

An adivasi uprising

Led by C.K. Janu, the adivasis of Kerala mounted a 48-day peace offensive on the state and the non-advasis who had over centuries stolen their land. They brought the state to its knees, made it agree to part with 5 acres to each landless adivasi family



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The latest struggle for restoration of land to the adivasis of Kerala was launched in the wake of the starvation death of 32 adivasi men, women and children in mid-July. The struggle focused on the rights of the indigenous population over livelihood resources, especially land. The Kerala (Restriction on Transfer of Lands and Restoration of Alienated Lands) Act 1975 was not implemented despite the High Court order of 1993. A mere 7,500 acres of alienated lands was to be given to some 4,500 people in a state where there are some 3.5 lakh adivasis. Of these, 80 per cent have been rendered landless.

The law was replaced by another legislation, the Kerala Restriction on Transfer and Restoration of Lands to Scheduled tribes Bill in 1999, which the High Court struck down as unconstitutional. The fate of this Bill now rests with the Supreme Court. The Kerala Private Forest (Vesting and Assignment) Act of 1972 stipulates that 56,833 acres of land be given to adivasis for cultivation. This has not been implemented. About 40,000 acres held by various government departments

were to be handed over to adivasis under rehabilitation projects, after forming cooperatives. This too was not carried out.

And this is how the adivasis carried out their latest struggle:

August 14: A civil supplies vehicle waylaid in Noolpuzha pinhead of Wayanad where two starvation deaths took place. The foodgrains were distributed amongst the adivasis. Four adivasi women, two of them minors, were arrested.

August 30: The decade-long struggle entered a new phase with the establishment of adivasi refugee camps in front of the residence of chief minister A.K. Antony and the Secretariat at Thiruvananthapuram, the State capital.

September 4: The ministry discusses the issue and announces talks with the Adivasi-Dalit Samara Samithy (Adivasi-Dalit Action Council) on September 6.

September 5: The Council announces its opposition to the government-sponsored celebrations and rally to celebrate the festival of Onam. Police forces cordon off the agitators to prevent disruption of the celebrations. Repeated attempts to break the cordon; attempt to take C.K. Janu into custody foiled; situation becomes tense.

September 6: Chief Minister A.K. Antony holds talks with the leaders. A number of immediate demands were agreed to:

- tribal development programme being funded from the general budget would henceforth be carried out through the Tribal Development De-

partment instead of through the three-tier panchayats.

- setting up of committees at the state (headed by the chief minister) and the district level

- free rations for all adivasis for another two months; 10 kg rice per month for all incapacitated adivasis

- restoration of full rights for the collection of minor forest produce

- reservation of 90 per cent jobs in the forest department for adivasis

- serious investigation into all cases involving exploitation, murder and rape of adivasis

- promise of 10,000 acres for the landless; a master plan for comprehensive tribal development by the State Planning Board within four months. (This is not accepted, as any master plan without addressing the issue of land rights is meaningless. Moreover, this does not address the land rights of the vast majority of adivasis.)

September 11: A meeting of the District Collectors held by the Chief Minister. The meeting announces that as much as 15,000 acres would now be identified within two months from various categories of land — Plantation Corporation, tribal development projects, poramboke — within a month and within the next two months they would be distributed to the landless. The Samara Samithy rejects this offer.

September 12-17: 'Avakasa Sthapana Yatra' (Journey for the Assertion of Rights) from Kasargode to Thiruvananthapuram. Public recep-

tions, meetings and rallies all along the route. (Statewide support from different sections of citizens, human rights groups, dalits, women's organisation, fish workers organisations, eco-groups, intellectuals, writers, academics, students, writers, poets, administrators, progressive groups, media etc builds up and spreads. Rallies by various groups and sections of society continue in the capital in support. People from all over the country visit the refugee camps and express solidarity. People from all

adivasi areas join the refugee camps.)

September 18: Adivasi solidarity day observed; 10 more adivasi refugee camps (made of thatched huts) established in front of the Secretariat swelling the number of participants to more than 500.

September 25: The government calls for a meeting of various adivasi organisations (of which some are affiliated to mainstream political parties) to get their opinion saying that the present struggle group is just one

among the many. Most organisation walks out (except the ones affiliated to mainstream political parties) from the meeting convened by the chief minister on the issue of the extent of the land and the 1999 Act. In effect, this was in support to the position of the Samara Samithy. The Chief Minister regrets that though this government has been the most considerate, the Samara Samithy has rejected this liberal offer and that this was 'too much'. He warns of firm action. Dharna in front of Kerala Bhawan and



Meet Chekottu Kariyan Janu

BORN in adiya community. Adiyas, literally 'slaves', are socially and economically at the bottom-most rung of Kerala society along with the paniyas in Wayanad. Mostly landless.

Janu is now popularly known as 'CK' after her initials. Initials are given when one is admitted to school and Janu did not go to school. She got the 'CK' tag - for 'Chekottu Kariyan' - when she was around 'ten or eighteen' when the mass literacy programme was launched in Kerala. 'Chekod' is a colony in Trissileri village, Thirunelli panchayat, Mananthawady taluk, Wayanad. (In Kerala, adivasi hamlets are called colonies.) 'Kariyan' is her father. He abandoned the family when her youngest sister was yet unborn. She was one among five children, of whom three were girls. At about age ten Janu began to work in the fields for Rs.2 per day.

When she was twelve or thirteen she began to get Rs.3. When she was about sixteen, literacy came to her area. She picked up the alphabet gradually. She became an instructor in the literacy programme run by 'Solidarity' of Mananthawady while she was also working as a coolie. She became active in 'Karshaka Thozhilali Union' (Vyavasaya Thozhilalikal Union) of the CPI(M) and also in the party. Was soon disillusioned as she found that the party invariably stood with the exploiters - landlords - who were also key party functionaries. When Kurumarchira, the land where they used to bury their dead traditionally, was encroached, and the adiyas launched an agitation followed by arrests etc, the party sided with the encroacher simply because the party wanted his vote in the elections to a local bank.

Janu organized the adivasis of the taluk under the banner 'Adivasi Vikasana Pravarthaka Samithy'. In 1993 she toured the adivasi areas of the state to organize the struggle to demand the implementation

of the Kerala Scheduled Tribes (Restriction of Transfer and Restoration of Alienated Lands) Act, 1975. Became chairperson of the forum of adivasi organizations/ leaders called 'Adivasi Ekopana Samithy' which headed the agitation in the 1990s. Attended the meeting of the UN Working Group on Indigenous Peoples at Geneva. Travelled in Europe and attended meetings elsewhere in the world on issues related to adivasis/indigenous people. Recognized for her clarity on issues and for taking a firm position.

CK now lives in Panavalli - a land 'classified as Reserved Forest', originally the ancestral lands of the adivasis - which she took over after leading an agitation. In about 18 acres, 45 landless paniya, adiya and kurichiya families have been living for about five years, defying attempts to evict them. Janu lives with Devi, Lakshmi and Valli. Lakshmi left her husband who became a drunkard and beat her up. Devi is unmarried and she has no one else. She joined Janu when they began the struggle to take over the Panavilli land. She found Valli crying, very sick, malnourished, unable to walk and abandoned as a teenage girl. Her parents had died when she was a child. Janu hospitalized her, took care and brought her home. Now Valli can barely walk. Lakshmi and Devi work as wage labourers. Janu works as wage-labourer when she can.

Together, they also cultivate the land they have occupied. Valli takes care of the house and also the goats - just for the joy of possessing goats and not for the milk! Nowadays, Janu, who is in her mid-30s, does not have the time to work either as a labourer or in their land. During the recent agitation, she and her friends at home could not attend to the land and so lost what they have planted to wild pigs. Besides, these days the harvests do not fetch a decent income.

protest meetings in Delhi.

October 3: The first-ever call and meeting of the 'Gothra Mahasabha' (Grand Council of Adivasis) held. Approves the actions and decisions of the Samara Samithy and decides to intensify and spread the struggle to other parts of the state. A rally is attended by 10,000 in the city, in which two-thirds were adivasis while the rest were primarily dalits.



October 4: A case filed with Lok Ayuktha demanding the dismantling of refugee camps rejected.

October 5-7: The Government issues order to dismantle the refugee camps. The corporation through the mayor refuses to carry out the order. Police force plans to undertake the task. Strict all-night vigil by citizens who form a human cordon to protect the refugee camps and agitators. Widespread condemnation of the discrimination against adivasis and of the government decisions which are violative of the right to peaceful assembly and democratic protest. The chief minister blames it on 'overzealous' officials.

Chief minister announces in a press conference once again the government's genuine intention to resolve the issue. Increases the offer of lands from 15,000 acres to 42,000 acres, offering between 1 to 5 acres depending upon availability. The Samara Samithy rejects the offer and declares further intensification of the struggle. Informal channels of talks opened with Gowriamma, minister for agriculture, mediating between the Samara Samithy and the government. All political parties accede and

recognise the fundamental genuineness of the demand and that justice has been denied till date to the adivasis.

October 12: Refugee camps spreads to Pathanamthitta, Thodupuzha and Kannur. Massive police forces forcibly prevent the putting up of thatched huts for the refugee camps. Twenty-two adivasis taken into custody in Thodupuzha and later released; refugee camps initiated without any roof.

October 14: The second meeting of the Gothra Mahasabha (Grand Council of Adivasis) endorses the actions of the Samara Samithy. Decides on the fast-until-death programme of C.K Janu from October 17 while continuing all the present forms of struggles and spreading further the struggles into the adivasi villages across the state and specifically at the district headquarters in the form of dharnas and opening of refugee camps. (Informal talks with Gowriamma, minister for agriculture, continue.)

October 16: Refugee camps set up at Palakkad collectorate and a protest rally held. The sub-committee headed by chief minister along with some of his colleagues holds talks with the Samara Samithy in the evening. Agrees to all the pending demands, especially five acres in principle to all the adivasis having less than one acre and to the condition that the adivasi areas in the state would be included as 'Scheduled Area' under Fifth Schedule of the Constitution. With the announcement of the details of the agreement to the media, the Samara Samithy ends the present form of struggle. The final agreement signed on October 16 is between the sub-committee headed by A.K Antony and his colleagues with the top bureaucracy (constituted as promised in earlier round of talks) and the Adivasi-Dalit Samara Samithy represented by C.K. Janu, Geethanandan, Sunny, Prasad, M.K Narayanan and C.R.Bijoy.

October 17: Celebrations and a community feast hosted at the 'Refugee Camp' by the Samara Sahaya Samithy

(Struggle Support Committee) of Thiruvananthapuram. A rally is held. The huts are ceremoniously dismantled.

October 18-19: Preliminary rounds of discussion with the Tribal Mission and the Kerala Planning Board held. (Public meetings commence on October 18 in different parts as a follow-up.)

Adivasi-Govt. Agreement

1. Five acres of land to all adivasi families having less than one acre. To begin with, 42,000 acres of land between 1-5 acres would be distributed while the rest would be distributed as and when lands are located and made available. This work would begin from Jan.1 to Dec. 31 2002 giving five acres where possible and lesser where it is not, reaching 5 acres as and when suitable lands are found.

2. A master plan would be made before December 2001, to be included in the Tenth Five-Year Plan beginning 2002 where the focus would be to support the above beneficiaries for a maximum of five years until they reach self-sufficiency.

3. A cabinet decision to include adivasi areas in the Fifth Schedule and a proposal would be made which shall be sent to the Centre for further notification by the President. Meanwhile, suitable legislation would be made to protect the land being allotted under this agreement.

4. The Supreme Court judgment relating to the case pending where the government has challenged the High Court judgment striking down the repeal of the Kerala Scheduled Tribes (Restoration of alienated lands and restriction on transfer) Act 1975 and alternate land up to 5 acres for alienated land in the 1999 Act, and declaring contempt of court for not having implemented the High Court judgment of 1993 to implement the 1975 Act, would be abided by the Kerala Government.

5. Participation of the Samara Samithy in all decision-making and implementation process on all matters related to this agreement.

6. A Tribal Mission is constituted to carry out all the above headed by a senior IAS officer. D

Reviving Gotra Mahasabhas

The government has constituted a Tribal Mission consisting of senior and former bureaucrats and others to carry out the terms of agreement. But political parties and other vested interests are out to scuttle the agreement. Primarily they want the land distribution to be restricted to one acre. The Adivasi-Dalit Samara Samithy had, during the 48-day struggle, initiated the formation of 'Adivasi Gothra Mahasabha', a kind of a peoples' parliament. The emerging formation is based on the principle of the Gram Sabha which selects three men and three women to be part of the Mahasabha at the state level as well as the district sabha. This process has been completed in the districts of Idukki and Pathanamthitta and part of Wayanad and has commenced in all other districts. The entire process is to be completed by end of December. There is a presidium of the Mahasabha to manage the affairs. A core committee has been constituted to look into the technical matters arising out of the tasks to be completed.

The tasks are a complete survey of all the adivasi families, to identify those having less than one acre of land and identification of suitable lands for distribution. These tasks are to be completed by end of December.

There is resurgence in the adivasi areas all over Kerala. There are almost daily rallies and public meetings where Janu has been addressing the meetings attended by thousands of people. The expectations and determination are high and this has left political parties and the government worried. The Gothra Mahasabhas are conducted frequently (there have been five such meetings where the number of participants have ranged from 300-800). A publication unit has been established at Ernakulam and the first one on Grama Panchayat and Scheduled Area has been released and distributed widely. The issue is no longer an adivasi issue but one of democracy. There is also the task of each Gram Sabha discussing, deciding and identifying the territory to be included in the Scheduled Area.

The Gothra Mahasabha is perceived as a socio-political administrative mechanism and the decisions of the Samara Samithy are subjected to its approval. This was to establish the legitimacy of the Gothra Mahasabha at the very formative stage. This move was symbolic rather than functional. Moreover, this act of the Samara Samithy – recreating/ reviving a representative body of communities – strengthened the position of the Samithy's role as a body that has the approval of the community in general, cutting across the organisational divisions among the adivasis. This in turn strengthened the Samithy's legitimacy in the eyes of the general public.

A major task of the Samara Samithy is to build up the Gothra Mahasabha which is not an organisation but a traditional socio-political institution of the adivasis. It is an institution that has not functioned on such a grand scale in the recent past. The Mahasabha is envisaged not as a hierarchical structure but as a collectivity of regional sabhas. It is extremely crucial that this be understood, as there is no hierarchy but only differences in the functions with the Gothra Mahasabha not encroaching into the responsibilities of the sabhas at other levels.

Each adivasi hamlet will have to identify the area to be included in the Scheduled Area. This can only be decided by the local ooru-sabha which will have to include all the title lands (including those of non-tribals who belong to the gram sabha), poramboke lands, common lands, common property resources and the portion of the reserved forest where people are dependent for livelihood. This area is then mapped out with details describing the area, resolution passed by the gram sabha and sent to the governor/state for inclusion under the Scheduled Area. Under the agreement with the government, one of the clauses is about the people's participation. This activity ensures that.



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