CHAPTER - V

HUMAN RIGHTS AND ADIVASI LAND ALIENATION

The land is looked upon by most of the tribal communities in India especially in Kerala not only as their dependable source of livelihood but also as the foundation for their social prestige. The social status among the tribals is measured in terms of land ownership, particularly possession of hereditary land. Furthermore, land is sometimes linked with the perpetuation of groups of tribal people with their autonomy, solidarity and cohesion. “Land is useful to them in several ways; (a) as a source of food gathering and hunting and (b) as a place to live and as a place to work”.¹

This chapter discusses the grave problem that is faced by the Adivasis at present i.e. ‘landlessness’ and ‘land alienation’ in the backdrop of the survey conducted at Wayanad district in Kerala. Also, the discussion has been extended to the right to land, brief history of the tribal land problems, Land Reforms Act, sociological foundations of land struggles among Adivasis of Wayanad, Adivasi struggles and the civil society response to human rights violations, role of the Non- Governmental Organisations in the tribal development in Wayanad, judicial approach, magnitude of land alienations, its instances, reaction of the Adivasis towards the land alienation and an evaluative study of the Muthaga land stir etc.

The land tenure system in the country originated during the pre-colonial period when different systems were in existence. Further improvements were effected to land tenure systems from time to time creating value to the land ownership and possession. Tribals belong to one category who are being displaced for several reasons including introduction of new land distribution systems, abolishing zamindari systems, the quest for land among agriculturists etc forcing them to go to the forests leaving the fertile plains.

Property is an extension of human personality and therefore denial of property especially a strip of land to live is definitely a denial of human rights. This is very much true of the Adivasis of Wayanad where a majority of them do not possess land
for themselves. The migration of farmers from outside and the developmental projects of the government have played a major role for this sorrowful state of affairs.

The agitations and struggles initiated by the Adivasis in Wayanad had invited the attention of social scientists and administrators to multifaceted problems faced by those communities through centuries in a civilised society. Most of them belonged to the category of landless agricultural labourers whose empowerment was marginalised or abrogated in the context of new economic policies. The incident at Muthanga, a symbol of their frustration and keen desire for possession of land, brings to light some historical aspects in connection with their dispossession of land holdings in Wayanad. The investment of foreign capital in plantations had been natural phenomenon in India in the 19th and 20th centuries under the British colonialism in India. Its significant effect fell upon the Adivasis who were gradually incorporated into the peasant economy of India. The entire situation led to the land alienation of forest areas and Adivasi regions. In Travancore, the rise and development of Kannan Devan plantations had been a good example for dispossession of landholdings by indigenous peasant communities and Adivasis.²

The Adivasis in Wayanad, who were the descendants of Neolithic settlers, earned their livelihood as hunters and later as food gatherers turned to be food producers. Each community had its own natural settlement in the forests. Wayanad was part of the territory of the Pazhassi Raja. Almost all the tribal communities in Wayand practiced punam cultivation. By the end of the 18th century, stray documents are available, to show that they had practiced ‘slash and burn’ cultivation (punam cultivation) in the forests of Wayanad. One of such documents of 1820 from Varayal family highlighted the existing system in which the Adivasis cultivated the land and collected forest produce.³ The permanent land revenue settlement introduced by the English East India Company articulated the position of feudal landlords into absolute proprietors with permanent rights or Kabuliyat in waste land and forests. Further, the British enforced their forest regulations and restricted the tribal entry for slash and burn agriculture. In fact the colonial land system fell upon the Adivasi peasants who were gradually removed from their holdings. This was the first stages of disempowerment of the Adivasis who had been in a process of peasantisation.⁴
By 1820, the capitalist mode of agriculture was introduced in Wayanad and plantation in coffee and tea was promoted. The European capitalist invested capital in land particularly in plantations. During the last quarter of 19th century, several gold mining companies were promoted in Wayanad region. The company assigned its vast land holdings to these joint stock or single ownership companies. They were also given subsidy in land revenue, and when the company leased out such vast holdings, the Adivasis were converted to be a class of landless agricultural labourers of a mere labour force uprooted from their tenancies and holdings.

The land problems of Adivasis have been further intensified by the migration of peasantry to Wayanad from Travancore. The extreme scarcity of food during two world wars and the spiraling up of price in land market had forced small and middle peasants of Travancore to migrate to Malabar. The new settlers had often come in to conflict with the Adivasis in Wayanad. The Adivasis had no proper idea of the value of their land holdings and even sold them for a song.

5.1 Right to Land

Perhaps no other legal framework of rights is so complicated and subjected to abuse as the tribal entitlement to the enjoyment of land.

The Constitution of India guarantees right to life for all citizens and the Supreme Court of India has said on several occasions that even the poor has the right to live. Today, the Adivasis of Wayanad are carrying on a do or die agitation for protecting their human rights, that is, for getting land for their families to live.

The invasion of Adivasi territories, which for the most part commenced during the colonial period, intensified in the post-colonial period. Most of the Adivasi territories were claimed by the state. Over 10 million Adivasis have been displaced to make way for development projects such as dams, mining, industries, roads, protected areas etc. Though most of the dams are located in Adivasi areas, only 19.9 percent (1980-81) of Adivasi land holdings are irrigated as compared to 45.9 percent of all holdings of the general population. The industries, which based on about 45 major minerals (coal, iron ore, magnetite, manganese, bauxite, graphite, limestone, dolomite, uranium etc) are found in Adivasi areas, contributing about 56 percent of the national total mineral earnings in terms of value. Of the 4,175 working mines reported by the
Indian Bureau of Mines in 1991-92, approximately 3500 could be assumed to be in Adivasi areas. Income to the government from forests rose from Rs.5.6 million in 1869-70 to more than Rs.13 billion in 1970s. It is true that the bulk of the nation's productive wealth lay in the Adivasi territories. Yet the Adivasis have been driven out, marginalised and robbed of dignity by the very process of 'national development'.

Kerala, a state considered to be unique for having developed a more egalitarian society with a high quality of life index comparable to that of only the 'developed' countries, paradoxically shows that for STs the below poverty line population was 64.5 percent while for Scheduled Castes it was 47 percent and others 41 percent. About 95 percent of Adivasis live in rural areas, less than 10 percent are itinerant hunter-gatherers but more than half depend upon forest produce. For them land is at the heart of tribal life. Very commonly, police, forest guards and officials bully and intimidate Adivasis and large numbers are routinely arrested and jailed, often for petty offences.

5.2 Tribal Rights in the Reserved Forests

Nearly half of the tribal population in the state occupies land in the Reserved Forests and their rights on these lands are still unclear. They legally continue to have their traditional rights protected and preserved under the provisions of the Kerala Forest Act. Practice varies from place to place and the rights are re-determined in each revision of the concerned Working Plan. The forest Department philosophy has varied from time to time from absolute protectionism to a callous attitude towards the tribal settlements as a necessary evil to be contained within strict limit. The Department has extended plantation with commercially important species like teak, eucalyptus; right up to the boundary of tribal holdings with result that the availability of wild tubers and other items of Minor Forest Produce, which provided them with easy provenance during lean seasons, has been severely curtailed.5

Combined with this departmentally sponsored curtailment, in many divisions like Idukki, Palakkad and Wayanad, the tribal farmers have to contend with the increasing pressure of encroachers on the forestlands. Many of these people, who got entry in the forest, unceremoniously ousted the Adivasis permanently and made them alienated from their original land. In a situation where the enforcement of the penal provisions of the Forest Act even to protect the forests has been very difficult, these
alienations stay and the original tribal holders are finally and effectively dispossessed. Thus, they find themselves between the mile-stones of the departmental extension of plantations on the one side and the gradual alienation of their better lands to the “settlers” on the other.\textsuperscript{7}

### 5.3 Brief History of the Problem

The state of Kerala was formed on 1\textsuperscript{st} of November, 1956. In post Independent Kerala, large-scale estrangement of tribal lands took place mainly due to the immigration of plains men to the hill areas from within and outside the state\textsuperscript{8}. A bottle of liquor, a pack of tobacco or some exotic consumer goods from the plains lured the tribals in to giving away their lands. Even when money was involved, the amount was paltry.\textsuperscript{9} The historic Kerala Land Reforms Act, 1963, with its land to the tiller policy though a boon for many poor farmers unfortunately was a bane for the Adivasis. Under the new law the occupiers of the land (settler farmers) became the owners and the original owners (the Adivasis) became landless and were reduced to the status of bonded labourers. Even the little that they used to get from the settlers by way of gratification also stopped all of a sudden.\textsuperscript{10} This down swing in status led to the total derailment of tribal life. Many took to smuggling activities in timber and drugs. Conditions turned worse when the settlers denuded the forests giving way to large-scale plantations and concrete mansions, thereby reducing even the diminutive chances of earning a livelihood for the Adivasis. The urbanisation replaced the serenity of forest life. The wanton obliteration of flora and fauna upset the ecological balance. This forced the Adivasis to move to the cities and towns. But what they encountered there only added to their woes.\textsuperscript{11} Hitherto, Adivasi women were in complete empathy with the forest and the forest based Adivasi economy had a feminine ting. Their status also took a ‘U’- turn. The prostitution became rampant and the number of unwed Adivasi mothers increased.\textsuperscript{12}

### 5.4 Land Reforms Act, 1963 and the Adivasis

Before independence the socio-economic life of the people of Kerala was developed in such a way that the land was concentrated in the hands of a few high cast people, viz., Brahmins and Nairs. Based on the caste divisions, the tenancy relations developed in favour of the privileged upper caste in society. The lowest strata in the caste hierarchy formed the untouchables and other inferior castes. This unprivileged,
uncivilised and the neglected poor class neither possessed any money nor had any social status.  

After independence the economic upliftment of the weaker sections particularly of the Scheduled Castes and Scheduled Tribes has been accepted as a policy measure by the central government as well as state government. According to the 1981 census, 6.94 percent of the total population in India was Scheduled Tribes. In Kerala their number, approximately, was 2.62 lakhs, which was about 1.03 percent of the total population of the state. The Communist Party came into power in Kerala in 1957 following the general election. As a part of making legislations in respect of land reformation, the ‘Kerala Agrarian Relation Bill’ was introduced in the legislative Assembly. The President of India did not give assent to the bill. Subsequently the government led by the Communist Party lost its power and a coalition government under the Congress party came in to power in Kerala. After several changes made in the said bill, the same was got passed in 1960 by the coalition government. The implementation of the Act was challenged in the court and finally the Supreme Court in 1962 declared the Act ultra virus of the Constitution. Later the ‘Kerala Land Reforms Act, 1963’ was enacted. The important objectives of this Act were to abolish tenancy and to confer ownership rights to tenants, to confer ownership rights to Kudikidappukars and to distribute the land in excess of the ceiling limit to the landless. The Act was amended in 1969 by the Kerala Land Reforms (Amendment) Act, 1969 incorporating certain provisions from the 1957 Bill. The ceiling originally fixed was reduced in the new Act.

According to the amendment to the 1969 Act in 1972, the surplus land available for assignment in a taluk was to be assigned to landless agricultural labourers of which one half shall be assigned to landless agricultural labourers belonging to Scheduled Castes and Scheduled Tribes, and such other socially and economically backward classes of citizens as specified by the government notification in the gazette. It is significant to note that under this provision, Scheduled Castes and Scheduled Tribes were benefitted to a certain extent.

During the year 1968, about 58 percent of the Scheduled Tribes had no land ownership. Out of the total Scheduled Tribe households, more than 26 percent own
land less than one acre in size, which constitute about 47 percent of the total area. During the period 1976 to 1978, nearly 29.62 percent of the Scheduled Tribes did not possess any land. Up to the end of December, 1976, 2377.5 acres of surplus land was distributed to 2789 persons belonging to Scheduled Tribes with an average area of 0.85 acre per head.¹⁵

The land reforms legislation was introduced for the purpose of tenancy abolition, conferment of ownership right to Kudikidappukars and distribution of surplus land. None these provisions directly favoured the Scheduled Castes or Scheduled Tribes in the state as no provision for special preferences to the said communities were incorporated in the legislation. The only one provision was that 50 percent of the surplus land should be distributed to the Scheduled Castes or Scheduled Tribes. The land distribution among Scheduled Tribes in 1976 showed a comparatively better position than in 1968.

5.5 The Sociological Foundations of the Land Struggles among the Adivasis of Wayanad

Since the inception of colonial rule most of the tribes of India have exhibited signs of restlessness at one time or the other in varying degree of intensity. The reasons, of course, vary from one tribe to another. At the same time one has to take into account as to whether this restlessness symptomatic of a deeper challenge posed by tribal in India to the contemporary non-tribal social and political systems.¹⁶

The tribal people of Wayanad claim their ancestry to aboriginal tribes consisting of Adiya, Kadar, Kattunaickan, Mullu Kuruma, Uraali Kuruma, Kurichia and Paniya etc. Of them Adiyans are mostly agricultural labourers. The Kadar resides in Vellamunda village and they are supposed to be the descendants of Naayars who accompanied Pazhassi Raja of Kottayam dynasty.¹⁷ Kattunaickan are the chieftains of dense forests. MulluKuruma who are found in Kuppathottu area of Mananthavady taluk, claim that they are the Vetars of South India. Kurichia are ‘aristocrat hill tribes’ and they consider themselves superior to all other tribes and they even consider Brahmins as inferior to them. The Kurichia played a dominant role in Pazhassi revolts. Paniya, the ancient inhabitants of Wayanad are skillful agricultural labourers. Kunduvadiyan and other minority tribes are mainly residing in Poothaadi and Purakkadi villages of Sulthan Bathery taluk. Other tribes such as Thachanadan
Mooppan, The Wayanad Kadar and Karimpalans who constitute 0.7 percent of the total district population are insignificant in number. The tribes are heavily concentrated in forest areas. The economy of the most of the tribes was subsistence agriculture or hunting and gathering forest produce. The tribal members traded with outsiders for a few necessities which they lacked such as salt, iron etc. In the early 20th century, large areas of their land fell into the hands of non-tribals on account of improved transport and communication. For Adivasis, land was often viewed as a common resource, free for whoever needed it.

The land issue among the Adivasis has to be looked upon at its right perspective. This is because the concept of the Adivasis regarding the land is entirely different from others. Firstly the Adivasi culture does not encourage them to keep individual property and land documents. They believe that everything that grows on this earth belongs to all people. The Non-tribals took advantage of this belief and encroached their land. Second, the tribals look the land as the holy place of their ancestors and their deities. Moreover, for them the land is the only place where their unique culture, tradition art etc. are merged with. They do not want to exploit the land by way of quarrying, mining and for making huge constructions. They even do not want to fence the land. They think that this will hamper the freedom of free enjoyment of their land. It is to be specially stated here that the problem of land alienation has resulted in compounding the social and economic problems of the Adivasis.

By the time tribals accepted the necessity of obtaining formal land titles, they had lost the opportunity to lay claim to lands that might rightfully have been considered theirs. The colonial and post-independence regimes belatedly realised the necessity of protecting Adivasis from the predations of outsiders and thus prohibited the sale of tribal lands.

In 1970s, migration into tribal lands increased dramatically as tribal people lost title to their lands in many ways-lease, forfeiture from debts, or bribery of land registry officials etc. By 1960s and 1970s, many tribal members became landless labourers and regions that a few years earlier had been the exclusive domain of tribes had an increasingly, mixed population of tribals and non-tribals. Government’s efforts
to evict non tribal members from illegal occupations proceeded slowly, whenever evictions occurred. Those ousted were usually members of poor lower castes. The final blow for some tribes came when non-tribals, through political jockeying, managed to gain legal tribal status, that is, to be listed as a Scheduled Tribe. Tribe is generally equated with “primitive” in academic jargon and public at large. The communities that are considered to be post primitives can as well be treated as peasants. But the post primitives of today are not peasants yet. Turning to the edific manifestations of restlessness among the primitives and the post primitives, several parameters can be discerned. They are:-

- Response to threats to the privacy of habitat.
- Response to threats to access to and control of resources.
- Response to disruption of traditional roles in the total Interaction set up.
- Search for new meanings of the relationship between man and nature.
- Search for new meanings of the relationship between individual and society.
- Search for new frontiers of identity.
- Search for a more satisfactory system of control of resources.
- Search for a more satisfactory system of organisation of community power at all levels.\(^\text{19}\)

It is obvious that while the first three possible origins of restlessness are responses to challenges emanating primarily from outside, the last five are responses to challenges primarily from within while on a closer examination it would be found that this delineation is rather arbitrary and artificial, it is necessary to have a starting point for analytical purposes.\(^\text{20}\)

Consequent upon the establishment of industrial centres in primitive settings, the withdrawal of the indigenous people to more outlying areas is a well-known phenomenon. In the past, much of this withdrawal was spontaneous caused by supernatural fear or tear of physical violence. But now, market forces operate more relentless. With rapid changes in the pattern of land use, land has become a rare commodity. The tribals feel tempted to sell their land and recede to more outlying
areas where the commodity value of land is either non-existent or is very low. The failure of the state in most parts of the country to recognise the corporate nature of ownership of land amongst the Adivasi communities has facilitated such alienation with serious economic and political consequences.21

By the arrival of settlers, a major section of the Adivasi communities of Wayanad, particularly the Paniya and the Adiya communities were working as bonded labourers to local landlords who were the early settlers in the region. These communities generally performed the role of agricultural labourers similar to the role of Dalit communities like Pulaya and Cheruman in the plains. They were mainly involved with the paddy cultivation and were paid in paddy. They had patron-client relationship with the local landlords (Jenmis) and were even exchanged or sold during the temple festivals of Valliyoor Kavu (Valliyooramma) by the landlords. The ethnonym ‘Paniyan’ (worker) and ‘Adiyan’ (slaves) connote this relationship they had with the local jenmis. In the absence of traditional agricultural labour community like Pulaya and Cheruman, these communities were performing the role of the agricultural community. The labour relations that existed in Wayanad during the 19th and early part of the 20th century was known as ‘Kundalpani’, in which annual contracts were made by Jenmis and the agrestic bonded labourers.22 The communities involved with ‘Kundalpani’ had no agricultural land of their own, but inhabited the plot allotted to them by ‘Jenmis’. Though the land reforms of 1960’s had radically altered the feudal land relations, it did not significantly benefit the communities involved with ‘Kundalpani’ in Wayanad. Even after the land reforms, the communities were keeping a patron-client relationship with their erstwhile landlords that continued till 1975 when bonded labour was abolished by the government. The community members were subsisting on the meagre income they were receiving as paddy from the ‘Jenmis’. After the abolition of bonded labour they turned as paid agricultural labourers, who however were paid less than the wages for non tribal agricultural labourers. In the seventies, paddy remained a major crop of Wayanad and a considerable section of the Paniya and the Adiya were involved with paddy cultivation. Though the plantation system was emerging on a massive scale in the district, the Paniya and the Adiya were not much preferred by the large plantations owing to their lack of sufficient skills in cash crop production. However, small and medium farmers of Wayanad- significant
section of which constituted erstwhile landlords engaged them as labourers in sectors where higher skills were not required. Small and medium farmers of the region employed even children for agriculture related activities. The former bonded labourers who almost entirely became waged labourers by mid seventies had to depend totally on the market for all their food, clothing and other household requirements. The complete transition of these communities from bonded to wage labourers and market economy resulted in the extreme poverty owing to the fact that they had to compete with the much skilled non-tribal labourers in the labour market. It is to be specially stated here that the changed land use pattern from food crops to cash crops demanded better skills for agricultural operations, and this however, could not be supplied by Adivasi communities like Paniya and Adiya. Plantation owners were in favour of non-tribal labourers, who were available in plenty in Wayanad. Until the beginning of the nineties paddy did provide some employment opportunity, but further shrinking of paddy reduced all possible opportunities to these communities. Paddy fields now converted to ginger and banana fields did provide some opportunities to these communities.  

However, the fluctuating prices for these two crops again resulted in diminishing job opportunities to them.

The Kattunaickans, who form 11 percent of the total Adivasi population of Wayanad, have been classified as “Primitive Tribal Groups” (PTG) by the government of Kerala. Till the large scale migration of settler farmers from plains to Wayanad occurred, this community was leading an almost independent life fully depending on the forests rich in resources, mainly as food gatherers. Shrinking forest resources led them to seek alternative livelihoods transforming a major section of them as agricultural labourers to settler farmers. Changes in the crop pattern have resulted in the reduction of days on which they get jobs, leading to extreme poverty as in the case of Paniya and Adiya. There are 2885 PTG families, in 292 Settlements in Wayanad whose concentration is mainly in Sulthan Bathery block of the district. Contrary to the general belief, in a study conducted by the Indian Institute of Management Kozhikode (IIMK) in 2006, it has been found that more than 75 percent of the primitive tribals of Kerala are engaged in agriculture and allied occupations. The living condition of this primitive community is not very different from the
traditionally bonded labourer communities like Adiya and Paniya. The Urali Kurumar, traditionally artisan community of Wayanad shares much in common with the Paniya, the Adiya and the Kattunaickan in terms of their economic activity today. The community is known for its non-agricultural skills like basketry.

The Adiya, the Paniya, and the Kattunaickan who form two third of the total tribal population of Wayanad are the most vulnerable sections of the Adivasi communities of the district. The lean agricultural season falling in July-August is the season of extreme poverty for all these Adivasi communities. To a significant section of these communities, free ration provided by the government, to a certain extent is the only means for survival in the lean months. Though the government provides free medical facilities, the survey further revealed that in most cases, they are not adequate enough to meet the health needs of the community. Since the seventies, government has attempted to resettle a section of the Adivasi communities of the district in collective farms and distribute surplus land, free houses, free medical facilities, educational programmes etc. However, in the survey, it is found that the vast majority still have many unresolved problems especially landlessness and in their traditional homeland and lack of means to an assured livelihood. The survey has further exposed that action in the form of response from the part of the state machinery in respect of this is very much low. The largest number of school dropouts belongs to these communities. Similarly, they reflect the low indicators in terms of their basic needs such as food shelter and clothing, health, sanitation, education, income etc.

Today, Kurchia and the Mullu Kuruma communities are relatively better than the rest of the Adivasi communities in Wayanad. These three communities follow the agricultural practices of other settler farmers in Wayanad and cultivate new crops that include coffee, pepper and other crops, common in Wayanad as they have land holdings of their own. Because of this, the communities get the lion portion of the benefits of welfare schemes and initiatives of the government. The community members have reasonably good representation in the local leadership of all major political parties in the district. They are able to avail most of the welfare schemes of the government.
A fact worthy of note here is that the Adivasi communities of Wayanad have been detribalised considerably owing to socio-economic transitions that the region has undergone since the middle of last century. Heavy influx of non-tribals to the region since the 1940s coupled with exposure to modern education, political process and media has altered the traditional life style of the communities. These changes are well represented in their food habits, dress, religious practices, language, worldview, community, structure etc. Malayalam is increasingly becoming common replacing local dialects.

The proportion of tribal workers increased from 43 percent in 1961 to 72 percent in 1976, a process of proliferation, which continued unabated. Though slavery had been legally abolished in the Malabar region in 1838, it took another century and a half for it to be a reality. Slavery actually vanished from Wayanad only in 1976. While land was scarce, labour was surplus. Non-availability of cultivable land and alternative employment opportunities compelled the Adivasi labourers to turn back to their former non-Adivasi employers for sustenance. Even a progressive legislation like the Kerala Land Reforms Act was manipulated to suit the interests of non-tribals; the latter would take tribal lands on short-term lease for cultivation and register themselves as ‘tenants’ with the authorities. Later on, they would claim and obtain ‘pattas’ to the lands, dispossessing the tribal owner who had become the ‘landlord’.

Once proud people, these Adivasis were subjugated and trampled upon. An official enquiry conducted by the state government on instructions from the Supreme Court confirmed the existence of bonded labour in Kerala. A large number of Adivasi girls are in bondage, some within the state and some outside. Bonded labour exists in Wayanad and that too in the colonies where they were rehabilitated by the government as for example the Sugandhagiri Cardamom Project and Vattachira Collective Farm. The commissioning of hydroelectric projects and dams such as those in Idukki, Chimmini and Karapuzha in the state have again resulted in a swelling of the numbers of landless Adivasis.
5.6 The Adivasi Struggles and the Civil Society Response to Human Rights Violations

Having analysed the scenario of human rights violations against the Adivasis, it is necessary to study the responses of the stakeholders, namely the Adivasis themselves, the state, and the NGOs while dealing with the situation.

The socio-economic pattern of the Adivasis remain gruesome devoid of improved living conditions as envisaged under the Five Year Plans after independence, it can be assessed that there has been lapses on the part of the policy implementation coupled with the serious leakages that necessarily hamper the systems of development. The stakeholder responses in human rights violation issues have attracted the attention of the public at large and is being widely discussed as in the case of Muthanga land stir and similar issues.

The extensive tracts of tribal land have been surreptitiously acquired or usurped by Christian and Muslim cultivators, who are immigrants from the plains. The tribals have been dispossessed of their lands in most cases, and have been reduced to land less serfs of Christians, Muslim and Hindu exploiters. The greatest sufferers are the bonded labourers, Paniya and Adiya. Thus exploitation by the plains-men, money-lenders, tax administrators etc.in the area made the Adivasis in Wayanad economically distressed and thereby caused the social degradation of them in full swing. The attempts to alleviate the sufferings came not only from government agencies but also from voluntary organisations and associations. In the survey it has become clear that the Hindu and Christian missionaries are all active among the tribes of Wayanad, but they have been unable to win them (tribals) over to their respective folds. However, a few tribal associations had been formed in Wayanad with the support of the well-established political parties with a view to promoting the socio-economic upliftment of the Adivasis. Some of the important associations, which were working among the Adivasis are the following.

5.6.1 The Wayanad Adivasi Swayam Sevak Sangham (WASSS)

This Association was formed in December 1963 by C.M.Gulikan, an Adiya leader and a few other tribals belonging to the Kurichia and Permian tribal communities. Its members were Adivasis and its functions were limited to that of improving the socio-economic status of the Adivasis of Wayand. The WASSS had it
head quarters at Manathavady. Shri P.T.Vijayan who belonged to ‘Tiyya’ caste was requested to preside over the first meeting of WASSS. He was very keen to take an active role in the improvement of the Adivasis and hence accepted the request. The first meeting was a great tribal pomp.  

The first president of WASSS was G.M.Gulikan, son of a bonded labourer. But when WASSS was registered on 30th November, 1967 under the Societies Registration Act, Gulikan was replaced by K.V.Kelu, a Kurichia leader. Apart from P.T.Vijayan, two other non-tribals named C.A.Kunhiraman and Gangadharan belonging to the Nair caste joined the WASSS.

In the following years, there were differences of opinion among its members on many issues. This led to the formation of a faction among the members and ultimately the dissidents like A.Chappan who belonged to Kurichia community and C.A.Kunhiraman left the WASSS and formed another organisation called the Wayanad Adivasi Sangham. Although the aims and objectives of this organisation were same as those of the WASSS, its approach was different. Its first president was Chappan, a Jana Sangh worker and its Organising Secretary was C.A.Kunhiraman, a non-tribal. The WASSS was working fairly well until the formation of the Marxist led All Kerala Girivarga Sangham in 1973.

Although the WASSS was a non-party organisation and not influenced by any political ideology, some of the members of the WASSS as well as the Wayanad Adivasi Sangham realised the need for making it broad based by including non-Adivasis as members. Consequent upon the merger of the Wayanad Adivasi Sangham with the Jana Sangh, its leaders drew their inspiration and direction from the Jana Sangh. The Jana Sangh, which was the dominant political party among the Kurichia community tried to absorb the tribal leaders and masses by emphasising some of the important values of the traditional tribal culture.

The WASSS functioned very actively until 1972 under the guidance of its leaders. It was the first voluntary organisation to submit a memorandum in 1969 to the state government demanding several benefits; such as exemption of stamp duty for civil suit of the tribals, exemption of the trial of the tribes by the advocates, exemption to be given in respect of advocate commission’s batta, witness batta, writing fee to the
advocate clerks which is very high in respect of civil court, and finally establishment
of tribal tribunals recommended by the Debhar Commission in 1961. The tribals could
achieve many of the demands of WASSS. They were inter alia exempted from
payment of court fee. In 1969 when Communist party was in power, WASSS picketed
supply office at Vythiri on many occasions during 1967-69 demanding exemption
from measuring levy by the Adivasis particularly, the Kurichia. The leaders of
Sangham helped the tribals in restoring their alienated land by conducting hunger
strike, dharna, Satyagraha, picketing courts, police stations and other government
offices.32

5.6.2 The Wayanad Adivasi Sangham

Some members of the Kurichia community with the support of the Jana Sangh
of Kozhikode district formed the association called the Wayanad Adivasi Sangham, in
1969 refining all the aims and objectives of the WASSS. The Janasangh led Adivasi
Sangham, functioned very actively for a time in Wayanad, particularly among the
Kuruchia. All the office bearers of the Sangham except its Joint Secretary and
Organising Secretary belonged to Kurichia community. From the activities of the
Sangham, it was evident that it merged with the Janasangham. Leaders like
L.K.Advani, (President, All India Jana Sangha), O.Raja Gopal, (President, Jana
Sangh, Kerala) etc. had attended a number of meetings and conventions arranged in
Wayanad by the Sangham.33

5.6.2.1 Important Aims of Sangham:-

1. To work for the retention of the Adivasi culture and heritage in general and
Kurichia in particular and to inspire a sense of solidarity and brotherhood
among the Adivasi people of Wayanad.

2. To promote the cause of Adivasi enlightenment by establishing and running
educational and cultural institutions for them.

3. To work for the abolition of bonded labour system among the Adivasis.

4. To struggle for the creation of a separate Wayanad Tribal District.

5. To work for the establishment of modern agricultural farm and for imparting
training to the Adivasis on improved cultivation and animal husbandry.
6. To work for the establishment of handloom and small scale industries with the assistance of the co-operative societies and Khadi Board.

7. To work for the allround development and welfare of the Adivasi population as well as revitalisation of the activities of the Tribal welfare and Harijan Welfare Departments.

8. To put an end to all types of exploitation and unlawful and cruel attack against the Adivasis.

9. To urge the government to enact the law for free legal service to the Adivasis.

10. To enlighten the community members about the constitutional provisions for the development of Adivasis.

11. To negotiate with the public as well as the government on issues and problems like taxation, land alienation etc., affecting the Adivasi communities in accordance with the customary laws, particularly for the protection of the Kurichia’s heritage and also for the welfare of the tribes in general.

A ‘padayatra’ which was lasted for 20 days was undertaken covering all the then 16 Panchayats of Wayanad by 101 members of Sngham on 1st October 1972, explaining several problems confronting the Adivasis and submitted a memorandum including Eleven Point demands, to the government. The memorandum was signed by more than 20,000 Adivasis. The members also conducted a dharna in front of the government Secretariat, Thiruvananthapuram. The memorandum demanded the formation of a separate Wayanad tribal district.  

5.6.2.2 Eleven Point Demands:-

1. That the Adivasis should be exempted from the payment of purchase price that they are to pay for getting the assignment right, interest and title of the land they cultivate under Kerala Land Reform Act of 1970 and the excess land taken over under this Act should be distributed to the Adivasis.

2. That the government should enact a law for preventing the alienation of Adivasi land and restoring the alienated land to them.

3. That a separate Wayanad Tribal District be formed.
4. That the land of the non-tribals, who own more than five acres of land in the tribal areas, should be taken over and distributed among the Adivasis.

5. That the bonded labour system should be abolished among the Adivasis and they should be given financial aid for starting some subsidiary occupations.  

6. That fair price shops should be established in each Panchayat in order to protect the Adivasis from the exploitation of the non-tribal traders.

7. That every tribal family should be given a house under the scheme of Adivasi welfare.

8. That the educated unemployed Adivasis should be given employment immediately.

9. That the Tribal Research and Training Centre should be shifted from Kozhikode to Wayanad, the largest habitat of Adivasis in the state.

10. That the tribals should be exempted from the payment of levy, agricultural tax and plantation tax etc.

11. That there should be a public burial ground in each panchayat for the exclusive use of the Adivasis. 

   In 1974, the Wayanad Adivasi Sangham held a conference at Kalpetta in which the following resolutions were passed.

1. The Kerala Land Reform Act, 1970 should be implemented as early as possible.

2. There should be reservation of 75 percent of excess land for the Adivasis when the Kerala Land Reform Act was to be fully implemented.

3. The conference advised the Adivasis not to pay the price fixed by the government for the purchase of ‘Janmam’ rights.

4. The conference urged the government that the Adivasis should be exempted from the basic land tax.

5. The land alienated from the tribals should be restored to them.
The initiative taken by the leaders of Wayanad Adivasi Sangham opened the eyes of political leaders. The Adivasis of Wayanad for the first time felt the spirit of their unity. Both men and women unitedly argued for their demands. If the government accepted these demands fully, no other movement would be necessary for their upliftment. However, the effort was in vain.\textsuperscript{37}

In 1973 another organisation named Adivasi Sangham was formed in order to highlight the issues of Adivasis. In 1974, the Sangham conducted a dharna in front of the supply office at Mananthavady demanding exemption from the levy imposed by the government. The demonstration was led by K.G.Marar, Secretary, and the Kerala State Jana Sangh. The Kurichia community became more restless on account of levy and they picketed other offices also. Although the government ordered exemption of the levy, the local officers continued to collect it. When clothes were distributed among Adivasis in Sulthan Bathery in 1974, the Sangham staged a black flag demonstration against the Minister for Harijan Welfare. This was in order to press for the supply of superior and costly clothes to them, as a part of removal of bends and discarding of traditional costumes. In 1974, the Sangham extended its activities to Kozhikode. They picketed the collectorate at Kozhikode. The members of the Sangham also wanted to picket the Tribal Research and Training Centre for shifting it from Kozhikode to Mananthavady.

Eventhough some reliefs were given to them, in effect, planning and tribal development activities remained only on paper.

The activities of the Wayanad Adivasi Sangham under the auspices of the State Jana Sangh, were tinged with an anti-government attitude, though it was started as purely a socio- economic organisation. The members of the Sangham picketed government offices, but were trained in the use of firearms under eminent leaders of the Jana Sangh. The leaders of the Sangham vested with Kuruchia who were eager to perpetuate their own tribal heritage, rather than the interest of the Adivasis of Wayanad as a whole, instigated its members of to fight against the onslaught of Christianity in Wayanad and the intrusion of money lenders and plainsmen. The Wayanad Adivasi Sangham suspended its activities on account of the declaration of
Emergency. The arrest of the leaders of the Sangham demoralised the rank and the file of the organization.\textsuperscript{38} 

5.6.3 The Kerala Girivarga Sangham

The Kerala Girivarga Sangham was formed under the leadership of Annar, Ex-Tribal M.L.A (Communist party of India, Marxist) in 1973. P.T.Vijayan, the General Secretary of WASSS was the brain behind the formation of this Sangham. He married an Adiya woman in order to identify himself with the cause of the Adivasis of Wayanad. When emergency was declared, he left Wayanad and took up service in a private firm in Kozhikode.

The Sangham had the blessings of the Karshaka Thozhilali Union which was a front organisation of Communist party of India (Marxist). Unfortunately, owing to the lukewarm attitude of the leaders, the Girivarga Sangham failed to enlist popular support. Moreover, the founder leader of the Sangham Annar defected from the C.P.I. (Marxist) and joined the Communist Party of India after the emergency was declared. Thus because of the demoralised state of its leadership, the Sangham could not function effectively.

The Girivarga Sangham was formed to vocalise the dissatisfaction of the tribes against the policies of the government and to start a landgrab movement in Wayanad. It had the support of CPI (M) and the Karshaka Thozhilali Union, but the movement fizzled out on account of the infiltration of the naxalites in the Sangham.\textsuperscript{39}

5.6.4 The Kerala Adivasi Samajam

The Kerala Adivasi Samajam was formed in 1973 with the following aims and objectives:\textsuperscript{40}

1. To struggle for and press for their demand for the immediate creation of a separate department for tribal welfare;

2. To achieve economic and cultural independence and to save the Adivasis from the exploitation of non-Adivasi settlers;

3. To protect the Adivasis as guaranteed by the Constitution of India;

4. To protect unity and solidarity among different Adivasi communities of Kerala in general and those of Wayanad in particular;
5. To expedite and accelerate the economic development of the Adivasis;

6. To create awareness in the minds of Adivasis about the safeguards guaranteed under the Constitution;

7. To demand for the immediate classification of the de-notified tribes of Kerala as Scheduled Tribes;

8. To integrate the activities of the Samajam with the Indian National Congress;

9. To bring all the Adivasi communities of Wayanad under the banner of the Samajam;

10. To put an end to the step-motherly attitude of the non Adivasi officials working in the tribal areas and to the mal-administration and corruption among the government officials and

11. To take appropriate steps to preserve the traditional culture of the Adivasi areas.

During the period between 1974 and 1975 the Samajam held many meetings and important resolutions were passed. Some of the resolutions were related to the Prevention of Alienation and Restoration of Tribal Land Act, 1975 and its implementation. The Samajam resolved that the above Act should be included in the 9th schedule of the Constitution. The conference also resolved to submit a memorandum to the government for establishing co-operative credit bank in the tribal areas. Another resolution of the conference was that the Tribal Research and Training Centre should be declared as an autonomous research organisation. Another resolution mentioned that 50 percent of the vacancies for the third and fourth grade servants in the forest department should be reserved for the Adivasis. Yet another important demand was that all appointments by the Public Service Commission should be stopped and the vacancies be filled by the respective departments giving due representation to the Adivasi population in various regions. Besides, many more demands were made by the Kerala Adivasi Samajam.41

The Adivasi Samajam led by the Indian National Congress is functioning even today though not very actively. The Samajam has got the blessings of some of the leaders of the Congress in the state, but it has not been able to make its impact on the
Adivasis of Wayanad. It is true that the Samajam has succeeded in getting most of their demands conceded on the economic front with the help of the local tribal M.L.A. The Samajam claims the credit for the laws made by the state government in relation to the alienation of tribal land, bonded labour and exemption from payment of levy.\textsuperscript{42}

The declaration of Emergency had helped some leaders of the Communist (Marxist) led union and the Jana Sangh led Sangham to find out an excuse for dissociating themselves from their parent associations and join the Adivasi Samajam. It has been observed that some leaders of the Samajam are well in contact with the tribal development activities initiated by the state government.

There were some non-tribals like P.T.Vijayan and Kunhiraman who were the active members of the Samajam. This inter alia brought together different types of leaders under one association. On the one hand, the Indian National Congress led Adivasi Samajam; the dominant Adivasi union of Wayanad was trying to absorb the young tribal leaders stressing some of the important values of the indigenous tribal culture and problems confronting the Adivasis. On the other hand, they are also gaining the support of the non-tribal masses emphasising and directing their attention to the injustices that are being done in the tribal areas. This has been highlighted by the Jana Sangh led Wayanad Adivasi Sangham also. In other words, in the survey it is found that a new model of leadership is warranted due to the impact of the general political awakening among the Adivasis of Wayanad. The Samajam was not fully symbolized the aspiration and needs of the tribal people.\textsuperscript{43}

5.6.5 The Naxalite Movement in Wayanad

In 1968 the Marxist led Karshaka Thozhilali Union (Agricultural Labourers Union) started functioning very actively in the Thirunelli Village of North Wayanad of Cannanore district. A young Marxist worker named A.Varghese was its Secretary. As many as 400 tribal bonded labourers in Trissileri area of Tirunelli village have joined the union.\textsuperscript{44} Two hundred bonded labourers mostly the Paniya and Adiya conducted dharna and sathyagraha under the auspicious of the Karshaka Thozhilali Union in early 1968 in front of the houses of the landlords like Kazhuthavalli Madom Venkatyachala Iyer, Choolapani Varrier and Vasudevan Adika. Adika was an immigrant Brahmin from Kasaragod married to an Ambalavasi woman (temple
The dharnas were withdrawn through mediation of the local police on condition that the wages should be increased. Although the landlords paid the increased wages for a few days, they discontinued it and reverted to the old wages paid to the bonded labourers.

The activities of the Karshaka Thozhilali Union under the leadership of the Communist Party of India Marxist) have not succeeded to sever the patron-client relationship that subsists between the Adivasis and landlords. Although leaders of the movement could conduct dharnas and satyagrahas in front of the houses of the landlords in the area, demanding higher wages and abolition of bonded labour system among the tribals, they have not been able to educate the Adivasis. Finally, the movement fizzled out and the leaders like Varghese and his tribal friends turned into naxalites, taking the law into their hands and committed violence and murder. However, in certain areas, the tribal bonded labourers have asserted their independence but due to poverty they have to go back to their landlords for employment.

It is a fact that naxalism has thrived for a very short period among the Adivasis of Wayanad particularly among the Adiya and Paniya of Tirunelli because of the exploitation by the landlords belonging to Hindu castes who yielded their power and wealth in the area. Although a large number of Adiya and Paniya were drawn into the naxalite movement, it was not a tribal movement or uprising. It is clear from the structure of the movement, that the intellectual content was contributed by the activists like Varghese, Philip. M. Prasad and Ajitha, and the programmes were executed by the activists drawn from the Adivasi bonded labourers. It was essentially a political movement comprising the leaders of the naxalite movement in Kerala and the tribals. The naxalite movement was almost run out on account of the anti-extremist measures undertaken by the government. The other reason for its decline is that terrorism, looting and murder had resulted in the loss of sympathy which alienated the naxalites from the local people in Wayanad.45

5.6.6 The Kurichia Rebellion

In the history of Adivasi movements in Wayanad, Kurichia rebellion is very significant. It was an anti-colonial movement. Pazhassi Raja was supported by a
significant section of Adivasi warriors in his fight against the British. The Adivasis knew it well that what the whites were aiming at was really their land and in all probability it is this awareness that propelled them to join forces with the Raja. Though the colonial army could buy off the feudal elements and destroy the Raja and his loyal followers, it took more time for them to suppress the Adivasis. After the defeat of the first phase of anti-British struggle, the Kurichia broke out in fresh rebellion, which proved a greater challenge to the occupiers who ultimately defeated the rebellion. With the collapse of this insurgency, the Adivasis gave up the use of their traditional weapons. It was proved that the Kurichia Rebellion was both anti-colonial and anti-feudal and thus it may be considered to be politically more advanced.  

In the neo-colonial era, Wayanad witnessed violent anti-feudal outbreaks and in the early 1970 the district was dubbed as a naxalite prone area. The rebellion of the late 60’s and early 1970’s, modelled on a naxalbari movement of West Bengal had spread to different parts of India and Wayanad was one such place.

The Adivasi insurgency led by Naxal Varghese was the single most important factor behind the enactment of the Kerala (Restriction of Transfer of Land and Restoration of Alienated Lands) Act 1975, which is unimplemented despite a High Court order of 1993. Successive governments tried various moves to repeal the Act. The case had reached the Supreme Court and the latter by its judgment on 25th July, 2009 partly upheld the Kerala Restriction of Transfer by and Restoration of Lands to the Scheduled Tribes Act, 1999 and said that the Legislation is more beneficial to the tribal people than the 1975 Act that was repealed.

5.6.7 The Adivasi Gothra Mahasabha

As has been pointed earlier restoration of alienated land is the most contentious issue regarding the implementation of 1975 Act. Faced with the callous, negative attitude of the various state governments since 1975 and all the mainstream political parties irrespective of the colour of their flags, the Adivasis once again launched the struggle for their land rights. The Adivasi Samara Samiti under the leadership of C.K.Janu, an Adiya woman launched a Satyagraha in front of the state Secretariat and the residence of the then Chief Minister on August 30, 2001. Hundreds
of Adivasi men, women and children converged on the state capital and the satyagraha sites practically became refugee camps. The leadership categorically declared that these camps (huts) would not be demolished unless a positive agreement is arrived at. Initially, the government and political parties ignored the struggle, but when the Adivasis broadbased their struggle and took a strong stand under the banner of Adivasi Gothra Maha Sabha (AGM) under the leadership of C.K.Janu and Geethanandan, the government was forced for reconciliation. The support and solidarity extended by the non-party democratic sections and progressive, secular intellectuals across the length and breadth of the state and the active solidarity that was built up as a result of her epic struggle forced the government to the negotiating table.

Thus the emergence of the Adivasi Gothra Mahasabha, an independent organization free of political party affiliation brought Adivasi issues to the forefront, forcing the government in 2001 to reach an agreement for (a) allotment of land up to five acres to all landless and land poor (having less than one acre) (b) inclusion of a master plan for integrated Adivasi development in the 10th Five Year Plan (c) cabinet decision to include Adivasi areas in the Vth schedule for self governance (d) a tribal mission by Kerala government to try out the provisions of this agreement. The Adivasi Gothra Maha Sabha had initially conceived considerable influence over the tribal population of Wayanad, particularly among the landless. However, owing to the confrontationist stand it has taken against the government, today its influence is waning among the Adivasis in Wayanad. The AGMS is now concentrating its activities in the Aralam Farm, Kannur.

5.6.8 The Adivasi Kshema Samithy

Another major tribal movement that has created significant influence over the tribal communities cutting across ethnic boundaries is the Adivasi Kshema Samithi (AKS) which was formed in the year 2000 under the patronage of the Kerala State Committee of the Communist Party of India (Marxist). With the support of the party machinery, AKS was able to take foothold in most of the tribal settlements in the district. AKS has a base in almost all tribal settlements in Wayanad. Its leadership is multi-tribal and majority of its members are women. At present it has a membership of nearly 15,000 Adivasis in Wayanad spread around in twenty five Panchayats and a Municipality. The major concern of the organisation is the land issue of the tribal
population and the method of struggle it adopts is occupation of forestland for cultivation. Since its formation, it has occupied forestland in 19 localities in Wayanad, covering 5000 acres of land. About 2000 Adivasi families inhabit the land occupied by AKS. The activities of the Adivasi Kshema Samithy have gained influence among the Adivasis in Wayanad.

5.7. The role played by the Non- Governmental Organisations in the tribal development in Wayanad

There are many Non -Governmental Organisations or social work agencies functioning in Kerala. Their activities are concentrated among the weaker sections of the society like Adivasis. The Non- Governmental Organisations in Wayanad play a very vital role in the tribal development process in the district overcoming all constraints from political parties and agencies under them. The following are the major NGOs working in Wayanad district. In this regard the researcher has collected information directly from the authorities of such organisations.

5.7.1 Shreyas Social Service Centre

Shreyas was formed by the Malankara Catholic Diocese of Sulthan Bathery aiming for achieving development and justice. This organisation is located at Sulthan Bathery. It was formed in 1974. The target groups are small and marginal farmers, agricultural labourers, rural women and tribals. Since its inception in 1979 it has been engaging in the tribal development programmes covering 120 tribal colonies in Wayanad district which come under Nenmeni, Noolpuzha, Sulthan Bathery Poothandi and Pulpally grama panchayats of Wayanad district. Its approach is participatory in nature. Each and every activity is being identified and implemented by the people’s organisations constituted in various tribal colonies. Its main activities are formation and strengthening of people’s organisation, conducting community based health promotion programmes, conducting medical camps and distribution of medicines and organising training and awareness programmes, capacity building programmes etc.

5.7.2 Solidarity

The formation of Solidarity in 1982 was motivated by the belief that development is a qualitative transformation of people rather than their quantitative amenities of life. Solidarity has been concentrating on the marginalised sections of
the society in Wayanad in the early stage and later among the Adivasis of the district in particular and in general among those in the Nilgiri biosphere. Despite the welfare policies and measures of the state government for the integration of the Adivasis to the mainstream society, they are considered distinct people with their own social values, cultural traditions and language. By the end of 1988, Solidarity identified the necessity for a strong tribal organisation. Accordingly the unit level organisational structure was extended to the district level people’s organisation. This new development had some positive impact on the life of the tribals in Wayanad, The Adivasis became more confident of their strength.

5.7.3 Fedina

Fedina which was formed on 2nd of 1987 is a social organisation mainly working among the Adivasis in Sulthan Bathery taluk in Wayanad. The Adivasis of Wayanad have been victims of all sorts of exploitation. Over the years, these tribals who were the early inhabitants of Wayanad have been deprived of their land due to heavy migration from the plains. Fedina comprised of five social organisations. Fedina has contributed a lot to promote the right and responsibility among the Adivasis through their awareness programmes and also by imparting non-formal education to the Adivasis. The Fedina has participated in their struggles for existence. This organisation is conducting awareness programs which helped many Adivasis to come out of their seclusion from the main stream of the society and to become more vocal. However, some of them do not accept the leadership of their own people. Fedina have identified Adivasis who have some land of their own and have created awareness among them regarding the importance of having crops which will generate additional income to them. Fedina undertakes soil conservation programmes and supply of seedlings etc. All these earnest efforts of Fedina helped to motivate the Adivasis in Wayanad to develop their land.

As a result of the non-formal education, people particularly Adivasis started realizing many of their problems at the colony level. To address these problems and to find out solutions for the same colony level committees were formed. In such committee meetings it was felt that in order to address the tribal issues at its right perspective, there must be a wider organisation of tribal people. As a result of which a district level organisation was formed. Fedina constituted a people’s organisation
named Adivasi Aikya Samithy (AAS). It officially came into existence on 8th of April 1990 and got registered on 20th July 1994. Today the AAS claims that it has five thousand members with well-known entity in Kerala and other parts of India. They have successfully taken up a number of tribal issues and tried to solve them in favour of the Adivasis. However, the efforts of AAS to bring together all the various Adivasi groups have not been successful and the root cause of which was nothing but the members of the AAS belong to different political parties. But as the result of the earnest activities by the Fedina through AAS, the Adivasis now convinced regarding the significance of the land for their survival. They were looking forward to solve their land problems since the formation of AAS. They have approached the government to get back the tribal land. They decided to launch an agitation for this purpose as the response of the government was not favourable to them.

The Cheengeri tribal project in Ambalavayal in Sulthan Bathery taluk consists of 526 acres of land. The original plan of the government was to develop this land within five years and to give it to 100 Adivasi families at 5 acres per family. But even after decades this land was not given back to the tribals. In 1994 AAS demanded that this land should be divided and given to the landless Adivasis. However, the government was not ready to distribute the land and today this land is with the Agricultural department.

The AAS claimed that the land should be given back to the Adivasis. So they proceeded to the land and put up their flag there on the 1st of March 1994. On 26th of January 1994, 72 tribals entered into the land forcefully and built houses therein. Though the encroachers were arrested they were released. On 28th of January 1995 again 241 tribal families encroached upon the same land and erected houses therein. All were arrested and put in jail. The arrest and imprisonment of these tribals attracted wide publicity in the state. During March, 1995, the AAS started relay satyagrahas in Cheengeri. Under the joint leadership of AAS and Kuruma Samudaya Samrakshana Samithy, a total of 11.30 acres of alienated land from 8 places have been recovered during the period 1995-98. The AAS succeeded in getting back the burial grounds of tribals at Vazhavatta and Onivayal which non-tribals had encroached.
As a result of their involvement in these struggles, the Adivasis of Wayanad gained much confidence. They have succeeded to a large extent in projecting the problems of the landless Adivasis before the public and the government.

5.7.4 High Land Development Agency (HILDA)

Hilda trust is a non-profit, non-governmental organisation formed in 1993. The organisation undertakes tribal development initiatives in Wayanad district. Hilda promotes among the Adivasis, the ideals of self-reliance through people centred development initiatives, community participation in development process and people empowerment.

5.7.5 Kanavu

This non-governmental organisation was formed in 1993 by K.J.Baby, an activist and a writer who works among the tribals for over two decades. It aims to achieve the educational upliftment of Adivasis. A Gurukulam model school named ‘Kanavu’ which is situated in Nadavayal is well known among them. The Adivasi children who are the school dropouts and who are unable to follow the curriculum in regular schools form the students in Kanavu. Elders from various tribal groups come and stay with the children from time to time teaching them traditional skills, tribal rituals, stories and songs. Eminent poets, writers, activists and educationists visit Kanavu frequently and disseminate knowledge on various topics. Farming and working in the paddy fields are integral to their learning. Theatrical arts are also included in the curriculum. Children become not only able to read and write fluently but also bring out their own publications like magazines and small books. Yoga and Kalaripayattu are also taught apart from skilled works like bamboo weaving, tailoring and pottery. The activities of Kanavu have been well accepted and appreciated in the state for its practicability with innovative initiatives undertaken among the tribals.

5.7.6 Uravu

Uravu is a non-governmental organisation which was formed in 1996, and has been working for empowering the marginalised groups, women, traditional artisans and Adivasis. It is located in Trikaipetta in Wayanad. Uravu promotes and fosters small industries and cottage industries based on natural resources especially
bamboo. It imparts training to Adivasi people in bamboo cultivation, bamboo processing, establishing microenterprises, marketing of bamboo based products. This organisation promotes eco-tourism in the district as Wayanad is identified as a tourist district. Uravu is a non-profit trust which actively works among the traditional artisans and tribal groups aiming to ensure their livelihood and thereby to achieve economic upliftment. It was working as the implementing agency of the Scheme of Fund for Revamping of the Traditional Industries (SFURTI) project of the Khadi and Village Industries Commission, Government of India. The project was to rejuvenate the bamboo based industry in Wayanad. At present Shri Baburaj M. is the President of the organisation.

5.7.7 Tudi

Tudi is a socio-cultural movement started by the Provincial of the Kerala Jesuit Society in Kozhikodu for the all-round progress of the tribal people in Wayanad district. It was formed in 1996 with an office at Panamaram in Wayanad and has been undertaking various initiatives and implementing programmes for the welfare and upliftment of the Adivasis. It also aims at achieving their sustainable development, education and social empowerment through the promotion of indigenous tradition and culture. The organisation has been conducting various cultural programmes such as gramolsavam, kalasangam and folk art. These cultural initiatives have abundantly influenced the Adivasi communities to make aware of their unique culture and tradition. Fr. Baby Chalil, a Jesuit priest is the present Director /Secretary of the Tudi.

The objectives and activities of the NGOs are more or less same. Religious and academic agencies also have been active in almost all parts of Adivasi areas in Wayanad. The role of the Non Governmental Organisations in the field of education, health, sanitation and women empowerment are commendable. To a large extend these organisations could transform the Adivasis from their primitive way of life and thinking through empowerment and inculcation of awareness. Due to the constant and earnest activities of these organisations among the Adivasis in the development process over the years helped them to be aware of their rights. It cannot be ignored that there are many difficulties for these social work organisations to function
effectively in the society. This is due to the excessive influence of the political parties. There has been a widespread feeling among the political parties that all developmental activities should be put in to effect only through them. However, the bad plight still stares at the tribal population with a serious menace of deprivation of their rights. Hence much more is remaining to be done on the part of these organisations through coordinated works to accomplish their objectives in full.

5.8 The Judicial approach

It is clear that the decisions of the courts are also in favour of the Adivasis. The Supreme Court on 9th April, 2010 in the case pending before it, granted time till July 31, 2010 to the Kerala government to comply with the earlier directions to provide land to the members of the Scheduled Tribes keeping in view the promises made by the government under the 1999 legislation. A Bench of Justice V. S Sirpurkar and Justice Mukundakam Sharma extended the time limit on an application filed by the state expressing difficulties in implementing the judgment dated July 21, 2009 giving six months time for complying with the said direction. When the senior counsel Rajinder Sachar, who appeared for the PUCL, (People’s Union for Civil Liberties) objected the extension of time, Justice Sirpurkar told the counsel “let us see. If they are not doing it by July then it would amount to contempt of Court.” The court in July, 2009 had categorically said “keeping in view the promises made by the 1999 Act, it is obligatory on the part of the state to provide the land meant for the Adivasis. If the state do not have sufficient land, they may have to take recourse to acquisition proceedings but we are clear in our mind that the state in all situations will fulfill its legislative promise failing which the persons aggrieved would be entitled to recourse to such remedies which are available to them in law.” The court further ordered, “we must also make it clear that by allotting land to the Adivasis, the state cannot and must not allot them, hilly or other types of lands which are not at all fit for agricultural purpose. The lands, which are to be allotted, must be similar in nature to the land possessed by the members of the Adivasi communities.” The government on the contrary submitted that processing of old files, collection of data regarding the extent of land, the question whether it is to be given as compensation or as restoration, availability of land, appropriate value of the land to be purchased, etc. are time consuming work and that the government would have to provide funds for the
purchase of land. The government further submitted that “eventhough earnest efforts were taken for the implementation of the 1999 Act, as directed by the Supreme Court; it is difficult for the government to allot the land within the prescribed time limit.” Hence the government sought extension of time till 31st July 2010. Meanwhile the Minister for Welfare of Scheduled Tribes reiterated that all landless Adivasis will be given land, but so far unfortunately it remains in the realm of a simple exercise of lips.

The conceptual vocabulary used to understand the place of Adivasis in the modern world has been built up on the feudal, colonial and imperialistic notions. It combines traditional and historical constructs with the modern construct based on notions of linear scientific and technological progress. Historically the Adivasis, are at best perceived as sub-humans to be kept in isolation, or as 'primitives' living in remote and backward regions who will have to be "civilized". None of them have a rational basis. Consequently, the official and popular perception of Adivasis is merely that of isolation in forest, tribal dialect, animism, primitive occupation, carnivorous diet, naked or semi-naked, nomadic habits, love, drink and dance. Contrast this with the self-perception of Adivasis as casteless, classless and egalitarian in nature, community-based economic systems, symbiotic with nature, democratic according to the demands of the times, accommodative history and people-oriented art and literature. The significance of their sustainable subsistence economy in the midst of a profit-oriented economy is not recognised in the political discourse. The source of the conflicts arises from these unresolved contradictions. With globalisation, the hitherto expropriation of rights as an outcome of development has developed into expropriation of rights as a precondition for development. In response, the struggles for the rights of the Adivasis have moved towards the struggles for power and a redefinition of the contours of state, governance and progress.

5.9 Land Allotted to the Adivasi families of Sugandhagiri

The Sugandagiri Cardamom Project came into existence in February 1978. The Project was sanctioned in 1976 under the Western Ghats Development Programme, to rehabilitate the liberated bonded labourers. The administration of the Project was under the Wayanad Co-operative Farming Society working under a committee nominated by the Joint Registrar of Co-operative Societies. The project had 1500 hectares of forestland in its possession of which cardamom was planted in 850 hectares; coffee in
133 hectares and pepper in 160 hectares. The project accommodated about 750 Adivasi families as on the year 2000. Following the agreement with Adivasi organisations agitating for land, government of Kerala wound up the Project in 2003 and the land under the project was allocated to 438 Adivasi families with 5 acres each. The land allocation was based on a lot method owing to which barring a few families, majority got less developed land. But the plots allotted fell under forest land and therefore the government was not able to give titles for it and at present the families have only possession certificate. Adivasi families holding the possession certificate do not have the right to clear the perennial trees growing on the land; their right over the allotted land is limited only to use it without making any alteration to it. Forest department has apprehensions in providing titles for the land, as it would lead to falling of trees on a mass scale leading to heavy ecological damage to the fragile landscape.\(^47\)

However, there has been widespread criticisms regarding the transfer of these lands to Adivasis. In most cases the transfer of land has been allowed without any registered valid document. At some places the signatures of Adivasis have been forcefully taken on the blank documents. The officials indulged in large-scale embezzlement of funds for their development. Fifty percent of the land taken over by the government under the Kerala Private Forests Act, 1972 was meant to be distributed to the Adivasis. The various departments and various projects which are intending to rehabilitate the landless Adivasis, hold more than 40,000 acres of land, but as admitted by the government itself, the land is in the custody of the corrupt officials. The government acquired land from private persons whose holdings were in excess of the land ceiling – thus, inspite of the availability of land for distribution among the landless Adivasis, government has failed to do so.

However, despite these limitations of the land, some of the Adivasi community members are generally happy to have individual plots, winding up of collective farming. With appropriate input, the land holdings can be utilised to improve the livelihood of these Adivasi communities there.

5.10 The Magnitude of Land Alienation

Land is the major issue of the Adivasis in Wayanad and landlessness has become a bane to their very existence. Nearly two third of the total tribal population of
Wayanad were traditionally landless - they were either bonded labourers or were forest dependants. Hence land-holding has become the most sensitive issue relating to the tribal situation in recent times. This issue received a significant attention at national level during the year 2003, when a segment of tribal population forcibly occupied a portion of Muthanga forest as a symbolic gesture and the police action that followed firing and the killing of an Adivasi. Therefore, an attempt is made to examine alienation of land from various angles. The source of data is from the 750 households and family members therein surveyed. Firstly the researcher examined the nature of land-holding. This was followed by an analysis of the reasons for alienation and the response of the Adivasis to restore their lost land.

Of the 750 Adivasi respondents in three blocks namely Kalpetta, Sulthan Bathery and Mananthavady surveyed, 440 households (58.6 percent) have land ranging from 5 cents -50 cents. This means that the average size of the holdings is very small and not adequate enough to sustain a family. It is true that most families are doing some type of cultivation-usually a blend of horticultural and tuber crops to support their food requirements. This is supplemented by the wage labour, which the members of the families undertake. The common type of such holdings is Koottupatta or joint possession of land for a lineage. The Land under this tenure can be sold only with the consent of all adult members of lineage. As much as 252 respondent households (57 percent) have their land on this tenure. This is followed by individual patta. 54 households have reported possession under individual patta. It is interesting to see that for both types of pattas (Koottupatta and Individual patta) the average size of holdings is 5 cents to 50 cents. About 4 families have Kottupattas above 5 acres. These are Mullu Kuruma/Kurichia joint families. The extent of the land held by the respondents (130) is very nominal and they are ignorant about the type of possession of such land.

In this study and survey, 146 instances of alienation of land were found. Tribal lands were found to be alienated to three categories of individuals or institutions; namely settlers, encroachers, and others. The graph shown below provides a clear picture of the intensity of the alienation under each of the category.
5.10.1 Instances of Land Alienation

These respondents whose land was alienated pointed out that they do not have sufficient documents to prove the ownership of their alienated land which stands as a stumbling block in restoring their land. In a few cases land in the possession of the respondents were sold to settlers for cash. As there was no title deed to prove their possession of land, the sale was conducted without observing the legal formalities. In these cases, the land was sold to the settlers at a price, far below the market price. There exists no means which are available to the Adivasis to oversee such sales. Another aspect is the lack of awareness among the Adivasis regarding the legal measures to be pursued in such situations, which also came up for discussion in this survey. All these factors point towards the need for effective legal machinery that will work to support the Adivasi population in matters pertaining to law and litigation. In this context it is important that the Kerala State Legal Services Authority and the Kerala State Human Rights Commission can contribute a lot to the Adivasi communities. These government agencies with the support and assistance of the District Legal Services Authority and the Non-Governmental Organisations can hold awareness programmes, seminars, workshops and also to provide free legal aid.
Alienation of tribal land is an issue that has assumed political dimension. History of alienation dates back to about 70 years when the first settlers from central Travancore started immigrating to Wayanad district and acquiring land through legal or illegal means. Since then, in the efflux of time judicial pronouncements were made in favour of the Adivasi people. In this survey respondents were asked about the alienation of their land. But only 16 respondents gave the extent of alienation of their land. Of the 146 instances of alienation, in 120 cases land was alienated to settlers. In 18 cases land was alienated to the encroachers. In 8 cases land was alienated by others which occurred due to reasons exactly not known to Adivasis. In these cases, land might have been alienated to erstwhile landlords, religious bodies, members of the same community, and members of the other communities, acquisition by government for developmental activities etc.

5.11 Reaction of Adivasis towards the Land Alienation

It has become clear from the survey that the response towards alienation of land has been clearly visible and sharp. Out of the 146 instances of alienation, real owners made all possible efforts to regain their land in 18 cases. In most cases, the respondents have taken legal steps such as preferring civil suits etc. In some instances, respondents in the course of survey informed that they have dismantled the temporary boundary erected by the settlers. But being the fact remaining so, one cannot be blind to the fact that these tribal people are quite incapable to initiate and proceed litigation for redressing their grievances due to financial reasons. It is worthy to note that neither political parties nor non-governmental organisations are found to be inclined to support the Adivasi communities in restoring their alienated land.

It has to be seriously taken into account that of the 146 instances of alienation, the aggrieved respondents unanimously opined that government machinery has been a thorough failure in restoring their alienated land. They stated that law made in this respect has to be strictly implemented in view of the court orders. In the survey, it is revealed that these tribal communities firmly believe that neither government, nor local administration or non-governmental organisations help them, as the authorities are even reluctant to visit their ooru. They have reiterated that these organisations never come up for the cause of the Adivasi communities. On account of their small size, Adivasi communities do not form a vote bank. This is the one and only reason
for the relative disinterest of political parties on issues relating to Adivasi communities.

In fact a few of the tribal families were allotted a portion of their land by their erstwhile Jenmies. Also government provided small holdings, but most of these holdings are not suited for agriculture or for any other purposes. Many of these holdings do not have proper titles. So far as the traditionally cultivating communities like Kurichia and Mullu Kuruma are concerned land alienation was a key issue. However, there were no significant attempts on the part of the government to restore alienated land to the Adivasi communities.

In 1961, the Dhebar Commission, (the Scheduled Areas and Scheduled Tribes Commission appointed under Article 339 of the Constitution of India headed by U. N Dhebar) recommended that all tribal land alienated since January 26, 1950- the day the Constitution came into force be restored to the original Adivasi owners.

But the government of Kerala had taken another decade and a half to enact the Kerala Scheduled Tribes (Restriction on Transfer of Land and Restoration of Alienated Land) Act, 1975, a quarter century after the Constitution came into force and that too restoration of alienated land since 1960 and not 1950. Government of Kerala had framed Rules in 1986 to comply with the Land Restoration Act, 1975. However, effective implementation of this Act was limited due to the fact that only a negligible group of the Adivasi population could give evidence in respect of their land alienation. In 1993, public interest litigation was filed before the High Court of Kerala in this regard. The latter vide its order directed the state government to implement the 1975 Act. Subsequently, in 1996, a new Bill was passed and by virtue of this legislation, all transactions of Adivasi land made between the periods from 1960 to 1986 were declared as legal and valid.

However, the President of India rejected the Bill in 1998 on the ground that it was unconstitutional. In order to overcome this, an amendment was brought in the Assembly and got passed and later High Court of Kerala quashed it. Ultimately, the case reached before the Supreme Court of India and the same by its judgment on 25th July, 2009 has partly upheld the Kerala Restriction of Transfer by and Restoration of
Lands to the Scheduled Tribes Act, 1999 and said that this legislation is more beneficial to the Adivasi people than the 1975 Act that was repealed.

The state government through the Tribal Resettlement and Development Mission (TRDM) in 2001 has identified 14031 Adivasi families who are land less in Wayanad. Moreover, it has also identified 12184 families whose land holding is less than one acre. As per government agreement all the Adivasi families whose landholding is less than one acre will be provided 1.5 acres of land, implying that out of the total 27000 tribal families in Wayanad, 26215 families would be given land. Government has identified 8713 acres of land in Wayanad. It has also identified 11645 acres of land in neighbouring districts where Adivasi families- majority of them are from Wayanad could be rehabilitated. Eventhough the government has accepted in principle many of the recommendations of TRDM, the same have not been implemented so far.

In Wayanad, land belonging to the rehabilitation projects, like Sugandagiri and Cheengeni has already been distributed among a few families. A few panchayats have distributed revenue land under it to the Adivasis. Government of Kerala has reassured that all landless tribal families would be provided with land promptly. The survey found that the state government has failed to keep its promise and thousands of Adivasi families in Wayanad still remain landless. It is quite ironical that the state government repeatedly says that Kerala is a land of landless.

Alienation of land among Adivasis is a serious problem. Though there has been legislations for preventing land alienation of the Adivasi people, it has not been brought into force properly. These laws are to be strictly implemented and the alienated land must be restored and distributed among them irrespective of by whom the land was alienated and the period or the manner of such alienation.

5.12 The Muthanga Land Stir: An Evaluation

The ‘Muthanga Struggle’ opened a new chapter in the long and protracted agitations conducted by the Adivasis of Kerala. Its essence was ‘land for existence’. It was well planned and well executed and thus it became an eye-opener for the government regarding land restoration for the Adivasis.
For Adivasis land ownership has been the one and only major issue in Wayanad and since fifties it has been the essential component around which Adivasis were mobilised. Nearly two thirds of the total trib al population of Wayanad was traditionally landless- they were either bonded labourers or were forest dependa nts. A few of the tribal families were allotted a portion of land by their erstwhile jenmies. The successive governments provided small holdings but these holdings do not have proper titles, insufficient for a family and not suited for any purpose. For the traditionally cultivating communities like Kuricha and Mullu Kuruma, land alienation was a key issue. A major portion of their land was alienated to settler farmers who have been migrating to Wayanad since 1940s. However, the survey brought to light that there was no significant attempt from the part of the governments to restore alienated land to the Adivasi communities of Wayanad. The state government had framed Rules in 1986 to comply with the Land Restoration Act, 1975, passed by it . However, the effectiveness of this Act was limited owing to the fact that only a negligible section of the Adivasi population could give evidence regarding land alienations. Following the public interest litigation by a non-tribal social activist from Wayanad in 1993, the High Court of Kerala directed the state government to implement the 1975 Act. However, the state government could not implement the court order and even made attempts to amend the 1975 Act. Later in 1996, a new bill was passed that held all transactions of Adivasi land from 1960 to 1986 as legal and valid. However, the President of India rejected the Bill in March 1998 on the ground that it was unconstitutional.

Though Adivasi communities were demanding restoration of alienated land, the focus however has shifted to landlessness of the Adivasis by 2001. Following agitations from Adivasi organisations, the state government reached an agreement with Adivasi organisations on 16th October 2001 which said, “subject to availability of land, all tribal families of Kerala will be given 1 to 5 acres of land and that land distribution will begin on 1st January 2002”. The agreement further stipulated the formation of a “Tribal Mission” by the government to work on tribal land issues (for identifying land, designing, resettlement measures etc). Subsequently, the government issued an order on 9th November, 2001 forming a Tribal Resettlement and Development Mission (TRDM). The TRDM on 1st January, 2002 put before the
government a set of proposals addressing land distribution and related issues of the Adivasi of Kerala. The TDRM recommended to the government of Kerala that land distribution have to be completed within a period of five years starting from 1st January, 2002. It also identified 14031 Adivasi families in Wayanad are landless. In addition, it could identify 12184 families in Wayanad, whose land holding was less than one acre and who would be provided with 1-5 acres of land, implying that out of the total 27000 tribal families in Wayanad, 26215 families would be given land. The government identified 8713 acres of land in Wayanad. It also identified 11645 acres of land in neighbouring districts where Adivasi families- majority of them from Wayanad and could be rehabilitated. The government in principle has accepted many of the recommendations of TRDM. A few panchayats had distributed revenue land, which come under it to some Adivasis. The government of Kerala had reassured that all landless tribal families in Wayanad could be provided with land by January 2007. However, the government could not fulfill its assurance even now.

It was on 4th of January, 2003 that the Adivasi Gothra Mahasabha AGMS (The grand assembly of Adivasis) had entered the deforested portions of Muthanga and its vast eucalyptus plantations that have been successfully passed off as forest by the state and forest department. The number of Adivasis had swollen to over 1,100 families since then. They had gone there in pursuance of their long-cherished dream of possessing a piece of land to survive on-a dream that now rested on the ‘agreement’ between A. K Antony government led by the United Democratic Front and the Adivasi Dalit Samara Samithi (ADSS) headed by C.K. Janu and M.Geethanandan on 16th of October 2001. The ‘agreement’ categorically stipulated that the land distribution would commence on 1st January, 2002 and could be completed on 31st December, 2002. It was also agreed that a proposal based on the cabinet decision to include Adivasi areas in the Vth Schedule would be sent to the Central government for further notification. This was to enable the Adivasis to enjoy the provisions of the panchayati raj (Extension to the scheduled Areas) Act, 1996 which provides for elements of self-governance. In addition, the government promised to abide by whatever would be the Supreme Court’s judgment regarding the Kerala Scheduled Tribes (Restriction on Transfer and Restoration of Alienated Lands) Act, 1975.
The decision to move to Muthanga evolved out of widespread consultative process across the state’s Adivasi belt. It was decided that AGMS would go by the time-schedule that the government had drawn up for itself, after which it would be the bounden and solemn duty of AGMS to bring the agreement into effect. This participatory democratic process culminated in a huge gathering of thousands of Adivasis from across the state at Mananthavady in Wayanad district on 25th August, 2002 when a sixty member ‘tribal court’ (consisting of twenty women and forty men) representing different tribal communities was constituted. The tribal court declared once again that in view of the non-implementation of the ‘agreement’, the Adivasis shall establish their rights by occupying the government lands. It was thus that thousands of Adivasis had moved into Muthanga on 4th January, 2003 after the dead line prescribed by the government expired on 31st December, 2002. It was in fact the culmination of the politics of laxity and deceit on the part of governments-both Left and Right- employed against the helpless ethnic minorities, who constitute one percent of the state’s population.  

The dream has turned sour once again for the tribal people of Kerala. On February 19, in what could be described as an unfortunate moment in the five-decade-old history of the Adivasi struggle, the Adivasi Gothra Sabha (AGS), abruptly changed course, leading an entire marginalised community into an unchartered, violent mode of agitation to highlight the denial of “land for livelihood” by successive governments. In the brutal police action that followed, an entire stretch of the protected forests in the Muthanga range of the Wayanad Wildlife Sanctuary nearly turned into a killing field. As a result, a bloody and volatile series of events took place there unleashed by a heavily armed police force on a group of around 2,000 AGS activists and their unwitting family members and supporters. These people had since January 3, encroached upon and forcibly occupied a stretch of the sanctuary. They had declared "self-rule" in the area, started cultivation "for a living" "because they had nowhere else to go" and restricted entry to non-tribal people, including government officials, into the new settlement.

The Muthanga Wildlife Sanctuary, established in 1973 with the objective of protecting the biological diversity of the region, is considered to be one of the biggest natural habitats of Asiatic elephants. Thus, it was made clear by the authorities that the
Muthanga Forest area is a specially protected area and that the Adivasis cannot claim any right to take settlement there. However, for some strange reason, despite specific instructions from the Union Ministry of Environment and Forests to evict the "illegal encroachers" from the protected forest land, the state government took no action.

For 45 days, the drama of 'forced occupation of forest land' (which had been enacted elsewhere in Kerala on several occasions earlier without any mishap or positive results) had continued unhindered, with the state government ignoring allegations that then Chief Minister sought to wriggle out of the difficult situation of keeping his promise of finding land for all landless Adivasis within five years. This task, a challenging one in a state where the land-people ratio is one of the highest in the country, was the highlight of an agreement entered into by the UDF government led by A.K Antony with AGS leader C.K.Janu at the end of a 48-day Adivasi agitation led by the Adivasi-Dalit Action Council, before the state Secretariat in September-October 2001. But on 17th February, forcing the hands of the government as it were, even as the state forest department and some environmental groups were protesting against the government apathy with regard to the encroachment of a "fragile forest tract", a mysterious forest fire developed near the AGS settlement. The forest officials and some others who went into the sanctuary "to enquire about the fire" were taken captive by the AGS activists, who accused them of setting fire to the forest. The 21 hostages were released on the following day, after a harrowing night in tribal custody, and after the district administration agreed to the AGS demand that the District Collector himself recorded the statement of the hostages on the circumstances under which they were held captive.

Even as negotiations were going on for the release of the hostages, tension began to mount at the Thakarapady check post, established by the tribal activists to prevent the entry of non-tribal people into "tribal land". A large number of local people who had gathered there, agitated over the hostage-taking and encroachment of forest land, and demanding the immediate arrest of the leaders of the Adivasi agitation, Janu and M.Geethanandan, faced an aggressive crowd of tribal activists armed with sharpened sticks, bows and arrows, knives and sickles. The government realised that it could no longer ignore the encroachment issue or the growing anger against the Adivasis among the local people.
The result was a virtual battle at Muthanga on 19th February between the tribal activists, who had sworn to resist all attempts to evict them, and the police force. On February 19, 2003, the police had opened fire on a gathering of over 1100 Adivasi families protesting against the non-implementation of the agreement promising the latter to give land in Muthanga forest region. The action of the police is said to be resulted in 16 deaths and injuries to a large number of Adivasis including women and children. Operation. The firing began at around 9 AM under the full glare of the media, turned increasingly brutal and insensitive; especially after AGS activists captured a police constable and a forest official. The Adivasis tortured their captives, doused them with kerosene and threatened to set them on fire if the police forces were not withdrawn. They also demanded medical facilities for the injured among them.

When the police seemed to have gone berserk from then on, under cover of a media blackout, using horrendous force on the fleeing AGS activist and their supporters, including children, the aged and women, who were strategically used by the core group as a shield. As the police force moved forward, and the captives threatened to set fire to the two hostages, the police opened fire, forcing the activists to flee. Those who fell were kicked with boots and hit repeatedly with rifle butts. Thatched huts, temporary sheds, offices, and personal belongings were dismantled and set fire by the police. There were instances of women shielding their men to prevent them from being brutalised by the police.

Later, in the hospital, while some of the injured activists told media persons that "they will continue their struggle till their death", others, most of them women and the aged, said "they had no idea that they would be exposed to such brutal police action. We had come to the sanctuary solely on the promise of land offered by the AGS activists."

The police constable, who was held captive, had a deep gash on his leg, and he bled to death on the way to hospital. A forest official was admitted with serious injuries on the head, where an arrow had hit him. An Adivasi activist named Jogi was killed in the police firing. Several other Adivasis, mostly innocent AGS supporters, some policemen and forest officials were admitted to hospital with serious injuries. There were allegations by pro-tribal organisations and human rights activists that
atleast 20 Adivasis had died in the police firing. These could not be verified as the police cordoned off the area for over 16 hours after the operation. However, top police officers held the view, “If what they allege is true, where are the bodies?”

The opposition leaders, who visited the area a day later, said that there was mystery surrounding the exact number of the tribal victims. The police maintained that only two persons, including the constable, had died.

The majority of the core group activists of the AGS had escaped from the police net. Janu reportedly left the scene of action a few days before the operation. Geethanandan, alleged to be a former naxalite who had been dismissed from central government service and whom a police officer described as the "CEO of the Adivasis", too was reportedly missing when the second phase of the police action took place.

On February 20, replying to the opposition demand in the state Assembly for a judicial inquiry into the incident and information on the exact number of Adivasis killed in the firing, Chief Minister A. K Antony informed that the police had been acting on government orders and were only doing their duty. He said that the government had so far taken a soft attitude towards the encroachment and had shown restraint and patience in dealing with the Adivasi agitation. He further stated “no government can condone attempts to start an armed rebellion or to create a bloodbath in the state. Trying to declare self-rule and prevent the entry of non-tribal people and officials into an area, taking people hostage and resorting to the most primitive methods of torture, and trying to put up armed resistance against the police are things that no government can ignore. Such actions will be dealt with severely.”

Significantly, ever since the Antony led UDF government signed the agreement with the Adivasi groups led by Janu in October 2001, it was basking in a newfound glory of "an administration which had done the most as yet for the marginalised people", based solely on the promises that it had made on paper. However, in the year that followed, the government found it extremely tough to implement the promises, especially the one to provide at least one acre of land each (up to five acres wherever possible) to all landless Adivasis. Although it did make attempts to identify and distribute land, at several places these efforts hit the rock, with the land identified either falling under protected forests, which could be distributed
only by flouting conservation laws, or it belonged to some government department or the other. In places like Mathikettan, a pristine shola forest in Idukki district, the land identified for the Adivasis was immediately grabbed by land sharks who had used the Adivasis as a shield. The initial euphoria thus turned into disappointment and resentment, leading finally to the tragic incidents at Muthanga. (According to the AGS, 45,000 tribal families in the state do not have even a strip of land). 55

The agreement in October 2001 is significant in other respects, too, seen in the context of the latest police action. The agreement was a devious turning point in the long history of the Adivasi struggle in Kerala, whereby both the government and the Adivasi leadership sought to alter drastically the character of the long-pending demand of the tribal people.

The Adivasis were for generations the real sons of the soil of Kerala's forests. But over the years they were shorn of their land by greedy settler farmers and land sharks. For nearly 50 years now, the Adivasis have been demanding the "restoration of their alienated land" pinning their hopes on the law and on the successive court verdicts. However, given the bottlenecks in evicting the economically and politically powerful second or third generation settler farmers from the alienated land, the Antony government and the Adivasi leadership altered the demand drastically. The agreement suggested that the Adivasis were no longer interested in the "alienated land", and would be satisfied with "other land elsewhere".

This suggestion took a load off the state government for it was saved from the huge legal responsibility of evicting the powerful settler farmers from what was originally tribal land and restoring the land to its original tribal owners or their descendants. The events leading to the Muthanga incident have shown paradoxically that the ‘agreement has truly helped the powerful settler farmers only.’ The majority of the tribal people are no better off than they were, continuing as they are without a piece of land.

Moreover, by allowing the Adivasi-Dalit Action Council to conduct the high-profile agitation before the state secretariat in September 2001, and by striking an agreement with its leadership, the Antony government had sought to legitimise this group as the sole representative of the entire Adivasi community in the state. However,
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in a grand gesture before signing the agreement, the Action Council had convened an "Adivasi Gothra Sabha" (AGS-Tribal Grand Council) in Thiruvananthapuram, specifically to stress the point of unity among various tribal organisations.

By thus legitimising the Janu-Geethanandan leadership, the then government perhaps thought it could get a hold on the course of the tribal agitation and the support of the majority of the Adivasis themselves, in the long term. Also, the United Democratic Front government with powerful settler farmer interests being represented on its cabinet, could impose its will and alter the nature of the tribal demand from one of "restoration of alienated land" to that of "any land". But the Muthanga incident shows how dangerous this strategy was, with regard to the long-term interests of the tribal people in particular and Kerala society in general.

Even when the government signed the agreement, there were disturbing signs of the Adivasi-inhabited areas becoming breeding grounds of extremist activity seemingly espousing the tribal cause. The invisible hands that led Janu into the limelight in 2001, after a period of near-anonymity, was a matter of intense speculation then, as was the prominence Geethanandan was gaining in the tribal organisation.

In fact, even as early as 1996, Adivasi agitations led by Janu had the support of extremist groups, which were even otherwise making their presence felt by using tribal youth to serve their interests. When Geethanandan was asked about the role of certain naxalite groups in the struggle, the latter replied: “They are not in the agitation. But even if they are, we are not of the opinion that it is wrong.” The events that led to the police action at Muthanga are significant in this respect too. Top police officers hold the view that the kind of powerful resistance of the Adivasi people was unparalleled in the state's history and pointed to a well-planned strategy and the involvement of "other forces", even though they believe the timing of the event may not have been deliberate.

The question remains as to who really started the fire at the sanctuary. But the subsequent incidents constituted a serious setback to the tribal people in Kerala. Events that followed in the plains of Wayanad should be an eye-opener: local people who hunted down the innocent Adivasis to be handed over to the police and the police
conducted numerous raids on Adivasi colonies to search for men who ran away from the scene of action. Janu and Geethanandan themselves were caught by the local people and handed over to the police on 22nd of February 2003.

The incidence at Muthanga have only helped to brand the AGS an extremist organisation. It is this fact that could become a convenient excuse for mainstream Kerala society once again to brush aside the fundamental question of survival that is forcing more and more Adivasis into a state of frustration and despair and making them prime targets of extremist groups seeking survival in the state.

On an analysis of the interactions made with the members of the different Adivasi communities in Wayanad, it is found that the general impression among them is that the Adivasi Gotha Maha Sabha (AGMS) under the leadership of Janu failed to highlight any of the major issues of Adivasis in Kerala in general and Wayanad in particular and as such the AGMS and its activities do not have any impact on tribal people at large. They all firmly believe that they have been misled by AGMS and its leaders. According to them AGMS have other hidden agenda and objectives which will not help to solve the cardinal problems which are being faced by them since independence. At this stage, the question arises:

Were the Adivasis under Janu being used by other forces? Was the woman who had shown the promise of being a true leader of these marginalised people being led up the wrong path? Do the majority of the tribal people in the state want their cause to be furthered through extremism and violence? These are the central questions that will now on decide the future of the Adivasi struggle in Kerala. Only a prudent leadership can put the agitation back on the rails. However, the blame for the events on February 19 lies squarely with the state government, which had raised the hopes of the tribal people sky high and then failed to deliver its promises. Despite the mischief alleged to be committed by the helpless and suppressed class of people at Muthanga that their basic human rights were mercilessly booted down by the law enforcing authority representing the state government.

An analysis of these factors brings to light, that the Adivasi land alienation had taken place in Wayanad at the time of the introduction of British land revenue and administrative system. The European and native capitalists exploited the political and
legal context for their benefits. The capitalist method of production in tea and coffee plantations further transformed the Adivasis as landless agricultural labourers. The Land Reforms Acts in Kerala did not grant the Adivasis the landownership, as they were agricultural labourers without tenancy.

The state had resorted to the use of brutal force in its effort to contain the genuine and long-standing demand of the Adivasis for their land rights. The unforgivable and cynical delay in delivering the land promised by the state government had resulted in an unfortunately yet needlessly brutal confrontation resulting in death of several people. In addition to those in police firing scores of other were also reported to have been injured and arrested. Also Many Adivasis were left lying in an injured condition inside the forest without medical aid. Moreover, most of those arrested were not produced before a court and they were kept in illegal custody.56

The movement of Adivasis to Muthanga for possession of a piece of land for existence alone will not solve the human rights problems related to their socio-economic backwardness. Even the small planters in the district had left out of their farms as are trapped in the rural indebtedness on account of dependence on international market and its price mechanism. As the Adivasis are the weakest and marginalised section of the society and that each community differs in many respects, special programme approach for the Adivasis from the perspective of a caseworker is more advisable. This will result in motivating the Adivasi families. Moreover, the struggle of the Adivasis for their existence and for a piece of land, which has a long history, has not been ended in any way despite oppressions and suppressions from different corners in the society, rather it is on the increase. Though the response of the civil society was comparatively positive and was able to remain an eye opener to the society including the authorities which helped to boost the movements of Adivasis to a certain extent. However, the problems being faced by this marginalised section have not been settled so far. It remains as burning issues raising big questions of their existence before the society. The response of the state has not been adequate to promote land right for the Adivasis which highlights the fact of human rights denial.
END NOTES


3. Ibid., 2-3.

4. Ibid.

5. Ibid., 5-7.


7. Ibid., 164.


16. B.K.Roy Burman, “Challenges and Responses in Tribal India” in *Social Movements in India studies: Studies in peasant, Backward Classes, Sectarian,
Chapter V


18. Ibid., 9.


20. Ibid.

21. Ibid., 320.

22. ‘*Kundalpani*’ is a festival celebrated to commemorate the *slave trade*.


25. Ibid., 40.

26. Ibid.


30. Ibid., 187-189.


33. Ibid., 191.

34. Ibid., 193.

35. Ibid., 194.
36. Ibid.
37. Ibid., 195-196.
38. Ibid., 197.
39. Ibid., 198.
40. Ibid., 199.
41. Ibid., 200.
42. Ibid., 201.
43. Ibid., 202-203.
44. Ibid., 198.
47. *Wayanad Initiative*, 2006, 44.
48. Ibid.
53. Ibid., 81.
55. C.K. Janu, (Leader, Adivasi Gothra Maha Sabha) in discussion with the Researcher, February 9, 2010.