



# HUMAN RIGHTS DEFENDERS' ALERT - INDIA

NATIONAL SECRETARIAT

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January 27, 2022

To  
Mr. C.S Mawri,  
National Focal Point - Human Rights Defenders & Assistant Registrar,  
National Human Rights Commission,  
Manav Adhikar Bhawan,  
Block-C, GPO Complex, INA,  
New Delhi –110 023  
Email: [hrd-nhrc@nic.in](mailto:hrd-nhrc@nic.in)

Dear Sir,

***Sub: HRD Alert -India – Urgent Appeal for Action – Chhattisgarh: Fabricated case against HRDs Ms. Sunita Pottam, Ms. Soni Punem, Mr. Rainu Oyam and Mr. Raju Punem for peacefully protesting establishment of security camps.***

Greetings from Human Rights Defenders Alert -India!

HRD Alert-India is a forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are writing in to express our concern over the implication of HRDs Ms. Sunita Pottam, Ms. Soni Punem, Mr. Rainu Oyam and Mr. Raju Punem in a fabricated case by Chhattisgarh Police in reprisal for their opposition to the establishment of security camps in Chhattisgarh's Bastar area.

### **About the Human Rights Defenders:**

Ms. Sunita Pottam, Ms. Soni Punem, Mr. Rainu Oyam and Mr. Raju Punem are members of the Mulvasi Bachao Manch, which seeks to protect the rights and interests of indigenous groups in Chhattisgarh's Bastar area.

They have been leading a peaceful sit-in demonstration against the forceful establishment of a security camp in Silger village in Bijapur district for nearly six months. They are also involved in coordinating similar protests against upcoming/under construction security camps in other places in Bastar.

### **Source of Information:**

- Communication with the HRDs
- Communication with other HRDs in the region
- Police records

### **The Perpetrators:**

- Mr. Pawan Verma, Inspector and Officer in Charge, Gangaloor Police Station

- Other personnel attached to Gangaloor Police Station

**Date of Incident:**

January 7, 2022

**Place of Incident:**

Gangaloor, Bijapur district, Chhattisgarh

**Background of the Incident:**

Since May 12, 2021, Ms. Sunita Pottam and other activists of the Mulwasi Bachao Manch (MBM) have been leading a peaceful protest against the forceful setting up of a Central Reserve Police Force (CRPF) camp in their village for the past nine months.

The protest began on May 12, 2021, when the CRPF set up a camp under the Silger village panchayat along the partly-constructed 70 km Basaguda-Jagargunda road. On May 17, 2021, security forces opened fire on protestors, killing three persons on the spot, whereas one more person succumbed to injuries a few days later.

While hundreds of villagers including men, women and children have continued to turn up at the protest site every day since, demanding a rollback of the camp, ministers in the state government and high-ranking police officials allege that the protest is a Maoist conspiracy.

**Details of the Incident:**

On January 7, 2022, an FIR (001/ 2022) was registered at the Gangaloor Police Station in Bijapur district against MBM leaders Ms. Sunita Pottam, Ms. Soni Punem, Mr. Rainu Oyam, Mr. Raju Punem and 10 others. The accused were charged under Sections 147, 148, 149, 341, 431 of the Indian Penal Code; Section 25 of the Arms Act; and Section 3(2)(d) of Prevention of Damage to Public Property Act, 1984.

The complainant in the case was Mr. Purushottam Das, who works as a munshi with contractor Mr. Suresh Chandrakar. In his written complaint submitted to the police, Mr. Das claimed that while work on the Gangaloor to Mirtoor road was halted for five months due to the monsoons, on January 6, 2022, he visited the spot for an inspection as per Mr. Chandrakar's direction. He found that the road was dug up and obstructed with felled trees at 50-60 places, whereas he alleged that locals told him Maoists were behind the vandalism and named all those involved.

Four out of the 14 persons named by the complainant – Ms. Sunita Pottam, Ms. Soni Punem, Mr. Rainu Oyam and Mr. Raju Punem – have been leading the peaceful protest in Silger for the past nine months. They have also met several top government officials and political leaders during this period to press on their demand for a rollback of the Silger camp. Yet, police registered a case against them and pressed serious charges without any initial inquiry.

Among the four HRDs, Ms. Sunita Pottam was illegally detained by police on January 20, 2022, when she was on the way to meet the Chhattisgarh Governor in Raipur, and is admitted in Sukma District Hospital after testing positive for COVID-19; Ms. Soni Punem, Mr. Rainu Oyam, Mr. Raju Punem have not been detained. All the HRDs fear they might be arbitrarily arrested and tortured in custody.

We firmly believe that police acted with malafide intentions to implicate Ms. Sunita Pottam and other activists of MBM in a fabricated case. The HRDs were charged with serious crimes in reprisal for their role in leading protests against the forcible establishment of security camps in Bastar.

The right to exercise freedom of assembly is enshrined under Article 19(b) of the Indian Constitution. The Human Rights Council resolution 15/21 adopted in October 2010 reaffirms that everyone has the right to freedom of peaceful assembly free of restrictions that is subject only to the limitations permitted by international law, in particular international human rights law.

Further, the Declaration on human rights defenders adopted in 1998 by the UN general Assembly was Clause 2 and 3 of Article 12 of the declaration state: *"The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure, or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms."*


**Appeal:**

We thus request the Hon'ble Commission to urgently:

- Direct the Director General of Police, Chhattisgarh to initiate an independent inquiry into the police action against the HRDs and submit a report to the NHRC in four weeks.
- Depending on the result of the inquiry, take stern action against errant police officials and quash false charges against the HRDs.
- Ensure the HRDs are protected from arrest and torture in all circumstances.

Looking forward to your immediate action in this regard,

Yours sincerely,



**Henri Tiphagne**  
National Working Secretary