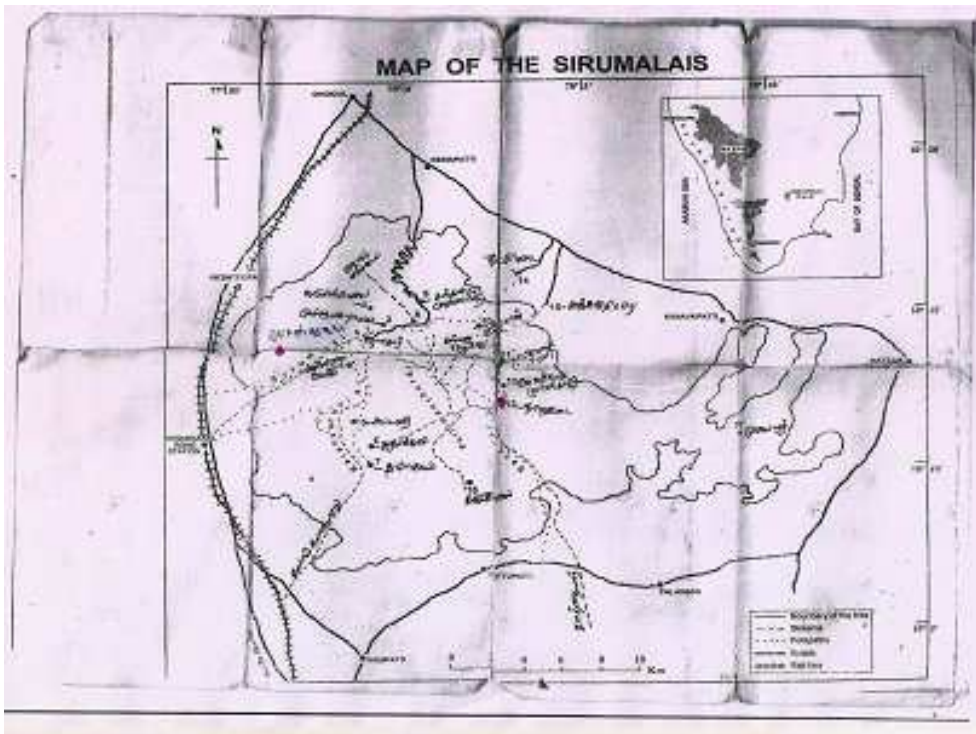




A BANNER/BOARD DETAILING THE ROSI PROJECT FOR TRIBE PEOPLE



AREAS MAP

BACKGROUND OF THE TRIBAL (ROSI'S TARGET PEOPLE)

PALIYAN tribal - group is very backward at present scenario in Tamil Nadu that the most of them are still in cave life in Sirumalai Hills and Palani Hills at endangered

condition. They are not having even single time food as assured. Hunger and starvation are continued in their life. Tubers, hunting and other forest available edible items give survival to them simply but more lack in the food. But in the invasion of plain/new people in the forest land and restriction / reserved areas by Govt, tribal areas have been shrunk to habituate and survival.

In the forest and CAVES life, they are not having ration card, name in vote list and others whatever is being required as Identification to be Citizen because the most of them are not come in to population census as not having house. Discrimination, human rights violence, death and birth whatever being are not in the counting if they not in to census yet. So, often murder and other violence have been taken place by the outer people if they were involved in slavery works, sex torture, sending out of the forest, etc that resulted them in to endangered population.

In this condition, their children education is questionable because no schools in their caves and dense forest areas. Further they are lack of knowledge on education and development. Health wise they are under affection due to lack of food and hygienic and sanitation.

ROSI Foundation has been taking major role by its continuation works since the last few years for the tribal of *Sirumalai* and *PALANI Hills* on Human rights, community certificate issues, solar lights provision, ration card and voter ID obtaining, MFP (Minor Forest Produces) and other issues based activities. The housing is very urgent and emergent issues. ROSI proposes to support for livelihoods business, housing, educational home and legal matter.

In Sirumalai Hills(Dindigul dist, S.India), PALIYAN Tribe is living since the olden days and now 100 more families are there. But only 30 families are living in to small huts (21 at Velampannai village and 9 at Ponnuruvi) and the remains are still in to caves and bottom of the tree of the interior and dense forest. Because the plain people and their domination are oppressing them and alienating the land and other livelihoods.

Tribe human rights issue taken

On 24.09.2009 at Velampannai (Tholukkadu) village, Mr. Antisamy S/O Palanisamy, a tribal was attacked severely by a gang of three persons, known as Velli S/O Arul, Ganesan S/O Govindan and Ganesan S/O kuppusamy who are non-tribal and upper caste dominated in population, political and economical. Immediately petition was dropped to Police station (E-1, Taluk Police station, Dindigul, Tamil Nadu). No action by case registration and accused arrest were happened. But the police abused and beat the affected petitioner Mr. Antisamy.

In the condition of petition dropped, the above accused people are angered and grouped with several people and they attacked Mr. Alagarsami, a tribal by knife and using other weapons. The group was with six members and the name was known as Mr. Vanaraju,

his son Rajesh, Chinnu, his son Venket and another two persons (name not known). They were with knife, stick and other weapons and threatened that the all 21 families should be vacated the villages and habitation as immediate, other wise the all huts will be fired and the members will be killed. No land and house for PAIYAN (tribe) and honey and VALLI roots are only to them and so all should be go to caves and dense forest.

Following the incident, the all families escaped at the night time to dense forest and caves letting all things, land and cultivation and livestock. Still they are being there with starvation along with women and children. Mr.Alagarsamy went to the above police station but the sub inspector and head constable abused and beat him after getting a thumb impression on white paper. He was admitted in Govt hospital for the injuries but no action was taken till now.

ROSI foundation has been supporting the people brought to Samathuvapuram and Kodairoad area where food and cloth provision done. Then we set up fact finding team from likeminded High court lawyers (five number Mr.Arunachalam, Mr.Vadivel, Mr.Devakumar, Mr.Ganesan and Mr.Thanajeyan) who visited and report made. ROSI filed writ in high court bench Madurai and order given to district administration and police office (copy enclosed). Now FIR filed under SC/ST atrocities act (3(1)(X) and 3(1)II) and one arrested. Relief has been provided to them.



Mr.Alagarsamy -Victim and His wife



ROSI's Fact Finding team with the affected tribe



Some of the affected tribe families

Now the case was registered under SC/ST atrocities act and the accused are under arrest 21.01.2010. Further process is ongoing.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 08.12.2009

CORAM:

THE HONOURABLE MR. JUSTICE M. JAICHANDREN

Writ Petition No.11851 of 2009

and

M.P. (MD) No.1 of 2009

V. Azhagar & Azhagarsamy

.. Petitioner

-Vs-

1. The State of Tamil Nadu,
Represented by its Secretary,
Department of Home, Fort St. George,
Secretariat, Chennai.
2. The District Collector/District Magistrate,
Dindigul District, Dindigul.
3. The Superintendent of Police,
Dindigul District, Dindigul.
4. The Deputy Superintendent of Police,
Dindigul District, Dindigul.
5. The Inspector of Police,
Taluk Police Station, Dindigul

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondent Nos.2 and 3 to visit Thazhaikadai in Sirumalai Village to assess the damage to the property and draw list of victims and consequently direct the respondent No.2 to provide the relief of compensation to the victims of the atrocities on Tribals including the petitioner.

For Petitioner : Mr. P. Lejapathy Roy
For Respondents : Mr. S. C. Herold Singh
Government Advocate

ORDER

This writ petition has been filed praying for a writ of Mandamus, to direct the second and the third respondents to visit Thazhaikadai, in Sirumalai Village, to assess the damage to the property and to draw a list of victims and consequently, direct the second respondent to provide the relief of compensation to the victims of the atrocities on Tribals, including the petitioner.

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2. The learned counsel for the petitioner has stated that, on 30.09.2009, at about 5.00 P.M, four persons had entered the petitioner's house with deadly weapons and had inflicted injuries on the petitioner and his father. Thereafter, the petitioner had been admitted for treatment in the Government Hospital, Dindigul.

3. It has also been stated that the petitioner had lodged a complaint before the Taluk Police Station, Dindigul, to take necessary action against the culprits. However, no action has been taken based on the complaint lodged by the petitioner, even after repeated requests.

4. Mr.S.C.Herold Singh, the learned Government Advocate appearing on behalf of the respondents, relied upon Clauses 1 to 3 of Rule 12 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1995, which reads as follows.

"Measures to be taken by the District Administration:

- (1) The District Magistrate and the Superintendent of Police shall visit the place or area where the atrocity has been committed to assess the loss of life and damage to the property and draw a list of victims, their family members and dependents entitled for relief.
- (2) Superintendent of Police shall ensure that the First Information Report is registered in the book of the concerned police station and effective measure for apprehending the accused are taken.
- (3) The Superintendent of Police, after spot inspection, shall immediately appoint an investigating officer and deploy such police force in the area and take such other preventive measures as he may deem proper and necessary."

5. It is stated that there is a duty cast on the District Magistrate and the Superintendent of Police to visit the place or area, where the atrocity has been committed, to assess the loss of life and to draw a list of victims, their family members and dependents who may be entitled to reliefs. The Superintendent of Police is also to ensure that effective measures are taken to apprehend the accused after making spot inspection.

6. It has been stated that necessary information had been given to the second respondent, on 19.10.2009, and to the fifth respondent, on 18.10.2009, but no action had been taken against the accused persons, till date. In such circumstances, the petitioner has preferred the present writ petition before this Court, under Article 226 of the Constitution of India.

7. At this stage of the hearing of the writ petition, the learned counsel appearing on behalf of the petitioner had submitted that it would suffice if the third respondent is directed to take appropriate action, in accordance with Rule 12 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1995, after making necessary investigation, within a specified time.

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8. The learned Government Advocate appearing on behalf of the respondents has no objection for this Court passing such an order.

9. In view of the submissions made by the learned counsels appearing on behalf of the petitioner, as well as the respondents, the third respondent is directed to initiate appropriate action, in accordance with Rule 12 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1995, to investigate and to take appropriate action, in respect of the complaint of the petitioner, by deputing a responsible officer to investigate and to file a report, within a period of twelve weeks from the date of the receipt of a copy of this order.

10. The writ petition is disposed of, with the above directions. No costs. Consequently, connected miscellaneous petition is also closed.

Cs

/True copy/

Sd/-
Assistant Registrar [T&P]

M. R. Srinivasan 5/1/10
Sub Assistant Registrar

To

1. The Secretary, Department of Home, Fort St. George, Secretariat, Chennai.
 2. The District Collector/District Magistrate, Dindigul District.
 3. The Superintendent of Police, Dindigul District, Dindigul.
 4. The Deputy Superintendent of Police, Dindigul District, Dindigul.
 5. The Inspector of Police, Taluk Police Station, Dindigul.
- + 1 cc to Mr. T. Lajapathi Roy, Advocate SR.No.41597.
+ 1 cc to Special Government Pleader, SR.No.41936.

Writ Petition No.11851 of 2009
and
M.P. (MD) No.1 of 2009

Dated: 08.12.2009

SP/9C. LR.COPY
RPS 04.01.2010

C 0329719

MADRAS HIGH COURT,
MADURAI BENCH
S.R. No. A 1557
Carbon Copy application
made on 12/12/2009
Application Returned 0
Application Represented 0
Copy made ready S.I.I.
Copy delivered S.I.I.

K.Bz
Section Officer
C.C.C. Section

Present development in Tribe programme

We have been retrieving tribe from caves and interior forest and making temporary shelter with thatches roofing in relevant area. 19 families were taken to Ponnuruvi of Sirumalai that they are in surrounding caves and forest to Ponnuruvi villages. When the tribe people make the huts on 20.05.2010, non-tribe group made threaten to remove the huts at the areas. But we directed to the tribe to take over the adjacent area (about 3 acres) and new huts have been made in the extent. The opponent parties felt that ROSI Foundation involvement and the tribe strong refusal, they dropped petition to police station 22.05.2010 (the copy of petition receipt enclosed). Police take five tribe people to station and made threaten to remove their huts and sought signature that the tribe would not enter in the land in future. ROSI Foundation met VAO, Panchayat president and Forest department and collected the land details and argued with police inspector about the condition and rights of tribe to make huts and dwelling in to forest. Then we made petition on the parity for threatening. In the condition, they came to talk by the panchayat president and police people.

Then the following agreement was made that three acre land was taken from the opponent parties and no huts were removed from the area. By the agreement, the land is come to habituate by tribe. Now 19 huts / temporary shelter exist there.



The photo shows the agreement made in Ponnuruvi in between non-tribe and tribe people. ROSI Foundation chairman Mr.Palanivel is writing it.

புகார் மனு ஏற்புச் சான்றிதழ் 4823810

மனு எண் 451/10

தேதி 22.5.10.

மனுதாரரின் பெயர் : திருத்திராமதிசெல்வா

எதிர்க்கட்சிகள்

வயது : S.கே.என் 34/10

1, செட்டிபாளையம்

விலாசம் : S.கே.என் 34/10

S.கே.என்

பொன்றையா

2, அரண்மனை

மனுளிச் சார்பு : மதுரை சி.கே.என்.

3, லாண்டிங்

தலைநகர்

4, பாலைய

5, காரியாலயம்

மனுளித் தேதி :

கேள்விக் குறியிட்டவர் கொடுத்த விண்ணப்பத்தின் மீது
மதுரை சி.கே.என் எதிர்க்கட்சிகள் சர்க்காரால்
செட்டிபாளையம் தலைநகர் அறிக்கை (FIR) எண்ல்

பிரிவுகளின் கீழ் வழக்கு பதிவு
செய்யப்பட்டுள்ளது. (FIR) நகல் வழங்கப்பட்டுள்ளது.

(அல்லது)

(2) சமுதாயப் பணிப் பதிவேட்டில் வரிசை எண் 451/10
பதிவு செய்யப்பட்டுள்ளது. 3, செட்டிபாளையம் மாத காவத்திற்குள்
நடவடிக்கை எடுக்கப்படும்.

(அல்லது)

(3) புகார் மனுளிச் சார்பில் முதல் தகவல் அறிக்கை
எண்ல் பிரிவுகளின் கீழ்
வழக்காக (அல்லது) சமுதாயப் பணிப் பதிவேடு வரிசை
எண்ல் மதுரைப் பதிவு செய்யப்பட்டு
அதிகாரவாய்ப்பு (jurisdiction) உள்ள
காவல் நிலையத்திற்கு தக்க நடவடிக்கைக்காக அனுப்பப்படுகிறது.

S.கே.என்

எண்: 4823810-1.05.800 Bks.-1-3-04 [P3-1]

A. Any 7 He 16 56

(ஒம்)

காவல் நிலையத்தின் முதலாளி

22/5/10
DCL STPS



Still in to cave



Just retrieved tribe families from Caves and to be rehabilitated by ROSI FOUNDATION



Just retrieved tribe families from Caves and to be rehabilitated by ROSI FOUNDATION



ROSI's made huts for the homeless tribe in the above 5 acres lands



The one retrieved family is provided by a temporary house in the above land



The another one retrieved family is provided by a temporary house in the above land



Solar light support to tribes





ROSI's educational centre opening to tribe children



Tribe children under non-formal education by ROSI Foundation



Educational materials and uniform distribution to tribe children



ROSI Foundation takes Some tribes with petition seeking house patta and community certificate to dist collector



IGP unit opening (Lemon grass essence extraction) to tribe families by ROSI Foundation



Another one IGP unit functioning in production



ROSI's representative fights for tribe in Local Body – village committee meeting