

**LAND ALIENATION: THE CASE OF MUTHANGA  
STRUGGLE AND OTHER LAND ISSUES IN WAYANAD DISTRICT**



**By**

**NISHA T.B**

**Reg.No:AM20SOC013**

**DEPARTMENT OF SOCIOLOGY AND CENTER FOR RESEARCH**

**ST. TERESA'S COLLEGE (AUTONOMOUS), ERNAKULAM**

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LAND ISSUES IN WAYANAD DISTRICT**

Thesis submitted to St. Teresa's College (Autonomous), Ernakulam in fulfillment of the  
requirements for the award of the degree of **Master of Arts in Sociology**

**By**

**NISHA. T. B**

**Reg.No:AM20SOC013**

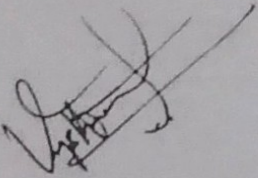
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**Miss.Vyshnavi Sivadas**

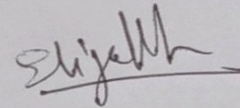
Assistant Professor

Department of Sociology

St. Teresa's College, Ernakulam



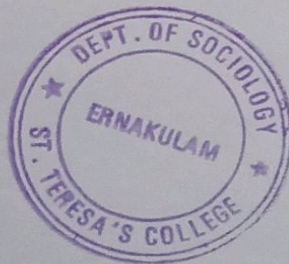
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Name and Signature of the Head Department

*Elizabeth Abraham*

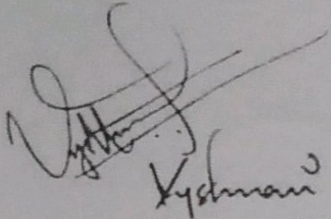
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## CERTIFICATE

I certify that the thesis entitled "LAND ALIENATION THE CASE OF MUTHANGA STRUGGLE AND OTHER LAND ISSUES IN WAYANAD DISTRICT" is a record of bonafide research work carried out by NISHA T. B, under my guidance and supervision. The thesis is worth submitting in fulfillment of the requirements for the award of the degree of Master of Arts in Sociology.



Name and Signature of the Staff Supervisor

Assistant Professor Department of Sociology

St. Teresa's College, Ernakulam

Ernakulam

March 2022

## DECLARATION

I, NISHA.T. B hereby declare that the thesis entitled "LAND ALIENATION: THE CASE OF MUTHANGA STRUGGLE AND OTHER LAND ISSUES IN WAYANAD DISTRICT is a bonafide record of independent research work carried out by me under the supervision and guidance of MISS.VYSHNAVI SIVADAS further declare that this thesis has not been previously submitted for the award of any degree, diploma, associateship, or other similar title.

Place: Ernakulam

March 2022

Nisha Nisha

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## CONTENTS

### Acknowledgement

<b>Chapter.No</b>	<b>Chapter Name</b>	<b>Page No.</b>
Chapter 1	Introduction	7-15
Chapter 2	Review of Literature	16-44
Chapter 3	Research Methodology	45-47
Chapter 4	Data Analysis and Interpretation	48-62
Chapter 5	Findings,Suggestion and Conclusion	63-67
	Bibliography	
	Appendix:1 Interview guide	

# CHAPTER 1

## INTRODUCTION

Land alienation is a serious problem facing the Scheduled Tribe. Most of the tribal people live in the forest. About 90 percent of the tribes are dependent on agriculture as well as other allied activities. Land is a tangible asset of the tribal community. They are emotionally attached to land. Many tribals become landless for a variety of reasons. The struggle at Muthanga near Sultan Bathery in Wayanad district was one of the most significant land struggles in Kerala. People from different communities in the scheduled tribe took part in the strike. Even after the Muthanga struggle, land struggles have taken place in various places in the Wayanad district. Tribals today face a variety of socio-economic problems as part of land alienation such as poverty, disadvantages related to education, employment, living conditions, administrative inefficiency, culture etc. Even after the struggles, the response from the state has also created a lot of problems in the financial sector of the tribes. The real issues of Tribes are still unquestioned and can be seen as a denial of legal and constitutional protection. This study seeks to find out the impact of the Muthanga struggle and each subsequent struggle in Wayanad, especially in the tribal community as well as the extent to which the government provides legal protection.(Dr:Harsheena V.A,vol.No.10,2014)

The muthanga agitation led by the Adivasis of Kerala is an important chapter in the history of Kerala. Kerala has witnessed many social reform movements in the society during the period of democratization. Most of these struggles were for the attainment of social justice in all spheres of life, including the right to life, the fundamental rights to education, and the right to resources such as land. The Kerala model of development is the result of these socio-political movements. Such social movements across the country have played a major role in unifying our country, which is diverse in culture, language and many other things. The farmers of our constitution are well aware of this fact and they are eager to ensure this right to all the common people, especially the lower caste, the socially backward and minorities. Thus, our constitution gives space to every common man who ensures democracy. Part of it is the rights of the Adivasis or Adivasis of India to recognize the rights of the native, the right to resources, the rights to forest land and the rights to self-government. The Adivasis of India have achieved these rights through constant struggles against all other cultures and political systems, including colonialism. The protection of rights of tribals is in essence protection of forests and protection of natural resources. They are the guardians of nature.

Although our constitution guarantees these rights of the Adivasis, Democratic Kerala is well known in many ways for acting in accordance with the great wisdom of our constitution. However, a few decades of fasting have witnessed the struggle of tribals, Dalits, fisherman and plantation workers. The Muthanga struggle is an episode in this chapter, especially an episode of the tribal struggles that have emerged since the 1990s. There are numerous socio-economic studies related to land reforms and socio-economic studies related to land reforms and social-domestic renaissance movements in Kerala. But readings and studies in this later period are very rare. This study analyzes the circumstances that led to the Adivasis leading the Muthanga agitation, the socio-economic situation they face, as well as

how much constitutional and legal protection Adivasis receive and how it is implemented.

Each of these chapters describes the history of land alienation in Kerala, alienation during colonial and post-colonial period, land attention during democratic rule, and the reasons for land alienation in democratic Kerala. The period of the Muthanga struggle is seen as a process of further democratization of our society, especially as a process of understanding more about the fundamental rights of people who depend on resources. Therefore, the study seeks a methodology to understand the new movements that are currently appearing in our political system.

## 1.1 TRIBES

The word Tribe is generally used for a socially cohesive unit associated with a territory, the member of which regards them as politically autonomous (Mitchell, 1979). Often a Tribe possesses a distinct dialect and distinct cultural traits. The imperial Gazetteer of India, 1911 defined tribes as a “collection of families bearing a common name, speaking a common dialect, occupying, or professing to occupy a common territory and is not usually endogamous, though originally it might have been so. According to R.N Mukarjee, “a Tribe is that human group whose members have common interest, territory, language, social law and economic occupation”. Raymond Firth defines a Tribe as “a group of people of a cultural order that is normally occupying a common language and in particular having a common set of traditions and institutions and responding to the same government”. George Peter Murdock has stated that it is a social group in which there are many clans, nomadic bands, villages or other such groups which usually have a definite geographical area, a separate language, a singular and distinct culture and a common political organization or at least a feeling of common determination against strangers.

*Scheduled Tribes* in India are generally considered to be ‘*Adivasis*’, meaning indigenous peoples or original inhabitants of the country. Tribe refers to a group of people, who together form small or large communities in conversational societies. Their identity is generally defined by common culture, shared locality, special customs and common language and rules. In small Tribes people mostly share means of livelihood also especially in cases where the forest dwellers are dependent on the land and its produce for survival. In many cases the survival methods become a strong binding factor among tribal communities because most of their problems are related to having enough land to cultivate and get the best yield from it.

Most of the Tribes are agricultural laborers and agriculture is their major means of livelihood. They cultivate rice, ragi, pulses, tapioca, ginger, cardamom, pepper and other consumable products as conditions permit. Collection of minor forest produce is the next important occupation practiced by them. Certain tribal communities barter or sell forest produce to the non-tribals. They are experts in felling trees and collection of timber, bamboo, seeds etc. Hunting and gathering of animals are also a principal occupation among the tribal and is practiced by *Malavedan*, *Kurichiyans*, *Malapandaram* communities, etc. Netting, angling and catching fish by various methods are the main occupations during certain seasons among the tribal communities. Basket and mat making are very common among *Koragans*, *Malavettuvans*, *Mannan* and *Mavilans*.

Psychologically, the Scheduled Tribes often experience passive indifference that may take



the form of exclusion from educational opportunities, social conditions. Discrimination among women, occupational differentiation and emphasis on status hierarchical social ordering that characterize the predominant mainstream culture are generally absent among the tribal groups. Although Scheduled Tribes are a minority, they constitute about 8.2% of the total population, are an integral part of India's social fabric and have the second largest concentration after that of the African continent (Dr. Haseena V.A, 2014).

## 1.2 TRIBES IN INDIA

India's tribal community is very vast. Every Indian state has its share of tribal population. Examples of Indian Tribes are Bhils of Rajasthan, Andhra Pradesh, Rajasthan, Gujarat etc. Gonds of Chhattisgarh, Gujjars of Himachal Pradesh, Gonds of Jharkhand, Madhya Pradesh, Khasis of Meghalaya, and Banjaras (Lambadi) of Andhra Pradesh, Karnataka, Rajasthan etc. Madhya Pradesh's Bastar district has the biggest number of Scheduled Tribes in India. The Ministry of Tribal Affairs oversees the welfare and development of the Scheduled Tribes of the country. The smallest tribal communities of India have been divided in to account their historical ethnic and socio-cultural relations. Three principal or main territorial zones are the North-Eastern zone, the Central zones and the Southern zone. The ministry has introduced many schemes to lift the tribals out of the morass of poverty and illiteracy, but these schemes have not always produced the desired result because of the indifference and corruption among the officials in charge of executing these programs, lack of sensitization among Adivasis about their rights, and exploitation of Adivasis by greedy profit-mongers. According to Jain and Sharma (2018) "Gujarat's economy utilizes the historically low socio-economic positions of Adivasis for capitalist accumulation, such that the community's poverty and disadvantaged position is reproduced intergenerationally, instead of being interrupted by their employment in the growth centers of these states". According to the authors, even when tribals try to come from their remote hamlets to cities and try working in construction, textile, or other industries, they are still exploited by being given lesser wages and subjected to what is known as 'surplus extraction and super-exploitation' in Marxian language.

## 1.3 TRIBES IN KERALA

Tribals in Kerala (Adivasis of Kerala) are the indigenous population found in the southern Indian state of Kerala. Kerala, through one of the smaller states of India, is home to several tribal communities. The Scheduled Tribe population of Kerala is 4,84,839 persons constituting 1.45 percent of the total population of the state (3.338 crore) as per the 2011 census (Economic review, 2016). Most of the *tribal* people of Kerala live in the forests of the western Ghats, bordering Karnataka and Tamil Nadu. Wayanad district has the highest number of tribal populations in Kerala (1,51,44), followed by Idukki (55,815), Palakkad (48,972), Kasaragod (48,857) and Kannur districts (41,371). The *Paniya* (Paniyar) are the largest of the 35 major tribes. The main tribal communities are in the Taluks of North Wayanad, Mannaarkad, South Wayanad, Devikulam and Thodupuzha(Wikipedia).

The tribal communities of Kerala not only differ from the non-tribals but also from one another. But they have some uniform characteristics as well. Some of the main characteristics common to all Scheduled Tribes in this state are-

a) Tribal origin

b) Primitive way of life

c) General backwardness in socio-economic status.

Ananda Krishna Iyer has published 'The Travancore Tribes and Castes' in three volumes. He concentrated his study on the hill tribes which were fast deteriorating. In the first volume (1937) he discussed seven hill tribes namely the Kanikkaran, the Malakkurumbans, the Malapandaram, the Malapulaya, the Malavedan, the Malayarayan. The second and the third volumes (1961) deal with the accounts of the Tribes of Travancore. In a later study (1961) he described the hill Tribes of Kerala as pre-Dravidian. He also undertook the ethnographic survey of the hill and jungle tribes of Kochi and published its result in four volumes. The first volume 'Cochin Tribes and caste' (1909) includes description of the Tribes like Kadar, the Malayan, the Nayadi, the Ulladan, Paniyan and others. A. Ayyappan made several systematic studies on the various Tribes of Kerala, 'Nayadis of Malabar' (1937) and 'Erula of Kerala' (1944) are the important studies. Later he conducted a subsequent study on the Irulas in 1965 and the results were published which gives an insight into the socio-economic changes that took place in the Irula community. A.D Luis (1962) made a detailed study of all the 48 Tribes of Kerala. He has discussed their mode of living, occupation, diet, region, taboos, marriage, and rituals. He provides an insight into the changing patterns of tribal social life in the context of the socio-economic conditions of the state. P.R.G Mathur (1971) traces the socio-linguistic evolution of the Tribes of Kerala. In addition to giving some valuable statistical information, the author describes some of the important problems faced by the tribal communities like land alienation, bonded labor, indebtedness, status of tribal women etc. This book also mentions briefly some of the recent political developments among the tribals like the formation of tribal organizations and the influence of Naxalite movement on them etc.

### 1.3.1 PRIMITIVE TRIBES OF KERALA

Tribal people who are food-gathers, with a diminishing population and very low literacy rate can be called the primitive Tribes. *Cholanaikkans, Kurumbas, Kattunaikkans, Kadar and Korakas* are the 5 primitive tribal groups in Kerala. They constitute nearly 5% of the tribal population in the state. Cholanaikkans can be said as the most primitive of them and found only in the Malappuram District only a handful of families are living in the Manchery Hills. Cholanaikkans are mainly seen in the Wayanad district and some in Malappuram and Kozhikode districts. Kadar population is found in Thrissur and Palakkad districts. Kurumbas live in the Attappady block of Palakkad district. The Koraga habitat is in the plain areas of the Kasaragod district.

### 1.3.2 AREA WISE TRIBAL COMMUNITIES IN KERALA

<b>Kasaragod-</b> <i>Korakas, Maradi</i>
<b>Wayanad-</b> <i>Paniyar, Kurichiyar, Urali, Kattunaikkar, Adiyar, Kadar,</i>



<i>Kanduvadiyar, Mullu Kurumar, Thachanadan, Kanaladi</i>
<b>Attappadi-</b> <i>Irular, Kurumbar, Mudukar</i>
<b>Nilambur-</b> <i>Cholanaikkan, Aranadan, Kadar, Paniyar</i>
<b>Parambikulam-</b> <i>Kadar, Malasar, Malamalasar</i>
<b>Idukki-</b> <i>Malapandaram, Malappulayan, Malayarayar, Urali, Muthuvan, Mannan</i>
<i>Nedumangad Knikkar, Malandar</i>

([https://en.m.wikipedia.org/wiki/Tribals\\_in\\_Kerala](https://en.m.wikipedia.org/wiki/Tribals_in_Kerala))

## 1.4 TRIBES IN WAYANAD

Wayanad, the panoramic hill of Malabar in Northern Kerala, situated above the sea level ranges between 700 meters to 2100 meters, is a homeland of various tribal communities. They can be prominently classified into *Paniya, Adiya, Kattunaikkans, Kurichiyans, Kurumas, Ooralis, Ooralikuruma* etc (wikipedia).

### 1.4.1 THE PANIYA

A vast majority of Tribes in Kerala state hail from the *Paniya Tribes* sect. Paniyas inhabit the region of Wayanad and the neighboring parts of Kannur and Malappuram. Paniyas were once sold along with plantations with landlords. They were also employed as the professional coffee farmers by upper castes. The name Paniyan means ‘workers’ as they were supposed to have been the workers of non-Tribes. Monogamy appears to be the general rule among the Paniyas. Paniyan Tribes live together in colonies; their settlement comprises rows of small huts constructed with bamboo with thatched roofs. The Paniyan Tribes of Wayanad districts speak the Paniyan language, which is a complex of Malayalam and Kannada but some of the words are independent. They choose their life partners from their Tribes only. The Paniyan marriage is

usually arranged by the parents of the bride and groom. The priest is called *Chemmi*. During the marriage ceremony as part of the ritual 16 coins and new dresses are given to the bride. Monogamy is common practice among them. Widow marriage is allowed. They do not practice pre-puberty marriage. The Paniya Tribes have a lot of religious practices. They worshiped banyan trees, *Kali*, *Kattu bhagavathi* with great reverence. They also believe in spirits (Anil, 2014). They hesitate to cut such trees since they believe that they will fall sick.

#### **1.4.2 THE ADIYA**

The *Adiya* are known as 'Ravulavaru Traditionally. The Adiyas like the Paniya is one of the slave sects Kerala. The nuclear Adiya Tribes family the husband is the head of the house. The bride price is given to the parents of the bride by the groom. Divorce, widow marriage etc. are permitted. Polygamy is also practiced. No punitive measure (like ostracizing of the sex offender, as one can see among Kurichiyans) is prevalent among the Adiyas. For sex offences they are allowed to undergo purificatory ceremony known as '*Kalachu veypu*' to join their community back. Head of the community is called *Commikkaran* or *Peruman*. The Adiya community is divided in 20 classes, that is, *Mandu* (Anil, 2014).

#### **1.4.3 THE KATTUNAYIKKA**

The *Kattunayikkan* community is found in Wayanad, Kozhikode, and Malappuram districts. They are also known as Cholanaikkans, in the interior forests of Nilambur area of Malappuram, Kattunayikkan Tribes in Wayanad and Pathinaikkans in the plains of Malappuram districts. As their name denotes, the Kattunaikkans were the king of the jungle regions engaged in the collection and gathering in the forest. They are known as *Thaen Kurumar* since they collect honey from the forest. They have all the physical features of the hill tribes. Their language is a mixture of all Dravidian languages. They worship animals, birds, trees, hillocks and snakes. They are firm believers in black magic and sorcery. They also worship their ancestors, along with worshipping Hindu deities. (Kumar Reddy, 2014)

#### **1.4.4 THE KURICHIYANS**

The *Kurichiyans* are an agricultural tribal community. Up to some decades ago untouchability had been fairly and widely practiced by these Tribes. They have clean food



habitats and keep their houses, premises and dress always clean. They are Matrilineal and live in joint families, under the control of their chieftain called '*Pittan*'. The members of the extended family work together and put their earnings in the same purse. The kurichiya prefer cross-cousin marriage to any other marriage alliance. They do not practice polyandry. Their social control mechanism was most efficient, offenders being excommunicated.

#### **1.4.5 THE URALI KURUMAS**

*Urali kuruma*, the most versatile and colorful tribal people, is one of the rarest artisan Tribes in Kerala. They are mostly found in the Wayanad region. Urali kuruma is one of the subdivisions of '*Kurumba*' and the two others being '*Mulla*' and '*Jen kuruma*' tribals.

#### **1.5 DIVERSITIES IN TRIBAL COMMUNITIES**

All the different Tribes are diverse communities having different language, cultural heritage and socio-political institutions. They are neither integrated into mainstream society nor unified as a common nationality. Therefore, pre-colonial to post-colonial period the approach of divide and rule was followed by the dominant political system. The present study narrates the process of unification of tribal communities as Adivasis asserting their rights for representation in the political sphere.

#### **1.6 LAND ALIENATION AND TRIBES IN KERALA**

Land alienation is a serious problem faced by the Scheduled Tribes. Most of the tribal people live in the forest. About 90 percent of the tribals are dependent on agriculture as well as other allied activities. Land is a tangible asset of the tribal community. They are emotionally attached to their land. Many tribals become landless due to a variety of reasons. The struggle at Muthanga near Sultan Bathery in Wayanad district was one of the most significant land struggles in Kerala. People from different communities in the Scheduled Tribe took part in the strike. Even after the Muthanga struggle, land struggles have taken place in various places in the Wayanad district. Tribals today face a variety of socio-economic problems as part of land alienation. Poverty, disadvantages in education, employment, living conditions, administrative inefficiency, cultural exploitation are some of them. Even after the

struggles, the response from the state has also created a lot of problems in the financial sector of the Tribes. The real issues of Tribe are still unquestioned and can be seen as denial of legal and constitutional protection. The present study seeks to find out the impact of the Muthanga struggle and each subsequent struggle in Wayanad, especially in the tribal community as well as the extent to which the government provides legal protection.(Dr.Haseena,2014)

## **1.7 STATEMENT OF THE PROBLEM**

The problem of land alienation is a much deeply connected phenomenon full of contradictions related to the existing socio-economic order. “We do not know where the tribals, who had been living in this settlement till about five years ago, have gone. They have been driven out of their land”. This is the condition of Kerala tribals. Alienation means in the form of sale, mortgage, encroachment, and other types of transfer like benami transfer. Alienation of land is a serious problem faced by the Kerala Tribes. The number of landless tribals has increased during the last decade and several reasons can be attributed to this phenomenon. Alienation is inherent in exploitative relations of production and its nature varies with that of exploitation. Hence, it also differs among societies based on slavery and serfdom connected phenomenon full of contradictions related to the existing socio-economic order. The topic under study is “The struggle faced by the Adivasis in Sultan Bathery and Mananthavady Taluk in Wayanad District. The Researcher focuses on the present condition of the Adiya and Paniya community and analysis of socio-economic background. The researcher also analyzes how well constitutional and legal protections of tribals are implemented in Kerala.

The Muthanga struggle led by Adivasis of Kerala is a significant chapter in the history of Kerala. The history of democratization of Kerala society has witnessed several social reform movements during the colonial period. Most of these struggles were to achieve social justice in all walks of life including rights to live, fundamental rights, rights for education, and right over resources like land. Such social movements that took place throughout the nation had a prominent role in uniting our country with diversity in culture, language, region and in several other factors. Makers of our constitution have very well recognized this factor and they were keen to ensure this right to all common people, especially the down-trodden people, socially backward people, minorities and the like. Thus, our constitution ensures democracy and the rights of the indigenous people generally known as Adivasis of India, including their right over



resources, right over forest land and right to autonomy. The protection of rights of tribals is in essence protection of forests and protection of natural resources. They are the guardians of nature. There are several socio-economic studies related to land reforms and social renaissance movements of Kerala. But readings and studies of this later period are very rare; here in this study the Socio-economic reasons that led to the Muthanga struggle's Genesis, and the results are analyzed (<https://www.wayanad.com/pages/tribes-in-wayanad>)

## **1.8 OBJECTIVES OF THE STUDY**

- 1) To analyze the causes behind Adivasi land struggles in Kerala after 2000.
- 2) To understand the impact of land alienation on the socio-economic situation of tribals.
- 3) To understand how well constitutional and legal protections of tribals are Implemented in Kerala

## CHAPTER 2

### REVIEW OF LITERATURE

A tribe is a group of people, who together formed small or large communities in conversational societies. Their identity is generally defined by common culture, shared locality, special customs and common language and rules. In small tribes like the one we are discussing here, people mostly share means of livelihood also, especially in cases where the forest Dwellers are dependent on the land and its produce for survival. In many cases the survival methods become a strong binding factor among tribal communities because most of their problems are related to having enough land to cultivate and get the best yield from it. Most of the Tribes are Agricultural Laborers and agriculture is their major means of livelihood. The implementations and tools used by them are very crude. They cultivate Rice, Ragi, Pulses, Tapioca, Ginger, Cardamom, Pepper and other consumable products as conditions permit. Collection of minor forest produce is the next important occupation practiced by them. Certain tribal communities barter or sell forest produce to the non-tribals. They are experts in felling trees and collection of timber, bamboo seeds etc. Hunting and gathering of animals are also a principal occupation among the tribal and is practiced by Malavedan, Kurichiyans, Malapandaram etc. Netting, angling and catching fish by various methods are the main occupations during certain seasons among the tribal communities, Basket and mat making are very common among Koragans, Malavettuvans, Mannan and Mavilans.

Land alienation is slowly leading to the expulsion of tribals from society. It seriously affects many of their fundamental rights and traditional way of life. 90% of the Adivasis are still lagging behind in social progress due to lack of land of their own. It prevents them from growing in society. There are more than 40 Adivasis communities in many districts of Kerala and most of them are landless people. Landlessness is low in Travancore and cochin. Most of them are landless and most of them are landless tribes (Wayanad, Palakkad) (Brijoy,2013). As part of the land grabbing by the migrant peasants, the Adivasis were reduced to the land



of Hindus, Christians, Muslims, exploiters and landless slaves. Migration of people living in the Attappady plains started in the 1950s. In 25 years, 20% in the district. Tribal families also became landless (Brijoy,2013).

One crucial factor that has led to this change is man's encroachment into forest land. "Forests are dynamic living systems. They are continually changing. Humans have had, and will continue to have, a change of hand in that change. Humans introduce the greatest amount of known variability" (Cook, 2012). One major casualty of civilized man's encroachment into forest has been the tribals, who were the original inhabitants of that land. Their lives and sources of income remain threatened because of this infringement. The tribals in India may not be totally isolated and disadvantaged like those who inhabit the forests in Amazon. On the other hand, geographical isolation might have, at least in some cases, helped foster interesting cultural ramifications and art forms. However, the result of geographic isolation has been, for most Tribal communities, highly negative. This is mainly because sources of income are very limited in such isolated pockets. Further, whenever tribals have come into contact with the more developed world, they have been continuously exploited by the developed class and denied access to education and related advantages. This exploitation started from the time the British consolidated their power in India but has continued after independence as well. "Under the increasing pressure of population, many outsiders also started settling in tribal regions. With their money power, they offered credit facilities at the doorstep. Initially, it provided relief to Tribals but gradually their system became exploitative" (Mondal, n.d).

The word 'Tribe' is generally used for a 'socially cohesive unit', as associated with a territory. The members regard them as politically autonomous ("mitchell,1979;232). Often a tribe possesses a distinct dialect and distinct cultural traits. The empirical Gazetteer of India, 1911, defines a tribe as a "collection of families bearing a common name, speaking a common dialect and professing to occupy a common territory and is not usually endogamous, though originally it might have been so". According to R.N Mukarjee, "A tribe is that human group whose members have common interest, territory, language, social law and economic occupation'.

Kerala, one of the smaller states of India is home to several tribal communities “The scheduled Tribe population of Kerala is 4,84,839 persons constituting 1.45percent of the total population of the state (3.338 crore) as per 2011 census” (Economic review, 2016). Kurichiya, Paniya, Malayarayar, Urali, Urali Kuruma, Cholanaikkan, mythical, mannan, Irular, etc. Are some of the many districts of Kerala, Wayanad has the largest tribal population, and Paniyas are the largest tribal group. Besides Wayanad, Palakkad, Kasaragod, Malappuram, and Idukki are the other districts in which tribal populations are mainly found. Raymond Firth defines a tribe as “A group of people of a cultural order that is normally occupying a common language and in particular having a commonest of traditions and institutions and responding to the same government... George Peter Murdock has stated that is a social group in which there are many clans, nomadic bands villages or other such groups which usually have a definite geographical area, a separate language, a singular and distinct culture and their a common political organization or at least a feeling of common determination against strangers.

Ananda Krishna Iyer has published “The Travancore Tribes and castes ‘in three volumes, Iyer concentrated his study on the hill tribes which were fast doing out or were deteriorated. In the first volume (1937) he discussed seven hill tribes, namely the Kanikkaran, the Malakkurumbans, the Malapandaram, Malapulaya, the Malavedan, the Malayarayan. The second and the third volumes (1961) deal with the accounts of the tribes of Travancore. In latest study (1961) he described the hill tribes of Kerala as Pre-Dravidian. Iyer also undertook the ethnographic survey of the hill and jungle tribes of Kochi and published its result in four volumes. The first volume of his work ‘Cochin tribes and caste’ (1909) includes description of the tribes like Kadar, the Malayan, the Nayadi, the Ulladan, Paniyan and others. A. Ayyappan made several systematic studies on the various tribes of Kerala, ‘Nayadis of Malabar’(1937) and ‘Erula of Kerala’ (1944) are the important studies. Later he conducted a subsequent study on the Irulas in 1965 and the results were published which gives an insight into the socio-economic changes that took place in the Irula community. A. D Luis (1962) made a detailed study of all the 48 tribes of Kerala. He has discussed their mode of living, occupation, diet, region, taboos, marriage and rituals. He provides an insight into the changing patterns of tribal social life in the context of the socio-economic conditions of the state as a whole. P.R. G Mathur (1971) traces the socio-linguistic evolution of the tribes of Kerala. In addition to giving some valuable statistical information, the author describes some of the important problems facing the tribal people like

land alienation, bonded labor, indebtedness, status of tribal women etc. This book also mentions briefly some of the recent political developments among the tribals like the formation of tribal organizations and the influence of the Naxalite movement on them etc.

Paniyan tribes are the major tribal community of Kerala. They reside in hilly and forest areas of Kerala and Karnataka. The word Paniyan means workers in the regional language Malayalam. Ancient period Paniyan tribes are amongst those tribal people who have worked as bounded laborers by the landlords. Majority of Paniya tribes live in the northern part of the Western Ghat. The main occupation of these tribes is in the field of land owners. They worked as slaves in the ancient period. Most of the people of this community engaged with agricultural works but some of them engaged in Tea and coffee estates and constructional works. Paniyan tribes together in colonies, their settlement comprises rows of small huts constructed with bamboo with hatched roots. Paniyan tribes of Wayanad districts speak the Paniyan language, it is a complexion of Malayalam and Kannada but some of the words are independent. They choose their life partners from their tribes only. The Paniyan marriage is usually arranged by the parents of Bride and groom. The priest is called Chemmi, During the marriage ceremony as part of the ritual 16 coins and new dresses are given to the bride. Monogamy is common practice among them. The Paniya tribes have a lot of religious practices. They worship Banyan trees, Kali, Kattu bhagavathi with great reverence. They also believe in spirits (Anil.2014).

The Adiya tribe is also one of the slave tribes in Wayanad. These tribes are known as 'Ravular' traditionally. The word Adiya means slave in local language Malayalam. Gadhika is a kind of traditional dance performed by them. They choose their life partners from tribes only and as per customs Bride price is given to the parents of the bride by groom on the occasion of their marriage. Polygamy and divorce are practiced among them. If the woman commits any mistakes (sex offenders), they have to undergo a purification ceremony called Kalachu veypu to join the family back. Head of the community is called chommikkaran or peruman. Adiya community is divided in 20 classes i.e. Mandu (Anil.2014).

In India, the mainstream globalization model has neglected the inclusive growth of the economy and has largely concentrated on promotion of gross domestic products, thus creating unhealthy consequences. Its impact has been displaced in large numbers by developmental



projects which have ignored effective rehabilitation. The neo-liberal movement has not only deprived them of their identity but also their livelihood rights, pushing them into abject poverty; the impact of globalization on tribal life is also evident in the state of Kerala. The problem of alienation cannot be calculated through analyzing the amount of land lost and in the similar way the benefit of resettlement should not be proclaimed by looking at the amount of land gained through the process. The displacement and resettlement are highly affected socio-economic and political living grounds of each community. 'ooru kootam' as a core system itself governance developed by and for "Tribal communities have importance in asserting the socio-political and cultural identities and rights of every tribal community" (Rajesh, et. al, 2019).

These colonies were formed as part of the old zamindar system. The tribal people would come for a walk in the plantations or fields and settle down in some corner of the land owned by zamindar. They would work for the landlords and settle down there. They have no owners of the land they stayed on. It would be a tiny piece of land where three or more families stayed in a small shed. They had no land to cultivate or keep their animals, says M Geethanadhan, state coordinator, Adivasi Gotta Mahasabha (AGMs). According to AGMs data, there are around 2,000 colonies in Wayanad which are settled in private lands without proper documents. "Migration of people from the low land to Wayanad, construction of dams and reservoirs by the government, deforestation etc. were some of the reasons that these tribal communities, especially Paniya, Adiya and Kattunaikkan of the district, remained landless".

Even in the state of Kerala none of the developments has touched the tribals, despite the fact that Kerala is one of the few remaining places in the world where communism continues to survive, albeit in a slightly different way than Karl Marx had originally envisioned the Idea (Jaffe & Doshi, 2017) and communist and socialist are still believed to be working for empowering the marginalized and uplifting the downtrodden (Anil, 2019). As Amartya Sen (1999) pointed out, development is not something that can be seen in isolation, which means that just a few percentages of the population becoming immensely successful cannot be viewed as an index of development. For a country to be considered developed, the capabilities of all its people need to be tapped and problems addressed, especially those of marginalized communities who do not have proper access to education and employment opportunities. The requirements of different communities may vary, but at some level all these remain interconnected.

In India the well-being and progress of the various tribal communities is the responsibility of the ministry of tribal affairs. The ministry has consistently Introduced different programmes for the welfare of the tribal populations. Debar commission (1968-61), the national commission for Scheduled Tribes set up under the leadership of Sri. V.N Debar, was instrumental in pointing out the inequalities among tribal communities. “The Debar Commission observed four different layers among Scheduled tribes at the base of which they found a group of tribes” , an extremely underdeveloped stage and at the top most level amongst the tribes, a layer that can very well afford to forgo any further help. We feel that this lowest layer needs the utmost consideration at the hands of the Government” (Bharian et. al, 2004).

Though the various schemes introduced by the authorities for the upliftment of tribals have not been uniformly successful, some changes are gradually seeping into tribal Communities and tribes are getting the rights to speak for themselves. In 2012, the National Advisors council (NAA) recommended that “the free prior and informed consent (FPIC) of attached Adivasis communities be obtained before the government acquires any land for development projects, or decades on a rehabilitation package” (Gopalakrishnan, 2013). This is a landmark milestone because before this amendment was recommended to the Panchayat (Extension to Scheduled Areas) Act, 1996 (PESA),” constitution with Adivasis was considered sufficient for such matters, and the result was that their interests. And opinions were, in essence, rarely taken into consideration, though activist groups have been presently demanding it. Mitra & Singh (n. D) point out that “the literacy rates for scheduled tribes in India have also improved substantially from 1991 (29.60%) for both males (13.83% to 40.65%) and females (3.16% to 18.19%) respectively. Through the general trend is higher among men in tribal communities as it is in the case of most mainstream communities as well, the authors point out that “tribal society in general is categorized by lack of discrimination Against women, and tribal women participate in all spheres of economic and social lives”. There is also regional variation to women’s education among tribals and the “dropout rate among tribal girls in classes I-VIII is the lowest in the states of Himachal Pradesh in northern India, followed by Kerala in south India and Nagaland in Northeastern India”.

Though changes are indeed taking place in tribal communities, much more is required to integrate them fully with the mainstream population. In most cases, tribals live in

underdeveloped and isolated forest areas and are forced to subsist on whatever they obtain from the surrounding, infertile land. Many of the schemes meant for tribal welfare are generating the desired results because of bureaucratic corruption, in difference of those in charge of implementing programs for tribal development, exploitation of the Adivasis themselves about their rights. Eswarappa (2017) in his study about the development of Adivasis raises “policy questions pertinent to both the policy makers and practitioners on the efficiency of policies related to vulnerable groups”. According to him, “prevailing factional politics and a painting on the part of the governing agency are preventing the marginalized groups from adequately benefiting from the development inventions”.

Laws which are applicable to the rest of the county cannot always be implemented in tribal communities all of a sudden without understanding their culture. Sometimes authorities are unknowingly” slapping POCSO (Protection of children from sexual offences) Act on the men from Paniya, Kattunaikkan community for following the traditional marriage system of the Adivasi community. Twenty boys were arrested in 2015 under the POCSO Act from Wayanad. Ironically the person who headed the district child welfare committee which arrested the tribal boys was very tenient to the rape accused from his own tribe. Both the issues of unwed mothers and misuse of POCSO act happen because with the advent of ‘civilized modernity the tribal Hamlet lost the traditional system of tribal chieftains having a say in the affairs of the socio-economic administration of the hamlets (Kuvalyamala, 2019).

Besides these, there are other schemes like Tribal girl’s child endowment scheme and various healthcare schemes that include programs for maternal healthcare, financial help for traditional tribal heaters, and special schemes for helping sickle -cell anemia patients, since this genetic disorder is prevalent in many tribal communities of Kerala (Ibid). All those are bringing about a steady through slow progress in the tribal standard of living. This topic is derived from the thesis prepared by a student on a similar topic, the tribes, the autonomous people of the land who are believed to be the earliest settlers in the Indian peninsula. “They are called Adivasis, meaning forest settlers (R.V.Varma, the Indian tribes (1990). According to the Oxford English dictionary the word” Tribe's" derived from the Latin term ‘tribus’ which was applied to the early people of Rome. The term, however , has gone through a lot of changes. It meant a political unit consisting of a number of clans.



G. S Ghurey (1943) has examined the status of the tribals in the total Indian structure. In his later work he deals with the problem of integration of the tribes in the light of the latest political and constitutional issues (1957). A.A.D Luis has made a detailed study of all the 48 tribes of Kerala (1962). He has discussed their mode of living, occupation, religions, taboos, marriage and rituals. Julnes (1994) determined in a Nationwide survey of tribal leadership that a major obstacle in generating economic development is that many governments become plowed by neopolism, high turnover and incompetence, and are unable or unwilling to create internal economic momentum. While tribes can change many aspects of their reservation governments, other difficulties have resulted from decades of federal mismanagement and are unlikely to change soon. In 1872 E.T Dalton compiled data about the geographical setting, physical traits, economic, social and religious life of the Lepchas and Limpus of Sikkim and Darjeeling. W. Geookes (1894) describes the culture of tribes like the Gujars, the Tharas, and the Khasas, thus bringing out their reciprocal interactions among ecology, economy and social life. Iravati karve has made a number of studies on the tribes of Maharashtra and she has given a clear picture of the geographical distribution, demographic setting and contemporary tribal situation in Maharashtra (1969)

## **HISTORY OF LAND ALIENATION IN KERALA**

The aborigines, literally the real inhabitants of the earth, or aboriginal population, are the largest Ethnic minority at the bottom of Kerala society which includes the tribal population of the state. About 3.5 lakh people from 35 different communities make up more than one percent of the total tribal population in Kerala. Kerala is generally known for its progressive implementation of the total population of the state. Land Reform won the honor of protecting the basic rights of the tribals When the Land Reforms Act gave ownership to lakhs of tenants and landless people in the state. The aborigines were excluded from Forested highlands of Kerala since ancient times. The post-colonial government created a 'tribal' slot to include them in the constitution. Their identity as Adivasis and hence their closeness to Space was evident in their struggles for the restoration of land and forest rights. The struggle of the Adivasis was not to gain new ownership of the land, but to reclaim the lost ownership of their land.

## **2.1 LAND ALIENATION DURING COLONIAL PERIOD AND POST COLONIAL DEVELOPMENT PROJECT**

### **2.1.1 COLONIAL PERIOD**

British colonial rule saw a planned attack on self-sufficiency. In blatant violation of tribal laws, the forest and land in the homeland of the Adivasis were brought under their control. Introduction to the alien concept of private property. Establishment of the zamindari system, where landlords were to collect land. In addition to forest laws, lease income from farmers also contributed to the looting. As well as the resources of the tribal motherland and its commercialization. Forests were the abode and breadwinner of the Adivasis. The tribal community suffered When the British declared forests as state property. Forests were declared reserved. Problems arose when the tribals were not allowed to relocate and cultivate. The Adivasi community also sought to collect forest resources such as honey, fruits, food and timber. They began to establish an autonomy. They had no private property. Everyone had a common property. There is a sense of community, not a sense of individuality. The British brought their own laws and policies. Policies It shattered tribal lives. It shattered the social and economic system of the tribes. They interfered in the peaceful existence of the tribal community. The self-government system was destroyed by the British. They did not recognize the autonomy of the tribal communities. The chiefs lost many of their administrative powers and obeyed the rules Formed by the British. In the early days of British rule, the tribes had to pay their dues Tax in the form of natural or forest resources. But then it turned into money. As a result, they were exploited by landlords and moneylenders. Gradual tribes with landless and agricultural laborer's Adivasi who went to distant places in search of the work endured a lot of hardship. They were recruited and barred at very low wages from returning to their homes. The establishment of plantations affected the tribal community The policies of British rule drove the tribals out of their homeland as marginalized.

### **2.1.2 INDIAN FOREST ACT ANDTRIBES**

The Indian Forest Act of 1927 was enacted to protect and protect the forests of India. The Act provides for various provisions for the protection of such forests in a scheme submitted to a State Government for the formation of any forest or wasteland owned by the Government or owned by

the Government as reserved forest. The right to land within the forest is not recognized by the forest laws. The Forest Act of 1980 made the situation worse. In many states, the decision to issue a title before the law was taken as a result of intense struggles and hardships of the Adivasis. The British were the first to restrict the free use of forests by tribes by enacting the Forest Act of 1894. They retained the responsibility of these forests from the local rulers. British colonial policy continued in the form of domestic colonialism in independent India, where natural resource segregation extended the plundering of tribal lands and forests. It is an unfortunate fact that legally the Government of India is due to the colonial base of the Government of India. Unregistered titles are not given in writing to the Sub-Registrar's Office. The government is deliberately taking over the land and resources that the tribals have enjoyed as public property for ages. Only private land was approved by the British Government. In Britain, by the grace of the king, all forests belonged to the king or princes. It does not realize that the forest is the habitat of millions of Adivasis and that they have destroyed the forest system to sustain the life of the Adivasis. After the tribal land was legally confiscated, the government generously agreed to give some back as a measure of grace. Thus, forest laws came into force in many parts of India. As a result, tribal interaction with the state's instruments, the forest department, has not been smooth. The Forest Act of 1868 of the Colonial Central Government initiated the process of forest acquisition by the government. The Central Government's Forest Conservation Act of 1980 was another important legislative tool that made it illegal for tribals to stay in the forest. Until then, the Adivasis who had been moving inland should be physically evicted from the forests. Today the Adivasis are the lowest strata of the class community in Kerala. As the poorest of the poor in the state, even their extraordinary knowledge of biodiversity and medicinal plants is today being pirated and patented. The Government of Kerala is still pursuing British policies. They do not change the rules. These British laws are detrimental to the Adivasis of Kerala (C.R. Bijoy, 2021)

### **2.1.3 SOCIAL FORESTRY AND EXPANSION OF PLANTATION**

Forests are important natural resources and play a major role in ecological balance. Kerala was blessed with rich forests. Evergreen forests were an important feature of Kerala. 75% of the total geographical area of Kerala is densely forested. The process of social afforestation also began with colonial rule. The British made policies for capital accumulation. They considered

the forest as a commercial source. Through their policies, they have transformed traditional forests into community forests. Community afforestation is the conservation and protection of forests. In the pre-colonial period, the economic status of the so-called forest dwellers was uncertain. However, they seem to have enjoyed in many ways the boundaries of the forests and their surrounding areas, which are directly dependent on the forest habitat. Community afforestation involves complete social transformation through activities related to afforestation. These events went beyond mere tree planting rituals to establish plantations in Kerala in the first half of the nineteenth century. The gardens began with two colonial perspectives. First, it was started as part of a colonial strategy to protect the forest in a scientific way. Second, the colonial rulers wanted to expand agriculture in more areas and maximize income. The plantations were mainly divided into tree plantations and agricultural plantations. The British planted mahogany, teak and cinchona in different parts of Malabar. The availability of land and the scarcity of timber motivated them to start gardening. The demand for timber increased in the 1840s, and its availability was limited, and with the advent of the railway system the industrial demand for timber doubled. The timber from Malabar was exported to England. Teak planting in Malabar was started mainly for the marine industry, railways, mines and public works. The government leased the land for the plantations without interest for a long time. Nilambur Valley has been selected as the state for teak plantations. In 1830 small and large plantations were started in the nominal and Darjeeling areas under the East India Company. With the defeat of Tipu Sultan, the company became a producer of natural resources in Malabar, Mysore and Kodagu. The British established tea and coffee plantations in the traditional tribal habitat. For this reason, the Adivasis were subjected to mass evictions. Their shifting cultivation was stopped. They had no right to cultivate the forest. The Adivasis were alienated from the forest. The plantation industry in Kerala originated through the predecessor of Harrison Malayalam Limited. They leased the fertile lands of Kochi, Travancore and Malabar from the kings. Then came the plantations of coffee, tea, and rubber. They still own over one lakh acres of revenue land in Kerala which started two centuries ago. The history of land grabbing began in 1921 with the registration of new companies such as Malayalam Plantation ITD (UK) and Harrison & Crossfield ETD (UK) under the English East India Company Act of 1908. Another example is the takeover of Kannan Devan Hills by Tata. (C.R. Bijoy, 2003)



## 2.1.4 POST COLONIAL DEVELOPMENT PROJECT

a) Migration

b) Development and Displacement

c) Deforestation

Kerala has been inhabited by people since time immemorial, but the reasons for these migrations varied from ancient times, with inter-local migration and local migration occurring. There was also migration to Kerala from other countries. During the pre-Malabar modern period, there were many small settlements in different parts of the country. But in the first half of the twentieth century there was a massive migration to the dense forests of Malabar. Within Kerala. The most important internal migration from Travancore to Malabar took place in the 1920s. There were several reasons for this migration process. This is the movement of the people of Kerala from one rural area to another. It was an agrarian migration. The availability of cheap land in Malabar has been attracting farmers since 1920. During the period 1945-1970 the flow was at its full potential. Almost all migrations are generally from underdeveloped areas to developed areas, agricultural areas or non-agricultural communities. But the situation in Malabar is very different from other migrations. Here a group of people migrated to the underdeveloped area, where wildlife and diseases awaited them. They wanted to improve their condition and had to work against nature. The settlers destroyed the tribal way of life. In his book "Africa in Kerala", According to Shri. K Pandor, in 1976, a sub-committee was formed to look into the forcible seizure of tribal land. The settlers took over the tribal lands and enslaved them. Gradually they became migrant land workers. The strongest migration to Wayanad took place during the colonial period. The plan was to house World War II soldiers. For this, 33,802 acres of tribal land was acquired in South Wayanad, Sultan Bathery, Ambalavayal and Nenmeni villages. Large-scale migration from Central and South Kerala also took place in Wayanad. Immigrants encroached on a large number of Adivasis and forest lands for cash crop cultivation. Organized immigration took place in the 1960s. It was in the context of private afforestation and land reform. The settlers alienated the land and livelihood of the Adivasis, which led to changes in their livelihoods, employment, living standards and starvation.

The process of nation-building itself marginalized the Adivasis in their own habitat. More than 10 million Adivasis have been displaced during the so-called forest-based eco-initiatives into development projects, mines, industries, dams, national parks, wildlife sanctuaries and ecotourism areas. Tribal migration is taking place through industrialization and urbanization, and the name of national development is the main source of livelihood loss for the tribals. The fact that the primary source of modern development is the affluent tribal motherland is the reason for their brutal migration. This is not only destroying vital habitats, but also threatening the very survival of the Adivasis. Incidentally, the state has become the greatest enemy of the Adivasis. 20% or 135 lakh tribals are victims of development. About 9% or 20 lakh Adivasis have been displaced at least once. Other statistics on evictions show that 8 lakh people are being evicted through 119 Central and State Government schemes, of which 50 per cent are tribals. About 90 percent of the county's coal mines are in tribal areas. The mines have displaced more than 21 lakh people in the last 40 years, of which 14 lakhs are tribals. It is estimated that the dams alone have displaced 21 million people in the last 40 years, of which 40% are tribal. The Government of India report of 1987 estimates that out of a total population of 185 lakhs, 85 lakhs are Adivasis who have been displaced at least once. As of 1991, more than 2% of India's population was displaced by development projects, of which 7.5 million were tribals. About 50 per cent of them are tribals. Despite being a very small minority of only 8% of India, the government does not even have a rehabilitation policy. The draft rules were released in 1994 by the Ministry of Water Resources and the Ministry of Rural Government. Only 10.15% of these Adivasis have been rehabilitated and 30% have been rehabilitated non-Adivasis. It is estimated that in the near future another 10 lakh tribals will be resettled through development projects including wildlife sanctuaries and national parks. Adivasis are being relocated from their homeland for various development programs being implemented in Kerala. During the last decades of the nineteenth century, the East India Company intensified deforestation in Kerala. It shattered tribal lives. They were the ones who collected the food. They depended on forest resources for their daily lives. Deforestation and destruction of food stocks for the timber industry. The British established teak plantations in Wayanad and Nilambur. Deforestation also took place for the needs of the railways. In Kerala, several projects are under consideration, including the Athirappilly project. Tribal project using the power of the Gram Sabha. The large-scale plantations implemented by the East India Company destroyed the traditional habitats of the community.

## **2.2 LAND ALIENATION DURING DEMOCRATIC RULE**

Even after the belated framing of the rules, the successive government failed to implement the 1975 Act. On the other hand, encroaching on the tribal lands continued with due political patronage. The 1975 Act categorically states that all transactions of Adivasi lands during the period between 1960 and 1982 are illegal and invalid. It also says that all such lands are to be returned to the original tribal owners. The Act further restricted transfer of tribal land to non-tribals from 1982 onwards without prior consent of the authorities. The Implemented Act stated that it would apply only to those cases of land alienation where the tribe had records to prove their prior ownership of their respective land. The tribal population never knew that they should have possessed land records from the government for the land they inhabited for generations. The vast majority of the tribes never had records of ownership given by the government officials, even though they were enjoying the possession of their ancestral land from time immemorial. The position of the government in general only helped the powerful encroachers to occupy tribal lands. After the implementation of the act several applications were received in their original forms. Moving the bill in the assembly, the then state Revenue Minister said that encroachers had snatched the land from the tribals adopting fraudulent methods, apart from providing them dry fish, tobacco, and paltry amounts of money in return. He declared: 'Whatever may be the methods adopted, this government considers all such land transactions as thefts and we are determined to return the stolen property to their rightful owners'. The Act could get the mandatory assent of the president of India in November of the same year. However, no action was taken on the part of the state government to implement the Act, even though it was a period of emergency. In the meantime, encroachment of the tribal land continued during this period. The encroachment on the tribal land had become more regular during the period between 1950s and 70s. The non-tribals from the plains went to the tribal areas and snatched the tribal land using different methods. These encroachers had a different perspective of the concepts of land ownership, which was unknown to the Adivasis.(C.R.Bijoy,2003)

Finally, the state government formulated the necessary rules to implement the 1975 Act, after eleven years of its passing, in 1986 with retrospective effect from January 1<sup>st</sup> 1982. However, by 1982, massive encroachment was already done by non-tribals in the predominant tribal belt of Attappady in the Palakkad district and the tribal dominated Wayanad district. Even after the

belated framing of the rules, the successive government failed to implement the 1975 Act. On the other hand, encroaching on the tribal lands continued with due political patronage. The 1975 Categorically states that all transactions of Adivasis lands during the period between 1960 and 1982 are illegal and invalid. It also says that all such lands are to be returned to the original tribal owners. The Act further restricted transfer of tribal land to non-tribals from 1982 onwards without prior consent of the authorities. The Implemented Act stated that it would apply only to those cases of land alienation where the tribe had records to prove their prior ownership of their respective land. The tribal population never knew that they should have possessed land records from the government for the land they inhabited for generations. The vast majority of the tribals never had records of ownership given by the government officials, even though they were enjoying the possession of their ancestral land from time immemorial. The position of the government in general only helped the powerful encroachers to occupy tribal lands. After the implementation of the act, several applications were received by the state governments, but no action was taken by the successive UDF-LDF government to restore the alienated tribal land to the original owners. The tribal sub plan of 1995 says that the government has received 8641 applications for the restorations of the alienated tribal lands, but only 563 applications have been disposed of and land has been restored only in one or two cases. It was in this background that Dronellar Tampico tribal of Manadhavadi in Wayanad moved a public interest litigation in 1988 before the Kerala High court. The High Court in its order of 1993 asked the government, however, the court granted further extension to implement the act till April 1996. Still the government refused to implement the act and carry out the court orders even during the extended period. Though our constitution guarantees these rights of the trials, democratic Kerala has failed to act in accordance with the great wisdom of our constitution in many ways. Kerala has several progressive laws including land reforms to end land ownership. But lacks policies and programs to preserve the right of traditional resource dependent people like Tribal, Fisher folks Dalits and minorities groups. However, the last few decades have witnessed the struggle of tribals, Dalits, Fisher folk and plantation laborers. The Muthanga struggle is an episode of this chapter, especially of Adivasis struggles that have surfaced since 1990. Since Independence, the Governments in both the center and the states have launched a series of welfare programs for the uplift of the Tribal people. The constitution of India accorded them special legislation for bringing them on a par with the modernized sector of the society. Indeed the constitution has



included a separate schedule for this purpose. The major constitutional provisions include reservation of seats in the union and state bureaucracies and in the educational institutions run or assisted by the state. The various Tribal welfare programs instituted to improve the lot of these people and have their counterparts in other states. Many of them are financed by the union government. Indian Adivasis were apparently there before Aryans and Dravidians occupied the lands, though it is difficult to assess the exact time of the origin of most tribes as their recorded history about them nor are there any well-known records from equations to understand anything about their lifestyle. In technical terms Article 342 of the Indian constitution relates to a special provision in respect of “scheduled Tribe” which are defined as the “tribe or Tribal communities or parts of or groups within tribal communities which the president of India may specify by public notification”. The tribal groups are presumed to form the oldest ethnological sector of the national population. The term” Adivasis” (Adi-original: vasi- inhabitants) has recently become current to designate these groups. The tribes are: hunters, forest lands cultivators and minor forest. Product collectors lived in isolation with nature hence divided into a large number of sub tribes, all mutually inclusive and the common features of all these tribes are (1975).

### **2.3 REASON FOR LAND ALIENATION IN DEMOCRATIC KERALA**

Alienation of land is a serious problem faced by the scheduled tribes. Land is the mainstay of the tribes and more than 90 percent of them are dependent on agriculture and allied activities. Hence, land is the only tangible asset of a tribal community, and they are emotionally attached to it. The number of landless tribals has increased during the last decade and several reasons can be attributed to this phenomenon. Scheduled Tribes largely depend upon non-tribals to meet their credit requirements. The socio-economic survey of tribals reveals that tribals alienate their lands mainly for meeting their domestic expenses and for clearing their past debts. The main causes of land alienation and landlessness among the tribals are poor economic conditions, drinking habit, indebtedness, urbanization, industrialization, lack of land records, administrative inefficiency, delay in getting, Judgment, oral mortgage of lands in the hands of non-tribals, non-possession of Judgment, interest not shown by tribal pleaders or not taking interest due to heavy bribe, fear from police and court establishing marriage with tribal women and sharecropping. Land alienation has given birth to several allied problems among the tribals, that is, increased poverty among the tribals, decreased the occasion of employment, migration of tribals, exploitation of

tribal laborers, exploitation of tribal women, created tension between tribals and non-tribals, increased the distance between the rich and the poor tribals, developed extremism and naxalism in tribal areas, brought law and order problem in tribal areas, directly or indirectly. In post-independent Kerala, large-scale alienation of tribal lands took place mainly due to the immigration of plainsmen to the hill areas, displacement for projects etc.(C.R.Bijoy,2003.vol.38)

## **2.4 LAND REFORM AND LAND ALIENATION OF TRIBALS**

The historic Kerala Land Reforms Act 1963, with its “land to the tiller” policy unfortunately turned out to be a nightmare for the tribals. Under the new law, the occupiers of the land (settler farmers) became the owners and the original owners (the tribals) became landless and were reduced to the status of agricultural laborers. This resulted in the total derailment of their lives. After the enactment of Kerala Land Reform Act, the non-tribal communities who invaded Attappady and Wayanad behaved ruthlessly towards the Adivasis who were the real owners of the land. They exploited the Adivasis more unscrupulously than their former rivals, the British or landlords. The new masters and the Government bypassed the Dalit and Adivasi laborers by focusing on giving land rights to tenants only. In fact, it was the apathetic attitude displayed by successive governments that made the issue more complicated. Thus, the Adivasi issue in Kerala presents a dismal picture. As the Government remained indifferent, the Adivasis have from time to time tried to assert their land rights but were brutally crushed by the state violence as at Cheengeri (1995) and Panavally (1997), Muthanga and Chengara. The celebrated Kerala model of development has not made much change for the socio-economic life of the marginalized sections of Kerala. According to Chathukulam and John, tribals have been largely left out of the gains of the vaunted Kerala model of development (2006). According to Kunjaman (2002) systematic marginalization of the subaltern sections has been a blot on the Kerala model. In the implementation of land reforms, the fundamental programme for which Kerala is well known, the legitimate claim of the Dalits, the traditional tillers of the soil, to cultivable land was never recognized. Among the few states that have achieved Land Reforms in India, Kerala has been rated very high. However, it is equally true that Kerala did not achieve complete success in land reforms. Land alienation started in the 1950s. In the meantime, the tribals acknowledge the fact that mobilization without any individual interest and ideological aspect can successfully address their real unrest in front of others. Therefore, when analyzing the recent history of tribal unrest in

the last 100 years, over one million acres of land are believed to have been grabbed from Kerala's tribal population. Their long agitation to regain the forests and lands where Their ancestors have lived for generations intensified after the starvation deaths of 32 tribals last year. And the struggle is just about beginning to pay off in a scheme that could benefit hundreds of tribal families; the Kerala government is giving away surplus land to landless tribals. Four hundred tribals in Idukki, Kerala's largest district, have been promised between one and five acres of land per family. But that is just the beginning. For in the last 100 years, over a million acres of land are believed to have been grabbed from Kerala's tribal population. The government believes the free land will enable the tribals to sustain themselves instead of relying on state support. However, to benefit its nearly 50,000 landless tribal families, Kerala needs over 100,000 acres of surplus land -- which it says it doesn't have (Dr. Haseena V.A, 2014).

## **ADIVASIS LAND ALIENATION AND LAWS IN KERALA**

Our constitution provides several rights to the Adivasis. The constitution took into consideration that there existed clearly vulnerable groups who were subjected to systematic exploitation. The establishment of an egalitarian social order with equity for all sections of the society, free from any form of discrimination what's ever, on the grounds of religion, race, sex or place of birth was the stated goal for our nation. Therefore, equity for weaker sections of society was the moving spirit of the constitution. Considering the existence of iniquitous forces embedded in the socio-economic and political system, specific safeguards in the favor of some communities were included in the constitution to hold officials responsible to act in their favor in specific terms. Members of the Schedule Caste and Scheduled Tribes are two such categories. A clear policy of positive discrimination was to be perusal. Wherever necessary specific provisions were to be made in the constitution. Many of the social rights of Tribals, Dalits and other Indigenous people are embraced in our constitution as a part of fundamental rights. Though the state of Kerala is considered as a progressive state, the fundamental rights of the resource-dependent communities have never been addressed by the political society.

## **2.2.1 PROVISIONS IN ARTICLE 341 & 342**

Articles 341 and 342 of the constitution provides for the classification of certain sections of the people as STs and SCs for the specific purpose of providing special provisions and safeguarded them. This clearly is based on categorical recognition of a historical fact that these sections are subject to the worst kinds of deprivation, that they need to be protected and promoted and that it was the responsibility of the state to undertake the task. It was also a fact that the Adivasi were distinct and they resent changes being imposed upon them. Under article 341, the President of India has been given the responsibility to specify through public notification in consultation with the Governor of respective states and Union Territories the castes, races or tribes or parts of a group within castes, races or tribes. Such notified castes or tribes or parts then for the purpose of the constitution, would be deemed to be a scheduled caste or tribe as the case may be for connected state or union territories. Once such a list has been promulgated, any changes can be made only by the parliament according to clause (2) of article 341 and 342. In addition, article 342 defines tribe as an endogamous group with an ethnic identity who have retained their traditional cultural identity. They have a distinctive language, a dialect of their own. They are economically backward and live in seclusion governed by their own social norms. They have a self-contained economy. The ST and SC list that was notified was amended through acts of parliament in 1956 and 1976. Even though these changes were made as per provisions in the law, non-Adivasis have been included in the list. The state is duty bound to enlist the Indigenous people to give them constitutional protection but ever after the controversies related to the listing of Schedule Tribes of Veda still remain unsettled. (C.R. Bijoy, 2008, Vol.51, No. 12)

## **2.2.2 FIFTH & SIXTH SCHEDULE**

Article 244(1) provides for the fifth schedule which may be made applicable to any state other than those areas in North East India, where a separate schedule namely the sixth schedule applies. According to para 4 of schedule, each state having scheduled areas should constitute a tribal Advisory council, consisting of more than 20 members whom  $\frac{3}{4}$  should be tribal MLAs for the state. TAC can also be established in states having STs even though they may not have scheduled as per Amendment introduced in 1976. In addition to 8 states having scheduled areas.2

other states without scheduled areas namely West Bengal and Tamil Nadu have established TACs. The duty of TACs is to advise on matters pertaining to the welfare and advancement of STs in the state. The TACs are expected to meet at least twice a year. The fifth schedule envisaged the self-rule of Adivasis. Under the fifth schedule the Governors of the state were given unlimited powers. The governor may by public notification direct that any particular act of the parliament of the state shall not apply to the fifth schedule areas or amend a law enacted by the parliament. The governor is also empowered to frame new laws and make regulations in consultation with the TACs. The schedule was ensuring that tribal areas brought under it function as a sub-system with the scope to promote the self-governing of communities and evolving this system as dictated by the social and economic situation with the well-being of Adivasis as prime consideration. In 1972 a review of the application of the fifth schedule was made. In 1976 the constitution was amended empowering the president to extend the schedule areas. The resolution of the parliament on the occasion of the amendment envisaged that in order to intensify 'tribal development' all areas which are currently not classified as scheduled areas but having more than 50% of ST concentration could be brought under it. Extension of present schedule areas bringing all other tribal areas under the fifth schedule and were the tribal areas where the tribal areas are presently fragmented., to recognize these areas so to make them compact. This process of extension ground to a halt in 1978 itself leaving the state of West Bengal, Tamil Nadu, Karnataka and Kerala untouched and vast areas in other states left uncovered(C. R. Bijoy, 2008).

### **2.2.3 SIXTH SCHEDULE**

Article 244 (2) of the constitution provides for the sixth schedule which applies for the administration of the Tribal areas of Assam, Meghalaya, Tripura and Mizoram. Para 20 of the scheme provides a list of tribal areas covered by this schedule in three parts. There shall be a district council for each autonomous district consisting of not more than 30 members of whom not more than 4 persons shall be nominated by the Governor and the rest shall be elected from There are different STs in the autonomous district. The Governor may by public notification divide areas into autonomous regions and they shall separate regional councils for each area. The ADC, a regional council, may make rules for approval of the governor regarding formation of subordinates, local council and conduct of their functions and on matters of administration of the district council and regional council are empowered to make laws and regulations. Further, this



tribal group has been vehemently demanding the inclusion of tribal areas under the fifth schedule since 1994.(C.R Bijoy, 2008)

#### **2.2.4 DECENTRALIZATION IN KERALA V/S PESA 1996**

Kerala is considered as the first state in the Indian union, where decentralization through Panchayati raj is implemented. But the specific form of Panchayati Raj governance in the tribal areas has not yet been properly addressed in Kerala. A radical transformation in the governance especially at the village level in the scheduled areas was affected in 1996 with the enactment of the Provision of Panchayats (Extension to the Scheduled Areas) Act. It came into effect on 24/12/1996. The community at village level managing its affairs in accordance with its customs and traditions is now fundamental in the governance of scheduled areas. The competence of Gram Sabha has been acknowledged in safeguarding and preserving the community resource, which in the context of scheduled areas covers all-natural resources including land, water, and forests and minerals. Through the PESA Act 1996 the primary unit of the gram Sabha envisaged in the act is incorporated in the Forest Right Act. The PESA act has not yet been applied in Kerala. Since the Nilpusamaram was launched by the tribals in 2014 the state government of Kerala submitted a proposal before the central government to implement the act.(C.R.Bijoy,2003)

#### **2.2.5 NEGATION OF INTERNATIONAL COVENANT**

Further the democratic governments kept silent over the constitutional safeguards in Kerala. Political parties were lenient in protecting the rights of migrants and also new political parties representing them. Hence democratic government kept silent over the provisions of article 244 of constitution, and overlooked the Debar commission that recommended the restoration of alienated land of Tribes. In administrative reforms they never contained the spirit of ILO Convention and the UN Draft Declaration on the Rights of Indigenous people (convention 107: Convention concerning the protection and integration of Indigenous and other Tribal and Semi-Tribal populations in independent countries, convention 167: concerning Indigenous and Tribal peoples in independent countries). The Government of Kerala neither invoked the provisions of the Kerala Private Forest Act of 1971 for assigning or conferring forest land/forest rights of Adivasis. Instead, the govt of Kerala repealed the only law to restore the alienated land

of tribes -the Kerala schedule tribes (restriction on transfer of land restoration of alienated land) Act and enacted another law to bestow alternate land for tribes during the year 1999. The provisions of this act was also not implemented. The lots that were enacted for Tribals uphold the basic principles of the International Covenants. By not implementing the laws ensuring the protection of Tribals, the government of Kerala is violating the International Covenants.(C.R.Bijoy,2003)

## **2.2.6 FAILURE OF LAND REFORM**

Until Independence and the formation of the state Kerala, the Adivasi who lived in the Malabar area did not receive much attention from the authorities. Among the other reasons, the powerful non-Dalit, non- Adivasis who controlled the plantations in this area were successfully in bargaining with colonial administration for better provision to maintain their legal and economic status, suppressing the needs of the local population. With the entry of the East India Company and creation of a huge number of cash crop plantations, Adivasis, especially those belonging to the Paniya, Adiya, and Kattunaikka communities, were completely evicted from these forest areas of Malabar. With the steady growth in timber business and massive deforestation for decades, a good majority of the Adivasi community became tenants in paddy fields of cash crop plantations. The Paniya and Adiya community suffered the most through slavery and constant displacement since they never owned land and had to work for the settlers. The emerging issue of a large number of landless Adivasis from the northern part of the state, especially from Palakkad, Wayanad, and Kannur and desperate for their rehabilitation has to be seen in the light of experience.

## **2.2.7 IMPLEMENTATION OF LAND REFORM ACT OF KERALA**

The tenancy reform act passed in 1970, specifically meant for providing land to landless, it benefited a few but a large majority were allotted only a few cents in the so-called colonies designed for them. Even with the creation of the One lakh colony, quite a few Dalit-Adivasis and fish workers were still left out systematic marginalization that has only become aggravated in current times. Whether from a class perspective or from a community identity perspective, it is the failure of a democratic state. A good majority of the Dalits and Adivasis remain fully landless. There is an increasing number of people living in colonies. It is reported that a total

number of 36,000 Dalit and Adivasi families are residing in colonies. Lakhs more are landless. Adivasis have lost their traditional forest abodes since the colonial invasion. The forest department systematically converted the Adivasis into habitats called colonies. Expansion of plantations and post-colonial development like construction of huge dams /irrigation projects also pushed the Adivasis into colonies. Further, the social forester's organized migration from low lands did the same thing to these resource-dependent communities. Though the safeguards like Tribal autonomy are clearly ensured in the constitution, the democratic society in Kerala, including our legislature, is more lenient to the casteist approach, putting the tribals into caste-colon.

## **GENESIS OF MUTHANGA STRUGGLES**

Movements for the Restoration of Unauthorized Land and Forest Rights The 1990s were an important period for the tribal communities in Kerala. Under the leadership of community groups and non-governmental organizations, a number of organizations launched a rights campaign for the tribes. In Wayanad, a group of NGOs and social activists called "South Indian Adivasi Sangam" was started during that period C. K Janu was the chairperson of that sankamam. Several questions of tribes in south India including tribal autonomy and restoration of alienated land were raised in that collective In 1970, legislation was passed in Kerala relating to land reform. There was no legislation to protect the autonomy of the adivasis and their land. The Dhobar Commission, appointed by the Central Government in 1960, recommended the restoration of unclaimed tribal land. In view of the Central directive, the Kerala Legislative Assembly unanimously passed a law for the restoration of unclaimed tribal lands from 1960 onwards. This Act is known as the Kerala Scheduled Tribes (Control over Transfer and Restoration of Tribal Land) Act, 1975 (KST Act for short, 1975). Rules were framed in the year 1986. Through the tribes were not aware of the act, more than 8,000 applications were registered by them. It was assessed that based on the act the government of Kerala was bound to restore more than 10,000 hectares of the land. Opposition parties have stated they will not run in the by-elections, but will seek redressal of their grievances. Kerala High Court directs law enforcement Meanwhile, tribal organizations and civil rights groups began agitation to reclaim

the unclaimed tribal land. The controversy continued throughout that decade. Ruling and opposition leaders took part in the agitation, regardless of party affiliation. But the central government rejected the proposal. Towards the end of the decade, the Left-led government of Kerala repealed the 1975 Act and introduced another amendment in the Assembly. The Kerala Legislative Assembly unanimously approved the bill. CPM member Smt. Gauri Amma disagreed with the bill. The Kerala High Court then declared the bill unconstitutional. However, the Kerala government approved the bill in the same year. The case has been pending for over a decade. The Supreme Court partially approved the 1999 Amendment Act of the Government of Kerala. Provision was made to provide alternative land to the adivasis who had lost their traditional habitat and agricultural land. But till date the government of Kerala had not made any concerted effort either for restoring the land or for giving alternate land. Tribals all over India have a long history of freedom struggle. They fought against the Aryans and the colonial rulers to protect their land and autonomy. The constitutional provisions regarding tribal autonomy are the result of their defensive struggle. In Kerala too, the community along with Pazhassi Raja fought against the British Raj. Although there is no recorded history, many tribes such as Paniya, Muthuvan, Mannan and Mala Arayar resisted the alien forces to protect their communal rights. Many communities like the Nairs in the nineteenth century. Ezhava and Pulia started consolidating civil society in Kerala. But it was not easy for the tribal communities to unite as one common nationality as they were isolated in the forest and divided into different communities. Therefore, they were not considered as a pressure group in Kerala politics. They were not represented in the legislature. But in the 1980s, tribal organizations and members of civil society began to speak out on behalf of the adivasis. Tribal rights since the early 1990s have been addressed by tribal organizations for land reform and criticized by social activists. Constitutional protection, including legal protection for the protection of land and culture and the restoration of unclaimed land, were two important questions that arose in the early 1990s. In the early 90s, a movement for the restoration of tribal alienated land emerged throughout Kerala. At the beginning of that decade, C.K. Janu rose to become a tribal leader. Many struggles took place in Kerala under the leadership of CK. Janu, Ambukkuthi, Kolikampally, Panavalli, and Chingeri struggles. The main feature of the 18 struggles was the participation of women.

### **2.3.1 LAND STRUGGLE AND RESTORATION**

During that decade, many tribal organizations and civil society groups came forward to restore the unclaimed tribal land. Immediately after the 'Adivasi Sangam', C.K. Janu emerged as the youth leader of the adivasis. Before becoming active in organizing tribals, she was involved in a literacy campaign with the support of some NGOs, but by the end of 1992 she was organizing tribal women and started several land grabbing movements in Wayanad district. In 1993, he entered the reserved forest land at Ambukuthi near Mananthavady. Hundreds of landless tribals took part in the agitation. The agitation was started by a platform called 'Adivasi Vikasana Pravarthana Samithi'. The adivasis were imprisoned and cases were filed against them. Soon they started another land grab movement in Kolukkumalai. In 1994, C.K. Janu organized the adivasis and carried out a satyagraha agitation for the adivasis on the Chinkeri farm. She was arrested and jailed for several days. In 1995, they started another Grab Movement in the Panavally surplus land. Meanwhile, a state-wide forum called 'Adivasi Coordinating Committee' was organized to restore unclaimed tribal land. The agitation came to a standstill after 1999 when the issue of restoration of unclaimed land came up for consideration by the Supreme Court. Another phase of land struggle started in Kannur district in the same decade. The community built in Kannur district was attacked by landowners and evicted from their habitat. The people's movement was organized until the adivasis were rehabilitated. Kannur district was not considered a tribal district. With C.K. Janu and activist M. Geethanandan were also present. Soon another broad platform called 'Adivasi Dalit Samara Samiti' was organized. The strike committee expanded the strike across Kerala. In 1999, a cultural meeting was held in Kundala (Idukki) and a hunger strike was held in Thodupuzha to restore the Kundala tribal land. The land restoration agitation at Thoovaipathy in Sholayur in 2000 and the Panavally land protection yajna against the government were some of them. Notable struggles.

### **2.3.2 REFUGEE CAMP**

During the last two years (1990-2000) 157 tribes in Kerala died due to starvation. This is not the first such death in Kerala. Ministers and officials said the cause of death was drinking sewage as usual. On August 29, 2001, hundreds of adivasis from Kannur and Wayanad came to CK. Janu and M. Geethanandan marched to the state capital, Thiruvananthapuram, and set up refugee camps in front of the CM's residence and secretariat. The movement received considerable



popular support from civil society. The struggle continued for 48 days. During this period hundreds of Adivasis came from different parts of Kerala and joined the struggle. It was a nonviolent struggle. The adivasis staged a satyagraha in front of the CM's residence and secretariat. They built a hut in front of the Secretariat. They sang and danced. They exposed the immoral nature of the state which exposed its sincere indifference to the problems of the state towards the tribal issues. While the dying adivasis were holding a refugee camp called the "Kutil Kettal Samaram", the Kerala government spent crores of rupees to try to stop the Oman tourist festival. who was arrested by the police, CK Janu. Police and authorities made several attempts to demolish the hut built by the adivasis. Finally, 48 days later, on October 16, 2001, the government was forced to end the strike.

The state of Kerala, agreed to the following :

- ➡ Resettle all landless tribes in Kerala
- ➡ Financial support mechanisms will be provided for resettled tribes
- ➡ Adivasi "ooru kuttam " shall be taken into confidence
- ➡ Considering the preponderance of Adivasis, the government of Kerala will place a request Before the union government invoked the provisions of the Private Forest Act, 1971 to divert vested Forest For the assignment to the landless.
- ➡ Tribal habitation will be bought under the Vth schedule of the constitution.
- ➡ Resettlement of tribals will be implemented in a Mission Mode.

During the 48 days of the agitation, various tribal communities gathered around the federal platform of the Adivasi Gothra Mahasabha. On March 2, the Antony government issued leases to 243 families in Marayoor (2.50 in Kundala, 160 families (5 acres), 60 families in Chavassery-Kannur (1 acre 10 cents) and 740 plots in Chinnakanal-Idukki. Opposition parties, such as the IM opposed the project from outside. The main slogan was: A tribal court was also held at Mananthavady to symbolically prosecute the bureaucratic behavior of the forest department. A statewide campaign was launched to establish land rights and launch a land grab movement. Adivasis and government of Kerala compelled the AGMS to launch another phase of land agitation, thus leading to Muthanga struggle

### **2.3.3 MUTHANGA STRUGGLE**

It is yet to be ascertained what happened in Muthanga as part of the restoration of tribal self-government. The Muthanga agitation and its aftermath were reported in popular journals and newspapers in early 2003 for three consecutive months. No one has done further investigation to find out the exact details of what happened in Muthanga. The decades 2000-2001 witnessed the mass participation of the adivasis in restoring their lost land and rehabilitating the adivasis. The constant struggles for land restoration have led to numerous land grab moves since the beginning of that decade. The adivasis challenged the immorality of the 'state' in the mass movements of the adivasis, especially in the refugee camp in front of the Secretariat. The result was the upliftment of thousands of adivasis across Kerala, which culminated in an agreement, which the State promised to rehabilitate all landless tribals in Kerala with effect from 1.1.2002. A Tribal Resettlement and Development Mission (TRDM) was formed and rehabilitation was envisaged as part of the Tribal Sub Plan of Kerala. In essence it was the political manifestation of a social movement. The rehabilitation program was started and the concept of "gram sabha" or "village community" was revived in the community. Achieving the visibility of the adivasis provoked the ruling class. They refused to recognize the constitutional rights of 22 adivasis. This prompted the adivasis to return to their traditional exile center, Muthanga. Tribal groups led by the Adivasi Gothra Mahasabha started the agitation. They made preparations for rehabilitation in various parts of Kerala. On January 2, 2003, hundreds of Adivasis gathered at Thiruvannur Colony in Wayanad district. About 2000 people gathered. The people are from different panchayats like Thirunelli, Mananthavady, Panamaram, Nadavayal, Noolpuzha, Kottathara, Pulpally and Mullankolli: Most of them are from different forest areas of Wayanad Wildlife Sanctuary. On the morning of January 3, 2003, people entered the Muthanga Range of the Wayanad Wildlife Sanctuary. Although considered a wildlife sanctuary, the Muthanga Range was completely deforested. Biodiversity in this range has been completely wiped out for the birch eucalyptus garden. The forest department itself has completely destroyed the environment. Officials have turned the wildlife sanctuary into a tourist destination. The masses of the tribes were rapidly uniting with their homeland. About 800 families lived in three separate settlements at Muthanga: Ambukuthi, Thakara Padi and Ponkuzhi. Although the adivasis came to Muthanga from different panchayats in Wayanad, they organized into 28 gram sabhas (villages) and started farming and environmental rehabilitation. The influx of tribals into the Muthanga range itself was a major

blow to the commercial and corporate interests of the ruling class. The Muthanga range was enlisted for eco-tourism by the Forest and Industry Department of Kerala in the First Global Investment Meet 2001. The right assertion of Tribal provoked the politicians. Immediately after the culmination of GIM-2001, the Government of Kerala took a decision to evict the tribals. On February 17, 2003, a wildfire broke out in the newly established tribal settlements in Muthanga. Acres of dry grassland and eucalyptus orchards were destroyed by the fire. The adivasis alleged that the fire was the result of a conspiracy by the authorities. The adivasis detained some officers and men they suspected of having seen at the scene of the fire. Detention provoked officials and political parties. They mobilized the locals and organized hartals to evict the adivasis. On February 19, 2003, hundreds of policemen, rangers and selected locals entered Muthanga. Police opened fire on the tribals. Their huts were set on fire. Everything in the possession of the adivasis was burnt. Many, including children, were brutally abused. Hundreds of women and children were imprisoned. There was an organized racist attack on the adivasis in Wayanad. In addition, police began arresting tribal activists in all districts. In Muthanga, a tribal named Jogi was shot dead and a policeman was killed. The brutal arrest of Adivasis by the then congress led Government, continued for days, until public opinion surfaced in the civil society against the brutality of the government. Under the hue and cry of the violations of human rights and related issues, the real politics of the muthanga struggle was least discussed. The adivasis entered the Muthanga range to question the legitimate claim to forest land.

The government had agreed to grant the forest land under the provisions of the Westing and Assignment Act. In addition, the activists organized 28 villages in Muthanga and started several environmental rehabilitation projects along with agriculture. It also took over schools for children, health activities, and the anti-alcohol campaign in accordance with the PESA Act. Women's participation in community life, land / farm ownership and maintenance was encouraged. The movement focused mainly on developing the model of self-governance. Adopts the provisions of the PESA Act 1996. The Act recognizes the traditional rights of the Adivasi as 24 Gram Sabha in dealing with the affairs of the community. The adivasis lived peacefully in the forest. But the state has charged hundreds of women, children and the elderly with numerous crimes and jailed them for months. Twelve cases were registered against the tribals at a cost of crores of rupees and a charge sheet was prepared against them. More than 20 people involved in the case have died. A decade later, in 2004, following the peaceful struggle of the adivasis, the

Government of Kerala announced a rehabilitation package for the adivasis. The government began to answer Pesa's question. Subsequently, the Forest Rights of the Adivasis were approved by Parliament in the form of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

## **CHAPTER 3**

### **RESEARCH METHODOLOGY**

This chapter deals with the methodology used by the researcher for the study 'Land alienation: The case of Muthanga and other Adivasi land struggles'. In this chapter, the researcher briefly presents the operational definitions, research questions, research design, research setting, universe, sampling method, sources of data collection, and tools of data collection.

#### **3.1 OPERATIONAL DEFINITION**

The major concepts involved in the study are explained

**3.1.1 TRIBE-** A Tribe is an indigenous group of people who follow their common language, customs, beliefs system, norms and values.

**3.1.2 PANIYA TRIBE-** The Paniya, also known as Paniyans, are an ethnic group of India. The Paniya tribe inhabits Malappuram, Wayanad, Kannur and Kozhikode Districts in Kerala. In Wayanad, the largest population of Scheduled Tribes is that of the Paniya tribe. “Paniya language” is a Dravidian language which is a mixture of Malayalam, Tamil and Tulu. Majority of them face social disadvantage and are landless.

**3.1.3 ADIYA TRIBE-** The Adiyas are also known as “Ravulayar”. They live in the districts of Kannur and Wayanad in Kerala. The Adiya community also used the ‘Ravula’ language. They are agricultural workers, so they also believe in agriculture. Every year their annual festival is held in Valliyookavu in Mananthavady to trade services with landlords.

**3.1.4 LAND ALIENATION-** Land alienation refers to the losing of land of a person (here indigenous people) to government, encroachers and settlers.

**3.1.5 CULTURE-** It is a collection of different traits or attributes such as language, pattern of behavior, ethnicity etc, which defines a particular community.

### **3.2 RESEARCH QUESTION**

- 1) What are the reasons behind the post-2000s Adivasi land struggles in Wayanad?
- 2) What is the socio-economic background of the Adivasi land struggle in Wayanad after the 2000s?
- 3) How well are constitutional and legal protection of tribals implemented in Kerala?

### **3.3 RESEARCH DESIGN**

The researcher has undertaken a Qualitative approach for this study and the research design used in this study is explanatory in nature. The purpose of explanatory study is to identify the causes and effects of Adivasi land struggles in Wayanad after the 2000s.

### **3.4 RESEARCH SETTING**

The study is conducted in the district of Wayanad in the north-eastern part of Kerala. Wayanad is a hilly district situated in the western Ghats bordering Kerala and its altitude ranges from 700 meters to 2100 meters. Many tribes live in the forests of Wayanad and the district has the highest tribal population in Kerala. Adiya and Paniya live in Wayanad though they are found in other districts like Kozhikode and Malappuram, Kannur. The Paniyas and Adiya who were interviewed for this study are living in the 2 areas of Sulthan Bathery and Manathavadi.

### **3.5 UNIVERSE OF THE STUDY**

Adiya and Paniya tribes of Wayanad District form the universe of the study of which 13 people were selected by Snowball sampling method from the 2 areas Sulthan Bathery and Manathavadi in Wayanad District. Snowball sampling is used to identify more participants from the first respondent who is interviewed. convenience sampling technique used for the study. Convenience sampling technique used to assess respondents' availability and willingness.

### **3.6 SOURCES OF DATA COLLECTION**

The sources of data collection are primary and secondary data. The researcher used



primary and secondary sources with equal importance. The primary data was collected by using the method of personal interviews with the participants in this study. The secondary data collection was carried out using articles, journals, newspapers, magazines etc.

### **3.7 TOOLS OF DATA COLLECTION**

The researcher used a semi-structured interview guide for collecting data from leaders and participants of the Adivasi land struggles. This is because the researcher felt that interviews can lead to more accurate and reliable information from the respondents. The guide was formulated on the basis of pilot study and personal observation. Telephonic interviews and its recordings were also used for data analysis.

**3.7.1 Data Analysis-** After the interviews, the responses were transcribed and thematically analyzed after coding.

### **3.8 LIMITATIONS OF THE STUDY**

Even Though data collection was planned to be carried out with participants of the Muthanga struggle, the researcher faced difficulty in that. The data collection was done with participants of Muthanga Day of Remembrance commemorated in 2022. Most of the questions in the interview guide were not covered due to their busy schedule.

### **3.9 ETHICAL CONSIDERATION**

- Information about the purpose of the research was provided to the participants.
- The participants' informed consent was taken before conducting the interviews. They were informed about the outline of the study and their convenient time was considered for scheduling the interview. They were free to ask questions regarding the study.
- The participants were ensured that confidentiality would be maintained and their information would be used only for the study.

## **CHAPTER 4**

### **DATA ANALYSIS AND INTERPRETATION**

This chapter deals with Data collection and Interpretation. The study is aimed at Land Alienation: The case of Muthanga struggle and other land issues in Wayanad District. To evaluate the reason behind the post-2000s Land struggles in Wayanad District, the socio-economic background of the Adivasis land struggle in Wayanad after the 2000s, and how well constitutional and legal protection of Tribals are implemented in Kerala.

#### **4.1 PARTICIPANTS IN MUTHANGA STRUGGLE**

##### **CASE:1**

Sivan s/o Jogi

It was formed by a resident of Puthiyidam colony of Payyampally village. I belong to the Adiya Tribal community. Currently I am residing at Chaligatha colony of Paiyampalli village, Mananthavady Taluk. I was fifty years old when I went to Muthanga with my father, Jogi. Puthiyidam is a Tribal colony in Payyampally village. There are 12 small traditional types of huts made in mud and bamboo. More than twenty families were residing in 12 huts. All the families are landless. The 20 cents of land where more than 20 families resided was owned by one old Tribal chieftain (Moopan). My father Jogi was an agricultural laborer. Paddy fields were owned by landlords of upper caste Hindus and few Christian families. My father was an aspiring agricultural activist; but he was not occupying any land. So he joined the tribal movement, namely AGMS. On 2nd January 2003 my father along with other 13 landless Tribal families entered the Muthanga forest land, erected huts in the Thankrapadi area. We did a lot of work inside the forest. Everything was decided by the Oorusabha, a collective of village-level families; issues relating to land and landlessness of the Tribal were decided in the meeting. Almost all the people participated in the struggle and were well aware of the causes. They are fighting. My father is actively involved in all the activities. On 19th February 19 a very huge contingent of police and forest officials entered Muthanga. They opened fire on the tribal people. Several people were brutally assaulted. My father Jogi, was blown to my family. Government did not give any compensation for the loss of my father. The revenue department of Kerala gave an appointment for my sister Seetha in the Kerala service. Later and during the year 2015, I was

given one acre of agriculture land in Kallady, Mananthavady Taluk. The land is inhabitable and uncultivable. It is assigned by the revenue department. My petitions for charging my plot to a cultivable area has not yet been considered by the government:-Hence even after 7 years I could not enter into the rehabilitation land. I raise my income for sustenance through agriculture on leased land and through other skilled work. I was not charged with any of the cases related to the Muthanga incident. I am married and have two children. My wife and her father had also participated in the Muthanga struggle.

### **CASE:2**

Kulian Chaligatha

I belong to the Adiya community of Wayanad District. I joined the land movement led by C.K Janu After the ‘Kudilkettal Samaram’ of 2001. We are landless Adivasis of Wayanad. I know the value of the land where I work for the settlers. When the movement led by the Janu and the offer of agriculture land to the landless Adivasis, I was attracted to Janu’s land movement. So I along with more than 20 landless families went to Muthanga. After 45 days of peaceful living we have progressed very much, transforming the land to cultivable land. But on 19th february,2003 Police and forest officials evicted Adivasis from Muthanga. I was cruelly beaten by the police. They were put in jail, charged with several criminal cases. I was hospitalized for several days. My wife and small children were also jailed. Still I am tightening several cases. I lost my health. Still I have to work hard for my sustenance. Even after being released from jail, I participated in several public functions -During 2014, I participated in the ‘ Nilppu Samaram’ organized by the AGMS. Though I was assigned one acre of land near Kallody, Mananthavady Taluk. My family has not entered the land. We can transform the land only if the resettlement scheme is organized by Tribal resettlement development mission.

### **CASE:3**

Babu,kuttimoola

I am a permanent resident of Kuttimoola Tribal settlement. I belong to the Kurichiya community. Members of our community were overing a few areas of agricultural land traditionally. The members of the traditional Kurichiya Tribal settlements have increased for the last decades, Customarily the land and cultivation is governed and controlled by our elders. The

family property-agriculture land - has been maintained by our elders and the young generation for a variety of agriculture. Customarily the landed property should not be fragmented into individual private property. The few acres of the land- nearly 4 acre if given to as per Hindu succession law the land will be fragmented into 10 cents and 20 cents etc. In accordance with the traditional practice, gaining land for the new generation is the ultimate solution for poverty. 8 families participated in the Muthanga struggle . I was arrested and kept in jail for 45 days. Several cases were registered against me and my family members from kuttimoola. After 2015 was assigned 1 acre of agriculture land at Kallady, Mananthavady Taluk. Apart from the social movement led by AGMS, I am active in politics also.

#### **CASE:4**

Bindu/ Suresh

I along with 10 families from our Tribal hamlet called Murrikkaladi, Cheeral, Wayanad District participated in the Muthanga struggle. I belong to Vettakuruma of Wayanad District. Traditionally we were a forest dependent community. Traditional artery was popular among our Tribes. Majority of the members of our habitation are landless families. The meager land where we reside. Currently it is owned by one of the elders of our community. When newly married families multiply, we are compelled to move to places where we can find a dwelling. Hence when we heard about the land movement led by C.K Janu, we immediately joined. On 2nd January 2003 families entered the Muthanga forest. We know that it is a deforested area. We erected tents near by Thakarapadi we were doing agricultural work in newly settled land. On 19th February, 2003 our huts were burned; we were arrested many of our community members were beaten, tortured and jai. Children and women also were jailed. My husband Suresh and 5 people were put in jail for 45 days. After being released from jail we continued in the movement. Though more than 16 families participated in the agitation, only 3 families were assigned land near the Irulam Forest area. We feel land is the most important requirement of our community. We are also actively participating in the socio-political movements continued by the AGMS.

**CASE:5**

Ramesh-Shantha

I was an active participant in the Muthanga struggle. My wife, daughter and son also took part in the struggle. The main reason for participating in this struggle is the lack of land. In the colony where we were staying there were 4 thatched houses. 8 married families lived in those 4 houses. Married people, children and the elderly all lived in four houses. The food was cooked in one house. All of them earn their livelihood by cultivating and working in the paddy fields. He was actively involved in understanding the tribal issues before the Muthanga agitation and in the Nilppu samaram before the Secretariat regarding the land issue. The idea of building a hut in Muthanga came up as a result of the Ooru Kootam going to many colonies and understanding their land issue. The struggle begins with ensuring the self-governance of the adivasis. But the struggle to build that had greatly affected the bourgeoisie. But the bourgeoisie smuggled sandalwood from the Muthanga forest, killed wild animals and smuggled meat on a large scale. Their smuggling was severely affected when the adivasis built huts in the Muthanga forest. With the connivance of the bourgeoisie, the police and forest officials unleashed massive violence against the adivasis and their huts in the Muthanga forest. There were three settlements: ponkuzhi, Thakara Padi and muthanga. Apart from the police, there were other atrocities against the adivasis. Women and children have been subjected to various forms of cruelty. They still face mental and physical problems. He is now in a condition where he has to face hearing loss due to being kicked in the ear during police brutality. One acre of land has been acquired in Meppadi as part of the agitation. Government support for cultivation is required.

**CASE:6**

Balan S/O Veruvan

My family and I took part in the struggle. Father, mother, wife, children, sister, husband and children were also involved in the struggle. We lived in Thiruvannur Colony. It was a situation where more than one family had to move into one house. All of them were engaged in agricultural work, so it was difficult to make a living from the meager income available to them. Our lives were full of hunger. All our houses were in a deplorable condition. We did not get a proper education due to problems at home. We were only able to go up to 10th class. No one owns land in our colony so we do not have a place to live. The decision to settle in the

Muthanga forest land was taken as a result of a group of people led by the Gotra Maha Sabha. I'm 26 years old. Muthanga lived in a hut with the aim of securing our self-governance through struggle. But as a result of the then government's intervention, we were subjected to police brutality. It was brutally beaten and tortured by the police. We had nothing to resist in front of them. We were arrested and charged with a number of crimes. My father Died as a result of brutal torturing by the police. I was still unable to go to work due to health problems. The case against us is still pending. Participated in the struggle but did not get land. So home is still a dream for us. I stood as part of the struggle and did not receive any benefits. My sister's daughter has to stay in jail. The amount sanctioned by the court has not yet reached their hands. I am still able to intervene in tribal issues and speak for them, and is able to give his children a good education. My family has got one acre in the Chethalayam forest range as part of rehabilitation. but we have not been able to go and stay there yet. Today our agenda is to give us back our forest land.

#### **CASE:7**

Rajan

I was a member of Gothra MahaSabha. I have been a resident of Chaligatha Tribal colony, Payyampally work village of Mananthavady Taluk. I belong to the Adiyar Tribal Community. The Chaligatha Tribal settlement is at the bank of the Kabini river, near Kuruva dweep. As the paddyfields nearby the river mainly used for rice cultivation several community members, including men and women depended on agriculture. Land is owned by non-tribal people and we were only laborers and lands. During the post harvest season we usually cultivate vegetables and leave land. Apart from agriculture I do fishing occasionally. occasionally i do work for others. There were 80 families residing in our settlement. 28 families participated in the Muthanga struggle. I, along with my wife and small children entered Muthanga forest land and settled in the nearby Thakaraappady area. We did agriculture work in Muthanga collectively. We aspired to overcome the backwardness due to landlessness and poverty. On 19th february, 2003 police action started in Muthanga. Many huts were burned down. I was arrested and put in jail for 45 days. I was cruelly beaten and charged with several cases. My wife and children also went to jail. The release from jail was a hard time for me to come back to normal life. The trauma of torture and eviction lenterd of family for days there was no work. Local inhabitants ritual isolated tribal

people for participating in the struggle. There was no support from political parties. Gradually I became involved in agriculture work on leased out land. After 2007, the government decided to give a part of land in Aralam Farm Kannur for the land less tribal from wayanad. I also applied. As the offered financial support system was not provided I wrote back to wayanad. Involved again in agriculture and fishing. Occasionally I had to go to Muthanga cases that had been undergoing trials in Courts in Ernakulam. In 20015, some of the cases were transferred to Wayanad. As per the direction of the High court Of Kerala i got one lakh. Compensation for putting my children unlawfully in jail. I started a petty grocery shop inside the settlement. During the land of 2014, Kerala Government: declared a package for muthanga evicties. As I was assigned 1 acre of land in Aralam farm, I was excluded from the muthanga package. I build a better louse in my settlement using the grant provided by Panchayath. During the flood of 2019 and 2020 my house, grossery shop and everything was devastated by flood. Recently, some of the precious lost houses during the flood were rehabilitated. I was excluded from that list as I was a "landowner"as per records. As the COVID pandemic has receded, the grossery shop. No agriculture work has been carried out by anybody in Chaligadha since the 2019 flood.

### **CASE:8**

Balan-Lathath

My wife, me and my 4-year-old children took part in the Muthanga agitation. A family of about 8 people lived in our colony. All are landless. That is what led us to take over the Grand Forest. He was brutally beaten by police during the struggle and has been in jail for 44 days. He was arrested on several charges. My children have also had to go to jail. The court had ordered compensation for the children who had to stay in jail. It's not allowed for my children. As part of his rehabilitation, he was given one acre of land on Aralam Farm but had to return due to lack of financial support. About half of the land is rocky and uninhabitable due to wildlife disturbances. Often the authorities do not properly disburse government funds among the adivasis.

### **CASE:9**

Neethu D/o Velayudan



My family is also part of the Muthanga struggle. I was a very young girl . About half the people in our colony were landless. Everyone works for a living. All those who were part of the struggle today face many health problems because they are all victims of police harassment. 10 families who took part in the struggle have been given one acre of land in Vellarimala as part of rehabilitation. No one has been confirmed there. There has been no financial support from the government to build houses and cultivate the newly allotted land. Therefore, half of them remain in their colony.

### **CASE:10**

Adivasi Leader

My family took part in the Muthanga agitation. I was involved in tribal issues from the very beginning. That is why Muthanga was able to become a part of the agitation. The agitation was started with the aim of adivasi autonomy. My father, mother and siblings were all part of the Muthanga movement. There are about 30 families living in our colony. Having no land of their own, so many families do not have access to housing. Everyone here works for a living. Often there is a situation of starvation. I was subjected to a lot of harassment by the police as part of the Muthanga agitation. I'm still suffering from many health problems. To date, no benefits have been received from the government. However, he continues to collaborate with political parties. The LDF party seems to understand our problems the most. Many parties do not try to understand our real problem. The houses allotted to us are not built properly. The funds allotted for tribal welfare are not properly utilized among the adivasis. Although the land has been allotted as part of the Muthanga agitation, there is no opportunity to go and live there. With no access to water or transportation, it is difficult to move there quickly and for some, half of the land available is not usable. The government does not even investigate this properly.

### **CASE:12**

Ammin

I was part of the Muthanga agitation. The main reason for participating in the Muthanga agitation is that we do not have land of our own. Land was a major problem not only for me but also for the people who make up half of our colony. All are bounded laborers. Most of the people in the colony live on the income from it. They have often been subjected to extreme poverty and

health problems. The Muthanga 'Kudil Ketti' agitation is being led by AGMS. Everyone from our colony, including me, was in attendance. We were ensuring our Self-Rule by tying the knot in the crash of Muthanga. It was a very peaceful life. But due to government intervention, on February 19,2003, there was a brutal police crackdown on our huts. The huts were shot at and the police treated us violently. They participated, beat and tortured us,regardless of whether we were women or children. I had injuries to my legs during the shooting. So far I have not received any medical expenses from the government for those involved in the strike. One acre of land was allotted on Aralam Farm.Many had to return to their own colonies because the land had no financial support from the government. None of this was properly investigated by the government. Withhold funds for Tribal development and do not spend exactly that among the Adivasis. If you want to question that, label me a Maoist. When I go to the Panchayat office in connection with the education of children, I often hear the so-called Maoists.Officials are showing us such bad interventions.The government needs to focus on Tribal development. Proper land distribution should be done.This is because about half of the Adivasis make a living from agriculture. They cannot cultivate because they do not own land. In addition, the necessary financial support must be provided. Political parties see the adivasis only as a vote bank about whether their intervention is not taking place in the Adivasi colonies.

### **CASE:13**

#### **Adivasi Leader**

From what I understand Muthanga was not just an incident. It was also an occasion to mark a period of progress for the adivasis and tribals. It was an event where many tribals in Wayanad faced their emancipation to achieve their dreams. Police brutality during the Muthanga agitation shattered the hopes of the adivasis. Muthanga is a village spread over an area of about 20 square km from Ponkuzhi to Muthanga by a group of more than 20 adivasi tribes. Self-governance, the constitutional right of the adivasis in India, and the right of the self-governing Grama sabha to decide what to do there, declared that we would implement and develop ourselves and set up shops and markets there. As a result of the conspiracy hatched by criminals, goons, forest officials and the police who worked with the villagers and their accomplices, the huts were set on fire and 4,000 tribals were set on fire.The Muthanga Struggle led by C. K Janu was a period of gradual agitation started by Janu almost a decade and a half before that. From the speeches made

at the UN during the 1992nd period, the agitations in Panavally, Chingeri, Ambukuthi and Kolipali spread all over the place during the periods 1996-1997. The struggle for the reclamation of alienated land is going on and the struggle that started in Thiruvananthapuram in Kannur district during 1997-1998 is turning into a struggle to seize the Aralam Farm. When 181 Adivasis Died in a year in 2000 and 2001, a strong political agitation was organized by the Adivasis in the administrative center of Thiruvananthapuram. All sections of Kerala were organized. Kerala was a country where Nairs, Christians and Renaissance people made progress. In this way, every society has established its authority over its resources. Scattered communities reclaim their land and culture. Instead of thinking that they have a right to such a movement, democratic Kerala has seen a history of wielding a sword and firing against this movement. It was a milestone in the history of Kerala and in the history of India for the Adivasis. The autonomy of the adivasis was to be recognized. When all their moves failed, in 2019 there was a massive evacuation here in the presence of thousands of policemen. As a result of that evacuation, the huts of thousands of adivasis were set on fire and their belongings destroyed. Children's textbooks were destroyed.

## **4.2 DISCUSSION**

In order to analyze the cause behind the Muthanga struggle and the socio-Economic impact on the life of Tribals, researchers conducted the field study in Wayanad District during the months of February , March (2022). 13 sample participants in the Muthanga struggle studied by the way of interviewing, recording the testimonies and also collecting data related to the Muthanga struggle. From the participatory investigation it was identified that more than 800 families participated in the Muthanga struggle by the way of erecting huts in the Muthanga Forest range; the data was substantiated by the leaders of the Muthanga struggle like Vinu, M.Geethanandan etc. The participant were from different Panchayath in the Wayanad District like Noolpuzha Panchayath, Nenmeni Panchayath, Sulthan Bathery Nagara Sabha, Pulpally ,Thirunelli Panchayath, Noolpuzha panchayath, Kottathara, Kaniyambetta. Participants from Noolpuzha belong to *Paniya* community, participants from Manadhavadi belong to *Adiya* community, Thirunelli and Pulpally belong to *Vetta Kuruma, Katunaykka, Kurichya* community. It may be observed that a cross-section of different communities of Wayanad District participated in the struggle.

A set of questions were formulated and the feedback taken from sample participants from different Panchayats. 11 Participants were selected from Sulthan Bathery Taluk(Nenmeni Panchayath ,and Noolpuzha Panchayath, Cheeral) and Mananthavady Taluk (Thirunelli Panchayat, Chaligatha) almost all the persons selected belong to Paniya community and Adiya community. Interviewed were 1.Sivan s/o Jogi(Paiyampalli Village,Mananthavady Taluk); 2.Kuliyani(Chalikatha,Mananthavadi); 3.Babu (Kutti Moola, Mananthavady Taluk); 4.Suresh-Bindu(Murikkalaadi colony, Sulthan Bathery Taluk); 5.Ramesh- Shandha (Koyalipura colony,Sulthan Bathery); 6.Balan s/o Veruvan (Thiruvannur colony,Sulthan Bathery); 7.Rajan (Chaligatha colony, Mananthavadi); 8.Balan-Latha(Kannamcode colony,Sulthan Bathery); 9.Neethu D/O Velayudan(Bicharam colony,Sulthan Bathery); 10.Ravi(Thiruvannur colony, S.Bathery); 11.Ammi(Chekadi,Mananthavadi) and also interviewed 2 Adivasi leaders.

As mentioned earlier, the issues investigated were the cause behind Adivasis' land struggles that led to the Muthanga struggle and the Socio-Economic impact of the Muthanga struggles. It is also probed how far the constitutional rights were achieved by participating in the Muthanga struggle. The state response to the Adivasis struggle and the policies followed by the government were also investigated. Questions were related to: the causes for the participation in the land struggle, the nature of atrocities met by them, the cases registered against them, and the socio-economic benefits attained, etc., were raised. The data related to the rehabilitation after the Muthanga, the nature of land received after the struggle, the socio-economic change and other social indicators like education,The effects of flood and other natural calamities were also raised in the questionnaire. The questions related to the state response and the policies of the government are also included in the questionnaire.

### **4.3 CAUSES BEHIND THE STRUGGLE**

Through this study the researcher tried to understand what led the Adivasis to land struggle. Koyalipura paniya Tribal colony is located in Sulthan Bathery Taluk. All the members participated in the Muthanga Struggle. They were a landless family in the tribal colony. There were nearly more than 30 Paniya tribal houses in the settlement. The majority of the houses were in dilapidated condition; about fourteen families abandoned the residence in Koyalipura colony and participated in Muthanga. Almost all the families including men and women were dependent

on agriculture labor work in the paddy field. The paddy field is owned by upper caste Hindus. A few of them were experts in timber loading cultivation. During this period especially in the end of 1999s work in the agricultural paddy fields and the other small coffee plantations was meager. Poverty and even hunger were common problems among the tribals. Majority of tribal families depended on the free ration distributed by the government during the June, July, August season. Poverty and landlessness was one of the main reasons for encroaching on Muthanga land. Ramesh said that “the problem of every Paniya family is similar in nature.”

The socio-economic situation of nearly 100 families in Thiruvannur colony was similar to that of Koyalipura colony; majority of them were dependent on agricultural work. Some people do outside labor work. Nearly 100 houses were small and were in a dilapidated condition with no common space for agriculture and other community activities; The majority of the members of the tribal habitation were landless. They aspired to a better life. Hence the tribal families entered Muthanga forest land which is very near and familiar to all the family members in Thiruvannur. The members interviewed from the Nenmeni Panchayats also report similar experiences. The members belong to the Paniya community. There was a landless family Other members from Noolpuzha Panchayath were Ravi (Thiruvannur colony), Neethu (Bicharam Colony). They belong to the Paniya community and are facing similar socio-economic conditions as narrated by Ramesh and Balan. .

#### **4.4 POLICE ATROCITIES AND MUTHANGA CASE**

During the forceful eviction and police action all the family members were cruelly beaten and tortured and their family was scattered. All the members were put in jail. Balan's father Veruvan was beaten during a police investigation and charged with several crimes. He died due to the police torture during the period of investigation carried out after the Muthanga struggle. Balan have to struggle hard to get out of the trauma due to police torture. There are cases still pending. Kannamcode tribal colony is like a labor camp inhabited by the 8 families Balan and Thangka of kannamcode tribal colony who were jailed for 44 days along with 2 children who were seriously injured. Balan was cruelly tortured during the eviction process. Both were charged with several grievous crimes. They had to fight in the court as their children were jailed. The Kerala High Court had ordered compensation for the children jailed (150 children jailed). But Balan's family was not given any compensation. Shivan's father Jogi who was killed in the

police firing during the eviction. Shivan was only 14 years when his father Died. Other members interviewed from Thirunelli Panchayath were faced with several hardships during the Muthanga eviction. They were jailed for several crimes.

#### **4.5 REHABILITATION AND RESETTLEMENT**

AGMS had staged a 'Stand-Up strike' in front of the Thiruvananthapuram secretariat demanding distribution of land to the Adivasis as part of the Muthanga agitation. As part of this, the government agreed to give one acre of land to the Adivasis. Some of the participants were given one acre of land at Aralam Farm (Kannur), Vellarimala and Kallady. No land has been distributed anywhere as part of the rehabilitation for all the people who took part in the strike. Balan says that after 2014 the family was given one acre of agricultural land near the Chethalayam forest range. Though sixteen landless tribals were given land in the area, no resettlement schemes were implemented. Hence Balan has not entered the rehabilitation area. All the families were allotted in different places in Wayanad District. It may be noted that only Vijayan/Thangka of Koyalipura colony (Noolpuzha Panchayath) is currently settled in the newly allotted resettlement land at Vellarimala. Vijayan/Thanka also actively participated like others. The family could be sustained in the newly allotted land at Vellarimala as wife Thanka is employed at a nearby plantation. Though Vijayan is suffering from ill health he has done Cardamom plantation, animal husbandry, etc. Vijayan stated that he could have attained a better life, had he been given financial support for agriculture from the government. Before 2014, Balan-Latha's family applied for a rehabilitation package in Aralam farm, Kannur; they were allotted one acre of land in Aralam Farm. They were compelled to return to their native place as the financial support mechanism offered by the tribal resettlement and development mission was delayed. Neethu's family also faced several hardships during Muthanga agitation. 10 families were allotted one area of land in Vellarimala village. They said that they could not make a permanent settlement in the newly allotted land as no financial support for agriculture and housing was provided by the government. Shivan v/s Jogi and Rajan-at abandoned agricultural labor work due to several reasons. Shivan Jogi had acquired some technical skills and earned a living during such works. Almost all of them were actively involved in agriculture in leased land and did other cultivation including vegetables. Though they were given one acre of land at a kallady in mananthavady, Taluk Shivan could not occupy that land. The land was totally

uninhabitable. Though he applied for a change of the plot it was not considered yet. Other members of Chaligatha settlement were allotted a far away plot in Chundel village (Vythiri Taluk). Though they had tried several times to occupy the land, they had to return to the native hamlet as the land was not suitable for agriculture. During the 2019-2020 flood the majority of the houses in this habitation were devastated by the flood; Rajan had applied for one acres of land in Kannur Aralam farm. He had to return from there. After returning from Aralam Farm alone, he started in small grocery shops during the flood of 1999-2020 everything included newly built houses supported by the Panchayath devastation. Other members interviewed Babu Kuttimoola, Mananthavady, Chandran, Thirunelli; They got one acre of land in Kallady, Mananthavady Taluk. They have transformed their land to farmland though they were not provided any financial support from the government

#### **4.6 CHANGES BROUGHT ABOUT THE MUTHANGA STRUGGLE**

After the Muthanga agitation, many changes took place among the Adivasis. Today, many have become politically conscious and aware of their rights. They cultivate the land they get and thereby find the finances they need. In addition, the children of those who took part in the struggle are educated and many are working. Gained the knowledge to bring their problems before society. Even today, despite the land issues, they have the energy to establish their presence in all areas. Gradually by actively involving in social issues, political parties had to recognize Balan as a grass root level activist. Having gained the people's support, Balan was nominated as a panchayath member during the period from 2016 to 2020. The acceptance by the political party was due to the recognition gained by Adivasi Gothra Mahasabha as a socio-political outfit. The children were educated by hard work and the eldest daughter is in postgraduate study. Sundaran and Gopalan stated that aspiration for land and better education for our children is the political vision gained from the teaching of Adivasi Gothra Mahasabha. Their daughter graduated and passed the teacher training course; Gopalan is placed in employment at Thirunelli Temple and Madhavan and wife Meenakshi work hard to overcome their suffering. They added that every family that participated in the Muthanga struggle had been transformed by the struggles carried out.

#### **4.7 SOCIO-ECONOMIC IMPACT OF THE STRUGGLE**

Qualitative analysis of the data shows that almost all those participants in the muthanga struggle were totally landless. Majority of them were having less than out of land and traditional type of huts. Unemployment and starvation problems were reported among the tribal people. Participants of the struggle were determined to build up a new life in the form of the Constitutionally recognised Grama Sabha. When evicted by police action many of them including womens ,children and old people were cruelly beaten up or tortured. Almost all of them were jailed and charged with grievous crimes. Almost all of them were fully convinced about their rights and felt that they were doing a lawful action. When released from jail they continued in the tribal movement, managed their cases and actively participated in several socio-political programmes. The majority of them aspired to political consciousness and hence participated in parliamentary political elections. Majority of them worked hard to get better wages and earnings either through agriculture in leased land or by migrating to far away places. They realized the value of education and their second generation is focussing on education. In fact, after the experience of muthanga agitation, in the year 2015 , immediately after "Nilpu Samaram " , their second generation launched a student collective called Adishakti Summer School. Having an experience of 7 years, the platform has been registered as an NGO providing support for hundreds of students . A section participated in the muthanga struggle and were allotted agricultural land in several villages. Many of their elders do not make a permanent dwelling in such lands either due to the lack of government support or the land is uninhabitable. Had there been further support including financial support from the government the socio economic life of those evicted from muthanga would have been changed to considerable extent From the foregoing analysis it may be concluded that the Muthanga struggle had a Socio-Political impact on the life and vision of both the participants and the Adivasi community in general. It is reported by the participants that more than 800 families (more than nearly 4000 tribal people) entered the Muthanga forestry in Wayanad District. They could build up a village-level self rule area. Apart from the questions of land, the struggle had transformed almost all the participants in their thought process; they were not near laborers these had been earlier. Their aspiration for land, reorganization of village-level autonomy in accordance with constitutional provisions like tribal autonomy and self rule governments had transformed them as socio-political beings. They are now conscious about their rights, hence even without the support



from the political parties and financial aid from the government they are hard working and have gained a self-sustained economic life. It may be attributed to the political consciousness created by the Adivasi Gothra Mahasabha.

It is supported by many of the persons interviewed that several of the second generation are being educated; they have created their own organization for acquiring better education. Currently many of them have better housing. Several persons interviewed mentioned that their life could have been socially and economically improved had the state implemented their resettlement and development mission of the tribals in its true spirit.

#### **4.8 LACK OF CONSTITUTIONAL COMMITMENT ON THE PART OF THE STATE AND UNRESOLVED PROBLEMS OF THE TRIBES**

Tribals of Kerala have been continuing their struggle for decades. From the evaluation and qualitative analysis of the samples it may be inferred that tribals of Kerala , especially the most backward landless families, have been fighting for their constitutional rights like rights to live, land, forest rights and self-rule. Though Kerala is considered as progressive society upholding socialist values, it lacks the constitutional commitment for inclusive governance for tribals, dalits , fisher-hold, and linguistic minorities like tamil plantation laborers. The democratic state could not assimilate the essence of social-reconstruction movements led by marginalized people during pre-independence and the current movements. Though dozens of progressive legislation regarding land reforms have been implemented , constitutional provisions to protect the land and culture of tribes were not embraced in any law in kerala. Hence the alienation of tribal land is being continued in the democratic kerela.

## CHAPTER 5

### FINDINGS, SUGGESTIONS AND CONCLUSION

#### MAJOR FINDINGS OF THE STUDY

➡ Assessing the socio-economic impact of the Adivasis' land struggle and other issues in implementing the constitutional and legal protection for scheduled tribes, the investigation by researchers revealed that a tribal movement for the restoration of their alienated land had emerged immediately after implementing the land reform laws.

➡ The process of land reform had been concluded by the middle of the decade in the 1980s. The voice for the restoration of alienated land gained momentum in the beginning of 1990. The study shows that the land reforms implemented in Kerala had not considered the tribal land questions.

➡ The legislation passed by the Kerala legislative assembly in 1975 pertains only to land lost or alienated during the Post-independence period due to the encroachment by organized communities from low-lands.

➡ Several historical reasons for the down-trodden conditions of the tribals in Kerala. The process of land alienation continued from the colonial period and the implementation of British forest policy on the vast area of forest land. The establishment of large scale plantations, legislation to control forest land and timber also evicted tribals from their natural abode.

➡ By the end of this decade, tribal movement started raising demands like resettlement of all landless Adivasis to end starvation death, declare Vth schedule area in accordance with the Constitutional provisions, implement PESA Act, 1996 (Provisions of Panchayats -Extension to the Scheduled Areas-Act, 1996) passed by the parliament; repeal the amended Act of 1999 to restore alienated land; assignment of vested forest land as per the Act of Vesting and Assignment Act, 1971 etc; assign all the tribal project land like Suganthagiri, Pookot lake project etc.

➡ In the year 2004, 19000 acres of vested forest land was allotted for tribal resettlement by the Central Government in the year 2006. A resettlement programme was initiated in 7500 acres of land in Aralam Farm during the 2004-2006.

## **RECOMMENDATION AND SUGGESTIONS**

1. There should be comprehensive law in accordance with the constitutional provisions for protecting tribal land to restore their alienated land
2. Agreements committed by the state had to be valued.
3. There should be a law for governing the land and culture of tribals in accordance with the schedule of the constitution.
4. Top priority should be given to central legislation like PESA and the Forest Right Act , 2006.
5. Special cases should be given to aspiring students in education.

## **CONCLUSION**

The Muthanga incident is a new chapter in the democratization process of Kerala society. Contrary to the general description of this process as the Muthanga incident, the episode of the tribal struggles is a reflection of the growing awareness among the marginalized people. To appear in civil society, as some scholars have observed. Struggle is part of the modern history of marginalized people. Through this study the researcher sought to understand the reasons why adivasis have been fighting for land since 2000, how land alienation has affected the socio-economic condition of Adivasis ,and how well constitutional and legal protection of tribals are implemented in kerala.

Through this research, the social,cultural, political, economic, and educational problems faced by Adivasis could be understood. Why are they leading the struggle again. Land is an integral part of their lives. The earth plays a major role in any development that is supposed to work among them. They have a deeper understanding of the pros and cons of the Muthanga struggle in their lives. In each case, they have seized it,despite obstacles we can scarcely imagine.”They are still trying to ensure their self-governance.

Kerala model of development is well known for its social indicators like education, health and other social services. Social scientists have compared such social indicators to that of European and former socialist countries. The reason for the growth of education and health is generally attributed to the land reform implemented in Kerala during the 1970s. It is true that slogans like ‘land to the tiller’ had changed the face of Kerala radically. The process put an end

to landlordism. Both the investigation of the researcher shows that this process had little impact on the life and culture of Adivasis. In fact, the process of land reform and further course of evolving the Kerala model of development had aggregated the landlessness and other social backwardness of tribal people in Kerala.

The objective of the present study is to probe the causes behind the Adivasis movements in Wayanad that led to the Muthanga struggle. Assessing the socio-economic impact of the Adivasis' land struggle and other issues in implementing the constitutional and legal protection for scheduled tribes, the investigation by researchers revealed that a tribal movement for the restoration of their alienated land had emerged immediately after implementing the land reform laws. The process of land reform had been concluded by the middle of the decade in the 1980s. The voice for the restoration of alienated land gained momentum in the beginning of 1990. The study shows that the land reforms implemented in Kerala had not considered the tribal land questions. The Kerala Scheduled Tribes (Restriction on Transfer and Restoration of Alienated Land) Act, 1975 popularly known as KLT Act, 1975 was the only piece of Legislation passed by the Kerala legislative Assembly for the tribal land protections. In fact it was initiated by the Union government. Though the Act of 1975 was passed in the legislative Assembly, no rule was framed for implementing the Act till 1986. When intervention by the Judiciary was initiated, Political parties stood against Adivasis. The movement for the restoration of alienated land was sparked due to the unconstitutional stand of the State of Kerala. Movement continued for a decade and the State of Kerala repealed the Act in 1999. The study also exposes the roots of the socio-economic reasons of land alienation of tribals in Kerala. The legislation passed by the Kerala legislative assembly in 1975 pertains only to land lost or alienated during the Post-independence period due to the encroachment by organized communities from low-lands.

The study shows that there are several historical reasons for the down-trodden conditions of the tribals in Kerala. The process of land alienation continued from the colonial period and the implementation of British forest policy on the vast area of forest land. The establishment of large scale plantations, legislation to control forest land and timber also evicted tribals from their natural abode. The terrible form of slavery based on the caste hierarchy meted out the certain sections of tribals like Paniya, Adiya, Kattunaikka made a sections of them bonded labourers. The process of converting forest land to large scale plantations, construction of big dams and irrigation projects, social forestry displaced Adivasis from their homeland. The traditional rights

of the forest dwellers were not recognised. In short, there are historical reasons for alienating tribals from their homeland.

During the beginning of 1990, the tribal movement led by leaders like C.K Janu raised the issues of tribals comprehensively. By the end of this decade, tribal movement started raising demands like resettlement of all landless Adivasis to end starvation death, declare Vth schedule area in accordance with the Constitutional provisions, implement PESA Act, 1996 (Provisions of Panchayats -Extension to the Scheduled Areas-Act, 1996) passed by the parliament; repeal the amended Act of 1999 to restore alienated land; assignment of vested forest land as per the Act of Vesting and Assignment Act, 1971 etc; assign all the tribal project land like Suganthagiri, Pookot lake project etc. Those demands culminated in a long -drawn peaceful agitation in front of the Secretariat and chief minister's residence in 2001. It resulted in an agreement between AGMs and the Government and a package in the form of a Resettlement and Development Mission (TRDM). It is a part of Tribal development in Kerala. The resettlement program was carried out by the government in 2002, January. The process continued for some months. But the delaying tactics of the administrators prompted the tribals to launch another agitation and led to the process of Muthanga agitation. Land Forest Rights, Constitutional rights for self rule (PESA Act) etc; were raised in the struggle to establish tribal grama sabhas in the forest area in accordance with law. Instead of conducting conciliation process state unleashed terror. Evicted the tribals from their natural abode. Though several forms of atrocities were meted out on them, The socio-political platform called AGMS sustained the movement. AGMS has occasionally participated in electoral politics enlightening the political rights of adivasis since 2004. Several litigation were followed to safe-guard the rights of adivasis including the defense of several cases registered against Muthanga agitators. In the year 2004, 19000 acres of vested forest land was allotted for tribal resettlement by the Central Government in the year 2006. A resettlement programme was initiated in 7500 acres of land in Aralam Farm during the 2004-2006. AGMS led another peaceful struggle in the form of 'Nilpu Samaram' or standing strike in front of the Kerala Secretariat during 2014. Tribals demanded a resettlement package for Muthanga evictees, declaration of Vth scheduled area or schedule area and implementing the PESA Act in Kerala; they demanded to implement forest rights , especially community forest rights, in its true spirit. The standing strike was also divided to assign the vested forest land to landless tribals approved by the supreme court. The standing strike continued for six months. In the end of December, 2014

the government considered many of the demands. A detailed proposal for declaring Vth scheduled was submitted before the union government and orders were issued to implement a package for Muthanga evicters. In short, though the agitation in Muthanga forest was suppressed, the struggle had several impacts. Land distribution was initiated at Kannur Aralam Farm. The process of taking over vested forest for resettlement was also initiated. Discourses regarding tribal autonomy also started in 2014.

### **Scope of Future Study**

The Muthanga land struggle is a milestone in the land struggle of Tribals in Kerala. It is only a part of the re-emergence of a community which has been shattered due to several historical reasons. The cause of events of this moment has a unique maturity when comparing to the tribal movements occurred in other parts of India. This piece of research is only an introductory one in nature. Several factors are to be probed further in detail like extent of land alienated; comparative study of the land alienation of tribals in Kerala in relation to other states; the socio-cultural factors that strengthen the social fabric of the community and its influence in the current struggles. Women's role etc.

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**APPENDIX**  
**(INTERVIEW SCHEDULE)**  
**LAND ALIENATION:THE CASE OF MUTHANGA STRUGGLE AND OTHER**  
**LAND ISSUES IN WAYANAD DISTRICT**

Schedule:

Place:

Date:

**1) PERSONAL DATA**

**Name of the respondent:**

**Sex :**

**Age :**

a) To analyze the cause behind Adivasis' land struggle in Kerala after 2000?

1) Did you participate in the muthanga struggle? What is the reason for participating in such a struggle?

2) Have you participated in any land grash struggle since the Muthanga struggle?

Eg:valad, Ambuti, pulpally, chethalayam

3) What is the reason for the whole family to take part in the muthanga struggle and other struggles?

4) Have you or anyone in your family been subjected to Police harassment or Arrested as part of the struggle?

5) Were you aware of the struggle before taking part in it?

6) Has the arrival of tribal leaders had any effect?

7) The case of the Muthanga struggle is still pending in the court and has any benefits been received as part of the case?

8) Did you take part in the stand-off in Thiruvananthapuram as part of the government's decision not to allot land as part of the Muthanga struggle?

9) What is your opinion about the police eviction process in the Thovarimala case?

10) Have you ever received land and have not received a deed?

11) Has there been any positive intervention on the part of the political party before and after the struggle. Why was there a positive intervention?

**b) To understand the impact of land Alienation on the Socio-Economic situation of tribals?**

1) Has land been acquired after the standoff? Where, is it livable?

2) Are the rehabilitated areas exactly habitable? Is transportation, drinking water, town

Etc. available

3) Is it suitable for cultivation?

4) Has rehabilitation affected your life in any other way? Eg: unemployment, water, transportation, etc.

5) How has the forest Right Act affected livelihood?

6) Has the struggle caused a huge loss in the economy? Were there any support from authorities or NGOs?

c) To understand how well constitutional and legal protections of tribals are implemented in

Kerala?

1) The Government had allotted land as part of the struggle and rehabilitation. Did you get it? Are you satisfied with allotted land?

2) Were those arrested during the strike later given government grants or any other kind of benefits?

3) Did the Government fund those who took part in the struggle?

4) The government has also taken steps to evaluate the flood affected land and has the government taken any steps to relocate them?

5) Have you received any other types of benefits so far

6) What was the Government's response after the struggle?

\*what do you think of the government's response to the land issue?

7) How much Kerala model development is being implemented in the tribal areas?

8) Do Government implemented policies benefit in any way?

## RELATED PHOTOS OF MUTHANGA LAND STRUGGLE





Adivasi Gothra Mahasabha leaders CK Janu, and M. Geethanandan  
After their arrest from the Muthanga agitation site in 2003.







