

The Woes of Tamil Repatriates in Kerala

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GSC COLLECTIVE



MUMBAI 2018

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The problems of statelessness and human insecurity are part of the postcolonial nation and state building processes in the Global South countries. The phenomenon of statelessness emerges most often in response to discriminatory citizenship policies followed by governments that fail to match the complex moulds of identities experienced by nation-states. The social trajectory of the Tamils of Indian origin in Sri Lanka is a clear case. This paper tries to analyse the problem of Tamil 'statelessness' within the framework of human security and examines how this question has been addressed by India through the process of repatriation and rehabilitation. The context of this paper is the human security predicament of the Tamils living in Kerala in the context of new challenges of citizenship in the post-repatriation period.

The increasing number of stateless people across the world has enhanced the significance of questions related to citizenship and human security. Denial and deprivation of citizenship undermines human security. By disenfranchising significant populations, states sow the seeds for underdevelopment and unrest. Sri Lanka is a case in point. The greatest losers, however, remain the people who are unable to pursue their daily existence free from interference and have difficulties actualizing their rights, including the rights to work and educate their children and access health care services. It is precisely this point that the study seeks to address by illustrating the varied dimensions of statelessness, citizenship and human security in the context of the Sri Lankan Tamils (of Indian origin) who were repatriated to India following the agreements of 1964, 1974 and 1986 between India and Sri Lanka. The focus of the paper is on the human security profile of the repatriated Tamils who have been living in the districts of Kollam, Pathanamthitta and Wayanad in Kerala.

Though there is no dearth of source materials for the theoretical and empirical aspects of statelessness, citizenship and human security (see Alkire 2003; UNDP

1994; Suhrke 1999; Acharya 2001; UNCHS 2003), studies on the repatriated Tamils in India are not many. There are, however, a few which deal with various aspects of the Tamils repatriated to India and rehabilitated in different states (Coelho 1976; Fries and Bibin 1984; Vedavalli 1994; Sahadevan 1995; Vamadevan 1986, 1987, 1989; Suryanarayan 1986, 1986a; Suryanarayan and Vedavalli 1988; Gurukkal 2006; Heidmann 1980; Pillai 1995; Sudarsanan and Suryanarayan 2000). But there is hardly any comprehensive academic work dealing with the repatriated Tamils in Kerala from the human security angle. Hence The rationale of the present paper.

Why Human Security Paradigm?

The study basically uses 'human security' as an important conceptual category in the analysis of the life-world experience of the repatriates. The paradigm shift from State security to human security has several implications for the current social scenario (see Alkire 2003; UNDP 1994; Acharya 2001). The problems of human security include risk, vulnerability, and insecurity resulting from unemployment and poverty, especially access to productive assets (land, capital, and technology-knowledge) and basic services (health, education and clean water), gender disparities, and other forms of inequality. The problems of statelessness and citizenship can also be analyzed from a broader perspective of human security. It is, therefore, relevant to examine how citizenship and human security are intimately interlinked in the context of the Tamils of Indian origin in the post-repatriation period. The study seeks to analyze how the post-repatriation scenario impacts on the human security of the Tamils of Indian origin and addresses the following research questions:

Have the post-repatriation rehabilitation measures provided a social condition for the repatriated Tamils to enjoy the basic needs and facilities such as housing, education, health and employment in Kerala? Have the post-repatriation measures helped the Tamils to enhance the quality of their lives in respect of civic amenities, access to public good, health, literacy etc in Kerala? How secure were the Tamils in respect of their means of livelihood and sustenance of life in Kerala? Were the repatriates able to resocialise within the sociocultural milieu of Kerala? What is the nature and extent of participation of the repatriated Tamils in the political process of Kerala? Are there any barriers in the state that prevent the repatriated Tamils from the full enjoyment of their rights to citizenship such as discrimination, social stigma, social alienation etc?

The study attempted here among the repatriates living in Kollam (Kulathupuzha and Ayiranallur), Pathanamthitta (Gavi) and Wayanad (Kambamala) districts of Kerala would offer insights on these questions.

The study will draw upon relevant sources and will pull together historical-analytical research, socioeconomic analyses of rehabilitation and resettlement, and empirical investigation framed in the context of human security records. In order to identify, compare and contrast the potential benefits of citizenship and human security in different settings, the study selected three districts in Kerala which have been the sites of rehabilitation and resettlement. The study employed empirical investigation and field survey/interviews with the repatriates in Gavi (Pathanamthitta district), Kambamala (Wayanad district) and Kulathupuzha and Ayiranallur (Kollam district). The method used in the study is triangulation, based on a blend of qualitative and quantitative data generated through purposive sampling technique as well as through discussions and interactions with the select respondents (repatriates) as well as with other stakeholders of repatriation and rehabilitation. The field investigation of this project has been done in three stages, covering a total population of 700 respondents. The total number of respondents for survey and interview from the sampling units in Kollam was 508. Out of this, 412 respondents were from the repatriates of the Kulathupuzha estate under the RPL and 96 respondents were from the Ayiranallur estate of RPL. The remaining 192 samples were collected from the districts of Pathanamthitta and Wayanad. Out of this, 82 samples were from Gavi (Pathanamthitta) and 110 samples were from Kambamala (Wayanad).

Citizenship, Statelessness and Repatriation

The question of Indian Tamils (often referred to as ‘Hill Tamils’ or Up-country Tamils’) became an important bilateral issue between Sri Lanka and India after independence, particularly after the passing of the Citizenship Acts by Sri Lanka. The problem that impinged on the bilateral relations emerged out of the continuing agony of the Tamils of Indian origin settled on the island. The Sinhalese Government had an inherent fear that these settlers would become a major obstacle to their development and, accordingly, it took various steps to protect the interests of the majority Sinhala population. India saw these steps as discriminatory towards the Tamils and believed that it was primarily the responsibility of Sri Lanka for the governance and, therefore, national accommodation of its people, whatever their origin (Nehru 1961: 128-29; Appadorai and Rajan 1988: 200-13).

However, the issue of ‘statelessness’ of Indian Tamils became a highly sensitive issue since 1948 when the Sinhalese ruling elite initiated measures to gradually undercut the basic political rights of the Tamils. Perceiving the Indian Tamil votes as a major threat to the electoral prospects of the United National Party (UNP), the Sri Lankan government under D.S. Senanayake enacted Citizenship Acts of 1948 and 1949. They were made rigid and restrictive, mainly to reject citizenship

to all those who were not 'indigenous.' The majority of the Indian Tamils found it difficult to comply with the provisions of the new legislations, and thus became 'stateless' (Ponnambalam 1983; Jayawardena 1985: 47-51).

After independence, Sri Lanka had taken a stand that all those Indian Tamils who did not qualify for the island's citizenship were to be sent back to India. India, on the other hand, maintained that the Indian Tamils were no longer Indian nationals, but the residents of Sri Lanka who ought to be Sri Lankan citizens owing to their long stay in the island and contribution to the economic buoyancy of the country. Prime Minister Jawaharlal Nehru reminded that except for those who willingly sought Indian citizenship, the people of Indian origin and their descendants were to be taken care of by Colombo. Nehru was reported to have said:

These persons of Indian descent in Ceylon are not Indian nationals. Most of them were born in Ceylon and they have lived there nearly all or a great portion of their lives. If Ceylon citizenship is denied to them, they become stateless. To produce such an extraordinary state of affairs cannot surely be the objective of any government (cited in Abraham 1986).

India, however, expressed its willingness to absorb as its nationals only those persons who satisfied the citizenship provisions of the Indian Constitution.¹ In less than two years of the period set for applications, since the Indian and Pakistani Residents (Citizenship) Act 1949, over 237,000 applications involving some 825,000 persons claiming Sri Lankan citizenship were filed. By 1953, only less than 7000 applications involving 25,000 persons were accepted (Coelho 1976: 126-27).

The uncertainty regarding the future of the Indian Tamils continued to generate strains in bilateral relations. Hence India and Sri Lanka held meetings and negotiations in the early 1950s to arrive at an effective compromise on the status and rights of the Indian Tamils. During 1953-54 efforts were underway at the highest level, between the Prime Ministers of the two countries to come to an agreement on the Tamil question. Following these official talks, Nehru and Kotelawala signed an agreement, in January 1954, which stated that Sri Lanka agreed for the expeditious registration of stateless persons as its citizens under the Indian and Pakistani Residents' (Citizenship) Act of 1949. Those Indian Tamils who were not registered as Sri Lankan citizens would be allowed, if they so desired, to register themselves as Indian citizens in accordance with the provisions of Article 8 of the Indian Constitution. The agreement, however, was not implemented for several reasons, some of which emerged from the conflicting interpretations of its provisions.² For example, Colombo viewed that when a person did not qualify for Sri Lankan citizenship, that person should automatically become a citizen of India. India, on the other hand, argued that this was out of question according to the terms of Article 8 in the Indian Constitution. Nehru also said that he would be

ready to accept only those persons who wished to become citizens of India. He made it clear that the condition of 'statelessness' was unacceptable and that the Indian Tamils in the island had the moral and legal right to become citizens there (Fries and Bibin 1984: 21).

Even as the uncertainty continued, Prime Ministers of India and Sri Lanka met in New Delhi, in October 1954, to resolve the differences. Some progress was apparently made in this process but, eventually, nothing came out. Both India and Sri Lanka, however, realised the implications of having a large number of persons who could not be accepted as citizens of either country and agreed to expedite and facilitate the processes of registration (KCA 1954: 13441).³ It, however, became clear that what was accepted in principle could not be put into practice without problems. Many impediments by way of supplementary rules and regulations constrained the quick clearance of applications or placed great obligations especially on the 'stateless' Tamils (Appadorai and Rajan 1988:201).

However, when S.W.R.D. Bandaranaike became Prime Minister of Sri Lanka, India hoped that he would be more sympathetic to the Tamil question. But, one of the major initiatives of the Bandaranaike Government was the passing of the Sinhala Only Act, making Sinhala the sole official language of the island, thereby downgrading both English and Tamil. The language issue led to the outbreak of ethnic violence in the country. Both the Sri Lankan Tamils and Indian Tamils saw his tenure as having initiated a discriminatory policy regime in the island. He was also severely criticized for his failure to control the 1958 riots, leading to the deaths of many Tamils (Jayawardena 1985: 71-72; Kearney 1967). Even as the domestic situation in Sri Lanka began to undergo a new phase in inter-ethnic relations, India and Sri Lanka expressed their desire to solve the Indian Tamil problem. Breaking the impasse, negotiations again started between the two countries in 1962. But no concrete outcome came till the demise of Jawaharlal Nehru in 1964. However, the resumption of negotiations started when Lal Bahadur Shastri became Prime Minister of India, which led to a crucial stage. The discussions the two prime ministers, Lal Bahadur Shastri and Sirimavo Bandaranaike, had during 24-30 October 1964 resulted in a major pact. The main aim of this pact was that all persons of Indian origin in Sri Lanka who had not been recognised either as citizens of Sri Lanka or as citizens of India should become citizens either of Sri Lanka or of India. The number of such persons was approximately 975,000 as of date. This figure did not include illicit immigrants and Indian passport holders (Government of India, Ministry of External Affairs 1964: 163-65; Phadnis 1967; Coelho 1976).

According to the Pact, 300,000 of these persons together with the natural increase in that number would be granted Sri Lanka citizenship by the Government of Sri Lanka and the Government of India would accept repatriation to India of

525,000 of these persons together with the natural increase in that number. The Government of India would confer citizenship on these persons. The status and future of the remaining 150,000 of these persons would be decided through a separate agreement between the two governments. The Government of India would accept repatriation of the persons within a period of 15 years from the date of the pact according to a programme as evenly phased as possible (Government of India, Ministry of External Affairs 1964; Coelho 1976; Phadnis 1967).⁴

According to the pact, the Government of Sri Lanka would grant to the persons to be repatriated to India during the period of their residence in Sri Lanka the same facilities as were enjoyed by citizens of other states except facilities for remittances and normal facilities for their continued residence, including free visas. The Government of Sri Lanka agreed that such persons as were gainfully employed on the date of this Agreement would continue in their employment until the date of their repatriation in accordance with the requirements of the phased programme or until they attain the age of 55 years, whichever was earlier. Subject to the Exchange Control Regulations for the time being in force which would not be discriminatory against the persons to be repatriated to India, the Government of Sri Lanka agreed to permit these persons to repatriate, at the time of their final departure for India, all their assets including their Provident Fund and gratuity amounts. The Government of Sri Lanka agreed that the maximum amount of assets which any family should be permitted to repatriate should not be reduced to less than Rs. 4,000 (Ibid). As per the Agreement, two registers would be prepared as early as possible, one containing the names of persons who would be granted Sri Lankan citizenship, the other containing the names of persons to be repatriated to India. The completion of these registers, however, was not a condition precedent to the commencement of the grant of Sri Lanka citizenship and the process of repatriation (Government of India, Ministry of External Affairs 1964: 163-65).⁵

As some studies pointed out, the Sirimavo-Shastri pact amounted to dividing the Indian Tamils in Sri Lanka without taking into account the feelings and wishes of the affected population. Many even felt that principles of natural justice had no place in the scheme of repatriation as envisaged in the pact (Fries and Bibin 1984; Suryanarayan 1986; Ponnambalam 1983; Jayawardena 1985). It was also noted that the pact was a major deviation from India's earlier position against compulsory repatriation and the sentiments and aspirations of the Tamil people were completely ignored (Vedavalli 1994: 27). According to Kunhi, getting Indian citizenship became 'involuntary' (Kunhi 1964: 452). Fries and Bibin wrote that the bilateral agreement led to expatriation and not repatriation as majority of the Tamils were not coming back to their father's land but to an alien or foreign country. According to them, there were "very few 'repatriates' not being born in

Sri Lanka, and it is difficult for somebody to be repatriated to a country he or she has never seen. Therefore, a more correct term would be ‘expatriated,’ i.e., deported from the father country.” Fries and Bibin further argued that “the Indian Tamils of Sri Lanka had the right to remain in Sri Lanka. And they still have the legal, moral and humanitarian right to remain in a country which is the only one they know, a country to which they have rendered their services for so many decades (Fries and Bibin 1984:3-4). To Rabl, the agreement was nothing but an instrument for “involuntary mass migration of the plantation workers” (Rabl 1967:53).

Vedavalli, who did extensive field studies in Kotagiri in Tamil Nadu, argued that the pact “did not spell out in clear terms as to who would get Indian citizenship and who would be conferred Ceylon citizenship.” “In this ‘statistical jugglery’ enacted by the two governments,” neither the people concerned nor their representatives were involved. “Selection was made on arbitrary basis” (Vedavalli 1994:27). According to the President of the Ceylon Workers Congress, Thondaman, “we are a community of human beings with soul, mind and body with a personality and cannot be apportioned between countries like beasts of burden at other’s whims and fancies only to maintain good neighbourly relations. Humanity cannot be converted to merchandise in this modern age” (Thondaman 1982 cited in Vedavalli 1994:27-28). V. Suryanarayan writes:

In his conversation with me, S. Thondaman, the undisputed leader of the Indian Tamils in the island, remarked that the Sri Lankan Government did not permit him to come to India to meet the Indian leaders to explain his point of view. What is more, his plea to the Indian High Commission that it should use its good offices to arrange his visit to New Delhi also fell on deaf ears. It is the tragedy of India-Sri Lanka relations that this agreement, which had a bearing on the lives of thousands of people of Indian origin, was finalized by the two governments without taking into consideration the feelings and wishes of the people concerned (Suryanarayan 2010).

The Tamil sentiments in Sri Lanka were generally against the pact. The Tamil parties in the island turned down the agreement as a “shameless horse deal” which amounted to the violation of the fundamental human rights and liberties of the Tamil workers (Phadnis 1967: 388). Fries and Bibin wrote:

The problems of winding up in Sri Lanka before going to India are so immense that a large number of would-be expatriates are unable to cope with it in time. In extreme cases, these people have no alternative but to go underground hoping to gain time to sort out the problems. In the meantime, they are hunted like criminals by the authorities, and they are criminals according to the strict laws valid for ‘over stayers.’ They become fugitives in their own land where they and their forefathers were born (Fries and Bibin 1984: 24-25).

The Sinhalese political forces were also critical of the pact, and parties like Janata Vimukti Perumuna (JVP) called it the death knell of Sinhalese nation.

JVP even looked at the problems of the plantation labour in the context of 'Indian expansionism' (Ibid: 387; Jayawardena 1985:87). In India, even as the Union Government went on defending the pact, the opposition parties in the country took exception to the numerical formula in the agreement calling it as "unsound in principle" (Phadnis 1967: 389). C. Rajagopalachari, veteran leader from Tamil Nadu, went to the extent of characterizing it as a "farcical termination of the protracted negotiation" (Ibid: 390). He asked: "Why should nearly a million children and grand children born in Ceylon to parents who toiled and sweated for Ceylon and who had gone there from South India and settled down in the plantations be disentitled to be citizens of Ceylon? Why should a single child born in Ceylon and desiring to be in Ceylon, and be a working citizen thereof, be turned out to wander as homeless refugees in India?" (Suryanarayan 2010). According to V. Suryanarayan, the pact was opposed by many other senior leaders like V.K. Krishna Menon, C. N. Annadurai, Kamaraj Nadar, P. Ramamurthy and several leaders of DMK and the Communist parties (Suryanarayan 2015: 415).

However, Colombo was aware of the fact that the departure of more than half of the plantation workforce would bring plantation agriculture to a halt. The trade unions, on the other hand, found that repatriation of such a large number of members would undermine their strength, and they would lose the 'check off' membership subscription. As Ponnambalam observed, the union leaders preferred them to remain in Sri Lanka, even as a stateless, voteless and degraded humanity (Ponnambalam 1983). When Dudley Senanayake's UNP came to power in 1965, the implementation of the 1964 agreement was slowed down. In fact, the UNP had a different approach to the entire question. As a result, at the end of this government's office in early 1970, only 12,798 persons had been repatriated and 7,316 had been registered as Sri Lanka citizens (Ibid). Meanwhile, the India-Sri Lanka Agreement (Implementation) Bill was passed by the Sri Lankan Parliament in June 1967. The Act represented a departure from the 1964 Pact in that the grant of Sri Lankan citizenship was tied to the grant of Indian citizenship, and not as earlier provided, to their repatriation. Prime Minister Senanayake explained that such a step would dispose of the problem of 'statelessness' earlier than the fifteen years, envisaged in the 1964 Pact, to those eligible for Sri Lankan citizenship, by not having to depend on the repatriation of a proportionate number to India. During Prime Minister Indira Gandhi's visit to Sri Lanka in September 1967, it was agreed that the case of the residual number of 1, 50,000 persons would be taken up after the major part of the Agreement had been implemented (Appadorai and Rajan 1988:201-02).

In the wake of the adoption of Regulations under the India-Sri Lanka Agreement (Implementation) Act by the Sri Lankan Parliament, a two-year period was fixed for the receipt of applications for Sri Lankan citizenship, beginning from

1 May 1968. Alongside this, the Indian Mission in Colombo issued a notification calling for applications for Indian citizenship (Coelho 1976:132). When Prime Minister Senanayake visited India in November 1968, he announced that persons of Indian origin to be repatriated would now be entitled to remit their assets to India to the extent of Sri Lanka Rs. 75,000 each and at the predevaluation rate of exchange (Appadorai and Rajan 1988:202). It may be noted that despite all measures taken, the Indian Mission had recorded 2,96,742 applications covering 4,58,722 persons on the closing date for the receipt of applications on the last day of April 1970.⁶ Meanwhile, due to the slow progress in processing cases during the years, a backlog of persons to be repatriated had also accumulated. A settlement of this problem was possible only in 1973 when Indira Gandhi visited Sri Lanka.⁷

The two governments entered into another Pact on 30 October 1974 regarding the status and future of persons of Indian origin in Sri Lanka (hereinafter referred to as the “original agreement”), and specifically to clause (4) of the original agreement whereby the status and future of the remaining 1,50,000 persons not covered by clause (3) of the original agreement (hereinafter referred to as the “remaining persons”) was to be the subject of a separate agreement (Government of India, Ministry of External Affairs 1974).⁸ As such it was agreed that of the remaining persons Sri Lanka Government would grant citizenship to 50 per cent, that is, 75,000 with the natural increase in that number; and the Government of India would accept repatriation to India of 50 per cent, that is 75,000 together with the natural increase in that number. The Government of India would confer citizenship on these persons (Ibid). According to the 1974 Pact, the repatriation of the 75,000 persons to India would commence after the repatriation of the 5,25,000 persons referred to in clause (3) of the original agreement would be completed and phased over a period of 2 years. The grant of Sri Lanka citizenship to the 75,000 persons would commence after the 300,000 persons referred to in clause (3) of the original agreement would be granted citizenship and would be in the ratio of 1:1 to the number repatriated to India (Ibid).

The Pact stipulated that the Government of Sri Lanka would grant to the persons to be repatriated to India, during the period of their residence in Sri Lanka, the same facilities as were enjoyed by citizens of other states (except facilities for remittances) and normal facilities for their continued residence, including free visas. The Government of Sri Lanka agreed that such of these persons as “are gainfully employed on the date of this Agreement shall continue in their employment until the date of their repatriation in accordance with the requirements of the phased programme or until they attain the age of 55 years, whichever is earlier.” As per the Pact, “Subject to the Exchange Control Regulations for the time being in force which will not be discriminatory against the persons to be repatriated to India, the

Government of Sri Lanka agrees to permit these persons to repatriate, at the time of their final departure for India, all their assets including their Provident Fund and gratuity amounts.” The Government of Sri Lanka agreed that the maximum amount of assets which any family should be permitted to repatriate should not be reduced to less than Rs. 4,000(Ibid).⁹

An important result of the 1964 and 1974 Pacts was that they paved the way for a “planned emigration of people in peace time in the Indian subcontinent, from a country which they always intended to make their permanent home” (Sahadevan 1998: 183). However, when Bandaranaike was voted out of office in July 1977, only 2,11,821 persons had been repatriated and 1,52,524 had been registered as citizens of Sri Lanka. The others continued to be stateless and voteless, 30 years after denial of their citizenship and franchise, and 13 years after agreement was reached between the two governments (Ponnambalam 1983).

It was noted that the decision of most of the 5.06 lakh stateless people to opt for Indian citizenship under the 1964 Pact was either due to the denial of Sri Lankan citizenship for nearly twenty years (1948-67) or due to the fact that the plantation officials in Sri Lanka misled them. The social implication of the repatriation of about five lakh Indian Tamils was that their family system got disintegrated due to the separation of the members of the same family for Indian and Sri Lankan citizenship (Sahadevan 1998:184).¹⁰ By October 1981, when the operational validity of the 1964 Pact came to an end, India refused to renew it or enter into another agreement on the ground that such an arrangement would not guarantee stateless persons a fair choice to become either Indian or Sri Lankan citizens. Up to October 1981, India granted citizenship to only about 3.73 lakh (along with their natural increase of 1.24 lakh) persons and repatriated nearly 2.84 lakh (plus 91,000 natural increase) to India. Sri Lanka conferred citizenship on nearly 1.62 lakh (along with their natural increase of 48,500 persons) (see Table-1). It means India and Sri Lanka were required to give citizenship to about 1.51 lakh and 1.37 lakh persons respectively in order to fulfil their commitment under the 1964 Pact. The incomplete implementation of the 1964 Pact made the 1974 Pact a non-starter. This resulted in the accumulation of a large number of stateless people for both Indian and Sri Lankan citizenship (Sahadevan 1995: 209-10). Thus, as a result of the non-renewal of the 1964 Pact, the residue stateless issue became an internal matter of Sri Lanka and India’s obligation was only to the extent of repatriating all those 5.06 lakh people who applied for its citizenship.

However, as on 30 June 1981, only 2,80,000 Tamils were granted Indian citizenship and repatriated to India. Meanwhile, 1,60,000 Tamils were given Sri Lankan citizenship as on this date, totalling 4,40,000 who had received citizenship. Except in regard to overstayers, and Indian citizens waiting for repatriation, this

would mean about 5, 30,000 still remained stateless in Sri Lanka (Fries and Bibin 1984: 27). Fries and Bibin noted that “the arbitrary way in which applications for Sri Lankan citizenship are rejected or accepted makes the objectives behind the implementation of the agreement appear anything but humanitarian (Ibid: 28).

Repatriation and Rehabilitation in Kerala

In accordance with the provisions of the India-Sri Lanka pacts of 1964, 1974 and 1986, the Government of India agreed to grant citizenship to (and to accept repatriation of) 5.06 lakh Tamil people of Indian origin from Sri Lanka, together with their natural increase. Out of these, 3.35 lakh persons, along with their natural increase of 1.26 lakh, comprising 1, 16,152 families (more than 4.61 lakh people), were repatriated up to December 2005. The repatriates were provided with resettlement schemes and assistance in states like Tamil Nadu, Kerala, Karnataka, Andhra Pradesh etc.

The rehabilitation of the Tamil repatriates in Kerala was carried by the state Government in four districts. The Union Government also assisted in the schemes being put in place. A major location of the rehabilitation is in Kollam district with the setting up of the Rehabilitation Plantation Limited (RPL) in Kulathupuzha and Ayiranallur. There are three other sites in the state where the rehabilitation has been carried out. A section of them are settled in Gavi, a few families in Kambamala, and some families in Pakuthippalam, all run and managed by the Kerala Forest Development Corporation Limited (KFDC).

The RPL began a rubber plantation in an area of 2038 hectares in Kulathupuzha and Ayiranallur with a view to facilitating the resettlement of the repatriates. These repatriates were, at first, engaged to do land preparations for planting of rubber. This caused some hardship to the people who were not familiar with the rubber plantation work. The forest staff treated them very badly as if they were bonded labour force. However, the situation changed with the starting of the RPL which is an undertaking jointly owned by the Government of India and Government of Kerala. The RPL achieved the target of the resettlement of 700 repatriate families by 1983. By 2006, the company had provided employment to 1236 workers, 211 staff members and 32 officers. The total population (with the natural increase) in the RPL was 5787. More than 70 per cent of them were resettled in Kulathupuzha and the remaining population were resettled in Ayiranallur. There were 361 families in RPL estates (accommodated in 768 labour quarters) who had contributed two permanent workers from each household in the company and the majority of them were in Kulathupuzha. There were 322 families in the estates who contributed one worker in RPL estates during this time (RPL 2014; Gurukkal 2006).

The survey from RPL showed that their social living conditions in Kulathupuzha and Ayiranallur are not comfortable. The educational status of the respondents shows a low profile scenario. The new generation of the repatriates have several problems in continuing with the higher education, and financial constraints continued to be the most crucial. It is also associated with the economic status of the families. Majority of the repatriates have the monthly income in the range of Rs. 6000-7000. Though some of them have other sources of income working outside, the monthly income does not match the actual requirements of each family with the natural increase.

The children born to the repatriated parents, after their resettlement, were not entitled to jobs in the RPL as their name was not there in the family cards. However, they were eligible to get temporary employment for certain days without any benefits claimed by the permanent workers. Obviously, the new generation of the repatriates in RPL found themselves in a serious social and economic insecurity. The RPL also did not employ them in administrative and other posts within the company. Thus, the discrimination shown to the Indian born children was manifest in RPL. The new generation of repatriates often ended up with alternative employment scheme in the wage labour sector. The majority of the respondents said that their existence as citizens would be endangered by low wages, uncertainty regarding the future of their children, including their education and employment, health of the family etc. They pointed out that the wage they get from RPL was very low compared to the workers' wage in other plantations. The repatriates have very little savings also. This has resulted in debts due to increasing expenditure for education, health care, and other family needs. Most of the families have multiple liabilities due to the borrowing from money lenders (Gurukkal 2006).

The survey showed that the RPL has not offered economic security to the repatriates in whose name the company was set up. The study also found that though all repatriates have ration cards, they have been put under the category of 'Above Poverty Line (APL)' depriving them of the benefits of subsidies. Hence the majority of repatriates said that their wages were insufficient to lead a reasonable life pattern as human beings.

The repatriates in Gavi have a specific set of problems. The KFDC took over 912.9 ha of forestland from the Forest Department on lease. Gavi comes under the Ranni Reserve forest. KFDC sought to cultivate cardamom in its estates. Gavi has a population of 1016 with 305 families. More than 50 per cent of the population of Gavi belongs to the Scheduled Caste and the Scheduled Tribe communities. There were more than 300 repatriates' families in Gavi since the rehabilitation process began. The KFDC offered jobs to 256 labourers in the cardamom plantations (KFDC 2013; KFDC Gavi 2012).

In Gavi almost 60 per cent of the workers belong to the age group of 41-50 years. KFDC also employed a few youngsters as tourist guides in their eco-tourism projects with a meagre salary. Among the repatriates there were 94 families with two members working in Gavi estates. 82 per cent respondents have educational qualifications below SSLC. The literacy rate of females in Gavi is below that of males. The human security profile of the repatriates in Gavi shows a very disturbing trend. Their socio-economic conditions, educational status, occupational setting, cultural environment, level of social and political participation etc are far below that of the people of the mainstream. In Gavi, 88 per cent of the families have the monthly income in the range of Rs.5000-8000. Though some families have other sources of income from other family members, they are not stable.

The new generation of Gavi found themselves in a predicament. They are not eligible for jobs in KFDC. It is also not possible to find jobs outside as they are living in tenements located in remote parts of the Reserve forest. In such a situation, there is hardly any scope for outside employment for women also. Almost 98 per cent of the repatriates in Gavi said that their wage is very low. Most of the young generation who got education were also forced to work as casual labourers as KFDC never offered them any employment in administrative jobs within.

The social habitat of the repatriates in Gavi is such that their security is consistently threatened by the terrain of their tenements, low wages, poor living conditions, social immobility, risks of uncertain future of their natural increase, education and health of the family members etc. The majority of the repatriates have no savings, pushing them to lead a life of unending debts. Though all repatriates have ration cards, they are also placed in the category of APL. This deprives them of any subsidies for rice and other essential items. Insofar as the labourers in Gavi are landless people, their dependence on the company is very high. Though the majority of the repatriates belonged to the SC and ST categories, they were not given any reservation benefits. The denial of caste certificate amounts to denying the opportunities for these marginalised communities to take up employment elsewhere and get resocialized with the mainstream.

The repatriates in Kambamala are placed under the jurisdiction of KFDC (KFDC 2013). There were 139 permanent workers in Kambamala. There were also workers and staff who were employed on a temporary basis. The study revealed that their socio-economic conditions, the educational and health standards, the occupational environment, the level of social and political participation etc are abysmally low. In Kambamala, 92 per cent of the repatriates have the monthly income in the range of Rs. 7000-8000. Only a few families have alternative sources of income. Permanent labourers are those repatriates whose names appeared in the family cards. The natural increase of the repatriated parents is not considered

for employment. Others have to find jobs outside Kambamala, and most of the new generation repatriates often ended up with temporary jobs in the wage sector.

About 97 per cent of the repatriates in Kambamala felt that their wage is very low. The new generation in the estates lack a stable source of income. They shared that they experienced discrimination on matters of their employment, education and health. The human security of repatriates is consistently at risk due to their living environment in overcrowded labour quarters, employment insecurity, inadequate wages, problems of social mobility, uncertain future of the new generation, their education and health etc. Majority of them have no savings, leading a life of permanent debts. The repatriates in Kambamala have huge debts and liabilities and hence they maintain a life of social insecurity. Though they have ration cards, the repatriates here also come under the category of APL. Consequently, they are deprived of subsidies making life more miserable. For them, the wage and emoluments were quite insufficient to maintain a family with several members. Insofar as the repatriates in Kambamala are also landless people, their human security is subject to the will and pleasure of KFDC. A few families of repatriates were getting SC/ST caste certificates for some years as their castes were noted in their family cards. This was later stopped by the local authorities on the ground that they had not lived in Kerala before 1950.

Gender Issues

Women constitute a significant component of the total workforce of the repatriates in all locations of the study. Though there are no reports of any serious gender discrimination, violence and exploitation in the estates run by RPL and KFDC, the social conditions of women among the repatriates are not without problems. The family system is basically patriarchal in nature and hence women continued to bear multiple burdens of managing both the household work and estate job. They are forced to spend a considerable amount of their time for looking after their family members as well as working in the estates. Consequently, the health of the women generally seemed to be very weak. They get hardly any time for leisure and social interaction with others due to the prolonged working hours. In the estates of both RPL and KFDC, there are no special provisions for women's security.

The Social Milieu of the Repatriates

The social and cultural conditions of the repatriates in all rehabilitation sites in Kerala are alarming. Their life-world is determined by a host of factors such as the new environment of their social habitat in Kerala, exposure to the pressures of the workplace, meagre facilities in the tenements for health and sanitation, education, transportation, and other essential provisions, pressures of social mobility and

constraints of interaction with the local people, issues of acculturation, political socialisation, political participation, etc. Such issues get reflected in their general apathy towards politics which is manifest in their low level of political socialisation, political participation, etc.

Though each family is provided with a tenement comprising of two very small rooms and a kitchen (with provisions for water supply and electricity), they are quite inadequate and poorly maintained. While the situation is relatively better in the labour quarters under RPL, the tenements in both Gavi and Kambamala have all the characteristics of tattered slums. The labour lines in Gavi and Kambamala are thickly populated with poor water and sanitation facilities. RPL and KFDC have shown their indifference to the pressing requirements of their tenements. However, the repatriates have made their own extensions, additions or alteration to their houses due to swelling family size. The condition of quarters in Gavi and Kambamala is very deplorable with no toilets, protective roofs, walls and doors. They were compelled to use plastic sheets and flex materials to escape from rain and insect attacks. This is more visible in Gavi and Kambamala than in Kulathupuzha and Ayiranallur. Naturally, the majority of the respondents have serious complaints about the way the RPL and KFDC responded to their requests for maintenance and additional requirements.

Educational facilities in the rehabilitation sites are very poor. In RPL, there are two Tamil medium schools (a primary school in Ayiranallur and a high school at Kulathupuzha) with minimum facilities. However, in both Gavi and Kambamala, the facilities are extremely meagre. There is a lower primary Tamil medium school in Gavi as well as in Kambamala, all with no basic facilities. For the people in Gavi and Kambamala, facilities for high school education are in far off places. Almost all respondents agreed that the level of support for education from KFDC is quite inadequate.

The RPL maintains hospitals with only minimum facilities for the health care of the employees. However, the majority of respondents said that the medical facilities were quite insufficient. The health scenario in Gavi is so distressing. KFDC maintains a dispensary without a permanent doctor and essential drugs for common ailments. KFDC has not made any provision for any medical emergency. For the repatriates to reach the nearby hospital for any health issues, they have to travel several kilometres away and the problem will be compounded by the lack of immediate transport facilities. The situation in Kambamala tea plantation is equally alarming. KFDC has not provided any basic facility for ensuring the health security of the repatriates. There is a dispensary in the estate without any essential infrastructure and medical aid. It is maintained in one of the padies without a doctor and nursing facilities. Medicines are not available even for common diseases.

The repatriates are generally not satisfied with their workplace security. The respondents in all sites said that they feel insecure with respect to their workplace environment. The repatriates pointed out that the chemicals used in the estates for different purposes pose a real threat to their lives. The companies have not provided them with safety measures for their protection. The repatriates in Gavi are quite discontented with their workplace inside the Reserve forest. Since there is no health monitoring facility, it would be very difficult to make a health impact assessment in these sites. Moreover, the insecure conditions within the reserve forest are made worse in the absence of emergency medical support, transportation etc.

Socialization and Cultural Exchanges

The repatriates' interaction with the mainstream society has been minimal in all the three locations of the study. However, the new generation of the repatriates have a better interaction with outside society. The women in all the sites seldom go out due to their own cultural inhibitions and other location specific problems such as in Gavi. Very few of them also associate themselves with political as well as with other social activities. While the repatriates in RPL are better placed in such activities, the situation in Gavi and Kambamala is different. Culturally, almost all families are comfortable with their Tamil language, customs and practices though majority of the repatriates are able to handle Malayalam.

Politics, Political Participation and Social Stigma

The impact of politics on the social life of the repatriates can be seen from their overall participation in the general political process of the state. The repatriates do participate in the electoral process though the voting percentage in their constituencies varies. The pattern in all elections indicated that in the RPL estates, the percentage of voting was much higher than the situation in Gavi and Kambamala where the poll participation was relatively low. While the repatriates settled in Kambamala and Gavi do not have any interest in active politics, the situation is slightly different in RPL. However, the repatriates have interest in trade union activities. Their role and functioning in RPL are much better than in KFDC units. The study showed that the level of satisfaction with respect to the role and performance of political parties is generally negative, even as it is very good with regard to trade unions.

In all sites of rehabilitation, the conditions of social and cultural life of the repatriates are affected by prejudices that share out from a misguided perception that the rehabilitated people are a privileged lot. As a result, the repatriates are generally deprived of the benefits that define a quality life—improved livelihood security, reasonable wage, workplace safety, employment openings for the natural

increase, secure tenement, better health care, and socialization with varied sections of people outside their tenements. The repatriates have also serious complaints about the way they are frequently portrayed. The majority of them shared the feeling that their Indian citizenship does not hold any value in social relationships and that they still bear the burden of a 'foreign' background—a social stigma that often lead to perpetual branding as 'Sri Lankan Tamils' or 'Tamil refugees' or 'Tamil migrants.'

Findings and Recommendations

The study's main inquiry is how well the repatriates are coping with the new setting, particularly in a different socio-cultural environment of Kerala. The human security implications of the repatriates' life-world experiences under RPL and KFDC are palpable enough from the field survey. The Tamil repatriates came here as a legally relocated community. As such the repatriation was expected to have led to restoring their sense of belonging to a nation by way of sustaining citizenship rights. Though the Tamil repatriates were rehabilitated in different places like Kerala, there is no visible change in their standard of living. While they are more or less accustomed to the general environs of the estate/plantation life, they never allowed to renounce their distinct Tamil cultural roots.

The main objective of establishing estates and plantations in Kulathupuzha, Ayiranallur, Gavi and Kambamala was to provide conditions of human security for the repatriates. Hence the processes of resettlement and rehabilitation sought to ensure sustainable livelihood security for them. The schemes put in place were enunciated in such way that the repatriates be empowered with provisions for the full enjoyment of citizenship and the accompanying rights and privileges on equal footing with the citizens of the opted country. As such, from the point of view of human security, the repatriates were entitled to have education, health care, housing, employment and most importantly social mobility.

The repatriation and resettlement in Kerala has a history of four decades. While some sections among the respondents of this study agreed that the RPL project has been one of the successful rehabilitation schemes in Kerala, others raised very serious questions about the violation of human rights of repatriates in Gavi and Kambamala. Doubts are also raised if the actual rehabilitation process has gone beyond mere provisions for employment and tenement. It is very clear from the experiences of Gavi and Kambamala that the process of rehabilitation has not led to even stabilizing the livelihood base with effective institutional and structural arrangements. The replication of the plantation life in Sri Lanka was not the primary objective of repatriation and rehabilitation. The conferring of citizenship to the people of Indian origin from Sri Lanka calls for extensive state

interventionist measures, which included provisions for land ownership, stable employment opportunities and diverse agricultural options. However, the life for the repatriates in the locations of rehabilitation and resettlement remains unending sufferings of backwardness, marginality, and social immobility. A major cause of their backwardness and immobility is lack of access, both individually and collectively, to productive assets, financial resources, and institutional back up for sustainable livelihood. Moreover, social stigma still haunts them in all walks of life. The very agencies which have been entrusted with the task of rehabilitation and resettlement seemed to have become agents of injustice and denial of basic needs and rights.

The repatriates are basically landless people, and the agencies responsible for rehabilitation provided only employment and tenements to those people. The state Government can provide them land for both cultivation and residence outside the estates so that the problems of the natural increase are taken care of. The repatriates in all locations of rehabilitation are getting low wages. Hence the wages of repatriates need to be streamlined to enable them to lead a reasonable living.

The repatriates are placed under the category of APL even as their counterparts in other estates who earn better wages fall in the BPL category. This denies the repatriates the benefits of subsidies which they are, even otherwise, entitled to because most of them belong to the SC/ ST and Backward communities. So, subsidies need to be provided to all repatriates.

Denial of caste certificates to the repatriates belonging to the Scheduled communities is a major problem in most of the rehabilitation locations. The State Government should provide such certificates to enable them to get benefits of reservation in education and employment. The educated youths among the repatriates are not getting any positions under the RPL and KFDC services. They shall be made a part of the rehabilitation schemes so that the livelihood issues of the natural increase of the repatriates' families are addressed.

There is growing concern of overcrowded tenement facilities, compounded by the problems of educational facilities and health and medical care, issues of sanitation, drinking water, electricity, communication, workplace health hazards, transportation etc. The State Government should institute a commission of inquiry to investigate all these problems and take immediate remedial measures to ensure their safety and security.

The State Government should initiate special programmes of empowerment in all locations of rehabilitation. The repatriates' social mobility and political participation can be strengthened by initiating programmes of neighbourhood groups (*Ayalkkottam*) and *Kudumbasree*, the two success stories of Kerala's development scenario.

The RPL and the KFDC must initiate programmes for diversifying their activities, instead of focussing only on plantation crops. Eco-tourism, cottage industries, micro-level farming (such as horticulture, poultry, apiculture, aqua farming etc) are potential avenues of livelihood. The state government must also ensure that the living conditions of women in all sites of rehabilitation are regularly monitored and appropriate measure of improvement are put in place.

Notes

1. It was reported that the majority of Tamils in Sri Lanka wished to remain on the island.
2. According to India, the Agreement took note of the existence of a third category of persons who were neither Sri Lankan citizens nor Indian citizens – but who were “stateless.” It held that those persons, permanently domiciled in Sri Lanka, who, either by choice or rejection could not obtain Sri Lankan citizenship, did not automatically become Indian citizens, unless they held Indian passports or were registered under the provisions of the Indian Constitution. They were the responsibility of Sri Lankan government. Sri Lanka, on the other hand, maintained that all persons of Indian origin who had not secured, or could not secure citizenship rights were Indian citizens and the responsibility of India. See Appadorai and Rajan (1988: 201).
3. KCA (1954): *Keepings’ Contemporary Archives* (London), 30 October-6 November (1954: 13441).
4. As per the agreement, the grant of Sri Lanka citizenship under paragraph 3 and the process of repatriation under paragraph 5 shall both be phased over the period of 15 years and shall, as far as possible, keep pace with each other in proportion to the relative numbers to be granted citizenship and to be repatriated respectively. See Government of India, MEA (1964).
5. The Pact says that “this Agreement shall come into force with effect from the date hereof and the two Governments shall proceed with all despatch to implement this Agreement and, to that end, the officials of the two Governments shall meet as soon as possible to establish joint machinery and to formulate the appropriate procedures for the implementation of this Agreement.” Ibid.
6. During this time, the Sri Lankan government had received 249,787 applications covering 630,000 persons.
7. It was agreed that an increase of 10 per cent each year over the initial figure of 35, 000 numbered in the 1964 Pact would be made. Appadorai and Rajan (1988: 213).
8. The new Pact was concluded when Bandaranayke visited India in 1974.
9. All benefits which were extended to the persons who were covered by the original agreement would be extended to the persons covered by this Agreement.
10. Sahadevan says that India should be blamed more than Sri Lanka because it, by entering into an unfair deal, endorsed Colombo’s policy of mass repatriation. Besides, India failed to discharge its obligations to the repatriates as the rehabilitation programme in Tamil Nadu did very little towards their smooth resettlement.

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The author wishes to thank the Indian Council of Social Science Research (ICSSR) for the funding of a major research project on a theme related to this area. The source materials of this article are mainly derived from the ICSSR-funded project.