



## Rights of Van Gujjars

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### Why in News

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The **Uttarakhand High Court** has **reprimanded the State government for stopping some Van Gujjar families on the way to Govind Pashu Vihar National Park** and said their **right to life is being violated** by the authorities.

### Key Points

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- **Background:**
  - The **Van Gujjars pursue seasonal migration from the Terai-Bhabar and Siwalik region of Uttarakhand to the higher bugyals in the Western Himalayas in summer** and vice versa in winter.
    - This **phenomenon of transhumance** pursued by the community is among the few climate-adaptive and resilience strategies that ensures their pastoral livelihood remains viable and sustainable.
  - The Van Gujjars **possess legitimate permits** across their summer (Govind Pashu Vihar National Park) and winter homesteads. However, they are **not permitted by authorities** to enter the Park.
- **Rights of Pastoralists under Forests Rights Act 2006:**
  - It has ensured that **even pastoralists possess rights to access grazing pastures in lieu of the Community Forest Resource right** they are eligible for.
    - Section 2 (a) **prescribes for the rights of pastoral communities on customary common forest land** within the traditional or customary boundaries of a village.
  - It **also prescribes the seasonal use of a landscape in case of pastoral communities**, including in unclassed forests, reserve forests, un-demarcated forests, deemed forests, protected forests, sanctuaries and national parks.

- **High Court's Order:**
  - Upholds the **right of Van Gujjars to migrate to their summer homesteads** in the **bugyals (Himalayan alpine meadows)** located within the **Govind Pashu Vihar National Park**.
  - The court relied on **Article 21 (Protection of Life and Personal Liberty)** of the **constitution**.

### Article 21 of the Constitution

- It declares that **no person shall be deprived of his life or personal liberty except according to procedure established by law**.
- This right is **available to both citizens and non-citizens**.
- The right to life is **not merely confined to animal existence or survival** but also includes the right to live with human dignity and all **those aspects of life** which go to make a man's life **meaningful, complete and worth living**.

### About Van Gujjars:

- Van Gujjars are the **forest-dwelling nomadic community** inhabiting the **foothills of Himalayan States such as Uttarakhand, Himachal Pradesh and Jammu and Kashmir**.
- Usually, they **migrate to the bugyals (grasslands)** located in the upper Himalayas with their buffaloes and return only at the end of monsoons to their makeshift huts, deras, in the foothills.
- They traditionally **practice buffalo husbandry**; a family owns up to 25 heads of buffaloes. They rely on buffaloes for milk, which gets them a good price in Uttarakhand and Uttar Pradesh markets.

### Govind Pashu Vihar National Park

- **Location:**

It is located in the **Uttarkashi district** of the state of **Uttarakhand**. The park lies in the higher reaches of the **Garhwal Himalayas**.
- **Establishment:**

The park was **established as a Wildlife Sanctuary in the year of 1955**. It was **declared as a National Park in the year of 1990**.
- **Flora and Fauna:**
  - Fauna include the **Snow Leopard**, Brown Bear, Musk Deer, Western Tragopan etc.
  - Some of the noteworthy trees present in the sanctuary include deodar cedar, chir pine, silver fir, blue pine and several **deciduous species**.

- **Other Features:**

- Within the park is the **Har-ki-dun valley** which is a known **spot for trekking**, while the **Ruinsara high altitude lake** is also popular as a tourist destination.
- The park creates an upper water catchment of **River Tons**.  
**Tons river** is a significant tributary of **Yamuna River** and reaches the upper **stretches of Garhwal**.

#### **Other Protected Areas in Uttarakhand**

- Jim Corbett National Park (first National Park of India).
- Valley of Flowers National Park and Nanda Devi National Park which together are a **UNESCO World Heritage Site**.
- **Rajaji National Park**.
- **Gangotri National Park**.
- Nandhaur Wildlife Sanctuary.

**Source: DTE**