

18 January 2022

## **India: Human rights defender Narendra Mohanty arrested due to his support for local villagers protesting against the destruction of their plantations**

On 14 January 2022, human rights defender **Narendra Mohanty**, was arrested by Odisha police officers at Dhinkia, in the state of Odisha. His arrest was due to his support for the peaceful protest by the local community against the forcible destruction of their betel vine plantations. Police reportedly violently repressed the protest, injuring many including women and children, and baton charged those present. Narendra Mohanty and two community leaders were arrested, alongside with over 500 villagers from the protest site. They are currently held at the Samagola sub-jail under First Information Report (FIR) 0021 after being denied bail.

[Narendra Mohanty](#) is the Coordinator of Indian Social Action Forum (INSAF) for the State of Odisha, a national forum of over 700 NGOs working to protect the livelihood of marginalized communities and to ensure an ecologically just society. Narendra Mohanty is also the Secretary of the Campaign for Peace in Kandhamal, Odisha, and is associated with the Campaign against fabricated cases, Odisha.

On 14 January 2022, the villagers of Dhinkia, in Odisha's Jagatsinghpur district, organised a protest against the acquisition of land and the destruction of their betel vine plantations by the authorities. The Odisha government has promised the land to JSW Utkal Steel Limited, a multinational company owned by the O.P. Jindal Group, to build a 13.2 million tonnes per annum (MTPA) integrated steel plant comprising of a 900 MW captive power plant and a 10 MTPA cement grinding and mixing unit on the land. The project is worth approximately 8.7 billion USD and it was handed over to JSW Utkal Steel Limited after the South Korean steel making company POSCO exited from the deal in 2017 due to a decade-long protest by the villagers. Establishing the steel plant would mean depriving the villagers of their land, which would consequently deny them access to livelihoods.

At least twelve armed police units were reportedly deployed in the region to demolish the betel vineyards and clear the land to make space for the steel plant. Local leaders of the protest claim that police did not obtain consent from the villagers to demolish their plantations. Odisha police authorities charged the protesters in response to the villagers resistance to the arbitrary destruction of their plantations. Human rights defender Narendra Mohanty, who had travelled from his residence in Cuttack to support the protest, was arrested alongside with local activists and protesters. The Odisha police has registered FIR number 0021 against Narendra Mohanty, local activists and more than 500 persons who were participating in the protest. Under the Indian Penal Code, the FIR states offences include “rioting armed with deadly weapons” (Section 148), “attempt of murder” (Section 307), “voluntarily causing grievous hurt” (Section 325), “assault of criminal force to woman with intent to outrage her modesty” (Section 354), “obstructing public servant in discharge of public functions” (Section 186). They were also charged under Section 7 the Criminal Law (Amendment) Ordinance and Section 4 of the Public Property (Prevention of Damage) Act.

Police authorities demolished three bamboo barricades constructed by the villagers at the entry point to Dthinkia village. The villagers also reported that they had to arrange private ambulances to provide medical support to the injured people, as the police failed to do so.

Front Line Defenders condemns the arrest of human rights defender Narendra Mohanty, local activists and the villagers involved in the protest, as it believes that they are facing reprisals for their legitimate human rights activities. The crackdown on the protest and the use of excessive force by the police violates the democratic principles of tolerating dissent and allowing peaceful forms of protest.

**Front Line Defenders urges the relevant authorities in India to:**

1. Immediately and unconditionally release human rights defender Narendra Mohanty as it is believed that the charges are solely motivated by his legitimate and peaceful work in defence of human rights;
2. Ensure in all circumstances that Narendra Mohanty and the others arrested in the protest are given the right of access to legal representation and to family members' visits in line with India's national and international obligations;
3. Guarantee under all circumstances that those arrested are not subjected to torture or any other form of ill-treatment while in police custody;
4. Guarantee in all circumstances that all human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions - including police and judicial harassment.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 6 (c): *"Everyone has the right, individually and in association with others: (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters"*, and to Article 12 (2): *"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."*

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson

Executive Director