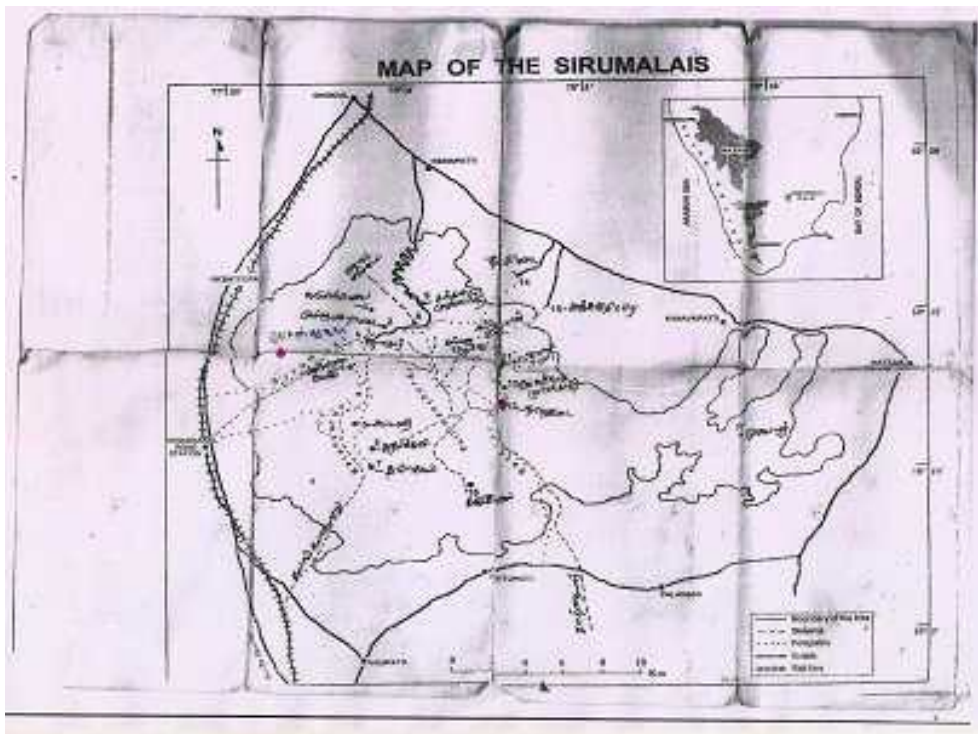




A BANNER/BOARD DETAILING THE ROSI PROJECT FOR TRIBE PEOPLE



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. Roots, hunting and other forest available edible items give survival to them simply but more lack in the food. But in the occupation 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. So the educational centre with food and education are must one.

ROSI Foundation has been taking major role by its continuation works since the last 7years 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.

Continuous attack and torture, and property/land occupation and destruction have been continued for the last 50 years. Recently on 24.09.2009 at Velampannai (Tholukkadu) village, Mr. Antisamy S/O Palanisamy, a tribal was attacked severely by a gang of three persons (non-tribe. Immediately petition was dropped to Police station (E-1, Taluk Police station, Dindigul, Tamil Nadu).

In the condition of petition dropped, the above accused people are angered and grouped with several people and they attacked Mr. Alagarsami, a tribal on 30.09.2009 by knife. 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.

Present (Tribe) Human rights issue in Sirumalai Hills the attack happened (on 30.09.2009) in the tribal village (Velamapannai is only area, where 21 tribe families have small huts/houses and some families have small pieces of farming land) and they vacated the village and went to caves and dense forest. The attack happened by non-tribe for capturing their land and sent them out of the village. The issues are taken by ROSI Foundation by petition dropping, lobbying works, and agitation.

Petitions were dropped to the district collector, Dindigul, the superintendent of police, Dindigul, Inspector of Police and Sub-inspector of police (Dindigul) It is now come to Govt functionary's actions after obtaining order from Madras High Court – Madurai bench and other actions. Now case registration and arrest of the accused have been done after the continue fighting. (See the attachment for more detail).

Tribe human rights issue taken

On 24.09.2009 at Velamapannai (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

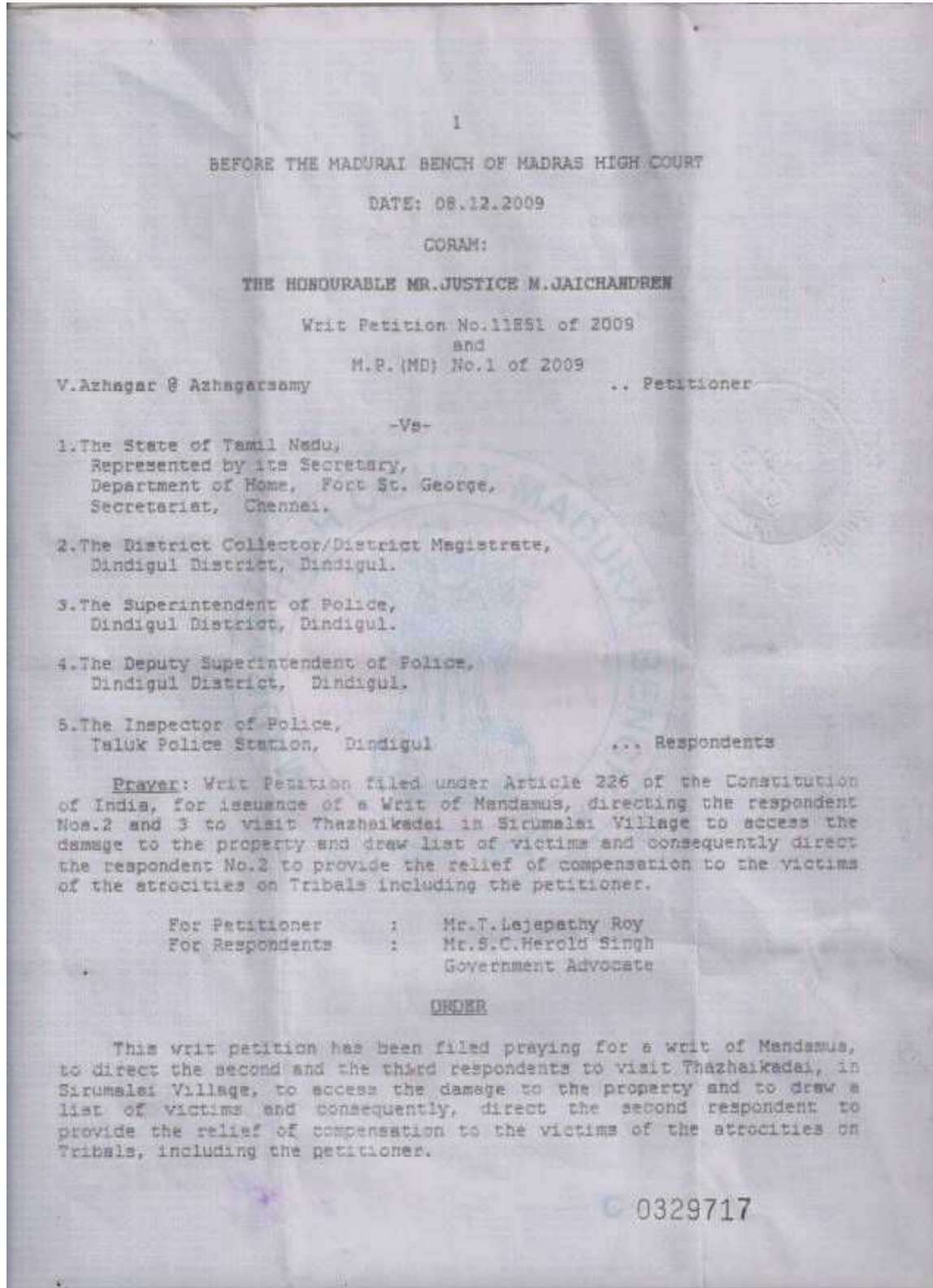


ROSI's Fact Finding team with the affected tribe



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 on going.



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

Sd/-
Assistant Registrar [T&P]

/True copy/

M. Srinivasan
Sub Assistant Registrar 5/1/10

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
RFB 04.01.2010

0329719

MADRAS HIGH COURT,
MADURAI BENCH
S.R. No. A.1557.....
Carbon Copy application
made 7/12/2009
Application Returned.....
Application Represented.....
Copy made ready 5.1.11.....
Copy delivered 6.1.11.....
K.192
Section Officer
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 occupy 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.

ஒப்பந்த பத்திரம்

திண்டுக்கல் மாவட்டம் சிறுமலையில் உள்ள பொன்னுருவி கிராமத்தில் வசிக்கும் செல்லமுத்து மகன் மணிகண்டனுக்கும், பலியர் இனத்தைச்சார்ந்த காந்தி மகன் ராமன், காந்தி மகன் லெட்சுமணன், கோடாங்கி மகன் மாரியப்பன், ஆண்டி மகன் மாணிக்கம், சுப்பையன் மகன் பாண்டி இந்த இருதரப்பினருக்கும் இடையில் ஏற்பட்ட நில பிரச்சனைகளில், 22.05.2010 அன்று திண்டுக்கல் தாலுக்கா காவல் நிலையத்தில் மேற்படி மணிகண்டனால், மேற்படி 5 நாபர்கள் மீதும் புகார் மனு கொடுக்கப்பட்டதன் அடிப்படையில் சிறுமலை பஞ்சாயத்து தலைவர் திரு துரைசாமி பூபதி, துணைத்தலைவர் திரு B.வெள்ளி திரு S.பழனிவேல் தலைவர், ரோசி பவுண்டேசன் புதுக்கோட்டை, மற்றும் திரு S.மகாலிங்கம், ரோசி பவுண்டேசன் புதுக்கோட்டை இவர்கள் முன்னிலையில் 25.05.2010 அன்று பொன்னுருவில் பஞ்சாயத்து பேசி கீழ்க்கண்ட முடிவுகள் எடுக்கப்பட்டு, மேற்படி இருதரப்பினராலும் ஏற்கப்படுகிறது.

முடிவுகள்:

1. S.மணிகண்டன் கொடுத்த மேற்படி புகார் மனுவை அவரே வாபஸ்பெருவது என ஒற்றுக்கொள்கிறார்.
2. பலியர் இனமக்களுக்கு வீடு கட்டிக்கொள்ளவும் மற்றும் அனுபவித்துக்கொள்ளவும் மேற்படி மணிகண்டன் அனுபவித்து வந்த நிலம் (பரப்பு சுமார் 3 ஏக்கர்), நிலத்தின் நான்கெல்லை, மேற்கு - தென்மலை ஊரடி - பொன்னுருவி கோவில் சாலை, வடக்கு - மணிகண்டன் காடு, கிழக்கு - மணிகண்டன் காடு (அடையாளம் வைக்கப்பட்டுள்ள கடுக்கா, புண்சட்டை, சருவழி, நெல்லி மரங்கள் கிழக்கு பகுதியின் எல்லைகள்) கொடுக்கப்பட்டு நாளது தேதி முதல் பலியர் இன மக்கள் அனுபவத்திற்கு வருகிறது.
3. மேற்படி சாலைக்கு நேர்கிழக்கே உள்ளதும் ஏற்கனவே பலியர்களால் அனுபவிக்கப்பட்டு வரும் சுமார் 2 ஏக்கர் நிலம் அவர்களே தொடர்ந்து அனுபவித்துக்கொள்வார்கள். இதன் நான்கெல்லை மேற்கு - சரவணகுமார் நிலம், வடக்கு - ஜெயராமன் நிலம் மற்றும் ஒத்தையடி பாதை, கிழக்கு - மேற்படி சாலை

S.மணி

(S.மணிகண்டன்)

(கா. ராமன்)



L.T.I

(கா. லெட்சுமணன்)

(கா. மாரியப்பன்)



L.T.I (ஆ.மாணிக்கம்)

(சு.பாண்டி)

பஞ்சாயத்தினர்

(திரு துரைசாமி பூபதி சிறுமலை பஞ்சாயத்து தலைவர்)

T. D. V. P. Subramanian

(திரு B.வெள்ளி சிறுமலை பஞ்சாயத்து துணைத்தலைவர்)

B. V. V. S. S. S.

சுப்பையன்

(S.பழனிவேல் தலைவர், ரோசி பவுண்டேசன்)



(S.மகாலிங்கம், ரோசி பவுண்டேசன்)

மகாலிங்கம்

L.T.I P. S. S. S.



Still in to cave



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



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