

To
Dr. S. C Jamir
Hon'ble Governor of Odisha

12th April 2016

Dear Sir

We are writing to express our deep anguish at the arrest of Dasru Kadraka a 25-year-old tribal youth belonging to the Dongria Kondh community and part of the Niyamgiri Surakshya Samiti, a collective of local Dongria Kondh people who are fighting against bauxite mining on Niyamgiri hills, which is their only home.

Dasru was arrested on the 7th of April 2016 from Muniguda town of Rayagada District of Odisha on charges of arson, murder, attacking forces during combing ops, etc. The local police are presenting him as a maoist militia leader who was absconding, but they have not recovered any arms or incriminating evidence to prove it. He was also picked up from the main market at Muniguda town, which also proves that he hasn't absconded.

This is the third case of intimidation against the Dongria Kondh community in the last few months. They have been peacefully struggling against the mining of their hills for more than a decade. On 27 February this year, while the Dongria Kondh were celebrating their annual Niyam Raja parab, Mando Kadraka, a 20-year-old student and Adivasi youth activist of Niyamgiri Suraksha Samiti was murdered reportedly in a cold blooded 'encounter' by the para-military forces. The state of Odisha has yet to prove any shred of evidence of taking part in any maoist related activities against him. On the 28 of November 2015, Drika Kadraka, an Adivasi leader of Niyamgiri Suraksha Samiti committed suicide after being repeatedly picked up and reportedly tortured by the local police.

Since 12 village gram sabhas have rejected the mining of Niyamgiri in a series of meetings organised by the Government of Odisha in July-August of 2013, following the Supreme Court order of April 2013, there have been repeated attempts by the state government to reintroduce the proposal and to start mining in the region. Recently, the Odisha Mining Corporation filed a petition in the Supreme Court to reopen the mining. The Supreme Court has refused to admit the petition and has asked the government to make the 12 gram sabhas that had earlier rejected the mining parties in the petition.

Sir, in the case of Nandini Sundar and Ors vs The State of Chhattisgarh (WRIT PETITION (CIVIL) NO. 250 OF 2007), also referred to as the Salwa Judum Judgement, the Supreme Court in its wisdom, reinstated that the current social order which treats any person speaking for human rights and questions the current paradigm of the State as a maoist or a maoist sympathizer, has become a serious problem affecting our nation and that any peaceful dissent or dissatisfaction which is a positive feature of democracy, is often not recognized by the authorities and is met with severe repression.

The continued intimidation of the Dongria Kondh community, with a population of less than ten thousand people, raises serious doubts as to whether it is being purposely done to break their continued resolve to oppose the mining of the Niyamgiri hills and fragment their movement.

We demand that Dasru Kadraka be released immediately and all charges against him are withdrawn. We also demand that all paramilitary forces are removed from the hills immediately, any coercive and inappropriate methods for forcing the adivasis to accept the

mining be stopped, and that no more attempts are made by the state government to restart the mining activity in the area.

Yours sincerely,
Ashish Kothari and Meenal Tatpati
Kalpavriksh

CC to:

1. Shri Naveen Patnaik, Chief Minister of Odisha
2. Shri Rameshwar Oraon, Chairperson, National Commission for Scheduled Tribes
3. Justice H. L. Dattu, Chairperson, National Human Rights Commission
4. Justice B.K Mishra, Chairperson, Odisha State Human Rights Commission
5. Shri Jual Oram, Minister of Tribal Affairs, Government of India