the Shivalik forest in the state of Uttar Pradesh (U.P), (currently split into Uttarakhand and U.P) which had been declared as RNP. Currently, thousands of Van Gujjars families are displaced, and hundreds face eviction threats. The ruthless intimidations of the Forest Department (FD) in the lives of Van Gujjars have forced many to leave the forest and settle at nearby towns. As they do not have a settled identity; they are left out from the political domains of the state.

Van Gujjar politics mainly centres on issues of forest management and everyday negotiations with FD workers (Paquet, 2018). Currently, Van Gujjars in Uttarakhand and U.P face eviction and displacement due to the two national parks in the region, RNP and Jim Corbett National Park established in 1936. Absence of representation in the political systems further strengthens the difficulties of the community. In the present scenario, Van Gujjars, one of the few Muslim indigenous communities in India, face grave threats of cultural extinction. Though few Gujjars are staying back from the issues of forest rights and prefer to settle in nearby towns, it is only a consequence of the atrocities and exploitations bestowed by the FD, and the intensity of systemic oppression they are subjected from the supreme governing body of the state.

**The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act, 2006) (FRA)**

The Indian parliament in 2006 has enacted the FRA as a turning back from the anti people stance of the forest governance. The Act contradicts the Forest (Conservation) Act,1980 and confers the right to members of the Scheduled Tribes (ST) and Other Traditional Forest Dwellers (OTFD) who have inhabited the forests for centuries. It overturns previous Acts and allows forest dwellers and forest-dependent communities to hold forest lands for habitation, cultivation for livelihood, community rights, rights of ownership, access to collect, use, and dispose of Minor Forest Produce (MFP) in forest areas. The Act has been put together to empower the ST and OTFDs who have residing traditionally in the forests. The Act's intention is not to grant forest rights; instead, it aims to recognise and reassert the traditional forest rights of the forest-dependent communities. The enactment of the FRA intends to rectify the historical injustice done to the traditional forest dwellers. FRA is an overwhelming instrument and strategy to bring normalcy in the forest management system. It possesses the ability to ensure people's participation in forest management.

The preamble of the Act identifies the FRA as an Act to recognise and vest the forest rights and occupations in forest lands in forest-dwelling ST and OTFD communities who have been residing in respective forests for generations, but whose rights could not be recorded. The recognised rights of the forest-dwelling ST and OTFD include the responsibility and authority for sustainable use, protection of biodiversity, and maintenance of ecological balance and thereby strengthen the conservation of the forests while ensuring the livelihood and food security of those communities (The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006). FRA emerged as a parliamentary response to a nationwide grassroots movement to recognise the rights of forest-dwelling communities whose rights were not recognised during the consolidation of state forests in the colonial British rule and in the post-Independence India, many of whom have been displaced for industrial and conservation schemes without any considerations and rehabilitation (CFR-LA, 2016). FRA recognises Individual Forest Rights (IFR), and Community Forest Rights (CFR) In section 2 of the Act, forest land for which rights are recognised include unclassified forests, un-demarcated forests, existing or deemed forests, Protected Forests, Reserved Forests, Sanctuaries and National Parks.

FRA brings a radical change in forest governance of India. It has the potential to make forest governance a democratic space, ensure livelihood security, poverty alleviation, and development, FRA has a crucial role in preventing the deterioration of Particularly Vulnerable Tribal Groups (PVTG). It is one of the few legislation in India which recognises the substantial role of women. It provides women access to forest governance and Gram Sabhas (GS). GS is the sole authority to verify and reject FRA claims. The recognition of community rights is the most powerful provision in the Act. FRA provides explicitly for rights of pastoral communities, including community rights to water resources, grazing (settled or transhumant), and traditional seasonal resource access over landscapes. However, there has not been much progress in recognition of rights of the pastoral communities.

Despite the FRA mass evictions of forest dwellers, severe destruction to their livelihood practices, and displacement have continued. These evictions have been both from the Protected Areas and areas outside them. One of the significant reasons for the vast gap in the implementation of FRA can be attributed to contradictory laws, policies, and programmes being implemented by the Centre and states (mainly MoEFCC and the state Forest Departments). These laws, policies, and programmes directly contradict with or seriously undermine the provisions of FRA. Compensatory Afforestation Fund Act 2016, Notification of Village Forest Rules, Conflicts with Joint Forest Management, Guidelines for Privatisation of Forests and Leasing of forests to forest development corporations (CFR-LA, 2016).

**The state of Uttarakhand**

The State of Uttarakhand lies between 28°43' N to 31°28' N latitude and 77°34' E to 81°03' E longitude and ties borders with Himachal Pradesh in north & Uttar Pradesh in the south. The state also shares international boundaries with Nepal and China. The documented forest cover in the state is 38,000 sq.Km of which 26,547 sq.Km is Reserved Forest, 9,885 sq.Km is Protected Forest and 1,568 sq.Km is Unclassified Forests. From 1st January 2015 to 5th February 2019, 2,850.87 hectares of forest land was averted for non-forestry purposes in the state under the Forest Conservation Act of 1980 (MoEF & CC, 2019). The state bears six National Parks, seven Wildlife Sanctuaries, and four Community Reserves constituting the Protected Area network, covering 3.24% of its geographical area. As per the 2011 census, Uttarakhand has a population of 10.09 million, which accounts for 0.83% of India's total population. The rural and urban population distribution of the state constitute 69.77% and 30.23%, respectively. The Tribal population is 2.89%. The Corbett National Park and Rajaji National Park are located in the State (Forest Survey of India, 2019).

**Rajaji National Park**

Rajaji National Park is a national Tiger Reserve that combines the Shivaliks near the foothills of the Himalayas. It is spread over 820 km² in the three districts of Uttarakhand: Haridwar, Dehradun, and Pauri Garhwal. The Park was established in 1983, when the three wildlife sanctuaries in the area, namely Chilla, Motichur and Rajaji sanctuaries were merged into a single national park (RAJAJI NATIONAL PARK, n.d.)Currently, there are a number of 1,610 Van Gujjar families living within the RNP, while 1,393 families have been relocated in the last decade. The attempt to relocate the Gujjars from the forest goes back to 1975, but it became a priority in 1985, just after the announcement of the Rajaji National Park Project (EJAtlas, n.d.). The Van Gujjars and other forest-dwelling and forest-dependent communities in the Park area are now struggling for their traditional land rights and lifestyle.

**Research Methodology**

This research sets out to investigate the ongoing conflicts of the Van Gujjar community of Rajaji National Park (RNP) for their customary forest rights. This chapter mainly addresses the strategies followed by the researcher for the study. This research proposes to identify and answer the marginalisation and oppression of the Van Gujjars and the role of state and state policies

directed at the forest governance in accelerating the oppression. This part of the research further explores various approaches on which the research is found on, which consist of research design, research questions, study setting, the context of the study, criteria for selecting participants, data collection and analysis.

**Research Design**

The particular study is grounded on qualitative research methods as the subject detailed in the study requires the qualitative paradigm. 'Qualitative' methods are used in research to answer questions about experience, meaning, and perspective, most often from the position of the participant. These data are typically not amenable to counting or measuring. The qualitative research methods include 'small-group discussions' for scrutinising beliefs, attitudes, and concepts of normative behaviour; 'semistructured interviews', to seek views on a fixed topic or, with crucial informants, for contextual information or an institutional perspective; 'in-depth interviews' to know a condition, experience, or event from an individual standpoint; and 'analysis of texts and documents', such as government reports, media articles, websites or diaries, to learn about distributed or private knowledge (Hammarberg, Kirkman, & De Lacey, n.d.). "Although qualitative research does not seem to be defined in terms of a specific method, it is certainly common that fieldwork, i.e., research entails that, the researcher spends considerable time in the field that is studied and use the knowledge gained as data, is seen as emblematic of or even identical to qualitative research" (Aspers & Corte,2019 ).

**Epistemological perspectives**

**Interpretivism**

Interpretive perspective is based on the impression that qualitative research efforts should be concerned with revealing multiple realities as opposed to searching for a particular objective reality. In Denzin's words, "Objective reality can never be captured. In detailed understanding, the use of multiple validities, a commitment to dialogue is sought in any interpretive study" (Denzin, 2010).

**Ethnography**

The term Ethnography means "to write about a group of people." Its roots are grounded in the domain of anthropology, where a researcher is immersed within a particular community he/she is studying for a period. A characteristic feature of the ethnographic approach is a holistic perspective, based on the idea that human behaviour and culture are complex phenomena, and both are formed and influenced by various factors. These might comprise historical precedents, the physical context in which the people live and work, the social structure in which individuals are embedded into, and the symbolic environment in which they act (e.g., language, shared meanings) (Guest, Namey, & Mitchell, 2017).

**Research Questions**

- Why are the traditional forest dwellers being evicted from the forests, despite having a robust legal provision, i.e., FRA.2006?
- What are the oppressive elements of state forest governance which leads to the eviction of forest-dwellers from their customary habitat?
- What kind of approach will be useful for the development practitioners when it comes to the indigenous people and forest management?

**Study setting and population**

This research is set in the geographical location of Rajaji National Park (RNP) sharing the borders of Uttarakhand (Garhwal region) and Uttar Pradesh states. The populations chosen for the study is the Van Gujjars, a pastoral, nomadic, Muslim, vegetarian, indigenous community residing in the Park.

**Criteria for selecting participants**

This study is founded on the investigator-initiated method to determine participants. Primary and secondary data grounding the study has been collected through maximum variation purposive

sampling strategy. Purposive sampling is usually used in qualitative research to identify and select information cases for the most effective usage of limited resources (Patton, 2002). The study relies on in-depth interviews of Van Gujjar community members, Key-informant interviews of Roma Malik and Ashok Chaudhury (both of them were involved in the drafting of the FRA), Padmasri, Avdhash Kaushal, Chairman of Rural Litigation and Entitlement Kendra (RLEK) and its staff. Focused group discussions selected for the study involve lawyers, various tribal community leaders, and Forest rights activists.

**Data collection**

This dissertation is grounded in primary and secondary data. The primary data includes participatory observation, field notes, in-depth interviews, key informant interviews, and focused group discussions. The secondary data consists of the 'analysis of texts and documents', such as government and special reports, policies, constitutional provisions (FRA, 2006), research articles, news articles, websites, and National Human Rights Commission's report on Van Gujjars. Participant observations, in-depth interviews, and focus groups—are the most commonly used methods in qualitative research. The qualitative data collection methods have benefitted the research to probe responses or observations as required and to obtain in-depth explanations of experiences, behaviours, and beliefs. The data collected for the research is generated through one month of field experience and year-long longitudinal research with secondary data sets.

**Data analysis**

The data analysis tools used in the research for the formulation of data include narrative analysis, discourse analysis, and Critical Discourse Analysis. The collected data, including interviews, focused group discussions, are processed accordingly with the mentioned tools.

Critical Discourse Analysis (CDA) is discourse analytical research that primarily studies the way social-power abuse and inequality are enacted, reproduced, legitimated, and resisted by text and talk in the social and political context. With such dissident research, critical discourse analysts take an explicit position and thus want to understand, expose, and ultimately challenge social inequality (Van Dijk, 2015).

Narrative analysis is primarily found in the study of discourse and the textual demonstration of the discourse. What differentiates it from Critical Analysis or Discourse Analysis is the type of discourse or text it deals with, ie. narratives. Narratives, in this setting, refer to stories that represent a sequence of events. Which can be generated during the data collection process, such as in-depth interviews or focus group discussions; can be incidentally captured during the participant observation; or, they can be embedded in various written formats, including diaries, letters, the Internet, or literary works. From the analysis of the primary data collected during the one-month field observation and study and the subsequent secondary data, the study analyses the failures in the implementation of the FRA, 2006, and bring into the limelight, the drawbacks in the development approaches aimed at indigenous people and forests.

**Ethical concerns**

The names of the informants have altered due to the cases filed by the FD against the community members and activists helping them. In the current political scenario in India, with daily reported arrests of protesters, it is best considering the identity of the informants to be unpublished due to the safety and privacy of the informants.

**Limitations of the study**

As a researcher from the South, engaging with a community in North India, the language was the prime barrier to communicate with the people. I often needed the help of translators to conduct an honest study. With a better understanding of Hindi, I could have engaged with the key informants in more intimacy. Another difficulty I had was in talking to the Van Gujjar women. I could not speak to any woman within a short period of one-month field study. A female colleague working on the similar topic could manage to interview a few women. I had only met a single woman as I was interviewing her husband. I could not meet any Van Gujjar family continuing migration, as

they were already left. There are not many Gujjars carrying migration today. Likewise, as the Van Gujjars are a closely-knit community, an extended period of participation in the community could have produced more sustainable information.

**Literature Review**

The history of state forestry has always been a history of social conflict. In monarchies and democracies, the state management of forests has met with bitter and continuous opposition.(Singh, 2000). In the social sciences literature, it has become a convention to portray the forest management of the Indian state as a direct legacy of British colonialism, and forestry as an extractive industry instrumentally forcing a divide between -nature and culture, experts and laypeople, and state and society. Through these varied techniques, forestry criminalised, victimised, and stripped traditional forest dwellers of their rights. Drawing on a Foucauldian analysis and the work of Indian scholars who have problematised colonial forestry by looking at its conditions of emergence and its uncanny translation into the postcolonial context, Paquet advanced, historically, forest management was also shaped by the people it impacted the most, the traditional forest dwellers(Paquet, 2018).

The colonial British Forestry administration and its policies were always directed at getting hold of the native forests and resources. The fact that distinguished British Forest Policy in the mid-19$^{th}$ century from the policies of the earlier regime was the creation of a full-fledged Forest Department in 1864 for the exploitation of the forest resources as an exercise of the colonial state's monopoly over forests. The essential duty of the same forest department was to prevent access of local inhabitants to their respective forest lands and resources. The law regarding the administration of forest was codified for the first time through the Indian Forest Act of 1865 which defines forest as "land covered with trees, brushwood, or jungle"& declared to be Government Forest under The Indian Forest Act of 1878 (Farooqui, 1997).

The 1878 Forest Act along with the Indian Forest amendment Acts of 1890, 1901, 1918 & 1919 remained in force until the more comprehensive 1927 Act was enacted. At the heart of the 1878 legislation was the twofold objective of clarifying the procedures of forest demarcation and further marking the distinction between private property and customary access, the latter being considered of dubious legitimacy and worth cancelling. The 1927 Forest Act (Act XVI of 1927) was a consolidating Act, continues to be the basis of Indian Forest Legislation. The primary feature of forest legislation was the classification of forests into 'reserved' and 'protected' forests. It was guided by the primary goal of the forest department: gathering timber from the forests. Such forests,which had greater scope for providing timber, were placed under strict forest department control (Farooqui, 1997). Due to the restrictions put on by the administration on the forest lands and resources, the poorly resourced forest dwellers have often been expelled from their customary forests.

Professional foresters believe that timber production can be ensured only through the exclusion of humans and their animals from the wooded areas. When the European model of strict state control over forests was exported to the colonies, the affected peasants and tribals responded with arms and violence. The battle between the contending parties has been going on for over a century, since the inception of the Indian Forest Department in 1864. Forest grievances formed an integral element of such famous tribal upsurge in Birsa Munda's rebellion of 1918, Bastar rebellion of 1911 armed revolt by Alluri Sitarama Raju in Gudam Rampa in 1919 – 1922. These protests were making two central claims: first, the state takeover of forests represented a violation of tradition, and secondly, the state forest management created a class bias (species planted by the Forest Department and its other forest products were meant for outside markets). After India became independent in1947, the legislative and administrative apparatus of forest management remained unchanged. Control and commercialisation remained the operating motifs of state policy. The colonial forest laws and policies mindlessly taken over by their successor governments were in grievous violation of social history and of justice itself(Singh, 2000).

Indian forestry revolves around a simple, two-fold strategy: it maintains exclusive territorial boundaries designed to keep people out of it and top-down policies dictate the terms of people's engagement with nature(Paquet, 2018). Whenever customary forest users were not forcibly removed from forests, their existence was denied, buried underneath reports falsely claiming that state enclosures were devoid of human presence. They were also kept out of decision-making institutions(Hardiman, 1987).

Summary Report on the Implementation of the Forest RightsAct prepared by the Council for Social Development notes that "in the current scenario, the rights of the tribes and other traditional forest dwellers are denied, and the purpose of the legislation has failed. Without immediate measures are taken to undo the historical injustice to tribal and other traditional forest dwellers, the Act will have the reverse outcome of making them even more vulnerable to eviction and rejection of their customary access to forests. The testimonies made it clear that this is not merely a result of the bureaucratic failure; both the Central and State governments have actively followed policies that are in direct violation of the spirit and letter of the Act"(*FOREST RIGHTS ACT the historical injustice continues*, n.d.).

**Indigenous people in India**

Even though India represents a large number of the indigenous population, they are underrepresented since time being. The needs, livelihoods, and necessities of the indigenous tribal population have often overridden by the industrial-driven development projects and policies. Such policies have also caused the displacement and relocation of the indigenous people."In India, despite having strong constitutional safeguards, the plight of tribes has been the experience of alienation of cultures and resources. Identities have explained as constructs that convey representatives and distinctiveness and culture is synonymous with identity. However, the instances of valorisation of their culture are often dubbed as identity politics and antidevelopment" **(**Paquet, 2018). India's marginalised indigenous population has always engaged in a struggle within themselves and the state for reasserting their identity and rights. Forest politics intersects with various aspects of the bureaucrats' and forest dwellers' personal life as well. Subjective experience is not an autonomous domain located outside forest government (Paquet, 2018).

The state has always denounced the existence of the indigenous population in India and often accelerated the force to evict them out of their forest homes. The Indian government during the ratification of the United Nations Declaration on the Rights of Indigenous People has taken the position that all Indians including the tribals are indigenous people and that our tribals alone cannot be equated as indigenous people, which is against the first article of the International Labour Organization (ILO) Convention("Special Report of Good Governance for Tribal Development and Administration" n.d.)."Self-identification as indigenous or tribal shall be considered as anessential criterion for determining the groups to which the provisions of this Convention apply. The use of the term peoples in this Convention shall not be interpreted as having any implications as regards the rights which may attach to the term under the international law"("Convention 169 - Indigenous and Tribal Peoples Convention, 1989" n.d.). This specific statement itself explains the negligence of the state towards the most oppressed and exploited indigenous population of India.

On 13thFebruary 2019, the Supreme Court, acting on a petition filed by wildlife organisations, order for the eviction of all forest dwellers in India, whose claim to continue on their customarily held land were rejected by the states under the Forest Rights Act. According to the Ministry of Tribal Affairs, almost two million families were affected. The Central Government interfered, and on 28th February the Court put the order on hold while it expected information from states to determine whether they had followed due procedure in rejection of the claims. The apex Court still awaits responses from all states("Amnesty International," n.d.) It is quite contradictory when

it comes to the rights of forest dwellers, even though FRA is one of the most potent tools implemented by the legislative to the empowerment of the oppressed.

The market-oriented path of industrial development has resulted in the disturbance in the balance between man and the environment. It has neglected the ecological and social dimensions which destabilise the life support system of indigenous groups. The forests are a reflection of the tribal life support system. Tribal's dependence on the forest is so much so that they constitute one of the integral components of the forest ecosystem. Their linkage is traditional, and they are ecologically,socially,and economically inseparable.

**Documented Van Gujjars**

The Van Gujjars have inhabited the Himalayan region of nomads for centuries. Their transient lifestyle has moved with social and ecological pressures exerted on them by more powerful forces. Thus, their traditional full range of movement has diminished over generations. For pastoral nomads, home is defined by their ecological setting and yearly movements (Rural Litigation & Entitlement Kendra, 1997). "Van Gujjars in and around RNP consist of a bunch of larger Gujjar traditions with representatives from Afghanistan and Pakistan through Kashmir, Jammu, and Himachal Pradesh to Garhwal (Uttrakhand) and Northern Uttar Pradesh" (Rawat, 1993). Williams (1874, p.29) notes the Van Gujjars were coming to the Doon valley (Dehradun area of Uttarakhand) in the 18$^{th}$ century. Letters among forestry officials in the 19$^{th}$ century also indicate that Van Gujjars had been in the area for a very long time. By the late 19$^{th}$ century, their free movements were already curtailed as the British had set up checkpoints along their migration routes to control the numbers of buffalo passing through(Gooch, 1994). The Van Gujjars have been practising transmigration for more than hundreds of years. They migrate every year with their households and cattle amid summer and winter pastures. A few years ago, with the declaration of the establishment of the Rajaji National Park, the tribe had been forced out of the forest area and rehabilitated outside the Park, which has affected their lifestyle(Sharma, Gairola, Gaur, & Painuli, 2012).

The base for the economic activities of the pastoral Gujjars is their herds of buffalo which they utilise for milk production. The economic unit is the house (*Dehra*), and an individual family manages each herd. The Gujjars practise an intensive form of cattle rearing involving all members of the family (Gooch, 1992).The attitudes of the Indian policy-makers and politicians have always been ambivalent towards the Van Gujjars, whom they thought would have been better to leave the forests, "join the mainstream", and "become good subjects of the nation". Public figures and policymakers considered the herders to be bound to their migratory careers by tradition and a secular reluctance to change(Paquet, 2018). The daily lives of the community are primarily monitored and regulated by socio-cultural norms determining forest politics.

A National Human Rights Commission report states that “Van Gujjars who are living in the part of the forest that falls under the Rajaji National Park (RNP) are being harassed and tortured by the Directors, members and staff of the Park. They are prevented from ferrying fodder for the animals and food for themselves and selling milk. A great amount of bribe is demanded to permit transport of food, milk, and fodder. Ambulance vehicles that bring medical assistance are not allowed to come resulting in loss of precious human lives due to lack of timely medical aid. It is further alleged that the notification regarding the establishment of Rajaji National Park was issued long back in violation of the Wild Life Protection Act, 1972. They are being forced to leave without consulting them as required by law”(*National Human Rights Commission*, 1999).

Today, the Van Gujjars are divided into four groups: those who were displaced from the Rajaji National Park area but relocated in the colonies where they now thrive; those who were evicted without any form of compensation and who now squat on public land (or in a few cases on private land) alongside other Van Gujjars who have "willingly" left the forests because they could not afford the extra-legal rent which forest workers asked from them; a third group comprise those

who still live within reserved forests which were not included within the park limits; finally, the fourth group refer to park dwellers who have thus far resisted being evicted(Paquet, 2018).

**Reading the Forest Rights Act**

The Forest Rights Act, 2006 has the potential to democratise the forest governance by recognising community forest rights over an estimated 85.6 million acres of India's forest land, thereby empowering about 200 million forest dwellers in over 1,70,000 villages. However, to date, only 3% of this potential area has been realised (Kumar.K, Singh.M & Rao.Y, 2017). Despite its purpose and potential, the implementation of FRA has failed to attain the tasks and intentions it set out to do. Even after a decade since enactment, implementation of the Act, especially Community Forest Rights (CFR), has been either abysmal or half-hearted. Many states either lack awareness of the provisions of the Act or are hesitant to recognise it. States that have implemented the Act, have mainly focused on granting Individual Forest Rights (IFR), mostly as a strategy to generate popular political support, further undermining CFR provisions. Many such titles are either wrong or in direct contravention to the Act. The CFR provision, taken together with Section 5, is the most significant and influential right in FRA, as it recognises the Gram Sabha's (GS) authority and responsibility to protect, manage, and conserve its customary forests for sustainable use and against external threats (CFR-LA, 2016).The FRA authorise GS as the key decisionmaker in the claiming process.

**Uncertainty in communication channels**

The contemporary governance of the forests, its resources, and the indigenous people affiliated to the respective domains often ignore or undermine the communication strategies of the oppressed population. Their existence, concerns, demands are thus alienated and purged. Indigenous Peoples' possibilities for development are limited by numerous factors such as their linguistic and cultural marginalisation, lack of access to education and health care, reduced access to markets, limited control over their natural resources, little power of negotiation within their countries and inadequate access to communication media and tools, among others. Besides, their traditional communication processes and media have been affected by the process of acculturation and the congestion of information systems, which rarely address their concerns and the need to promote indigenous communication channels. Today, communication is a crucial element of the indigenous people's self-determined development, which allows the deprived people to access knowledge and information for reaffirming cultural and social identities and enables intercultural sharing. Furthermore, it enhances the participation of the communities in local and national decision-making and supports the central communities' struggles for self-determined development. An example is a central role that communication plays to support the population's efforts to secure their right to their land, territory and environmental resources. Communication tactics are used in this struggle to consolidate community participation in the demarcation of the territories and their ability to control communication processes, to ensure that this issue is taken into account in the national and international policy agendas (*Communication for Sustainable Development Initiative*, 2010)

**Double Consciousness**

Within an American context, W.E.B. DuBois defines double consciousness as blacks being forced to view themselves through white perspectives while maintaining their self-definitions. The works of Frantz Fanon, and other classic writers on colonialism show evidence that colonised peoples also experience the condition of double consciousness. This similarity of double consciousness between people of colour in the US and colonised people historically supports the claim of close connections between racism in the US and colonialism internationally. When double consciousness is unilateral, when it is experienced only by the oppressed, it is unhealthy(Black, 2007). Fanon demonstrates the way colonialism created the impression of itself as the language and culture of progress and the native as primitive. Due to the imposition of the white values, the

latter is enforced to a 'schizophrenic' identity. In case of the specific Van Gujar Community, the people have similar double consciousness due to the pressures of exterior forces. As a persecuted minority, who have been oppressed for centuries, the Van Gujjars experience the double consciousness as they are forced to perceive the world in the so-called 'modern' eyes.

**Exclusionary Environmentalism**

Exclusionary environmentalism is emblematic of the "expert" and "scientific" discourses embodied by the Forest Department. This environmentalism justifies state control over demarcated forests and the exclusion of other claimants of forest rights. Being more than merely a mode of expression, this perspective supports enclosures and technical interventions assumed to foster natural growth, leading to the erasure of alternative modes of forest management (Haeuber, 1993).

**Paternalistic Developmentalism**

A theory expounding that forest dwellers need only seek their development (implying that they should step outside the jungles where they are condemned to a primitive life), developmentalism validates quick reasoning and hasty judgements, possibly negating the poor's perspective and entrenching social exclusion (Shah, 2007).

**Salvage Anthropology**

Salvage Anthropology seeks to revalorise traditional ecological knowledge as a means to do advocacy on behalf of forest dwellers. Scholars working in this perspective explain that cultural traditions are meaningful and rational. For human ecologists, culture is also a group adaptation to a specific ecological setting or niche.Therefore, tradition might become a source of alternative forest management practices, "saving" traditional knowledge reflecting the ethical commitment of the anthropologists toward the populations among whom they work(Wolverton, Figueroa, & Swentzell, 2016).

**Context of the study**

Today, forests in India are witnessing a massive endeavours against the state management of forests and reasserting the rights of the indigenous communities over the forest lands and resources. This study focuses on the ongoing struggle for customary forest rights of the Van Gujjar community of Rajaji National Park (RNP), spread over the states of Uttarakhand and Uttar Pradesh.The state administration and its apparatus (Forest Department) have denied the community, forest rights guaranteed by the FRA,2006. Despite the efforts of the state to evict them from their forest home, the Van Gujjars are fighting to reclaim their rights over the forests through the Forest Rights Act (2006). The intrusion of the state in forest management has disturbed the balance of nature, its resources, and the indigenous population. The specific Van Gujjars community are now displaced, their livelihood in danger and their culture altered with the involvement of the state in their daily lives (i.e., forest). The capitalist media organisations give no attention to the plights of the indigenous population and their struggles. The ongoing struggles regarding the FRA are not addressed by mainstream media organisations. The news related to the indigenous people occupies the least importance and space in the Indian newsrooms. Even though the legal frameworks are in favour of the indigenous people, their lives have been severely influenced and affected by the interventions of the state agencies. The Van Gujjars were facing problems from the state and its machinery FDwith respect to their culture, identity, and livelihood. The government and the FD addressed the demands for reclamation of forest rights of the Van Gujjars with the least importance, their claims have been rejected, and presence in the forests denounced.

**Research Gap**

ThoughVan Gujjar lives and culture is represented in the existing literature, their demand for customary forest rights and the continuing struggle between the community and the state are underresearched. Likewise, transhumance and pastoralism have been investigated as a traditional communication channel. Most of the researches on the subject are found on exclusionary

environmentalist and paternalistic developmental perspectives, which undermines the humane aspects of the discourse. The current study is focused on the forest rights of the community and the power relations with the state.

**Findings and Analysis**

As a global trend, the territory of indigenous people does intersect with the rich biodiverse geographies, their identity, traditional practices, habitual laws, and livelihoods are firmly interconnected to their land and natural resources. The protection and management of natural assets ensure their survival both physically as well as socially. These forest and nature-dependent social groups are often getting in struggle with their respective administrations and influential corporations. Most of their problems result from the increase in urbanisation, changing economic reasons, and push for mega projects across the world, thereby making it more difficult for them to secure their fundamental rights and access to land and natural resources. Parallel to the global trend, the rights of the Scheduled Tribes (ST) and other forest-dwelling people in India, who constitute eight per cent (2011 Census) of the country's population, are also being confiscated, leaving them further marginalised (*FOREST RIGHTS ACT the historical injustice continues*, n.d.). The policy introduced to address the systematic cracks and conflicts in the forest governance of India have been a failure. The plights and demands of the indigenous population have been unheard and often deliberately denounced by the various governments. Shifting the power and control over the forests and forest resources, from the local people who have been dependent on them for centuries into the profit-oriented Forest Department (FD) was the biggest mistake in the history of forest governance. With the consolidated power over the forests, the FD has succeeded in alienating the local populations and later to throw them out of the forest lands. The FD has been keen on keeping a boundary which kept the human presence (local indigenous people) away from the forest lands and resources further evicted, exploited, and branded as encroachers on the state property. Meantime, tourism and military activities are flourishing and are immune from the same.

**The ambiguity in existence**

The Van Gujjar community of Uttarakhand and UP have customarily been nomadic pastoralists who have, over generations, been enforced to give up their nomadic lifestyles and settle outside the forest lands. Over the years, forest rights and human rights of the community have been ruthlessly violated by FD and the government, and there have been several attempts to evict them from forest land under their occupation. The establishment of Rajaji National Park in Uttarakhand in 1983 has brought severe harm to the livelihood and culture of Van Gujjars. Since then, the identity, culture, and livelihood of the community are in transition. Excluded from the current administrative beneficiaries and victimised by the bureaucratic procedures, the Van Gujjars are today struggling for their survival which is dependent on their uniqueness.

The conflict of the Van Gujjars with the FD and the state administration have severed in the last years. Even though there are records of the community'sexistence in the forest for more than a century, they are not even recognised as Scheduled Tribes. Their religious identity as Muslims is supposed to be the denial of Scheduled Tribes (ST) status. The Van Gujjars of UP are closely related to the Muslim Gujjars of Himachal Pradesh (HP), Gujjars of HP were granted the official STstatus in the 1960s. Because of this, they are eligible for positive discrimination measures called reservations, for example, reserved seats in education and quotas in public jobs. For their part, the Van Gujjars never benefited from tribal promotion policies(Paquet, 2018). Most of the Van Gujjars I met were very critical of the Governments, and they are tired of the current schemes.

Promises of various authorities for public utilities, essential health, education, water, and transportation have failed to materialise. Rural Litigation and Entitlement Kendra (RLEK), a Dehradun based NGO, has alleged the harassment bestowed upon the Van Gujjars by the FD

Even though the Van Gujjars have been living in the forest premises for more than 100 years. They were threatened, exploited, and thrown out from their forest homes where they have been residing for centuries by the FD. The Van Gujjars were barred from the electoral rolls due to their transmigratory nature. Without any political representation or agency, they were always marginalised from the state welfare policies and subjected to further oppression. Though they were inhabitants of both Himachal Pradesh, Uttarakhand and Uttar Pradesh, no state has recognised them as voters. It was only with the intervention of the RLEK; the community people were able to get suffrage rights. Still, they have no representation even in the GS.

**Socio-cultural setbacks**

A study conducted on the Forest utilisation patterns and socio-economic status of the Van Gujjars found that 'education level was deficient (12.9%) and the average income per household is recorded as Rs. 36000 per year. The key source of revenue was dairy production (80.6%) followed by manual labour employment (13.9%), NTFPs (4.2%), and agrarian production (1.4%). More than 90% of fuelwood and fodder is taken from the forests. The average fuelwood and fodder intakes per household per day were documented as 25.86 and 21.58 kg, respectively. Overall, 35 species of cultivated plants and 89 species of wild plants were found to be consumed as food sources. Selectively 25 wild tree species are well recognised as being used by the Van Gujjars as fodder, fuelwood, agricultural implements, household articles, dyes, medications, fibre and other products'(Sharma et al., 2012). The Van Gujjars of Uttarakhand (India) have their own set of cultural, religious, and societal norms and face constraints in access to education and economy. These ethnic groups comprise a small percentage of the total population of the state and have maintained their ethnicity. The influence of the FD and state policy-making intended to the 'modernisation' of the indigenous people has led the community to view themselves from a mainstream perspective, which has also resulted in sedentarisation of few Gujjar families in the nearby towns. With the 'neo-liberal' narratives of development and the pressure exercised by the FD and state, some Gujjars consider it is the best to leave the forests, traditional migration and settle at nearby areas.

Van Gujjars do preserve extensive knowledge on the forest, wildlife, herbs, cattle rearing, and forest management. They consider education as a useful means to gain power in dealings with mainstream society. The lack of access to education has affected the community with their political representation and communication with the outside world. The education system has been blind to the community until the RLEK started adult education programs in the 1990s. It was the first step in addressing the Van Gujjars and their plights. With RLEK's initiative, 350 volunteers from nearby forest areas were sent to the community for the adult education programme. The volunteers were taught by the community on the forest, wildlife, herbal medicines, and various traditional knowledge. States nor central governments had not taken the demands for educational facilities by the communities seriously. The only school facilities available to the Van Gujjars are those run by RLEK even though no Gujjar kids are learning there.[2] Few parents somehow manage to send their children to school, including a private residential school (which is 25 km. away). Lately, few educated youths from the community are providing education for the community children. Ameer Hamza is a youngster among them who is running three educational centres for the community. They teach English, Hindi, Urdu, Arabic and Mathematics to the students.

Public health policies are a domain from which the community has been excluded all these years. The community does possess a great understanding of natural remedies for many diseases. Decent and accessible health care is a prime concern for the community as the lack of access to primary

[2]The VG children are facing several difficulties to reach those schools designed for them, as most of their deras are situated far away from the schools and some children were injured in accidents while getting to schools.

health care facilities is affecting their day-to-day lives. Emergency medical conditions are traumatic to the community, as they have no access to immediate health care. The FD and the Government are reluctant to address the demands of the Van Gujjars for primary health care facilities. In common sense, it is understandable asa pushing to the end strategy of the authorities to get Van Gujjars out of the forest lands.

**Customary practices curtailed**

Van Gujjars are a traditionally nomadic, pastoral community practising transhumance. They migrate between winter pastures in the deciduous forests at the foothills of the Himalayas (Shivalik Hills situated more than 1200 m above sea level) and summer grazing areas in the upper ranges of the Himalayas in search of fresh fodder for their animals. Transhumance is the key signifier of the community distinguishing from many other traditional forest dwellers. They have formed a tradition in both summer and winter pastures of having separate homes (in forest areas) for each family. They travel on foot with all their possessions around 8000 to 12,000 ft, during the migration from April to September - October. Since the establishment of state and national territories, the annual migration was interrupted and with the FD becoming the sole authority of the forest lands, the customary practice was disturbed. They are concerned about the interruptions in the annual migration process. One of my informants expressed his concerns over the disturbance in the traditional migration.

Only a few Gujjar families are practising transhumance today. The others have stopped the practice due to the troubles they faced from FD and authorities during their previous migrations. Forest officials are allegedly asking for great bribes for migration permits from the Gujjars. Moreover, the Himalayas used to be free from mainstream interventions, but recently, the opening of new roads and increased mainstream intrusions have been adversely affecting the migration. Many Gujjars and their buffaloes have been injured in accidents while walking on roads. With the restrictions on the entry in the forest ranges imposed by FD, they had to change the prime migrating routes. The authorities want the community settled outside of the forest lands, which puts their tradition in danger. Being one of the few pastoral communities in India and the world, Van Gujjars are facing high pressure to quit their pastoral, nomadic and transhumance tradition.

**Struggle for livelihood and ecological concerns**

Similar to any other forest-dwelling pastoral communities, the Van Gujjarsare dependent on the forest lands, minor forest produces, and other livelihood resources. As a nomadic, pastoral community, they use forest pastures for cattle grazing, which is essential to the wild buffalo they herd. Without the grazing permits, Gujjars and their animals are not allowed to enter the forest lands. Due to the lack of irrigation projects in the Van Gujjar settlements, they do make small ponds for water which is used by themselves, cattle and wild animals living nearby. The wild buffalo herds are the primary source of income for the community. The milk and dairy products they sell have considerable demand as they are considered the best in the nearby markets. Fodder for the buffaloes is collected by lopping of trees. Van Gujjar lopping has specific criteria as they will not cut young branches or trees, instead go for old and mature ones which have a higher probability of regrowth. Likewise, utilisation of Minor Forest Produces (MFP) are vital in the livelihood of the community; At the moment, the FD is preventing the community from lopping, accusing them of destroying the environment, which leads to the shortage of fodder for their animals and then non-profit milk production. The Van Gujjars were restricted from letting their animals enter the forest premises, and grazing permits have been purposefully reduced in the last years. The economic deterioration of the community is resulted from the powerlessness to challenge the state machinery and the middlemen exploiting them.

The intervention of FD in their livelihoods and difficulties to manage grazing, lopping and migration permits, many Van Gujjars have dropped their traditional cattle rearing and are engaged in manual labour. With the struggles against FD, the lives of the community have worsened in the

last years. The troubles with the lopping and grazing permits have also profoundly affected the animal counts of many. As they lack access to education and their prime profession being milk production, they are facing problems with carrying other jobs.

Limitations on access into the forest lands and resources have adversely affected the Van Gujjar livelihood and culture along with ecological damages in the forests. As a community bound to nature and wildlife for centuries, Van Gujjarsare inseparable from the forest. The environment and the VG are maintaining a mutual balance between the two. The forest areas from which Van Gujjar settlements got evicted are said to have caused the decay of the environment. The wildlife creatures like deers are said to sleep near the Van Gujjar *dehras* during the nights to escape from predators. Likewise, the Van Gujjar *dehras* are constructed with openings in the walls so that birds and small wild animals can enter into the houses. The local inhabitants in and around forests were crucial in incidents such as forest fires, but recent approach of the authorities towards the human presence in the forest premises deter them from entering the forest areas even during cases of forest fires. Van Gujjars will be at stake if the current policies continue resulting in the deterioration of forest and reduction in milk production.

The forest management strategy of the Van Gujjars is far better than any methods which eliminate the anthropogenic existence of the environment. RLEK has proposed Community Forest Management in Protected Areas (CFM-PA) approach in which Van Gujjars (the indigenous population associated with the forest) become the lead managers of the forest and forest resources. It offers several data and studies to challenge the antihuman forest policy of the state and its destructive forest management practices. Widespread poaching, illegal activities and a corrupt system of bribery have accused over the state management of forests. With CFM, the community can be recognised, empowered and can be a model to the international discourse on forest management. Moreover, the traditional knowledge of Van Gujjars on forest and forest management can be a real asset to the scientific forestry and new research interests.

**Van Gujjar Women**

The women in the community considerably enjoybetterliberty than in many other rural or indigenous communities in India, both economically and in their right to own property, relative in the patriarchal setting of the entire nation. Women's engagements in the economic activities of the community are providing them with a particular agency and autonomy. Women, along with men milk buffaloes, collect fodder and rear the buffalo herds. They also do actively engage in the construction of houses. They are crucial in maintaining the accounts and financial transactions. Women manage the economic affairs of their families. Traditionally, the eldest male is considered the head of the family, but in his death or absence, the eldest woman rather than the eldest son becomes the head. They do play vocal roles in the decisions of the family.

Van Gujjar girls are free to express their feelings and willingness to marriage at her family. As buffaloes are considered an asset, a buffalo is handed over to the bride by the groom at the time of marriage. Women do maintain a robust relationship with their family after the marriage. However, they are sidelined from community affairs, which are determined by the men. Likewise, cooking is regarded as women's domain. They do not speak with outside men as it is considered a shame.The women do lack social and political patronage in the community in general.

**Eviction and Displacement**

The community has been facing eviction threats since the plan for the establishment of the RNP. The FD has been branding the community as encroachers on state property despite their historical affiliation with forest and environment. With the initiation of the Park, the authorities put together plans for forced removal and rehabilitation of the community to a new colony built in Pathri, a remote strip of Eucalyptus plantations amid northern plains, which is several hours away from the forest. From September 1992, upon their return after migration, the authorities denied them entry to the Park. The denial of entry was revoked after massive protests organised by Van Gujjars in association with some activists and organisations. More than 200 families were evicted from the

Chillawali range of RNP in 2017 alone. According to an informant, around 50 Van Gujjar houses were destroyed by the police in June 2019 and cases were filed against those who opposed eviction. In 1998, among 1,390 families were present in the RNP, 512 families were resettled to Pathri and 613 to Gaindikhatta. Slowly from 2000 to 2007, other families were also relocated(R.Joshi, 2012). Right now, around 400 families are living inside the RNP.

There are several allegations against the rehabilitation projects designed for the community. The Pathri camp was built without consulting the Van Gujjars. 512 families were recognised as the beneficiaries of the programme. Again, the decision to consider 512 families was based on a census conducted in the 1930s. The authorities promised food and fodder, irrigation, electricity, and school facilities, nonetheless materialised. Likewise, each of the 512 families was supposed to get 1.5 *bigas*[3]of land which they have not received. The Van Gujjars who visited the site reported that the concrete dwellings cracked soon after they were built and the cattle sheds had cardboard roofs. The wild buffaloes could not survive the heat of the plains, and many of them died due to this.

With the right-wing Governments in the Uttarakhand, Uttar Pradesh, and centre, there is a bias against Muslims. They have been consequently intimidated and harassed and further forcefully evicted by the FD. The FRA is the only and first law to talk about the lives and rights of the Van Gujjars, Claiming FRA is essential in the process of the land rights recognition. Community members who are aware of FRA are convincing others to claim for their rights. On the other hands, FD officials are creating confusion among the community. Therefore, they are diverted and scared. FD will offer money and persuade them to go out of the forest lands, which makes the organising of community hard.AIUFWP and Vikalp are critical of the FD rejecting the claims of the Van Gujjars as they do not have the legal rights for rejecting claims. Both organisations are engaged in conducting FRA awareness among the Van Gujjars. They help the community to claim forest rights.Hitherto, 428 Individual Forest Rights (IFR) have claimed in Chilawali range, 107 in Ramgarh, and 8 in Asharodhi range. People who have not filled claims under the FRA are planning to file claims.

**Communication strategies**

The traditional culture of the Van Gujjars constitutes their primary communication channel. Rather than the modern mass media, it is the traditional practices that enhance and emulate their communication. Their language, traditional songs, stories, and customs are part of this cultural communication. Blow to the Van Gujjar identity and livelihood is, without doubt, a setback to their culture and traditional customary communication strategies. Moreover, the displacement policy is that scatter the community is the worst to affect their culture and communication.

With the continuing struggle to reassert their customary forest rights, the Van Gujjars are supposed to engage with the state, most often the FD, frequently. As the community lack access to formal education and often regarded as offenders and encroachers by the FD, they have restraints in negotiatios with the state. Numerous factors are hindering the Van Gujjars from bringing a community-centred development strategy, which often demands the help of external organisations and activists. The state's top-to-bottom views on the indigenous communities and the natural resources are further putting the community in a subjugated position. Negotiations with the state are often determined based on bribe paid to the Forest officials. Individuals who manage to pay the bribes do get certain privileges over the access of forest resources, and those who cannot pay are troubled. A good relationship with the FD is vital in the daily lives of Van Gujjars, as access to forest resources forms the primary livelihood strategy of the community. The current Islamophobic approach of the state has put the community more vulnerable from having a vocal position throughout negotiations. This powerlessness is not due to the inadequacy of Van Gujjar

[3]Biga is a Van Gujjar measurement of land.1.5 bigas consist not less than half acres of land. The word have different measurement scales across North India.

communication strategy, but the purposive subjugation and alienation executed by the state. With the current negotiating positions with FD, Van Gujjars seem unsatisfied and expect a healthier status.

**Forest Department and conservation**

The current emphasis on the commodification and exploitation of natural resources has led to the deterioration of indigenous communities. Their customary relationship with the environment has been devastated due to the interventions of state apparatus like FD. In the case of Van Gujjars, FD is the ground-level institution monitoring and often intimidating their day-to-day lives. FD is their only idea and realisation of the state and state power. The primary function of the FD is to prevent the access of local inhabitants into the forest premises. AIUFWP and VIKALP aresuspicious of the FD, activists associated with both organisations state, "the authorities are here for money, they have allegiance with mafias, and large-scale poaching is going on. Forest officials are largely engaged in illicit activities, and that is a reason why they want the inhabitants of the forests out of their homes." In the RNP, most of the officials are outsiders, which makes the local people more vulnerable to suspicion. In the words of an activist associated with AIUFWP, "Forest officials are not trained for conservation". There are many instances of cases registered against the Van Gujjars and activists and organisations backing them to fight for their rights. A veteran social worker with RLEK was critical of the Forest officials entering into the Van Gujjar settlements with arms when Van Gujjars do not carry or keep any arms. He also mentioned about the corruption of FD funds for Forest fires, "The government funds for firefightingare not spending; the officials wait for the rain, and the funds will be in their hands." FD officials are said to ask for bribe from the community for various purposes, often for their access for food and fodder. These illicit arrangements make the Van Gujjars vulnerable to the FD as their regular lives are involved. FD has been criticised for holding a grudge against the community members. One of such instances results in the absence of names in the Census conducted by FD.

Conservation is a significant area involving huge funds. Western nations do devote a considerable amount of money into conservation projects in developing countries like India. The establishmentof National Parks and Wildlife Sanctuaries is the easiest way for the governments to draw all the funds into the state. Furthermore, the state is backed by elite conservationists with their perception of indigenous people as encroachers. They demand the eviction of local inhabitants from the forest lands in the sake of conservation. FD has permitted the Indian military for shooting, which has caused severe destruction to wildlife, later on, the military shooting has stopped. Likewise, RNP is dependent on tourist activities, which promote jungle safari and tiger tourism. Tourists in the Park trail beasts in the off-road jeeps allowed by RNP. They give great promotions for the tourist activities on their websites, persuading the tourists to visit and stay at the Park.

In the present scenario, with the continuing oppression of the state and alienation of the community from its traditional forest lands, Van Gujjars are compelled to leave their nomadic, pastoral and transhumant lifestyle. With little security and rights on land, their economy is dependent on the forest politics forwarded by the state. Being pastoralists, for the time being, the community finds difficulties in getting jobs other than cattle rearing and dairy production;however, few manage to get jobs as tourist guides and manual labourers. Their access to forest land denied and their customary relationship with the forest questioned, Van Gujjar lives are in direct conflict with the state and its apparatus. The lives of the community cannot remain empowered within the current system of forest governance; contrastingly, it is further escalating the oppression. The only possible way to continue their lifestyle and tradition is by reasserting their rights and recognising them as the rightful managers of respective forest lands. The state has denied RLEK's proposal with Van Gujjars for Community Forest Management in Protected Areas. In the contemporary state of affairs, where the conflict between the indigenous community

and state is in the peak, community forest management can be an asset to empower the indigenous population.

**Discussion**

**A glimpse into the colonial forest policy**

Colonialism transformed the relationship of tribals with the forest; it usurped the forest lands and placed restrictions on access to forest lands, forest products, and common village lands. Oppression and extortion by police officers and other petty officialshave further aggravated distress among the tribals (Chandra, 1989). The British colonial perception of land is formulated on its capability of revenue generation. The extensive forest area of India often paid for the industrial needs of the British for timber and other Non-Timber Forest Products (NTFPs). The current strategy for forest governance is a leftover of the British colonial imperialism which denounces and takes away the rights and livelihoods of the indigenous population whose lives are solely dependent on the forests. In the Kumaun and lower Garhwal regions of the western Himalayas (currently the Dehradun region of Uttarakhand), the process of agricultural extension began in 1821 with the Trial Forest Settlement, which constituted the first restriction on the use of Himalayan forests by the rural population(Haeuber, 1993). The 1878 Forest Act classified the forests into three; **reserved forests**, which shaped the commercially productive resources for the state applied to areas with valued timber; **protected forests**, consisting the areas supposed to be reserved forests and **village forests**, which are managed and controlled by local authorities. In the reserved forests, the access of the local community was denied, and its purpose was to keep control over the forest lands within the state. With the amendments in the forest policy in the subsequent years, the British exercised better control over the Indian forests. The 1927 Forest Act authorized the forest officials to arrest the offenders in the forests. The Act was intended to gain more control over the remaining forest lands.

Pre-British regimes relatively recognized the authority of local communities, which paid taxes to the state. With the British intervention, the land became state property controlled either by forest or revenue authorities (Gadgil, 1993). Long before the British arrived, India's inhabitants relied upon forest resources as an essential element of their lifestyle. With the advent of British colonial administration, India's forests became bound to the requirements of the state, and rural populations found themselves increasingly excluded from access to these valuable resources. After 1947, control over forests passed into the hands of a different state: independent India. However, the overall situation has not fundamentally altered. Under both British and independent Indian government, forest resources were perceived as necessarily tied to the economic growth of the state through meeting raw material needs. Under the British regime, forests met the needs of the colonial state; after independence, forests became increasingly tied to the needs and goals of the independent Indian state (Haeuber, 1993). In 1952, the first independent Indian statement on forest policy prioritized the 'national interests' over other forest concerns. The rights of the forest-dwelling communities,thereforegradually curtailed with the Act. The National Commission on Agriculture (NCA) established in 1970 contributed to the later policy-making of the forest governance. NCA perceived the indigenous communities dependent on the forests as a cause for the deterioration of the forests. Due to this, the recommendations of the commission were against the access ofrural and tribal population into the forests. At the time, NCA focused on the increase of productivity of the forests. Later on, the National Forest Policy of 1988, has acknowledged the certain role of forest-dwelling communities in the conservation of forests, regardless the accessto forests were forbidden.

Inindependent India, the forest lands and resources were vastly used for state and private capital-sponsored industrialization. A large portion of the forest landwas cleared for the agricultural needs and production of timber. The timber consists of the critical factor determining the forest governance and economy. Likewise, other forest produces and resources were brought into the

strict control of the state. At the time, it was the forest dwellers and rural population who suffered and paid for the national interests as their traditional relationship with the forest and nature altered and often disrupted.

In 2019, the total forest cover of the country is 7,12,249 sq. km, which is 21.67% of the geographic area of the country. Simultaneously, forest cover inside the recorded forest areas/greenwash areas in tribal districts shows a decrease of 741 sq. km. The Forest Cover in the State of Uttarakhand is 24,303.04 sq. km which is 45.44 % of the State's geographical area. Six National Parks, seven Wildlife Sanctuaries and four Community Reserves constitute the Protected Area network of the State covering 3.24% of its geographical area consisting the Rajaji National Park and Corbett National Park (Forest Survey of India, 2019).

**The persecuted Van Gujjars**

Since the invention of colonial forest policy, founded on exclusionary environmentalist paradigm, the Van Gujjars are subjected to 'systemic oppression'. The double-fold identity as 'Muslims' and 'indigenous' is the prime cause for Van Gujjar marginalization. Unlike many other indigenous communities in India, the Van Gujjars are not able to earn ST status; it is supposed to be the consequence of their religious identity in a harshly communal and ethnocentric society. Their demands for inclusion in the ST list are often ignored. The most significant factor contributing to the marginalization of the community is the lack of civil rights; they have very less access to domicile rights, policy advocacy, lobbying, and education (Nusrat R, 2011). Public utilities are distant from the community as they have to manage on their own. Lack of irrigation, health care, electricity, and transportation make their living difficult. Many Gujjar families depend on small solar panels for their electricity needs in *dehras*.

The establishment of the RNP provided sanctions for the state to exclude Van Gujjars from their customary habitat. The antihuman stance of the FD and the government in the conservation policies further escalated the exclusion. The forest officials blame the Gujjar population and their livestock as the cause for forest deterioration. Though few communities have Van Panchayat or village forest council, the Van Gujjars are not entitled to the programme. Therefore, the community's conservation strategies are denounced by the officials. Similarly, the hostile attitude of the villagers at the stops during migration makes the Van Gujjars further vulnerable. State-sponsored sedentarization has led many Van Gujjars to drop their traditional lifestyle and to settle in the nearby towns engaged in manual labour.

Began with colonialism and then through the neo-liberal modernization strategies imposed by the elite policy-makers, today, Van Gujjars are going through a transition period. Even though most of the Gujjars see their traditional lifestyle inevitable for their survival, the contemporary development narrative they witness in the nearby areas (which are very limited to infrastructure, and other material aspects) put them in a dubious position. With a lack of access to necessary infrastructure and the imposition of sedentarization policies by the state, they are enforced to comply with the mainstream notion of 'development'. As Franz Fanon demonstrates, the way colonialism shaped the impression of itself as the language and culture of progress and the native as evil and primitive, the current notions of development constituted by the dominant elites, establish themselves as the finest and the 'others' as backward. With the lack of education and access to policy advocating, the Van Gujjars are subjected to be the victims of the 'development'. They are forced to perceive the idea of 'development' interpellated through state machinery and elite organizations.

**Nomadic pastoralism and transhumance at stake**

A large group of people in Uttarakhand were pastoralists, agro-pastoralists, or practised mixed farming. Rearing of cattle was vital to the economy of the majority of the population. Some people, like the Bhotiyas and the Gujjars, depended entirely on livestock. The Gujjars came to Uttarakhand around the mid-nineteenth century. They were pastoralists and owned neither land nor permanent houses; they kept buffaloes and practised transhumance (Dangwal, 2017).

Pastoralism is not unknown to the history of humankind. At one time in our history, pastoralismwas a dominant mode of production and effective livelihood strategy. However, with the transition from pastoral economy to agrarian and then to the contemporary industrial economy, pastoralism is confronting a severe crisis all over the world.

There is high pressure exerted by the industrial market-oriented economy to absorb pastoralists into the fold of non-pastoral economy through forced commercialisation, devaluation of pastoral products, and the like (Jena, 1995). The formation of nation-state margins is another crucial factor that affected pastoralism and nomadism. With the restrictions in the state boundaries, it became difficult for the pastoralists to maintain their livestock. The current geopolitical strategies have often interfered in the practice of nomadism. The wider knowledge and skills of the pastoralists are ignored and often undermined. The foundation for the livestock rearing of the pastoral Gujjars, as for all pastoralists, is the availability of pasture or other natural sources of fodder. As they do not themselves own any land and do not practise agriculture, the Gujars are entirely dependent upon access to state forest (Gooch, 1992). The Van Gujjars being pastoralists, depended on forests for food and fodder for their animals. The wild buffaloes they rear prefer natural fodder from the forest, with the restrictions on access to forests and difficulties in lopping and grazing has caused a significant setback to the Gujjars as pastoralists. With the intervention of external bodies in their livelihood, Van Gujjars are struggling to keep up their traditional pastoralist lifestyle. Not only the lives of the Gujjars but their buffaloes and other livestock are affected due to the intervention of FD.

Transhumance involves the movement of people and their livestock between summer and winter pastures, to secure grazing of their cattle throughout the year. This movement can be qualified as either vertical, as in the 'lesser' transhumant movement between valleys and neighbouring uplands, or horizontal, as in the 'greater' transhumant movement between distant agro-ecological regions (Palladino, 2018). The Van Gujjars are not accustomed to the settled living; for centuries, the seasonal movement consists of the primary aspect of their lifestyle. In many transhumant communities, only the herdsmen are seen migrating with the livestock, unlike them, Van Gujjars do migrate as a whole community including the women and children. During their migration period, the Gujjars meet the requirements of milk and milk products of the neighbouring areas where they halt. As with pastoralism, the need of pastures and fodder for their animals is the basis of transhumance too. During the onset of summer Van Gujjar, buffaloes start to express signs for migration. In the Van Gujar sense, it is for the buffaloes, they migrate. Transhumant societies offer a better model of gender too as both men and women engage in economic and cultural activities. Besides, a vacation for the regeneration of forests is another reason for transhumance. With their consumption of forest resources for a seasonal period, the Van Gujjars leave the place for regrowth, by the time they return after migration, the forests would have recovered. The transhumant lifestyle of the community is a reason why they are left out outside from the mainstream political paradigm. The establishment perceives them as wandering nomads and keeps them out of mainstream politics.

The contemporary geopolitics is playing a crucial role in the sedentarization of the community. Getting migrating permits is a hard task nowadays, even if someone manages to get a permit, restrictions in the migration routes,and the intervention of FD make the process hard. Thus, only a few Gujjars are continuing migration today. Given a preference, all the Gujjars would like to migrate. They had to stop migration because crossing the State boundaries involves a lot of legal complications. “They are severely extracted by forest officials, police, and other officials. The local people up on the hill, do not allow the Gujjars to use ‘their resource base’. Even though the Gujjars possess a permit from the forest department, the local people make them pay a heavy price. The Gujjars allege that their unprotected *dehras* which are made of wood and grass, are demolished and taken away by the people living in the periphery in connivance with the forest

officials. When the Gujjars come back to their dehras' in winter, they find their houses have vanished" (Jena, 1995).

**Power relations**

The relations of power 'are the immediate effects of the divisions, inequalities, and disequilibrium which occur in the social relations, and conversely, they are the internal conditions of these differentiations' which may be determined by law, status, economic appropriation, courses of production, language, culture, knowledge or competence (Foucault,1981; Deacon, 1998). van Dijk defines 'social power' in terms of control, that is, control of one social group over other groups and their members. 'Control' is defined as control over the actions of others. If such 'control' is in the interest of those who exercise it and against the interest of those who are controlled, it is called 'power abuse'. Moreover, if there are communicative actions involved in the course, that is 'discourse' (van Dijk, 2015). For Foucault, "power relations are nothing other than the instant photograph of multiple struggles constantly in transformation, a continually changing series of clashes which diffuse all social relations" (Foucault,1989; Deacon, 1998).The Van Gujjar problems are the consequences of social power abuse in the light of the arguments forwarded by van Dijk. The Van Gujjars, being one of the most vulnerable groups in the Indian society, with their double identity of Muslims and Indigenous, are demoted by the majoritarian governments. "To investigate the abuse of discourse control, one needs to formulate specific conditions, that is, specific violations of the human or social rights" (van Dijk, 2015). The state and its apparatus have expropriated the Van Gujjar identity, livelihood, customary lifestyle and their primary relationship with the forest. Being a 'Muslim' and 'indigenous' society with their own set of values, norms, and socio-cultural practices, in a caste 'Hindu' dominated society is perceived as a threat by the dominant elites. The Van Gujjars constitute an 'otherness' among the dominant Hindu elite. In the contemporary political scenario, it is not difficult to assume the expenses of being the 'other' in a predominantly caste society. The simple strategy used to tackle this 'otherness' by the dominant elites is to persecute and then exclude it.

"It is based on the mutually supportive and interconnected local power relations that 'general conditions of dominance such as capitalism, patriarchy, and racism are founded and developed, these vast global strategies are commonly 'embodied in the state apparatus, in the formulation of the law, in the various social hegemonies' and, 'accompanied by numerous phenomena of inertia, displacement and resistance', adapt, reinforce and transform the local power relations upon which they depend" (Foucault,1989; Deacon, 1998). The relations of power are minimal to the Van Gujjars as their position is always ensuing what the FD and the state presume. FD observes the community's affiliation with activists and NGOs with suspicion. Their agency to organize collectively is often undermined by the FD. The Van Gujjar power relations should be analysed with an outlook towards the conflicts over land rights. In the modern state scenario, access to power is determined based onthe ownership of land. With no rights over their traditional forest lands, access to power and discourse is strictly limited to the Van Gujjars.

As there are forest-dwelling communities with Van Panchayats in the state of Uttarakhand, the exclusion of Van Gujjars from it need not be further explained. van Dijk manifests it when he says, "powerful elites or organizations may decide who may participate in certain communicative events, when and where and with what goals"(van Dijk, 2015). Restricting access to communication is the first and foremost strategy used by the elites to oppress minorities. Without officially recognized political bodies, the demands nor the plights of the community do not rise at all. The only option left is to depend on activists and NGOs. Denying the rights of Van Gujjars means the denial of a vast domain of knowledge, accumulated over centuries long living-experiences of the community.

Furthermore, it acknowledges the intolerance of the elites to a pluralistic society. Likewise, the officials see Van Gujjars from a top-to-bottom stand which leads the community vulnerable to

FD. What mainly gives the foresters such power over the Gujjars is the system of requiring a permit for every head of cattle kept in the forest, most of their permits are very old dating back to the colonial period and, there is at present no updating of the number of animals covered by the permit (Gooch, 1992). The vulnerable situation of the community further restricts any scope for negotiation with the FD in a respectable or decent position. The dignity of Gujjars is often undermined by the officials, which averts any recognition of rights over the forest lands.

Recognition of oneself is the principal aspect of constituting power itself, and with power, one is represented. "When we consider the regular ways that we think about humanization and dehumanization, we assume that those who gain representation, especially self-representation, have a better chance of being humanized, and those who have no chance to represent themselves run a greater risk of being treated as less human, regarded as less human, or indeed, not regarded at all"(Butler, 2004). Without recognition, representation would be impossible, which leads to one's existence questioned. Recognition of Van Gujjar identity and existence also means the recognition of their rights over forest lands. As land is considered an essential criterionto gain access to power and discourse, Van Gujjar politics primarily revolves around the demands for recognition of their forest rights. Simultaneously, the dominant power politics strategies enforce the marginalization of the community. To stand against FD openly puts, the Van Gujjar lives in danger as it may affect their day-to-day livelihood strategies including the illicit arrangements with the FD. With their lives under critical surveillance by the FD, even organizing within the community is met with harsh reproach, which makes attempts to gain power unfeasible.

**Governance and development**

Governance consists of the acts of governing, that is, administering or controlling, of a subject by another. Judith Butler proposes governmentality as "a mode of power concerned with the preservation and control of bodies and persons, the production and the regulation of individuals and populations, and the circulation of goods as they maintain and limit the life of the population. Governmentality operates through policies and departments, through managerial and bureaucratic institutions, through the law, when the law is understood as 'a set of tactics,' and through forms of state power, although not exclusively"(Butler, 2004). In this particular study, governance constitutes the primary cause for the marginalization and socio-political exclusion of a certain identity or subject. The forest governance strategy of the independent Indian governments adopted from the colonial British has devastated the relationship between forest dwellers and their traditional habitat. The Van Gujjars, along with many other traditional forest dwellers, are governed by external bodies which do not have any necessary representation of the minorities. As with the representation, the identity and existence of the forest-dwelling communities are alien to the ruling establishment, which governs them.

"Marked by diffuse sets of strategies and tactics, governmentality gains its meaning and purpose not from a single source, nor from a unified sovereign subject. Instead, the tactical characteristics of governmentality operate diffusely, to dispose and order the population, and to produce and reproduce subjects, their beliefs and practices, in relation to precise policy aims" (Butler, 2004). As an establishment for a majoritarian centred society, the governance in the country would be to satisfy the dominant groups. Therefore,the unrecognized and marginalized groups would pay for the same 'governance', being subjects of policies unfavourable to their lives. In the case of Van Gujjars, they do not have any voice in the policies affecting their lives; in other words, they remain sidelined from the process of policy-making determining their lives.

'Development' has always contributed tovarious discourses, but today, the concept itself constitutesa discourse. The idea of development, which has been followed globally, has drawn fierce criticism when it comes to social inclusion and exclusion. The question of 'sustainability' has often ignored in the mainstream notion of development. Various 'development projects' celebrated by the state and the elites have caused the devastation of lives and displacement of several social groups. "A profoundly undemocratic streak runs through India's development

process. The exclusion does not end at the symposia; Peasants are excluded from land issues; villagers are robbed of control over water and other community reserves, tribes are being cut off from the forests. However, the elite vision holds the poor and their experience in contempt" (Sainath, 1996).

'Displacement' is an arena created out of the anti-proletariat development policies forwarded by the elites. It is always the underprivileged people of India who suffer from big development projects. The tribals are the worst affected when it comes to displacement due to development projects representing almost 34% of the affected population (IndiaSpend, n.d.). 'At a private lecture, NC. Saxena, formerSecretary to the Planning Commission, said he thought the number of displaced people for development projects was about 50 million (of which dams displaced 40 million), a huge percentage of the displaced are tribal people. Include Dalits, and the figure becomes obscene'(Roy.A, 1999).

Real development would involve the transformation of the individual state to a higher level of being and living; such transformation must have the participation and consent of those affected by it. Their involvement in the decision-making process and the intrusion on their environment, culture, livelihood, and tradition by that process should be minimal (Sainath, 1996). The state government shall not restrict the livelihood and culture of the minorities;instead, it should adopt a holistic approach towards its governed bodies. It is a high time to consider sustainable approaches to development, with a focus on maximum inclusion and less displacement.

**Community Forest Management**

The forest governance strategy adopted by the state has not only benefitted the environment but has caused tremendous effects on numerous forest-dwelling communities. Forced eviction and expropriation of rights have become a new normal in the forest governance and the broader paradigm of governance. Instead of involving the forest dwellers in the preservation and maintenance of their habitual environment, they are treated with suspicion. The Van Gujjars residing at the RNP, and those who have been evicted and displaced, do stress for a community forest management strategy to be implemented. With their better knowledge of forests, wildlife, and conservation strategies, the environment will be far better if the leading role of forest management lies with the community. The FRA has stated the community rights over forests, specifying the right to protect, regenerate, or conserve or manage any community forest resource which the forest-dwellers are traditionally preserving for sustainable use.

Land rights are vital for one's existence in the contemporary geopolitics constituting the modern state. With community forest management, community rights of the Van Gujjars in their respective forest lands can be reasserted. IFRs have limitations in ensuring the empowerment of the community and the forests. Only with a community approach, Van Gujjars as a whole can benefit from the FRA. The community recognize the difficulties they face today as a result of the current forest management system. They believe that they can be good managers of the forest than the FD. The community forest management strategy has significant contributions to the community development of the Van Gujjars. Along with enabling authority over forests, community forest management can ensure participatory communication within the society. Being an authorized governing body itself, the community can have a better opportunity for negotiation with the state and FD.

**Communication for development**

The communication within/of a community is vital to understand, represent, and to empower a particularly vulnerable community. Speaking of development communication in the contemporary Indian scenario, within the rigid caste and Islamophobic context, one needs to understand the necessity of recognizing indigenous communication. Rather than multicultural, which may recognize, accept, or tolerate 'other' cultures, there should be an intercultural approach which promotes active sharing of space and knowledge between the cultures. "To articulate plurality from a diverse perspective, it is essential to recognize fundamental rights that, in the opinion of

particular interests are "dangerous" rights. Stigma and discrimination are two most rooted concepts in society and the media and are manifest through attitudes and behaviours, sometimes subtle and at other times, overtly aggressive"(Gumucio-Dagron, A. 2014).

The cultural identity of a community is usually recognised through their indigenous practice of communication. The traditional form of communication practised by the people at the community level, particularly by the indigenous population, is under threat from the so-called 'modernization'. Mass media further accelerates the marginalization of the social groups, since their representation is scarce, the issues of the vulnerable communities are discharged. Whenever the mainstream mass media raises the problems of the indigenous population, they are misrepresented, their identities stereotyped and form a linear narrative. In the existing condition, the revival of indigenous communication strategies is essential to the empowerment of the community and to ensure their recognition and representation.An intercultural approach is necessary to address the indigenous discourse, which is the only feasible option if the empowerment of the population is the concern.

**A pedagogy for liberation**

Social scientists across the world have testified the role of education in attaining liberty, equality, and fraternity. There is no doubt in the need for educational strategies for the liberation of the oppressed. The question that often arises is what kind of educational strategies should be adopted for the empowerment of the marginalized indigenous communities. On the one hand, there are widespread demands to make education accessible to the indigenous people; on the other, it is inevitable to avoid the modernization elements innate in the mainstream education system. The modernization duty of the colonial mainstream education system will only lead the oppressed into double consciousness in a majoritarian society. Paulo Freire has conveyed the role of *conscientization*, learning to perceive social, political, and economic paradoxes, and to take action against oppressive elements of reality. He proposes a pedagogy of oppressed for their emancipation.

Freire condemns the traditional teaching approach as keeping the poor, powerless people passive. He blames the banking model of education as "an act of depositing, in which the students are the depositories, and the teacher is the depositor. Instead of communicating, the teacher issues communiques and makes deposits which the students patiently receive, memorize and repeat" (Freire, 1996). In the banking concept, according to Freire, the scope for action allowed to students extends only as far as receiving, filling, and storing the deposits. Substituting the traditional concepts, he suggests education must begin with the solution of the teacher-student contradiction, with the reconciliation of the poles of the contradiction; both are teachers and students. The problem-posing education, proposed by Freire enables educators and learners to become the subjects of pedagogy by overcoming authoritarianism and alienating intellectualism, which enables people to overcome the false perception of reality.

The pedagogy anticipated by Freire, further recommends the need for 'dialogue', which is "an encounter between man and woman to name the world, it must not be a situation, one name on behalf of others. Those who have been denied their primal right to speak for themselves must first reclaim this right and prevent the continuation of the dehumanizing aggression" (Freire, 1996). According to Freire, "one cannot expect positive outcomes from an educational or political programme which fails to respect the particular view of the world held by certain people, it will end in the cultural invasion. Cooperation, unity, organization, and cultural synthesis are the characteristics of dialogical action.

In the particular case of Van Gujjars, being an oppressed minority indigenous group in a highly polarized communal state, the mainstream strategies of education cannot bring an end to their problems nor emancipate them, it will only lead to further oppression and cultural conquest, manipulation and cultural invasion. Only a pedagogy centred on the 'subject', that is, the community, through a dialogical action, can empower them. The adult education programme

carried out by RLEK in the 1990s had impressive outcomes, as both the educators and the learners were subjects. Rather than teaching the community of interests foreign to them, the pedagogy should focus on traditional knowledge and wisdom. A pedagogy which enhances their living and traditional experiencesis required rather than an anti-dialogical approach. Only through dialogue, the true empowerment of oppressed is feasible. An essential factor to remember is, it is not that the indigenous people lack education;instead, an amalgamation of their traditional knowledge within the contemporary socio-economic and political context is the substance.

**Conclusion**

Industrialization accompanied by urbanization and globalization has favoured agriculture (mass production techniques) and pushed aside pastoralism and other traditional livelihoods. Due to the opportunities received for agriculture, cultivators often acquired more and more land across the geographies and led the pastoral nomads to the margins of the geographies. The political economy of the agriculture is far profitable to the establishment than the tribes living inside the forests with minimal resources for their survival, in which case the only interest the government ever found was the forest land and its valuable resources. Thus, the easiest and widely adopted policy of the government was to snatch away the forest lands and to convert the indigenous people into the mainstream.

The problems raised in the RNP consist only a fragment of the failures in the existing forest governance schemes across India and globally. These problems are inevitable in the system with limited resources, which alienate and criminalize the rightful managers of the forest eco-system. Inclusion of the forest-dwelling and forest-dependent people in the policy-making processes is the necessary change required in the forest governance. The current notion of conservation as the exclusion of indigenous people held by elite conservationists is a total facade. Meantime, the same conservation model is a crucial factor in the deterioration of forests and forest-dependent communities.

In the particular case of Van Gujjars, a salvage anthropological approach is required to enhance and empower the community and their traditional habitat. Community forest management scheme, promoting Van Gujjars as key players in the forest management can maintain the balance of nature, wildlife, and human beings. Alienation of the community from the forests has not brought any virtue to the environment. From the one side, the FD is evicting indigenous forest dwellers in the name of conservation and, on the other, they are predominantly involved in practices affecting the ecological balance of the forests. The Uttarakhand Forest Dept's Proposal for temporary Use of Rajaji National Park for Kumbh Mela should be read in this context (The Wire, n.d.). The state is not after conservation; instead, certain 'special interests' constitute its concerns. It is time to address particular policy failures in the history of the state and to rectify the injustices done to the most marginalized and underprivileged section of the Indian society.

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