

The Situation in Kerala.

True picture.

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THE SITUATION IN KERALA

TRUE PICTURE

Events in Kerala during recent weeks in connection with the so-called students' struggle supported by all political Parties of the Opposition, were such as to attract wide attention of the public here as well as outside. Stories of "brutal repression" of students, reports of "mass arrests", picketing before Government offices and violation of prohibitory orders and allegations about "Communist violence and lawlessness" must have caused some concern in the minds of people all over India. No less a person than Shri Sadiq Ali, General Secretary of the Congress, in an open statement on August 4, expressed a suspicion that "the Communist Government is more and more averse to the normal functioning of the Opposition Parties, in fact the normal functioning of the whole democratic system of Government" (August 2). He described the students' agitation as "sudden and spontaneous."

An attempt is made in the following pages to give a true picture of what happened in Kerala during the past one month, presenting only undisputed facts brought on record in the Press and official documents, leaving the people to form their own judgement on the matter.

Ever since the Communist Ministry came to power, it was the avowed policy of the Opposition parties to oust it by fair means or fowl. They did not leave any stone unturned; they did not think any means below their dignity or unworthy of their professed ideals; they did not hesitate to adopt unconstitutional and violent methods in trying to pull down this Ministry.

Slogan of "Annihilation"

It is not necessary to refer here to the several events of the past 16 months that are familiar to the public. The Deviculam by-election was, however, a significant turning point. The Opposition Parties

made a life and death struggle in this election. They were full of hope and confidence that they would be able to defeat the Communist candidate through their combined strength and thus unseat the Ministry "through the ballot box". In this they miserably failed and every body is now more or less convinced that the Ministry will continue for its full term of five years. It was this thought that drove the Opposition Parties into desperation and made them resort to all sorts of questionable methods in their attempts to bring down the Ministry. There were open talks of a "liberation struggle" that is to say, a struggle to "liberate" Kerala State from communist rule. The tactics were to open a "many-front of struggle" against the Government. The Kuttanad boat fare agitation, the Sitaram Mill struggle and the struggle of the coir workers in Fort Cochin were some of the "fronts" that were started either immediately after or just before the close of the last Assembly Session. During the Assembly Session itself the Congress members had given a broad hint of the coming events and as soon as the Session was over, Shri P. T. Chacko, Leader of the Opposition in the State Assembly, called a Press Conference and made a statement, in the course of which he called upon all the Opposition Parties to join the struggle to destroy the Communist Party. Extracts of his statement as it appeared in the non-Communist Press are quoted below:—

"The Congress Party in Kerala is determined to defy and isolate the Communists in the State. Shri Chacko appealed for the co-operation of all patriotic citizens in this campaign to oppose and annihilate the Communists" (The *Malayala Manorama*, dated 9-7-1958).

"Asked whether the Congress was prepared to start a mass agitation against the Communists, Sri Chacko replied that a popular agitation against the Communist rule was already taking shape" (The *Mathrubhumi* dated 9-7-1958).

"They (the Congress) were determined, he said, first to isolate and then *annihilate* the unpatriotic Communist Party through democratic means when democratic methods to overthrow a Government were shut out, the natural consequences were obvious, he said."
(The *Indian Express* dated 9-7-1958).

Call for organising Private Militia

It must be pointed out here that this Press Conference and open call for struggle against the Government was not an isolated matter. Ever since the campaign against the Education Bill started in the State, in May, 1957, the Opposition Parties, especially the Congress had encouraged the formation of semi-military volunteer organisations under various names such as Santhi Sena, Christopher Organisation, etc. They never made any secret of it. Fr. Vadakkan well-known leader of the Anti-Communist Front recently went on a fast in Trichur, with the avowed object of expediting the formation of a Santhi Sena consisting of five lakhs of volunteers to fight the Communists. He was reported to have given up his fast on the assurance of the President of the District Congress Committee and others that they undertook to organise such a Sena.

The organisation of a private militia against constituted authority was sought to be justified by the argument that there was a sense of insecurity under Communist rule and therefore they were forced to organise in self-defence. The Congress leader of the Opposition in the State Assembly, Shri P. T. Chacko, again gave tongue to this claim in the course of his speech in the Assembly on 28-3-1958, when he quoted Lord Macaulay extensively, as if there was any dispute with regard to the right of self-defence for individuals. The whole point was that the Opposition was trying to take the law into their own hands and organise a private militia. This can be established by irrefutable evidence. Government had reports that at one stage in a single district there

were over fifteen thousand volunteers trained in the use of lathis and daggers by ex-Army men and others—the training ground being Church premises in most cases.

The organised mass scale trespass into the Government land at Kattampally and the hold-up and storming of the Ministers' cars which are still green in public memory, were some of the manifestations of this idea that the Opposition Parties could take the law into their own hands. Shri Sadiq Ali and people of his like are horror-struck at the thought that the car of such an eminent person as the former Chief Minister, Shri Panampilli Govinda Menon, should have been stoned by an unruly crowd. Without attempting to justify such acts of hooliganism, it may be permissible for one to ask if Shri Sadiq Ali considers such actions wrong only when they are directed against Congressmen and not when they are directed against others. If not, why is it that Shri Sadiq Ali's righteous indignation was not roused when, several months ago, it was the normal thing in Kerala for every Minister's car to be attacked by unruly crowds of black flag demonstrators under the leadership of the Congress and other Opposition Parties.

During the course of the recent students' agitation also, right in the heart of the capital city of Trivandrum, the Revenue Minister's car was attacked while she was going to her office in the morning. The attack on the Public Works Minister some time ago at Kanjirappilly was something more serious. It was not only an attack on the car but an attempt on the Minister's life and charges have been framed by the Magistrate in the case against the accused. From such acts of hooliganism the only inference that can be drawn is that if any one is taking the law into his own hand, the suspicion is pretty strong that it is the Congress Party and none else.

Incitement of Civil Servants

Together with this idea of organising a private militia must be taken the attempts, sometimes open

and at other times convert to tamper with the loyalty of Government servants and to intimidate them. The speeches of the former Chief Minister, Shri Panampilly Govinda Menon, are especially noteworthy in this connection. As the leader of the Sitaram Mill "Satyagraha", he made several speeches, in the course of which he openly advocated the idea of the "liberation struggle" against the Communist rule. He openly appealed more than once to members of the civil service to disobey the orders of Government. He wanted the officers "to act according to their own conscience, even if, what their conscience dictates is not in conformity with the instructions of Government". At a very recent speech at Pazhavan-gady in Trivandrum he appealed to the people to form "third column" to fight against Communist Party and the police.

"The Communist Party shall not hope to be the second column to the police and the army. If the party does not abandon such a hope, if the Government side with the party, if you and I want to live in this country, we have to form ourselves into a "third column". (The *Malayala Manorama* dated 31-7-1958).

"I believe that those of you who are interested in the 'liberation' of Kerala will come forward as volunteers of this 'liberation struggle' determined to fight to the last".

(From the speech of Sri Panampilly Govinda Menon at Trichur on 1-6-1958 as reported in the *Kerala Kaumudi* dated 4-6-1958).

"The dismissal of five workers of the Sitaram Mills is just a cause. All sections of the people including the police and the army should come forward to help the struggle".

(From the speech of Sri Panampilly Govinda Menon at Trichur on 2-6-1958, as reported in the *Malayala Manorama* dated 3-6-1958).

Countless examples of such speeches could be given:

“There cannot be any conciliation with the communists until they are ousted from power and exterminated from the country.”

(From the speech of Congress leader Sri Ummer Koya, Deputy Leader of the Opposition, at Kozhikode on 30-7-1958 reported in the *Malayala Manorama* dated 31-7-1958).

“If Government are not prepared to put down violence, then the people will organise in self-defence.”

(Shri P. T. Chacko, Leader of the Opposition in the State Assembly on 30-6-1958, reported in the *Malayala Manorama* dated 1-7-1958).

The extracts given above are sufficiently explanatory of the attitude of the Opposition.

Government's conciliatory attitude

How did Government meet this challenge and what were the measures adopted by Government in order to “suppress” the agitation? It has been freely stated by the leaders of the Opposition Parties and the leaders of the students' struggle that Government let loose brutal violence against the agitators, and the police indulged in lathi-charges and firings that the fundamental freedoms of the people were trampled under foot and that the members of the Communist Party took the law into their own hands in several places. Such sweeping statements may have been necessary in order to bolster up their case and to justify their otherwise unjustifiable actions.

But what are real facts? Irrespective of the attitude taken up by the Parties of the Opposition and in spite of the acts of provocation indulged in by the agitators, Government tried to tackle each issue on its merits and settle it in a peaceful manner. It was only when the demands of the agitators went beyond all reasonable limits and it was found that

conceding such demands will prejudicially affect other sections of the people that Government refused to yield to them. And when in the wake of such refusal the agitators indulged in open defiance of the law, Government had to use absolutely necessary force to meet the situation.

But even then the force used was the unavoidable minimum and it can be proved before any impartial tribunal that, when compared to the force that was used in other parts of India under similar circumstances, the measures adopted in Kerala by the Communist Government were far less severe. In fact the complaint of the non-party sections of the people is that Government did not use enough force and act with sufficient firmness.

Let us deal with the "struggles" one by one.

The Students' Demands

The boat fare agitation was started ostensibly to retain the one-anna boat fare concession that was alleged to have been prevalent in certain parts of Kuttanad. Government's information was that concession existed only in a very limited number of boats and was available to students going to some particular schools and that there was no truth whatever in the statement that it was prevalent throughout Kuttanad. A concession restricted to a few boats could continue only as long as the boats were under different private owners. Each owner was free either to allow the concession or not. But as soon as the boats were taken over by the Water Transport Corporation (in which Government had the majority of shares) a uniform rule had to be laid down. The Corporation decided that instead of giving a few students studying in one or two schools in Pulinkunnu the concession of one anna, they will allow half concession to all students using the boats of the Corporation throughout the areas where the Corporation boats plied. This was, in fact, a far more generous and far more useful concession so far as the vast majority of the student population was

concerned. For, whereas formerly the vast majority of the students using boats in Kuttanad had to pay the full fare, ranging from two to four annas and more, now they had to pay only 50 per cent of these fares. It is, of course, true that a few students who originally had the one anna concession had to pay something more, viz., $1\frac{1}{4}$ or $1\frac{1}{2}$ annas, but according to the information in the possession of the Corporation this would affect only about 75 to 80 students whereas hundreds of students got the benefit of the half-fare concession announced by the Corporation.

Government thought that if the students had any genuine grievance with regard to the boat fare, they would be satisfied with this eminently reasonable stand taken by the Corporation. But it was not so. The students still continued their agitation. Several negotiations followed between the students' representatives and the Collector (who is also the Chairman of the Corporation) and also with the Minister for Transport and Labour, both of whom were very anxious to settle the whole question amicably. And at one stage they very nearly succeeded. In order to satisfy the students, the Minister himself gave it in writing to their representatives that, if contrary to his information, the one-anna concession was found, after enquiry, to have been generally prevalent in Kuttanad, Government were prepared to consider its extension to all boats and recommend to the Corporation accordingly. If the agitation was based on any genuine grievance, it should have been called off at once. But the students were not apparently satisfied and they continued their struggle.

It is also significant that in the letter written by the Students' Action Council, Pulinkunnu, to the Minister for Transport they had asked for the one-anna concession only in the boats plying to Pulinkunnu, thereby contradicting their subsequent contention that it was prevalent throughout Kuttanad.

All this shows that if the agitation was a genuine students' agitation for some economic concession, there would have been no difficulty in settling it. At no time did Government take a stiff or unbending attitude; they were, on the other hand, prepared to go to the utmost in conceding the students' demands. And, consistent with public policy, they have, in fact, granted concessions in fare which had benefited the vast majority of students of the area. And, if in spite of all these, a section of students decided to continue the agitation, the conclusion is inescapable that there were other reasons for it and other forces behind it.

The Sitaram Mills Dispute

The same can be said of Government's handling of the Sitaram struggle. However much leaders like Shri Panampilli Govinda Menon and others wished to picture it as a political struggle, Government repeatedly put forward suggestions for the amicable settlement of the issue and several conferences at Ministerial level were called to effect a settlement of the dispute.

The Sitaram Mills is managed by Government. Its Managing Board has in it an elected representative of the workers. Recently a new drive was made to speed up production with the willing co-operation of a large majority of the workers. Since there happened to be an accumulation of stock of yarn which had to be got reeled in time, it was found necessary to transfer 12 workers from the Winding Section to the Reeling Section. Seven of the workers thus transferred readily obeyed the orders of the Management, but five of them, claiming to belong to the Labour Congress (whose President is Shri Panampilli Govinda Menon) refused to work in the new section. Although an assurance was given that the transfer was only temporary and that there was not going to be any reduction in the emoluments received by the workers on account of the transfer, the Labour Congress leaders made it out that this was an act of victimization. The workers flatly refused to do the job in the places assigned to them

Shri Panampilli Govinda Menon seized this opportunity to declare his "Liberation Struggle". His demand was the outright cancellation of the transfer order. He denied to the Management their right to improve methods of production through proper assignment of work accepted as a necessity by the vast majority of the workers in the factory.

But in spite of the defiant attitude of a handful of workers, only 182 out of 2117, participated in the struggle; production in the factory was not only maintained but it actually increased considerably reaching a peak level of 43,000 yards a day as against 27,000 yards so far recorded. In fact the "epic" struggle launched by the Labour Congress under leaders like Shri Govinda Menon was a struggle without the support of the vast majority of the workers.

Attempts were more than once made to settle the dispute through negotiations. The negotiations failed only because of the recalcitrant attitude adopted by the Labour Congress leaders. They launched "the Collectorate satyagraha" and "mass picketing". Many well known Congress leaders like Shri K. I. Velayudhan and Shri Kochukuttan, former Congress Ministers, the Municipal Chairman (Congress) and a lot of others courted arrest in front of the Collectorate which they sought to picket. Mass picketing followed. Government referred the matter for adjudication. Yet two Labour Congress workers began hunger-strike.

On July 27th, however a settlement was arrived at in a conference attended by Shri Panampilli Govinda Menon. Accordingly, the workers who were transferred from the winding section to the reeling section have undertaken to work in the reeling section till the 15th August, by which time it was expected, the accumulated stock would be exhausted. Government, however, have promised that there will be no victimization, that all discharged workers will be taken back and that all criminal cases arising out of the dispute will be withdrawn and sentences remitted.

It must be pointed out here that these terms had been offered from the very beginning of negotiations; provided the five workers belonging to the INTUC were prepared to work in the reeling section. Such fair terms were offered because of Government's utmost concern to protect the interests of all workers irrespective of Party affiliations. Even workers discharged from the Mills for valid reasons viz., absence without leave and participation in picketing, are to be taken back without any break of service. Such are the fair terms of settlement. The Labour Congress has accepted the right of the management to employ workers in a way as would suit production best. The Labour Congress workers have agreed to work in the section to which they were transferred.

Thus, the struggle that was continued for more than two months demanding the cancellation of the transfer order has been withdrawn. After three months of "struggle" the INTUC has had to accept more or less the very same terms as were offered by Government from the very first. What, then, was the struggle for? It is for the workers in the INTUC to judge whether in the circumstances there was any necessity for the struggle at all. The facts set forth above will also show that there was not even a trace of victimization or unfair discrimination against INTUC workers as such.

The Coir Dispute

Alongside the Sitaram agitation, the Opposition Parties under the leadership of Shri Alexander Parambithara, M.L.A., launched another "front of struggle" before the Office of the Deputy Collector, Fort Cochin, in the name of a section of coir factory workers employed under certain European firms in Fort Cochin. Here they raised demands which were under the active consideration of the States Industrial Relations Committee for the Coir Industry. The INTUC was also represented in the Committee, yet it was alleged that the Committee was a machinery which would cater to the interests of the employers only. Government pointed out

that the Committee had standardised the wage rates of almost all the items in the baling sector, as a result of which wage rates had been increased on an average by 60 per cent and in certain cases by over 130 per cent. The decision of the Committee on the other demands of the workers were being awaited. Still the struggle continued.

However this struggle was withdrawn as a result of prompt intervention by Government at the Ministerial level. It was decided to form a regional council for the Fort Cochin-Palluruthy area, empowered to decide the question of the quantum of lay-off compensation. Government also agreed to nominate one representative of the Unions in Fort Cochin to the State Coir Industrial Relations Committee.

Simultaneously with the Sitaram and Fort Cochin "Struggles" a "third front" was opened at Alleppey in the name of some boat employees. The Water Transport Corporation had just been formed. The "struggle", in the form of picketing before the Collectorate, was launched on the basis of the demand for the implementation of a Tribunal award in regard to payment of balance wages and gratuity. Steps were being taken by the Corporation to distribute the balance wages; regarding gratuity it was a question which would come up only at the time of discharge of the workers. All permanent workers hitherto employed by private owners had been taken into service under the Corporation. Obviously, there was absolutely no necessity for such a "struggle" except in case they wanted to create impediments in the smooth functioning of the Water Transport Corporation.

Thus it will be seen that in the case of all the so-called "struggle fronts", Government had done everything in its power to meet all the just demands of the workers in the interests of industrial peace.

Government had also to face during this time the challenge of the tile factory owners in Trichur and Palghat Districts, who declared a lock-out of

their factories leaving nearly 6,000 workers unemployed. The tile factory owners declared the lock-out as a coercive measure to escape the implementation of the minimum wages notification. Here, too, Government succeeded in effecting a settlement, with the result that the factories were re-opened and interim relief was afforded to the workers.

It was in the background of all these events with the accompanying unrest deliberately provoked by interested parties that the students' agitation developed in Alleppey in the name of boat fare concession. The students of the Alleppey and Pulinkunnu areas came out of their classes, inaugurating their direct action on the 14th July.

A Section of Students indulge in Violence

When leaders of the students' agitation refused to withdraw the struggle on the assurance of the Labour Minister and intensified it, Government had to make arrangements for maintaining law and order and for the normal running of education institutions. It is these measures that are described as "brutal repression". When the situation became serious because of the encouragement given to all the unruly acts of a section of the students by the opposition parties, an order under Section 144 had to be promulgated in Alleppey and a cane-charge had to be resorted to against those who attempted to break the prohibitory order. At once wild stories of excessive use of force were spread and a demand for a public inquiry raised.

The students' agitation as it progressed assumed more and more violent forms. Picketing in front of school gates assumed the form of physical assaults on teachers and loyal students, breaking of windows, doors, tables, desks, etc., in schools and rowdiness in class rooms. State Transport buses were attacked, seats were torn open, glass panels broken and tubes and tyres punctured. A brief resume of the events as they developed is given below:

4-7-1958. The students of Pulinkunnu detained a number of passenger boats going from Alleppey to Changanacherry at Pulinkunnu jetty.

5-7-1958. Fifty students reached Pulinkunnu from neighbouring places and took part in forcible detention of boats carrying passengers.

8-8-1958. Students obstructed a boat belonging to the Swaraj Navigation Company at Chennankari. Some students boarded the boat and caused trouble inside. Some students of St. Mary's High School, Champakkulam, boarded a boat and prevented it from moving out. Another batch of students of the same school boarded the "St. Thomas Rejula" and squatted inside, refusing to accept tickets when issued. When the boat reached destination they refused to leave the jetty and remained there, squatting on the verandah and thereafter lay across the verandah causing obstruction. They resisted when police attended to remove them and refused to leave the place.

10-7-1958. Students of the St. Mary's High School and the Little Flower Convent, Pulinkunnu, abstained from classes and indulged in acts of rowdyism. They obstructed a boat by tying a rope across the river. They also got into boats and caused obstruction to their passage.

13-7-1958. Fifty-three students including Sri Mohammed Ali, Convener of the Action Council and Secretary, Independent Students Organisation, had to be removed from the Alleppey boat jetty for causing obstruction. Nearly 500 students organised a jatha and proceeded to Alleppey North Station, shouting vulgar and provocative slogans inciting violence and lawlessness.

14-7-1958. One hundred and thirty-four students picketed at the entrance of the Alleppey boat jetty. Students of the St. Joseph's High School, Pulinkunnu, picketed at the local Taluk Office. Some students at Changanacherry and a section of students in some other parts of the State such as Ernakulam, Kayamkulam and Chirayinkil, left their

classes. At Alleppey nearly 2,000 students, mostly kids and several of them girls, held a demonstration. They caused obstruction to traffic and stoned buses.

It was in the light of these developments and increasing tension on account of the defiant attitude shown by a section of students that the prohibitory order under Section 144 was promulgated in Alleppey District. There were violation of this order by students. In many places, parents and guardians openly came forward, blessing the boisterous students. The number of little kids pushed into the field with the active support of their guardians proved that interested parties were behind this students' "struggle".

It is a well known fact in Kerala that the Catholic Church has declared uncompromising opposition to the Education Bill. It is also a matter of common knowledge that any agitation against Government, even if it be by students, is sure of getting active support from them.

Political Parties directly intervene

When "battles" fought in the name of workers at Trichur (Sitaram), Alleppey and Fort Cochin did not produce the desired results, the "students' agitation" was seized as an opportunity by leaders of the opposition, political parties to engage themselves in regular campaigns against Government. Shri N. Srikantan Nair, R.S.P. Leader, arrived on the scene at Alleppey on 17-7-1958 and declared his open support to the students' agitation. Shri C. G. Janardhanan, M.L.A. (P.S.P.) violated the prohibitory order at Alleppey on 20-7-1958. The same day, Shri B. K. Nair, (INTUC leader and Congress candidate who lost the bye-election at Deviculam) defied the ban and courted arrest. A host of other Labour leaders belonging to the INTUC and UTUC also took out a procession in defiance of the prohibitory order. On 21-7-1958, it was known that Congress, R.S.P. and P.S.P. leaders would take over leadership of the students' agitation and launch a State wide movement. All the

opposition party leaders joined together and held meetings and demonstrations in various parts of the State in support of the students' agitation in Alleppey.

The Kerala Provincial Congress Committee in its joint meeting with members of the Legislature Party and District Congress Committee Presidents on the 24th July decided to call upon the Congress units in the State to render all help and support to students and workers, "should Government fail to do justice to them". The K. P. C. C. thought it fit to forewarn the people of the State that the Communist Party backed by the State Government had started a "civil war" against the people of the State. They appointed a sub-committee consisting of the P.C.C. President, the Opposition leader, and the former Chief Minister to deal with the "situation as and when it developed". They were known as the Action Council.

In the resolution passed at the meeting, there was not a word about the innumerable acts of hooliganism and lawlessness committed right under their nose by the agitators in various parts of the State. It is curious to note that it was the "Mahila" wing of the K.P.C.C. who first came out with a call for all-out struggle against the Communist Government. With the active support of the Congress for the country-wide agitation in support of the students, an impression was sought to be created that a "war of liberation" was afoot in Kerala.

There was furious propaganda in the Press and from the platform. Stories were cooked up and spread about Communist violence. Even the unfortunate death of a girl in an accident while getting down from a bus, as it was reported in a section of the Press, assumed the nature of Communist violence against the girl. This and other utterly false stories were propagated to provoke the public and stir up feelings of hatred against the Communist Government. Combined with this and other scenes of mad fury, opposition leaders began to make speeches fanning the flame. The P.S.P. leadership

gave a call for a State-wide protest on the 29th July and an all-out agitation from the 30th onwards. R.S.P. and Congress leaders as well were only too willing to join the campaign.

By the time the opposition parties took up a stand in open support of the students' agitation, there had been innumerable instances of acts of violence and hooliganism in several parts of the State indulged in by the agitators.

To cite a few instances:—

On 17-7-1958 the Industries Minister's car was stopped and obstructed by the students at Alleppey. Some students of the S. D. College obstructed traffic by placing logs of teak wood across the main road in front of the College.

On 18-7-1958 students of the Leo XIII High School in Alleppey abstained from classes and moved about the school premises causing annoyance and obstruction to passengers by shouting, stone throwing and unruly behaviour. Some students and non-students collected near the school gate shouted slogans and pelted stones at the police. Some students of the Kayamkulam High School threw stones at the State Transport bus No. 834, as a result of which one passenger received injuries on his head. Students of the Leo XIII High School, Alleppey, pelted stones at the State Transport Mail bus proceeding from Ernakulam to Quilon, as a result of which the front windscreen glass was broken. Obstruction to traffic was caused by placing the logs of two cocoanut trees across the road on the side of the Alleppey District Hospital.

On 23-7-1958, at Alleppey when the police tried to remove some picketers, a section of the people who had gathered on the spot threw stones, as a result of which two policemen were injured.

On 24-7-1958 there was a torch light procession in Ernakulam, at the end of which some burning torches were thrown into the Communist Party Office compound.

On 25-7-1958 some State Transport buses in Alleppey were stoned (Bus No. 556 proceeding from Alleppey to Kayamkulam, No. 954 proceeding from Kayamkulam to Alleppey, No. 823 proceeding from Karumadi to Alleppey and No. 927 proceeding from Karumadi to Alleppey).

On 26-7-1958 a State Transport bus was attacked with crackers and stones at Vazhappillychira, four miles north of Changanacherry. Two passengers were injured and the windscreen smashed. An express bus proceeding to Ernakulam and another going to Trichur were blocked on the road by students lying across the road. In the bus going towards Ernakulam, all the four wheels were punctured and stones were put into the petrol tank and the battery wire was removed.

A plan behind the action.

The examples cited so far should not be mistaken to be isolated events, nor should the impression be gathered that students *en masse* got involved in these and other acts of rowdyism. What really happened in most places was that students of certain institutions were actually encouraged by the managements to leave their classes and they were further encouraged to roam about in the locality. The institutions which allowed large number of students to leave the classes, are, according to reports, the Mar Evanios College, Trivandrum, the Kristhu Raj High School, Quilon; the Leo XIII High School, Alleppey, the Sacred Hearts College, Thevara, the St. Alberts College, Ernakulam, the St. Mary's College and St. Thomas' College, Trichur, the Devagiri College, Calicut, and similar institutions in various parts of the State. Naturally students from these institutions were led to the institutions where normal classes were held and they forcibly entered the compound of the schools and colleges and began shouting slogans. The disturbance thus caused was sufficient to enforce closure of institutions at several places. In front of many of the institutions, picketing was conducted in a violent and provocative manner. There have been innumerable

cases of assaults on guardians and even on teachers. The Student agitators not only abstained from classes but also went about inciting others to do so. In some places this led to skirmishes and clashes.

The police certainly had a hard time in a number of places. Brazenly in front of them, vulgar slogans were shouted. The unique feature of these incidents was the large number of kids thrown into the fray. It is sad to think that the agitators and their leaders have thought fit to rouse boys and girls hardly 10 years of age to engage in acts of hooliganism. Preventive action was rendered difficult because of the tender age of those children placed in the forefront of the disturbances. It is true that a large number of students had to be arrested. However, instances of force having been used against the agitators are few and far between, although screaming propaganda is there about "naked police violence".

According to State Transport authorities, 100 buses have been subjected to attacks by the students. The cost of damages and losses incurred by the Department, according to a rough calculation, amounts to Rs. 98,900 (nearly a lakh of Rupees).

On the night of 25th July, in front of the K.P.C.C. Office, Ernakulam a State Transport bus was stopped by some students. Stones were thrown and travellers were harassed. Reports show that instead of trying to prevent the hooliganism, the Congress leaders present there including the Leader of the Opposition, Shri P. T. Chacko, openly shouted that those who stoned the bus were Communists. When the onlookers challenged them, sharp came the reply: "We are free to say anything. If you object, go to court and seek your remedy there". Such has been the attitude of responsible leaders of the Congress in this ill-advised student "struggle". They tolerated and even encouraged hooliganism and took shelter under the convenient allegation of "Communist violence".

What was narrated above is only one of the incidents which have been given wide publicity as an example of "Communist violence". Innumerable

statements have appeared in the local Press charging these Congress leaders with complicity in this incident and challenging them to disprove it. Unfortunately, the Opposition version has been given wide publicity throughout India, and the true version has gone practically unnoticed.

Not only State Transport buses, but buses belonging to certain private owners were also attacked during the students' disturbances. At Irinjalakuda on the 22nd July, a bus belonging to P.N.K. Bros., a private operator, was stopped on the road and damaged and the driver was threatened. Similarly in the District of Kottayam, buses belonging to a private owner, Swaraj Transports, were stopped at many places and damaged. As a protest against this hooliganism, all the buses of private owners in Trichur District stopped their services for one day. The motor employees in Trichur held a demonstration in the town, condemning the students' action.

What attitude did the Congress and other Opposition Parties adopt towards these happenings. One would have thought that in conformity with their professed creed of non-violence, the Congress at least would have appealed to the students to desist from acts of violence and hooliganism, even if they were in full sympathy with the students' struggle. But it is a painful fact that not only did they not utter any single word in condemnation of these violent activities, but, on the other hand, encouraged such activities by their active approval. Reference has already been made to the resolution adopted by the K.P.C.C. At a public meeting in Ernakulam following the adoption of the resolution, Shri P. T. Chacko is reported to have said the Congress would take up the cause of students even if that necessitates abandoning Gandhian ways for the time being.

Intimidatory slogans—a common feature

The speeches made and the slogans shouted throughout the course of this "struggle" were highly inflammatory, such as no State Government in India

would have tolerated. Following are a few examples of the slogans that were freely used in the processions organised by all the opposition parties in the course of the struggle:

1. "ജീവൻ കാഞ്ഞോ നമ്പൂരി".
Beware of your life, Namburi!"
2. ശ്രീകണ്ഠനെ തൊട്ടാൽ ടി. വി. യെ തട്ടും.
Touch Sreekantan, T. V's head will be off!
3. "ഹങ്കറിയല്ലിതു കേരളമാണിതു" നോക്കിരേച്ചോ നമ്പൂരി".
This is not Hungary; this is Kerala; Beware Namburi!
4. "വികൻ, കരുതൻ, ഞൊണ്ടിരേണം വേണ്ടേ, വേണ്ടേ, നമ്പൂരി".
Down with your rule of the stammerer, the blind and the lame, Namburi!
5. "രക്തം കടിയോ, നമ്പൂരി, ഇനിയും ചോര കടിച്ചോട്ടു".
Blood thirsty Namburi, drink more blood hereafter!

The Climax


It was at the height of all these disorderly happenings that the unfortunate incidents in Chandanathope and Varandarappilly took place. Regarding the former a judicial enquiry has already been ordered and it is only proper to await the findings before expressing any opinion upon the incidents that led to the firing. But as regards the latter incident, Congressmen have built up a story in which Communists are described as having taken the law into their own hands and killed people belonging to other Parties. This matter is under investigation by the police still one is compelled to say a few words because of the wide publicity that has been given to this incident.

Varandarappilly is a small bazaar town in Trichur District adjoining the estate and forest areas. It was a congress stronghold, where the Communist Party is only just beginning to have its organisation and activities. It all started when one Communist worker was beaten up by Congress workers in the bazaar; the Communist worker sustained injuries

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find out the relatives of the deceased and to get them to identify the body. CW.5 states that under instructions as above he had gone to Madhurandakam and that with the help of Madhurandakam Police spotted the relatives of the deceased. The Sub Inspector of Police, Madhurandakam accompanied CW.5 to the Melapetta Harijan Colony within the Madhurandakam Police Station limits where Shanmugham's people were living. A Police Constable had also accompanied him. He met Shanmugham's father Doraiswamy and asked him to accompany him to Tanur to identify the body and to receive the same. But the father refused for want of money. CW.5 then explains that he offered to pay Rs.200/- by way of expenses to accompany him to Tanur, but still the father declined. The President of the Panchayath and others reached there. A petition was prepared at the instance of the President and others and Doraiswamy. It was signed ^{by Doraiswamy} and handed over to CW.5. It is marked as Ext.F2. He phoned up from Madhurandakam to the Deputy Superintendent of Police, Tirur (PW.7) and informed him all that had happened. The petition reads to say that Doraiswamy was not in a fit condition to come down to Tanur and also that he would request the Kerala Police to arrange the funeral. CW2. 35 to 38 also who have had occasion to know Shanmugham states that Shanmugham belonged to Tamilnadu and that he was in Kerala doing odd jobs for making a living. He has been in this area for 6 years. So is the evidence.

The man Shanmugham and his behaviour:-

29. The Inquest Report Ext.F1 and the Postmortem certificate Ext. F8 hold out that Shanmugham was 160 Cms. tall and 44 Kgs. (after death) in weight. He was of medium complexion and looked about 30 years old. He had tattoo marks in Tamil letters on front of his right forearm. Left forearm also carried some sort of tattoo mark which could not be made out. He could



not be described as light built. He was almost a medium built man. His photograph taken after his death is Ext. F3.

30. CW.34 is one Pathummakutty, an illiterate woman who lives in Devathy near Tirur. Her husband is employed in Dubai. He is one Beeran. A little more than an year ago he used to be living with her in laws and only later shifted to the new house put up by her closeby Beeran's. Shanmugham had been engaged as a cooly as and when the new house was being put up. Beeran was also at that time at home. But Shanmugham had given his name to the family as Suresh Babu. He even lived with them for about 3 months. After the completion of the building he had gone home offering to return after a month. It is explained by CW.34 Pathukutty Umma that during the time Shanmugham was in "Devathy" living with them, he used to be behaving very well, but was a little childish. After about a month he did turn up and visited her in her new house. Rs.8/- was due to him way of arrears of wages. Beeran had asked her to pay him that amount as and when he would turn up. But it appears he told her that he got married at home and that his wife was carrying. When he left he looked normal as his own self. But he turned up some two or three months later. The lady says that this time she noticed visible changes in his manners. He looked gloomy. He said his wife had given birth to a baby girl.

The witness says: " അ ഹനിയ്ക്ക് എനോ ഒരു ഭ്രാന്തൻ കൂട്ടമാ എരി ഉണ്ടായിരുന്നു. ചായ കൂറ്റി ഉറപ്പ് പോകാതെ നല്ല ന്ണു കോട് ചായ/ഭ്രാന്തൻ പഠങ്ങു എൻറെയോട്ടോ പോയി."

The deposition of this witness therefore suggests that Shanmugham was a cheerful young man earlier, but by the time he last met her one or two days before his death, he had become gloomy and looked a little depressed.

neighbour K.C.Mohammad

31. Pathukutty's husband ~~Beeran~~ is later examined as CW.38. He says that he had paid him Rs.900/- on 30-8-1987 when Shanmugham

All these appeals failed to have any effect on the leaders of the Congress and other opposition parties. They joined together to observe July 29 as "Protest Day" throughout the State. But the vast majority of the students and workers kept away from the agitation. Only in a few centres in the State were there some sort of partial hartal. The people as a whole remained calm and unmoved in spite of loud propaganda and hectic preparation for creating scenes challenging the authority of Government. Section 144 had to be clamped down in two taluks in Quilon and Trichur Districts as a precautionary measure. But credit must go to the utmost vigilance shown by the police who tackled the situation quite in keeping with Government's declared policy of allowing full civil liberties.

It is also a fact that a powerful movement developed throughout the State against manifestations of provocative and law-breaking activities. Big demonstrations in support of the Government were held at many centres.

In deference to the wishes of the Congress President and men like Shri Kelappan the Chief Minister agreed to call an all-party conference. It is regrettable that appeals by persons like Shri K. Kelappan to desist from protest demonstrations on the 29th July went unheeded. The KPCC President, however, responded to the invitation to take part in the all-party conference on the 2nd August. Government also invited leaders of the Students' Action Council with the genuine intention of effecting a settlement. All Parties were represented in the conference besides a few non-party men like Shri K. Kelappan.

It is not necessary to narrate what happened at the conference. Although no settlement was arrived at, the Chief Minister said while winding up the conference, that the Cabinet would consider the views expressed in the conference and inform the participants later of their decision. This was done the very same night.

Meanwhile the Opposition Party leaders issued a Press statement to the effect that the conference

had failed: obviously they were in no hurry to see the agitation stopped.

Government promptly announced their decision in a Press Note according to which they were prepared: (i) to appoint a judicial officer to enquire into and report whether students in the Kuttanad area enjoyed any concession in general, whether the 50 per cent concession allowed by the Water Transport Corporation was adequate and if not what other measures are to be taken to meet the students' demands; (ii) to allow the students in the Kuttanad area to travel free in Water Transport Corporation boats till the enquiry was over; (iii) to declare a general amnesty to students who were involved in cases connected with the agitation; and (iv) to institute a comprehensive judicial enquiry into the students' agitation including its origin, forms of action, development, activities of those responsible for it, measures taken by Government to meet the situation and other relevant matters.

The next day, on the 3rd August, the student representatives met the Chief Minister again with Shri K. Kelappan and agreed to withdraw the agitation on the basis of the press note. The Chief Minister assured them that the general amnesty would include withdrawal of all legal proceedings against students launched in connection with the agitation, release of all prisoners in connection with the same and cancellation of all disciplinary action taken by the educational authorities and loss of attendance.

Certain allegations refuted

Such in brief, is the story of the students' struggle.

The end of the struggle has served to ease the tension in Kerala for the time being. But the clouds are on the horizon and the Prime Minister's statement has only served to darken the gloom. Before concluding this narrative it is necessary to refer to the specific charges that have been referred to in the Prime Minister's press conference and to state the position of Government with regard to each one of them.

The charges against the Kerala Government referred to in the Prime Minister's Press conference are:

(i) that the Communists have indulged in political murders;

(ii) that the withdrawal of cases in which Communists are involved has created an impression that Communists are free to indulge in crime, for which they will not be punished.

(iii) that officers of the Government are not free to act according to what they think just and proper because they are being punished for any action taken by them against Communists.

We shall deal with these charges one by one.

The Prime Minister was obviously referring to the Varandarappilly incident, already mentioned in these pages. It is not necessary here to repeat what has already been described above with regard to the incident. One would leave it to the fair sense and judgment of the people to decide whether *the Communists alone were at fault in this unfortunate incident.*

But while referring to political murders it is not fair to refer to this incident alone, forgetting all that has happened during the last 16 months. As the Chief Minister said in his reply to Pandit Nehru, deliberate murders of political workers belonging to the Communist Party, trade unions and Kisan Sabha have taken place in this State during the last sixteen months with the full blessings of prominent leaders of the State Congress. Here is what the Chief Minister said in this connection: "The temper for such political murders was created for the first time during the anti-Education Bill agitation. It was in these days that such highly inflammatory slogans as "Mundassery will be liquidated" were shouted in the course of demonstrations led by some prominent leaders of the Congress. Such slogans applicable to the Chief Minister, the Labour Minister and others have become the common pattern in anti-Communist

demonstrations and jathas here. And the Kerala Congress has the unique honour of introducing such slogans in their political activity.

“Now for a few instances of political attacks and murders: On 4-8-1957, after the anti-Education Bill meeting at Peermade, Christopher volunteers attacked workers of the Manimalai Estate and killed two labourers and attempted to murder others also. On 14-11-1957, at Ponkunnam, another batch of Christophers attacked and murdered one Communist sympathiser who refused to take part in the reception arranged for the accused charged with the attempt to murder the Minister for Public Works. Again on 3-1-1958, Christopher volunteers recruited as watchers attacked workers belonging to the AITUC Union in the Semini Valley Estate and killed one of them and inflicted grievous injury to many. The most glaring instances were the cold-blooded murder of Comrade Pappan, Secretary of the Pampa Valley Karshaka Sangham, when he was sleeping at home, and of an agricultural worker at Niranam”.

The second charge is that Government have interfered with the administration of justice by withdrawal of cases against the Communists. It is true that on assumption of office, the Communist Government decided to withdraw all political cases and release political prisoners. This decision benefited not only Communists but also the Congress, P.S.P., R.S.P., Muslim League and others. The policy regarding withdrawal of cases and remission of sentences was laid down by the Government on the following lines. When a labour, agrarian or political agitation is settled, the cases arising out of these are to be withdrawn and the sentences remitted.

“It is in pursuance of this policy decision that 18 cases relating to the High Court Bench agitation (all Parties), six cases relating to the Kottayam Collectorate Satyagraha (organised by the Highland Karshaka Sangham of the Congress), 67 cases relating to the Kattampalli encroachment (organised by the P.S.P. and the Congress), 102 cases relating to the Ernakulam student agitation against State

Transport Workers, 199 cases relating to the Fort Cochin agitation organised by the INTUC, 659 cases relating to the famous Sitaram struggle of Shri Panampilli Govinda Menon, and 9 cases of R.S.P. workers of the Government Engineering Workshops at Chackai, have been withdrawn or the sentences remitted. A good number of cases in which Communists are involved, are still pending before the Courts and some Communists convicted of serious offences before our Government came to office, are still in Jail. This proves beyond any doubt that the policy of withdrawal of cases and remission of sentences has been evolved not with a view to benefiting the Communists alone but with a view to creating an atmosphere of goodwill and harmony among classes and parties in the event of satisfactory settlement of disputes or agitations."

Kerala Chief Minister's statement

If the Prime Minister or anybody else in the Congress High Command feels this is wrong, let them say so openly. In that case the leaders of the Kerala Congress have no right to demand the withdrawal of cases and remission of sentences as a condition precedent to the settlement of disputes. The public should know that they have demanded this in the Sitaram agitation and also in the Students' agitation. The Government hesitated a little at the time of settlement of the students' struggle to give a promise that even cases in which injury to person or damage to property was involved would be withdrawn. The Congress leaders present in the all Party conference unanimously passed for an amnesty, that is to say, withdrawal of all cases irrespective of the nature of the charges.

No interference in routine administration for political ends

With regard to the charge that Government are victimizing officers who are honestly discharging their duties, it is desired to make it clear one thing. As the Chief Minister said: "Administrative measures like transfer, suspension, etc., of certain officers

taken by our Government are in full conformity with legal and constitutional rights". As a State Government we are not called upon to explain our conduct before anybody except the people of the State. It is a very bad precedent to make every little incident like transfer of a certain official the subject of public debate. If this thing goes on, normal administration will be impossible. Responsible leaders of the Congress and the Government of India should know this better than anybody else.

From the very beginning of the present administration in the State it has been the attempt of the leaders of the Kerala Congress to indulge in this sort of nefarious activity. As has been explained earlier in these pages, intimidating officials, appealing to them not to carry out the orders of this Government, bringing pressure upon them in various ways and similar other activities have been the methods by which the Congress in Kerala has tried to subvert this Government. This no Government can tolerate and if Pandit Nehru or anybody else is interested in the normal functioning of the administration in Kerala, he should advise Congressmen not to indulge in such activities. Since wide publicity has been given to certain actions taken by the Government against certain officers the full facts will be placed before the public in order to enable them to judge whether Government have acted in any spirit of vindictiveness.

One incident is with regard to the withdrawal of First Class Magisterial powers of a certain Magistrate, namely Shri T. A. Paraman. The full facts of this case have already been explained in a lengthy Press communique dated 10-7-1958; but it is distressing to find that even after that responsible lawyers and Bar Associations indulge in mud-slinging on Government in regard to this case. The conferring or withdrawal of First Class Magisterial powers of Magistrates is a formal act of Government, which in this State is invariably done only in accordance with the recommendations of the High Court. This Government has also adhered strictly

to that practice. It was the High Court that recommended the conferment of First Class Magisterial powers on this particular Magistrate. It was again the High Court that recommended the withdrawal of the powers of the same Magistrate subsequently. Both the conferment as well as the withdrawal were done by the High Court purely for reasons of administrative convenience. At no stage of the whole affair did Government even remotely hint at or suggest any particular course of action to the High Court. Government simply carried out the recommendations of the High Court. It is a fact that Government had applied for permission to withdraw certain cases pending before this Magistrate and he had refused permission. But this has nothing to do with the withdrawal of the First Class Magisterial powers from him. In fact when the order withdrawing the first class powers from him was issued, Government were not aware of his rejection of the application for withdrawal of the cases. The following dates are noteworthy: conferment of first class powers on this magistrate—28-3-1958; Trivandrum District Magistrate's letter to High Court recommending reduction of one first class magistrate—29-4-1958; High Court's request to withdraw first class powers—6-6-1958; Government order withdrawing powers—19-6-1958; Rejection of Government's request to withdraw the case received by Government—24-6-1958.

The second is the suspension of a certain Inspector of Police pending enquiry. It is alleged that the Inspector was suspended because the complainant happened to be a Communist. The complaint against the Police Inspector for which he has been suspended is that he behaved rudely and beat up a Corporation Councillor. It is not for the first time that such allegations have been made against this officer. He was an officer under the Madras Government when Malabar formed part of Madras State and there was an agitation at that time against certain actions committed by him while he was serving in a place called Nattika in Malabar, in which all the political parties joined together and

the echoes of that agitation resounded in the Madras Assembly. Apart from that there was a complaint against him recently in Trivandrum (where he is now serving) that, at the instance of a rich man, he falsely charged a case against a poor agricultural labourer, got him arrested, brought him to the lock-up and there belaboured him severely. A Communist Corporation Councillor was one of those who led the agitation against the Police Inspector for this misbehaviour. That matter is now the subject of an inquiry. Meanwhile, the same Corporation Councillor was arrested by the Inspector, abused publicly and dragged to the Police van. The Corporation of Trivandrum, in which non-Communists are in a majority, unanimously adopted a resolution demanding action against the Officer. It was in these circumstances that the officer has been suspended pending enquiry. It must be clearly understood that the suspension is only pending enquiry. It is not a substantive punishment. If, as a result of the enquiry, nothing is proved against the Officer he will be exonerated. But if, on the other hand, he is proved guilty he has to suffer punishment and nobody with any sense of justice can complain about the punishment.

Such are the incidents that are sought to be made the basis of sweeping allegations and wholesale charges of tampering with the administration of justice and political discrimination against the members of the permanent civil service. It is for the public to judge whether it is a case of anxiety for the purity of administration or mendacious political propaganda.