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TN: Big Win For Udumalpet Tribals as they Get Sanction for Road After Years of Struggle

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After many years of struggle and three days of sit-in protest, the tribal people have now got the official order to build a road; main means of livelihood for these people are collecting and selling forest produce and small-scale farming.





***On the second day of the sit-in protest.
Image courtesy: P Shanmugam***

Above Thirumurthimalai in Udumalpet taluk in Tirupur district, 7,000 people belonging to the Malai Pulayan, Eravallan, Mutuvan, and Malamalasar tribal communities live in 15 small village settlements. These communities have lived in the Anaimalai range for over 1,000 years. The main means of livelihood for these people are collecting and selling forest produce and small-scale farming.

After many years of struggle and three days of sit-in protest, the tribal people have now got the official order to build a road.

“When we returned after the talks with the District Collector, we saw that the protest ground had turned into a site of celebration,” [said](#) the reporter of a Tamil daily.

“Isha, Karunya and various other god-men enjoy hundreds of acres of forest land by circumventing the law and using political influence. But how much struggle do the Adivasi people, who are the owners of the forest, have to go through to get just 2 acres of land to build a road for their community? Now I can understand why people



**Madhya
Prade...
Tribal...**



**Isha
Found...
Land...**



**Only 2
Adiva...
to be...**



**Maha...
Gadc...
Prote...**



**Over 3
Lakh
Hecta...**



**TN:
AIKS
Dema...**



**#Dont...
Wides...
Prote...**



**TN This
Week:
DMK,...**



**Van
Gujjars
in Per...**



**Mudu...
Tiger
Reser...**

celebrated it so much!” added the reporter.

The tribal people played musical instruments, performed their traditional group dance, burst firecrackers and distributed sweets when they heard the news there will soon be roads to their settlements. There is a road and bus service to Thirumurthimalai temple, but they walk the rest of the stretch.

FOREST DWELLERS DENIED RIGHTS

The Parliament passed an Act on December 15, 2006, to recognise the rights of Adivasi people and other forest-dependent communities. The provisions of this Act came into force on January 1, 2008. 15 years have passed since the implementation of the law, but the benefit of the law has not fully reached the people, observed the Tamil Nadu Tribal People’s Association (TNTA).

According to Section 3(2) of the [Forest Rights Act](#), up to one hectare of forest land can be reserved for providing 12 infrastructure facilities to the forest dwellers, including schools and roads, which involve felling trees not exceeding 75 per hectare.

The law requires the Gram Sabha to pass a resolution for this. The resolution should be approved by the district-level forest committee headed by the district collector.

However, it was the opinion of the Udumalpet forest officials that the district forest officer’s permission was insufficient in this context. They argued that this provision does not apply to wildlife sanctuaries and national parks, and the

area falls under the Anamalai Forest Reserve. Therefore, applying for permission for such rights should be done online through the [Parivesh portal](#) for clearance.

NO RESPONSE TO ONLINE APPLICATIONS

The Parivesh portal was created in 2014-15. More than 7,000 petitions have been applied from all over the country, and 217 petitions have been sent from Tamil Nadu in the last nine years. Not a single petition was granted, and no final order has been passed.

Going to the authorities say, 24 Adivasi families living in Topslip, Erumaparai, applied for electricity connection to their homes 3.5 years ago through the portal. Five of the applicants have died since. The district administration has set up the transformer, and Rs 6 lakh has been paid to the electricity board. However, the people are still living in the dark because the forest department has not given permission.

Although there is no need for forest dwellers to make such an application, the forest officials are adamant. The Gram Sabha has discretionary power with respect to the Forest Rights Act, and district-level forest rights committees are the ones to finalise it. The TNTA observed that the forest officials want to pass the time and not let the benefit of the law reach the people.

The gap between the law and the explanations of the forest officials enraged the tribal people, and it was the main reason why the protest continued day and night for three days. The Forest Rights Act

is a strong example that no matter how good the law is, it is no good unless the enforcement officers do not show interest.

TNTA-LED PROTEST SUCCESSFUL

After three days of sit-in protest under the leadership of the Tamil Nadu Tribal People's Association (TNTA), the district administration negotiated and accepted the request to build a road from Thirumurthimalai to Kurumalai within the Udumalai Forest Reserve.

The continuous support of various associations was increasing for the sit-in protest led by TNTA Secretary P Shanmugam. Following this, the District Collector, Christhu Raj, invited the leaders to the District Collector's office for talks.

Section 1(d) of the Forest Rights Act says, "forest land means land of any description falling within any forest area and includes unclassified forests, un-demarcated forests, existing or deemed forests, protected forests, reserved forests, Sanctuaries and National Parks."

Such development projects should be approved only on the recommendation of the Gram Sabha. And Section 4(1) states that notwithstanding anything contained in any other law, the forest rights are vested in the forest-dwelling Scheduled Tribes (ST) and other traditional forest dwellers.

Going a step further, Section 10(3) states, "No suit or other legal proceeding shall lie against any authority... including its Chairperson, members, member-secretary, officers and other employees for anything which is in good faith done."

Recognising that some officials will be stubborn about this, the rules state that it is necessary to verify the demands of the tribal communities keeping in mind the objectives of the law.

“We discussed all these aspects of the Act during the four rounds of talks. But the officials of the reserved forest refused to budge, although the Act had given such clear guidelines,” said Shanmugam.

“In Tamil Nadu, where Adani was given 2,000 acres on land and 2,000 acres in the sea to build a port at Kattupalli, the forest department refused to provide 2.5 acres of land for the construction of an essential road for the Adivasis stating the forest will be destroyed and electricity connection can harm wildlife” he added.

The protest of Udumalpet tribals from July 12 to 14 has also reinstated the rights guaranteed under the Forest Rights Act. The success of this struggle is not limited to the Adivasis living in Tirumurthimalai; this is a historic success because it asserts that Adivasi people across the country can now get permission at the district Forest Rights Committee and need not apply online.

TNTA recognised the role the District Collector played in this success. The Tirupur District Collector asked the municipality administration to make arrangements for issuing the tender as soon as they ensure funds.

There will soon be an end to the unjust deaths of pregnant women and old people who could not reach the hospital on time without roads or

vehicles. Also, students can easily travel to the plains for higher education. The TNTA requests the government of Tamil Nadu to take active steps to implement the Forest Rights Act throughout Tamil Nadu and create awareness about the Act among the authorities and the people.

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