



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A constitutional body under Article 338A of the Constitution of India)

Case File No. NCST/ATY-904/MP/132/2023-RO-BH

Dated: 21.07.2023

To,

- 1 **Shri Govind Pratap Singh**
Special Director General of Police,
Crime Investigation Department,
Police Headquarters, Jinsi,
Pratap Nagar, Jahangirabad,
Bhopal, Madhya Pradesh 462008
Email Id: adg_cid@mppolice.gov.in
- 2 **Shri Anoop Kumar Singh**
Collector & District Magistrate
District - Khandwa
Civil lines
Khandwa-450001 (Madhya Pradesh)
E-mail: dmkhandwa@nic.in
- 3 **Shri Satyendra Kumal Shukl**
Superintendent of Police,
District – Khandwa,
Superintendent of Police Office
Civil lines
Khandwa-450001 (Madhya Pradesh)
E-mail: spokhd@nic.in

Subject: Representation of Smt. Usha Dhagore, Khandwa, Madhya Pradesh regarding in relation to registering a case against the accused who killed the son of the applicant and providing security to them.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 15.06.2023 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action. It is requested that compliance report may be submitted to this Commission within 30 days positively for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully

(आर.के. दुबे / R.K. Dubey)
उप निदेशक/ Deputy Director

Copy to:

Smt. Usha Dangore
Village - Makrala, Tehsil - Pandhana
Khandwa, Madhya Pradesh

Nic

National Commission for Scheduled Tribes

NCST / ATY-904 / MP / 132 / 2023-RO-BH

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representation of Smt. Usha Dhagore, in relation to registering a case against the accused who killed the son of the applicant and providing security to them


Date of the Sitting: 15.06.2023 at 12:30 PM

List of Participants: As per Annexure

The Commission received a representation from Smt. Usha Dhangod stating that on the evening of 04.09.2022, the Petitioner's son, Shri. Ankit Bare was threatened and killed by the accused - Shri. Balla, Shri. Umesh, Shri. Waseem, Shri. Munnibai, Shri. Bhika and Shri. Lavkush Dangode. On 09.12.2022 complaints were filed before the Superintendent of Police, Khandwa District and the Collector and District Magistrate, Khandwa District that they were still being threatened. The Petitioner further asked the authorities to investigate the death of Shri. Ankit Bare and at also provide the Petitioner and her family protection from the accused, but neither the Superintendent of Police, Khandwa District and nor the Collector and District Magistrate, Khandwa District took any action on the complaint.

On the Sitting dated 12.04.2023 the Commission recommended the following:

1. The ADG, CB-CID, Madhya Pradesh to conduct an independent and impartial investigation of the entire case based on the facts, circumstances and evidences, statements etc. and the version of Smt. Usha Dhangode and submit the Action Taken Report within 15 days. The entire case file along with evidences produced by the Petitioner before the Commission are to be sent for ensuring fair investigation. It is made clear that the CB-CID, Madhya Pradesh is free to collect as much evidence from the reliable source and do the needful to ensure the quality of investigation.
2. The Superintendent of Police, Khandwa District, Madhya Pradesh will ensure safety and security to the petitioner and her family immediately after receiving the copy of the Minutes with Recommendations till further order.
3. The Next of Kin of the deceased to be paid compensation in accordance with law. The District Collector has to ensure the compensation and benefits of all Social Welfare Schemes to the family of the petitioner.



अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

During the course of hearing on 15.06.2023 the Petitioner submitted that they were kept in the dark during the entire investigation. At the time of her son's death, when they informed the police about the incident, the police did not respond to any calls. It was only after her brother walked all the way from the spot to the police station and pleaded them to look into the issue that they visited the spot. When they tried to follow up with the police authorities on the investigation, the police harassed the Petitioner and her family. The Petitioner's family was made to wait in the police station without any legitimate reason while the panchanama was being conducted. Even the officials of the Crime Investigation Department ("CID") visited the Petitioner's house, took their statements and left. The panchanama was signed by people who did not belong to the village and were unaware of the details of the case. The Petitioner submitted that the report submitted by the officials of the CID was concocted and false. Despite investigation being conducted by 2 agencies the people behind her son's death were still roaming freely, the question of how her son reached the spot still remained unresolved and they were still being threatened by the accused on a regular basis to take back the complaint filed by them.

Shri. Govind Pratap Singh, Director General, CID, Bhopal submitted that they recorded statements of close to 35 people, investigated the spot twice, analysed the Call Detail Record ("CDR") of the Petitioner and sought additional medical opinion on the cause of death of the Petitioner. Based on the investigation, it was found that the Petitioner died as a result of electrocution but the marks of burns were not found on his body since the voltage of current was low. It was further submitted that there was nothing unusual found through the CDR.

Dr. Chanchal Nagar, Additional Inspector General, CID, Ujjain submitted the investigation was conducted very smoothly without any hurry. The authorities have looked into everything in the case and have admitted to have not found on how the deceased reached the spot. The certificate provided by the Madhya Pradesh Electricity Board ("MPEB") states that there was no power-cut on the date of incident. It was further submitted that the grandmother of the deceased mentioned that the deceased used to receive threats from different people, but the authorities did not get clear information. During the investigation, the whereabouts of the other phone owned by the Petitioner was found with Shri. Vijay. It was submitted that Shri. Vijay was given the said phone by the deceased himself for his personal use.

Shri. Anup Kumar Singh, Collector and District Magistrate, Khandwa, Madhya Pradesh clarified that the certificate provided by the MPEB pertains to a large area. It is not possible for MPEB to furnish certificates a specific area.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
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नई दिल्ली/New Delhi

The Commission takes into consideration of the fact that the Petitioner and her family have lost a person and that they are in pain. The Commission observes that the details compensation and benefits of all Social Welfare Schemes provided to the Petitioner have not been furnished. The Commission further notes that the death of the deceased is suspicious since there is no explanation on how and why he reached the spot.

In the forgoing, the Commission recommends the following:

1. The Superintendent of Police, Khandwa, Madhya Pradesh to take disciplinary action against the official who harassed the Petitioner.
2. The Superintendent of Police, Khandwa, Madhya Pradesh to ensure safety of Petitioner and her family.
3. The Director General, CID, Bhopal to furnish details of all the documents pertaining to the case including CDRs, videos and photos
4. The District Collector, Khandwa, Madhya Pradesh to furnish details of compensation and benefits of all Social Welfare Schemes provided to the Petitioner.
5. The Investigation team of the Commission shall visit the place of incidence for fact-finding and investigation and submit the report to the Commission.

Action Taken Report in compliance of the recommendations to be furnished within 30 days for further perusal of the Commission.



अनंत नायक/ANANTA NAYAK
सदस्य/Member
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