



**Permanent Mission of India  
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**NV.GEN/PMI/353/16/2020**

**7th June, 2021**

The Permanent Mission of India to the Office of the United Nations and Other International Organizations in Geneva presents its compliments to the Special Procedures Branch of the Human Rights Council and has the honour to refer to the Joint Communication No. AL IND 5/2021 dated 9<sup>th</sup> April, 2021, from the Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention; the Special rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Special rapporteur on violence against women, its causes and consequences and the Working Group on discrimination against women and girls and requests that the following information may be brought to the attention of the concerned Special Rapporteurs.

- Ms Hidme Markam, a resident [REDACTED] Dantewada, Chhattisgarh, and President of an outfit called Krantikari Adivasi Mahila Sangathan (KAMS), was arrested in investigation of the case vide First Information Report (FIR) No. 7/2016 of Police Station Aranpur registered under sections 147, 148, 149, and 307 of Indian Penal Code (IPC), sections 26 and 27 of Arms Act, sections 4 and 5 of Explosives Substances Act for rioting, unlawful assembly, attempt to murder, possession of explosives, etc.
- Ms. Hidme Markam's involvement also emerged in the investigation of three other cases, namely FIR No 09/2016, 07/2017, 17/2019 registered at Police Station Aranpur, under various sections of IPC, Arms Act, Explosive Substances Act, Unlawful Activities (Prevention) Act, for her involvement in kidnapping, murder, membership of a banned organization, etc.
- The State Government of Chhattisgarh had announced a reward of Rupees 1 lakh for giving information leading to the arrest of President, KAMS for involvement in unlawful activities. The District Police of Dantewada had also declared an award for an information about Ms. Hidme Markam's whereabouts resulting in her arrest, as she was not joining investigation of the above-mentioned criminal cases.

- Ms. Hidme Markam is currently lodged in judicial custody in district Dantewada.
  - Article 21 and 22 of the Constitution envisage detailed safeguards against arbitrary arrest and detention. It states that a person detained in custody shall be informed as soon as possible of the reasons for his arrest. The arrested person shall not be denied the right to consult a legal practitioner of his choice.
  - The Government of India is committed to ensure the safety and freedom of every person—including human rights defenders and civil society actors—to carry their activities as long as they are legitimate and are not in violation of laws in force in India. In case of violation the Government is bound to follow the due process of law.
2. The Permanent Mission of India requests that the above information may be please brought to the attention of the concerned Special Rapporteurs
3. The Permanent Mission of India to the Office of the United Nations and other International Organizations in Geneva avails itself of this opportunity to renew to the Special Procedures Branch of the Human Rights Council the assurances of its highest consideration.

**The Secretariat of the Human Rights Council,  
(Kind Attn: Chief of the Special Procedures Branch)  
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