

PEOPLE'S WATCH - TAMILNADU

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UPDATE ON SANKARALINGAPURAM INCIDENT

On the 16th and 17th March 2002 a Public Hearing was held in Tuticorin regarding the Sankaralingapuram incident organized by the Joint Coordination Committee for Public Hearing Of Victims of Sankaralingapuram. The hearing was headed by Justice Suresh: Former High Court Judge, Mumbai Mr. Rathnaswami, Retired Member, State Human Rights Commission Dr. Markandan, Former Vice-Chancellor Gandhigram Rural University Mr. Karuppan, Retd I.A.S. Ms. Mythili Sivaraman, National Vice President AIDWA Mr. Ravi Kumar, President, PUCL Tamilnadu and Pondicherry. After listening to strong and emotional depositions of 28 affected victims from the affected villages the Jury members unanimously indicted police officers whose names had been mentioned by the affected people. The members of the Jury also prepared an Interim Report (See Annexure- 1) in which it has briefly discussed its findings. The attachments also include the other background materials that we had prepared.

Following the Public Hearing the Jury's Interim Verdict was sent to all the leaders of political parties, Chief Minister of Tamilnadu and also the Heads of the different National and State Human Rights mechanisms. The same had also been sent to all those officials in the State Administration and the Law and Order machinery who were directly or indirectly responsible for the incident. These officials had also been sent Summons for the Public Hearing. However, it is worth mentioning that none of the officials dared to accept the letter as well as the Interim verdict sent to them.

After the Public Hearing there seemed to have been too much pressure created for the issue to be taken seriously. This was felt because of two reasons-

- ❖ A question regarding the issue was raised by Mr. Tirumavalavan, MLA (belonging to the Dalit Panthers of India) in the State Legislative Assembly on 15th March

2002. The Chief Minister in her response informed the Assembly that the District Collector had been asked to furnish a report on the matter and also the incident within 30 days.

- ❖ The Collector Mr. Kumar Jayant, IAS (who was the Collector when the occurrence took place and who did not enter the village the first 14 days after the incident) was transferred as a result of the tremendous pressure immediately after the Public Hearing. The charge was then taken over by the new Collector, Mr. Thiagarajan, IAS. Upon immediately assuming the Office, Mr. R. Thiagarajan visited the affected villages and assessed the damages caused to the property of the villagers. He also got in touch with the Joint Coordination Committee for the Victims of Sankaralingapuram and requested their help in the entire process. He also was entrusted with the task of assessing the loss of property in the affected villages. Some of the members of the Joint Coordination Committee met the District Collector and gave representations requesting him that cases against students, elderly women and the children who were not at all involved in the incident should be immediately withdrawn. In the representation was also made for the release of the eight (8) men prisoners who are still in the Palayamkottai Central Prison.

The pressure of the public opinion could be felt when finally, on 30th March 2002, the Chief Minister of Tamilnadu Ms. Jayalalithaa visited the Dalit section of Sankaralingapuram village.

But prior to her visit to the area and also realising the importance of the function police officers of different branches of the police contacted the Director of People's Watch – Tamilnadu Mr. Tiphagne and tried to find out whether he would be present on the occasion. Mr. Henri finally decided to visit Sankaralingapuram on 29th March 2002. He went to the village and crossed the barricades to reach the Dalit colony. When the Superintendent of Police Mr. Sumit Saran, IPS realised that Mr. Tiphagne was inside the village, he sent a communication through the Catholic Priest of the village that the Chief Minister would not visit the village if Mr. Tiphagne was in the village. At that point Mr. Tiphagne sent a communication through the same Catholic Priest to the SP that he would

leave the village if the same information was given to him by the police officials themselves in person. It was then that the DIG and the District Collector went and hesitatingly requested Mr. Tiphagne to leave the village. They informed him that as this was a private meeting between the Chief Minister and the Villagers of Sankaralingapuram no representatives of political parties or NGOs would be allowed inside. Mr. Tiphagne then assured the Collector that he would definitely leave the place as had been requested by him. He also thanked the Collector for the efforts he had made after taking charge in the district. He made it clear to the officials that he was leaving only because of his anxiety for a proper conduct of the function would be a vindication of the stand taken by him and also the Jury Members of the Hearing.

When the Chief Minister arrived she first went straight to the Dalit Section of the village. There the residents showed her their damaged properties. Following this she then inspected a couple of damaged houses in the village. Later she was given representations from the Dalit Christians about the Police high handedness. During her hour long stay she assured that a police outpost would be set up for the protection of the people until the District Collector submitted his report. The Chief Minister assured the affected villagers that the false cases that have been foisted against them would as far as possible be dropped. The affected villagers were given a relief amount of Rs. 13,33,700/- (towards damaged property) and the Chief Minister assured the affected villagers that the government would definitely consider the question of compensation.

Analysing the above mentioned moves / efforts made by the government it can easily be said that the Public Hearing was successful in attaining its main objective of creating visibility for the incident and also the issue of Dalit Rights in the whole of Tamilnadu. Through the Hearing we were able to identify the human rights violations that had taken place in the village and also point out to the people who were responsible for these violations. It can also be said that the Chief Minister's visit to the place was nothing but a mere image building exercise which she was forced to do as a result of the success of Public Hearing and the media coverage thereafter. To put it in more concrete terms the entire exercise can be seen as a victory not just for the organizers of the Public Hearing

but for the affected people of the Sankaralingapuram incident as they stood together breaking the Culture of silence by coming together to fight the injustice meted out to them. No doubt this was just the first step in the long journey. However the success could also be viewed as precursor to the actual trial. The political parties, NGO's Human Rights Defenders who had come together keeping aside their ideologies and beliefs have an equal share in this success. If the same continues then with this backing Sankaralingapuram incident would be seen as an example in itself.

FOLLOW – UP ACTION TO BE INITIATED

- ❖ The Jury has given an Interim verdict. The final verdict is being drafted and the same would finalised in another three weeks time.
- ❖ The Writ Petition's of the CPI and CPI(M) filed in the Chennai High Court would be followed up by the Joint Coordination Committee.
- ❖ The complaints that have been registered with the National Human Rights Commission and also the State Human Rights Commission by various members of the Joint Coordination Committee would also be followed up by the committee.
- ❖ The committee would also be responsible for following up the matter regarding the damages incurred by the villagers as a result of the entire incident.
- ❖ Finally the Committee would also ensure that those officials who had been a part of the act are punished and prosecuted in the court of law.
