Dalits in Dravidian Land


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Caste-based mobilisation and violence

Violence in Ramanathapuram district, sparked by caste-based mobilisation with a communal orientation, claims 11 lives.

6 November 1998

OCTOBER 4 was a Black Sunday for the people of the coastal Ramanathapuram district in southern Tamil Nadu. Just two days after the nation celebrated the 129th birth anniversary of Mahatma Gandhi, caste-related violence rocked the villages and towns on either side of the national highway that links this economically backward district with the city of Madurai. Eleven persons were killed and several were injured in the violence and the police action that followed. Six of the dead were dalits; the five others belonged to the thevar community, a Most Backward Class group. All the victims were from among the economically weaker sections. Scores of houses were torched and hundreds of people rendered homeless.

The immediate cause of the violence was provided by a district-level rally at Ramanathapuram, organised by the Thevarkula Koottamaippu (Thevar Federation). According to a senior politician from a neighbouring district, the Koottamaippu is "a conglomeration of unorganised groups of young thevar extremists who have joined the power struggle in the Tamil Nadu Thevar Peravai." The Thevar Peravai is said to have been behind the many instances of violence involving theyars and dalits that have racked the southern districts in the past five years. Its leadership, perceived to be close to All India Anna Dravida Munnetra Kazhagam general secretary and former chief minister J. Jayalalitha, is now caught up in litigation and has been rendered inactive.

The attackers, including women, then attacked the dalits of the Old Colony in the same way. Among those severely beaten up was an invalid woman, Sivagami (22). Her wheelchair was destroyed. Kollapuri Ammal (65) said that the attackers also showered abuses on the dalits, particularly the women.

Two weeks after the attack, the children whose books had been destroyed had not returned to school. One of the boys said that an attacker had shouted: "Why do you need education? Will you dare go to school again?" B. Srinivasan, a young graduate, said that most of the residents were agricultural workers and petty traders and were keen to have their children educated. This, he said, had created a lot of resentment among the caste Hindus.

Dalit M. Rajagopal, president of the Dalit People's Front based in Arakkonam, and Thangavayal Vanidasan, its general secretary, have, in a petition to the chief minister, complained about the local police's failure to protect the dalits. Vanidasan told Frontline that there was no history of clashes between the two sections. (There was, however, some tension over the destruction of a base the dalits had built for erecting a statue of Ambedkar some weeks ago.) The people of the village alleged that the food provided by the government and the financial assistance extended to them were inadequate. District collector Jayashree Raghunandan told Frontline that assistance had been provided to the victims as per guidelines and more relief would follow after assessing the extent of loss and obtaining the relevant certificates from the hospitals where injured villagers had been treated.

S. Ramados, founder-president of the Paattali Makkal Katchi, a party which despite having a vanniyar majority membership actively supports the dalit cause, was among the early visitors to the village. He told Frontline that he had requested the district officials to arrange for 'satisfactory' aid to the victims. Also extending a helping hand to the affected villagers is a local vanniyar youth, who wished to remain anonymous.
The Kootamaippu conference was convened as a confrontationist response to a state-level conference organised three weeks earlier at Ramanathapuram by Puthiya Tamizhagam, a political organisation led by K. Krishnasamy. A member of the Tamil Nadu legislative assembly, Krishnasamy has emerged in recent years as the most articulate dalit leader in the state and a rallying point for different sections of dalits. A rally organised by Puthiya Tamizhagam at that time passed off peacefully, although Krishnasamy made an allegedly provocative speech.

A weeklong mobilisation effort by Shanmugaiah Pandian, the maverick president of the Kootamaippu, preceded the district conference. Posters and wall writings inviting people to the meet came up in Madurai and all along the highway. According to a roadside lottery ticket seller at Paramakudi, a small town on the highway, streams of lorries carrying large numbers of people from neighbouring districts were seen heading for Ramanathapuram from the afternoon of 4 October.

Some vehicles stopped at roadside villages and hamlets such as Saraswatipuram, Vananganenthal, Chattrakudi and Muhammedpuram, and armed men from lorries allegedly entered dalit settlements (easily identifiable by the presence of Puthiya Tamizhagam flags or statues of Dr B.R. Ambedkar) and some Muslim hamlets, and went on the rampage, throwing 'petrol bombs', attacking the residents and ransacking houses.

Two women were killed and several others injured in these incidents. Some of the dalits, mostly marginal farmers, agricultural workers or coolies, lost all their belongings. Even five days after the attacks they were in the grip of fear. The dalits alleged that police protection was inadequate and even the few policemen who were present did not act during the mayhem. The thevar youths, however, complained that the provocation came from the dalits, who, they said, blocked vehicles by placing barriers on the road.

As news of the attacks spread, the dalits retaliated. Thevar villages were targeted and houses damaged. At Lanthai, close to Ramanathapuram, two thevars who came in lorries were allegedly pulled out and murdered. This led to a free-for-all for two hours.

In the police firing that followed, three persons belonging to the thevar community were killed. Earlier, two dalits, one of them a woman, were killed when police opened fire "to contain a mob that was confronting a mob of the rival caste." The dalits, however, said that they were only demanding the removal of a provocative painting put up on a panchayat building wall in connection with the Kootamaippu conference. A number of persons from both sides and a few police personnel were hospitalised.

Even as a small police force controlled the violence at the entrance of Ramanathapuram town, thevar mobs went on the rampage in the town, breaking open shops, looting valuables and making a bonfire of the articles that could not be carried away. Three shops were burnt down. Muslim businessmen were the worst sufferers. At Paramakudi, several shops were looted. M.A. Dhanabalan, president of the District Chamber of Commerce, estimates the total loss suffered by business establishments in the district at Rs 3.5 crore. In all, about three hundred shops were damaged. Some state-owned buses were also damaged and over a hundred street lamps smashed. Even after all this, the Kootamaippu was allowed to hold the rally. Among the provocative demands made at the rally was one calling for the repeal of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The police force, led by additional director-general of police S. Kumaramangalam, contained the violence. Reinforcements from neighbouring districts and personnel from the Tamil Nadu Special Police, the Central Reserve Police Force and the Swift Action Force helped prevent the violence from spreading to the sensitive neighbouring districts. The district administration stepped in with prompt relief measures. Chief minister M. Karunanidhi deputed four ministers—M. Tamizhskumugam, T. Krishnan, A. Rahman Khan (also the local MLA) and Samayanallur Selvaraj—to handle the situation. They camped in the district for five days, visited the affected persons, and supervised relief operations. Near-normalcy was restored within days. Although there were complaints about the inadequacy of relief measures, including the compensation amount, the government's intervention was prompt, in marked contrast to its responses to earlier instances of violence.
A cross-section of people in the affected areas criticised the police and the district administration for their failure to anticipate trouble in view of the publicity blitzkrieg that had preceded the conference. Had prompt steps been taken, violence could have been prevented, said an observer who made a pointed reference to the absence on leave of the superintendent of police and of the district collector (who was away until 4 October). The police presence was minimal and vehicles were not being checked for weapons. This was in contrast to the intensive searches carried out by the police when Puthiya Tamizhagam held its rally on 11 September.

There were also allegations by both groups, of harassment and even torture by the police under the pretext of conducting “raids in search of criminals and weapons”. In several areas, men went underground fearing police violence. Even a week later, many persons were reported missing.

Several factors set apart the 4 October incidents in Ramanathapuram from earlier instances of caste-related violence in other centres in the southern districts of the state. First, there were no local-level disputes between the thevars and the dalits in the Ramanathapuram region. In almost all the affected places, the dalits and the thevars said that they had been living in amity for decades. Highways minister T. Krishnan, who hails from the neighbouring Sivaganga district, recalled that even during the worst days of caste clashes in Mudukulathur in the undivided Ramnad district in 1957, the area that forms the present Ramanathapuram district had been relatively calm. In his view the disturbances were caused by ‘outsiders’. “It was a fire sparked by somebody somewhere,” said the DMK minister.

Unusual in such caste-related violence, there was evidence of the involvement of some political parties. Karunanidhi, who saw a political motive behind the incidents, said that he knew the ‘forces’ that were behind the attempt to destabilise his government. He said that the clashes were preceded “by the arrival of some persons from Ramanathapuram in Chennai and their return.” (The reference is to a reported meeting between Shanmugasah Pandian and Jayalalitha some time ago; in an interview to a Tamil periodical, the thevar leader confirmed that the meeting did take place.) At several places flag-posts of the DMK had been felled.

Another disturbing factor is that caste mobilisation has now acquired a communal orientation. During the violence, business establishments and houses owned by Muslims were targeted for attack. This and the use of ‘om’ and lotus symbols (the lotus being the Bharatiya Janata Party’s election symbol) in the Kootamaippu posters have raised questions about the involvement of some constituents of the Sangh parivar in the violence. One outcome of the Ramanathapuram incidents is the ban on posters inciting violence in the name of caste. Karunanidhi, who announced this decision after a cabinet meeting on 13 October, said that it had also been decided not to grant permission to processions and rallies if there was any hint that they would trigger violence.

Another related development is the launch of a political party, the Moovendar Munnetra Kazhagam, by the All India Thevar Peravai. The party’s general secretary, N. Sethuraman, told Frontline that his party opposed untouchability and that he was opposed to the Kootamaippu’s demand for the repeal of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. He said, however, that the Act was required “more in the northern states, not in Tamil Nadu, where untouchability is no longer practised.” His party’s aim, he claimed, was “to build bridges not only between the thevars and dalits but between the thevars and other castes.”

‘An attack on Dalit-Muslim unity’

K. KRISHNASAMY, 44, a Coimbatore-based cardiologist, gave up his practice to fight for the cause of dalits and formed the Devendra Kula Vellalar Federation (DKVF) in 1995. He did significant work among the dalit victims of the brutal police action at Kodiaiyankulam in Tuticorin district in 1995 (9–10). In 1996, he was elected to the Tamil Nadu legislative assembly from the Ottapidaram (reserved) constituency in Tuticorin district. On the eve of the Lok Sabha
elections in 1998, the DDKVF metamorphosed into a political party, Puthiya Tamizhagam. Although the party did not win a single seat, its performance was impressive in a few constituencies. The party’s first state-level conference was held in mid-September 1998 in Ramanathapuram.

Earlier in his political career, Krishnasamy was influenced by marxism. In fact, he says, “I continue to be a marxist.” Krishnasamy was detained under the Maintenance of Internal Security Act (MISA) during the Emergency in 1976. In this interview, he discusses issues related to caste and explains his party’s political agenda. Excerpts:

**How is it that caste-related violence has occurred mostly in the southern districts of Tamil Nadu?**

There are thousands of castes in the country. There are more than 2,000 castes even among the ‘backward’ communities and more than a hundred castes among the Scheduled Castes. In Tamil Nadu too, at the top of the pyramid of the caste system are the brahmins. At the bottom are dalits. In between there are many intermediate castes. The kallars, maravars and agamudaiyars, who call themselves thevars, are the traditionally denotified tribes, and their concentration is heavy in the southern districts. During the British rule, certain restrictions had been imposed on them. For political reasons, the conditions were lifted all of a sudden, without providing time for effecting a smooth social transformation. As a result, these communities are going back to their old ways. Political parties are using criminals from these communities for their own interests... The Nayaka kings used them as policemen against the sons of the soil. And after independence, political parties used them for their own ends. Because they enjoyed political support, they, in turn, suppressed dalits. That is why there has been repeated incidence of violence.

**Between the Mudukulathur riots of 1957 and the caste-related violence in recent years, do you see any significant change in the dalit response?**

In 1957, there was not much awakening. Dalits were completely unorganised and uneducated. They were under the influence and leadership of political parties run by others (other castes). Now most dalits have come out of the clutches of those political parties. They have their own flags; now they are well organised. There is greater awareness. Dalits are confident of protecting themselves from atrocities.

**Can it be described as a dalit backlash?**

Well, we can term it dalit defence.

**You launched the DDKV but have converted it into a political outfit, Puthiya Tamizhagam. What is your political agenda?**

My main political agenda is to bring equality among castes and to form a new social order, in which there is no possibility of exploitation. The social and economic emancipation of dalits, achieved through their political empowerment, is my political agenda.

**Do you think that dalits’ problems can be solved in isolation from the struggles of other oppressed sections of society? Can it be separated from class struggle? You were a marxist earlier in your political career.**

I continue to be a marxist. I believe in class struggle but marxism is not class struggle alone. Dalits’ problems can be solved by none other than dalits. Before going in for class struggle, caste problems should be solved. There should first be emancipation of dalits. To begin with, there should be a fight for equality. Only then can one think of joining hands with other forces. A person belonging to an economically weaker section and a backward caste should first consider as his equal a dalit who is similarly poor. Only unity among equals will be effective and lasting.

**In the recent incidents in Ramanathapuram, apart from dalits, Muslims were also targeted. How would you explain this phenomenon of caste-related incidents getting a communal orientation?**

What happened in Ramanathapuram is neither a caste clash nor a communal clash that originated locally. There are no local issues between the people of the two castes involved. It was a planned attack, organised outside the district and executed in Ramanathapuram district in the name of organising a conference. They attacked dalits and Muslims and also destroyed property
belonging to both... After the formation of Puthiya Tamizhagam, I raised my voice in the assembly in support of the Muslim community and organised more than fifty public meetings against the Prevention of Terrorist Activities Act (POTA). We have a good rapport with Muslims. They have started rallying around Puthiya Tamizhagam. We organised a big conference in Ramanathapuram recently. If dalits, with about 20 percent presence in the state, and Muslims, with a 12–15 percent presence, unite, it can signal the emergence of a formation that will be formidable. Casteist aggressors and hindutva forces saw the Ramanathapuram conference as a warning signal in that respect. The ADMK, which is looking for an opportunity to create conditions under which the law and order situation deteriorates, has joined hands with such forces in Ramanathapuram. Hindutva forces think they can break the unity between dalits and Muslims by attacking Muslim property.

NOTES

1 See footnote on Mudukulathur riots, p. 28 (1 December 1995)
2 Affiliates of the rightwing Hindu outfit Rashtriya Swayamsevak Sangh, ‘Parivar’ refers to the ‘family’ of organisations that owe allegiance to the RSS.
3 Krishnasamy contested on a ticket given by the Janata Party led by Subramanian Swamy.
4 The Nayaka period in south India spans the fourteenth to early seventeenth centuries, starting with the Vijayanagara kingdom.

The roots of caste conflicts

A government committee traces clashes in the southern districts during 1995–97 to a ‘deep-rooted caste system’ which makes dalits its principal victims

1 January 1999

THE perception that recurring caste-related violence in several parts of India is predominantly a manifestation of growing intolerance among sections of the caste-Hindu population to the upward mobility of dalits has been reinforced by a governmental study. The high-level committee constituted by the government of Tamil Nadu on 16 July 1997 “to find out the reasons for the recent caste clashes in the southern districts of the state and to suggest remedial measures to prevent such clashes in future” has sought to get to the root of the pernicious problem. The government, which tabled the committee’s report in the assembly on 23 November, announced that it accepted the conclusions in principle. A Government Order listed twenty-two measures taken on the basis of the recommendations.

The committee, comprising S. Mohan, a former judge of the Supreme Court, K. Lakshmikanth Bharathi, a retired Indian Administrative Service officer, and D. Sundaram, head of the Department of Sociology, University of Madras, had also been asked “to assess whether the Untouchability Act is implemented properly in the state and to suggest measures to avoid practical difficulties in implementing the Act.” (The Protection of Civil Rights Act and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act are collectively referred to here as the Untouchability Act.)
The study related to caste clashes in the districts of Madurai, Thanjai, Virudhunagar, Ramanathapuram, Tirunelveli and Tuticorin during 1995–97. During the period, the six districts reported 672 incidents of caste-related violence, resulting in the death of ninety-five persons, of whom sixty-seven were dalits. The police response to these incidents included twenty-four cases of firing, which claimed forty-nine more lives. Loss of property, both public and private, was estimated at Rs 109 crore.

The committee has succeeded in fairly large measure in identifying the causes, immediate and systemic, of the recurrence of caste violence in these districts. The ‘desecration’ of statues of personalities linked or associated with specific caste groups, the naming, by the government, of districts and transport corporations after such persons, provocative speeches by caste leaders, irresponsible comments by unscrupulous youths, and abusive posters and wall writings have been identified as factors that create ‘precipitating situations’ that ignite and fan caste clashes.

The continued practice of untouchability, the centuries-old segregation of dalits; denial to them of access to public sources of water, temples and burial and cremation grounds; the failure of the development process to fulfil the aspirations of the segregated sections to get into the social mainstream; the lack of political initiatives to resolve local issues, which results in the yielding of space for casteist organisations and individuals to operate in and the absence of industrial development and resultant unemployment, are among the systemic causes for the social tension in the area under study as elsewhere, according to the committee.

The committee says that clashes between various castes have been a regular feature in the southern districts of Tamil Nadu for several decades and it attributes the phenomenon to “long-standing animosity and traditional rivalry among the various castes.” “It is significant,” the committee observes, “that the clashes are not always between two specific castes, but different castes clash at different places.” The committee adds: “It is clear that it is the deep-rooted caste system getting deeper and deeper—each caste aspiring to secure political and social status by rallying all the caste men under its fold—that had led to acute rivalries between the castes.”

The committee explains how certain sections of people doing manual work were treated as inferior castes, labelled ‘untouchables’, forced to live outside the main habitation areas “without access to places of public utility like drinking water resources, schools, temples, burial grounds, etc” and alienated from the rest of the population “in every sphere of activity”. “When attempts were made to change this social set-up, there was resistance leading to clashes,” observes the committee.

The emergence of a section of people whose status was improving as a result of opportunities provided for them “could not be accepted by some people in the higher castes” and “this is one of the major causes of the clashes,” says the committee.

The committee, however, says that although various development programmes uplifted dalits, these did not percolate to the extent of solving the fundamental problem of their isolation from other castes. “Paradoxically,” the committee observes, “these welfare measures have led to consolidation of their isolation, submerging the object of integration.” When attempts are now made to break this centuries-old isolation and steps are taken for the integration of the dalits with the rest of society, these are met with resistance, resulting in conflicts.

The committee says that untouchability, still being practised “in some places openly and in many places in a subtle way,” has been “a source of irritation to the younger sections” of the oppressed people and this is another major cause for caste-related disturbances. The committee is convinced that illicit liquor barons and usurious moneylenders “are fomenting caste clashes using their money power and muscle power.” Describing unemployment as one of the factors responsible for caste clashes, it points out that in April–June 1997, when there were no agricultural operations in the region owing to drought conditions, the unemployed youths were used by caste fanatics. But in October–November 1997, when agricultural operations resumed, thanks to rains, the same youths found little time “to indulge in such activities”. The inadequate number of industrial units that can provide gainful employment to a substantial number of people in the rain-fed, backward southern districts has been highlighted by the committee.
As for the implementation of the Protection of Civil Rights Act and the SC/ST (Prevention of Atrocities) Act, the committee regrets that although the Acts have been in force for some time, they have not been taken serious note of by the administration. Discussing possible steps to counter the challenge from casteist forces, the committee avers that there cannot be a single or simple solution to this complex problem. The situation calls for a multi-pronged approach through social action, economic measures, legislation, electoral reforms and changes in the field of education, all launched simultaneously and with political will. Stressing the need to bring about an attitudinal change among the people, the committee calls for propaganda against untouchability “as has been done in the case of the fight against AIDS.” The creation of social awareness through the holding of processions by students, human chains, prayer meetings, and inter-caste dining has been suggested by the committee.

Another recommendation is that all future housing facilities created through housing schemes be located inside the village proper and made available to all sections of the people. This should help speed up the process of the integration of dalits with the rest of society. The starting of educational institutions on a non-caste basis and multi-caste hostels in the place of separate ones for dalits and Backward Classes has also been recommended by the committee.

Yet another significant recommendation is that the mention of caste should be dispensed with except at the time of admission to professional colleges and while seeking employment and scholarships. The committee has recommended a vigorous drive to set up industries wherever possible. To ensure that the government gets information on happenings in villages, the committee suggests that village-level machinery be created for the purpose. It has also recommended a crackdown on illicit liquor and a replacement of private money lending with alternative credit arrangements.

The committee has made a number of recommendations to improve the quality of the police’s response to caste clashes. Strengthening intelligence, filling up all vacancies in the police force, modernising training programmes, providing advanced weapons and equipment, and sensitising the constabulary and officials to the need to be impartial and unbiased and educating them on civil rights are some of these. The government has promised to act on them.

Although the committee has made a comprehensive analysis of the causes of caste clashes, there are at least two areas to which it has not paid attention. One relates to agrarian relations vis-à-vis the caste system. Another is the composition of the police force, particularly at the constabulary level. The oft-mentioned allegation made by dalit leaders that the force, with the majority of its personnel coming from the ‘oppressor’ castes, is biased against dalits deserves scrutiny by the committee.

Many studies have contended that agrarian relations were the bedrock of the caste system and caste oppression. While the colonial rulers compromised with the landed gentry and did not bring about any change in agrarian and social relations for obvious reasons, successive governments in the post-independence era too did nothing to implement land reforms which could have struck at the root of the caste system.

The government has announced a series of measures in the light of the committee’s recommendations. Apart from instructing the director-general of police to take immediate and impartial action during riots, it has taken steps to strengthen the police force and improve its efficiency. It has decided to give priority to the southern districts in the implementation of its Rs 10-crore scheme to modernise the police machinery. Regular annual increments to the police force and early filling of vacancies, besides the inclusion of civil rights as a subject of study in the police training programme, have been announced. The government has decided to improve the intelligence machinery and utilise the services of revenue officials at the village level for intelligent purposes.

The formation of peace committees at the village level and the constitution of a special court in Madurai to facilitate the speedy trial of cases connected with caste clashes have also been proposed.
A ban on the erection of statues of caste leaders without prior permission, and orders to take stringent action against the casting of provocative posters and the writing of abusive slogans are among the other measures. Officials have been instructed to implement the P CA Act and the SC/ST (Prevention of Atrocities) Act properly. A Rs 1–crore scheme has been planned to create awareness among people about the eradication of untouchability.

The government took nearly a year to table the report in the assembly and act on its recommendations although the committee completed its work in less than six months of making an eighteen-day tour of the affected districts and going through over seven hundred representations, and submitted its well-documented report to the government on 31 January 1998. Had the government acted on the report earlier, its response to the October 1998 incidents in Ramanathapuram (101–105) would perhaps have been much better and the loss in terms of life and property much less.

Rising tensions

Attacks on Dalits are on the rise in some districts though caste-related violence in the southern parts of the state has subsided

29 January 1999

While southern Tamil Nadu has recovered from the shock of caste-related violence in Ramanathapuram district and the consequent tension in Madurai and Sivaganga districts in October 1998, there have been signs of the vexatious problem spreading to other areas in the state. Incidents of atrocities against Dalits were reported in Pudukkottai, Perambalur and Cuddalore districts in November–December 1998, and these portend a possible spread of caste-related tensions to these hitherto relatively peaceful districts.

While three Dalit youths were humiliated at Thirunallur in Pudukkottai district, for having married caste-Hindu girls (120–122), at Ogulur in Perambulur district the Dalits were subjected to police violence reminiscent of the Kodiyanthalam outrage of 1995 (5–11). At Puliyur in Cuddalore district, the Dalits were attacked by their Vanniyar neighbours.

The police raided Ogulur under the pretext of rounding up anti-social elements in view of the perceived threat to peace from certain militant Muslim organisations on 6 December, ‘Babri Masjid Demolition Protest Day’, and from the Viyathalai Siruthaigal (meaning Liberation Panthers, known as the Dalit Panthers of India, DPI), which planned to hold a rally at Cuddalore on the same day defying the ban on rallies on 6 December. Members of the DPI were angry on being denied permission for a third time in four months to hold the rally.
In a massive operation, the police detained hundreds of people. The arrest of Thiruvalluvan, propaganda secretary of the DPI, led to incidents of traffic hold-up and burning of government-owned buses in Cuddalore and adjacent districts, where the DPI now has a significant presence.

Apart from the growth of the DPI, there was another significant political development in the region—a split in the Paattali Makkal Katchi (PMK), a constituent of the Bharatiya Janata Party–led coalition at the centre. The PMK, which was born out of an organisation of vanniyars, who form a substantial percentage of the region’s population, later built bridges with dalits. This helped to bring a truce between the two groups, which had a long history of enmity until the early 1990s. Observers, however, have seen a revival of caste-related tension in the region in recent months with the PMK losing its hold over people belonging to both castes.

On 1 December, about three hundred armed policemen stormed the dalit colony at Ogalur, 85 km north of Tiruchi. They allegedly entered each of the nearly thousand houses there and attacked the residents with lathis, iron rods and other weapons. Even women, children and the aged were not spared. Scores of dalits, all agricultural workers, were injured in the attack. The policemen were said to have abused the residents and caused extensive damage to their belongings. Several houses bore telltale marks of police high-handedness—smashed doors, broken windows, damaged roofs and twisted utensils—when this correspondent visited the village on 21 December.

After running riot for an hour, the police party left the village, taking into custody sixty-nine persons. Of the arrested, thirty-four were women, some with infants and a few others pregnant. Two retired teachers, a serving teacher, a government servant, a young graduate, an engineering college student and some schoolchildren were among those detained. They were later released on bail.

The raid was said to be a sequel to an incident that occurred the previous night. When residents of the colony were watching television in the open, seven plainclothesmen arrived in a private vehicle, presumably to arrest some of them. People ran helter-skelter. (Two days earlier policemen had picked up four dalits who had been sleeping in a temple.) The plainclothesmen, local residents alleged, dragged two girls from a house to the street. Angry youths intervened. Four constables were reportedly injured and their vehicle was damaged in stone-throwing.

Early the next morning the police came in eighteen vehicles. On seeing them, most men in the colony reportedly ran away. Women, children, the aged and the sick bore the brunt of the police attack, which lasted an hour. A young woman suffered a fracture of the hand. A seventy-year-old woman said that she suffered bleeding injuries when hit with an iron rod. A nine-year-old boy received head injuries. Loganayagi, 40, an invalid woman who was expecting her first baby fifteen years after marriage, miscarried, her relatives said. Another resident said that boiling water splashed on her nine-month-old daughter when a policeman kicked a kettle kept on a stove.

The dalits’ quarrel with the caste Hindus over the sharing of a piece of temple land sometime back and an alleged attempt at molestation of a dalit woman by a caste-Hindu of the village, who was said to have been with the policemen during all three visits to the colony, gave another dimension to the police action. The police, however, laughed away the suggestion.

M. Annadurai, an advocate and a dalit living in the colony, said that no government official visited the colony. The dalits, he said, continued to be in a state of fear. The farm workers could not go to work and children could not attend school. A prominent member of the ruling Dravida Munnetra Kazhagam, who spoke on condition of anonymity, said that those arrested were innocent and most of them were PMK workers.

Perambalur collector S. Kosalaraman told Frontline on 22 December that after hearing the version of a study team of People’s Watch, a Madurai-based NGO, he had sent officials of the district administration to the village and was awaiting their report. He would initiate ‘appropriate action’ if the charge of police excesses was found true. The entire episode, he said, had to be seen in the context of the perceived threat to peace on 6 December. Thanks
Dalits in Draavidian Land

118

to the administration's vigil, the day was incident-free, he said. He added that had the people cooperated with the police on 30 November, there would have been no need for the police to return to the village the next day. "This is, however, not to defend police excesses, if any," he added.

The convener of the DPI, R. Thirumavalavan, told *Frontline* that his organisation was not allowed to carry on its legitimate political activities. Hundreds of its members had been arrested, about thirty of them under the Goondas Act, during the last one year. ¹ The police harassed innocent dalits in the name of detaining 'antisocial elements'. Many of the 287 persons arrested in connection with the proposed rally had nothing to do with the DPI. Thirumavalavan complained that the police adopted double standards even in making "preventive arrests". "They seek the help of community elders while arresting nondalits but when it comes to arresting dalits, they see the entire community as suspects and do not spare even elders," he said.

What happened at Puliyur in Cuddalore district on 16 December was but a manifestation of the cruelty with which castes treat dalits. A 300-strong mob of caste Hindus raided the dali settlement surrounded by eight vanniyar-dominated villages, 25 km from Cuddalore, and attacked the residents with sticks and iron rods. About five hundred houses were ransacked and thirteen dalits were injured. Utensils and household articles were damaged. Three sewing machines in a tailoring shop were rendered useless and two shops were damaged. A few families lost all their belongings.

The attack was a sequel to an incident that occurred on the previous day. The funeral procession of a dalit was stopped by a caste Hindu in the vanniyar area when it passed his house. In the melee that followed, the caste-Hindu resident was reportedly assaulted by a dalit, who, it is said, had been slapped a day earlier for smoking in the presence of the former.

NOTES

¹ According to the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders and Slum Grabbers Act, 1982, a 'goonda' is a person who, either by himself or as a member of a gang, habitually commits or attempts to commit or abets the commission of offences punishable under the Indian Penal Code. This Act was used by the DMK government (1996-2001) to arrest hundreds of young, educated dalit men who were sympathisers of the DMK. Several of them, not necessarily DMK workers, were just fifteen years old and studying in their crucial Class X at the time of the arrest. Many were also arrested under the National Security Act.
The price for intermarriage

Three dalits are tonsured, stripped and beaten for marrying nondalits

29 January 1999

Some reformers have suggested inter-caste marriage as a way out of the rigidities of the caste system. Tamil Nadu chief minister M. Karunanidhi and the Dravidian movement to which he belongs have propagated this idea for decades. The state government extends assistance to those who marry outside their caste. However, three dalits in Tamil Nadu were humiliated on 19 November for marrying outside their caste.

The incident at Thirunallur village in Pudukkottai district ignited social tension in this generally peaceful area situated close to Ramanathapuram district where caste-related violence took a heavy toll in October 1998. The humiliation followed a 'judgement' handed down by a twelve-member, all-caste-Hindu oor-panchayat. The youths were stripped, tied to a tree and beaten through one night. Their heads were tonsured, and they were also made to roll around the village temple in the presence of a large gathering which included their kith and kin. The next morning they were asked to leave the village.

The district committee of the Communist Party of India (Marxist) staged a dharna at Pudukkottai on 9 December protesting against the 'injustice done to dalits'. It demanded action against the culprits and payment of compensation to the victims under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. K. Balakrishnan, member of the party's state secretariat, criticised the district administration for its failure to initiate action against the culprits.

On 17 December, the victims narrated their harrowing tale before mediapersons in Chennai. K. Krishnasamy, president, Puthiya Tamizhagam, and a Member of the Legislative Assembly, who organised the press meet, described the incident as "one of the most heinous atrocities against dalits in this century." On 18 December, the government announced that the district administration had initiated legal proceedings and that ten persons had been arrested.

The dalits and caste Hindus of Thirunallur corroborated the victims' version of the incidents. R. Paulraj (24) of Achanayakanpatti, a dalit hamlet of Thirunallur, was brought to the village along with Selvi, belonging to the pandaram caste, on the afternoon of 19 November from Manapparai where Paulraj said he had married her at a temple. Paulraj was tied to a tree, abused and severely beaten by a group of caste Hindus. Soon, the oor-panchayat assembled. Subramani (28) and Arumugam (30), the other two youths, were brought from their houses in the nearby hamlets and produced before the oor-panchayat. Their 'crime' was that they had married caste-Hindu girls, Subramani in 1996 and Arumugam in 1994. The three women belonged to different nondalit castes. The oor-panchayat found all the three youths guilty, allegedly on the ground that their marriages would encourage other dalits to emulate them. It therefore decided to give the three 'exemplary punishment'. First, they were fined heavily, but later the oor-panchayat modified its verdict: it directed that their heads be tonsured and they be made to go round the temple. Selvi was asked to rejoin her parents. Arumugam (with his wife and three children), Subramani (with his wife and child) and Paulraj have been accommodated in a nearby dalit-dominated village, Annavaisal, after being treated in a government hospital for injuries. Puratchikkavi Dasan, a Pudukkottai-based advocate, told Frontline that the police first tried to underplay the incident by registering a case of rioting involving rival dalit groups. However, they had to take cognisance of the atrocities against the dalits after the victims lodged complaints naming the culprits and demanding action under the SC/ST (Prevention of Atrocities) Act. A fact-finding team of the CPI(M) visited the village and presented a petition to the collector.
demanding action. A fresh first information report was filed and a case registered under the Act. Four persons were arrested in the first week of December. Six others surrendered soon afterwards. The court granted bail to the arrested.

The dalits of Thirunallur were in the grip of fear for weeks after the incident. The secretary of the Pudukkottai district committee of the CPI(M), Peri. Kumaravelu, said that the incident was another manifestation of the practice of untouchability in the district. Dalits are discriminated against in tea stalls and places of public utility and denied access to water sources.

Harmandeer Singh, district collector, told Frontline on 21 December that police pickets had been posted and revenue officials told to camp at the village to help restore normalcy. He said that a charge-sheet would be filed the next day under the SC/ST (Prevention of Atrocities) Act and 25 percent of the compensation would be paid soon, as stipulated in the Act. (Later a charge-sheet was filed and compensation paid.) The incident has thrown up some important questions. First, how long can the anachronistic parallel justice delivery system of oor-panchayat, with no legal sanction whatsoever, be allowed to function in the name of tradition in an unequal society? The system can undermine whatever rights the law has given the underprivileged. Secondly, how best can dalits be made aware of their rights and privileges in a society steeped in poverty, inequality and ignorance? Asked why they stood mute witnesses to the humiliation, some dalit representatives of Thirunallur said that any displeasure caused to caste Hindus might lead to the cancellation of the annual temple festival, which in turn will invite the wrath of Mariamman, the village goddess.

Notes
1 A traditional system in villages, in which an assembly of wealthy and influential persons, mostly belonging to the predominant caste group, delivers justice.

The Tirunelveli massacre

Brutal police action against a procession taken out in support of agitating tea estate workers claims 17 lives

13 August 1999

In a reign of terror that lasted half an hour, the Tamil Nadu police enacted a mini-Jallianwala Bagh on the banks of the Thamiraparani in Tirunelveli, 650 km from Chennai, on 23 July. Seventeen persons lost their lives following a brutal police attack on a procession taken out in support of a labour struggle. The victims, who included two women and a child, drowned when they, along with scores of others, ran into the river to escape the lathi blows of the police personnel who descended on them from all directions. (The search for the missing persons continued at the time of writing.) The processionists had marched to the collectorate to demand an early solution to long-pending wage-related disputes in a tea estate at Manjolai in the district and the release of 652 estate workers who had been lodged in jail following a demonstration by them before the same collectorate on 8 June. They also demanded that the state government take over the administration of the tea estate run by the Bombay Burmah Trading Company.

Besides resorting to lathi-charge, the police fired two rounds in the air and indiscriminately used the new weapons in their armoury—stones and bricks. “It is something unheard of, police pelting people with stones,” said S. Balakrishnan, leader of the opposition in the Tamil Nadu assembly. The Tamil Maanil Congress (TMC) leader Balakrishnan led the procession along with K. Krishnasamy, president of Puthiya Tamizhagam (PT), which has spearheaded the estate workers’ agitation for over one year, and the local leaders of the Communist Party of India (Marxist) and the
demanded an inquiry by a High Court judge into the incident. Krishnasamy, who described the police action as "pre-planned and politically motivated," has demanded an inquiry by a Supreme Court judge.

The state government, however, appointed K. Karthikeyan, a retired district judge, as a one-member commission that would inquire into "the incidents near the Tirunelveli Collectorate" and submit its report within three months. Karunanidhi, in a statement, was highly critical of the demonstration. He castigated the leaders of the TMC, without naming them, for joining hands with 'instigators of violence', the reference apparently being to Krishnasamy, whose party has been championing the cause of dalits. In what is interpreted as an attempt to belittle the workers' demands, he stated that all the problems had almost been solved except one that related to 'half a day's wage'. (The workers, on the other hand, demanded that the 50 percent cut in their daily wages, effected by the management for the past four months as penal action, be withdrawn as it ate into their paltry earnings.) Relying on information fed by the district administration, Karunanidhi said that the police only retaliated when the crowd turned violent and threw stones at them.

Balakrishnan has denied this version. He told *Frontline* over telephone from his residence at Paramakudi in Tirunelveli district on 25 July that the police pelted the open jeep that carried the leaders with stones and that a section of the processionists retaliated. He said that the participants had been peaceful all along. Balakrishnan said that the police action appeared to be premeditated and preplanned. The plan, according to him, was perhaps to injure the leaders and put the blame on the workers. "Their strategy, however, did not work," he said.

Balakrishnan said the sordid drama could have been avoided had a senior official from the collectorate met the leaders, six of whom were legislators, and allowed them to meet the collector. Had the police stopped the procession elsewhere, there could have been more exit points for the crowd to disperse. What happened was that the demonstrators were chased and beaten by police personnel who

Communist Party of India. These leaders themselves became the target of the police attack, but party volunteers formed a human shield to protect them. However, V. Palani, district secretary of the CPI(M), received serious head injuries. He was among the fifteen persons injured. (According to CPI(M) sources, Palani was injured in the stone-throwing and lathi-charge. He fell unconscious and a dalit youth, who was also injured in the attack, took him to the hospital with the help of a dalit woman. He regained consciousness after about thirty hours and has been declared out of danger.) Also injured were two mediapersons, Antony Xavier and Ramalingam.

The shocking incident drew instant protests from major political parties in the state. While Krishnasamy and Balakrishnan likened it to the brutal killings at Jallianwala bagh by the British, TMC general secretary Peter Alphonse said that chief minister M. Karunanidhi was going the (former chief minister) Jayalalitha way. "The highhanded police action at Tirunelveli only reminds us of the anti-people stance adopted by Jayalalitha in the last phase of her government," he said. N. Sankaraiah, state secretary of the CPI(M), appealed to all democratic forces to rise as one against the police attack. These leaders and CPI state secretary R. Nallakannu

*Lathi-wielding police chasing the processionists into the Thamiraparani.*
came from all directions. Moreover, there were few senior police officers present on the occasion, which resulted in loss of control over the constabulary.

Here is a detailed eyewitness account of the incident:

Besides the PT, the TMC, the CPI(M) and the CPI, the Tamizhaga Muslim Aikikya Jamaath participated in the agitation. Among those who led the procession were four MLAs—M. Appavu, J.M. Haroon, P. Velthurai and R. Easwaran—besides Balakrishnan and Krishnasamy. About seven hundred personnel drawn from the Swift Action Force (SAF), the men’s and women’s companies of the Tamil Nadu Special Police (TSP), the Striking Force, the Armed Reserve Police and the local police had been posted at various points. Three officers in the rank of superintendent of police (sp), three additional sps and nine deputy sps were also on hand. Shylesh Kumar Yadav, deputy commissioner of police (law and order), along with the Striking Force personnel, walked at the head of the procession, in which an estimated five thousand people participated. The procession was peaceful. All shops in the busy road junction—from where the procession started at around 1 p.m.—remained closed for a few hours.

There are at least five entry points to the collectorate and all of these were sealed by the police in the morning itself. Demonstrations are usually held in front of the main gate. On 23 July, the procession was blocked about 50 metres from the gate. An open jeep carrying the leaders, which was in the middle of the procession, moved to the front on reaching the collectorate. Haroon went up to Shylesh Kumar Yadav and pleaded that the jeep be allowed inside the collectorate so that the leaders could present a petition to the collector. When the discussion was in progress, about 150 persons, who formed the tail of the procession, got down to the river bed (three-fourths of the riverbed was dry), and moved closer to the main gate. They stood behind the police force that was blocking the procession.

These volunteers raised slogans demanding that the leaders be allowed inside the collectorate. The SAF men suddenly swung into action and tried to chase them away using force. Noticing this, another section of the processionists, standing on the riverbed, began throwing stones at the police. Soon the SAF men and the TSP women rushed inside the collectorate and hurled stones at the crowd. As the situation was going out of control, the police once again resorted to lathi-charge and opened two rounds of fire in the air. Shylesh Kumar Yadav and a few other officers were seen calling upon the police personnel to show restraint, but their appeal went unheeded. Hundreds of men and women ran helter-skelter and many of them stepped onto the dry riverbed. Even at this juncture, the stone-throwing continued. Some of the stones hurled by the police hit their own officers.

As the volunteers had fled the scene, the jeep carrying the leaders was abandoned in the middle of the road. Since the SAF and TSP men continued to throw stones, about half a dozen workers of the PT, led by T.S.S. Mani, persuaded the leaders not to leave the jeep and shielded them from a possible attack. One stone hit the driver and he almost lost control of the vehicle. The driver recovered quickly and the vehicle sped away. Just then a stone hit Palani on his head and he was injured.

Even after the jeep left, a large number of lathi-wielding police personnel went onto the dry riverbed as some persons were still hurling stones, and started chasing them. The panic-stricken men and women had no other option but to run towards the river. On seeing the police still pursuing them, they jumped into the water.
The police did not withdraw even at this stage. Some of them jumped into the water and struck the heads of the volunteers with lathis. On seeing women and a few others drowning, some people attempted to rescue them, but they too were not spared by the police. One person who rescued a woman was severely assaulted by a dozen policemen in the very presence of the officers.

Some police personnel managed to reach the opposite bank of the river and continued their attack. Volunteers who had jumped into the river were attacked by the police from both the banks. Ramalingam, Abdul Hameed, Arulraj and Murugan, all mediapersons covering the demonstration, rescued at least four women; but on being challenged by the police, they withdrew. Antony Xavier, who was taking pictures of his colleagues' rescue operation, was assaulted on the riverbed. The police damaged the camera and threw the film roll into the water.

During the operation that lasted thirty-five minutes (2.40 p.m. to 3.15 p.m.), Shylle Kumar Yadav was the only senior officer on the scene. District collector K. Dhanavel later visited the scene. Fire service personnel were summoned and they retrieved three bodies, including the body of jailed estate worker Mariappan's two-year-old son. The body of the child's mother was recovered the next day. Fourteen more bodies were retrieved in the following two days. According to the police, twenty-one police personnel suffered injuries in the stone-throwing. Three of them have been admitted to the hospital.

The collector and T.K. Rajendran, commissioner of police (in-charge), who did not come out of their offices, denied at a press conference that the police opened fire. They said that the police resorted to only lathi-charge and the use of teargas shells. According to top police sources, the SAP, and TSP companies had no proper officers to command them.

Meanwhile, following a discussion the collector had with the chief minister, papers were presented before the court withdrawing the cases against the 652 estate workers lodged in the Tiruchi central prison. All the thirty-nine persons taken into preventive custody in connection with the 23 July procession were released. Reacting to this, Krishnasamy said that the bloodshed could have been avoided had the government acted earlier.

G.K. Moopanar, TMC president, who visited the spot on 25 July, expressed the view that the police action was unwarranted and unprovoked since there appeared to be no evidence of any violence from the side of the processionists. He said that the chief minister, who held additional charge of the home ministry, should accept responsibility for the incident. Significantly, this has been the first time that Moopanar has been critical of the state government after his party snapped its ties with the ruling Dravida Munnetra Kazhagam.

The ghastly incident has thrown up certain questions concerning the DMK government's crisis management system and its approach to issues raised by political parties, trade unions and social groups. The chief minister's statement on the incident raises doubts about the government's seriousness in considering the demands of the demonstrators. While it is essentially a labour dispute involving 2,000 estate workers, an attempt is made to give a caste colour to the demands, simply because Krishnasamy happens to be a dalit leader championing the cause of dalits. The chief minister's statement indirectly questions the wisdom of TMC leaders joining hands with 'casteist elements'.

The administration, which had mobilised the police forces in strength in tune with its approach to caste-related agitations, does not appear to have taken care to provide proper guidance to the police. The number of senior police officers present during the incident was not proportionate to the large presence of the police force at the spot.

Such a policy of deploying the police force on a menacingly large scale whenever oppressed sections seek to exercise their legitimate democratic rights may at times lead to unintended consequences. It has the potential of sending out dangerous signals to social groups that are in conflict with each other, particularly in places where caste-related violence erupts very often, and encourages them to take advantage of a volatile situation.

—with reporting by Syed Muthiah Saqaf
'Pre-planned and politically motivated'

PUTHIYA Tamizhagam president K. Krishnasamy described the police action in Tirunelveli on 23 July as "pre-planned and politically motivated". In a telephone interview to S. Viswanathan from his hotel room in Tirunelveli around midnight on 24 July, he said, in a voice choked with emotion, that it was a wicked attack on a group of people who were peaceful all along. Excerpts:

Could you explain how it all happened?

We had obtained permission from the district administration to take out a procession, stage a demonstration before the Tirunelveli collectorate and present a petition to the district collector on Friday (23 July) on issues relating to a dispute between the workers and the management of the Manjolai estate over the payment of wages and our demand for the release of about 650 estate workers who were arrested during a demonstration more than a month ago. When the head of the procession reached a point about a hundred metres from the gate of the collectorate, the police stopped the processionists. We, the leaders of the participating parties, who included the leader of the opposition in the state assembly (TMC leader S. Balakrishnan) and four other TMC MLAs, besides me, were in an open jeep. The jeep was stopped. We told the police officer that we wanted to present a petition to the collector. Instead of allowing us to proceed, they (the police) began arguing with us. People raised slogans demanding that we be permitted to go into the collectorate. Suddenly, the policemen started attacking them. Even onlookers were attacked. The police pelted them with stones. Simultaneously they resorted to lathi-charge and began shooting in the air. Lathi-charge is generally resorted to in order to disperse a crowd. But there was no way for the crowd to disperse except to run down a slope towards the river. In the face of this three-pronged attack by the police, people started running to the river. The police chased them and beat whoever they could reach. They chased the people into the river and struck them on their heads. If their intention was only to disperse the crowd, why did they lathi-charge people who were dispersing? The police also threw stones at the leaders in the jeep. A stone hit the driver, and he lost his balance. After driving the jeep up to some distance, he abandoned it and disappeared into the crowd.

What, in your perspective, was the reason for police action of such severity?

It appears that the brutal police action was carried out on instructions from people at the top. Perhaps they wanted to create a scene that would be to their advantage politically. Is it fair to chase people into the river and beat them repeatedly so that they cannot escape? All the victims have suffered head injuries. It appears that many persons were beaten to death and thrown into the river.

The chief minister has said that the crowd attempted to enter the collectorate, defying the police barricade, and that that started the trouble.

It was not so. There was no untoward incident all through the procession. No single stone was thrown. The demonstration was entirely peaceful. There was no violence on the part of the processionists.

How then could it have happened?

A person who is not able to tolerate our (Puthiya Tamizhagam's) growth, particularly in the southern districts, has been instrumental in letting this reign of terror loose on innocent people. It was a premeditated and politically motivated attack.

What are your demands now?

What has happened is similar to the incident at Jallianwalabagh. It was a deliberate attack against a trapped people. The chief minister should constitute a commission of inquiry headed by a sitting judge of the Supreme Court, and he should step down. If our charges against the police are proved by the commission, the chief minister should bow out of politics and public life. He has no moral right to hold the post anymore. It is being said that the police are even putting pressure on the fire service to discontinue their search for bodies in the river. I am afraid the postmortem on the bodies is being done in haste, leaving room for manipulation.
The chief minister has said that whenever a solution was sought to end the labour dispute in the Manjolai estate, 'the person' who instigated the workers scuttled it. What is your comment?

It is the government which, instead of taking positive action, is interfering in the dispute between the workers and management in an unhelpful way and creating all sorts of hurdles.

The chief minister claims that the workers arrested in June were told they could be released on personal bail but they refused to go out on bail without their leader's permission.

The workers demand that the cases against them be withdrawn and that they be released unconditionally. What offence did they commit except for demonstrating in front of the collectorate (in the first week of June) demanding wages? The arrested workers, many of them women, have been charged with causing damage to public property.

A consolidation of forces

Political developments following the Tirunelveli massacre point to a consolidation of organisations representing the oppressed sections of society

27 August 1999

A significant consequence of the brutal police action against a procession taken out in support of agitating tea estate workers in Tirunelveli on 23 July, which resulted in the death of seventeen persons (123–132), is a consolidation of the oppressed sections, particularly dalits, in Tamil Nadu. The development is seen as having the potential to bring about substantial changes not only in electoral politics in the state but in the nature of political activism in general and the approach of mainstream political parties to organisations that represent the aspirations of dalits.

More than the fact that eleven of the seventeen victims of the police brutality were dalits and four others were Muslims, it is chief minister M. Karunanidhi's attempt to give caste hues to a labour dispute that has driven the two vulnerable sections to come together. These two sections have been frequent targets of the violence perpetrated by communal and casteist forces and of the repressive police action unleashed under the pretext of maintaining law and order.

The consolidation of dalit groups became strikingly evident on 31 July when several dalit organisations of divergent political persuasions joined the fasts organised in Chennai and other district headquarters in protest against the police action. The fasts were organised by the Tamil Maanila Congress (TMC), the Puthiya Tamizhagam (PT) and the Tamizhaga Muslim Aikikiya Jamaath, which were among the sponsors of the 23 July procession. Among
the leaders of dalit organisations who participated in the fast were moderates such as L. Elayaperumal (a former member of parliament) of the Human Rights Party and Vai. Balasundaram of the Ambedkar Makkal Itakkam, besides the stormy petrels of the dalit movement in the state, Dalit Panthers of India (DPI) president R. Thirumavalavan and PT president K. Krishnasamy, who led the Tirunelveli procession along with the leader of the opposition in the state assembly and TMC leader S. Balakrishnan. In addition, organisations representing Muslims, such as the Indian Union Muslim League (IUML), took part in the fast.

Thirumavalavan, whose DPI (known as Viduthalai Saththaigal in Tamil, literally Liberation Panthers) has significant presence in certain northern districts of the state, announced his support for the TMC-led front, of which the PT, a formidable force in the southern districts, is a key constituent. The DPI’s entry into this front was formalised on 3 August; the same day, two other dalit organisations, the Bahujan Samaj Party and the Republican Party of India (RPI) led by C.K. Tamilarasan, joined the front. The DPI and the RPI had earlier been part of the All India Anna Dravida Munnetra Kazhagam led front.

On an average, dalit accounts for 15 to 20 percent of the population in the thirty-nine Lok Sabha constituencies in Tamil Nadu. The consolidation of dalit organisations is therefore bound to be a crucial factor in the electoral arithmetic. According to political observers, this development will benefit the TMC, which was seen as having been politically isolated in the state after it ended its alliance with the ruling Dravida Munnetra Kazhagam and failed to form an alliance with the Congress(I). Together with the polarised anti-establishment votes of the Muslim minorities, the dalit factor is expected to boost the TMC’s prospects. The dalit organisations, which have together found an ally for the first time in Tamil Nadu politics and are poised to make their biggest impact in the electoral arena, too will benefit in equal measure. Elayaperumal and Thirumavalavan acknowledged TMC president G.K. Moopanar’s efforts in unifying dalit groups in the state.

In his initial reaction to the Tirunelveli incidents, Karunanidhi questioned the wisdom of TMC leaders finding common cause with ‘casteist elements’; he then made another attempt to give a caste colour to the estate workers’ struggle. Rejecting the demand of the TMC, the PT and the Communist Party of India (Marxist) that action be taken against the district collector, the commissioner of police, and other police officials connected with the Tirunelveli incidents pending an inquiry, he said that if he were to take action against these officials, “people belonging to the backward classes” would object to it. “This is a blatant attempt to instigate casteist forces,” said P. Sampath, a member of the state secretariat of the CPI(M). He pointed out a statement issued by Sethurama Pandian, the leader of a Tirunelveli-based caste organisation, which thanked the district administration “for maintaining law and order by curbing violence”.

The statement was prominently published in Tamil newspapers.

Sampath saw in Karunanidhi’s effort to give a caste colour to the incidents an attempt to win the support of the dominant thevar community, a large section of which is believed to back the DMK’s principal rival, the ADMK. The southern districts have witnessed periodic outbursts of violence involving dalits and thevars. Interestingly, ADMK general secretary Jayalalitha’s criticism of the police excesses in Tirunelveli was mild.

Karunanidhi also rejected the demand for a second postmortem on the bodies of the victims. However, he modified his earlier order instituting a judicial inquiry by a retired district judge and announced that justice S. Mohan, a retired judge of the Supreme Court, would conduct the inquiry. The TMC and other parties had demanded an inquiry by a sitting judge of the High Court. (Karunanidhi said that he had consulted Moopanar before making the announcement.)

The chief minister’s announcement was evidently part of an effort to dissuade the TMC–PT combine from organising a protest fast by MLAs and MPs in front of the state secretariat on 28 July. A huge police cordon, which was part of one of the largest mobilisation exercises by the state police, was thrown around the secretariat to thwart the protest. Krishnasamy alleged that he was ‘wrongfully confined’ in his hotel room by a large police presence.
The TMC and its allies subsequently announced that their leaders and party workers would observe a one-day statewide fast on 31 July to condemn the police excesses in Tirunelveli and “the chief minister’s attempt to give a caste colour to the Manjolai workers’ agitation”.

In a joint statement, the leaders of these parties said that the fast was meant to focus people’s attention on the “anti-dalit, anti-minorities and anti-poor stance adopted by the state government.” The leaders criticised the chief minister’s statement that any action taken against the district officials would lead to protests by the Backward Classes; they saw it as an attempt to create bad blood among different castes.

On 30 July, the Communist Party of India and the CPI(M), which had associated themselves with the Tirunelveli procession, held protest demonstrations and meetings all over the state. In Tirunelveli, they held a public meeting after the police denied them permission to take out a procession. In Chennai, demonstrations were held at five centres. CPI(M) leaders alleged that printing presses in Chennai refused to print posters for the party’s protest programme. “Press owners said that they were acting on police instructions,” said T. Nandagopal, secretary of the CPI(M)’s South Chennai unit.

Leaders of the TMC–PT combine went on a nine-hour fast on 31 July to reiterate their demand for action against the officials and a second postmortem of the victims of the police action. Krishnasamy filed a petition in the Madras High Court on 3 August seeking an inquiry into the Tirunelveli incidents by the Central Bureau of Investigation and a second postmortem on the victims’ bodies. The court directed the state government to file its reply.

Moopanar criticised the tendency to brand a particular organisation (meaning the PT) a violent force. He said that he hoped to have a ‘moderating influence’ on the dalit leaders. Krishnasamy declared that he had no faith in violence and sought the cooperation of the leaders of all castes and parties to resolve the Manjolai estate workers’ problems. Observers see the fact that dalits did not retaliate violently following the Tirunelveli atrocities, unlike on similar occasions in the past when they suffered huge losses, and their success in mobilising public opinion in their favour through political means, as a welcome change in dalit politics.

Thirumavalavan told Frontline that the coming together of dalit organisations would help them establish themselves as an organised political force and a force to reckon with. This would go a long way in fulfilling the aspirations of dalits to achieve political recognition and empowerment and to isolate the Dravidian parties, which, he said, had all along used dalits for their political ends.
A bitter harvest

Workers in the tea and coffee plantations at Manjolai press for higher wages and better working conditions, but the management is unyielding.

27 August 1999

The tea and coffee plantations at Manjolai, whose workers have been involved in a year-long struggle against their employers, are situated in the Western Ghats in Ambasamudram taluk in Tirunelveli district. Spread over forestland measuring about 3,500 hectares at altitudes ranging from a hundred metres to 1,800 metres, the plantations are owned by the Bombay Burmah Trading Corporation (formerly the Bombay Burmah Trading Company). They consist of a group of tea estates—Singampatti Group—which is divided into three units: Manjolai estate (three divisions), Manimuthar estate (two divisions) and Oothu estate (two divisions). The three units account for a total workforce of 2,386, of whom 743 are temporary workers. Over 80 percent of the workers are Dalits.

The 133-year-old BBTC entered the plantation business in 1913 and has been at the centre of one controversy or another since the time it acquired the forestland in 1929 on a 99-year lease under certain conditions from the Singampatti zamindar. The company made a down payment of Rs 88 per hectare and agreed to pay an annual rent of Rs 4.32 per hectare. On 19 February 1952, the land was taken over from the ownership of the zamindar and vested with the government under the Madras Estates Abolition Act, 1948. However, the Board of Revenue, in its proceedings of 13 August 1958, stated that although the company was not entitled to any rights in or to remain in possession of the land leased out to it, on or after 19 February 1952, it could continue to use the land subject to certain additional conditions that were deemed necessary in the interest of the public. The conditions, which placed restrictions on the company with respect to clearing forests and selling timber, were modified whenever the need arose. On a number of occasions the company faced charges claiming that it had violated the conditions. A state Forest Department complaint against the company in this regard is pending in the High Court (23 August 1996).

The Singampatti Group is a major exporter of tea; its annual production is eight million kilograms, valued at about Rs 20 crore. The group’s annual coffee production amounts to one million kilograms. In keeping with the growing global awareness about the preservation of the environment, BBTC pioneered the organic cultivation of tea in 1988 at its Oothu estate. Organic tea is grown on 312 hectares with no chemical inputs, fertilisers or pesticides. The black and green organic tea, produced at the group’s factory (with a capacity of one million kg a year), established in 1992, is exported to Japan, the United States, Germany and other European countries. Today BBTC is the world’s single largest producer of organic tea.

Work stoppage in the estates, owing to the strikes and lockouts that have taken place since August 1998, has affected the company’s operations in the last one year and cut into its earnings. Although the strike in the three estates was called by a relatively new political organisation, the Puthiya Tamizhagam (PT), under the banner of its nascent trade union, the Puthiya Tamizhagam Tea Estate Workers Union, it sustained itself for nearly a year with the support of a vast majority of the workforce. It came at a time when discontent among the workers was at its peak: the 2,000 workers were agitated over their ‘deplorable’ living and working conditions and dissatisfied with the existing recognised trade unions. The conditions were ripe for the entry of PT founder-president K. Krishnasamy, who unsuccessfully contested the 1998 Lok Sabha elections from the Tenkasi (reserved) constituency, within which the estates of the Singampatti Group fall.

The main grievance of the Manjolai estate workers relates to the
non-implementaion of the Plantations Labour Act (1951) in its true spirit, says J. Hemachandran, president of the Tamil Nadu unit of the Centre of Indian Trade Unions (CITU) and vice-president of the All India Plantation Workers Federation. He told *Frontline* in Nagercoil on 31 July that the management had failed to provide the workers many of the facilities they were entitled to under the Act. Their houses were not fully fit for occupation; many of them were wet. Clean drinking water was not supplied to them. There were also problems related to medicare and working conditions.

A visit to the estates and interaction with a cross-section of the workers confirmed many of these grievances. Barely 50 percent of the employees had been provided houses, one worker said. “Most of the houses are old and dilapidated, unfit for living during the monsoon,” said another. A woman worker said, “There are cases where five families are forced to live in a single house.” Medical facilities were inadequate, workers complained. Not all of them are provided free medical service. Temporary workers are not eligible for medicare facilities when they are not on duty. Even dependent children above the age of eight are excluded from the scheme. “The medicines are expensive and if we go to the plains for treatment, we do not get full reimbursement,” said a worker. Their complaints to the supervisors have drawn no response. They also complained of favouritism in attending to the workers’ needs.

Most workers expressed displeasure with the four recognised unions, which include unions affiliated to the Indian National Trade Union Congress (INTUC) and the All India Trade Union Congress (AITU). The two other unions, the Labour Progressive Federation and the Anna Thozhirsangha Peravai, are under the control of the Dravida Munnetra Kazhagam, which rules the state, and the All India Anna Dravida Munnetra Kazhagam, respectively. The workers said that the unrecognised union affiliated to the CITU was sensitive to their interests but was too small to wield any influence with the management. (Under the check-off system practised in the estates, the management collects subscriptions for the unions from the workers by recovering the amounts from their salaries; only those unions that subscribe to this arrangement are recognised. The CITU opposes this system on principle and so remains unrecognised.)

The CITU-led Tirunelveli District Estate Workers Union president M. Rajangam said that although the union had not been recognised, its candidates had been elected to the works committees. He said that the powers of these committees were limited; the elected representatives did take up the workers’ grievances with the management but they could do so only up to a certain level. Workers complained that many of their ‘customary rights’—for instance, the right to have kitchen gardens, rear cattle and build small annexes to their houses when their families expanded—had gradually been withdrawn. In addition, the workload had increased over the years in all four plantation operations—plucking, pruning, applying fertilisers, manure and pesticides, and processing.

The revenue divisional officer, who recently investigated a complaint that the Manjolai estate management took an anti-worker stance, reported to the government after a spot inquiry that the management’s attitude was adamant and that there was no give-and-take. The report said that the workers were affected by increased workloads, particularly in pruning. Workers did not have a single shed in the workspace where they could eat their food. As for the redress of grievances, the report said that only those who were close to the management could get things done, for instance in getting houses repaired. It was the prevalence of such conditions that had created discontent among the workers, the report said.

It was in these circumstances, when discontent among the workers was growing, that Krishnasamy, who is also a member of the state assembly, entered the scene. He organised the workers and took up their cause. After two rounds of conciliation talks held at the initiative of the district administration failed, the workers went on strike on 20 August 1998. That day, in violation of a prohibitory order imposed by the government, Krishnasamy led a demonstration to press for the implementation of twenty-one demands; one of the demands was for an increase in the workers’ daily wage from Rs 53 to Rs 150. The charter of demands also alleged that the workers were treated as bonded labour.

Following up on this, about 1,500 estate workers staged a demonstration in front of the district collectorate at Tirunelveli, about 100 km from Manjolai. Since then, it has been a story of
struggles, strikes and lockouts. The management said that the
grievances, particularly the one alleging that workers were treated
as bonded labour, were 'imaginary', and the demand for a threefold
rise in wages was 'unrealistic'. It also contended that wages were
paid under a industry-level statewide bipartite settlement, a
revision of which was due after 1 January 1999. The recognised
unions endorsed the management's views, going so far as to take
out advertisement space in newspapers.

Is the demand for a threefold rise in wage 'unreasonable'?
Hemachandran does not think so. He said that if the government
had in 1956 accepted the recommendation of a tribunal it had
appointed to revise the plantation workers' wages, that a daily wage
of Rs 2.25 linked to the cost of living index be paid, the workers
would now be entitled to a daily wage of Rs 98. But the government
modified the recommendation and fixed the wage at Rs 1.72; it
further did not link the wages to the cost of living index.
Krishnasamy said that a wage hike of the magnitude sought by the
estate workers had not been considered unusual in the case of
government employees, university teachers and employees of public
sector undertakings. He pointed out that the Fifth Pay Commission
of the state government had revised the basic pay of 'office
assistants' from Rs 750 to Rs 2,550.

Krishnasamy followed up on his complaint in respect of the
'bonded labour' status of the workers with the National Human
Rights Commission. Its director-general D.R. Karthikeyan visited
the estate and after a detailed inquiry concluded that there was no
bonded labour; he, however, stated that some of the workers'
genuine grievances needed to be resolved. At his initiative, a
settlement was reached; under this, the issue of a wage hike was to
be decided at state-level tripartite talks. The management agreed
to take action on certain demands relating to amenities and working
conditions. Meanwhile, following an interim arrangement at the
state level, the daily wage was raised to Rs 63.88. Work resumed
in the estates, but trouble erupted soon after, this time over the
working hours. The workers wanted the time they took to walk
from the reporting point to the workplace, which could be 4 km
in some instances, to be included in the working hours. The
management did not agree. The workers on duty at the farthest
workspots cut back on the management-fixed working hours by
about one and a half hours. The management penalised them by
deducting half a day's wages on such days.

This tussle continued for about three months. The workers
struck work demanding the restoration of the cut in their wages.
When they attempted to stage a demonstration before the
Tirunelveli collectorate on 6 and 7 June, over six hundred of them
were arrested and sent to the Tiruchi jail. It was to demand their
release that the 23 July procession in Tirunelveli, which resulted
in the death of seventeen persons following the brutal police action,
was held.

In Hemachandran's view, the Manjolai estates' problems became
unmanageable only because of the non-implementation of the
provisions in the Plantations Labour Act, 1951, relating to workers'
welfare, in their true spirit, and the management's failure to evolve
a grievance-redressal machinery and an inspection mechanism. He
said that even the provision relating to the appointment of labour
welfare officers had not been implemented.

On 26 July, the estate workers who were arrested on 6 and 7
June were released; with this, the dispute relating to the wage cut
appears to be the only unresolved problem for now. Hemachandran
said that at the state-level negotiations on a revision of wages for
plantation workers held in June 1999, the unions had demanded
the fixation of monthly wages. The employers' representatives had
sought time to consult their trade organisations.

While the strike continues, about four hundred of the 2,000
workers are reporting for work. Most of the workers who
participated in the 23 July procession and bore the brunt of the
police brutality are yet to return to the estates. Some of them are
staying as guests in Arockiyamathapuram, a dalit hamlet about 10
km from Tirunelveli, partaking of food prepared in a common
open-air kitchen with the support of the local people. Although
several of them have suffered injuries or lost their close relatives
in the police repression, they are determined to continue their
struggle.
Curbing franchise

*Even in a reserved constituency, dalits are denied the right to vote*

8 October 1999

WHEN a dalit panchayat president and five of his dalit associates were massacred in Madurai district in July 1997, Tamil Nadu chief minister M. Karunanidhi criticised the caste-Hindu intolerance of the political empowerment of dalits (84). Two years later, on 5 September, a large number of dalits were prevented from exercising their franchise and those who dared to vote were beaten up and their houses set afire. Strangely, this happened in the Chidambaram parliamentary constituency, one of the seven constituencies reserved for the Scheduled Castes in Tamil Nadu.

A significant feature of the 1999 Lok Sabha elections in the state is the consolidation of dalits and the attempts by some of their organisations, which fight for their empowerment, to join the political mainstream. Branded variously as 'terrorists', 'disruptive forces' or 'antisocial elements' by parties which depend on caste-based political mobilisation, these organisations seem to have realised the futility of fighting in isolation and have started showing greater interest in electoral politics. Most of them perceive the Dravidian parties as 'not friendly' towards dalits, and the Bharatiya Janata Party as a party of an oppressive order. The decision of the Tamil Maanila Congress (TMC) to steer clear of both the fronts in the state, one led by the ruling Dravida Munnetra Kazhagam and the other by the All India Anna Dravida Munnetra Kazhagam, gave these organisations the political space they needed.

The death of eleven dalits (along with six others) in a police attack on a procession of striking tea estate workers at Tirunelveli on 22 July united the dalit organisations and paved the way for their entry into the front led by the TMC. With a minimum of 15 to 20 percent dalit presence in almost all the constituencies in the state, the move was seen as having the potential to tilt the electoral balance (133–137). As expected, the development caused resentment among some of the mainstream parties, which depend on the support of certain castes that are seen by dalits as being inimical to them.

The resentment over dalit consolidation appeared to be more pronounced in areas which have a substantial dalit presence and which have witnessed frequent caste-related violence. With a 35 percent dalit share in the electorate, the Chidambaram (reserved) constituency is one such vulnerable area. In this constituency, the Vanniyar caste forms a substantial chunk of the population. Vanniyars, who figure in the Most Backward Class list, occupy a position slightly above dalits in the social ladder; the economic status of a majority of vanniyars is no better than that of dalits.

The two sections had been fighting each other until a few years ago. The founder of the Paattali Makkal Katchi (PMK), S. Ramadoss, built bridges between the two when he converted his Vanniyar Sangam into a political party in 1989. Although there were sporadic incidents, peace prevailed even when the southern districts were rocked by caste-related violence. This unity, which helped Ramadoss build his political base in about six parliamentary constituencies, was shaken a year ago when differences surfaced over the functioning of the PMK general secretary and former union minister for social welfare, Dalit Ezhimalai. Ezhimalai left the party and joined the AIADMK on the eve of the elections, when he was denied the party ticket to seek re-election from Chidambaram.

Under these circumstances, the elections in Chidambaram assumed significance. It was a high-stakes contest for the PMK, as its candidate P. Ponnusamy was to take on the Dalit Panthers of India convenor R. Thirumavalavan, who is popular among dalits. The DPI is part of the TMC-led front. The situation was tense right from the day of filing nominations. Leaders from both sides reportedly made provocative speeches.
The belonging of a dalit village in Thatharkuppam, Coimbatore district, reduced to ashes; a fire-ravaged dalit colony (right). Large-scale violence by vanniyars prevented the dalits from exercising their franchise in the Lok Sabha poll on 3 September 1999.

The hectic campaign was expected to result in an unprecedented dalit turnout on polling day. Vanniyars appeared equally determined to face the challenge. It is not, therefore, surprising that the no-holds-barred electioneering culminated in large-scale violence on election day. Dalits said that they were prevented from voting, and when they resisted, violence was unleashed on them. Their houses were burnt and property damaged. They alleged that impersonation and bogus voting were carried out in a number of polling stations. In areas with a higher concentration of dalits, the vanniyars complained that they were prevented from voting by the dalits. Their houses were allegedly torched by the dalits.

Since dalits, who are mostly agricultural workers, could not turn up during the morning hours, nondalits came in large numbers to vote. The polling agents of Thirumavalavan were terrorised, beaten and driven out. Dalit voters standing in the queues were intimidated. In the absence of polling agents it became easier for miscreants to manipulate the polling. In certain areas, the vanniyars trooped into the booths, jumped the queues, and voted. The pattern was similar in about fifty villages. Even in an urban booth in Neyveli township (that houses employees of the Neyveli Lignite Corporation), a polling agent complained of malpractices. He said the time-consuming process of challenging a vote deterred the agents from lodging complaints.

In a statement issued on 6 September, the TMC accused the DMK and the PMK of keeping the administration and the election machinery under their command, taking full control of the booths and preventing dalits from exercising their franchise. The DMK-PMK combine made a mockery of parliamentary democracy by ‘imprisoning’ dalits in their homes, the TMC said, and urged the Election Commission (EC) to order a repoll in fifty booths under the supervision of its observers.

Chief electoral officer Naresh Gupta turned down the demand. "We do not find any prima facie case," he said. According to him, the district collector and the returning officer had reported to him that there were some caste-related clashes in the constituency but that these did not affect the electoral process. On 6 September,
polling day, there were more incidents of violence involving dalits and vanniyars in many areas of the constituency. Over a hundred houses were reportedly burnt. The police fired in the air to disperse clashing groups at Ambalapuram, near Bhuvanagiri.

On 12 September, Thirumavalavan went on a fast in Chennai to press for a repoll in certain booths; he wound it up in the evening, responding to an appeal from Moopanar, who expressed solidarity with the dalit leader and said that malpractices did take place in Chidambaram. Thirumavalavan told *Frontline* that they would also demand that the EC send investigators to identify the polling stations where repoll would have to be ordered and arrange for the despatch of central police forces at the time of counting. He said that the authorities had not acted on a petition he had given on 2 September listing about 125 booths where he had feared possible malpractices and violence. He also demanded speedy relief measures in the affected areas.

A week after the incidents, the affected areas were still tense. Lenin Nagar colony in Thiravall, where almost all the houses had been burnt, looked forsaken. Only one resident was found there along with two policemen. The people who had fled for their lives were staying in a dalit colony across the river that borders the village. At Anukkampattu, the dazed people declined to speak. A youth who served as a polling agent refused to talk as policemen were around. At another dalit village, only the women remained; the men had had to seek shelter elsewhere. People in the affected areas said the cash relief of Rs 1,000 was inadequate for their immediate needs.

At Alampakkam and Anayampettai, the vanniyars said that they were prevented from voting by the dalit majority. A number of vanniyar families have lost property in arson. Apart from houses, about two thousand ducks were scorched in Anayampettai. Although the police and the district administration failed to take preventive measures, they were able to contain the trouble. Police patrols were seen in several places and fire service vehicles were kept in readiness. Of the 504 persons arrested in connection with the incidents, 400 are dalits. Nearly sixty dalits and vanniyars who were injured in the clashes were admitted to the Cuddalore General Hospital.

A. Devanathan, member of the PMK politburo, agreed with the collector's perception that a repoll was unwarranted. Fact-finding teams sent by People's Watch, a Madurai-based human rights organisation, and the Tamil Nadu and Pondicherry units of the People's Union for Civil Liberties (PUCL), however, concluded that dalits were prevented from voting in more than twenty-five villages and wanted the EC to ensure their right to vote. K. Balakrishnan, member, state secretariat of the Communist Party of India (Marxist), who headed a study team that visited the areas, said that in a large number of villages, dalits were prevented from voting and there was large-scale rigging. Dalits who defied the threats were attacked. PUCL state president D. Ravikumar said that if dalits could not exercise their right to vote even in a reserved constituency there was the danger of these hapless people losing faith in the political system itself.
Documentary evidence

The government clamps down on a film on the Thamiraparani massacre

19 November 1999

A documentary on the death of seventeen persons in Tirunelveli on 23 July 1999 following police action against a procession of tea garden workers has once again brought to the fore the disturbing questions surrounding the event (123–143). If the gripping documentary in video format, titled Oru Nadhiyin Maranam (The Death of a River), highlighted the brutalities perpetrated by a section of the police force, the Tamil Nadu government’s angry response to its being screened for an invited audience in Chennai on 10 October has raised issues concerning the freedom of expression and the right to information.

On 23 July, the police descended on the procession, taken out to press wage-related demands of workers of the Manjolai tea estate in Tirunelveli district, beat its participants with lathis and chased them into the Thamiraparani river. Seventeen persons, including two women and a child, were killed. The government contended that they had ‘drowned’ in the river; the postmortem reports also recorded ‘deaths due to drowning’. Political parties and human rights organisations, however, alleged that the deaths occurred owing to police excesses. The government ordered an inquiry by justice S. Mohan, a retired judge of the Supreme Court. The inquiry commission has in three sittings received about three hundred affidavits, half of them from the police.

The documentary has enough in it to counter the government’s version. It includes footage from Nila TV, a Tamil satellite channel that is now defunct, interviews with the injured, poignant narratives by victims’ relatives, and eyewitness accounts by processionists and their leaders.

A day after the screening, T.S.S. Mani, whose name figures in the credit titles of the film, was arrested in his residence in Chennai and produced before a magistrate. He was remanded in custody for fifteen days. R.R. Srinivasan, who directed and produced the film for the Kanchanai Film Society, Tirunelveli, obtained anticipatory bail from the Madras High Court. According to the first information report (FIR) filed by the police, the two persons, along with the manager of a theatre complex in which the film was screened, have committed offences under various sections of the Cinematograph Act, the Tamil Nadu Exhibition of Films on Television through Video Cassette Recorders and Cable Television Network (Regulation) Act, 1984, and the Indian Penal Code. The FIR stated that the documentary had no censorship clearance, was exhibited without a licence and contained scenes that “intended inducing caste hatred affecting public tranquillity”.

The police action was condemned by the Tamil Nadu Progressive Writers Association, the Tamil Nadu and Pondicherry unit of the People’s Union for Civil Liberties (PUCL), human rights activists, writers and mediapersons. They said that it showed the “extreme intolerance of the state machinery and its attempt at muffling the voice of democracy.” FV. Bakhthavatsalam, advocate and president of the Organisation for Civil and Democratic Rights, said that no government permission was needed to screen video documentaries. Srinivasan said that it was a private screening arranged by film societies, including the Kanchanai Film Society.
Denial of employment

A state which pioneered the reservation system systematically denies the quota due to SCs and STs

26 November 1999

EVEN fifty years after its introduction, the statutory reservation for the Scheduled Castes (SCs) and the Scheduled Tribes (STs) in the government services has not improved to any significant extent the status of these oppressed sections of Indian society. The experience of Tamil Nadu, which has a history of struggles against caste-based discrimination dating back to pre-independence days, is a case in point. Dalit organisations in the state often complain that the provision is implemented in a half-hearted manner and that the representation of the SCs and the STs in the government services falls short of the levels (18 percent and 1 percent respectively) fixed on the basis of their share in the state’s population.

For the first time, a committee appointed by the state government has gone into various aspects of reservation for the SCs and the STs. After a detailed study of the data it collected, the committee has concluded that the SCs and the STs do not have due representation in government services. The committee has identified the reasons for this and recommended measures for the effective implementation of the reservation provision.

The study has brought into focus the indifference of successive administrations to the task of ensuring that the benefits of the statutory provision reached the underprivileged. For instance, although the Constitution provides for ‘due’ representation for the SCs and the STs in government services, it took years to determine the quotas for the two sections. In the bureaucracy’s reckoning, the interests of the existing administrative pattern and the existing staff take precedence over the constitutional right of the SCs and the STs. No department has evolved a foolproof system for the proper implementation of reservation. No study has been made on whether, in a multi-stage administrative system, reservation at the entry point alone can ensure due representation for these sections in subsequent stages as well.

According to the study, the 1989 and 1993 Government Orders (Gos) for special appointments, issued in an attempt to clear the backlog of vacancies reserved for the SCs and STs, have not been enforced in a fair manner. At least three state GOs and two central government directives on the subject have been ignored by the majority of departments. Of these, state GO 1352, dated 27 July 1989, prohibited the administration from shifting unfilled vacancies that were allotted to the SCs and the STs to the ‘open competition’ pool; it ordered a special recruitment drive to fill these vacancies. While GO 167, dated 20 July 1993, called for a special recruitment drive a second time around in order to clear the backlog, the GO dated 3 November 1993 directed heads of departments, chief executive officers of public undertakings and heads of universities to send annual reports to the Department of Adi Dravida and Tribal People’s Welfare on the implementation of the reservation system for SCs and STs. The administration also ignored two central GOS, one of which dates back to 1952 and relates to vacancies that come under the ‘single posts’ category and vacancies that are small in number. The order suggested that in such cases, vacancies of similar grades should be grouped together for the purpose of reservation. A 1984 GO directed that if qualified hands were not available among the SC and ST candidates, some of the prescribed qualifications may be relaxed if the candidates were otherwise found suitable. This too was ignored.

The study has identified more than fifteen departments and posts reserved for the SCs and the STs that remain unfilled. The departments include Collegiate Education (posts of principal, professor and lecturer), Technical Education (principal, heads of departments and lecturers), Social Welfare (civil assistant surgeons, siddha practitioners), the state Secretariat (secretaries of different
categories, personal assistants, private secretaries), Revenue (deputy collectors) and universities (professors and readers).

Even the go that requires each department to furnish the Director of Adi Dravidal and Tribal People’s Welfare with particulars pertaining to sc and st employees every year has often been flouted. A reminder from the chief secretary and the appointment of a monitoring committee by the government, however, has improved the situation.

The level of representation of the scs falls short of their quota in Category A, the highest in terms of salary and perks, and is, unsurprisingly, slightly above the 18 percent mark in Category D, the lowest. In the case of the stps, the situation is worse—their representation is less than the stipulated 1 percent.

The study has been hampered by the failure of certain departments—such as the Department of Education and institutions such as aided schools and colleges and local bodies, which together account for over seven lakh posts representing about 50 percent of the total number of jobs in public services—to send in particulars. Of the 141 government departments, thirty-six did not provide particulars.

The study reveals how the provision that reservation is applicable only to direct appointment could rob dalits of their legitimate share in the government services. The administration either finds ingenious ways to circumvent existing rules or frames new rules to manipulate direct appointments by limiting them to ‘substantive vacancies’. Even in the case of posts meant for direct appointment, vacancies are sometimes filled through promotion. The appointment of temporary or daily-wage employees and the regularisation of their services later has been a way to bypass reservation. Filling vacancies with personnel on deputation is yet another means. All this shows how constitutional rights and directive principles are sabotaged by the use of flimsy service rules and regulations. The study has found no justification for the general impression that the posts reserved for the scs and the stps remain unfilled for want of qualified candidates, except perhaps in the case of some high-level posts. For instance, there are 2,459 engineering graduates belonging to the scs on the live registers of the state’s employment exchanges. Nothing could be farther from the truth than the claim that there have been no sc applicants for the posts of police constables, for which the minimum qualification is a pass in the tenth standard. No proper study has been made of the availability or otherwise of suitable candidates.

Special recruitment drives, detailed advertisements for jobs, reservation in the matter of promotions, direct appointment to additional posts, and an amendment to the provision that reservation is applicable only to groups of ten vacancies are some of the suggestions that have emerged from the study to clear the backlog of unfilled vacancies. Other suggestions call for direct appointment to a minimum of 50 percent of the posts and continued monitoring of the reservation system.

What the exhaustive exercise undertaken by the government-appointed committee has sought to drive home is the fact that no amount of legislative measures and executive orders can put an end to discrimination against the weaker sections and correct centuries-old distortions and imbalances unless they are backed by the political will to beat back resistance from vested interests in an ‘upper’ caste-dominated bureaucracy.
A contentious report

A commission of inquiry that probed caste-related violence justifies the police firing and recommends the abolition of 'concessions' to socially deprived sections

24 December 1999

ON 23 November, at the end of a session of the Tamil Nadu assembly, the Dravida Munnetra Kazhagam government headed by M. Karunanidhi tabled the report of a judicial inquiry commission that had been lying with the government for nearly four years. The report of the Gomathinayagam Commission of Inquiry, appointed in September 1995 to probe the incidents of caste-related violence in the two southern districts of Tirunelveli and Tuticorin in July and August 1995, was submitted in March 1996 to the All India Anna Dravida Munnetra Kazhagam government headed by Jayalalitha.

The commission held that the police firing in three places in the districts was 'fully justified' and that there was 'no excess' in the police action at the all-dalit Koodiyankulam village in Tuticorin district on 31 August 1995.

The report drew flak from the political parties representing dalits, who were the victims of the police outrage at Koodiyankulam (20 October 1995), and from the Communist Party of India, the Communist Party of India (Marxist), the Tamizhaga Rajiv Congress and the Dravidar Kazhagam.

Two of the five terms of reference of the commission were of a general nature: to report on the circumstances that led to the incidents and to recommend preventive measures. Others were more specific: 'to inquire into and report whether in the police action in Koodiyankulam village of Ottapidaram taluk on 31 August 1995 there was any excess on the part of the police and the district administration and, if so, to give details of excesses and identify the errant police and other officials'; to find out whether the incidents of police firing at Sivagiri on 30 July 1995, Singathakurichi on 25 August 1995 and Koodiyankulam on 31 August 1995 were justified; and to make recommendations on the payment of compensation to the victims.

The principal issue therefore related to the brutal attack on the dalits of Koodiyankulam on 31 August by a 600-strong police force, which gave a new dimension to the caste-related clashes that had rocked the two districts for over a month. The clashes, between sections of dalits and of people belonging to the predominant thevar caste, were triggered by an altercation between a bus driver and a student at a village in Tirunelveli district in July 1995. Following the disfigurement of a statue of U. Muthuramalinga Thevar, a nationalist and a leader revered by thevards, the clash spread to the neighbouring Tuticorin district.

Eighteen persons from among thevards and dalits were killed and property worth lakhs of rupees was lost in the violence. In Tirunelveli district, where the thevards are larger in number and financially more sound, the dalits were the worst hit; in Tuticorin district, the thevards, being the minority in a number of villages, suffered the most in terms of human life and property. In both the districts, however, the dalits suffered the most at the hands of the police (26–28).

The police action at Koodiyankulam was ostensibly aimed at arresting certain suspects in a murder case and seizing explosive materials and lethal weapons believed to be in the possession of the dalits. Observers, however, said that the police suspected that the people of this relatively affluent all-dalit village (some of whose relatives were employed in the Gulf countries) provided moral and material support to miscreants in the surrounding area. The purpose of the four-hour-long police operation, according to observers, was to destroy the economic base of the village. Several villagers told visiting mediapersons that they had been brutally attacked by the policemen. Media reports, backed by photographic evidence, spoke
of extensive damage to houses and a government-run fair price shop, and the destruction of household articles such as television sets, sewing machines and bicycles, besides tractors and lorries. There were also charges that the raid party poured diesel and pesticides into the public well in order to render it unusable. (The High Court had, in response to a petition, directed the district administration to ensure the supply of drinking water to the village.)

That the dalits had lost faith in the police and the district administration was clear from a writ petition filed in the Madras High Court by the Devendra Kula Vellalar Federation (which evolved into Puthiya Tamizhagam, a political party) led by K. Krishnasamy. It sought an inquiry into the incidents by a central agency and sought legal proceedings under the Indian Penal Code and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the district collector, the superintendent of police and others responsible for the attack on the dalits. (On the orders of the High Court, the Central Bureau of Investigation is inquiring into the incident. P. Sampath, member, state secretariat of the CPI(M) and one of the petitioners seeking a CBI inquiry, told *Frontline* on 4 December that he would move the court again to get the inquiry expedited. Sampath was among the first political leaders to visit the affected village, as secretary of the district unit of the party.)

The Jayalalitha government denied that police excesses had been committed at Kodiyanthalam. Director-general of police V. Vaikunth visited the village on 5 September 1995 and, on the basis of what he saw, sent a report to chief minister Jayalalitha. A three-member team of ministers sent by Jayalalitha met with hostility at Kodiyanthalam. The government ordered the payment of about Rs 17 lakh as relief assistance to the victims and appointed P. Gomathinayagam, a retired district judge, to the one-member commission of inquiry.

The commission submitted its report to the government on 12 March 1996. Dalits from Kodiyanthalam and other villages boycotted the inquiry since the Devendra Kula Vellalar Federation had moved the High Court seeking a CBI inquiry. The commission examined twenty-six witnesses from the government, mostly police officials, including the superintendent of police, and 133 public witnesses. (Curiously, it did not summon Vaikunth to depose.) With dalits boycotting the commission, most of the public witnesses belonged to the other caste involved in the incidents, the thevars.

About the Kodiyanthalam incident, the commission observed, “There is not an iota of evidence to conclude that there was police excess.” It, however, said that the police action “did not happen in the manner as told by the police and other officials.” The commission agreed with advocate P. Ganapathy Subramanian, who represented the Communist Party of India before the commission, that there were incongruities and discrepancies in the police version of the ‘combing operations’. The commission referred to the lack of any explanation from the police regarding two missing shells and said “this also throws some doubt” upon the police operation. It took note of the failure of the police to produce the register showing the movement of police vehicles, which could have thrown light on the duration of the operation.

The commission did not believe that the purpose of the combing operations was to destroy the economic base of the affluent dalits of Kodiyanthalam. It said: “Much was said about their affluence but there is no material to support this.”

According to the commission, the copy of the complaint lodged with the Maniyachi police station by a resident of Kodiyanthalam on behalf of the residents, ‘the one important piece of evidence’, speaks only of damage to houses, not to household articles. The commission said that during a ‘local inspection’ of Kodiyanthalam, some houses were found to be damaged. “There is practically no explanation for this and at the same time there is not a shred of evidence to conclude that the police were responsible for the damage to some houses at Kodiyanthalam,” the commission said.

Judge Gomathinayagam visited the affected villages. At Kodiyanthalam he could see only one house and a well and had to cut short his visit when the people told him that they were boycotting the commission. The commission concluded that the police firing in Kodiyanthalam and in the other two places was ‘fully
justified'. Stating that the genesis of the trouble (an incident at Veerasigaman village on 15 July 1995, when some students took a bus driver’s scolding them 'for obstructing the free movement of the bus' as an insult) was 'non-communal', the commission observed that the incidents that followed could not be described as 'communal clashes'.

The government took on record the commission’s finding that the term ‘communal clash’ was a misnomer when used with reference to the incidents, and accepted the recommendations with regard to the other terms of reference. (Interestingly, the DMK had in 1995 criticised the police action in Kodiyanur, and even used it as a campaign issue in the 1996 assembly elections.) In its report accompanying the findings, the government said that it had decided to examine the specific recommendations made by the commission to ensure public peace and prevent the recurrence of such incidents. The recommendations included a total ban on the erection of statues in public places and plans to eradicate illiteracy.

The Puthiya Tamizhagam, the Viduthalai Siruthaigal (Dalit Panthers of India), the two Communist parties and the Dravidar Kazhagam have taken strong objection to, among other things, the commission’s recommendation that “all concessions to any community, whatsoever, may be abolished forthwith.” CPI(M) state secretary N. Sankaraiah said that any such move would do great harm to the people belonging to the Scheduled Castes and the Backward Classes. The government should, in fact, implement the reservation policy with earnestness and clear the backlog.

Both Sankaraiah and Krishnasamy felt that the assembly ought to have been provided an opportunity to discuss the report. Krishnasamy said that dalits could not be expected to give up their hard-won claims to the concessions guaranteed by the Constitution. Viduthalai Siruthaigal president R. Thirumavalavan said that such recommendations only betrayed a lack of understanding of the social dynamics and the history of the evolution of the concept of social justice.

CPI state secretary R. Nallakannu, who rejected the report outright, wondered why the commission, which held that the incidents were not caste-related, thought it necessary to suggest steps to avert caste-related clashes. Krishnasamy said that a government note accompanying the report contained the names of 126 persons belonging to Kodiyanur, and the amount of compensation paid to each on account of loss of property. If the police had not caused damage to their property, who else did, he asked. “It is an all-dalit village and people from no other caste lived there. So, the question remains,” Krishnasamy said.

‘An inhuman act by the police’

“NEVER in my career spanning over thirty years have I witnessed such a totally inhuman act on the part of my own police.” This was how former director-general of police V. Vaikunth described the plight of the people of Kodiyanur following a massive police rampage in the village on 31 August 1995. As the then police chief, he visited the affected village on 5 September and saw for himself the ‘mindless violence’ of the policemen. Now retired, Vaikunth became emotional when he recounted what he saw in Kodiyanur in an interview to S. Viswanathan. “Even now, after four years, it makes me sad and anguished when I recall the wailing and weeping of the hapless dalits,” he said. Excerpts:

The report of the Gomathinayagam Commission has ruled out any police excesses in Kodiyanur in 1995. It is a matter of public knowledge, and there were media reports at that time, that you, as DGP, visited the village and found to your shock that the police had indulged in ‘mindless violence’ against the dalits of the village. There were also reports that you sent a note to chief minister Jayalalitha. A writ petition was filed before the High Court seeking a direction for the release of the report. Can you please enlighten the public on this sensitive issue?

It is true that as DGP I received a series of complaints that the police had allegedly gone on the rampage in the village, against the dalits. There were even writ petitions in the High Court, besides
representations to the National Human Rights Commission, alleging police high-handedness. Political parties also raised a furor over the issue. The background to the alleged police violence at Kodyankulam related to caste clashes which rocked Tirunelveli and Tuticorin districts during that period.

It is in this context that I visited the village on 5 September 1995 to find out the truth for myself. En route to Kodyankulam, I also visited a number of villages which had witnessed caste clashes. There were attempts to dissuade me from going to Kodyankulam. I could sense that the people of the village were very annoyed with the police in general, but when they came to know of my visit, the village elders came to the outskirts and received me. That was a reflection of the confidence I had created among the public about my impartiality and neutrality during my service as the superintendent of police in the composite Tirunelveli district (in the 1970s).

What I saw at Kodyankulam that day was heartrending. The police had gone berserk in the name of repulsing an imaginary attack on them by the villagers. The policemen had reportedly gone to the village to secure an accused involved in the murder of a person belonging to a predominant caste in the region. They had indulged in mindless violence against the hapless dalits of the village—men, women and children. The police had ransacked their houses, damaged their television sets, ripped open the rice bags and thrown the rice on the streets. Worse and more inhuman was their act of pouring diesel in the drinking water well. The police had also torn to pieces the university degree certificates of the boys and girls of the village. The villagers started wailing and weeping and what I witnessed shook me to the bones. Never in my career spanning over thirty years have I witnessed such a totally inhuman act on the part of my own police. I believed every one of the villagers when they explained what had happened, because I saw for myself the bitter trail of police violence. But then I wanted to convince myself of the truth. So I called the SP who had accompanied me, took him aside and asked him under the shade of a tree in the village to come out with the truth. In the presence of the deputy inspector-general of police of the range, the SP admitted to all that had happened.

No respite for Cuddalore dalits

Dalits in several villages in Cuddalore face violent attacks and an economic boycott by caste Hindus; the administration fails to provide security to the oppressed

21 January 2000

LARGE sections of dalits in the Chidambaram (reserved) parliamentary constituency in Tamil Nadu, who were victims of election-related violence in September 1999, are still in a state of shock, more than three months after the incidents. Dalits account for 35 percent of the electorate in the constituency. Several dalits complained that they were prevented from voting on 5 September by members of the caste-Hindu vanniyar community and that those who did vote, but not the way the vanniyars wanted them to vote, were attacked and their houses set ablaze (144-149).

Fact-finding teams sent by human rights organisations such as Madurai-based People’s Watch, People’s Union for Civil Liberties, Tamil Nadu–Pondicherry, and the Tamil Nadu unit of Independent Initiative reported that dalits had been prevented from voting in more than twenty-five villages.

There were also complaints of large-scale rigging in favour of the Dravida Munnetra Kazhagam–Bharatiya Janata Party combine. The efforts of one of the unsuccessful candidates, Dalit Panthers of India (dpi) convener R. Thirumavalavan, to get a repoll ordered failed. (He had presented memorandums to the president of India and to the chief election commissioner, pleading for a repoll.) Thirumavalavan, whose organisation had boycotted earlier elections, contested the 5 September elections in alliance with the Tamil Maanila Congress (TMC). Although he lost the election, he secured over 2.26 lakh votes; the winning candidate, E. Ponnuswamy of the
Paattali Makkal Katchi (PMK), an ally of the DMK-BJP combine, secured 3.45 lakh votes. (Ponnuswamy is now a minister of state in the Atal Behari Vajpayee government.)

Days after the results were announced, when Thirumavalavan and ten other dalit leaders announced their intention to visit the constituency “to thank the voters and console the dalit victims of oppression”, the Cuddalore district administration banned their visit on the grounds that it might lead to breach of peace. Dalit leaders, backed by all the major non-DMK political parties in the state, such as the All India Anna Dravida Munnetra Kazhagam, the Congress(I), the Communist Party of India (Marxist) and the Communist Party of India, besides the TMC, protested and appealed to governor M. Fathima Beevi to revoke the ban order, which was valid for two months from 14 October. However, nothing came of it. Thirumavalavan visited Cuddalore, the district headquarters, on 23 December, and no untoward incident was reported. The Madras High Court had on 7 December quashed the ban order, after Thirumavalavan had given an undertaking that he would do nothing that could cause breach of peace.

Meanwhile, there were reports of continued violence against dalits in the constituency. About five hundred houses were set ablaze and hundreds of dalits rendered homeless in several villages. There were also attacks on dalits who were perceived to be supporters of Thirumavalavan. In one such incident, at Omakkulam, on the outskirts of the temple town of Chidambaram, two dalit youths were assaulted on 21 November by a group of persons accompanying Ponnuswamy, who was on a visit to the constituency to thank the voters. The attack took place in the presence of the police party that had accompanied the minister. In another incident, at Aiyippattai, 12 km from Chidambaram, three dalit women were attacked by caste Hindus on 25 November for having narrated to Veena Nayar, a visiting member of the National Scheduled Castes and Scheduled Tribes Commission, details of the atrocities committed against the dalits in the wake of the elections.

The ‘collective punishment’ meted out in the form of a social boycott and economic sanctions has caused as much untold hardship to the dalits as the assaults. Narrating the incidents at Aiyippattai, K. Mallika, 23, a resident of the dalit hamlet, told Frontline on 19 December: “After the SC/ST Commission representative left, a mob of vanniyars stormed the place. Three persons scolded Vimala (another resident) for telling the commission representative what happened following the polling on 5 September. (Thirteen houses had been set afire in the hamlet.) They pulled her out by the hair, assaulted her and tore her blouse. When I challenged them, they attacked me as well.” Another dalit woman, Vanamayil, was also assaulted by the mob. The women lodged a complaint with the Orathur police station nearby. After the dalit women staged a roadblock, the police provided security to the hamlet.

T. Gunasekaran, 38, whose house was one of the thirteen that had been set ablaze two days after the polls, said that stones were thrown at their houses at night. The dalits lived under fear of attack. He said that the residents of the other dalit settlement in the village, who were larger in number, were supporters of the DMK; the residents of his hamlet were CPI(M) supporters. Although a complaint had been lodged with the police, no tangible action had been taken, said Gunasekaran. The dalits in both settlements were victims of the undeclared social boycott enforced by the caste-Hindu families: they were denied farm work, or indeed any other work. They were forced to go to distant places in search of jobs because the caste-Hindu landholders in neighbouring villages too refused them jobs. Gunasekaran said that the dalits in both settlements were denied access to the village burial ground. Even the one or two small landholders among them could not go to their plots of land since they were barred from passing through land owned by the caste Hindus.

M. Ravi, 32, said that the dalit farm workers, who had earlier been employed for planting, applying fertilisers and removing weeds, were now denied jobs at harvest time. Each worker previously earned at least five bags of paddy as wages, which met his or her families’ food needs for months. “Now we are deprived of our livelihood,” Ravi said.

Ilanchiyam, 50, said that the dalits could not draw supplies from
the fair price shop, which is located in a caste-Hindu area. Officials had assured them that a separate 'part-time' fair price shop would be opened in the dalit area, but nothing had been done. They also had difficulty in drawing water from public wells since the dalit women were teased and abused by caste-Hindu youths.

Ilanchiyam further said that the forty-four hectares of poromboke land in the village had been taken over by caste Hindus. The dalits were left with no land and had to depend on the caste Hindus for survival. Now they were denied jobs, and the menfolk had left the village in search of jobs. "Now only four men are left in the hamlet, which has thirty families. Most men have gone to Chennai, Tiruchi and other places looking for jobs," Ilanchiyam said. "Deprived of sources of income and faced with the threats of attacks at any moment, we are virtually living in hell," said Mallika.

At Omakkulam, the atrocities against the dalits were perpetrated in front of a mandapam (altar) named after Nandanar, a legendary dalit devotee of Nataraja (the presiding deity of the temple at nearby Chidambaram) who was asked by brahmin priests to subject himself to a test of fire in order to prove his devotion. (According to local people, Omakkulam takes its name from the fire-pit, hama-gundam.) The mandapam is also associated with Swami Sahajananda who championed dalit causes and was a member of the now-defunct state Legislative Council.

On 21 November, during a visit to the constituency, minister Ponnuwarangam was passing through Omakkulam. When he greeted people on the roadside, two dalit youths, Balachandran and Palani, are said to have responded by waving their hands. It is alleged that suddenly some persons in one of the cars in the motorcade charged towards the dalit youths, chased them into a teashop and beat them up. Balachandran was allegedly stabbed in the chest, and the teashop was ransacked.

Nearly a month after the incident, Balachandran, with broken teeth and injuries in the mouth, was unable to narrate his tale of woe. His mother Rukmani alleged that when she went to the police in anguish and complained about the attack, she was ridiculed and abused by a police officer. Instead of arresting the persons who attacked the two youths, the police filed a case against Balachandran, local people said.

R. Nedumaran, 32, said that of the sixteen persons who had been taken into preventive custody from the village during the last one year, twelve were students; one of them was a thirteen-year-old boy, he said.

Dalit activists complained that dalits faced a social boycott in several places in Cuddalore district. They were not given jobs and were denied access to drinking water sources and fair price shops. Their children could not attend schools located in areas with a large concentration of caste Hindus. The activists also said that in some places dalits were compelled to do what were considered their traditional jobs, such as conveying death messages, digging burial pits and removing carcasses.

Several political parties have condemned the atrocities and demanded action against the culprits and provision of relief to the affected people. AIADMK general secretary Jayalalitha criticised the DMK government for "having failed to take any action against the guilty by tying the hands of the police."

DPI joint secretary M.S. Chintanaiselvan told Frontline that the district administration had been lethargic in taking action against the culprits and providing relief to the victims. He said that in most places only a nominal relief amount, as applied to incidents of 'group clash', had been disbursed. No steps had been taken to pay compensation as provided under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995, even in cases registered under the Act, he added.

District collector Sandeep Saxena denied that the district administration had been slow in dealing with this issue. He told Frontline that a total relief amount of Rs 9.66 lakh had been distributed in September to the 430 affected persons. He said that about forty-five cases had been registered under the SC/ST (Prevention of Atrocities) Act or the Protection of Civil Rights Act. The SC/ST (Prevention of Atrocities) Act, he said, had to be invoked "discreetly after proper investigation" and hence the delay. "In
respect of cases registered under these Acts, we have asked the government to release the amount for payment of compensation, which is mostly for damaged houses," the collector said. He denied that there had been any delay in the investigation of the cases; some of the cases had reached the trial stage, he said.

The collector claimed that the situation in the district was 'by and large' tension-free and that the government was 'keeping a close watch'. However, K. Balakrishnan, member of the state secretariat of the CPI(M), said that the situation was 'still explosive'. Peace meetings, he said, were no substitutes for legal action against the culprits. How could peace be restored unless the administration took action to nab the culprits, he asked. Only firm and prompt action against those who perpetrated atrocities against dalits could ensure total security for the oppressed people, Balakrishnan said.

Chintanaiselvan said that at least ten thousand dalits in about fifteen villages, including Palli Neerodai, Thathankuppam, Manikkollai, Naduthittu, Koozhampadi and Kandamangalam, were affected by the social boycott. "Wherever dalits are landless the boycott is enforced more vigorously," he said. In many places the boycott against dalit agricultural workers served as a ruse to bring down wages or at least preempt any demand for a wage increase.

The Puliangudi triple murder

A campaign by dalit women against illicit liquor and a probable 'love affair' between a vaniayar boy and a dalit girl lead to the murder of three dalits

23 June 2000

A bizarre incident in which three dalit youths were slain at a village in Cuddalore district in Tamil Nadu has shown how vulnerable the people of this oppressed section are, not only to casteist predators but also to lawbreakers of all sorts. The bodies of Mathiazhagan (35), Gandhi (30) and his brother Vellaiyan (20) were found in a pool of blood under a banyan tree close to their house. Their throats had been slit, possibly with a sharp weapon.

The cold-blooded murder, that took place on the night of 26 May at Puliangudi, about 20 km from the pilgrim town of Chidambaram, has sparked tension in the caste-sensitive region. Sporadic incidents of violence, such as stoning and burning of state-owned buses and attacks on shops, have been reported in a few places.

The district, which was relatively peaceful when the southern districts of Tamil Nadu were rocked by caste-related violence in the mid-1990s, has in the last two years seen numerous incidents of violence in which the victims have invariably been dalits. Dalit Panthers of India (DPI, or Viduthali Siruthaigal in Tamil) convener R. Thirumavalavan told *Frontline* that at least nineteen dalits had been killed in the Chidambaram-Vridhachalam region in less than two years. Seven of the victims were women, who were also gang-raped. Cases had been registered under Section 302 (murder) of the Indian Penal Code in relation to only six of these killings, said
Thirumavalavan, who unsuccessfully contested the 1999 Lok Sabha election from the Chidambaram (reserved) constituency.

As for most of the other killings, cases were registered only under Section 174 (death under suspicious circumstances) of the Criminal Procedure Code. No arrests were made in these cases, Thirumavalavan said. “This is in total contrast to the arrest of over two hundred dalits, many of them under the Goondas Act, during the same period,” he said. Accusing chief minister M. Karunanidhi of being anti-dalit, he said the state government’s ‘partiality’ and the presence of the Paattali Makkal Katchi (PMK) in the ruling coalition at the centre had emboldened the police and casteist forces to continue their assaults on dalits.

There seems to be a qualitative difference between the earlier crimes against dalits and the latest incident. Most earlier murders had political overtones, besides being casteist, which is not surprising in a highly charged near-bipolar atmosphere with most people belonging to the two predominant castes, vanniyars and dalits, lining up behind two rival political organisations—the PMK and the DMK. The triple murder, however, appears to have a different, nonpolitical angle, besides being visibly casteist.

According to one of the two theories about the murders, bootleggers, who have a significant presence and run a thriving business in the region, were angered by the anti-liquor movement launched by a group of local dalit women and it is they who were behind the crime. The other theory relates the murders to an ‘affair’ between a vanniyar youth and a dalit girl of the village.

The state government has entrusted the investigation to the Crime Branch—Criminal Investigation Department (CB–CID). The government has ordered the payment of a cash compensation of Rs 2 lakh each to the three affected families. (Two of the victims were married, and one of them had three children.) Although the police claimed that three persons had been arrested and a search was on for more suspects, Thirumavalavan told Frontline that none of the suspects named by the victims’ relatives had been arrested. “While the real culprits are still in the village, the affected dalit families had to leave for safety,” he said.

The bodies of Mathiahagan, Gandhi and his brother Villaiyan under a banyan tree close to their house. Their throats were slit while they were sleeping.

In Thirumavalavan’s opinion, whatever the immediate motives behind such murders, “the real factor is unmistakably caste oppression. It is not a stray incident or an ‘affair’ between a caste-Hindu boy and a dalit girl; a number of our women are subjected to all sorts of humiliation, and harassment by caste-Hindu men is almost a day-to-day problem for them.”

Prior to the entry of the CB–CID, newspaper reports suggested that the investigation by the local police proceeded on the premise that a vanniyar boy, who sneaked into the house of a dalit girl with whom he was ‘in love’, was ‘punished and humiliated’ by a dalit ‘panchayat’ (an informal local system to dispense justice) and that could have possibly led to the murders. The police arrested three persons and were looking out for more.

Another version surfaced soon. A few days prior to the murders, an organisation of local dalit women had launched a campaign against illicit distillation, probably in the wake of the deaths of twelve persons in a hooch tragedy in the neighbouring Thiruvannamalai district a week earlier. The campaigners had supposedly prevailed upon the men to stop drinking and discourage
illicit distillation. Bootleggers were said to have been further 'provoked' when they found that some vessels containing distilled liquor had been broken. A vanniyar 'panchayat' had found two dalit youths 'guilty' and 'ordered' them to pay a fine of Rs 5,000 each. The youths refused and instead complained to the police about the bootleggers. Some persons believe that this may have led to the murders.

"The very fact that dalits have begun to question them is intolerable to the casteist forces, who had all along been oppressing them," observed S. Dhanasekaran, secretary of the Cuddalore district committee of the Communist Party of India (Marxist). He said: "That dalit women of this most backward village could form an association and raise their voice against injustice is by itself historic."

Less than one-tenth of Puliangudi's population of nearly five thousand, the dalits, who are mostly agricultural workers, have been meek all along. So they had no problems with their caste-Hindu masters even when violence rocked the region during and after the September 1999 Lok Sabha elections (163-168). Dalits in Karuppur, Kandamangalam, South Mangudi and North Mangudi villages, which lie around Puliangudi, have been victims of casteist oppression of one form or another.

Interestingly, Puliangudi is where veteran dalit leader and founder of the Human Rights Party of India L. Elayaperumal, formerly chairman of the National Commission for Scheduled Castes, launched, in 1946, his first struggle against the oppression of dalits by caste Hindus. Elayaperumal said in an interview in Chidhirai Nerpu, a book published by Dalit, Neyveli, that he organised a mass movement when Vadomalai, an ex-serviceman and son of the dalit headman of the village, was tied to a tree and beaten up by caste Hindus for three days simply because he had entered the village, was well-dressed and wore a moustache 'in violation of the village law'. (The 'law' also prohibited women from wearing blouses and anklets, besides placing restrictions on dalits' movements in general.) Thanks to his struggle, the caste-Hindu elders apologised, paid compensation to the victim and lifted some of the restrictions on dalits, according to the interview.

The triple murder has served to highlight a social problem—the menacing growth of the illicit liquor business in the region and the criminal and antisocial activities related to it. The police are often accused of either collaborating with the lawbreakers or at best being soft on them. "Even as Karunanidhi declares war on bootlegging at his meeting with the collectors and police officials, the policemen down the line appear to be in no mood to go with the administration in this respect," said CPI(M) district secretary Dhanasekaran. He said that when the dalit youths of Puliangudi went to the Kumaratchi police station with a complaint against bootleggers, the police, instead of acting on it, attempted to effect a compromise between the bootleggers and the dalit protesters. Just as the government's efforts to bring caste-based discrimination to an end were halfhearted, the police response to the bootleggers' challenge was grossly inadequate, he felt. While he blamed the caste bias of the leaders of some political parties for the government's indifference, he faulted the corruption in the police department for the inaction. Dhanasekaran regretted that although his party had demanded action against the growing menace of goonism in the district ever since the murder of a Marumalarchi Dravida Munnetra Kazhagam (MDMK) activist R. Palanivel in Chidambaram on 9 July 1998 and the attack on CPI(M) state secretary N. Sankaraiah a fortnight later in the same place, no serious efforts had been taken in this regard. He recalled that in June 1999 two workers of the Democratic Youth Federation of India (DYFI), who were engaged in the fight against illicit liquor traders and their henchmen, were murdered by bootleggers.

The CPI(M) staged demonstrations at seven centres in the district on 1 June to condemn the triple murder and to focus attention on the need for 'concerted and constructive' efforts to stamp out casteist oppression and bootlegging. A district bandh planned by the DPI for 2 June was, however, postponed after the problem was discussed at an all-party meeting at Cuddalore on 1 June under the chairmanship of minister for Backward Classes welfare M.R.K. Panneerselvam. The parties pledged their support to the police in putting an end to bootlegging within a timeframe. The minister reportedly assured the participants that the chief minister
would be persuaded to intervene in the matter and consider the
demands for extending protection to dalits and paying adequate
compensation to the families of the victims. The police agreed to
release the hundreds of DFI workers who had been taken into
preventive custody in view of the bandh.

Despite the postponement of the bandh, there were stray
incidents of violence in Cuddalore district on 2 June. A government
bus was burnt and the windowpanes of a car were damaged. Some
shops were ransacked. The incidents were blamed on the ‘communication gap’ in the announcement of the bandh
postponement. The administration, Dhanasekaran said, could
ensure restoration of peace on a more permanent basis only by
acting quickly and firmly on the decisions taken at the all-party
meeting.

Notes
2 Chithithal Nenuppu (Neyveli: Dalit, 1998) was launched on 20 December 1998,
the seventy-fifth birth anniversary of Elayaperumal, former Congress member
of parliament from Chidambaram (reserved) constituency. Elayaperumal was
appointed by prime minister Indira Gandhi as a one-member committee on
‘Untouchability: Economic and Educational Development of Scheduled
Castes’. The Elayaperumal Report, the first of its kind in post-independence
India, was published in 1969, but its recommendations were never
implemented.

Rising to the challenge

Dalits and women lead the way as role-model
panchayat presidents

21 July 2000

In 1996, two years after the Tamil Nadu Panchayat Act came into
force, 1.17 lakh persons were elected in the state to run 13,000
institutions of the three-tier panchayati raj system. Thirty percent
of the posts were reserved for women, in addition to those reserved
for members of the Scheduled Castes and the Scheduled Tribes.
However, doubts were raised about the capability of the two
disadvantaged groups (30,000 women and 20,000 dalits) to stand
up to the challenging tasks before them.

Elected members representing these groups from across the state
have complained of gender-based and caste-based discrimination.
In several places women and dalits have been humiliated and denied
cooperation. Thanks to the experience gained over the past three
years and the training they received from government agencies and
non-governmental organisations (NGOs), several elected women and
dalit panchayat functionaries have asserted their rights and some
of them have grown into role models.

Several NGOs and individuals have played a significant role in
bringing about this change. Special mention must be made of
Rangasamy Ilango, a chemical engineer who resigned his job with
the Council of Scientific and Industrial Research (csir) to enter
public life. He contested the panchayat elections and became
president of the Kuthampakkam panchayat, about 30 km from
Chennai, in Tiruvarur district. Ilango, 40, is a firm believer in
gandhian ideals and the micro-development concept of gandhian
economist J.C. Kumarappa. When he was working with the Central
Electro-Chemical Research Institute (CECRI), Karaikudi, he was inspired by Kundrakudi Adigalar (1927–1995), the head of a Saiva math in Sivaganga district. Adigalar developed Kundrakudi into a model village with the help of CECRI scientists under the 'Kundrakudi plan', which prime minister Indira Gandhi commended for adoption in villages in other states.

In four years, Ilango developed Kuthampakkam into a model village with the full cooperation of the gram sabha. He says that his objective is to prove that even with limited powers, the panchayat can change the face of the village in five years. The panchayat's annual revenue recorded an increase from Rs 3.7 lakh in 1994–95, when there was no elected panchayat, to Rs 12.4 lakh in 1997–98, a year after he took over as panchayat president. The value of works executed increased from Rs 40,000 to Rs 4.8 lakh, the amount spent on the construction of buildings from Rs 20,000 to Rs 16.2 lakh, and the expenditure on road maintenance from Rs 67,000 to Rs 10.6 lakh. He succeeded in mobilising local resources and talent and ensuring people's participation through contribution in the form of labour.

One of his notable achievements is that he motivated a large number of people, who had earlier earned their livelihood as illicit distillers, to contribute their labour for development works. By employing innovative methods, he cut down expenditure on several projects. (For instance, handmade bricks were used to build houses and cut granite blocks were reused to construct a drainage system). He is at present mobilising funds to open a high school in the village in order to bring down the school dropout rate. The tiny panchayat has computerised its administration.

The government has decided to select 112 'honest' panchayat presidents in the next four years, at the rate of one a year from each of the twenty-eight districts, and help develop their villages on the Kuthampakkam pattern. Ilango is motivating hundreds of panchayat functionaries through visits, lectures and consultations.

Among the other role models is a poor dalit woman, Maalaiyammal of Pullalakundu village in Dindigul district. As president of the Kandappankottai panchayat, she has been able to beat back resistance from caste-Hindu groups and develop the village in a remarkable way with the full cooperation of the people. She says that she finds no difficulty in managing the gram sabha or tackling her detractors in the panchayat. She was able to ensure that the panchayat's income rose by several lakhs, by means of a small increase in the house tax and by bringing a prosperous textile mill under the tax net. Several villages in the panchayat have now been provided with roads and streetlights.

Another dalit woman panchayat president, R. Seethalakshmi of Cheyyur in Kanchipuram district, never feels handicapped in discharging her duties. Daughter of a local Congressman, she commands respect from the people and is quite assertive. She attends office daily and has a good rapport with the local people and officials. She manages the gram sabha with ease and gets the cooperation of all sections in carrying out development works. At the May Day gram sabha meeting, she agreed to consider the demand of the youth that a gymnasium be opened in the village.

If persuasion is the secret of Seethalakshmi's success, 27-year-old graduate S. Vasuki, who heads the Vallimalai panchayat near Ranipet in Vellore district, has been able to give a facelift to her village through sheer perseverance. She has executed development works costing about Rs 20 lakh in the last three years. The village has been provided with roads, sodium vapour lamps, drinking water and drainage facilities. A group housing project executed here received wide appreciation. Vasuki never tires of visiting the district headquarters and meeting officials to get funds sanctioned under various schemes. Impressed by her work, Ranipet MLA R. Gandhi helps her raise resources for development works.
Hampering empowerment

The ill-treatment of dalits, especially those occupying reserved elective positions at the village level, continues, the indifference of officials adding to the injustice.

29 September 2000

INCIDENTS that occurred in Kodiyankulam in 1995, Melavalavu in 1997 and Tirunelveli in 1999 stand out in the recent record of atrocities against dalits in Tamil Nadu at the economic, political and social levels. The police raid on the relatively prosperous village of Kodiyankulam in Tuticorin district appeared to have been motivated by a desire to undermine the local dalit community economically and thereby strike at what was believed to be the support base of dalit militants in the region.

The police attack on an all-party procession at Tirunelveli on 23 July 1999, held in support of striking Manjolai tea estate workers, led to the drowning of seventeen persons in the Thamiraparani, eleven of them dalits, when they were beaten up and chased into the river. Indications of a design to put down any dalit attempt at political mobilisation were evident in this.

The most shocking among the three incidents was the murder of six dalits, including the young president of the Melavalavu panchayat in Madurai district, Murugesan, allegedly by a group of persons belonging to the thevar community. These incidents marked the beginning of a determined offensive launched by vested interests among casteist social groups in the state to frustrate efforts to empower dalits at the grassroots level.

From the day the state government notified elections to local bodies in June 1996, after a gap of over a decade, and announced that the Melavalavu panchayat would be reserved for dalits under the amended Panchayat Act, sections of the caste-Hindu people in the village began campaigning against the move. The threat of social and economic boycott was held out against the dalits, who are dependent largely on caste-Hindu landholders for their livelihood. When elections came, the dalits who had filed nominations had to withdraw in the face of caste-Hindu terror and the election was rendered infructuous. When elections were held later with fresh nominations, booth-capturing necessitated a repoll. In the repoll, Murugesan was elected the panchayat president but was reportedly prevented by caste Hindus from discharging his duties. On Murugesan’s representation to the chief minister, armed security was provided to him at the panchayat office. He was, however, slain along with five others—one of them his brother and another the panchayat vice-president—while returning to the village after a meeting with the collector in Madurai.

Fresh elections were held after a few months and A. Raja, also a dalit, was elected president. Although Raja does not seem to be facing the same level of hostility from the caste Hindus, he has not been able to function from the old panchayat building located in a caste-Hindu area. Lack of cooperation from a majority of the caste Hindus has reportedly made his functioning ineffective. Forty-three of the forty-four persons whose names figured in the first information report relating to the multiple murders were arrested and released on bail after a month. The case is now before the Special Court in Madurai, which has adjourned the trial pending disposal of three petitions filed in the Madras High Court on behalf of dalits.

Three years after the murders, a memorial for the slain dalits was raised at Melavalavu at a cost of Rs 5 lakh, making use of the free labour of dalits in and around the village. The dalits of the village, however, continue to be victims of social boycott by caste Hindus. The dalits, mostly landless agricultural workers, complain that they are denied work by local landholders. With landlords in neighbouring villages also refusing to employ them upon pressure from their Melavalavu counterparts, many dalit youths are said to have left the village in search of livelihood. Men and women thus go to places such as Madurai and Sivaganga, both about 40 km from
their village. "We never mention the name 'Melavalavu' fearing denial of jobs," said fifty-year-old Ponnammal. "The best part of what little we earn goes towards transport," lamented another woman.

The dalits complain of the lack of access to shops and wells in the caste-Hindu areas and also of the non-availability of essentials such as rice and kerosene in fair price shops. Though frequent clashes did not take place between the dalits and non-dalits prior to 1997, untouchability is still practised in the village in its most cruel form, according to the dalits.

The lesson to be learnt from the Melavalavu incident—that statutory reservation for dalits in elected local bodies will not by itself ensure their empowerment and that what is needed is for the government to see that power really reaches the people for whom it is intended—seems lost on the administration.

What happened at Melavalavu is not an isolated occurrence. Four years after statewide elections were held for the local bodies, there are still two panchayats in Madurai district, Keeripatti and Paappappatti, both reserved for dalits, where elections could not be held owing to the tactics resorted to by caste-Hindu groups. Officials also admit that a number of elected dalit panchayat heads, particularly women, have not been able to function effectively. There have been several instances of women panchayat chiefs being denied support from non-dalit/male members in clearing even routine matters such as buying chairs for the panchayat office. Many dalit panchayat presidents have complained of difficulties in organising gram sabha meetings for want of cooperation from non-dalits.

G. Ramakrishnan, member, state secretariat of the Communist Party of India (Marxist), who served on the committee appointed by the Tamil Nadu government to study the implementation of the Panchayat Act, said that the main purpose of the 73rd and 74th amendments to the Constitution was, besides devolving power to the three-tier local bodies, to empower women and dalits by providing 33 percent of elected posts to the former and proportional representation to the latter. But, he said, it was only in villages where the democratic movement was strong and consciousness about the rights of the underprivileged people existed, that the elected representatives were effective. In places where caste-related clashes had taken place or where caste feelings were dominant among the people, elected dalit representatives, both men and women, were not able to assert themselves and function effectively.

R. Thirumavalavan, convener, Dalit Panthers of India, who has taken up the cause of Melavalavu village and has been instrumental in raising the memorial for the slain dalits, told Frontline that the ruling Dravida Munnetra Kazhagam was in the forefront in running down elected dalit functionaries.

A case of a dalit panchayat president having allegedly been prevented from discharging his duties and forced to stay away from his village fearing for his life has surfaced, also in Madurai district. The victim is 35-year-old V. Nagar, president of Maruthangudi village panchayat, 25 km from Madurai. Until 1999, Maruthangudi was bracketed with Keeripatti and Paappappatti as village panchayats reserved for dalits, where elections could not be held owing to caste-related tension amid protests from the caste Hindus against including these villages in the list of panchayats reserved for dalits.

In 1996, when the election was notified and nominations were called for, a few powerful caste Hindus tried to prevail upon the rest not to participate in the process. Dalit activist Muthupandi's attempt to file his nomination triggered violence and led to the postponement of the poll. Fresh polls were ordered for 26 May 1999. This time the caste-Hindu-dominated electorate had its way, without, however, offending the law. Nagar, a farmhand, was fielded, in a clever manoeuvre, by some caste Hindus. The choice was made at a 'village meeting' in which Nagar was present. "When they announced my name on their own, I asked them to give me time to consult my parents. They turned down my plea and asked me to go with certain persons to file my nomination. I felt helpless and reluctantly went with them," said Nagar, when this correspondent met him recently near Madurai. With the en masse support of the non-dalit voters, Nagar defeated Muthupandi. Five others were also elected to the panchayat. Nagar said that within
minutes of his assumption of office in the presence of officials on 31 May, he was asked by a group of caste-Hindu youths to sign a piece of paper. Being an unlettered person, he did not know what he was signing. When he was told that it was a letter of resignation, he said he wanted to consult the elders who had proposed his name for the election. The plea was rejected and he had to sign it, "fearing threat to my life". He later came to know that the letter stated that he proposed, in keeping with the wishes of the majority of the people, that Maruthangudi be reconverted into a general panchayat constituency and also stated that he was resigning his post. Later he was asked to stay indoors. After few days had passed, government officials sent word to him to call a meeting of the panchayat council to elect the vice-president. Despite his protests, Nagar said, the caste Hindus insisted that he not act on the instructions.

There was no reply from the government to the resignation letter even after six months, he said. A farmhand who had to do odd jobs to earn for his family, he found the situation unmanageable. Six months after his election, he was asked by the panchayat clerk to sign some papers as otherwise it would be impossible to pay the staff their salary, or make payments for works undertaken. Before signing, Nagar however satisfied himself that the works mentioned had been undertaken. When they came to know that he had signed panchayat documents, the caste Hindus asked Nagar to leave the village along with his wife and children.

Nagar, now a loadman working for a business firm far away from his village, said that he had sought police protection to move into the village and discharge his duties as president of the panchayat. A writ of mandamus was filed in the Madras High Court on 23 August seeking a direction to the collector of Madurai to give police protection to Nagar to enable him to discharge his duties as the duly elected president of the Maruthangudi panchayat. The court has sent a notice to the collector.

Contacted over phone, the collector of Madurai, V. Thangavelu, told this correspondent that on record Nagar still held the post. He said that he could not act on the plea of resignation because he had to follow certain procedures under the Panchayat Act. "We cannot accept the resignation without ascertaining the facts from a meeting of the council," he said. Nagar, he said, had not cooperated in calling a meeting of the council. Later when Thangavelu saw some papers signed by the panchayat president, he got the impression that Nagar was functioning as president. Regarding Nagar's complaint that he had not been provided police security, the collector said that he had not cooperated either with the police or with the administration. "He could have personally met me or the superintendent of police and sought protection," the collector said. The collector said that he had however recommended action against Nagar on the basis of an inquiry he had conducted into charges of financial irregularity in the panchayat.

Asked whether Nagar was aware that certain charges were pending against him, his advocate, G.R. Swaminathan, told Frontline that his 'inference' was that there was no charge against Nagar. He said that even the administration's letter to Nagar, dated 11 August, asking him to call a meeting of the gram sabha on 19 August and informing him of the collector's proposal to be present at the meeting, contained no mention of any charge against him.
Blaming the victims

Mohan Commission's report on the death of 17 persons in the Tirunelveli massacre in July 1999 faces criticism from political parties and human rights groups

19 January 2001

In one of the most tragic incidents in the recent history of labour struggles in Tamil Nadu, seventeen persons were killed and scores of others injured in Tirunelveli on 23 July 1999 when armed policemen descended on a procession of striking workers of the Manjolai tea estate, brutally beat them up, and chased them into the Thamirparani river (123–132). The incident, which was widely compared with the Jallianwala Bagh massacre, sent shockwaves across the state and drew instant protests from political leaders and human rights organisations. Equally shocking is the report of the Justice Mohan Commission of Inquiry, which inquired into the incident. The commission almost gave a clean chit to the police and the district administration. The state government has accepted the report.

This is the second time in a year that the state police have been absolved of any blame in an incident of such magnitude. In November 1999, the Tamil Nadu government released the report of the Gomathinayagam Commission of Inquiry, which exonerated the police from the charge of letting loose a reign of terror on the dalit village of Kodyankulam in Tuticorin district on 31 August 1995, when All India Anna Dravida Munnetra Kazham leader J. Jayalalitha was chief minister (156–162).

The Mohan Commission, in its report tabled in the state assembly on 13 November, pins the blame squarely on the “unruly behaviour and aggressive nature” of the processionists and “the total failure” of the political leaders who headed the procession “to control the crowd”. It holds that the force used to disperse the procession was ‘warranted’, though the act of the police in chasing the processionists on to the river bed “amounts to exercise of excessive force”. The inquiry indicts two police officers and a tahsildar for not having been “alive to the responsibilities of the offices held by them”, and recommends action against them. Although there was “some excess” on the part of the police, Justice Mohan observes, “I cannot lay the blame at the doors of the police in dispersing the unlawful assembly at Kokkirakulam Road.” He says, “At the same time, I cannot also completely absolve the leaders of the political parties who had exhibited an obstinate and defiant attitude.” The commission’s description of the stone-throwing by the police as a retaliatory act seems to echo what chief minister M. Karunanidhi said a day after the incident; according to his information, Karunanidhi said, the police only retaliated when the crowd turned violent and threw stones at them.

The commission holds that “the eleven (of the seventeen) deaths due to drowning will fall under the category of accident” and that six others died of “the injuries they received” earlier “on the road” before jumping into the river. The police cannot be charged with having intended to cause their deaths, the report says.

The media gave a graphic description of the violence that occurred on the banks of the Thamirparani that Friday, with telling photographs. That the victims included two women and a child made the tragedy even more poignant. The fact that the victims included eleven dalits and four Muslims made these two vulnerable sections—dalits and Muslims—close ranks, as did Karunanidhi’s attempt to give a caste hue to what was essentially a labour dispute involving thousands of tea estate workers.

The procession carried out by about three thousand workers in Tirunelveli town was the culmination of a series of legitimate trade union actions, including a strike, legal measures in labour courts and picketing of government offices. The workers were marching to the collectorate to present a petition to the district collector demanding, among other things, the release of about six hundred
workers and their family members who had been detained at the Tiruchi central jail following an earlier agitation. The petition also sought to press the demand for an early settlement of their wage-related dispute with the estate management (138–143).

Leading the procession were S. Balakrishnan, leader of the Tamil Maanila Congress (TMC) in the state assembly, K. Krishnasamy, dalit leader, MLA, and president of Puthiya Tamizhagam (which spearheaded the agitation) and four TMC legislators, besides local leaders of the Communist Party of India (Marxist) and the Communist Party of India. Members of the Tamizhaga Muslim Aikkiya Jamaath also participated in the procession.

The procession was stopped by the police when it was fifty metres from the collectorate. The leaders, who came in a jeep, pleaded with the police officials to permit them to enter the collectorate and meet the collector. Commotion ensued when a section of the procession at the rear neared the gate. Subsequently, the processionists and the police started throwing stones at each other. The police then resorted to caning and burst teargas shells. This sent the processionists running helter-skelter. With the police on three sides, the only escape route available for the marchers was the river. They ran towards the river in the hope of crossing to safety, but were followed by the police on chase, reports said. The brutal incidents lasted less than half an hour and left seventeen persons dead. Among the fifteen persons who were injured, V. Palani, district secretary of the CPI(M), received serious head injuries.

The Karunanidhi government first announced through a notification on 24 July 1999 the appointment of K. Karthikeyan, a retired district judge, as the one-member commission to inquire into ‘the incidents near the Tirunelveli collectorate’ and submit a report within three months. Three days later this notification was replaced by another, which announced the appointment of S. Mohan, a former judge of the Supreme Court, to inquire into “the causes and circumstances that led to the use of force by the police on the processionists at Tirunelveli on 23 July 1999 and into the causes and circumstances leading to casualties reportedly by persons jumping into the river due to panic.”

Krishnasamy, not satisfied with the way the postmortem of the victims was done, demanded a second postmortem, but the chief minister rejected the demand. The PT leader’s efforts to seek the court’s intervention in the matter failed.

A number of fact-finding missions comprising human rights activists and leaders of women’s movements unanimously concluded in their reports that the police had clearly been in the wrong and demanded severe action. An Independent Public Inquest by a team of four eminent persons—Justice Hosbet Suresh, a retired judge of the Bombay High Court, V.R. Lakshminarayanan, former director-general of police, Tamil Nadu, V. Vasanthi Devi, former vice-chancellor of Manonmaniam Sundaranar University, Tirunelveli, and V. Karuppan, a retired senior Indian Administrative Service officer—examined forty-four witnesses and perused numerous media reports, photographs and video-recordings. It concluded that all the seventeen deaths (except that of the child) had been caused by trauma prior to drowning, meaning the drowning that had caused the deaths had been “due to fatal beating
by the police in the first instance". The team found that the procession had been peaceful all along. It faulted the police for attacking the processionists even after they had dispersed and chasing them into the river. The brutal lathi-charge had been uncalled for, the team said. Two copies of its 266-page report, with photographic evidence, were submitted to the Mohan Commission. (The commission has made no mention of the report.)

The Mohan Commission, which completed its work in eleven months, held ten sittings, only three of them in Tirunelveli. The rest were held in Chennai, 600 km away from the scene of occurrence. It received 768 affidavits and examined fifty-three witnesses. Besides, there were three videocassettes and numerous media reports marked as exhibits by various witnesses.

With this mass of material before it, and possibly more at its command, the Mohan Commission could naturally be expected to bring out the truth. But its report, human rights activists say, has more to conceal than reveal. The commission seems to have relied more on police and government witnesses to arrive at certain conclusions, they aver. For instance, there was an allegation placed before the commission that a section of the processionists indulged in teasing women constables, though the alleged incident finds no place in the first information report (FIR). Relying solely on the oral testimony of a woman constable and taking as corroborative evidence a general observation in a single newspaper that the processionists abused and heckled the police, the commission finds truth in the charge. It rejects the contention that the ‘molestation’ incident was not published in any other newspaper and that even the statement made by the minister of law in the assembly after the incident made no mention of such a charge. The commission’s remark that there was no cross-examination of this crucial witness has been denied by Krishnasamy’s counsel P. V. Bakhvatsalam. It also concedes that no photographic evidence was produced, but says, “That does not mean that the allegation of molestation is altogether false.”

However, while referring to the remark of S. Balakrishnan in his evidence that for the first time in his life he saw policemen stone a procession, the commission dismisses it as “an exaggerated statement”, saying, “There is not a single photograph to support this oral testimony.” Although there were several photographs published by the print media, marked as exhibits, in the “considered opinion” of the commission “to support the so-called stone-throwing by the police, reliance cannot be placed on these photographs.” The report says, “A careful perusal of these exhibits does not establish the police indulging in stone-throwing. At best it can be said that the police were retaliating by indulging in counter stone-throwing...” The photographs include one that shows the marchers shielding the leaders in the jeep from flying stones.

The commission, which, on the basis of oral testimony provided by a witness, blames the leaders for their failure to restrain the crowd, seems to have ignored the evidence Palani and others offered, that Krishnasamy and other leaders had continuously appealed to the people to keep calm and maintain peace. It also does not fault the district collector or the commissioner of police, who were in the vicinity but did not rush to the trouble spot.

While recommending payment of “an additional compensation” of Rs 1 lakh in the case of six persons “who were injured on the road” and “met with a watery grave” later, the commission adds a rider: “Of course, not that they died valiant deaths espousing a cause, but they were misguided.” A trade union leader said, “Considering the fact that the dead persons were either striking workers or members of their families, this only amounts to vulgarising their deaths.”

Going beyond the terms of reference, the commission makes a strong plea for banning political processions and observes, “Such processions belong to the past when the horizon of human rights had not been expanded. The modern era belongs to the common man whose human rights have to be respected. Failure to respect such human rights may result in anarchy and in uncivilised behaviour.”

Human rights organisations and political parties have deplored the ‘cover-up exercise’ and appealed to the government to reject ‘this one-sided and biased’ report. Addressing a meeting in
Tirunelveli on 23 December, P. Mohan, CPI(M) member of parliament, demanded that the government withdraw its acceptance of the report. Henri Tiphagne of People's Watch–Tamil Nadu (Madurai), who represented some of the victims before the commission, detailed a number of discrepancies in the report and regretted that the commission had said nothing about the injuries inflicted by the police on Palani or about the payment of compensation. He said that the video evidence had been 'tampered with' by the police. Bakthavatsalam told Frontline that the commission, which saw the police video film, expressed resentment when the film stopped abruptly when the scenes showing police action were about to commence and resumed after a break, indicating that the relevant portion had been 'edited out'. Before the commission were also video films such as Oru Nadhiyin Maranam ('Death of a River'), which incidentally was banned from public screening by the Tamil Nadu government a few months ago, that covered the entire incident. Tiphagne said that they were contemplating further legal measures to bring out the truth and render justice to the victims of the police violence.

Justice H. Suresh told Frontline that it was regrettable that the commission had chosen to ignore the findings of the Independent Public Inquest. "The commission has not even cared to acknowledge its receipt in the report." He said that most of the commission's findings were 'simply baseless' and 'contrary to truth'. He took strong exception to the recommendation that political processions be banned. "Holding processions is a democratic right and democracy itself is a human right. It is shocking that the commission should have come out with such an antidemocratic recommendation, when the Supreme Court has repeatedly ruled that holding processions is a fundamental right. You cannot curb a procession. You can curb violence." Justice Suresh criticised the findings of the commission at a public meeting in Chennai.

Lakshminarayanan regretted that the commission did not suggest the institution of cases in respect of each of the deaths: "Those killed should have been given that dignity at least." Vasanthi Devi said the report had belied the hopes of an impartial inquiry. She said that the commission had justified the police action on the basis of a 'manipulated FIR'.

Ravikumar, president of the People's Union for Civil Liberties (PUCL), Tamil Nadu and Pondicherry, said that the commission's recommendation to ban political processions was "very dangerous" and that it went "totally against the spirit of the Constitution." He said that the report confirmed the general belief that inquiry commissions seldom brought out the truth and that "they only serve the purpose of temporarily preventing people from taking recourse to other means of getting justice."
Justice at last

*Murderers of the Melavalavu dalit panchayat president get life term*

17 August 2001

FOUR years after the murder, in broad daylight, of K. Murugesan, president of the Melavalavu panchayat in Tamil Nadu's Madurai district, his brother Karuppaiah, vice-president Mookkan and three other members of the panchayat, all dalits, justice has run its course. On 26 July 2001, seventeen of the forty-one accused were convicted and sentenced to life imprisonment by the principal district and sessions judge of Salem, A.S. Ramalingam. The court acquitted twenty-three of the remaining accused. One of the accused died during the trial. The case was transferred to the court in Salem from the Madurai sessions court on orders from the Madras High Court.

The massacre, which took place on 30 June 1997, was widely viewed as a stark instance of caste-Hindu violence against dalits in Tamil Nadu (25 July 1997). The victims were pulled out of a bus and hacked to death. Murugesan's head was cut and thrown into a well 400 metres from the spot of the murder.

The incident, seen also as a manifestation of caste-Hindu intolerance of dalit empowerment, marked the culmination of a series of protests by sections of the caste Hindus in Melavalavu against the 1996 government notification reserving the panchayat for dalits (29 September 2000). Initially, the dalits, who mostly depended on caste-Hindu landholders for their livelihoods, were threatened with a social and economic boycott. The dalits who filed their nominations had to withdraw in the face of threats from the caste Hindus, and the elections were rendered infructuous. When elections were held later, booth-capturing necessitated a repoll.

Although Murugesan was elected president, he was not allowed to function properly. Accompanied by the vice-president and other members of the panchayat, he went to Madurai and submitted a petition to the district collector seeking protection so that they could discharge their duties. The attack took place on their way back to Melavalavu.

The massacre spurred protests in various parts of the state. A statewide bandh called by protesters evoked only a partial response. Several state transport buses, shops and business establishments were torched in various places. In Cuddalore district, two persons were killed when the police fired at protesters.

The case had a tortuous course. When it was committed to the Madurai sessions court, there were complaints of harassment of witnesses. Allowing a petition that pleaded for the transfer of the case to a court outside the district, the Madras High Court transferred the case to the Salem sessions court and appointed a special public prosecutor.

High Court advocate P. Rathinam told *Frontline* that a team of lawyers and some dalit activists worked hard for the success of the case. However, the dalit organisations, which showed interest initially, backed out later. An appeal against the trial court's refusal to entertain a petition relating to the payment of compensation to the victims under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is pending before the Supreme Court. Meanwhile, in Melavalavu, the dalits continue to suffer from an undeclared social and economic boycott imposed by the caste Hindus.
A wrong undone

The AIADMK government decides to restore a GO that calls for the filling up of vacancies reserved for dalits

28 September 2001

TAMIL Nadu can legitimately take pride in the fact that it pioneered a system of reservation in government services, which provided for representation for different communities on the basis of their share in the population. The first 'communal go' (1921) issued by the then provincial government made this possible, but in implementing reservation the state's record has been far from satisfactory.

Dalit organisations complain that representation of dalits has always been far below the statutory 19 percent reserved for Scheduled Castes and Scheduled Tribes, particularly in Group 1 and Group 2 services (152-155). They blame the lack of political will and the vested interests in the bureaucracy for denying dalits their due. Filling vacancies through temporary appointment, transfers and deputation are among the methods used, they claim.

In 1998, the Dravida Munnetra Kazhagam government issued a Government Order (GO 44) to clear the backlog of unfilled vacancies in posts reserved for dalits through direct recruitment, but withdrew it two years later even before any action could be taken on it. On 7 September 2001, the All India Anna Dravida Munnetra Kazhagam government announced its decision to 'restore' the GO, much to the relief of dalit organisations. The GO 44, dated 20 May 1998, was based on certain directions of the Supreme Court in the 1992 Indra Sawhney and others vs. Union of India and others case (known as 'the Mandal Commission case').

According to the GO, the court gave the following directions: "The adequacy of representation is not to be determined merely on the basis of the overall numerical strength of the backward classes in the services...their representation at different levels of administration and in different grades has to be taken into consideration....to ensure adequate representation of backward classes...the rules of recruitment must ensure that there is direct recruitment at all levels and in all grades in the services."

The GO stated that the government had decided to provide for recruitment in each category/group, namely, Group 1, Group 2, Group 3 and Group 4, where the representation of SCs/STs was less than 19 percent. The direct recruitment in each group would be at the lowest levels of the groups, it said.

In September 1997, the DMK government constituted a high-level committee to monitor the implementation of the 19 percent reservation for SCs and STs in government services and find ways to fill the vacancies within a stipulated period. Although the twelve-member committee, headed by minister for adi dravidar (dalits) and tribal welfare, S. Selvaraj, submitted its report in August 1998, the government did not publish it.

The committee, which had to make do with information provided by only 105 of the 141 departments, found that the representation of dalits in administration was far less than the stipulated 19 percent, particularly in the top posts. The departments relating to elementary education, collegiate education and local bodies, which account for over one lakh posts, did not provide any data. The committee suggested that the backlog could be cleared by direct recruitment and promotions. Subsequently, the DMK government appointed another committee to study the status of reservation among the Backward Classes.

Later, on 11 May 2000, the government came out with a White Paper on Reservation in Government Employment for Adi Dravidars (SCs), Scheduled Tribes (STs), Backward Classes (BCs), Most Backward Classes (MBCs) and Denotified Communities. The paper revealed that there was no backlog in the case of the BCs. As for the MBCs/Denotified Communities, the SCs and the STs, the
backlog posts in the groups numbered 5,263, 4,907 and 1,094 respectively. The paper showed that in the 4,588 top posts of ninety-six departments studied, while the BCS were over-represented (2,571 against 1,376), the dalits (475 against 826), the STs (17 against 45) and the MBCs/Denotified Communities (384 against 912) were grossly under-represented.

Dalit leaders challenged the estimates and called the report a 'black paper'. In the assembly, on 7 September, CPI(M) member S.K. Mahendran, welcoming the decision to restore GO 44, demanded a new 'white paper'.

Incidentally, GO 44 did not find a mention in the government's White Paper, and on 20 July 2000 it was made inoperative by means of a letter from the secretary of the Department of Adi Dravidar and Tribal Welfare, addressed to all departments. Dalit organisations and political parties such as the AIADMK, the Tamil Maanila Congress, the Communist Party of India (Marxist), Puthiya Tamilagam and Viduthalai Siruthaigal protested against the government action. AIADMK general secretary Jayalalitha criticised the suspension of the GO which was intended to 'rectify anomalies' in filling up vacancies in posts reserved in government departments and public sector undertakings. "SUSpending the operation of the provisions of a GO through an inter-departmental letter is contrary to law," she said, and added, "The fact that the GO in question was based on a Supreme Court directive makes its suspension contempt of the apex court."

Karananidhi defended the government's action in rendering the order inoperative and said it was well within the law. Subsequently, the government issued an order with a view to helping dalits get the 'full benefits' of reservation. (GO 33—issued on 8 May 2000, three days before the White Paper was placed in the assembly—fixed 1 April 1989 as the cutoff date to calculate the number of unfilled vacancies reserved for SCs/STs.) Dalit organisations, however, continued to protest against the withdrawal of GO 44. In order to assuage the dalits' misgivings, on the eve of the assembly elections, Karunanidhi appointed a committee headed by justice K. Swamidurai to probe the issue. The committee could not complete its work.

In its manifesto for the May 2001 assembly elections, the AIADMK promised that GO 44 would be restored if it were elected to power. The assurance was repeated in the governor's address to the assembly after the AIADMK regained power. Adi dravida welfare minister V. Subramanian's announcement in the assembly on 7 September was but a redemption of this pledge.
closure of colleges up to 16 September. The police used force to disperse the students who staged demonstrations in Chennai, Madurai and other places.

About a hundred students, including twenty-five women, of the Government Arts College at Melur near Madurai were injured, twenty-four of them having to be hospitalised. About one thousand students courted arrest at various places; eleven of the arrested have been remanded in custody. Cases have been filed against a large number of students. Opposition leaders and student organisations have demanded the release of the arrested, the withdrawal of cases and payment of compensation to the injured. SFI state unit president K. Thangamohan told Frontline that the students were determined to continue the strike. While the teachers and students of government colleges are still wary of the chief minister’s assurances regarding their future, the basic social issues arising out of the government’s resolve to abandon its responsibilities with respect to higher education remain unaddressed.

Preying on dalits

*Dalits are forced to consume human excreta in two separate incidents*

25 October 2002

NUMEROUS are the ways in which dalits are tormented. They are murdered and maimed; women are raped; their children are abused and deprived of schooling; they are dispossessed of their property; their houses are torched; they are denied their legitimate rights; and their sources of livelihood are destroyed. Adding to the long list of atrocities committed against dalits were two incidents reported recently in Tamil Nadu, in which three dalits were forced to consume human waste.

On 5 September, at Kaundampatti in Dindigul district, Sankan, a dalit agricultural worker, was forced to drink urine for having lodged a complaint of trespass with the police against a caste Hindu, following a dispute between them over a piece of land. Sankan had suffered many atrocities during his five-year struggle against his caste-Hindu landlord to get possession of the land. In his complaint, Sankan stated that the landlord had collected nearly Rs 1 lakh over a period of fifteen years through deductions from his wages, as the price of the land.

An equally horrifying incident occurred at Thinniyam village in Tiruchi district on 22 May. Two dalits, Murugesan and Ramasami, were forced ‘to feed each other’ human excreta. Their ‘crime’ was that they had stood by another dalit, Karuppiah, who was engaged in a prolonged struggle against a former panchayat president and her husband to recover an amount of money he said he had given them as a bribe to get a house allotted for his sister.
Both incidents are related to the growing aspiration of dalits to own land, either for cultivation or to build houses on, and the continued opposition or indifference of caste Hindus and the government in this regard. Ironically, the principal accused in the Thinniyam incident, the panchayat president’s husband, is a retired teacher; while in the Kaundampatti incident, one of the alleged perpetrators of the act is a Chennai-based police constable who belongs to the village.

While a first information report (FIR) has been registered with regard to the latest complaint, a case has been registered with respect to the earlier matter. In connection with the Thinniyam incident, ten persons, including the former panchayat president and her husband, are liable to face charges under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and the Indian Penal Code. People’s Watch–Tamil Nadu, a Madurai-based non-governmental organisation, has taken up both the cases with the National Human Rights Commission and the National Commission for Scheduled Castes and Scheduled Tribes.

Thinniyam is a tiny village near Lalugudi. About a hundred dalit families live here; the kallars, comprising 200 families, are the predominant caste. Seven years ago, Karuppiiah (38) reportedly paid Rs 2,000 to S. Rajalakshmi, the president of the local panchayat, a kallar by caste. With no house having been allotted and Rajalakshmi’s term drawing to a close, Karuppiiah demanded that the money be returned. Subramanian, Rajalakshmi’s husband, who was then in service as a teacher, first asked for time; later he denied that he had taken any money. A frustrated Karuppiiah tom-tommed his complaint on 20 May. Enraged, Subramanian, along with his son, abused him and assaulted him with footwear, Karuppiiah later said in a complaint to the police. The next morning Subramanian and his relatives allegedly assaulted Murugesan and Ramasami with footwear and hot iron rods for helping Karuppiiah bring his grievance to public notice. It was at that time that the two were reportedly forced to feed each other human excreta.

Sankan (44), who was in Chennai on 25 September to present his case to government officials, told *Frontline* that he had been a victim of breach of trust. He said that since his boyhood he had been working on the farm of a landlord of the village. Sankan said that about fifteen years ago the patriarch of the family had agreed to give him a piece of land on the condition that he would deduct Rs 500 every month from Sankan’s wages. But Sankan was not given any land. He was sent out of the farm five years ago. Ever since he had been pressing his erstwhile employer to give him the land. He had also taken the issue to a civil court. Meanwhile, the landlords had attempted to sell the disputed land. When Sankan resisted the entry of Kannan, who claimed to be one of the new owners of the land, he and his family were assaulted. He lodged a complaint with the police on 4 September. The next day Kannan, along with a group of persons, including the police constable, Annadurai, confronted Sankan and attacked him. In his statement Sankan said that he was dragged for about two hundred metres and beaten. When he stumbled, he was caught by the hair and an assailant urinated into his mouth.

The investigation into the incident has been entrusted with the Protection of Civil Rights wing of the police. Ironically, one of the officers investigating the case is a police inspector who was transferred from Tuticorin district in connection with police excesses against dalits in Sankaralingapuram (208–214).
Land reforms in reverse?

*The wasteland development programme will pave the way for the entry of corporate giants into the agricultural sector and deny farmers their livelihood.*

14 March 2003

FOR Tamils, Pongal is not just a festival of farmers. The first day of the Tamil month of *thai* (mid-January to mid-February), which is celebrated as Pongal, symbolises hope. People believe that Pongal will ring in new avenues in their lives as the Tamil adage *Thai piranthal vazhi pirakkum* suggests.

This year, however, Pongal brought no cheer to a substantial section of the people of Tamil Nadu. While the farmers in the Cauvery delta are neck-deep in trouble owing to devastating drought conditions, agriculturists in most other areas of the state, particularly cultivating tenants, marginal farmers and agricultural workers, fear for their future in view of the now-certain entry of big business into agriculture. The state government’s proposal to open up agriculture to corporate giants under its Comprehensive Wasteland Programme (CWP) was to have become operational from Pongal day. However, it is getting delayed, owing to the government’s failure to identify the beneficiaries well in time or its desire to go slow in view of its predicament on various fronts.

According to government estimates, the total wasteland available for the programme, comprising cultivable wasteland, current fallow land and other fallow land, is 25.74 lakh hectares. Over two hundred corporate houses from across the country, including some industrial giants, are waiting in the wings to take the plunge. They are among the over 1,500 applicants for a package scheme that offers not only land on long lease at cheap rates but also governmental assistance in forward linkage to market facilities. The major corporate houses in the fray include Reliance, ITC, TVS, and EID-Parry. The state-run corporate entity, Tamil Nadu Newsprint and Papers Ltd. (TNPPL), has also staked its claim.

The massive programme is seen as a major policy initiative of the J. Jayalalitha government to put the state firmly on the road to the World Bank–World Trade Organisation-driven reforms regime. Right from the beginning of her second term as chief minister, Jayalalitha has been eager to vigorously pursue the neo-liberal economic policy along with the union government. A series of actions such as curtailing the state’s procurement of paddy, reducing the coverage of the public distribution system, curbing legitimate trade union rights and denying government employees their rights and privileges under the pretext of effecting cost cuts, and the move to privatise the public transport system, have been cited in support of this perception.

Leaders of the left parties, agricultural labour unions, dalit organisations, social activists and environmentalists have expressed their misgivings about certain features of the proposal and the way the government plans to implement it. They have cautioned that it will have serious implications for the rural community. The entry of corporate houses into agriculture, they say, will pose a threat to the right to livelihood of the people and their right over and access to natural resources, besides degrading land and causing the depletion of water sources, because enlarging profits at any cost will be the major driving force for these operators.

In a public interest writ petition filed in the Madras High Court, P.V. Bakhavatsalam, president, Organisation for Civil and Democratic Rights, Tamil Nadu, has challenged the government order (GO) on the wasteland development programme on a number of grounds. The petition said that the order was unjust and against the basic structure of the Constitution. The government, it said, was “guilty of usurping power under the guise of ordinary administrative orders without considering the limits of its powers set by the Constitution.” The petition contended that the order failed to mention its source of power, apart from being violative of
Part IV of the Constitution and also the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. The petition stated: “Under the Tamil Nadu Panchayats Act, 1994, lands vest in the panchayats. The government cannot take over the land without the consent of the panchayats and the duly constituted gram sabhas.”

At the first meeting of the Wasteland and Watersheds Development Authority of Tamil Nadu on 14 December 2002, Jayalalitha announced that 1,597 applications from companies which wanted to participate in the CWP were being processed. She said, “My vision for the people of Tamil Nadu includes doubling the per capita income of the state by 2010, for which strategies such as integrated and holistic development of rain-fed areas, water harvesting, augmentation of bio-mass production by involving the watershed community through agro-forestry, horticulture and agribusiness and reclamation of wasteland have to be earnestly employed.” The major thrust of the CWP is to extend the benefits of new technologies to a larger number of crops and to dry land regions, which account for 52 percent of the gross cropped area in the state. The focus of the new programme, the chief minister said, would be on “the reclamations of wasteland, improving sub-optimal cultivation by small and marginal farmers, and encouraging rural non-farm activities.”

The Tamil Nadu Watershed Development Agency (TAWDEV) has been constituted to implement the programme, which has two components: a participatory watershed development scheme and a plan to develop government wasteland by involving the corporate sector, small companies and cooperatives. The total cost of the project, involving about 20 lakh ha, has been estimated at Rs 1,485 crore.

The first component—participatory watershed development—is already operative in ten districts. In the first phase of the project, which is to be completed in five years, 55,000 ha of land have been taken up in the current financial year. A total land area of 18.5 lakh ha will be brought under participatory watershed development. It will involve rain-fed agro-forestry and the cultivation of fruit trees. Private sector participation will be promoted through contract farming.

The second component envisages the leasing of government land to private sector operators at concessional rates. The maximum period for the lease of land to corporate houses will be thirty years. The normative ceiling for the land to be leased to each applicant is 1,000 acres (404.85 ha). The go, however, said: “In exceptional cases this may be considered for relaxation as a case-to-case basis. In respect of land below twenty acres cooperative societies and small companies will be given land on lease. No allotment to individuals will be made.”

Under the scheme, the corporate sector will have forward linkages to agribusinesses, cold storage and markets. One lakh ha of wasteland will be developed by the corporate sector as orchards, using drip and sprinkler irrigation and other infrastructural facilities. High-value cash crops such as medicinal plants, herbs, aromatic plants, spices, condiments, oilseeds, vegetables, cotton, silk cotton and cashew plants will also be grown.

At the Development Authority meeting, the chief minister said that the government would act as a ‘facilitator’ between corporate houses and small landholders to ensure the integrated development of wasteland and agribusiness, thereby providing new employment opportunities in the rural areas. The participation of corporate houses is expected to help accelerate capital flow and technology transfer in a big way.

There has been no clear definition of ‘wasteland’ either in the three GOS or in the guidelines evolved for the implementation of the CWP. The first GOS, dated 4 September 2001, said that the scheme would only cover waste and fallow lands that were cultivable, leaving out permanent pasture land. The second GOS, dated 5 May 2002, said that the first component of the programme would cover “an estimated watershed area of 2.15 lakh ha”, while the third GOS, dated 2 July 2002, said that the CWP was meant to develop “cultivable wastelands” and added that the “unique” programme involving the corporate sector would be taken up in blocks of land lying “waste and fallow”. According to the guidelines issued by the government, forestlands, vested porombokes and watercourse porombokes have been excluded. Over the years, large tracts of land declared in
government records as 'wasteland' are said to have been brought under the plough by thousands of small and marginal farmers on the basis of assurances from government officials that pattas (registered documents) would be issued to them in due course. Even in the case of those who manage to get pattas, land records are not updated promptly, it is said. While district collectors have been asked to identify the available wasteland, revenue divisional officers will be the nodal officers for the programme.

The mega scheme, which the government is determined to implement with assistance from financial agencies, both internal and external, has drawn flak from a cross-section of people. A major criticism is that the programme violates the Tamil Nadu Land Ceiling Act, the Tamil Nadu Land Reforms Act and the Tenants Protection Act. While the Land Ceiling Act has fixed the ceiling on land one can possess at fifteen acres (six standard hectares) the programme intends to hand over hundreds of hectares of land to corporate bodies.

Corporatisation of agriculture will only mark the negation of all the reforms in relation to land ownership, tenancy rights and so on, that were introduced after long and strenuous struggles conducted since the pre-independence era. The programme has rendered the slogan 'land for the tiller' meaningless, although in its election manifestos the ruling All India Anna Dravida Munnetra Kazhagam has repeatedly promised land for the landless labour, the slogan of the left movement in the country for over half a century.

"Had all the ceiling-surplus land been redistributed over the years to the landless labour, many of the state's problems such as poverty, mass unemployment, caste-related tensions and unrest could have been solved," observed M. Thangaraj of the Madras Institute of Development Studies, Chennai. Only 1,78,801 acres (72,000 ha) of ceiling-surplus land have been distributed so far and these form less than 1 percent of the total area of operational holdings (73,03,206 ha) in the state. (On the other hand, in West Bengal the redistributed ceiling-surplus land constitutes 20 percent of the total area of the operational holdings in the state.) He said that over the years the revenue officials had failed to distribute thousands of hectares of unused land to eligible people.

Among the southern states, Tamil Nadu remains at the bottom in the matter of wasteland transfer. While about 20 lakh ha of wasteland have been transferred to eligible people in Andhra Pradesh, about 1.5 lakh ha in Karnataka and 1.8 lakh ha in Kerala, the wasteland distributed in Tamil Nadu has been less than 1 lakh ha.

Another criticism against the programme is that the leasing of the common land in the village by the government violates the Panchayat Act under which panchayati raj institutions have been given the right to and control over common land. In their gram sabha meetings on Republic Day, over three hundred village panchayats adopted resolutions demanding the withdrawal of the programme in its present form and the launching of a new one to be implemented by the village panchayats. The programme has demanded that the power to decide how best common land and other resources of the village, such as waterbodies, can be used vest the panchayats. The federation has demanded that the village panchayat be consulted on any project undertaken within its boundaries.

"The programme will lead to massive displacement of marginal landholders and agricultural workers," said K. Balakrishnan, general secretary, Tamil Nadu unit of the All India Kisan Sabha. The corporate houses would try to evict thousands of people cultivating these pieces of land; they would sink deep wells that would bring down the ground water levels and cause acute water scarcity, degrading the land further, Balakrishnan said. He also added that the small farmers' inability to withstand the competition from corporate houses would lead to the further transfer of land, as a result of which thousands of people would be thrown out. The programme, which the government claimed would play a major role in poverty alleviation, would result only in augmenting poverty, he said.

According to P. Shanmugam, treasurer of the Kisan Sabha, in many places even grazing lands have been identified as wasteland
and this will affect the cattle wealth of the state. For instance, of the nearly 10,000 ha of land identified as wasteland by the Kanchipuram district administration, about 8,000 ha fall under grazing land. In certain areas, entire villages, including government-built houses, roads and water tanks, have been declared wasteland (252–254). In Maduranthakam taluk, the newly developed Samathuvapuram village has been classified as wasteland. However, following protests the administration has reportedly agreed to take corrective steps. “This only shows how hastily the officials in different districts have prepared the lists,” Shanmugam said.

According to the critics of the programme, dalits, who form a significant percentage of the 86.55 lakh landless labour in the state, will be the worst hit. Most of them will be impoverished further owing to the loss of jobs. Dalit activists say that panchami land to the extent of about 1.5 lakh ha that had been assigned to them decades ago but was now in the possession of other communities will be denied to them permanently unless corrective steps are taken.

According to critics, contrary to the government’s claim that the entry of the corporate sector will enhance employment opportunities substantially, its operations will render a larger number of people jobless. They cite the state’s experience in the field of aquaculture and horticulture in the mid-1990s, when corporate houses and finance companies entered the fray in a big way but had to quit business after spoiling the land and leaving the workers in the lurch. Several finance companies had to abandon their orchards and other horticultural units halfway through, mostly because of their over-ambitious operations and unfair trade practices, rendering thousands jobless, besides cheating depositors of their money.

T. Fatimson, state convener of the Campaign for Right of Livelihood and Food Security, Tamil Nadu, said the large-scale eviction of people from the land they had been cultivating for generations would render them homeless and rob them of their livelihood. The government’s move would only add to the tension in the villages, he said. “The mindless exploitation of natural resources by the corporate houses would result in acute water scarcity, he added. The changes envisaged in age-old agricultural practices, such as bringing rain-fed land under mono-cropping, would not only downgrade the quality of the soil but also alter the people’s food habits, he said. The intrusion by big business, according to him, would make a dent in the value system of the simple rural folk, damage their environment, and distort the sociocultural atmosphere.

Fatimson disputed the contention that dry land agriculturists were not talented or equipped enough to introduce new technology. He said that successive governments had been neglecting agriculture and that in recent years the government had been withdrawing from the scene by downsizing its operations. Further, the competitive politics in the state had led to the collapse of the cooperative credit system. In these circumstances it was unfair on the part of the government to accuse the farmer of poor performance. Referring to the go, which says the cooperatives could also participate in the venture, he said: “With all cooperative societies having been superceded, it is futile to expect them to stake their claim in any such venture.” He said that with enough funds and infrastructural facilities, the farmers could change the landscape. He cited the achievement of the Kundrakudi Adheenam in Sivaganga district in developing about 100 ha of wasteland with local talent and institutional support in the 1980s under its Kundrakudi Village Plan, which was hailed as a role model in those days.

The Campaign for Right of Livelihood and Food Security is one of the many organisations that have been creating awareness among the rural community about the socioeconomic implications of the move to transfer agricultural land to ambitious commercial interests. They have been organising seminars, conferences and rallies across the state and holding demonstrations and sit-ins against the programme.

Large-scale mobilisation by these organisations and the initiatives taken by the Left parties have helped build up a strong movement among the peasants to defend their rights. Fatimson hopes that “the people’s resistance will gather momentum when the mega project gets going, exposing its weakness.”
Seeds of despair

"NO, we will not leave this land. How can they deprive us of the land we have cultivated for four decades?" asks Madurai, 50.

"How can they make me work for wages on my own land? How can anyone else decide what should be grown on my land? Our families have sweated it out here, in sun and rain, for three generations, to develop this arid land. Today, from this land we get enough food for the family for the whole year," says Indirani, 40.

"We have nothing but this piece of land. If thrown out from here, where can we go now?" asks Thanusu, 50.

Madurai, Indira and Thanusu are from a village in Kanchipuram district in Tamil Nadu. They are marginal farmers, each owning less than half a hectare at Kilapaakkam, 27 km east of Chengalpattu. The village has been identified by the district administration as wasteland and has been offered for allotment under the state government's Comprehensive Wasteland Programme.

Inhabited by about 1,500 dalits, the village comes under the Kilapaakkam—Vellappandal village panchayat. These dalits are the descendants of 200 families, each of which was given government land measuring 44 cents (0.2 hectare) from the porombke land spread across the villages of Kilapaakkam and Vellappandal in the early 1960s on the strength of a resolution passed by the local panchayat. Of this, they used 40 cents for cultivation, leaving the rest for building their houses. Their statements reveal that the wasteland programme has not evoked any enthusiasm about the possibility of ‘fruitful’ joint ventures with trade giants in agribusiness. It has only sown seeds of despair and dejection. They fear that sooner or later they will be pushed out of their lands.

The dalit farmers are totally dependent on the rain-fed land for their livelihood. They grow paddy and get a yield of about ten bags of 75 kg each, in six months. This, together with the ragi that they grow for the rest of the year along with blackgram, sesame and so on, takes care of their modest food needs. They said that they had paid tax for the land until the government had waived it some time ago.

Most of them live close to their landholdings in Indira Gandhi Colony at Samanthipuram, in group houses built for them under a government scheme. The Tamil Nadu Electricity Board has provided streetlights and power connections to the houses. The small houses stand on either side of a neatly laid cement concrete road. The panchayat supplies drinking water through public taps from an overhead tank (capacity: 30,000 litres), which was constructed at a cost of Rs 2 lakh. The dalit occupants of these houses pay property tax to the panchayat.

Another section of the Kilapaakkam dalits lives in eighty thatched huts in the nearby Periyar Nagar Colony. They have had electricity since 1993 and drinking water since 1996. The president of the local panchayat, K.V. Rasukkuti, a member of the ruling All India Anna Dravida Munnetra Kazhagam, is a resident of this colony.

The village has a primary school. For further studies the children have to go to the nearest town, Thirukkazhukundram, 10 km away. Hospital facilities too are available in the town. A mini bus plies on a road which is in bad shape owing to the large-scale sand-mining that goes on in the nearby Palar riverbed regardless of a court ban.

It is strange how an entire village, which has been enjoying infrastructural facilities, though inadequate, under the government and the panchayat schemes for many years, can be declared a wasteland. A possible explanation is that the revenue records have not been updated. The dalit farmers say that the officials told them that the adangal did not show that they had been cultivating the land in question.2 "How can the poor cultivators be made victims of bureaucratic bungling?" asks N. Dayalan, programme coordinator, Legal Resources for Social Action (LrSa), a Chengalpattu-based non-governmental organisation.

Dalits, who constitute more than 60 percent of the population (5,200) of the twin villages, will be the worst sufferers when the government proposal materialises. They shudder to think of their being eventually deprived of the land they have developed. They went in a protest march to the collectorate, and staged a demonstration.
Madurai was so shocked that he could not continue farming operations. “The land I cultivate is the sole source of my livelihood. Where can I go with my family if uprooted from this soil?” Thanausu had dug a fairly large well by borrowing money at a high interest rate. He had hopes of making it big by pooling the resources of his four sons, who own a fast food shop in Chennai, and those of his four brothers, who own land in the village, but now all his hopes have been shattered. “What can I do with this huge well now?” he asks. Madurai and Thanausu say that they will not take things lying down. “We will fight come what may, and we will hold on to our dear land,” says Madurai. Most others seem to share his determination.

NOTES

1 See note on panchami land on p. 45.
2 Adugol, a government document that shows the user-status of different pieces of land, is prepared and maintained by the village administrative officer (vao). The vao is expected to visit each piece of land, find out who cultivates it, and record his findings on a regular basis.

Conversion and economic rights

The dalits of Koothiramabakkam assert their right to common resources in the face of an oppressive caste hierarchy and an indifferent government apparatus

6 June 2003

Koothiramabakkam, a tiny village in Kanchipuram district, drew media attention six months ago when the Jayalalitha-led All India Anna Dravida Munnetra Kazhagam government issued the Tamil Nadu Prohibition of Forcible Conversion of Religion Ordinance. The decision of about three hundred dalits in the village to convert to Islam was then being mentioned as one of the proximate factors that had provoked the state government to issue the controversial ordinance on 5 October 2002. (Two months later it became a law, the Tamil Nadu Prohibition of Forcible Conversion of Religion Act, 2002.)

The dalits' decision has a background. For nearly three decades they have been demanding that during the festival season (September-October) the deity of the Muthumariammman temple in the village, which is under the control of the caste Hindus, should be taken to their 'colony' as well when it is taken out in a procession. ('Colony' denotes the settlement where dalits live. They are not allowed to enter temples in most villages.) In September 2002, however, their demand was coupled with a warning to the district administration that if their desire was not fulfilled, they would embrace Islam en masse. The vanniyars of the village, the predominant caste group, refused to budge. The district administration, which failed to persuade the vanniyars to concede the demand, tried to mollify the dalits by agreeing to meet some other demands of a non-religious nature.
Some months after the festival season, the village is back in the news. The dalits have since then been subjected to more cruel forms of oppression by the predominant community. The oppression came in the form of denial of jobs to them in farms owned by the nondonal landholders. The latter also tightened the social and economic boycott of the dalits, which has been in force for a long time. Moreover, when the dalits recently attempted to enforce their right to fish in the local lake on the strength of a lease granted by the district administration, a group of vanniyars resorted to violence. Shouting abusive slogans against the dalits, a 200-strong mob assaulted those engaged in fishing. Pandurangan, 17, a Class 9 student and one of those fishing, said, “The mob jumped into the lake and began attacking us. They used foul language. We came out of the lake and ran for our lives. We were chased into the village. They beat me mercilessly. Some persons entered our house and took away our tape-recorder.” The mob, which comprised mostly vanniyars, chased the dalits into the colony and attacked them with knives, sickles, iron rods and casuarina sticks, it was stated. Vanita, 45, said that when she and her friend, Padma, were returning to the village from their fields, a group of people carrying weapons ran towards them and attacked them. They abused the women for fishing in the lake. Vanita said, “Most of our men have now left the village looking for jobs because they could not get jobs in the village. We are unsettled and feel insecure.”

Not less than eighteen dalits, including women, children and the elderly, were injured and hospitalised. Forty-six houses of dalits were ransacked and their belongings were looted; bicycles, two-wheelers and television sets were damaged. Street lamps and public taps, as well as the extension unit of a fair price shop functioning in the colony, were targeted. In the village, with a population of about two thousand people, there are about two hundred vanniyar families and fifty-eight dalit families. There are also yadavas and other caste Hindus. Most of the vanniyar families are landowning agriculturists. The dalits are mostly agricultural labourers dependent on the vanniyar landholders for livelihood. Although the village has only one primary school, it has no fewer than ten small temples. The dalits say that untouchability is practised in the village in several forms. For instance, they are denied access to the common pond even when the drinking water system provided to them by the panchayat fails. They are also not allowed to enter areas occupied by nondonals.

An elderly woman said that the vanniyars, through an oor-panchayat decision, had banned their people from giving jobs to the dalits and even talking to them. They had also warned that those who violated the ‘order’ would be fined Rs 2,000. Kumar, a Communist Party of India (Marxist) activist at Kanchipuram, recalled that sometime back a ban was imposed by the vanniyars on the families of a few party workers in the village for the latter having challenged the discrimination against the dalits.

Three weeks after the violence, an uneasy calm prevailed in the village. Police personnel were deployed there. The houses in the colony bore the marks of vandalism. The injured, though discharged from hospital, were yet to recover from the trauma. Several of them were seen moving about with their fractured limbs bandaged and in slings. An aged dalit woman, with her broken hand bandaged and leaning on the mud wall of her tiny hut, was murmuring something in pain. A police vehicle arrived and constables began collecting damaged utensils to be produced in the court. A strange silence prevailed in the vanniyar areas as well.
The lake at the centre of the controversy was dry. A pond meant for common use had hardly any water in it. Parched land all around the village testified to the havoc the drought had played in the area.

Tracing the history of the 27-year-old dispute between the dalits and the caste Hindus over the Muthumariamman temple, Mathurai, 55, a local dalit leader, said, “Although there are more than ten temples in the village, we are claiming right over only the Muthumariamman temple, because our money and labour were involved in building it. Why should we not be allowed to worship in this temple? How is it that our area alone should be left out of the programme?”

Mathurai said that they had been pressing their demands with regard to the temple in a peaceful manner for over two decades, in vain. He said, “Every year we would revive the demand; the administration would organise a peace meeting... This became almost a routine. In 1994, when our demand was rejected once again, we felt deserted. When we were prevented from entering the temple, we felt that there was no point in remaining in a religion that did not treat us as equals. We therefore announced our intention to leave this religion.” The district administration intervened again and conceded some of their demands—other than the one relating to their rights over the temple.

He added, “In 2002, we again warned that we would change our religion in front of the Sankara Math at Kanchipuram.” The district collector and a state minister intervened, but could not effect a settlement. It was at that time that the Tamil Nadu government brought forward the anti-conversion legislation. Once again, the district administration conceded all of the demands of the dalits except the one relating to the temple “because, they said, it was pending before the court”.

“One of the demands was that the lease given to dalits to fish in the lake be extended for a year since in 2001 there was no water in the lake owing to drought, and this was conceded. When our people went fishing on 29 March, we were stopped by a 200-strong mob of vanniyaars, led by the president of the panchayat council. They attacked us and destroyed our belongings,” Mathurai said.

According to Mathurai students were targeted. “They do not want our children to study. Many of our boys and girls were assaulted when they were preparing for the examinations. Among the articles the intruders destroyed were school certificates.”

The vanniyaars of the village were not prepared to talk to the media.

On the basis of complaints filed by Velu, president of the fishermen’s association, and Arasaveti, a dalit injured in the attack, over twenty vanniyaars were arrested and charges filed against them. Among those arrested was the panchayat president, who was, however, released on bail within hours. Charges were filed under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. On the basis of a complaint from Velu, a vanniyaar, nineteen dalits were arrested. Eight dalits were charged with burning haystacks belonging to vanniyaars.

Human rights activists and political leaders who visited the village after the incidents as members of fact-finding teams expressed surprise over the fact that the district administration had stretched the temple issue out over two decades without resolving it. Since the denial of entry into temples to dalits is one of the listed practices of untouchability that is punishable under law, early action by the administration would have enabled it to ensure that the situation did not take a violent turn. The activists and leaders were also critical of the district administration for its failure to give police protection to dalits when they went fishing in the lake. The fact-finding teams have demanded action against all those involved in atrocities against dalits under the SC/ST Act. They have also demanded that dalits be compensated according to the provisions of the Act.

Apart from fishing rights, the Koothiramakkal dalits were also agitated over the district administration’s insensitivity to their legitimate aspiration to possess a certain stretch of land. The decision to auction some land belonging to the Kanchipuram Thirumurteeswar temple at Koothiramakkal to caste-Hindu bidders without informing the dalits about it made them complain to the district administration. The dalits said that the move was in
violation of an earlier understanding arrived at in a peace meeting dealing with their general demands. The administration saw reason in the dalits’ plea and announced a fresh auction.

The dalits’ assertion of their right to the common resources of the village as also their attempts, though feeble, to insist on the fulfilment of their land-related demands perhaps indicates a shift in their priorities: economic issues have come to the fore. Dalit leaders across the country have stressed the need for the community to fight for their rights over land and community wealth. The Koothirambakkam incident, though not organised by any dalit organisation, appears to be a manifestation of the awareness among dalits regarding this aspect. The way caste Hindus have generally frustrated dalits’ efforts, aided by the indifferent attitude of the district administration, also indicates the level of resistance that dalits may have to face from vested interests and the defenders of the hierarchical caste system which has caused, nurtured and perpetuated economic, political and social inequality among the people.

NOTES

1 In the May 2004 Lok Sabha elections, when the AIADMK failed to win even one of the state’s thirty-nine seats, the Jayalalitha government reversed several decisions that were perceived to have cost her the popular vote. As part of this, Jayalalitha announced on 18 May, five days after the poll results, that the Tamil Nadu Prohibition of Forcible Conversion of Religion Act, 2002, would be repealed.


A temple car and caste tensions

Machinations by caste-Hindu groups and a different administration deprive dalits in Kandadevi of their right to participate in a temple festival

15 August 2003

MORE than five decades after untouchability was declared punishable under Article 17 of the Constitution, which ensures equality to all before law, dalits, who form one-fifth of the population, continue to suffer caste-based discrimination and disablement in many parts of the country. They are left with no choice but to fight for their constitutional rights, in courts or on the streets. Dalit assertion in most places is met with stiff resistance from casteist forces. The resistance is often severe; it even takes violent forms when the matter of dispute over rights relates to temples, festivals and rituals. Enforcing court orders in favour of dalits is a daunting task for the administration.

Tamil Nadu has been witness to incidents of temple-related confrontations between dalits and sections of caste Hindus in recent years. At Koothirambakkam village in the northeastern district of Kanchipuram, the dalits are locked in a prolonged legal battle to assert their rights relating to the local temple (255–260). The dalits of Kandadevi village in Devakottai taluk in the southern district of Sivaganga have been asserting, for over five years, their right to pull the temple car of Sri Swarnamooorthi Easwarar temple during the annual festival along with the nattars, who belong to the caste-Hindu kellar community. The leaders of the nattars, ambalans, are the self-styled heads of the people in four nadus in Sivaganga and adjacent districts.

The district administration failed in its attempt to help conduct
the temple car festival on 11 July with the participation of "all Hindus irrespective of caste, creed or community". The temple car was to be ceremonially pulled after other rituals involving the heads of the nadus, in accordance with a 1999 order of the special commissioner of the Hindu Religious and Charitable Endowments (HR&CE) administration department, as directed by the High Court. A piquant situation arose when the heads of the four nadus walked out after being honoured at the temple. The ambalams refused to participate in the ceremonial pulling of the temple car. Their supporters alleged that the officials were not impartial and the situation was not conducive to their participation in the pulling of the car. Later, it was announced on behalf of the district administration that there would be no pulling of the temple car. The dalits, who had gathered in large numbers to pull the car, were disappointed, and there was tension in the area for a few days. In less than a week, the collector and some other top officials were transferred to other districts, leaving the people wondering whether it was a mere coincidence.

The Kandadevi temple car festival, which takes place in the Tamil month of aani (June–July), attracts devotees including a large number of dalits from about two hundred villages around Devakottai. Although, traditionally, the heads of the four nadus were specially honoured in the temple, and they led the pulling of the temple car, the dalits and people from other communities also had specific roles to play in the ritual. This, the dalits say, had been the practice 'from time immemorial'. However, in 1979, after an incident at Chinna Unjanai (which comes under Unjanai Nadu, one of the four nadus) in which five dalits were killed following a dispute over a temple festival, the dalits stopped participating in the Kandadevi temple car festival.

In fact, in 1997, the sole dalit participant in the car festival was allegedly beaten by a section of caste Hindus. Following this incident, Puthiya Tamizhagam president and a member of the state assembly, K. Krishnasamy, who toured the area, demanded at a press conference that the dalits be given equal rights along with other communities in the temple car festival. In 1998, the dalits staked their claim to participate in the festival, which was scheduled for 7 July. Local leaders of the Puthiya Tamizhagam, a party that generally champions the cause of dalits, announced that Krishnasamy would lead the dalit participants in pulling the car. Fearing that 'a law and order problem' might arise, the police and revenue officials held a series of meetings with the leaders of both the dalits and nattars. The dalits demanded that they be given police protection to enable them to pull the temple car.

Meanwhile, Krishnasamy filed a writ petition in the Madras High Court, wherein he pleaded for a direction to the state administration to enforce the provisions of Article 17 to facilitate participation by the dalits in the temple car festival on an equal footing. The petition sought an interim order to protect the dalit participants in the festival. The High Court directed the state administration on 6 July 1998, a day before the car festival, "to ensure and take appropriate steps, which are according to the situation, and in the interest of the administration to avoid an explosive situation on the spot and at the same time ensure that peace-loving citizens are able to participate in the rituals in a peaceful manner." The direction was given after the court heard from both the contending sides that they had no objection "if the petitioner or the public, irrespective of the caste and creed is
permitted to pull the car after the rituals have been performed according to their traditions, say within an hour of performing the rituals and the car being pulled by nattars."

On the day of the festival, the tension was palpable as thousands of people thronged the temple. The district administration felt that an "explosive" situation was developing "because of the large-scale mobilisation of people by both the parties within and from outside the district." Prohibitory orders under Section 144(2) of the Code of Criminal Procedure were issued. As a consequence, the pulling of the car was cancelled, although other rituals were gone through.

People from both sides were disappointed, and angry demonstrations were held defying the ban order. The dalits were arrested in large numbers while only some nattars were arrested. Several cases of assault were filed against people from both sides. Scores of people were injured and hospitalised. There were also reports of assaults on police personnel. Prohibitory orders were extended periodically.

Meanwhile, the 'heads' of the four natus—R.M. Ramasamy Ambalam, S.P. Ramasamy Ambalam, M.V. Periaiah Servai and S.P. Karuppan Ambalam—filed a petition before the joint commissioner, HR&CE, Sivaganga, pleading that their traditional right to pull the temple car be established. The joint commissioner, in his orders issued on 8 April 1999, stated that the nattars had the right to hold the vadam (rope) and pull the car, besides receiving temple honours before the pulling of the car. Krishnasamy challenged this order in the High Court. The High Court held, on 25 June, that the matter be decided by the commissioner 'according to the law' after hearing the parties. (In the meantime, the Sivaganga Devasthanam, which has been managing the temple, announced that the car festival would be conducted on 27 June 1999. Periaiah Ambalam approached the High Court for a direction to the district collector, the superintendent of police, Sivaganga, and the joint commissioner, HR&CE, against any intervention by them in his 'right' to conduct the festival on 27 June in keeping with "the customs and traditional rights" as they were declared by the joint commissioner.) The court ruled that "we find that since a disputed question of fact is involved and that needs consideration, we deem it proper to direct the petitioners to agitate the issue before the authority concerned at the time of disposal of the matter and the authority concerned will be free to pass appropriate orders, keeping in view the law and order situation."

Krishnasamy accordingly preferred an appeal before the commissioner, HR&CE. The commissioner passed orders on 26 June 1999, stating that during the preliminary rituals, honours such as patta, parivattam and malai would be conferred on the heads of the four natus and after that, when the car procession per se started, "all Hindus irrespective of caste, community and creed shall be entitled to partake in pulling the car." On the day of the festival, amidst the 'tension' caused by the large police presence as well as the presence of the dalits and the caste Hindus, the nattars refused to accept the 'customary' honours. Following this, the hereditary trustee of the Sivaganga Devasthanam, which manages the temple, decided that "to protect lives and property and to maintain peace," the pulling of the temple car would be abandoned. An announcement to this effect was made by the joint commissioner, HR&CE.

In the following year, district officials held a series of meetings with both parties in an effort to conduct the festival on the commissioner's guidelines, but again, under compulsions of 'maintaining law and order' and on the grounds that continuing with the car-pulling after the heads of the natus had refused to receive the ritual honours would be in violation of the guidelines, the pulling of the car was once again abandoned. The temple car could not be pulled in 2001 either.

In 2002, for the Jayalalitha-led All India Dravida Munnetra Kazhagam government, holding the Kandadevi car festival became a prestige issue, because the previous Dravida Munnetra Kazhagam government had not been able to conduct it for four successive years. And it did succeed in holding the festival, without the full participation of the dalits. The nattars, particularly women, gathered around the temple in full strength well in advance to pull the car, leaving practically no room for the dalits to join them. The dalits complained that it was a planned move executed by the nattars 'with the tacit approval of the police' in order to frustrate their efforts to assert their right.
This year it was a different story. The dalits assembled in full strength hours before the scheduled commencement of the pulling of the car, but the nattars outwitted them for a second year in succession by adopting a different strategy. After receiving the temple honours, the heads of the four nadas trooped out with their families amidst noisy protests from their supporters against what they called the 'partiality' of the officials, particularly the collector. Threats were also reportedly issued by a section of caste-Hindu women that they would commit suicide if dalits pulled the car. The dalits alleged that the protesters raised slogans calling them by their caste name, an offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The collector's efforts to continue the festival by persuading both sides proved futile. After a few hours of waiting, the collector announced that there would be no pulling of the car, “in view of the tension and with a view to maintaining law and order”.

Commenting on the cancellation of the pulling of the temple car, civil rights leader and advocate PV. Bakthavatsalam, who argued Krishnasamy’s case in the High Court, told Frontline that the state apparatus had always seen the dalits’ demand that their statutory rights be enforced only as a law and order problem. “Particularly when questions relating to religion and ‘tradition’ are involved, the administration becomes nervous,” he said. “But nothing can be above the Constitution.” The dalits’ right to equality had been enshrined in the Constitution and they could not be deprived of it in the name of protecting ‘traditions’. The nattars’ objection to the dalits’ participation in the pulling of the temple car rested on the claim of the heads of the nadas that their right regarding the pulling of the temple car was part of the ‘customary rights and traditions’ they had been enjoying. They had been handed these ‘rights’ under the zamindari system and these rights had gone out with the abolition of the system under the Estates Abolition Act, 1929, Bakthavatsalam argued. “When dalits are denied their rights in the name of tradition,” he said, “that becomes an offence by itself.”

Communist Party of India (Marxist) state secretary N. Varadarajan criticised the government’s failure to hold the car festival in accordance with the court orders and ensure dalits the right to equality. M. Arjunan, secretary of the Sivaganga district unit of the party, said that this year the district administration had obviously made an honest attempt to hold the festival on the guidelines of the HR&CE department but had not been firm enough to take the effort to its logical end. “The transfer of all the principal district officials will only send out wrong signals,” he said.

Krishnasamy expressed the disappointment of the dalits over the cancellation of the concluding part of the car festival, which was very significant to them, and saw in the district officials’ actions a lack of firmness. However, he was critical of the transfer of the officials because it would only embolden those who oppressed the poor with the power they derived from archaistic institutions such as the nadas.

**States within a state**

The attractive temple car (ther) that is at the centre of the controversy, belongs to the Sri Swarnamoorthi Easwarar temple at Kandadivi, 4 km from Devakottai. The village was part of Ramnad district until 1985, when the district was trifurcated. The district itself was earlier part of a larger Madura district. Edgar Thurston, the renowned museologist and ethnographer, states in his *Castes and Tribes of Southern India* (1909), vol. 3, in the entry on ‘Kallan’: “Portions of the Madura and Tanjore districts are divided into areas known as nadas, a name which, as observed by Mr. Nelson, is specially applicable to Kallan tracts.” (72) (Kallan or kollar denotes a caste group that is part of the mukkulathor, now a dominant caste group in the southern districts of Tamil Nadu. Maravar and agamudiayar are the other components of the mukkulathor community.1 The Chola country of Tanjore is stated to be the original abode of the kollars before they migrated to the Madurai region, the then Pandya kingdom. Agriculture was said to be their major occupation.) On the whole there were thirty-seven nadas in the two districts, of which fourteen were said to be in the Sivaganga
region. (‘Nadu’ was a group of villages under the Chola administrative system.)

Thurston writes: “Round about Devakotta in the Sivaganga zamindari there are fourteen nadus, representatives of which meet once a year at Kandadevi, to arrange for the annual festival at the temple dedicated to Swarnamurthi Swami.” The four nadus (Unjanai, Semonnari, Thennilai and Eravuseri), whose so-called heads have now been asserting their ‘customary’ rights over the pulling of the Kandadevi ther, were part of these fourteen nadus and the four constituted a group and the ‘Tennilai nadu’ was considered the chief nadus, “where at caste questions must come up for settlement”. Each nadu is headed by an ambalakaran (president of an assembly) and the ambalakarans took upon themselves the power to adjudicate disputes that arose among the inhabitants belonging to the different castes in the nadus. They used to hear complaints, hold inquiries and punish the offenders. They wielded considerable power to intervene in any kind of transaction or transfer of property among the people. No land could be alienated from one man to another without the permission of the ambalakarans. They were known for awarding crude punishments to and collecting oppressive taxes from the people.

Although stripped of much of their power during the British Raj and later after independence, they are still said to hold sway over a section of the people, with money, muscle power and political support. Describing the nadus as states within a state, advocate Bakthavatsalam said the so-called heads of these nadus had no powers to adjudicate or award punishments. The power they claimed to enjoy had no legal basis whatsoever, he said. “In areas where they hold influence, they don’t allow anybody to sell land to dalits,” Bakthavatsalam alleged.

The entire Kandadevi region and also adjacent places in the old EastRamnad district have been known for atrocities against dalits for over a century. Dalits have been victims of deep-rooted prejudice and untouchability, which still manifest themselves in several forms. Their resistance against oppression is also nearly a century old. The first conference of dalits was held at Paramakudi in the district as early as in 1810. Struggles have been waged against untouchability since the 1850s. Mahatma Gandhi visited Devakotta in 1934 to offer his condolences for the death of Poochi, a dalit, in the movement against untouchability, and held discussions with the dalits and the nattars, who were opposed to dalits wearing shirts. From the Mudukulathur riots of 1957 to the multiple murders at Unjanai in 1979, the region has seen scores of incidents in which dalits have been the victims.

Although there have been clashes of such magnitude between the dalits and the mukkulathor, there have also been several occasions when the people of these two caste groups, most of whom are poor agricultural workers, have unitedly fought against colonial rule and also against landlordism. Hundreds of people from both the castes participated in the 1942 Quit India Movement. In the police firing at Devakotta, more than seventy-five persons lost their lives.

Amidst the tension over issues such as the denial of rights to the dalits at the Kandadevi festival, several dalits said that despite such clashes the caste Hindus had not been unfriendly to them in day-to-day life. The head of the Unjanai nadu, Rm. Ramasamy, told Frontline that for most of the year “we have been maintaining cordial relations. We are mutually dependent. Without unity we cannot produce even a single grain.”

Dalits are not unaware of the reasons for this contradiction. When A.S.A. KaruppaI, treasurer of the district unit of Puthiya Tamizhagam, explained that in the past the dalits had been allowed to participate in pulling the temple car along with the others and wondered why they should not be allowed to do so now, a woman in the same family, Muthu, interjected, “It is very simple. In those days they had to pull the temple car along roads filled with stones and thorn and they needed you for your physical labour. Now that they have a tar road, they don’t need us.”

Notes

1 See footnote on p. 100
A tale of torture

A case of serious police torture comes before the State Human Rights Commission

15 August 2003

During the discussions which took place on the Indian Code of Criminal Procedure in 1872, some observations were made on the reasons which occasionally led native police officers to apply torture to prisoners. An experienced civil officer observed, ‘There is a great deal of laziness in it. It is far pleasanter to sit comfortably in the shade rubbing red pepper into a poor devil’s eyes than to go about in the sun hunting up evidence.’ This was a new view to me, but I have no doubt of its truth.


Police torture of prisoners is a colonial legacy and red pepper spray was one of the tools the police in British India used to extract confessions from prisoners. Hence the debate over the inhuman practice is over 125 years old, though the colonial police resorted to it only ‘occasionally’. Is laziness, as seen by the senior civil officer and endorsed by Sir James Fitzjames Stephen, member, Viceregal Council for India, an English legal luminary and the architect of the Indian Evidence Act, 1872, the major factor responsible for torture or is there something more to it? The debate continues.

The police in independent India resort to torture more frequently and have added more weapons to their armoury. The Supreme Court, in the D.K. Basu case (1997), drafted guidelines to be followed by the police for arrest and interrogation, with a view to giving little scope for illegal detention or improper interrogation. Later, the court directed the state human rights commissions to ensure that the guidelines were adhered to. Yet, complaints about the violation of norms are increasing by the day. In Tamil Nadu alone, according to a study conducted by the Campaign for Custodial Justice and Abolition of Torture, thirty-six complaints were investigated and proved correct between May and October 2002. Notable among these cases was the one relating to the police brutality against ten persons, seven of them belonging to a tribal family, under the pretext of investigating a theft case (224–226). The State Human Rights Commission is investigating the numerous complaints it receives, recommending action against erring police personnel and awarding payment of compensation to victims.

One of the complaints the commission received recently relates to an alleged incident at Vitukkattai near Thiruthuraiappooni in Thiruvurur district. On 23 May, People’s Watch–Tamil Nadu, a Madurai-based human rights organisation, produced before the commission a group of persons, most of them dalits, who complained that they had been tortured at Thiruthuraiappooni and Thirukkalar police stations between 10 and 16 May. Statements signed by fifteen persons were also filed.

Trouble started for these persons after three decomposed bodies were removed in May from a house that was found locked. The bodies were those of Padmavathi (56), her second daughter Jeeva, and Brahadeeswaran, the two-year-old son of Padmavathi’s first daughter. While Padmavathi’s body was removed on 9 May after neighbours informed the police of the foul smell emanating from her house, the other two bodies were removed only the next day. This angered the local people, who staged a roadblock in protest against police indifference. The police registered a case of murder and started the investigation. Between 10 and 16 May, more than forty persons from the village, including three women, were reportedly taken to the Thiruthuraiappooni and Thirukkalar police stations for interrogation. Some of them were detained for up to two days without being presented before a magistrate. The statements of the persons gave detailed accounts of the torture inflicted by the police, including senior officers. The people alleged
that they were beaten up and humiliated. A woman complained that nasty questions were put to her. The police used abusive language against the complainants, called them by their caste name, beat them with lathi, and kicked them, they said. When one of them asked for water, a police officer asked for a bucket of water, dipped his shoes in it and asked the person to drink it, a statement said. Another victim complained that when he asked for water, a police officer urinated into his mouth. Strangely even after one person, Senthil, was arrested and the police filed a charge-sheet against him, those who were brought in for interrogation were reportedly kept at the police stations for two days. They were also asked to report at the police stations for some more days.

The State Human Rights Commission deputed an investigating officer to the village. The officer, L. Purushothaman, recorded the statements of a few of the arrested persons. The latter also identified the officials against whom they had complained to the Commission. Deputy superintendents of police N. Moorthy and M. Abdul Razak, several inspectors, sub-inspectors and constables appeared before the investigating official.

Demonstrations, mass fasts, processions and public meetings were organised by the Communist Party of India (Marxist) at several places in Thiruvarur district to condemn the police torture. State CPI(M) secretary N. Varadarajan, in a letter to chief minister Jayalalitha, demanded stern action against the police officials and payment of compensation to the victims.

People’s Watch–Tamil Nadu executive director Henri Tiphagne told Frontline that the Thiruvarur district collector should have taken suo motu action and ordered an inquiry by a revenue divisional officer (RD). He demanded action against the collector and the police officers involved in the incident, under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

G. Ramakrishnan, CPI(M) state secretariat member, said, “There has been gross violation of almost all the guidelines of the Supreme Court on the subject and the government should initiate not only departmental action but also legal proceedings against the erring officers.” Ramakrishnan said that the Thiruvarur police had been emboldened to indulge in such inhuman and perverse activities not only by the government’s failure to take prompt action against such human rights violations in the past, but also by its action in even defending erring officials.

Ramakrishnan pointed out that though the murders had occurred within the limits of the Thiruthuraipoodi police station, the police had taken the dalits of Vittukkattu to the Thirukkalar police station located in an isolated place. That was perhaps a strategy to avoid publicity for the torture designed by the police, he said.
Killing for ‘caste honour’

In a gory instance of assertion of the caste divide, relatives of a vanniyar woman murder her and her dalit husband

12 September 2003

CASTE prejudices are deep-rooted in Tamil Nadu, and people will even kill to preserve ‘family (or caste) honour’, as they did at Puthukkooraippettai village in Cuddalore district recently by poisoning to death and burning a newly married couple who belonged to different castes. This incident, as also the reactions to a simple flag-hoisting episode at nearby Siruthondamadevi village, reinforced the fact that the worst sufferers in such situations are women and dalits.

S. Murugesan (25), a graduate in chemical engineering, and D. Kannagi (22), a commerce graduate with a diploma in cooperation, both residents of Puthukkooraippettai, near Vridhachalam town, about 200 km from Chennai, fell in love when they were students at Annamalai University in Chidambaram. Their marriage was solemnised and registered on 5 May 2003 under the Hindu Marriage Registration Rules, 1957, by the Registrar of Hindu Marriages, Cuddalore. The couple concealed the fact from their parents, fearing their disapproval because the former belonged to different castes. While Kannagi was a vanniyar, Murugesan was a dalit. Vanniyars are placed above dalits in the caste hierarchy.

The couple spent a few days in the house of Murugesan’s relative, and then decided that Kannagi would stay with her parents until Murugesan took up a job. Within a month or so he got a job in a private firm at Tirupur, but in the meantime Kannagi’s parents came to know of the marriage and showed their resentment in every possible way. The couple could not meet; they kept in touch with each other through letters.

On 3 July, Murugesan came to the village and took Kannagi with him without the knowledge of their parents. Her ‘disappearance’ caused tension in the village and Kannagi’s father, C. Doraisami, the local panchayat president, and her brother Marudupandian, apparently took it as an affront to their ‘family and caste honour’. They organised a search for the couple, and their men are said to have cornered Murugesan at his house on 7 July. He had apparently come to take some documents. Even at this point Murugesan’s parents claimed that they were not aware of the marriage.

Murugesan was apparently taken to a secluded place on the outskirts of the village and tortured all night for information about Kannagi’s whereabouts. His captors allegedly suspended him upside down into a deep well and threatened to drop him in if he did not disclose where Kannagi was. Murugesan’s resistance finally broke, and he told them that she was with some of his relatives. Marudupandian, accompanied by an uncle of Murugesan’s, brought her back to the village. Both were allegedly forced to drink some poisonous liquid in the presence of scores of people, who were mute witnesses to the agony of the dying couple. The bodies were burnt, leaving no evidence of the gruesome incident.

First reports of the incident said it was a case of suicide. But when information began to spread through witnesses and the grapevine about what had actually happened, political parties demanded an inquiry. The Communist Party of India (Marxist) issued a call for a demonstration to demand action against the casteist forces responsible for the murder. The Viduthalai Siruthaiyal (Dalit Panthers of India) also demanded an inquiry. Ten days after the incident, Doraisami, Marudupandian and four others surrendered to the village administrative officer, who produced them before the police. A case of murder was registered and a few days later Murugesan’s father Samikkannu, 49, was also arrested. All the accused were granted bail after about three weeks in custody.

Samikkannu alleged that he had been implicated in the case and said he was not present in the village that day. The father of six
children and relatively wealthy (he owns a few acres of land), he had spent a lot of money educating his eldest son and saw him as the family’s hope. He maintained that he had not become aware of his son’s wedding until early July. Chinnapillai (45), his wife and Murugesan’s stepmother, alleged that the police beat her when she went to the police station to complain about the incident. Murugesan’s brother Velmurugan, 17, a Class 11 student, said he was beaten up by Doraisami’s people because he did not know where his brother was. Samikkannu’s family has since moved to another village given the fact that the dalits of Puthukkoorippettai are poor agricultural workers fully dependent on the landowning vanniyar for survival.

S. Dhanasekaran, CPI(M) district committee secretary, speaking to *Frontline*, called for steps to wipe out the illicit liquor trade, which he said was the biggest sustaining force for casteist elements. “Illicit liquor makes vast sections of the village communities insensitive to such cruel incidents,” he said. Puthukkoorippettai is one of the villages where untouchability is practised in several forms. “When our party staged a demonstration against untouchability, the party of the local MLA (Paattali Makkal Katchi) organised a counter-demonstration,” Dhanasekaran said, and added that “such actions will only help aggravate the situation.”

This is a scenario in which a woman is not meant to have any views of her own, not even about the man who would be her husband, all in the name of ‘family honour’. Women’s rights experts believe that this is based on the anachronistic but still-prevalent belief among many communities—cutting across race, religion and caste—that women are the property of the men in the family and, as such, do not have any right of their own to decide their future.

Dalit women, in addition to the gender bias, bear the burdens of caste and class. Studies have revealed that dalit girls have been forced to become concubines of caste-Hindu patrons and village priests at several places. The women are routinely subjected to sexual abuse and related offences by caste-Hindu landlords and their family members, these studies show. In fact, at Siruthondamadhevi, for the last ten years dalit families have been sending their grown-up daughters to welfare centres in Chennai and Pondicherry, to save them from such sexual harassment. “Life for women here is like coexisting with fire,” said Palaniammal, 34, of the village which has a hundred dalit families and 1,500 vanniyar families. Barring a few, all the dalit families are Christians and most of them work as labourers in the vanniyars’ farms.

Dalit-vanniyar tensions in the village came to a head on 14 April, B.R. Ambedkar’s birth anniversary. The caste Hindus objected to the celebrations organised by the dalits and to the hoisting of a party flag on the grounds that no political party could hoist its flag in the village, as held by a (informal) ‘panchayat’ decision. Dalit youth said that using this as a pretext, vanniyars entered the dalit ‘colony’ and went on the rampage. They assaulted men and women, ransacked homes and damaged their belongings. Ten persons, including women, were injured in the attack. One woman, Samans Mary, suffered a fracture in her right forearm. Cases were registered against sixteen vanniyars, who were arrested and then released on bail. The dalits of the village said that they were subjected to several forms of untouchability. They said that they were not allowed to use footwear while crossing places where caste Hindus lived and that they were not allowed to ride two-wheelers when caste Hindus were around. They could not drive their bullock carts through caste-Hindu streets, and whenever they saw a caste Hindu they had to get down and push their carts. Their children did not have access to the only primary school in the village, run by the panchayat union. Some elders in the village said no dalit children had been admitted in the school for more than two decades now. They went to schools in the neighbouring village.

The dalit women said they were asked to wait for long hours at
the public distribution system outlet located in the caste-Hindu area, and often they did not get their supplies. They and their men were forced to work long hours in the vaniyar landholders' fields and households for meager payments. Anthony Annmal, 40, said he had taken a loan of Rs 1,000 from a landholder and in return she and her husband had been working on his land for half the regular wage. They were beaten if they failed to turn up when they were asked to. Agricultural workers, she said, had to pay a fine if they absented themselves from work. Not even the relatively well-off dalits were spared. Palaniammal said that three years ago their landholder-master had seized their new two-wheeler even as they were driving into the village on it. They were still to get it back.

Worse was the sexual abuse that the dalit women were subjected to by the masters and their family members. They said that the men entered their huts at night, often drunk, and harassed them. A woman said "they forget about 'untouchability' and 'pollution' during their nocturnal ventures." The women, however, stressed that not all vaniyars behaved badly.

Any resistance was met with a boycott of the dalits, as happened after the 14 April incidents, they said. The dalits said that they were almost jobless for a few weeks after the incident. Lourdusami, 59, said he was driven out of his three-acre land, on which he had raised cashew. The loss for him, he said, would run to about Rs 20,000. "We have been living in fear for the past six months or so," he added. Although the vaniyar landholders were now prepared to give them work, the dalits said they were afraid of going to their fields. After the state government's intervention, the dalits were provided jobs under the food-for-work programme. This, they said, could be only an interim arrangement.

A fact-finding team of the All India Democratic Women's Association (AIDWA), which visited the village, demanded that the government initiate inquiries into the charges made by the dalit women and take prompt action in providing relief to the affected dalits. AIDWA's district secretary, S. Valentina, said that unless the government had the political will to eradicate untouchability and took serious efforts in that direction, discrimination against and harassment of these marginalised people could not be stopped.

An Independence Day experience

A dalit panchayat president is punished for unfurling the national flag

12 September 2003

On 15 August, when the nation was celebrating the fifty-sixth anniversary of its independence, the dalit panchayat president of Chottathatti village in Tamil Nadu's Sivaganga district was assaulted and humiliated in public because he had 'dared' to unfurl the national flag at the panchayat's official function.

In a petition presented to district collector J. Radhakrishnan, the victim, K. Rasu, said that after hoisting the flag at the local school ground, he was making arrangements to hold the mandatory gram sabha meeting when, all of a sudden, Subbiah, who belonged to the dominant mukkulathor caste group, entered the scene and challenged Rasu's right to unfurl the tricolour. "How dare you, a low-born, hoist the national flag? How dare you sit in a chair at the panchayat office?" the intruder shouted at Rasu and beat him with a chappal, according to the petition.

When Subbiah attempted to attack Rasu with a steel chair, Rasu's wife intervened and was injured in the process, the petition said. Others who had gathered for the gram sabha meeting rescued Rasu from further attack. The district collector assured Rasu, who is in his second term as panchayat president, of action. He visited the village and ordered an investigation. The police arrested Subbiah and registered a case against him under various sections of the Indian Penal Code and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Sivaganga district was in the news recently when the majority caste-Hindu group refused to help enforce a High Court order that
equal rights be ensured to all sections of the people at a temple festival in Kandadevi village (261-267).

There are reasons to believe that the 15 August incident was not a sudden development, but a manifestation of caste-Hindu prejudices against dalits and their intolerance of the moves to empower the marginalised. In the fortnight preceding Independence Day, several members of Rasu’s family—his son, daughter-in-law and sister—became victims of caste-Hindu atrocities.

According to a complaint lodged with the police at Thiruppuvanam, on the morning of 3 August, Veluthai, Rasu’s daughter-in-law, went to the house of Mari, son of Mayandi, a relative of Subbiah’s, and complained to Mari’s mother that her son had entered Veluthai’s house the previous night and attempted to rape her. She showed Mari’s mother the injuries she had received. Incensed by the complaint, Mari’s mother attempted to assault her, Veluthai said in the complaint. Mari’s relatives beat up Veluthai and her husband, Sengai, who had accompanied her, the complaint said.

The police registered a case and took four persons into custody. However, Mari was not among them. The district unit of the All India Democratic Women’s Association (AIDWA) staged a demonstration at Thiruppuvanam in protest against the police’s ignoring of Veluthai’s charge that Mari had attempted to rape her. On the eve of Independence Day, Rasu’s sister was hit with footwear at Silaiman.

A fact-finding team, which included the secretary of the district committee of the Communist Party of India (Marxist), M. Arjunan, AIDWA’s district secretary B. Damayanti, and advocate T. Kumar, among others, visited Chottathatti and held an independent inquiry into Veluthai’s charges. Referring to Rasu’s representation to the deputy superintendent of police at Manamadurai concerning the sexual violence against his daughter-in-law, the report says that the team had learnt from its investigation that Rasu, who had complained to a police official about the slow pace and inadequacy of the investigation process, had been insulted by the official, who, ironically, was in charge of investigating crimes under the SC/ST Act.

Arjunan said that had the police taken swift action on Veluthai’s complaint against Mari, the incidents that followed could have been averted.

The AIDWA team’s report also revealed that there was evidence to show that untouchability was practised in the village and the dalits were victims of caste-based discrimination in several respects. Significantly, the report also said an influential section of the caste-Hindu majority made a mockery of dalit empowerment by refusing to allow the elected panchayat president to function independently.
A decree on animal sacrifice

The ban on animal sacrifice in temples, imposed in an effort to please hindutva forces, attracts widespread protests from dalits and other oppressed groups.

10 October 2003

THE All India Anna Dravida Munnetra Kazhagam government in Tamil Nadu seems to have converted the state into a testing ground by experimenting with legislative and administrative measures that would please the champions of neo-liberal reforms and the hard-core hindutva elements in the ruling dispensation at the centre. Chief minister J. Jayalalitha won the approbation of reforms purists for getting tough with government employees and teachers who struck work seeking the restoration of certain rights they had been deprived of in the name of pruning expenditure.

At the social level, a couple of initiatives taken by the government brought much joy to Hindu fundamentalists. The first was the passing of the Tamil Nadu Prohibition of Forcible Conversion of Religion Act, 2002. The latest is the order to district collectors and police officials to put an end to animal sacrifice in temples by strictly enforcing a 1950 state law against such sacrifice. Hindutva forces would like to believe that the ADMK government has succeeded in areas where even the Bharatiya Janata Party–led governments at the centre and in some states could not make much headway. While the first measure is seen as yet another step towards realising their long-term objective of hinduising the multi-religious Indian society, the second, they believe, will go a long way in achieving another of their cherished goals—homogenising the pluralistic Hindu fold.

If the threat made by a section of dalits to leave Hinduism in protest against casteist oppression apparently provoked the state government to bring in the anti-conversion law, the order on ending animal sacrifice in temples came in the wake of the reported ‘sacrifice’ of 500 buffaloes at a village temple in Tiruchi district. Jayalalitha, in her communication to officials in the last week of August, advised stringent action against violators of the Tamil Nadu Animals and Birds Sacrifices Prevention Act, 1950. She asked them to advise people against following the practice and prevent them from performing ‘such cruel acts’. Only two days earlier the chief minister had ordered a compulsory ‘one-month rest’ for all temple elephants every year. Expectedly, animal lover and former union environment minister Maneka Gandhi congratulated Jayalalitha on her initiatives. Among the others who supported the move were K. Veeramani, general secretary of the Dravid Kazhagam, founded by rationalist leader E.V. Ramasamy, and leaders of the BJP and most other constituents of the Sangh parivar.

The reactions of political parties such as the Dravida Munnetra Kazhagam (DMK), the Communist Party of India and the Communist Party of India (Marxist) were mixed. Although animal sacrifice was not acceptable to them, they questioned the wisdom of seeking to end an age-old practice by the mere enforcement of a law. The Paattali Makkal Katchi (PMK) felt that the move was unwarranted. Puthiya Tamizhagam, a dalit party, demanded a ban on yagnas also, conducted by caste Hindus at the mainstream temples constructed and run under agama rules. During yagnas, gold coins, diamonds, expensive silk saris, ghee and foodgrain were offered to agni (fire) as ‘sacrifice’, the party said. The Dalit Panthers of India (Viduthalai Siruthaigal) saw the ban as an interference in the religious rights of the oppressed people and called for an agitation to protest against it.

Dalits and people belonging to the Backward and Most Backward Classes, for whom animal sacrifice is an integral part of worship, expressed their resentment in no uncertain terms. Within days of the order, devotees in several parts of the southern districts went ahead with the customary practice at the local temples in defiance of the ban. August–September is the time of the annual or biennial kodai festivals at these temples, and the mood among
these people was one of anger, despair and defiance. In Madurai, devotees of the Pandi Munneswarar temple performed animal sacrifices ‘in fulfilment of their vow’ and shared the meat with relatives in community feasts. Scores of goats and fowls were reportedly sacrificed. In Tirunelveli and Tuticorin districts, which have a large number of temples for village deities, goats and cocks were offered in sacrifice, though a few metres away from the temples. Thousands of people throng these temples, particularly on Tuesday, Friday and Saturday.

A devotee of the Sudalai Madasami temple at Sirumalani in Tirunelveli district challenged the ban in the Madras High Court on the grounds that the Act was violative of Articles 19 and 25 of the Constitution. The government’s action was arbitrary and an unwarranted interference with the religious beliefs of various Hindu sects, said the petitioner, S. Senthivelan Nadar, in his public interest litigation (PIL) petition filed on 5 September. He stated that the ban sought to end a practice widely prevalent among a particular community in many parts of the state. The petitioner feared that the ‘sudden enforcement’ of the Act would hurt the sentiments of lakhs of people, particularly devotees who had reared goats and hens for sacrifice at the biennial festival in fulfilment of their vows. He pleaded for an interim injunction restraining the police and other authorities from taking action against devotees participating in the temple festival, pending disposal of the petition. A division bench comprising chief justice B. Subhashan Reddy and justice A. Kulasakaran ordered notice to the government and an ‘understanding’ was reached that no arrests would be made.

The next day, the police frustrated efforts to conduct a mass sacrifice at the Sirumalani temple, but devotees did offer sacrifice at some distance from the temple. The samanadi (trance-dancer) of the temple, M. Muthuraj, was kept in his house ‘under the control’ of the police and prevented from visiting the cremation ground at midnight for the ritual that precedes the sacrifice, as practised for centuries. A number of devotees were reportedly arrested for offering animal sacrifices.

When these developments were brought to the notice of the chief justice at the High Court on 8 September, he reminded advocate-general N.R. Chandran of the earlier ‘understanding’. Chandran clarified, relying on information from the superintendent of police, that no arrests had been made.

Meanwhile, another PIL petition challenging the Act was also admitted. During the hearing, the chief justice sought to know the motive behind the ‘urgency’ in enforcing the Act right away. He asked the advocate-general whether it was correct to ban, all of a sudden, an activity that had been practised for generations. The advocate-general said animal sacrifice was a social menace like sati and untouchability and had to be brought to an end at some stage. Both the petitions are pending disposal.

The motive behind the sudden move to refurbish an Act kept in cold storage for five decades is a mystery. If the desire to ban animal sacrifice is based on love for animals, the question arises why the killing of animals at homes, abattoirs and restaurants for food should be left untouched. In fact, given the extent of rural poverty and the skyrocketing meat prices, for lakhs of deprived people the community feast, which follows the ritual sacrifices at temples, is the only occasion to eat meat. If the idea is to liberate people from superstitions, how can one explain the fact that the yagnas held in mainstream temples, where brahminical Hindus offer jewels and other valuables to be consumed by a fire, and numerous other forms of irrational beliefs have been spared?

Whatever the answers to these questions, according to researchers and social activists, the beneficiaries of the move are the hindutva forces, which are only too willing to ‘cleanse’ temples of village deities which are ‘polluted’ by ‘undesirable’ practices that are not acceptable to the temples based on the agamas. Some researchers have pointed out that organisations such as the Hindu Munnani and the Vishwa Hindu Parishad have been working for years among the rural communities with a view to ‘homogenising’ Hindu society.

Professor A. Sivasubramanian, who has done intensive studies on folk deities, the forms of worship and the practices followed in the temples of the ‘people’s gods’ in the southern districts, told *Frontline* that these deities had some special characteristics. For
instance, most of them were 'slain heroes' among the devotees' ancestors. These deities, he said, were kept in the open, unlike in the mainstream temples, only to provide easy access to the poor and the socially deprived sections, which were generally denied entry into caste-Hindu temples in many areas. The pujari (priests) of the village deities normally belonged to the caste group that controlled the temples. The rules were kept flexible in order to suit the local people’s needs. For instance, unlike in the mainstream temples, there was no rigidity about the timing of worship, keeping in mind the village poor, who were mostly wage-earning agricultural workers.

Sivasubramanian said that in many villages the kodai festivals played a unifying role among caste-ridden rural communities of varied backgrounds and conflicting interests. Animal sacrifice was practised not only in Hindu folk temples, but also in dargas and churches, although without the approval of the clergy. He cited the Anthoniyar 'temple' at Puliyampatti, 35 km from Tuticorin, as an example of a place where Hindus joined Christians in offering worship and animal sacrifice 'in fulfilment of vows'. Referring to the prevalence of animal sacrifice among Muslims, the professor said the practice among them was to donate the hide to the darga and partake of the meat with others in community feasts.

Any attempt to homogenise the temples of folk deities would only lead to the end of the plurality of Hindu society, Sivasubramanian said. The Sangh parivar had already brought several temples under its control. In these temples it had fixed the worship timings, appointed brahmin pujaris, made the rules rigid and installed idols of mainstream gods such as Siva (in the form of a linga), Vinayagar and Murugan. A few years ago, when a brahmin pujari objected to animal sacrifice in one such temple for a village deity in Coimbatore on the grounds that it could not be done in a temple that had a linga, the people removed the linga and went ahead with the sacrifice. At the temple of a folk deity in Tuticorin, when the newly appointed brahmin pujari objected to animal sacrifice because the temple now also had an idol of Murugan, the devotees performed the sacrifice after hiding the idol behind a
curtain. Such developments will only create further divisions in village communities in the southern districts, known for caste-related violence.

A study by the Tirunelveli-based Human Rights Organisation on the practices in 564 temples in Tirunelveli and Tuticorin districts revealed that the kodai festivals had some positive elements. Although dalits were normally denied entry into 240 of these temples, they were allowed to participate in the festivals. Dalits shared the meat of the sacrificed animals with people of the thevar community, with whom they were at loggerheads most of the time. Any attempt to disturb the balance might aggravate the caste-related problems in these sensitive areas, the study felt.

The Tamil Nadu Progressive Writers Association said that the state government’s action against animal sacrifice would affect the right to worship of dalits and other 'backward' sections of the people and would only unwittingly help the Sangh parivar bring thousands of village temples under its control.

After sensing the all-round protest against the move, the Federation of Village Temple Priests, believed to be an organisation affiliated to the Rashtriya Swayamsevak Sangh, has urged the state government not to enforce the ban on animal sacrifice in temples, since the move is 'impractical'. "Animal sacrifice can be banned only if the majority of people stopped eating non-vegetarian food," said federation president S. Vedantam. CPI(M) state secretary N. Varadarajan said in a statement that there could be no two opinions about the irrational nature of the belief in animal sacrifice. "All the same, it is an age-old belief with cultural overtones, involving the right to worship of dalits and people from other backward communities and also the religious sentiments of these people," he said. "Attempts at educating these people and improving their social and economic status should necessarily precede efforts to put an end to such superstitious beliefs," observed Varadarajan.
An age-old practice

THE practice of offering animals and birds in sacrifice to gods has been part of the belief systems of different communities cutting across race, region and religion. These belief systems are as old as humanity itself. Beliefs were evident even in Neanderthal life, not less than one hundred thousand years ago, says Prof V. Sudarsen, head of the anthropology department in the University of Madras. It was that period that first offered evidence of the burial of the dead. The pits dug by Neanderthal humans are testimony to this. Some time later people began to bury the dead with the things they had used when alive. This meant they believed that these tools and implements might be useful to them in the afterlife. Clearly, they had evolved a concept of afterlife.

As civilisation developed and human strength and talent began to manifest themselves in many respects, people began to adore strong and talented persons and worshipped them after their deaths. The worship of the dead and of one's ancestors became part of their belief systems. They offered to the dead a part of what they ate. The practice of sacrificing animals and birds to deified men and women originated then. The belief was that the offerings would please them and the power they possessed while alive would get socially transferred to those making the offerings. Most of the earlier beliefs were related to the people's survival mechanisms.

Things began to change when there was surplus food, enabling a section of people to free itself from the food production process. With the development of civilisations and the appearance of secondary production and tertiary services, society began to get stratified. Sudarsen says, "Always it happens that certain groups of society, who, though in a minority, determine the kind of values that are to be followed. This is owing to many factors. They possess certain knowledge and certain skills, and control the economy. They are the class of people who are interested in perpetuating certain value systems, what they call the Great Tradition." The belief systems were no longer linked only to the survival system. New value systems were created. Belief systems to defend the hierarchy itself developed. There were different streams of belief systems. "Belief systems themselves began to be stratified and there were belief systems to justify inequalities, to justify hierarchy," says Sudarsen. The vast majority of the people who were involved in the production process, such as dalits and tribal people, had their own value systems. These people continue to worship village deities. Animal and bird sacrifices are confined to these village temples.

The first challenge to the practice of animal sacrifice came from Buddhism, which countered the vedic religion. Animal sacrifice had been sanctified by the vedic religion. The opposition from Buddhism and Jainism did not have any impact on the practice. "Only around the sixth century CE vegetarianism as a value began to be highlighted and food itself became a defining factor to decide one's stratum in society," says Sudarsen. Those who took animal food were considered lower in status and the practice of animal sacrifice began to be scorned at.

The state, it appears, has generally kept off the controversy all along. Although the Buddhist emperor Asoka, in one of his edicts, prohibited animal sacrifice and festive gatherings, and Akbar later banned animal sacrifice, the belief of a significant section of society in animal sacrifice has survived to this day.

NOTES

1 The agamas are theological treatises and practical manuals of divine worship. They do not derive their authority from the vedas, but are not antagonistic to them either. Predominantly found in south India, especially Tamil Nadu, these treatises are written in the 1500-year-old grantha script invented by the Tamil people for writing Sanskrit scriptures. They deal with such topics as the codes of temple building, image making, and the modes of worship. Saivism, Vaishnavism and Saatvaiism have their own respective agamas.

2 When the ADMK government reversed a string of unpopular decisions following its drubbing in the May 2004 Lok Sabha elections, the ban on animal sacrifice was also revoked. See Note 1 on p. 260.