Question of Rights: A Case Study of the Bhotia of Uttarakhand (India)

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ABSTRACT: The debate over the extent to which tribals and other indigenous communities have the right to use natural resources found in and around their traditional habitat is one which continues to take place even today. The present paper discusses this very issue in the context of the Bhotia, a tribal community living in the Himalayan foothill state of Uttarakhand (India); their rights to extract and use medicinal plants vis-à-vis the country’s forest policy banning it; the issue of conservation of biodiversity and the place of local communities in such endeavours; the plight of the local forest dwellers in the wake of non-recognition of their rights on the forests, and their interaction with this situation. An attempt has also been made to put forward a few suggestions to solve this continuing and nearly universal problem in an amicable way not only among the Bhotia but also among other indigenous groups facing a similar situation. The paper is chiefly based on primary data collected through in-depth interviews, discussions and observations on the selected group.

KEYWORDS: Bhotia, conservation, ethnomedicine, forest-policy, indigenous rights

Introduction: The Bhotia

The Himalayan and sub-Himalayan region of India, known throughout the world for its mysticism, is also one of the world’s richest biodiversity areas. This beautiful, but difficult, terrain has for centuries been home to various indigenous communities (several of whom are tribal groups), whose dependence on the forest area and its natural resources has been nearly total. This, however, does not mean that these communities have merely been degrading the forest through constant use of its resources. The beliefs and practices of these people have helped preserve the biodiversity in various niches of the region, often retaining it as it might have existed centuries ago. Living close to nature, these indigenous people have derived ways to use natural resources in a sustainable way. Most of their ways of conservation are, in fact, providing highly positive results after long-term scientific researches. This is one of the primary reasons why the world’s richest biodiversity are often found on indigenous community land.

One such community, which has been living in the Himalayan and sub-Himalayan region for centuries, and dependent on its forests and FP (forest products), is the Bhotia tribe. The Bhotia, like most forest dwellers, depend on their surrounding forests to fulfil several of their daily requirements, such as that of timber and bamboo for construction of houses, fuel wood, fodder, gum, resins; and for honey, wild fruits, spices and most importantly, medicinal plants.
According to the earliest accounts of Atkinson ([1882] 1973) – *Bod*, the native name of Tibet, corrupted by the people of India into *Bhot* – has given rise to the name Bhotia for the people of the border tribes between the two countries. In India, the Bhotia inhabit a vast area bordering Tibet and Nepal and are found in three states of the country – Sikkim, West Bengal and Uttarakhand. In Uttarakhand, the Bhotia primarily reside in the districts of Pithoragarh, Chamoli, Almorah, Uttarkashi and Nainital. The region inhabited by them falls in the north eastern part of the State and is locally known as *Bhot* or *Bhot Pradesh*, consisting of several valleys bordering Tibet. Different scholars have classified the Bhotia into various sub-groups or sub-tribes, each leaving a few or adding on some. The earliest classification was given by Sherring (1906), who divided the Bhotia into six groups, namely *Shauka, Darmi, Jauhari, Tolcha, Marcha* and *Jarh* (*Jad*). The latest classification is said to be presented by Singh (1994), according to whom the Bhotia are divided into eight sub-groups, namely the *Jad, Tolchha, Marchha, Johari, Jethora, Darmi, Chaudansi* and *Byansi*.

The present paper is based on information collected from the Bhotia residing in Chamoli, who belong to the *Tolchha* and *Marcha* sub-groups. Sub-groups among the Bhotia are mainly endogamous though cases of sub-group exogamy are on a rise. Monogamy is the sanctioned and prevalent form of marriage, with a trend towards nuclear families. The Buddhist and Hindu religious philosophies influence the Bhotia, but a firm belief in local deities also exists.

For a long time, the Bhotia have been known for their seasonal migration, that is transhumance involving upward or northward migration along with their animals during the summers (around the end of March and first week of April) and downward or southward migration during winters (around the end of September and first week of October). Until a few years ago the entire community used to migrate to the summer villages, but now a lesser number of young Bhotia migrate to the high altitude, mainly owing to insufficient education facilities in the summer villages (Maiti 2003).

Although the Bhotia are a landowning community, their traditional occupation was trade, with their trade zone extending from Tibet in the north to the plains in the south. Agriculture, animal husbandry and cottage industry formed their subsidiary occupations. However, the Chinese occupation of Tibet and the subsequent Chinese invasion of India, in 1962, led to a sealing of the border with India. This adversely affected Indo-Tibetan trade and the main sufferers were the Bhotia who were thrown out of their traditional and prosperous trading economy (Agarwal and Maiti 2005).

Today, despite the fact that the Bhotia have taken to various occupations – ranging from agriculture to cottage industry and government jobs or contracts – they still continue to depend on the forest for several of their needs.

**Material and Methods**

The present paper raises the issue of conservation of biodiversity and the place of local communities in such endeavours. In an attempt to highlight the plight of the local forest dwellers in the wake of non-recognition of their rights on the forests, and their interaction with it, I try to explore the extent to which the Bhotia are dependent on ethnomedicine, which in turn depends on the forests. In pursuance of the above objectives, I also briefly trace the history of India’s forest policy for a clearer understanding of the impact that it has had on Bhotia ethnomedical practices. The paper concludes with a few recommendations.

As mentioned earlier, the Bhotia depend on the forests for fulfilling several of their needs, but only one area of their dependence is being taken into consideration here, namely that on wild medicinal plants. I feel my selection of medicinal plants as the thrust area is justified...
since ‘WHO has estimated that 80% of the people in the world rely on traditional medicines for primary health care needs’ (Farnsworth 1990). Further, a Government of India (1994) report states that of the ‘9500 wild plant species used by tribals for meeting their various requirements’, 7,500 are used as medicinal herbs. Thus there remains little doubt of its importance in the life of the tribal and indigenous communities.

A systematic review of literature suggests that research of the present kind is not new. Over the years, several important works have been carried out in similar and related directions. Mention may be made here of a few important ones such as those of Cox and Elmqvist (1991), Baviskar (1994), Anyinam (1995), Balick, Elisabetsky and Laird (1996), Posey and Dutfield (1996), Reed (1997), Darshan (1998), Swanson (1998), Turner (1999), Burnham (2000), Theodosopoulos (2000), Long and Zhou (2001) and Busatta (2005). Thus, I feel that the issue under consideration is an important one and hopefully the paper will be able to add to the vast pool of existing data.

Details presented in the paper are based primarily on data collected via interviews and Focused Group discussions held with the Bhotia of Chamoli district (Uttarakhand) in November–December 2003 and October 2004, and therefore relates specifically to them. Nevertheless, secondary sources were also referred to for strengthening data obtained via fieldwork.

Bhotia Ethnomedicine

The high altitude regions of Uttarakhand, inhabited by the Bhotia, can be divided into three main climatic zones – the alpine zone, the temperate zone and the sub-tropical or sub-temperate zone (Shah and Jain 1988). The alpine zone, nearing the Tibetan border is rich in wild medicinal and aromatic plants and happens to be the main habitat of the Bhotia, whose summer/traditional villages are situated here. During winters the Bhotia migrate downwards to their lower habitat in the temperate and sub-temperate zones, which also have an abundance of various plants of medicinal importance.

Since the Bhotia have lived in such surroundings for a long time, they have amassed a fine knowledge and use of wild Himalayan plants and herbs for curative purposes, and this know-how has led to their fame all across India. The Bhotia, in fact, possess a comprehensive knowledge of various medicinal plants, herbs, tubers, roots, barks, flowers, seeds and leaves found in their vicinity, and use the same for extracting medicines. Thus, generations of living in close proximity with their natural surroundings, experimenting and personal experiences have led them to establish a correlation between the properties of various ethno-medicinal elements and the cure of particular diseases.

As in most countries around the world, there is a ban imposed by the forest department of India on collection of medicinal plants from the wild by individuals and local communities. This has, for years, been causing a great deal of hardship to the Bhotia, of whom approximately 91 percent prefer using home remedies and herbal medicines in place of their allopathic alternatives even today (Maiti 2005). Moreover, the difficult terrain and unavailability of modern medical facilities close to them is also a reason for many to depend on traditional herbal medicines. Thus, their dependence on, and utilization of, medicinal plants (which have to be collected from the wild) is understandable. The Bhotia, like other tribal and indigenous communities, have for centuries lived in the most hostile environments, and in so doing have learnt not only to adapt themselves to their difficult surroundings but also to maintain and conserve its biodiversity.

A list of some important medicinal herbs that have traditionally been used by the Bhotia for curative purposes is given in the following table:
<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Bhotia/Local Name</th>
<th>Botanical Name</th>
<th>Used for Curing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Atees</td>
<td><em>Acontium heterophyllum</em></td>
<td>Diarrhoea, dysentery, stomach ache, high fever and jaundice; mixed with <em>katuki</em> and ginger juice for typhoid, cold, cough and body ache</td>
</tr>
<tr>
<td>2.</td>
<td>Aadu/Kirov Chuhi</td>
<td><em>Prunus ponsica</em></td>
<td>Backache, stiffness of muscles and joint pains</td>
</tr>
<tr>
<td>3.</td>
<td>Arand</td>
<td><em>Ricinus communis</em></td>
<td>Arthritis</td>
</tr>
<tr>
<td>4.</td>
<td>Balchhar/Laljari</td>
<td><em>Macrodomia benthamii</em></td>
<td>Hair loss, dandruff, wounds and arthritis</td>
</tr>
<tr>
<td>5.</td>
<td>Baanj</td>
<td><em>Onerans laucotrichophosen</em></td>
<td>Constipation and Scorpion bite</td>
</tr>
<tr>
<td>6.</td>
<td>Bichhu ghas/ Kanali/Kandali</td>
<td><em>Urtica dioica</em></td>
<td>Constipation, early stage of paralysis, Chhora (blisters around joints) and dog bite</td>
</tr>
<tr>
<td>7.</td>
<td>Biskanara</td>
<td><em>Morduna longifolia</em></td>
<td>Wounds and blisters</td>
</tr>
<tr>
<td>8.</td>
<td>Brahma- Brahmi</td>
<td><em>Centella asiatica</em></td>
<td>Increases memory, dysentery</td>
</tr>
<tr>
<td>9.</td>
<td>Choru</td>
<td><em>Angelica glauca</em></td>
<td>Gastric and constipation; also provides energy and vigour</td>
</tr>
<tr>
<td>10.</td>
<td>Chalmodi</td>
<td><em>Oxalis corniculata</em></td>
<td>Ear pain and skin problems</td>
</tr>
<tr>
<td>11.</td>
<td>Chirauto/Chireta</td>
<td><em>Swertia chirayita</em></td>
<td>Malaria and fever; is also a blood purifier</td>
</tr>
<tr>
<td>12.</td>
<td>Datura</td>
<td><em>Datura streemonium</em></td>
<td>Arthritis and tooth ache</td>
</tr>
<tr>
<td>13.</td>
<td>Dolu</td>
<td><em>Rheum emodi</em></td>
<td>Cuts, boils, wounds, ulcer and joint pain</td>
</tr>
<tr>
<td>14.</td>
<td>Feren</td>
<td><em>Allium consanguineum</em></td>
<td>Jaundice, cold and cough; absorbs extra fat when added in curry</td>
</tr>
<tr>
<td>15.</td>
<td>Fankaml/Faina</td>
<td><em>Saussurea gossypiphiphora</em></td>
<td>Severe burns; believed to keep away evil spirits</td>
</tr>
<tr>
<td>16.</td>
<td>Gainthi</td>
<td><em>Dioscoreaceae</em></td>
<td>Ear pain</td>
</tr>
<tr>
<td>17.</td>
<td>Hatajari</td>
<td><em>Dactylorhiza hatagirea</em></td>
<td>Deep wounds and checks bleeding; is a rejuvenating tonic</td>
</tr>
<tr>
<td>18.</td>
<td>Jatamasi/Mansi</td>
<td><em>Nardostachya grandiflorum</em></td>
<td>Asthma, blood pressure, joint pain and burns</td>
</tr>
<tr>
<td>19.</td>
<td>Katuki/Kaduwi</td>
<td><em>Picrorrhiza kurroa</em></td>
<td>Acute fever, acidity, stomach ache, constipation, gastritis; is also a blood purifier and liver tonic</td>
</tr>
<tr>
<td>20.</td>
<td>Kuth</td>
<td><em>Saussurea costus</em></td>
<td>Asthma and cough</td>
</tr>
<tr>
<td>21.</td>
<td>Kalihari</td>
<td><em>Gloriosa superba</em></td>
<td>Fractures and joint dislocation</td>
</tr>
<tr>
<td>22.</td>
<td>Kaagazi Neebu</td>
<td><em>Rutaceae (Citrus medica)</em></td>
<td>Stress, cold and cough</td>
</tr>
<tr>
<td>23.</td>
<td>Meetha</td>
<td><em>Aconitum falconeri/Aconitum violaceum</em></td>
<td>Back pain, sores and tuberculosis</td>
</tr>
<tr>
<td>24.</td>
<td>Nagphani</td>
<td><em>Sansevieria roxburghina sehult</em></td>
<td>Ear pain</td>
</tr>
<tr>
<td>25.</td>
<td>Pashan Bhed</td>
<td><em>Bergenia storychii</em></td>
<td>Stones</td>
</tr>
<tr>
<td>26.</td>
<td>Sheesham</td>
<td><em>Dalbergia sissoo Roxb. Fabaceae</em></td>
<td>Sprain and fracture</td>
</tr>
<tr>
<td>27.</td>
<td>Thunyor</td>
<td><em>Taxus wallichian/Taxus baccata</em></td>
<td>Breast cancer, throat cancer, stress, asthma, cold and blood pressure; provides vigour</td>
</tr>
<tr>
<td>28.</td>
<td>Titora</td>
<td><em>Rtmicrya bhalgirs</em></td>
<td>Leprosy</td>
</tr>
<tr>
<td>29.</td>
<td>Temar</td>
<td><em>Xenthozylum oxifilum</em></td>
<td>Teeth problems</td>
</tr>
<tr>
<td>30.</td>
<td>Tantri</td>
<td><em>Rheum moorcroftianum</em></td>
<td>Constipation</td>
</tr>
</tbody>
</table>
Forest Policy: Past to Present and the Bhotia Plight

Traditionally, the Bhotia, rarely commercialize FP and almost never extract any natural resources in an unsustainable manner. For generations, the Bhotia have been employing long-sustainable environmental practices, like collecting plant species, both for medicinal and other purposes, only after the seed dehiscence and rainy season is over. Thus, maximum germination of all species would already have taken place. According to Cunningham (1993), pressure on medicinal plants, in such areas, is low and in general the use of medicinal plants will not be a cause for concern.

However, despite their earnest efforts, the Bhotia have rarely had any legal rights over the land they use and conserve. Nearly every country in the world has its own rules and regulations regarding the use of FP and the protection of its forest ecology. Again, most of the countries believe that the local or indigenous communities are putting too much pressure on the ecology and destroying it, in some way or the other; and therefore must either be relocated or the use of FP by these communities be banned, to protect the forests. Thus, all over the world political conflicts are arising over conservationists’ efforts to remove the indigenous people from their native land, or at least to restrict their use of the forest wealth.

In India, too, this tussle of who has more right over the country’s forest wealth has continued for ages. Even a cursory look at the various forest policies over the years will help one understand the situation a little better.

The First Forest Act of India, enacted on 1 May 1865, empowered the then British government to declare any dense tree-covered area as government forest and make rules regarding its maintenance and management. This was done ignoring the fact that for centuries the forests had been considered communal property of the forest dwellers, who had individual rights to use its products for fulfilling their needs, but at the same time were bound to protect it as their natural heritage? The British government, however, held the local people responsible for the destruction and depletion of valuable forest wealth and therefore took severe steps to curb the so-called ‘indiscriminate’ use of the same by the forest dwellers. The Act, ignoring communal and tribal ownership of land, conferred on the government absolute control over the forests and was justified by stating that the rights and privileges of individuals must be restricted in consideration of the larger public interest. However, the ulterior motive of the colonial government was to exploit the rich forest wealth for its own economic benefit. This was done by giving out contracts to middlemen for felling timber and extracting other forest products for marketing in distant places.

Post independence, the National Forest Policy of 1952 was formulated, but in essence the same colonial policy continued, only this time with greater central control. Over the years, several Forest Acts and drafts have been passed and implemented, allegedly keeping in mind the welfare of the entire country, but things have barely changed for the tribal and other forest dwellers, who are most affected by it. The New National Forest Policy of 1980 and National Forest Policy Resolution of 1988 both state in their objectives that tribals and other local populations are to be involved in the protection, conservation and development of forests, and they are to be allowed a certain amount of access to FP for fulfilling their domestic requirements. All this, however, remains only on paper. In most cases, even today, several forest dwellers are considered encroachers on forest land and denied any rights whatsoever over it. Forest dwellers are penalized on every small pretext, even when they use the forest in a traditional and sustainable manner. This is done on the excuse that the forest has a limited ‘carrying capacity’ (an ambiguous term, which has not been satisfactorily defined in any forest act or bill). The government and forest depart-
ment issues permits/licenses to contractors for collection and sale of various FP, including medicinal plants (excluding a few, which are considered to be on the verge of extinction), on payment of a heavy fee. For conservation purposes, however, there is a restriction on the maximum amount that can be collected.

The huge fees demanded for a permit/licence to collect various FP make it impossible for the Bhotia to acquire one. The result is that the Forest Department and its personnel, who usually are hand in glove with the middlemen and contractors, decide at will, when and what the forest dwellers can take/use, and what they cannot. Besides this, the forest personnel usually penalize and fine the forest dwellers for not assisting them in conserving the forests, putting out forest fires and so on. These tactics are purposefully adopted by the Forest personnel and middlemen to keep the tribals under pressure and in fear of them. Thus, the Bhotia and other local communities are always the sufferers and are literally being forced to carry out collection of medicinal plants and other FP, for their personal needs too, surreptitiously.

Over the years, the situation has further worsened for the Bhotia. An increase in their population, compounded with unawareness, poverty and lack of economic opportunities in the wake of material development in the neighbouring areas, has put most of them in a pitiable condition. Furthermore, the worldwide demand for herbal medicines combined with the above has resulted in several contractors and middlemen exploiting the situation for their personal ends. Taking advantage of the poverty and unawareness (which is so characteristic of the Himalayan region) middlemen/contractors entice the Bhotia and other local communities residing in the area, to collect medicinal herbs illegally for them. When caught, the Bhotia are presented in a bad light, while the contractors/middlemen deny any kind of connection/association with the poor tribals. All these factors are forcing the Bhotia, like several other tribal communities the world over, to change their sustained and conservationist traditional lifestyle to a destructive and commercially exploitative one, where a few tribals try to extract as much as possible from the forests, thus putting it under great pressure. The resultant increase in private illegal trade has led to the reduction of some important medicinal plant species to the point of near extinction.

**Agitation and Awareness**

The strict and unplanned forest policies have thus not only caused a great deal of hardship to the Bhotia, which has resulted in their agitations time and again, but also indirectly led to the gradual degradation of valuable forest wealth. Backlashes and agitations from the tribes’ side are inevitable in the given circumstances, since they are never involved in the decisions being taken by the government or forest department regarding their own habitat. The Joint Forest Management programme, according to which decisions are to be taken in consultation with the local forest dwellers too remains a farce, since it is rarely implemented in this region. Thus, Nair and Jayal (1991, 47) rightly state that:

*society has been split vertically into two – a numerically small urban, vocal, distinctive consumer society which has no national identity, cultural distinctiveness or resources of its own, excepting the capacity of manipulating the decision making; and the other vast, mute rural society with all the resources around but with no say in how it is to be managed.*

Agitations and conflicts between the Bhotia and Forest department are not new. The pioneers of the world-famous ‘Chipko Movement’ were the Bhotia women of village Reni (Chamoli), led by Gaura Devi. Gaura Devi, who was the president of the *Mahila Mangal Dal* (women’s welfare association) in Reni, along with 26 other women and their children, clung to trees of the Reni forest for two days...
(on 26 and 27 March) in 1974 to stop the contractors and forest department from felling the forest trees. This extreme step had to be taken because the village was devoid of men, all of whom had gone to Joshimath (the district headquarters) to collect compensation for their land which had been taken over by the government during the 1962 war with China. In fact, several marches and processions were taken out to protest the government decision to cut down the Reni forests. Despite this, the government turned a deaf ear to the demands of the locals, which led to the Chipko Movement. Ultimately, as a result of the movement, the government had to give in to the demands of the Bhotia and stop the felling of timber in the Reni forests. This agitation is believed to have laid the path for the forest department and government to take further measures to involve the forest dwellers in every decision regarding the surrounding forest area.

All over the world, today, the rights of the indigenous communities over the forest and their role in its conservation has been realized and accepted. Agenda 21 of the Rio Earth Summit (1992) also states that indigenous and tribal communities have a vital role in environmental management and development because of their knowledge and traditional practices, and therefore the State should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

Across the world, researchers are suggesting that the most important way to protect natural habitat and maintain survival of rare plant species is in situ conservation, which may be defined as the sustainable maintenance of plant species with their ecosystem in the environment to which they are best adapted. Guidelines provided by the World Health Organization, the IUCN (World Conservation Union) and the WWF (World Wide Fund for Nature) 1993, state that such conservation can be achieved both by setting aside areas as nature reserves and national parks and by ensuring that as many wild species as possible can continue to survive in managed habitats, such as in farms and plantation forests. It was probably keeping this in mind that Mohan Singh, a Bhotia farmer of the village Gamsali, was provided with seeds of Kuth (Saussurea Costus) by the Bheshaj Sangh under the Scheduled Tribes Development Scheme in 1992/3. Singh cultivated the herb on his field and harvested it in 1997. His expectations to earn a huge profit from the yield, however, turned sour when he failed to acquire official papers that would allow him to market it. On the contrary, he was forced to destroy the entire yield, since possession of such a huge amount of medicinal herbs, would make him liable to be imprisoned on the grounds of illegal collection from the wild.
This incident clearly indicates the confusion that prevails regarding forest rules and regulations and knowledge regarding the availability of medicinal herbs even among various government agencies. This incident proved to be a deterrent for other farmers who would have eagerly cultivated medicinal plants had the situation been managed properly. This would not only have decreased the pressure on collection from the wild but also have led to the smooth supply of medicinal herbs to meet the market demand and helped the local population economically.

If the current situation persists for long it will undoubtedly lead to further altercations between the administration and forest dwellers. With increasing education, the forest dwellers are gradually becoming more aware of their rights. In fact, although in general a decline in carrying forward the profession of herbalist and resultant in use of herbal medicines has taken place among the Bhotia, a group of educated youth, realizing its importance and economic viability, have taken up among themselves the task of saving various medicinal plants from extinction, and the knowledge of their use for curative purposes from dying out. A voluntary organization, the Dronagiri Biorenish Society, was registered in 2001 with the aim of preserving and protecting herbs and herbal medicines; educating people (especially the local community) about their environment, forest and its importance; the ill results of PIT and unscientific extraction from the forest; cultivating rare and useful herbs around Niti Valley; and working with the NDBR.

Conclusion and Recommendations

We have already seen that clearing of forests has led to global environmental damage – a situation that we are not yet prepared to handle. Thus, more than ever, today there exists a need to protect the world’s environment in a sustainable way, and maintain equilibrium. However, while doing so, we must realize that it is also our moral responsibility to see that the interest of indigenous forest dwellers is protected. Furthermore, they should be rewarded for their continued endeavours of conservation and sustained development of biodiversity, and also for their traditional knowledge of herbal medicines, which are proving to be a boon to modern health needs. There is no doubt that unless and until the local populations are involved and their interests protected, programmes for forest/natural resource management cannot be implemented successfully. Thus, for protection of the forests and for peaceful co-existence, it is essential to work in cooperation with the locals, involving them in all decisions taken with regard to their natural surroundings.

Owing to illiteracy, unawareness and lack of regular income, not only the Bhotia but tribal and indigenous populations living in other remote/forest areas, are easily tempted into private illegal trade of medicinal plants and other forest products. The situation can be improved to a great extent if the following points are taken into consideration and followed by the Forest Department and administrative agencies involved in conservation and use of forest products:

- It should be kept in mind that for years the tribal and local communities have been dependent for nearly all their needs on the forest resources. Therefore, forest rules and regulations should be made in such a way that local needs are fulfilled and minimum trouble/discomfort caused to them.
- Any decision regarding forest conservation, or utilization of FP, should be taken in consultation with the tribals and other indigenous communities. It would be beneficial to form a Forest Protection Committee with representatives of the administrative agency, Forest Department, environmental organizations, local
communities and anthropologists working as its members. Thus, any decision that is taken will have the support of all concerned groups.

- Since women are most affected by programmes relating to conservation and collection of FP, their participation in the same should be solicited and increased. This can easily be done by involving women’s self-help groups in programmes of social forestry.
- Tribals and other forest dwellers should be educated to protect their habitat from illegal and unscientific exploitation by explaining the pros and cons of the same to them.
- As far as possible, emphasis should be laid on traditional ways of collection through sustained harvesting. This can be done by reviving and strengthening traditional social, religious and cultural institutions which help preserve and maintain the existing biodiversity.
- Contracts for collection of FP should be given to co-operatives formed by the local forest dwellers instead of outside contractors/middlemen.
- In places where reserve forests/national parks exist, local participation in conservation should be solicited and encouraged. Also, it should be ensured that some of the benefits of conserving threatened species within the park area accrue to the people. Until this is done, the reserve forests/national parks cannot succeed and will continue to be threatened by private illegal trade (especially in a poverty-stricken region like the Himalayas).
- Rules and regulations should also be relatively flexible so that they can be altered according to the specific local situation/condition and its needs.
- Tribal and indigenous communities should be encouraged to cultivate and conserve endemic and medicinal plants on their farms, and the government should provide them with some special incentives for their efforts.
- Since several forest dwellers are totally dependent on collection and the sale of various FP for their economic needs, alternate means of livelihood should also be chalked out and necessary training and infrastructure provided wherever needed and possible, so that pressure on the forests is reduced.
- Lastly, the role of the tribal and indigenous populations in conservation of forests, and their knowledge of use of various medicinal plants should be appreciated and acknowledged on wide platforms. This will make them feel involved and needed in the conservation of the forests and other natural resources, and hence provide them with further motivation.

Addendum

The situation of perpetual conflict for survival and sustainability between forest dwellers on one hand and environmentalists and the Forest Department on the other, forced the Government of India to rethink and revise the forest policy by passing a new act in relation to this issue. The Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 came into being on 2 January 2007 after being published in The Gazette of India. The act was unanimously passed in December 2006 by both the Lower and Upper Houses of Parliament despite being vehemently opposed by wildlife conservationists and environmentalists, besides the Forest Department and timber mafia – the latter two being against the act for selfish motives since implementation of the legislation will decrease the stringent hold of the Forest Department and timber mafia nexus over the forest and FP.

The Act aims ‘to recognise and vest the forest right and occupation in forest land in forest dwelling Scheduled Tribes and other tradi-
tional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded’ (GOI 2007). However, a closer look at the seemingly generous Act actually reveals several loopholes which will undoubtedly defeat the purpose of the very Act. The most important point being that the Act considers as forest dwellers only those who ‘reside in the forest’ (ibid.), although most forest dwellers do not actually live ‘in’ the forest but on the fringes of, or adjacent to, the forest and depend for their needs and livelihood on forest land and products. The Act therefore naturally leaves out all such dependents, as well as the communities who have been evicted from reserved forests, wildlife sanctuaries and national parks and who find no mention in the Act whatsoever. Secondly, although on paper the forest dwellers have the right to sell FP, several important products including fuel wood and stones have been left out. Thirdly, although the community was supposed to have control of the forest issues, in reality the community representatives (Panchayat officials) will have to work along with the Forest Department to settle all forestland-related issues and claims. And lastly, the Act seems to be creating confusion and ‘resistance from within’ (Sethi 2007), since it would provide the ‘Union government unbridled powers to override the states in crucial forestry issues like declaring reserved and protected forest areas’ (ibid.).

Given the fact that the Forest Right Act of 2006 was one that was being looked forward to with bated breath, I decided to gauge the exact situation/effects and level of implementation of the Act on the tribe under study, namely the Bhotia of Chamoli. For this, two short trips in late September 2007 and early December 2007 were undertaken. Unsurprisingly, there were hardly any indications of the said Act being implemented in the near future. While some forest officials were aware of the Act and informed that the process of forming committees would start soon, a few other forest workers had only ‘heard’ about it but were unaware of what it was all about. Most of the Bhotia too were totally ignorant about the Act, while a few educated, aware and politically active Bhotia and members of the Dronagiri Biorenish society were aware of it. Although a few panchayat (grass-root level administration) members were eagerly awaiting the implementation of the Act, most others did not seem to have very high expectations from it. They felt that much more than just passing an Act was needed to improve the present situation and create a more inclusive forest policy where locals would play an equally important role. Given this, the pitiable condition of forest dwellers and their struggle for survival in their homeland continues without any positive change.

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Notes

1. The list of botanical names has been derived from three sources: from an untitled, undated leaflet of the Dronagiri Birenish Society; by referring to various books on ethnomedicine from which a few names could be identified; and a few common ones were provided by my friend Arti Prakash who has a PhD in Botany. Data on the Bhotia names and their curative uses was collected via interviews with traditional Bhotia medicine men and knowledgeable elders of the community.

2. This was easily done by the indigenous forest dwellers since they considered various forest areas as sacred groves/abodes of forest deities; by the seasonal restriction on collection of various FP; by the various superstitions/taboos associated with the forest and use of FP; and by having various plant species as their totem.

3. The Bhotia are also upset and agitated about the fact that, although the actual leader and inspiration of the ‘Chipko Movement’ was Gaura Devi, the credit of the entire episode is given to Mr Sunderlal Bahuguna and Mr Chandi Prasad Bhat, only because (according to the Bhotia people themselves) Gaura Devi was an uneducated tribal woman. It was after several years, ultimately due to the efforts of a handful of Bhotia to get the recognition due to their tribe, that the Forest Ministry, Government of India, conferred Gaura Devi with the title of Vriksha Mitra (friend of trees) in recognition of her role in conservation of the forest and environment.

4. A medicinal herb extensively used by the Bhotia as a cure for cough, cold and asthma.

5. Bheshaj Sangh is a semi-government authority which is concerned with the trade of medicinal and aromatic herbs collected by the locals.

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