Submission for the Call for input for the report on human rights defenders working on climate change and a just transition

FOCUS AREAS 3,4

Submission made by:

Foundation the London Story, Netherlands
India Justice Project (Germany)
International Solidarity for Academic Freedom in India (InSAF India)
London Mining Network (UK)
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State Repression of Indigenous Youth Adivasi HRDs-Led Climate Justice Movements in Bastar

For centuries, the resistance movements of India's Adivasi Indigenous peoples have centred on their struggle to protect their stewardship of *jal, jangal, jameen* [waters, forests, lands] and sustainable livelihoods from the rapacious state-corporate extractivism and industrialization in the name of "development". Such development has come at the cost of extensive displacement-dispossession among the Adivasis, who remain among India's most socio-economically marginalized (health, food and income in-security) communities.[1]

This submission highlights the systematic targeting of Adivasi youth human rights defenders (HRDs)-led climate justice movements in Bastar Division, state of Chhattisgarh, central India. These movements have been at the forefront of resisting the destruction of Bastar's fragile forest ecosystems and critical biodiversity from industrial activities linked to deforestation, soil degradation and climate change. Their advocacy seeks a just transition rooted in Indigenous stewardship, sustainable livelihoods and democratic participation. The submission provides recommendations for the Government of India and makes the case for the UN Special Rapporteur to recognize the structural deployment of counterinsurgency and "law and order" frameworks to delegitimize and repress Adivasi youth-led climate justice movements.

[1] Forum Against Militarization and Corporatization, Foundation The London Story, International Solidarity for Academic Freedom in India, India Justice Project, Germany and London Mining Network (2024) *Violation of Civil and Political Rights of Indigenous Peoples in India* (https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FIND%2F58549&Lang=en); Ministry of Tribal Affairs, Government of India (2014). *Report of the High Level Committee on Socioeconomic, Health and Educational Status of Tribal Communities of India*. (https://cjp.org.in/wp-content/uploads/2019/10/2014-Xaxa-Tribal-Committee-Report.pdf)

Bastar Division is a Fifth Schedule Area, known for its rich forests and Adivasi population comprising several tribes, such as Gonds and Muriyas.[2] Rich also in mineral resources, Bastar has become a sought-after site for intensive mining operations, which are frequently initiated without compliance with environmental and Indigenous consent protocols (FPIC). To contain the resistance of the people against these actions, Bastar has been increasingly militarized.[3]

In 2021, Adivasi resistance in Bastar witnessed the emergence of multiple "small" indefinite movements facilitated by Adivasi youth-led platforms such as Maad Bachao Manch [Save Mount Maad Movement] in north Bastar, and Moolvasi Bachao Manch [Save the Indigenous Peoples Movement] (MBM) in south Bastar.[4] Protests organized under the MBM banner were unlawfully and forcibly shut down on 30 October 2024.[5] Still, others including Maad Bachao Manch and Madhonar Jan Andolan [Madhonar People's Struggle], which are not formally proscribed, and the Adivasi communities, are continuing to resist in the face of increasing repression through militarization.[6]

Many of the Adivasi youth HRDs[7] belong to families impacted in the Salwa Judum counterinsurgency operations in 2005–2011. They are demanding recognition of Adivasis' constitutional rights and FPIC, and halting of forcible land acquisition for extractive/industrial "developmental" projects, illegal construction of highways requiring extensive tree-felling, the setting up of security camps to facilitate these works, and the state repression ranging from everyday intimidation and violence against women, to extrajudicial killings, enforced disappearances, custodial torture and incarceration on false

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[2] Bastar Division is located in southern Chhattisgarh. It is approximately the size of Belgium (about 33,000 km²) with a population of 2.7 million, two-thirds of whom are Adivasis (ICCPR Submission, 2024). There are several Adivasi tribes in Bastar, including the Gonds and Muriyas. The Fifth Schedule of the Constitution of India, contains special provisions for the administration and control of "Scheduled Areas", or those areas with a high concentration of Indigenous populations, with the objective of protecting the autonomy and culture of those Indigenous peoples. The Fifth Schedule recognizes the rights of self-governance over land and resources through customary laws and institutions, including the Gram Sabha, the assembly of the entire adult population of the village. All the seven districts of the Bastar division have been fully recognized as Scheduled Areas.

[3] Just in March 2022, 51 mining leases covering 7128.32 hectares of the region were allocated to 14 public and 37 private companies. FPIC = Free, prior and informed consent. Citizens' Report on Security and Insecurity, Bastar Division, Chhattisgarh, 12 August 2024 (https://cgnarratives.github.io/report_en.pdf#). See also Human Rights Lawyering Clinic (HRLC), National Law School of India University (2024). Human Rights and Environmental Implications of the Proposed Sijimali Bauxite Mine in Odisha (https://www.nls.ac.in/wp-content/uploads/2024/04/Under-the-Surface-Human-Rights-and-Environmental-Implications-of-the-Proposed-Sijimali-Bauxite-Mine-in-Odisha.pdf).

[4] Sundar, N. (7 July 2021) In Bastar's 'Shaheen Bagh', a Youth-Led Movement Quietly Perseveres. *Hindutva Watch* (https://www.hindutvawatch.org/in-bastars-shaheen-bagh-a-youth-led-movement-quietly-perseveres/)

[5] Government of Chhattisgarh. 30 October 2024. Executive Notification F-4-101/Home-C/2024 (https://img.haribhoomi.com/uploadimage/library/free_files/pdf/mahana_2024_11_18_014521.pdf)

[6] For example, see Press Release of 23 March 2025. Adivasi Adhikar Bachao Manch, Madhonar Jan Andolan (Kadiyameta People's Struggle), Toyameta Dharna, District Narayanpur (Chhattisgarh) (https://x.com/IndInsaf/status/1905343705420030051)

[7] Aged around 16 to 28 years.

criminal charges. These Adivasi HRDs, mobilizing people in their thousands, face the same grave systemic forms of retaliation.[8]

This submission is based on reports of civil society fact-finding missions, information from the ground and the scant investigative journalism in the region. Relevant jurisprudence and statutory frameworks include the Fifth Schedule of the Indian Constitution (Article 244); the *Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006* (FRA 2006); and the *Provisions of the Panchayats (Extension to Scheduled Areas) Act 1996* (PESA 1996),[9] international human rights (HR) law and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

Backlash by the State: Institutionalized Repression of Adivasi HRDs

The responsibility of the Indian State under international HR law is unequivocal. As a party to the International Covenant on Civil and Political Rights and membership of the UN Human Rights Council, India bears the obligation to respect, protect and fulfil the rights of all individuals, including the right to freedom of expression, peaceful assembly and protection from arbitrary detention. The Indian Constitution also imposes a specific duty to safeguard land and forest rights of Adivasi peoples.[10]

Still, Bastar's Adivasi HRDs face violent systemic backlash for asserting their internationally recognized rights to land, forest, and a clean and sustainable environment. This retaliation is neither incidental nor sporadic, it is structured, institutionalized and militarized, with the Indian state's security forces, legal apparatus and administrative arms often acting in concert to suppress Indigenous dissent. The core strategies include: embedding security forces in civilian areas under the guise of development; criminalizing peaceful movements with arbitrary detention of HRDs under repressive legislation; and persistent failure in investigating/prosecuting state actors involved in HR violations.

Embedding security forces under the guise of development

Since 2019, about 250 security camps have appeared in Bastar. One recent report indicates that in some areas, there is one security personnel for every nine civilians, starkly underscoring the region's intensifying militarization.[11] Camps are often constructed overnight over Adivasi lands, without FPIC as mandated under PESA (1996)/FRA (2006).

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[8] Recent Incidents in Bastar (2024): A Fact Sheet by PUCL (23 December 2024) *Ground Xero* (https://www.groundxero.in/2024/12/23/recent-incidents-in-bastar-2024-a-fact-sheet-by-pucl/); Kumar, M. (16 June 2021) Why thousands of Adivasis protest against police camp in Silger? *Maktoob Media* (https://maktoobmedia.com/india/why-thousands-of-adivasis-protest-against-police-camp-in-silger/)

[9] Human Rights Lawyering Clinic (HRLC), National Law School of India University (2024) Human Rights and *Environmental Implications of the Proposed Sijimali Bauxite Mine in Odisha* (https://www.nls.ac.in/wp-content/uploads/2024/04/Under-the-Surface-Human-Rights-and-Environmental-Implications-of-the-Proposed-Sijimali-Bauxite-Mine-in-Odisha.pdf)

[10] See Footnote 2.

[11] *Citizens' Report on Security and Insecurity, Bastar Division, Chhattisgarh* (12 August 2024) (https://cgnarratives.github.io/report_en.pdf#)

The placement of most camps reveals their underlying strategic purpose. They are overwhelmingly near sites of ongoing or proposed mining and major transport corridors. For example, the 52-km Nelasnar-Gangalur road runs close to the Bailadila iron-ore mines. It traverses 17 Adivasi villages and is punctuated at intervals of 3–5 km by approximately11 security camps.[12]

Criminalization of HRDs and peaceful movements

The curtailment of Adivasi HRDs' rights is part of a broader pattern of HR violations and a climate of police impunity justified by the State as counterinsurgency operations to eradicate Naxalism.[13] Adivasi HRDs are frequently harassed as "Naxalite" sympathizers/insurgents and the National Investigation Agency (NIA) often prosecutes Adivasi HRDs under anti-terrorism laws, notably the *Unlawful Activities (Prevention) Act* (UAPA) and the *Chhattisgarh Special Public Security Act 2005* (CSPSA) (e.g. see here,[14] here[15] and here[16]).[17] This is despite HRDs adhering to laws and constitutional rights to freedom of expression and assembly, and strongly suggests misuse of state power, to delegitimize environment-related Indigenous movements.

Adivasi HRDs are also frequently harassed (e.g. confiscation of personal property, including mobile phones), beaten, coerced to surrender as Naxalites, or arbitrarily picked up from homes or protest sites or when travelling between them or to seek State permission for holding events.[18]

Entire protest gatherings also face repression and the sites demolished. In February 2025, in the fourth arson attack by security forces on Madhonar Jan Andolan's Toyameta site,

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[12] Figure 12, *Citizens' Report on Security and Insecurity, Bastar Division, Chhattisgarh* (12 August 2024) (https://cgnarratives.github.io/report_en.pdf#)

[13] Sharma, A. (2 January 2025) Chhattisgarh claims it is winning against Naxals. But the victory comes at the cost of tribal lives and rights *Frontline* (https://frontline.thehindu.com/the-nation/naxalism-chhattigarh-amit-shah-maoists-bastar-security-forces-coal-mining-tribal-rights/article69050123.ece); Sikdar, S. (25 August 2024) India will be free of Left Wing Extremism by March 2026, says Amit Shah. *The Hindu* (https://www.thehindu.com/news/national/india-to-be-free-of-naxal-menace-by-2026-time-for-final-assault-amit-shah/article68563001.ece);

[14] UN Special Rapporteur on Human Rights Defenders. (15 October 2024). India: arbitrary arrest and detention of Adivasi woman human rights defender Suneeta Pottam (joint communication). (https://srdefenders.org/india-arbitrary-arrest-and-detention-of-adivasi-woman-human-rights-defender-suneeta-pottam-joint-communication/)

[15] UN Special Rapporteur on Human Rights Defenders (13 February 2025). India: arbitrary arrest, detention and physical assault of environmental human rights defender Bijendra Korram (joint communication) (https://srdefenders.org/india-arbitrary-arrest-detention-and-physical-assault-of-environmental-human-rights-defender-bijendra-korram-joint-communication/)

[16] Frontline Defenders (19 April 2024) Human rights defender Surju Tekam arrested by Chhattisgarh Security Forces (https://www.frontlinedefenders.org/en/case/human-rights-defender-surju-tekam-arrested-chhattisgarh-security-forces)

[17] Peoples Union for Democratic Rights (29 June 2024) Extra judicial killings, False arrest and Forced Surrenders in Bastar: The Unchecked Violation of human rights. *Counter Currents* (https://countercurrents.org/2024/06/extra-judicial-killings-false-arrest-and-forced-surrenders-in-bastar-the-unchecked-violation-of-human-rights/)

[18] Press Release, 17 February 2024. Moolvasi Bachao Manch (ground information).

banners displaying martyrs, Indian Constitution, PESA/FRA, tents, and other belongings of the people were set on fire. Mobile phones were banned so that the attack could not be filmed.[19]

These examples illustrate the systemic intent to extinguish the extensive mobilization by youth-led Manches for continued forcible displacement–dispossession of Bastar's Adivasi communities under the guise of counterinsurgency.

Lack of Investigation/Prosecutions of State Actors Repressing HRDs

To date, there has been no investigation/prosecution in relation to the intimidation of HRDs working in Bastar. Judicial remedies are, in practice, inaccessible to Adivasi HRDs. Courts rarely intervene to uphold their rights.[20] Even other HRDs seeking judicial redress for Adivasi HR violations, including extrajudicial killings and custodial torture, have been reprimanded or treated with suspicion by the judiciary.[21]

The National Human Rights Commission (NHRC) is the only, nominally available, forum for seeking protection.[22] Its lacks effective powers for enforcement and the institutional independence necessary to operate in highly securitized environments. For example, Adivasi HRDs given NHRC directives for protection continue to face intimidation and arbitrary detention, without any accountability.[23]

Case study: The Systematic Suppression and Banning of Moolvasi Bachao Manch

MBM emerged in 2021 following police firing at a protest site in Silger, south Bastar. It rapidly became a vital youth-led platform, organizing, mobilizing and amplifying the voices of thousands of Adivasis demanding autonomy and braving police intimidation and

[19] Toyameta village is in Bastar district; Press Release 15 February 2025. Madhonar Jan Andolan Toyameta Dharna (Kadiameta Jan Sangharsh) (https://x.com/IndInsaf/status/1891521581530108053)
[20] Forum Against Militarization and Corporatization, Foundation The London Story, International Solidarity for Academic Freedom in India, India Justice Project, Germany and London Mining Network (2024) *Violation of Civil and Political Rights of Indigenous Peoples in India* (https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FIND%2F58549&Lang=en)
[21] Bhatia, G. (26 October 2022). Punished for Seeking Justice: India's Supreme Court Ruling in Himanshu Kumar v. State of Chhattisgarh, *Völkerrechtsblog* (https://voelkerrechtsblog.org/punished-for-seeking-justice/)
[22] Khanduri, M. (29 April 2025) As India's NHRC gets a downgraded 'B' status, a logical conclusion to its steady decline of autonomy. *The Leaflet* (https://theleaflet.in/international-law-world-affairs/as-indias-nhrc-gets-a-downgraded-b-status-a-logical-conclusion-to-its-steady-decline-of-autonomy)
[23] UN Special Rapporteur on Human Rights Defenders (15 October 2024) India: arbitrary arrest and detention of Adivasi woman human rights defender Suneeta Pottam (joint communication) (https://srdefenders.org/india-arbitrary-arrest-and-detention-of-adivasi-woman-human-rights-defender-suneeta-pottam-joint-communication/).

violence to demand accountability for HR violations.[24] MBM advocated for adherence to Indian constitutional and statutory provisions for Fifth Schedule Areas.[25] MBM and allied platforms consistently emphasize that India's so-called development policies extracted resources from Adivasi lands while systematically excluding Adivasi communities from the benefits accrued. They demand an end to state repression of Adivasi communities and articulate alternative development models that prioritize ecological sustainability, respect Indigenous land rights, and align with international principles of just transitions to climate-resilient futures.[26]

From its inception, MBM faced repression. State authorities employed various tactics – humiliation, intimidation, surveillance and repeated arrests of prominent organizers – to dismantle the movement, but failed.[27] MBM represented a decentralized collective force, comprising hundreds of Adivasi youth bound together by a shared commitment to democratic principles and Indigenous self-determination. Villagers embodied the collective spirit of customary village life while participating at and maintaining protest sites.[28]

Unable to fracture the movement through intimidation, the State turned to criminalization. On 30 October 2024, Chhattisgarh Government declared MBM an "unlawful organization" under CSPSA 2005, because its peaceful mobilization and advocacy against extractive projects and militarization constituted "instigation of the general public" against the state's "vision of development".[29]

Rather, banning MBM represents a politically motivated use of executive power to extinguish environmental Adivasi mobilization and violates constitutional guarantees of freedom of expression, association, and assembly, and India's international HR obligations.[30] The repression continues despite MBM's former President Raghu Midiyami

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[24] Subramaniam, M. (8 June 2021). At Bastar protest site, the young almost brokered a breakthrough – but now fear police harassment. *Scroll.in* (https://scroll.in/article/996938/at-bastar-protest-site-the-young-almost-brokered-a-breakthrough-but-now-fear-police-harassment)

[25] See Footnote 2.

[26] Subramaniam, M. (20 February, 2022) In Bastar, Bhumkal inspires young Adivasis to keep nine-month-old Silger protest alive, Scroll.in (https://scroll.in/article/1017776/in-bastar-bhumkal-inspires-young-adivasis-to-keep-nine-month-old-silger-protest-alive)

[27] Sheeba Sydeek, R.M. (20 November 2024) Chhattisgarh: Adivasi organisation protesting militarisation and corporatisation in Bastar banned by state government. *Counter Currents* (https://countercurrents.org/2024/11/chhattisgarh-adivasi-organisation-protesting-militarization-and-corporatisation-in-bastar-banned-by-state-government/); Subramaniam, M. (20 February, 2022) In Bastar, Bhumkal inspires young Adivasis to keep nine-month-old Silger protest alive, Scroll.in (https://scroll.in/article/1017776/in-bastar-bhumkal-inspires-young-adivasis-to-keep-nine-month-old-silger-protest-alive)

[28] FACAM (2022) *Siege of Silger: A Report on Bastar's Anti-Camp Movement Against Corporatization Militarization*. New Delhi, Forum Against Corporatization and Militarization (https://indiamattersuk.com/wp-content/uploads/2023/08/facam-silger-report-13-july-2022.pdf)

[29] Government of Chhattisgarh. 30 October 2024. Executive Notification F-4-101/Home-C/2024 (https://img.haribhoomi.com/uploadimage/library/free_files/pdf/mahana_2024_11_18_014521.pdf). The notification was made public only on 18 November 2024, thereby effectively negating the legally mandated two-week window to file an appeal against the ban, a blatant violation of due process.

[30] Sundar, N.(27 November 2024) In Chhattisgarh, Zero Tolerance for Democracy. *The Wire* (https://thewire.in/rights/in-chhattisgarh-zero-tolerance-for-democracy)

publicly declaring its formal dissolution on 22 December 2024 in a representation challenging the ban **[Annexure A]**. Former MBM leaders/members are still targeted. On 27 February 2025, Midiyami was arrested under UAPA and CSPSA 2005 while seeking treatment for serious injuries sustained in a vehicle accident. He has not been provided the necessary medical care in detention leaving untreatable injuries on his body **[Annexure B]**.

Midiyami, who spearheaded nearly 30 peaceful sit-in demonstrations, has been charged primarily for his past defiance: for organizing protests against the construction of security camps and mining-related road projects, and for exposing alleged fake encounters conducted by security forces.[31] His arrest, and the ongoing harassment and threats against other former MBM members, are not aimed at addressing any current threat, but rather constitute punitive measures designed to punish past resistance and deter future mobilization.

The sustained targeting of MBM's young leadership reflects the state's fear of the emergence of an independent, democratic, Indigenous youth political consciousness capable of challenging its extractive and militarized vision for the region.

Conclusion and Recommendations

The banning of MBM, and Midiyami's arrest and interrogation while still injured, reflects a pattern of targeted repression aimed at dismantling grassroots climate justice-oriented Adivasi leadership and peaceful dissent. This has allowed the State to intensify its military operations for enabling large-scale extractivism in Bastar, which have a devastating impact on Adivasi communities and accelerate environmental destruction.[32] The repression of Adivasi HRDs undermines efforts to mitigate climate change and build climate-resilient societies, and is therefore not merely a local HR issue, but a global environmental concern.

Recommendations for the Government of India

- Immediate repeal of the ban on MBM with unconditional release all incarcerated Adivasi HRDs and halt to the state militarization of Bastar and the ongoing armed operations.
- Prosecution of security personnel involved in HR violations.
- Constitute an independent judicial inquiry in the situation of Adivasi HRDs in Bastar.

[31] Shantha, S. (3 June 2023) NIA Arrests Raghu Midiyami, Bastar's Vocal Critic of Militarisation and Extra-Judicial Killings. *Progressive Internationale* (https://progressive.international/wire/2025-03-06-nia-arrests-raghu-midiyami-bastars-vocal-critic-of-militarisation-and-extra-judicial-killings/en)

[32] Subramaniam, M. (29 April 2025) As Maoists ask for ceasefire, security forces shell hills sheltering top insurgent leaders. *Scroll.in* (https://scroll.in/article/1081780/as-maoists-ask-for-ceasefire-security-forces-shell-hills-sheltering-top-insurgent-leaders)

- Ensure HRDs in areas such as Bastar engage on an equal footing with other parts of civil society and are included in policy consultations that impact on their customary and constitutionally mandated land rights and cultural rights, and FPIC is respected.

- Strengthen independent human rights bodies such as the NHRC to ensure they are effective in holding state authorities accountable.

- Repeal anti-terror legislations such as the UAPA and CSPSA.

Calls to Action for International Bodies

This submission has highlighted the urgent need for international bodies to:

- Support the Adivasis in their call to the Government of India for an immediate cessation of state-sanctioned militarization and violence in Bastar.

- Demand an independent judicial inquiry into the extensive HR violations in the region.

Also, the OHCHR must begin monitoring the situation in Bastar and advocate for protection of its HRDs working for climate justice, to ensure their voices are heard and their rights upheld.

Annexure A

प्रति,

दिनांक: 22.11.2024

डी पी कौशल
उप-सचिव, गृह (सी-अनुभाग) विभाग
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विषय: छत्तीसगढ़ विशेष जन सुरक्षा अधिनियम, 2005 की धारा 4 के तहत मूलवासी बचाओ मंच की ओर से अभ्यावेदन

माननीय,

मैं, रघु मिडियामी, मूलवासी बचाओ मंच का पूर्व अध्यक्ष हूँ। यह पत्र मैं मंच के पूर्व सदस्यों की ओर से लिख रहा हूँ। जब यह मंच विधिक रूप से कार्यरत था, तब मैं इसका अध्यक्ष था। हमारे मंच के सदस्यों को दिनांक 18.11.2024 को पता चला कि सरकार ने दिनांक 8.11.2024 को राजपत्र में अधिसूचना जारी की है, जिसमें इस मंच को छत्तीसगढ़ विशेष जन सुरक्षा अधिनियम के अंतर्गत प्रतिबंधित किया गया है। यह जानकारी हमें बहुत देर से मिली क्योंकि यह केवल राजपत्र में प्रकाशित हुई, जो बस्तर के गांवों तक नहीं पहुंच पाई। इस प्रतिबंध पर पुनर्विचार करने और इसे हटाने के लिए मैं यह पत्र लिख रहा हूँ।

1. अधिसूचना में लगाए गए आरोप अस्पष्ट हैं

आरोपों का कोई ठोस प्रमाण या विवरण नहीं दिया गया। इससे यह समझ पाना भी कठिन है कि ऐसा कौन सा कार्य मंच ने किया जिससे यह कार्रवाई उचित हो। बिना सटीक आरोप और तथ्यों के, हम अपना पक्ष कैसे रख सकते हैं?

2. हमारा उद्देश्य गलत समझा गया है

यह कहना कि मूलवासी बचाओ मंच विकास कार्यों का विरोध करता है, पूरी तरह गलत है। हमारा मंच ऐसा विकास चाहता है जो आदिवासी समुदायों के अधिकारों, संस्कृति और आजीविका का सम्मान करे। हमने हमेशा आंतरिक गाँवों में स्कूल, अस्पताल और आंगनवाड़ी जैसी सुविधाओं की मांग की है। हम मानते हैं कि विकास के नाम पर हमारी जमीन, जंगल और आजीविका को छीनना गलत है, पर बस्तर के गाँवों में आदिवासियों के जीवन को बेहतर बनाने के लिये कई अन्य विकास कार्यों की आवश्यकता है। हमारा विरोध

केवल उन परियोजनाओं के खिलाफ रहा है, जो ग्राम सभा की सहमति के बिना लागू की गई हैं और आदिवासियों के हितों को नुकसान पहुँचाती हैं।

सुरक्षा कैंपों का विरोध भी इसी कारण हुआ, क्योंकि इन्हें बिना गाँववालों की सहमति स्थापित किया गया। इनसे जंगलों का नुकसान होता है, देव स्थलों को क्षति पहुँचती है और ग्रामीणों को परेशानियाँ होती हैं। बस्तर पाँचवी अनुसूचित क्षेत्र है, जहाँ पेसा और वन अधिकार कानून लागू हैं। इन कानूनों के तहत विकास योजनाएँ तभी लागू हो सकती हैं जब ग्राम सभा सहमति दे। हमारी माँगें केवल इन कानूनों का पालन सुनिश्चित करने की हैं और इनमें कुछ भी विधि-विरुद्ध नहीं है।

3. हमेशा शांति से काम किया है

अधिसूचना में ये भी लिखा है कि हमारा मंच लोक व्यवस्था और शांति में बाधा उत्पन्न करता है, जो पूरी तरह गलत है। मूलवासी बचाओ मंच आम ग्रामीणों का समूह है, जो बस्तर के आदिवासी समुदायों की समस्याओं को शांति से उठाने के लिए बना है। हमने हमेशा कानून के दायरे में रहकर शांतिपूर्ण ढंग से अपनी मांगें रखी हैं। अब तक हमारे किसी भी प्रदर्शन में हिंसा या अव्यवस्था का एक भी मामला सामने नहीं आया है। संविधान हमें बोलने, अपनी बात रखने, शांति से इकट्ठा होने, संगठन बनाने और शांतिपूर्ण विरोध का अधिकार देता है। हमने हमेशा इन अधिकारों का सम्मान किया है और कानून के दायरे में रहते हुए शांतिपूर्ण तरीके से अपनी बात रखी है।

मूलवासी बचाओ मंच एक खुला मंच है जिसमें स्थानीय युवाओं ने ही मुख्य भूमिका निभाई है। यह 2021 में सिलगेर कैम्प के विरोध प्रदर्शन के दौरान गठित हुआ था। तब से लेकर आज तक, मूलवासी बचाओ मंच ने सरकार से कानूनी और शांतिपूर्ण तरीके से संपर्क किया है, और बातचीत की है। हमने जनप्रतिनिधियों के साथ बैठकें की हैं, प्रेस कॉन्फ्रेंस आयोजित की हैं, और सार्वजनिक मंचों पर अपनी समस्याएँ रखी हैं। सिलगेर घटना के सम्बंध में हम माननीय मुख्यमंत्री से भी मिले थे। अगर हमारा मंच बस्तर की जनता के हित में काम नहीं कर रहा होता, तो ये सारे अधिकारीगण और जन प्रतिनिधि हम से बातचीत क्यों करते? हमने जिलाधिकारियों और पुलिस अधिकारियों से भी लगातार संपर्क बनाए रखा है।

4. प्रतिक्रिया का उचित अवसर न मिलना

इस बात पर ध्यान देना जरूरी है कि दिनांक 30.10.2024 की अधिसूचना की जानकारी हमें और बस्तर के गाँवों की जनता को 18.11.2024 को मिली, जब यह मीडिया में आई। इससे पहले यह सिर्फ राजपत्र में छपी थी, जो हमारे जैसे दूर-दराज़ के इलाकों में पहुँचती ही नहीं। इसके परिणामस्वरूप, मंच को न तो अपनी प्रतिक्रिया तैयार करने का समय मिला और न ही सही प्रक्रिया का पता लगाने का अवसर।

सरकार को यह भी ध्यान रखना चाहिए कि किसी संगठन पर प्रतिबंध लगाना एक गंभीर कदम है, और इसके पहले सही प्रक्रिया अपनाना और हमें नोटिस देना और सुनवाई का मौका देना जरूरी था। हम दूर दराज़ इलाकों में बसते हैं, हम ज्यादा पढ़े लिखे भी नहीं है, और हमारी हिंदी भी कमज़ोर है। अचानक से प्रतिबंध लगाने के कारण हम उचित कानूनी सहायता लेने में भी असमर्थ हैं, और अपने सभी पूर्व सदस्यों से संपर्क कर, उन्हें सही जानकारी भी नहीं प्रदान कर पाये हैं । इसलिये यह प्रक्रिया असंवैधानिक है, और मंच के पूर्व सदस्यों को भय और अन्यायपूर्ण स्थिति में डाल देती है।

माँगें

1. मूलवासी बचाओ मंच पर लगाए गए प्रतिबंध को हटाया जाए।
2. मूलवासी बचाओ मंच के सदस्यों को निष्पक्ष सुनवाई और कानूनी सहायता का अवसर प्रदान किया जाए। बिना सुनवाई के लगाया गया यह प्रतिबंध न सिर्फ आदिवासी समुदायों के अधिकारों का हनन है, बल्कि संविधान द्वारा दी गई आज़ादी का भी उल्लंघन है। इससे जनता को यह गलत संदेश जाता है कि अपनी समस्याओं पर आवाज़ उठाना भी अपराध है।
3. विचाराधीन अवधि में इस प्रतिबंध को स्थगित कर, हमारे सदस्यों के खिलाफ इस मंच की सदस्यता को लेकर कोई कार्रवाई न की जाए।

हम सरकार को आश्वस्त करते हैं कि हम सभी कानूनों का पालन करते हैं, और उक्त आदेश की जानकारी के बाद से हमने मंच के सभी कार्यक्रमों को रोक दिया है। हमने इस प्रतिबंध का कानूनी रुप से विरोध करने का फैसला लिया है जिसके लिये मुझे अधीकृत किया गया है। हमारा उद्देश्य हमेशा आदिवासी अधिकारों की रक्षा, संविधान का सम्मान और न्याय प्राप्त करना रहा है। आपसे इस पत्र पर न्यायपूर्ण निर्णय लेने की कृपा की अपेक्षा है।

Raghu

आभारी,

रघु मिडियामी

Pagui

पूर्व अध्यक्ष, मूलवासी बचाओ मंच

परलकट्टा, सुकमा

Annexure A1

To

Date: 22.11.2024

D. P. Kaushal
Deputy Secretary, Home (C-Section) Department
Mantralaya, Mahanadi Bhawan, Nava Raipur Atal Nagar
Chhattisgarh 492001

Subject: Representation on behalf of Moolvasi Bachao Manch under Section 4 of Chhattisgarh Special Public Security Act, 2005

Sir,

I, Raghu Midiyami, am the former President of Moolvasi Bachao Manch. I am writing this letter on behalf of the former members of the Manch. I was its President when the Manch had been functional under the law. Our Manch members became aware on 18.11.2024 that the Government has issued a notification in the Gazette dated 8.11.2024, in which this Manch was banned under the Chhattisgarh Special Public Security Act. We obtained this information very late as it was published only in the Gazette, which could not reach the villages of Bastar. I am writing this letter to request reconsidering and cancelling this ban.

1. The allegations made in the notification are ambiguous

No concrete evidence or details have been given regarding the allegations. This makes it difficult to understand as to what activity the Manch had engaged in that justifies the action. Without precise allegations and facts, how can we put forward our side of the case?

2. Our objectives have been misunderstood

It is completely wrong to say that Moolvasi Bachao Manch opposes development works. Our Manch is demanding development that respects the rights, culture and sources of livelihood of the Adivasi communities. We have always demanded facilities like schools, hospitals and *anganwadis* [child nurseries] in the interior villages. We believe that it is wrong to grab our lands, forests and livelihoods in the name of development, but many other development works are needed to improve the lives of Adivasis in the villages of Bastar. Our opposition has been against only those projects which have been implemented without the consent of the Gram Sabha [village people's assembly] and harm the interests of the Adivasis.

The security camps were also opposed for the same reason, because they were set up without the consent of the villagers. These cause destruction of the forests and damage to religious sites and cause problems for the villagers. Bastar is a Fifth Schedule Area, where PESA and the Forest Rights Act are in force. Under these laws, development plans projects can be implemented only when the Gram Sabha has given its consent. Our demands are only about ensure compliance with these laws and there is nothing illegal about making such demands.

3. We have always worked in a peaceful manner

The notification also states that that our platform has been disturbing public order and peace, which is completely wrong. Moolvasi Bachao Manch is a community group of ordinary villagers, which has been formed to raise in a peaceful manner, the problems of the Adivasi communities of Bastar. We have always worked peacefully by raised our

demands within the ambit of the law. To date, not a single case of violence or disorder has been reported from any of our demonstrations. The Constitution gives us the right to speak, express our views, assemble peacefully, form organisations and protest peacefully. We have always respected these rights and have expressed our views peacefully while staying within the ambit of the law.

Moolvasi Bachao Manch is an open forum in which it is the local youth who have played a key role. It was formed in 2021 during the time of the protests against the Silger camps. Since then and to date, Moolvasi Bachao Manch has communicated with the government in a lawful and peaceful manner. We have held meetings with public representatives, organised press conferences, and raised our issues on public forums. We also met the Hon'ble Chief Minister regarding the Silger incident. If our forum had not been working in the interests of the people of Bastar, why would all these officials and public representatives talk to us? We have also maintained constant communication with the District Magistrates and Police Officers.

4. Lack of a proper opportunity to respond

It is important to note that the notification dated 30.10.2024 came to our notice and became known to the people of Bastar's villages on 18.11.2024, when it appeared in the media. Prior to this, it was only published in the Gazette, which does not reach remote areas like ours. As a result, the Manch neither had time to prepare its response nor the opportunity to find out about the correct procedure.

The government should also bear in mind that banning an organisation is a serious step, and before this step, it is necessary to follow the correct procedure and give us notice and an opportunity to be heard. We live in remote areas, we are not very educated, and our Hindi is also weak. Due to the sudden ban, we are also unable to seek appropriate legal help, and have not been able to contact all our former members and provide them the correct information. Therefore, this process is unconstitutional, and has put the former members of the Manch in a situation of fear and injustice.

Demands

1. The ban imposed on the Moolvasi Bachao Manch should be lifted.

2. The members of the Moolvasi Bachao Manch should be given the opportunity of a fair hearing and legal aid. The imposition of this ban without a hearing not only violates the rights of the Adivasi communities, but also violates the freedom granted by the Constitution. This sends a wrong message to the public that raising voice about one's problems is also a crime.

3. Following suspension of this ban during the period of consideration, no action should be taken against our members regarding membership of this Manch.

We assure the government that we follow all the laws, and after coming to know about the said order, we have stopped all the programmes of the Manch. We have decided to legally oppose this ban, and for which I have been authorised. Our objectives have always been to protect Adivasi rights, respect the Constitution and get justice. You are kindly expected to take a fair decision on this letter.

Thanking you,

[Signed by Raghu Midiyami]

Annexure B

CAMPAIGN FOR PEACE AND JUSTICE IN CHHATTISGARH

cpjchhattisgarh@gmail.com

Date: 13.04.2025

Update on the Ongoing Medical Neglect and NIA Custody of Raghu Midiyami

The Campaign for Peace and Justice in Chhattisgarh (CPJC) expresses serious concern that Raghu Midiyami—currently incarcerated in Jagdalpur prison in a fabricated case—has now been sent to NIA custody for seven days, forty days after his arrest. This transfer has taken place despite his ongoing medical condition and the continued denial of adequate treatment.

Raghu Midiyami is the former president of the Moolvasi Bachao Manch (MBM), a grassroots Adivasi platform formed in 2021 in response to state violence and displacement in South Bastar. The organisation campaigned for the implementation of constitutional safeguards such as PESA and FRA, and played a central role in peaceful, locally organised mass protests across the region. In October 2024, the Chhattisgarh government banned MBM under the Chhattisgarh Special Public Security Act (CSPSA), citing vague allegations of "threats to public order" and "internal security"—including its opposition to state-led "development" projects and the establishment of security camps. The ban reflects a punitive attempt by the state to dismantle democratic dissent in Bastar. Following the order, Raghu—on behalf of MBM—submitted a letter to the state government questioning the basis of the ban, formally notifying them of the organization's immediate dissolution, and clearly indicating their intent to pursue legal remedies. Despite this, and despite the cessation of all protests under the MBM banner, former members began facing state reprisals for their past participation.

Sequence of events- arrest, medical neglect and grant of NIA custody

In mid-February 2025, Raghu sustained multiple injuries in a serious motorbike accident, including trauma to both legs, deep lacerations on his thighs and neck, and a crushed finger on his left hand. On 27 February, while attempting to access further treatment for these visibly serious injuries in Dantewada, he was forcibly picked up, illegally detained, and eventually arrested by the NIA.

When Raghu was produced before the Magistrate shortly after his arrest, the court was informed of his injuries. The Magistrate directed jail authorities to report on his medical condition and ensure he received appropriate treatment. However, the follow-up appears to have been neither timely nor adequate. In the weeks that followed, his condition deteriorated: the wound on his leg became visibly infected, with pus and inflammation, and his crushed finger continued to require surgical intervention. Yet, only superficial dressings were applied, and no critical medical procedures were undertaken.

On 25 March 2025, nearly a month after his arrest, the NIA moved an application seeking ten days of custody. It stated that remand had not been sought earlier due to Raghu's injuries, but now claimed he was medically fit. This justification was not only inaccurate—given his still-visible injuries—but also deeply questionable. In support of their request, the application alleged that "*besides being a Maoist supporter, he is also the President of the Moolvasi Bachao Manch Bastar Division,"* and that since the organisation has been categorized as banned by the Chhattisgarh government, *"the accused's dangerous nature is automatically indicated."* his reasoning is as dangerous as it is absurd—it rests not on evidence or criminal conduct, but on Raghu's past leadership of a peaceful, now-dissolved organisation. It collapses the distinction between dissent and criminality and retroactively transforms lawful political participation into grounds for state persecution.

Two days later, on 27 March, doctors at Dimrapal Hospital informed Raghu that the infected tissue on his foot would require surgical cleaning and stitching. This recommendation, too, was not acted upon. As of 29 March, his leg remained visibly infected, with pus still oozing from the wound.

By 7 April, he had still not received even the most basic topical ointment prescribed for the painful abrasions on his neck. The untreated wounds, aggravated by heat and humidity, continued to cause persistent burning and discomfort.

Nevertheless, on 9 April—forty-one days after his arrest—the NIA Special Court in Jagdalpur granted seven days of NIA custody. Raghu was transferred to Raipur for interrogation, despite his continued poor health and untreated injuries.

Conclusion

His leg remains infected, his hand injured, and medical care has been denied. Yet, instead of ensuring urgent care, both the state and the court have shown a disturbing readiness to subordinate health and due process to the alleged imperatives of the investigation. In a condition of such evident physical vulnerability, proceeding with custodial interrogation is medically unsound, ethically indefensible, legally questionable, and indicative of deeply troubling state priorities and practices. The continued denial of adequate care significantly increases the risk of long-term harm. We reiterate our serious concern and call for the immediate provision of appropriate and sustained medical care to Raghu Midiyami. The fabricated case against him must be withdrawn, and he must be released from custody without delay.