

## INDIA

### HUMAN RIGHTS DEFENDER THREATENED

**Pavitri Manjhi has faced continued threats, harassment and intimidation in relation to her peaceful activism. Visited at her home by two men every evening from 3 to 5 April 2018, she has been told to withdraw all formal complaints filed by Adivasi villagers against two private companies who allegedly defrauded members of the community of their land.**

Pavitri Manjhi, the Adivasi Sarpanch (elected head) of the Bhengari village council in Chhattisgarh, central India was visited by two men at her home on 3rd April 2018 and told to “withdraw all the cases filed against the company”. Despite telling them she did not want to talk, the men continued to harass her saying that “nothing will happen with the complaints you filed, better to withdraw all your complaints” and “everyone who helped you file the complaints are outsiders and will not be able to save you and we will silence them”. After an hour the men left. However they visited her house for the next two days, continuing to pressure her to withdraw the complaints.



Pavitri Manjhi has been on the frontline of protesting against two private companies who allegedly defrauded indigenous Adivasis of their land, when developing a thermal power plant from 2009 to 2011, and a biomass power plant in 2004 and 2007. Pavitri Manjhi says her own family, like other villagers, were coerced into selling their land to agents acting on behalf of the companies, and that their consent was neither free nor informed. Pavitri Manjhi has faced threats, intimidation and harassment by men she says were acting on behalf of the private thermal company since 2015. In addition, her son is facing criminal charges for what is believed to be a fabricated case initiated to deter her from continuing her campaign. Currently on bail, the case against him has been pending since 2015.

Pavitri Manjhi and other activists set up the Adivasi Dalit Mazdoor Kisan Sangharsh in 2017, a community group that supports individuals to file formal complaints in line with the provisions of India’s Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act -- a special law to protect Dalit and Adivasi rights that criminalizes the dispossession of Adivasi land without their consent. In June 2017, scores of Adivasi villagers filed complaints to the state police alleging unlawful dispossession of their land. However, the police have refused to register First Information Reports (the first step of a criminal investigation).

**Please send a fax, email, phone call or letter without delay. Urge the authorities**

\* to provide adequate security to Pavitri Manjhi and other Adivasi villagers from harassment and intimidation, in consultation with them;

\* to investigate any complaints of harassment, threats and intimidation of Adivasi villagers, and bring those responsible to justice in fair trials;

\* to investigate the complaints of unlawful dispossession of land, and bring those responsible to justice in fair trials.

**Here is the contact information you need:**

Minister of Tribal Affairs

Shri Jual Oram

Ministry of Tribal Affairs

Shastri Bhavan

New Delhi, India - 110001

Tel: 011 91 112 338 8482

Fax: 011 91 112 307 0577

Salutation: Dear Minister

Director General of Police

Shri AN Upadhyay

Police Headquarters

Raipur

Chhattisgarh, India - 492001

Tel: 011 91 771 222 1100

Fax: 011 91 771 221 1201

Email: [ps.dgp-cg@gov.in](mailto:ps.dgp-cg@gov.in)

Salutation: Dear Sir

**Please send a copy to**

His Excellency Vikas Swarup

High Commissioner for the Republic of India

10 Springfield Road

Ottawa, Ontario K1M 1C9

Fax: (613) 744 3033 or (613) 744 0913

E-mail: [hicomind@hciottawa.ca](mailto:hicomind@hciottawa.ca)

Focal Point for HRDs

Srinivasa Kammath

National Human Rights Commission

Block-C, GPO Complex, INA

New Delhi, India - 110023

Email: [hrd-nhrc@nic.in](mailto:hrd-nhrc@nic.in)

## **Additional information**

For decades, India's Adivasis have borne the brunt of development-induced displacement, including through state-run coal mines. A range of protective laws have not prevented indigenous communities in India from having their lands taken, their livelihoods destroyed, and their rights trampled on as a result of business activities. In Raigarh, Chhattisgarh, Adivasi communities have fought for years against what they say is the illegal takeover of their lands -- through coercion, fraud and misinformation -- by two private companies.

After Pavitri Manjhi was elected as Sarpanch in 2012, she mobilized villagers to file formal complaints, alleging wrongful dispossession of Adivasi land against TRN Energy Private Limited, which operates a 600MW coal-fired thermal power plant in Raigarh, and Mahavir Energy Coal Beneficiation Limited, which operates a 12 MW biomass power plant in Bhengari. For her activism, she faced threats, intimidation and harassment by local strongmen. She suspects that these men were acting on behalf of the companies. Pavitri Manjhi says she reported these threats to the police, who refused to register a criminal case.

Gram sabhas (village assemblies) in the affected villages passed resolutions in 2015 and 2016 stating that their lands had been purchased through fraud and coercion. In 2017, Pavitri Manjhi and other activists set up the Adivasi Dalit Mazdoor Kisan Sangharsh, a community group, to use the provisions of India's Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, which criminalizes the dispossession of Adivasi land without their consent. Using the provisions of the Act, on 14 June 2017, the group supported 98 Adivasi women and men from four villages in Raigarh -- Khokhraoma, Katangdih, Nawapara (Tenda) and Bhengari -- to file criminal complaints against middlemen they allege were acting on behalf of the companies, and government officials who registered sale deeds.