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Manjolai Estate Conflict in Tirunelveli District - A Historical Survey

A.Sevugaperumal¹, Dr.S.Ganeshram²

¹Research Scholar (Full Time), ²Former Associate Professor, PG Department and Research Centre in History, Sri S.Ramasamy Naidu Memorial College, Sattur, 626 203, Tamil Nadu, India (Affiliated Madurai Kamaraj University, Madurai, 625 021)

Abstract: *The tea estates of Manjolai, Kakkachi, Nalumukku, Oothu and Kuthiravetti are situated in the hills of Ambasamudram in Tirunelveli District. Middlemen of the employers brought people of Scheduled Caste communities from Tirunelveli and Thoothukudi regions and the Ezhava people from various parts of Kerala to work as labourers in the estates. The labourers are overseen by the Supervisors addressed as 'Kangani' who in turn are answerable to field officers called as Ayya, and they work under Estate Managers respectfully called Durai. The Estate Managers are usually from other states such as Karnataka and Punjab, and the Officers are from other districts in the State. In the year 1948, the Tamil Nadu Estates (Abolition and Conversion to Ryotwari) Act was enacted, and consequentially the Singampatti Zamin's lands too came under the control of the Government. As a result, in the year 1952, BBTC had to renew its lease contract with the then Congress-led government in Tamil Nadu. Even though decades have passed, many of the demands raised by the labourers still remain unfulfilled. In painful contrast to the fresh leaves of tea that they pluck in the scenic hills up in Manjolai, the lives of the Tea Estate labourers remain as barren as a desert. The deceased workers were employed at the Bombay Burma Trading Corporation's (BBTC) tea estates in Manjolai. Manjolai labourers massacre or Thamirabarani massacre of 23 July 1999 was the death of 17 Dalit labourers, including two women and a two-year-old child, when they got into the river to escape Tamil Nadu Police lathi-charge. Public were going in procession to Tirunelveli Collectorate to submit a memorandum demanding wage settlement for the tea plantation workers of Manjolai estate. An altercation between the police and the marchers resulted in a lathi charge by police. When the marchers ran helter-skelter, many fell into the river and died. Human Rights Watch condemned the brutal police attack and killing of Dalit tea plantation workers.*

Keywords: *Manjolai, Tirunelveli, Puthiya Tamizhagam, Company, Zamindars*

I. INTRODUCTION

Seventeen persons were lost their lives in Tirunelveli Town following an alleged brutal police attack before the Collector's office on a procession taken out in support of tea estate workers of Manjolai estate employed by the Bombay Burma Trading Company on 23 July 1999.¹ The solidarity procession jointly organised by several political parties viz Puthya Tamizhagam (P.T), Tamil Manila Congress (TMC), Communist Party of India (CPI), Communist Party of India (Marxist) CPI (M) and Tamizhaga Muslim Aikkiya Jamaath look out a procession to the Collector ate to demand an early solution to the wage dispute heist and immediate and unconditional release of the workers in Dalit. Manjolai tea estate workers were very an importantly on behalf of those who lost their lives and the injured and traumatized during the tragic events on 23 July 1999.²

II. INVESTIGATIONS OF SEVEN MEMBER TEAM

A seven member team on behalf of Human Rights Education and Protection Council (Tirunelveli), SOCO Trust (Madurai), SIRD (Madurai), National Campaign for Dalit Human Rights (Tamil Nadu Chapter), Human Rights Advocacy and Research Foundation (HRF) (Chennai) and People's Watch - Tamil Nadu (Madurai) conducted preliminary investigations about the incident between 24 and 30 of July 1999.³ They visited Tirunelveli and spoke to family members of the deceased, injured people, tea estate workers and representatives of political parties, who participated in the procession. Again from 1 to 18 August, the team collected relevant photographic, video and newspaper evidence. They met the concerned district officials involved in the incident and served notices on them. The organisations asked us to be members of a Jury for a Public Inquest into the alleged human rights violations and police excesses on the people who participated in the procession on 23 July 1999 in Tirunelveli which leading to the death of 17 (babbly 18 or 19) persons and injuries and psychological trauma to scores of others Accordingly the Public Inquest was conducted on 19 and 20 August 1999 in Tirunelveli.⁴

Prior to this the Jury Team had sued native to relatives of the deceased injured victims, eyewitnesses, leaders of political parties who participated in the procession, district officials responsible for the procession, the Chief Secretary Home Secretary and Director General of Police. Government of Tamil Nadu to participate and depose before the Jury on 19 August 1999 the P.A. to Home Secretary contacted one of the organisations in Chennai and informed them that Communication would be sent to the district level officials to participate in the Public Inquest in spite of letters requesting officials of the Government and Police to depose before the Jury, no one representing the Government of Tamil Nadu or district officials involved and responsible for the incident deposed.⁵

III. STRUGGLE OF MANJOLAI TEA ESTATE WORKERS

The Manjolai Tea Estate Workers in Tirunelveli District, Tamil Nadu State have been agitating for the past one year, against bondage, for increase in wages and other benefits under the leadership of Dr Krishnasamy who President of Pudhya Tamilagam. As part of their struggle on 7 June 1999 they held a dharna in front of the District Collector's office in Tirunelveli with 652 workers including 198 women who participated in the dharna were arrested and detained at Tiruchi Central Jail. Mr. K Dhanavel was District Collector, when these arrests were made.⁶

Manjola Estate, owned by the Bombay Burma Trading Company which is situated in the Western Ghats in Ambasamudram Taluk in Tirunelveli. The Company owns tea and coffee plantations. It comprises of a group of tea estates Singampatti Group which is divided into three units were Manjolai Estate, Manimuthar Estate and Oothu Estate workforce of 2,386, of whom 743 are temporary workers. Over 80 per cent of the workers are Dalits. The Singampatti Group is a major exporter of tea its annual production is eight million kilograms valued at about Rs.20 crores.⁷

The Company acquired forest land in 1929 on a 99 years lease under agreed conditions from the Singampatti Zamindars. On 19 February 1952, the land was taken over from the ownership of the Zamindar and vested with the Government under the Madras Estates Abolition Act of 1948. However, the Board of Revenue, in its proceedings 13 of August 1958, stated that although the company was not titled to any rights in or to remain in possession of the land leased out to it on or after February 19, 1952, it could continue to use the land subject to certain additional conditions that were deemed necessary in public interest.⁸ On a number of occasions the Company faced charges that it had violated the conditions. A State Forest Department complaint against the Company in this regard is pending in the Madras High Court.⁹

Over 2000 workers have been agitating over their deplorable living and working conditions. Discontent among the workers rose to its peak in 1998 at which point Dr.Krishnasamy, President of Pudhya Tamizhagam who assumed the leadership for the workers' struggle. The workers were paid Rs.53 per day. Most of the workers are employed on a daily wage basis and are not made permanent even after continuous employment over the stipulated period of time.¹⁰

The workload in terms of plucking, pruning, applying fertilizers, manures, and pesticides and processing has increased over the years in these plantations with no corresponding increase in their wages and other benefits. Barely 50 per cent of the employees have been provided houses. There are several cases where three families are living in a single house. Many of these houses are not fully fit for occupation, being in a dilapidated condition with no drinking water and toilet facilities.¹¹

Workers complain of inadequate medical facilities with many not being provided free medical service excluded from the scheme several families are not fully reimbursed. The customary rights of the workers, viz. the right to nurture kitchen gardens rear cattle and build small annexes to their homes, when their families expand, have been gradually withdrawn. The workers were applying fertilizers, manures and pesticides not provided safety equipments. They have to walk 4 to 10 k.m. to reach the work spot. The working hours start at 7.30 a.m.s they are paid only half day's wage. Several provisions of the Plantation Labour Act were violated with regard to housing, medical facilities, hospitals, crèche, maternity leave, maternity benefits, home garden, education for children etc. From August 1998, the workers went on strike under the leadership of Dr.Krishnasamy, M.L.A for the implementation of 21 demands, including revision of daily wage. Conciliation proceedings were initiated by the Labour Department, Government of Tamil Nadu between the workers and the management.¹²

A complaint was also preferred to the National Human Rights Commission by Dr. Krishnasamy regarding the prevalence of bonded labour in Manjolai Estate Mr. Karthikeyan, Director General (Investigation), the investigating officer who visited the estate and after an enquiry issued a press statement that there was no bonded labour; but stated that the worker's genuine grievances needed to be resolved Such a statement should have only been issued by the Commission members to whom the investigating officer is expected to report.¹³

A minimum agreement was reached before the conciliation officer; but the fundamental demand of revision of wages and repayment of half day s wages withheld by the management for late attendance at work were not resolved.

The workers therefore staged a demonstration before the Collector's Office between 7 June 1999 and 8 June 1999, 198 women workers who staged a hunger strike before the Collector's office were also arrested and remanded. All the workers including women's and children's were detained for nearly 50 days in Trichy Central Jail with false cases registered against them for damaging public property. These workers then refused to come out on bail and demanded the withdrawal of false cases and to be released unconditionally.¹⁴

To protest the non resolution of the workers' demands and to condemn the arrest, detention and registering of false cases, demanding immediate and unconditional release of all the workers a multiparty protest rally was organised on July 23, 1999 with oral permission from the concerned administrative authorities.¹⁵

IV. ORGANISATION OF PROTEST RALLY AT MANJOLAI ESTATE

On 23 July 1999, around 10 a.m. more than 2000 people, mainly from Tirunelveli district and also Virudhunagar and Ramanthapuram districts, gathered near the Tirunelveli Railway Station for a Protest Rally in solidarity with the Manjolai Tea Estate Workers. Among them were Manjolai Estate Workers, political workers belonging to Pudhya Tamizhagam. Tamil Manila Congress, Communist Party of India (Marxist), Communist Party of India and Tamizhagam Muslim Aikkiya Namath. There were about 300 women, 15 to 20 children between 8 and 14 years of age and a few infants. Originally the political parties had decided on a dharna on 20 July 1999 for the same objective proposed by Mr. Rehman Khan, Minister for Labour, Tamil Nadu, it was decided by the leaders to await the outcome of the talks. The talks having reached no conclusion the above mentioned political parties jointly decided to go on a procession on 23 July 1999 and present a charter of demands to the Collector. No written permission to conduct the procession was given. Only an oral permission was given. At 12.30 p.m. leaders from political parties viz., Mr. S. Balakrishnan, Leader of the Opposition in the Legislative Assembly; Dr. Krishnasamy, M.L.A., & President, Pudhya Tamizhagam; Mr. Easwaran, M.L.A., Mr. Veldurai, M.L.A., Mr. Appavoo M.L.A., and Mr. Aroon Rashid, M.L.A., all belonging to T.M.C., and Mr. Palani, District Secretary, CPIM, CPI District Secretary, Theni, Mr. Mansoor Alikhans- film actor, Mr. Durairasan, General Secretary, Pudhya Tamizhagam, reached the venue i.e. Tirunelveli Railway Station, from where the procession was to begin.¹⁶

At 1.15 p.m. after the leaders addressed the participants in the procession the procession started from Tirunelveli Railway Station. The rally proceeded peacefully, passing the Thevar Statue, where there was a large deployment of police force and crossed the bridge over Thamiraparani River.¹⁷ At 2.15 p.m. the procession reached the M.G.R. statue near the junction where the road leading to the Collectorate compound turns. Women were walking in front and to the rear of the jeep. The procession then proceeded further and crossed the Tamil Nadu Hotel, the Police Commissioner's Office and was stopped in front of the PRO's office by a barricade of policemen, less than 100 meters away from the office of the District Collector.¹⁸ Several formations of police comprised the barricade. The Swift Action Force was deployed at the rear of the barricade. At this point the police informed the leaders that the Jeep was not permitted to proceed further. The Leaders in the jeep requested the police officials to allow the Jeep to the Collectors Office Mr Aroon. M.LA got down from the jeep and requested Mr. Sailesh Kumar Yadava, Deputy Commissioner of Police and Mr. Mariappan, Deputy Superintendent of Police to permit the leaders to enter the Collectors office in the jeep to give a representation to the Collector.¹⁹

From various reports in the press and video footage seen, some men who were in the rear of the procession curious to know why the Jeep was stopped left the rear of the procession: got down the 20 feet parapet from the road on to the river bed by using the steps adjacent to the road, climbed up the steps near the police barricade and tried to move closer to the jeep. The group of men had to arrive behind the police barricade since there is no other steps from the point they climbed down to the point they climbed up the road. At this point women who were behind the jeep also moved forward closer to the Jeep and sat down Dr. Krishnasamy appealed to the percussionists to be peaceful till they met the Collector and returned. The leaders were still interceding with police officials when the police barricade first started lathi charging the men who had arrived near the barricade. Simultaneously stones and brick pieces began to be thrown on the percussionists and the leaders in the jeep.²⁰ In the next few minutes women who were behind the Jeep were also lathi charged, abused and pushed down the 20 feet cemented parapet construction towards the river bed. Mr. Palani, District Secretary CPI (M) got down from the Jeep and while appealing to the police not to lathi charge women was hit on his head by a brick. Police standing behind the people at the rear of the procession seeing the lathi charge in front of the jeep also started lathi charging the percussionists who were peacefully sitting police to stop beating the women.²¹ On hearing his appeal the police brutally attack him with lathi and he falls unconscious on the road. The police next chased people down the banks forcing people to jump into the river waters to save themselves from the charging police force.²²

It is alleged that simultaneously the police started pelting stones and bricks at the jeep. Tear gas shells were also fired near the jeep and on the fleeing people.

The party workers provided protection for the leaders from the stones and bricks and after a brief while the jeep moved away in the southern direction and the leaders are said to have taken temporary refuge at Devi Hospital.²³ By this time hundreds of people had fled towards the river and many were inside the river trying to escape to safety. At this point Mr. Rajendran, Commissioner of Police who was not present earlier appeared on the scene and issued orders for the rounding up of all people inside the river.²⁴ On hearing this order the Swift Action Force gets into action and rushes towards the people inside the river and those still on the banks. This is the third attack on people most of whom were now on the banks of the river or inside the river, nearly two hundred meters away from the road Police continue to attack both people on the banks of the river and those who try to save themselves and come to the water edge. Policemen who were deployed for the protection of the statue of Pon Muthuralingam Thevar simultaneously move to the western side of the river bed.²⁵ Some policemen from the eastern side of the river bed cross the bridge and position themselves on the western side of the river bed. People who swam across the river and came out of the river at the western end were beaten police and pushed back into the river. Stones are pelted by the police on people inside the river and those trying to reach the banks are beaten with long lathi measuring over 6 feet.²⁶ Those who escape the river water and try to reach the bus stand are rounded up by police identifying them by their wet clothes: they are beaten and taken to Palayamkottai Police Station. More than 100 men are said to have also been detained and released only after 10.p.m. on the same night. News reporters who helped women and children to come out of the river were also attacked by the police. Dinamani staff photographer Mr. Antony Xavier was also attacked, his camera snatched, film roll exposed and thrown into the river.²⁷

Around 3.30 after the lathi charge inside the river, the Collector is said to have come out of his office to the site of the police attack. This action by the police took place for about 45 minutes. Mr.Aroon, M.L.A. at this point returns to search in the river for the people who came with him. He sees an old man's dead body being retrieved and 2 or 3 dead bodies being taken out of the river.²⁸

By July 25, 13 bodies are reported to be retrieved. On the same day the Chief Minister announced that a one member Commission headed by Mr. Karthikeyan, retired District Judge, and would inquire into the incident. He also announced a compensation of Rs. 1 lakh to be paid to the families of the deceased. On 25 July, T.M.C. leader Mr. Moopanar came to Tirunelveli to pay his respects to the deceased and their relatives and alleged that the riot was engineered by the police.²⁹

By July 26, the official machinery announces that 17 bodies were retrieved. The six bodies are said to have been handed over to their relatives. The same day 652 Manjolai Tea Estate workers who were in jail were released. By this time relatives of eleven deceased refused to take the bodies, after seeing the injuries and blood on the deceased, alleging that police violence had led to their death Dr.Krishnasamy and Mr. Moopanar demand for a re-post-mortem.³⁰ Doctors from Tamil Nadu Medico-Legal Society condemned the demand for a second post-mortem and the Tamil Nadu Government Doctors Association held a dharna at Chennai demanding withdrawal of this demand by leaders. On the plea for suspension of district level officials who are directly responsible for the incident, specifically the Collector and D.I.G., Mr. Karunanidhi, Chief Minister, rejected the demand saying that "If I were to take action against the Collector, people belonging to the backward classes would accuse me".³¹

On July 27, police informed the relatives of the 11 dead to collect the bodies The Tamil Nadu Law Minister, Mr. Aladi Aruna, declared that an Enquiry Commission headed by a district Judge is more than sufficient to conduct this enquiry. He further alleged that the cause for the police excesses was due to a section of the percussionists misbehaving with women police. He rejected the plea for re-post-mortem.³²

On July 28, Mr. Karthikeyan, District Judge, is replaced by Justice S.Mohan, former Supreme Court Judge to enquire into the incidents. Eleven dead bodies which were not received by the relatives are buried by the police at four different places namely Thruway, Abishekapatti, Karuppanthurai and Vellakoil. Dr. Krishnasamy moved the High Court vide W.P. No:13138 of 1999 for a direction to the Central Bureau of Investigation to investigate the case of death of about 17 workers and all others who are injured and missing in the incident that took place on 23 July 1999 before the Collectors Office at Tirunelveli City and submit the report to the High Court.³³ The Petitioner also prayed for exhuming the dead bodies buried in four different burial grounds within Tirunelveli district and arrange for a re-post-mortem of the same by independent doctors other than Government Hospital doctors of Tamil Nadu Government, preferably by doctors from outside the State of Tamil Nadu. On 13th August the High Court directs that the Petitioner be provided with copies of the post-mortem reports at his cost. After detailed arguments and submission of evidence to the court by senior Advocate K. Chandru the case was dismissed by Justice Balakrishnan, Chief Justice on 15 October 1999.³⁴

V. CONCLUSION

A close scrutiny of the major conflict in the study area is expected to shed more light on the undercurrent of the caste tension. The Manjolai conflict which provide a general background of conflict, details of Taminadu Parites, women, children and other groups involved in this conflict, trends in the course of conflicts and other related aspects.



The workers of the Manjolai Estate were in great trouble and tribulation due to the wage conflict with Bombay Burma Trading Company.

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