THE FOREST VILLAGES AND THE CHALLENGES OF REHABILITATION: A STUDY OF 'TAUNGIA' AND 'VAN GUJJAR' SETTLEMENTS OF SAHARANPUR

Abstract

The present paper is based on the field study conducted in the Mohand Forest Range of Shivalik Forest Division of Saharanpur District, Uttar Pradesh. The paper tries to understand the dynamics of life chances of the two different types of forest village settlements viz. Taungia and Van Gujjar. The paper argues that the way these two groups of forest dwellers are living and using the forest space requires a twofold strategy on the part of policy makers with reference to the sustainability of the settlements in the forest. The need of the hour is to assess the realities of these two settlements at the ground level in terms of marginalization, poverty and exclusion on the one hand and the implementation of the strategies and initiatives of the government on the other to deal with the current situation of the stakeholders.

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Unlike in the earlier periods, during the colonial regime the access to forests was restricted which caused a drastic change in the relationship between pastoral community and their immediate ambience leading to a transformation in the social relationship which had hitherto sustained their symbiotic relations with the forest. The process was initiated by the colonial rule in the 19th century, when the British started centralizing and restricting forest use for commercial exploitation through legislative measures such as the Indian Forest Act of 1864 and later on 1927. This centralization and reservation of forest land changed the forest people relations. This policy of reserving forests and restricting people's rights continued even after independence. In independent India, large areas of community lands were transferred to the forest departments through blanket notifications without recognition of their rights and consultation. The colonial state claimed forests as state property and they defined the domain of rights. Around the late

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nineteenth century, the *Ban Gujjars*(Van Gujjara) who were cowherds realized the impact of policy changes initiated by the British. They found their access to forest closed, their rights redefined and their rhythms of their movement controlled. This was not a simple shift from a regime of unrestricted grazing rights to one in which such rights were denied. Before the colonial rule, the individual rights and collective rights co-existed. The pastoral right was also enumerated. The nature of rights in the summer and winter pastures was different and restrictions were minimal (Bhattacharya 2001:53-54).

The colonial forests practices continued after independence also and that created a number of problems. The turning point came in the year 2002, when in response to a decision by the Supreme Court, the Ministry of Environment and Forests issued a directive to the state forest departments to evict all the encroachments from the forest land within a fixed time. This has led to massive protests all over India and resulted in The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The Act is commonly referred to as FRA 2006 and in this text also it is used as such. The Act aims, 'to recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded; to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land'(FRA,2006). This Act also emphasizes the fact that, 'Forest rights on ancestral lands and their habitat were not adequately recognized in the consolidation of state forests during the colonial period as well as in independent India resulting in historical injustice to the forest dwelling Schedule Tribes and other traditional forest dwellers who are integral to the very survival and sustainability of forest ecosystem' (Ibid).

The Act further talks about four types of rights. Section 3(1) of the Act grants Title rights, that is, ownership to land, Section 3(1) also grants Use rights over minor forest produce, including the ownership, to grazing areas, to pastoralist routes, etc. Relief and development rights are granted under Sections 3(1) and 3(2) of the Act. It includes the right to rehabilitation in case of illegal eviction or forced displacement and to basic amenities subject to restrictions for forest protection. Forest management rights are granted under Section 3(1) and Section 5 of the Act with the view to protect forests and wildlife (Ibid). The Act aims to rectify the mistakes done in the past. It aims at providing the Scheduled Tribes and Other Forest Dwellers their rights who were living in the forest as an integral part of the forest ecosystem. The philosophy of the Act is sympathetic to the forest communities but the sociology of law in the field is different.

The present paper is based on the field study done in the Mohand Forest Range of the Shivalik Forest Division, Saharanpur, Uttar Pradesh.

The paper tries to understand the dynamics of state, community and the Forest Rights Act 2006. The two types of forest villages are there in the field, one Taungia village and another Van Gujjar village. The Taungia village is a permanent settlement whereas the Gujjar village is nomadic seasonal settlement. The objective of the present paper is to understand the dynamics of these two categories of forest villages and try to get an insight regarding the challenges on the part of these settlements. The paper also tries to understand the sustainability of the settlements in the forest with respect to forest management and conservation.

The Scheduled Tribes and Other Traditional Forest Dwellers(Recognition of Forest Rights) Act, 2006 explains forest village as, 'Forest villages means the settlements which have been established inside the forests by the forest department of any State Government for forestry operations or which were converted into forest villages through the forest reservation process and includes forest settlement villages, fixed demand holdings, all types of Taungia settlements, by whatever name called, for such villages and includes lands for cultivation and other uses permitted by the Government'(Ibid). This definition takes in its fold the Taungia settlement but there is no clarity regarding the Van Gujjar settlements and their rights.

II

Saharanpur forms the most northerly position of the Doab land which stretches between the holy rivers of the Ganges and the Yamuna, the Shivalik hills rising above it on the northern frontier. In1997, Saharanpur district attained the status of Saharanpur division in the state of Uttar Pradesh. The north and north east of the division is surrounded by the Shivalik hills. The district is separated by river Yamuna in the west from Karnal and Yamunanagar districts of Haryana. In the East lies the district of Haridwar which was a part of the district Saharanpur before 1989 and in the south lies the district Muzzafarnagar. At the time of the British Rule District Muzafarnagar was also a part of district Saharanpur.

The hills of the Shiwalik chain are steeper in Saharanpur than in any other district of Uttar Pradesh, while below the hills are to be seen in a modified form, the characteristics of the Bhabar and Tarai region. The main characteristics of the district can be divided into four parts:

- 1. The Shivalik Hill Tract
- 2. The Bhabar Land
- 3. The Bangar Land
- 4. The Khadar Land

The Yamuna is an important river of the district, and other rivers viz.

Solani, Hindon, Ratmau, Nagdev have played a significant role in the physical structure of the district. All the rivers of the district submerge either in the Yamuna or in the Ganges.

Saharanpur Forest Division

The Saharanpur forest division is also known as Shivalik forest division. Geographically it is situated between $30^{\circ}0'$ to $30^{\circ}25'$ N and $77^{\circ}.32'$ to $78^{\circ}.1'$. This division consists of northern part of Saharanpur district. The divisional boundary touches Dehradun/Kalsi in north, social forest division , Saharanpur, Rajaji National Park in the east, and Yamuna river and Haryana state in the west. The forest lies along the strip of length 32 km along Saharanpur-Mussoorie road. The width of forest ranges from 4 km to 23 km(Sinha, Singh and Acharya 2009).

This division contains valuable forest areas declared as Reserved Forests. The details of the Reserved Forests along with forest range in Saharanpur Forest Division are given in Table 1:

Name of the Range Reserve Forest Area (hecatre) S.No. Range Length (km) 1 Mohand 13230.74 09.840 Shakumbri 9130.02 2 17.441 3 Barkala 10868.70 23.785 Total 33229.46 51.067

Table 1: Detail of Reserved Forests in Saharanpur Division (in hectares)

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PATTERN OF COMMUNITY SETTLEMENT

The community participation and the sustainable social-environment frame can only be understood by understanding the patterns of village settlements and the participation of the community in the affairs of the forest. There are two broad divisions:

- · Taungia settlements
- · Gujjars settlements

TAUNGIA SETTLEMENTS

The status of the forest dwellers can be understood by considering the relationship between the mode of production that is land and their relationship with the mode of production. The specific relationships of production may be understood with respect to the arrangement of 'Taungia' system in the field.

Around 1915, Dr. Brandis introduced a variation of shifting cultivation that included some of the characteristics of classical forestry and shifting

cultivation in one system. In Burma, this was named as the 'Taungia'. The villages in the forest were inhabited and the villagers were permitted to raise crops for two to five years in clear felled coupes between the lines of the seedlings. As soon as the crops grew to shade the space between the tree seedlings, the villagers had to discontinue cultivation and move to a similar space in a new plantation. In addition to this they were granted some cultivation area for sedentary agriculture. 'Taungia' no doubt, was a better option but was not extensively used except in Bengal and Eastern Uttar Pradesh. Instead of refining and readopting the 'Taungia', the dominance of European forestry principles in India finally extinguished it(Piers and Baginski 2007:103).

Taungia is a silvo-agriculture system of establishing departmental forest plantations in which agricultural crops are grown on a temporary basis in between regularly arranged rows of a forest tree species. This practice has been adopted by foresters with the main goal of reducing the formation, and maintenance costs of forest plantations, on forest lands under possession of the forest department. *Taungia* is a Burmese word, but it is believed that the system is much older, having originated in China. It was introduced in Indian by Brandis in 1856. The first *Taungia* plantations were raised in 1863 in North Bengal, in 1886 in Sylhet(Tejwani 2001).

The 'Taungia' system may be classified into three following categories:

- a) Departmental Taungia: In this arrangement, agricultural crops and tree plantations are raised by the forest department by employing daily-wage labours. The main aim of raising agriculture crops along with the plantation is to keep the land free of unwanted vegetation.
- b) Leased Taungia: The forest land is given on lease to the person who offers the highest money for raising the crops for a specified number of years and ensure care of tree plantation.
- c) Village Taungia: This is the most successful of all the three Taungia systems. Under this, the people who have settled down in a village inside the forest for this purpose raise crops. Normally a family is allotted a small piece of land where they plant trees and cultivate crops for three to five years.

In the post colonial context, the forest department continues to be a powerful landlord. Supply of easy labour resource to the forest department leads to the initiation of 'Taungia plantation system'. Villagers who worked for the forest department would get land and bullocks for doing agriculture and in exchange would offer their labour services for free to the department (Chatterjee 2001:375).

In the present study, the Taungia settlement may be categorized into three broad divisions:

1. **Permanent Taungia settlements not willing to leave**: The natives

who own some land on lease but do not want to leave the jungle. The reasons for not leaving the forest are: (i) They have resided here for a very long time period and the cultural heritage and affiliation with the jungle inhibits them to resettle outside the jungle. (ii) The land at their disposal is fertile enough to provide them proper produce, therefore any proposal for the resettlement is not acceptable for the native community. (iii) The secondary economy that is cattle and other domestic animals get their staple food from jungle for which they have to make no extra efforts. (iv) The resettlement on a new landscape provides new challenges with respect to food, water, socio-economic and psychological adjustments.

The aforementioned reasons compel them to stay in the forest and any effort on the part of the forest department is not wholly successful. The department tries to persuade them to resettle on the new landscape but the community is not ready to settle outside forests.

- 2. The permanent Taungia settlements which want resettlement: The inhabitants are in the process of negotiation and want resettlement on certain conditions. They want resettlement but have their own sets of problems and that is why they want a new place to settle down. The reasons may be assigned to the following facts: (i) Forest provide them with limited resources regarding livelihood and employment. (ii) The security issue is also very important as the children are not free to roam around and go to school as there is always a threat of animals. (iii) The distance of these dwellers from the other population group creates a sense of isolation. (iv) They want resettlement in a location which has all the basic amenities, whereas the government is providing them relocation at a place which is devoid of the basic amenities.
- 3. **Taungia settlements which are resettled outside:** Those who are resettled outside the jungle have their own set of problems and dissatisfaction. Though they are integrated with the rest of the society, a sense of deprivation is always there on their part as they have left their native place to reside in a new place.

The three Taungia settlement patterns have their own sets of issues and challenges. Therefore the management plan for their resettlement and rehabilitation is also a difficult task. The emergence of new legal frames and the resultant interpretations are helpful in some cases whereas they are problematic in others. The three approaches and orientations of the communities residing in the forest show that each has their own reasons and arguments to justify their position. But one thing is very clear which is that there is a strong need on their part to stay back in the forest.

The Taungia village is a nucleated settlement where all the houses

are located at one place and follow a pattern. The food habits and other sociocultural rituals are also different for the two settlements. Though the interaction is there, the unity of purpose is absent. The nature of issues and problems are different for both the communities.

Four types of settlements were taken into consideration during the field study. The settlements included both Taungia and Van Gujjar villages.

Taungia Settlement

1. Sodinagar Taungia village: This village is a Taungia village. The village is located in the Mohand forest range. It has a forest school for the local children. The school provides with the school dress and other facilities to the children. But there is always a fear of animals on their way to the school. The village is mainly dominated by scheduled caste population working for the forest department since 1947. The main occupation of the inhabitants is working for forest department and cattle economy. The ownership of land is mainly absent, some land on lease is available. The community members have initiated a movement for the ownership of land under Forest Rights Act, 2006. Since the village is located in the middle of the forest it faces a lot of problems. Though the inhabitants were provided an option to settle in another place, according to the leaders of the village community, the place identified for the resettlement was not of their choice and as far as education, health and employment was concerned, the place was not suitable. That is the reason they did not want to leave the place, though in the interest of future generation they want to settle outside the forest provided they get a place where water, electricity and other basic amenities are available.

Case-1

Jiram, aged about 50 years is a resident of Sodhinagar Taungia and is an active resident aware of his rights and the rights of the community. He belongs to the scheduled caste and claims to be a Taungia worker. In a very interesting way he explained that the gujjars are both rich and poor, their gotra is Hindu but they are Auranzebi Muslim. According to him, department of forest wants to resettle them outside the forest but there is a lot difficulty outside which is why they do not want to settle outside the forest. According to him, they have requested the department to settle them in the east of Ganeshpur which has electricity, proper means of transport and some other means of employment available on the roadside. Forest department is willing to allot them the land near Bhagvatpur village but that area is not plain and there are a lot of challenges in the area. They also submitted their application to Forest department and the same was handed by them to the researcher too in the hope that the researcher may present their issues and problems to the higher authorities. They also constituted *Sondhinagar Van Adhikar Samiti*

and Jiram is the vice president of the committee.

2. Bhagwatpur Taungia village: This Taungia village is inhabited by the forest dwellers who earlier resided in the forest and now resettled in this village. Though they have been provided the basic amenities, the feeling of isolation and deprivation is there on their part. They compare themselves with the natives who are still in the forest and sometimes feel deprived and cheated.

V

GUJJARS SETTLEMENTS

The Van Gujjars who trace their origins back to Kashmir first came to the Shivaliks some 1,500 years ago and today, they are distributed across the many northern states. Their lives essentially revolve around their buffaloestheir only real asset, given that the milk is their only source of income and is vital for their sustenance as well. As a result, their wellbeing is of prime importance to the Van Gujjars (Benanav 2015).

The Gujjars are a diverse minority group who are indigenous to India, Pakistan and Afghanistan. Customarily, the *Van* Gujjars are a distinct population of Gujjars who live and travel within the northern forests of India's Himalayas and nearby plains. The community's unique identity is encased within its name, *Van*, meaning 'forest' in Hindi and *Gujjar* meaning 'the-waywe-are'. The Van Gujjars' traditional livelihoods depend upon the forests, revolving around semi-nomadic buffalo husbandry and the trade of milk. Furthermore, the community's livelihoods are actualised through transhumance, the seasonal migration of people and buffalo between the highland and lowland forests. The Van Gujjars have carried out their customary livelihoods within the Himalayan forests for centuries. However, to sustain their livelihood they face numerous socio-political challenges.

The Gujjar settlement is a dispersed settlement, where the houses are located at a distance from one another. The structure, construction, design, style of the houses is more or less the same. The cleanliness is an important aspect of any of the Gujjar household. The houses are made up of the local material available from the forest i.e. wood and the thatched roof is made up of dry grass and wood.

1. Khajanavar Khaull: This village is an isolated settlements of the Gujjars. The village belongs to the Ganeshpur Gram Panchayat. The economy mainly depends on cattle. They depend upon forest for fuel wood and fodder. They have the permit to live in the forest area and they follow a nomadic life style. They also have their name enrolled in the voter lists in order to claim their identity. They claim that slowly and steadily they are also learning the tricks of the broader society to integrate themselves in the mainstream society.

Case-2

Nabi is around 40 years of age and is a resident of village Khajanaur Khaull, which is part of Ganeshpur Village Panchayat. His house is located at a hill isolated from the other houses of the village. The dog at his house welcomes the visitors . He narrates the reason why he has made this place his abode. He cites the availability of water nearby and the security as important reasons to settle at the place. His household comprises of nine members along with the cows buffaloes and the goats, which are the important instruments of economic production. He has the permit of the forest department to settle there. The facility of education and health is not proper but still he is reluctant to leave his life style and settle outside the forest. According to him, the forest is the purveyor of fuel, fodder, water and healthy environment. He does not complain about the orientation of forest officials, rather submits that officials are very helpful to the community.

Case-3

Ali Sher, aged about 70 years is a pleasant old man and narrates the seasonal migration his family members have followed since time immemorial. He is of the opinion that now they have resources at their disposal, all the members do not travel during the changing seasons but only some of the members take the migratory route. He is also of the opinion that those who are less privileged take care of the resources of those who have more cattle and are affluent. Water management is excellent as there are small pits of water sources, both for animals and human-beings. He has more than twenty five cows and buffaloes; he is also in possession of small track of agriculture land.

2. Kaluala Taungia village: This village is located in the Shakambhari forest range. The village is mainly dominated by the scheduled caste population and the economy depends on the agriculture land as well as on cattle and forest resource. The village is located in the centre of the forest and the land is also fertile. The community members do not want to settle outside the forest because the forest land provides them fuel and fodder for their cattle.

Case-4

Mehboob Ali is the resident of the region. According to him the problem of Gujjars is genuine, and now they are vigilant about their rights . They are very active in getting their Voter Identity Card, Aadhar and other facilities. According to him, Gujjars are an asset for the forest. They help in managing the forest in a sustainable way.

Case-5

According to an officer of the forest department, there are varieties of

plants in the forest. The plants of *khair*(catechu) also grow in the forest. The residents, mainly Van Gujjars cut these plants and use this as fuel and sell it in the open market. One plant costs nearly thirty thousand rupees and that is why a major resource is wasted. He is also of the opinion that the houses in the forest also provide shelter to the outsiders who are involved in the illegal activities.

The settlement pattern with reference to the Gujjars shows the scattered dwellings. The houses are scattered and isolated. These houses are located in a very secure place in the forest to avoid the wild animals. Not only the security reason but the availability of water is also a very important variable for choice of their settlements. Most of the inhabitants are migrants. They move to the upper hills of Himanchal Pradesh in summers and come back to lower areas in winters. But this migratory behaviour is also determined by class affiliation meaning thereby that the families whose socio-economic status is better migrate alone. The lower class stay in the lower hills to take care of cattle and security of their houses.

The houses of Van Gujjars are very simple and made up of wood and the various materials available from the forest. The houses are very clean and in one space all the members of the family reside, the kitchen is also there in the same space. The basic household utensils are there in the houses alongwith the *kuccha chulha* where they make the food. They wear unique dresses, especially the dress of the women-folk is very colourful and attractive. The women folk were more vocal as more women interacted with the respondents in comparison to men.

The economy of the Gujjars depend mainly on cattle and they procure the fodder for the cattle from the forest. They also get fuel from the forest and use the milk for different dairy products. The water management system of the Gujjars is very sustainable as not a single Gujjars settlement was visible in the field without natural supply of water. They dig small wells to extract water for cattle as well as for their own use.

The social, political and economic interaction of Gujjars with respect to broader society and with respect to the agencies of the government is not very smooth and cordial. With reference to the broader society they are strangers as their socio-cultural ways are different. The identity frame is important as the benefits of the various governmental programs and facilities are available only to the original inhabitants. That is why they are highly active with respect to issuance of ration card and identity cards like aadhar card and voter identity card. Though they are granted the status of voters, the benefits to them are not available at large because they reside in isolated huts far away from the mainland but those who reside in groups get some benefits.

Transhumance, the seasonal herding of livestock between pastures, is a nomadic practice that forms the foundation of the Van Gujjars' customary

livelihoods and allows the forests to re-generate. For the majority of Van Gujjars, life is characterised by the transhumance migration between the forests of the Himalayan foothills and plains and those of the highlands. For centuries the Van Gujjars' livelihoods have revolved around buffalo husbandry, depending upon both the Himalayan forests and the practice of transhumance. The Van Gujjars depend upon their forest homes for survival and see themselves and their buffalo as intrinsic to the environment. The intimate connection and high regard for the forests is reflected in their beliefs. These people identify themselves through their seasonal migration with the forests' active life-force. Moreover, the community maintains the utmost respect and care for nature, whereby all fauna and flora are sacred.

VI

The Gujjars did not accept the proposal to leave the forest and settle down in nearby villages, the reason is not only a material gain or loss but an intimate cultural and natural connection they have developed with the place over the years along with their herds of animals.

The inter-state migration also creates a new dilemma. Gujjars, who are in the use of migratory life style practice and followed a seasonal migration from Uttar Pradesh to present day Uttarakhand are denied their rights to use the forest resources of Uttarakhand during migration to upper hills. Earlier in the undivided Uttar Pradesh, there were no such type of issues and problems. Gujjars as a marginal community was not there in the policy frame of separate state of Uttarakhand and that is the reason they are facing such treatment.

The Department of Forest also questions the identity of the 'Van Gujjars' as traditional migratory community when they emphasize on the fact that the documents they present for their claims do not mention them as 'Van Gujjars' but as Gujjars (Benanav 2015:201). Though the important international agencies like UNEP(United Nation Environment Programme), UNDP(U.N Development Programme, FAO(Food and Agriculture Organization, IUCN(International Union for Conservation of Nature) emphasize the fact that nomadic communities should be made compulsory partners in the projects of environmental protection.

The changes visible in the broader society are also affecting the lifestyle and culture of the forest communities. Those who are affluent are capable of taking the migration route in winters and summers. Their belongings and resources are taken care of by the less resourceful members of the community. The migratory community is always very simple with respect to resources, and as they accumulate the resources or the moment resources increase, the migratory communities take to a settled life.

Therefore, one can safely deduce that a simple stratification frame is visible in the community. Earlier, the life chances and style of life was same for the

community members and they depended totally on nature and nature treated them equally. But with increase in resources, for example, most of the families possess motor-bikes which are helpful in distributing and marketing the milk. But this affluence is not enjoyed by all the households of the community and that is why a class frame is emerging, leading to more complex social structure. They are not only fighting with the outside world but conflicts exist even within the community.

The issue of Gujjars identity remains contested. What is settled is their identity as a sub-group of Islam. Despite their marginal social status, their apparent educational, social and economic backwardness, the lack of reference to Gujjars among the so called backward and scheduled ethnic communities may owe to their historical connection (Singh 2012:58). The colonial masters tried to control the rights of the community residing in the vicinity of the forests and in this process they became restricted and overprotected. The over discipline on the part of colonial regime changed the identity of the nomads to vagrants. The Criminal Tribes Act of 1871 termed wanderers as criminals. In many districts Gujjars and others pastoral groups appeared in the list of criminal tribes too (Bhattacharya 2001:83).

The policy frame has to take two important parallels: first with respect to the Gujjar community which is a migratory community and second with respect to Taungia, which mainly comprises of the scheduled caste and other backward caste members. It is important to define the status of Gujjars and Taungia with a clear understanding that both the forest settlements are different in nature and demand a comprehensive model. The policy makers may also take note that the Gujjars should not be put in the category of de-notified tribes.

The Draft Amendments to Indian Forest Act came out with a new concept of producer forest. Wastelands and thin forests are to be leased out to corporations to produce commercial timber, wood pulp, medicinal plants and other forest species (Aiyar 2019). The issue of tribes living in the forest and other forest dwellers including Taungiya is still haunting the government and the rights given by Forest Rights Act (2006) are still not settled. Therefore, it is the need of the hour to lease out the forest to the tribes and other forest dwellers instead to big corporates. This will also help in extending support and cooperation to those tribes and other forest dwellers who are denied the benefits. In this way the dissatisfied, marginalized and deprived can be integrated in the mainstream without any major resettlement and rehabilitation.

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