

## **SALEM DECLARATION (PROCLAMATION)**

### **INTRODUCTION:**

According to 2001 census, 6.53 lakh tribal people, though in truth more than 15 lakhs people have been living in hilly areas and plains in Tamilnadu as 36 tribal groups. These people are subjected to many difficulties and hassles, even after sixty years of independence.

### **HILL DWELLERS:**

Most of the tribal group people of Tamilnadu are hill dwellers. Some tribal groups have habitated and dwelt in the hills from 16<sup>th</sup> century (i.e.) even before many hundred years. There is no reference in the history that no other people than the tribals lived in the hills during this period. So it is the historical fact that the hill areas were owned by and were the common property of the tribal people. The following reasons stand as witnesses to the present plight of the tribal people, who utilised the forest and forest lands for their dwellings and as source of livelihood. Those who lived in harmony with the nature have been pushed to the deplorable condition of living as refugees, nomads and slaves in their own hand.

### **SETTLEMENT:**

Around 200 tribal villages in the districts like Kanyakumari, Virudhunagar, Theni, Coimbatore, Nilgiris and Erode have been declared as resettlement by the government. All these villages are under the control of forest department. No work can be done without the permission of the forest department. People going to other places and towns/villages or taking their produce or purchase of domestic requirements are subjected to the checking of the forest department. If deviated, they have to face the action. There is a situation prevailing that the Public Works Department, Local Administration, Electricity Board or any other Department, they can implement the development schemes only after obtaining prior permission of the forest department. The forest department, which tried to evacuate these people till forest act (law) came into force, are threatening those tribals in National Parks and Wild Life sanctuaries, by offering to give 10 lakhs, after the law came into force. This continues in Kalakkadu, Valparai, and Mudhumalai forests.

### **FOOTHILLS AND PLAINS:**

Generally foothills will be less fertile and full of forest. The people live in this area ensure their livelihood with the income eked out by selling firewood and small forest produce. They have to give bribes also compulsorily, to the forest staff in charge of that area. Mostly these people are living as coolies and bonded labourers after losing their lands to aliens.

### **PLAINS DWELLERS:**

Maximum of those living in plains are Irulars. They have been evacuated, affected by the Animal.

### **PROTECTION ACT 1973:**

Of all the problems of the tribals, the foremost and worst are those which affect those living in plains. These people, who have forsaken their lives like the children, who suffer after having lost their parents, and get stranded in the forests, live as bonded labourers in rice mills, farms and brick kilns without a dwelling and having lost their source of livelihood. Problems from among other community people continue to haunt them.

### **ALIENATION OF LANDS:**

Even to-day there is no landed property to 36.5% tribal people in Tamilnadu. Those who possess lands are just marginal and small farmers, having ½ acre or 1 acre of dry land. Even these lands are going out of their possession, due to lack of proper legislations which protect the lands of the tribals in Tamilnadu. The non-tribals purchase lands in hilly areas in abundance and accumulate them. So the lands are fast getting alienated from them.

As Patta has not been issued to the Poramboke lands, cultivated by the tribals, as per 1984 G.O.1168/Forest Department dated 26.7.1984, their source of livelihood has become a question mark today.

### **TRIBALS AND TRADITIONAL DWELLERS, DEPENDING ON FOREST (FOREST RIGHTS RECOGNITION) ACT 2006:**

The forest department itself is vehemently opposing to the act and filing cases through the retired forest officers associations against the tribals and traditional dwellers. The forest rights recognition Act, could be made possible after a very big agitation of the tribal people themselves.

Besides they are using strong methods to evacuate tribals from the forests even before the implementation of the Act. (e.g.) Suriyur problem.

But at the same time, the forest department helps private companies, getting allotment of forest lands. Particularly it has recommended to allot 673 hectare forest lands to Jindal company in Salem. This amounts to an attempt of evacuating innocent people and making the rich profit.

As some of the parts, particularly many hill villages in Kodaikanal come under Pannaikkadu Town Panchayat, Papanasam Kaniyar parts come under Vikkiramasingapuram Town Panchayat and as they are not Town Panchayats according to Nagar Palika Act, it has become difficult for those people to get lands.

People face such difficulties even after the Act has come into force.

### **DEVELOPMENT SCHEMES:**

In the name of major development schemes, globalisation, Central and State governments acts, (e.g.) Wild Life Protection Act 1972, dams, quarries, tiny electricity schemes, creation of national parks, and sanctuaries, the tribals have been evacuated from their dwellings and from the areas cultivated by them for their livelihood, and made as momadies, farm coolies and bonded labourers.

Even as the small percentage of people has changed their pattern of Agriculture from cultivating Ragi, Samai and Thinaï for food to the production of cash crops. As big changes have taken place in the food habits, income accrued to their hard labour reaches the hands of those who man the markets. The hunting has also been prohibited because of the government order.

### **EDUCATION:**

The literacy level of the tribal people is 20.45% according to 1991 census. With regard to education, no major change has taken place among the tribal people in Tamilnadu. As the schools started are just single teacher schools and as they exist in government records only, even education could not bring big change among the tribal people. Even to-day, the children have to walk many kilometres in the hill areas to reach the schools. The education imparted in the residential schools also is not standard. Besides, according to government order, the community certificate has been made compulsory for the children to acquire education. But strict conditions have been laid to obtain a community certificate. As a result, the people are made to run from pillar to post for months and years for community certificate. Many could not pursue education since they are unable to obtain a community certificate. According to a recent survey, 70% of the tribal community students have discontinued their higher education.

It is sorrowful to note that the cultural identities of these people are fast vanishing as the government are bent upon evacuating them from the forests in the name of mainstreaming them by destroying their tradition, culture, livelihood, administration and source of livelihood.

### **ECONOMY:**

As their traditional profession of hunting and food collection etc., have been disturbed by stringent laws and as their lands were alienated, their economy has totally been eroded, and they suffer under the grip of poverty.

**HEALTH:**

The number of tribal people with mal nutrition was 559 to 1000, when the national figure was 470 to 1000 according to 2005 Rural Health Census Statistics. This is due to lack of availability of nutritious food in hill areas. The infant mortality rate in tribal community is 84.2%, when its national average is 70 for 1000. When the children dying within 5 years is 94.9 while it is 126.6 for tribal children. This government insists upon people to come to Primary Health Centres for Polio Vaccination for which, the people have to walk many kilometres. Hence many children are not vaccinated.

**TRIBAL SUPPLEMENTARY PLAN:**

The Tribal Supplementary Plan, introduced by the Central Government in 1974-75 reaches only some parts, particularly 2 lakhs tribal people in hilly areas. That is it reaches 35% of the tribal people. Due to the Government policy that at least 50% people of a Panchayat must be tribals for the implementation of the Tribal Supplementary Plan, this advantage could not reach the other people as the tribal people of a particular area have been divided and accommodated in different panchayats and districts.

**CONSTITUTIONAL RIGHTS:**

Section 244 of the Indian Constitution explains the 5<sup>th</sup> schedule. In the 5<sup>th</sup> schedule of the constitution, Panchayat Raj Extension Act dated 24<sup>th</sup> December 1966 grants special rights to the tribals. The Dilip Suigh Bhuria Committee has recommended that this Act may also be implemented in the tribal villages not notified as scheduled areas and within one year, those villages may be notified as scheduled villages. However, the state and Central Governments delay till today, without notifying as scheduled villages in States like Tamilnadu, Kerala and Karnataka, where tribal people live.

The benefits of the Panchayat Extension Act 1996, introduced for Scheduled Tribes have not reached the tribal people as the areas, where tribal people live in Tamilnadu, Karnataka and Kerala have not hitherto been included in the 5<sup>th</sup> and 6<sup>th</sup> of section 244 (1) and (11), the special section of the Indian Constitution introduced exclusively for tribal people.

**RESERVATION:**

Not even a single Parliamentary Constituency has so far been earmarked for the tribal people in Tamilnadu. Even the three assembly constituencies allotted to the tribal people have been reduced to two in the name of re-organisation of constituencies. This affects the basic rights of the tribal people.

In Panchayat set up, though there are 12,612 panchayats in Tamilnadu only around 100 Panchayats less than 1% have been reserved for tribal people.

**TRIBAL WELFARE BOARD:**

Since mostly forest associations and political representatives have been appointed in the Tribal Welfare Board, constituted for the welfare of the tribals, without appointing the representatives of the associations, who have been fighting for rights of tribals, these associations are struggling to put forth the problems of the tribals in a full fledged manner to policy makers.

**SMALL PRODUCE PROCUREMENT:**

It is laid down in the New Panchayat Extension Act and Forest Land Rights Act 2006 that the rights of procurement of small forest produce must be granted to the village committee (Grama Sabha). But that right is only given to the forest associations in Tamilnadu. Because of this, the forest department is again and again trying to establish its authority over the tribal people.

**RECOMMENDATIONS OF BHURIA:****SELF GOVERNANCE BY TRIBALS:**

The 73<sup>rd</sup>, and 74<sup>th</sup> the amendments to the Indian Constitution were made in 1992, wherein rights were granted to village committees (Grama Sabhas). But due to the reason that this would not be relevant to the tribals, whose culture and tradition are unique, the Central Government in the Rural Development Department constituted a 16 member committee under the chairmanship of the Tribal Member of Parliament Dhillip Singh Bhuria to research on the Tribal Panchayat System, on 10<sup>th</sup> June 1994. The committee toured all over India and submitted its report to the Central Government on 17<sup>th</sup> January 1995. The committee recommended that even areas, where 25 tribal families are dwelling, must be notified as scheduled areas. Besides it recommended that states like Tamilnadu, Kerala and Karnataka, which are not yet notified, have to be notified. But the Central Government has kept it in abeyance without implementing it.

#### **OUR DEMANDS:**

1. Government must notify immediately the areas in Tamilnadu where tribals live as 5<sup>th</sup> schedule.
2. Notified/tribals and traditional dwellers depending on forest (Forest Rights Recognition) Act 2006 must be implemented immediately in Tamilnadu.
3. Forest Act 2006 explains about the right of lands of the tribal people, who live in the border area of the Grama Sabha. There is no mention about the tribals living in the Town Panchayats and Municipalities. So bring a special (amendment) enclosure (appendix) to protect the interests of tribals living in the areas of Municipalities and Town Panchayats.
4. In order to declare the state, district, block and panchayat level forest rights organisations, which involve in the implementation of the Forest Rights Act, the Panchayat Level Forest Lands Rights Committee must be selected only with the consent of the Grama Sabha.
5. Government should impart awareness and Forest Law Training immediately to the Forest Department and Revenue Department Officers, who are the authority to implement Forest Rights Act.
6. Till the time of implementing the Forest Act evacuating the tribal people and traditional dwellers, living in and using the forest areas should be fully avoided.
7. The right of small produce procurement should be given to the respective Grama Sabhas.
8. Forest Department must immediately give up the practice of offering 10 lakhs and evacuating those traditional tribals living in animal sanctuaries and National Parks.
9. Government must immediately grant 10 acres of lands to those living, depending on forest according to forest Lands Rights Act 2006 and 2 acres land under the Chief Ministers free land allotment scheme to the landless people living in plains.
10. Government should stop allotting forest lands for mining purposes.
11. Stringent action must be initiated on the forest officers, who try to evacuate people, who are living even before the law came into force and suspend its implementation.
12. The Government must immediately cancel the lease of the government lands, given to the big landlords and owners of farms and allot them to the tribals.
13. While special schemes to ensure the source of livelihood of the hill and plain tribals have been created and implemented, the supplementary schemes like MADA, ITDP, HADP are implemented only in the area, where 50% people live on the basis of census. The schemes should be implemented in all the areas, where tribals dwell, without taking into account, the percentage of the census figures.
14. The administration of the educational institutions should be entrusted with the tribal people themselves, in order to ensure free education, school opening, teacher's attendance etc, in all the government schools and residential schools, functioning in the areas, where tribals live.
15. The community certificate should be issued with the consent of the leader of the tribal village, in order to ward off the difficulties in the issuance of certificates and the ensure the tribal people getting certificates in a easy way.

16. Stringent action should be taken on those who involve in harassing the women in the name of tourism and by the landlords and forest department in tribal areas.
17. Three Legislative Assembly Constituencies must be earmarked to the tribal people in Tamilnadu.
18. 1.03% reservation should be made in the Panchayat Organisation according to tribal people population.
19. At least one Parliamentary Constituency should be allotted to the tribal people in Tamilnadu.
20. G.O.No.1168/F.D., dated 27.4.84, which prohibits the issuance of patta to those, who raise crops in Poramboke lands in the hills, should be scrapped and arrangements may be made to issue patta immediately.
21. The Tribal Consultative Committee should be changed with proper representatives.
22. Action must be taken under Prohibition of Atrocities Act against those members, who obstruct the tribal leaders from functioning.
23. As it is a hard task for the hill villages to come all along to the Primary Health Centres and get Polio Vaccination to their children, the Government should arrange to send the medical staff directly to the villages and administer the vaccination.
24. The Central Government should create a University exclusively for the tribal people in Tamilnadu as in Madhya Pradesh.