



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)

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

Dated: 01.05.2023

To,

1. **Shri Anup Kumar Singh**
Collector & District Magistrate
District - Khandwa
Civil Lines, Khandwa - 450001,
(Madhya Pradesh)
Email: dmkhandwa@nic.in

2. **Shri Satyendra Shukla**
Superintendent of Police
District - Khandwa
Civil Lines, Khandwa - 450001,
(Madhya Pradesh)
Email: spokhd@nic.in

Sub: Representation from Smt. Usha Dhagore, in relation to registering a case against the accused who killed the son of the applicant and providing security to them.

Sir/Madam,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 12.04.2023 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 as stipulated in minutes of the sitting, for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully,

(आर.एस.मिश्र / R.S. Misra)

अनुसंधान अधिकारी / Research Officer (SSW)

Telephone No. : 24645826

Copy to:

Smt. Usha Dangore
Village - Makrala,
Tehsil - Pandhana
District- Khandwa,
(Madhya Pradesh - 450661)

Copy for information

1. PS to Hon'ble Member, NCST.
2. NIC, NCST for uploading on the website of the Commission.

National Commission for Scheduled Tribes

No. 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 Petitioner and providing security to them.

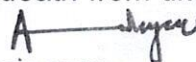
Date of the Sitting: 12.04.2023 at 11:30 AM

List of Participants: As per Annexure

The Commission received a representation from Smt. Usha Dhangod stating that on the fateful 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 nor the Collector and District Magistrate, Khandwa District took any action on the complaint.

Considering the gravity of the issue the Commission issued Notice to the Superintendent of Police, Khandwa District and the Collector and District Magistrate, Khandwa District, Madhya Pradesh to submit the Action Taken Report within 03 days The Superintendent of Police, Khandwa District, Madhya Pradesh submitted that the Action Taken Report dated 16.02.2023. It has been submitted that on 04.09.2022 at around 09:00 pm, Shri. Ankit Bare went to the Ganesh pendal near his house for bhajan. But, after 12:00 (05.09.2022), Ankit Bare was not seen at the Ganesh pendal. On 05.09.2022, Ankit's body was found near the drainage of Khirala Hemgir Road. When they checked the mobile phone of Shri. Ankit Bare, they found that he was active on social media till 11:00 pm on 04.09.2022.

The post-mortem report of the doctor states the cause of death as "cause of death in my opinion was due to the effect of electrocution. Regarding the nature of death opinion is not given directly it will depend upon the circumstantial evidences and FSL lab and chemical analysis of viscera, duration of death from time to PM is within 12 hours" The



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

report from the forensic lab states that there was no poisoning. Therefore, the death of Shri. Ankit Bare was due to electrocution.

The petitioner filed the Rejoinder dated 07.03.2023 stating therein that the police even stopped her from seeking help from other authorities by threatening that she and her family will also end up dead like Shri. Ankit and that they would file false cases against her and arrest her if she goes seeking help from others. That on the night of 04.09.2022, it rained heavily from 04:00 pm to 05:00 pm and the drainage was full but there was no marks of mud or water stains on Shri. Ankit's pants.

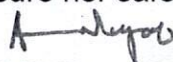
Further the Department of Electricity itself had informed that since it was heavily raining that day, they had cut off electricity that night. Apart from this, the Petitioner stated that some of the accused were standing very close to Shri. Ankit Bare's dead body while the other visited to pay respect to him. The police have made shoddy investigation despite having all the proof and evidences right in front of them.

The Commission issued Summons to Superintendent of Police, Khandwa District and the Collector and the District Collector, Khandwa District, Madhya Pradesh to appear before the Commission on 12.04.2023 at 11:30 PM.

During the course of hearing on 12.04.2023 the Commission asked the Superintendent of Police, Khandwa District, Madhya Pradesh on the investigation on the death of the Petitioner's son and on the contradictions in the investigation and the complaint.

The petitioner submitted that the accused are still threatening her and her family against taking any action with respect to the death of Shri. Ankit Bare. Smt. Usha She further submitted videos and photos of the death of Shri. Ankit Bare and pointed out that the entire investigation was concocted and made up. Shri. Ankit Bare did not die due to electrocution. She was beaten up by the police when she tried to seek help from other higher authorities. She was hospitalized and was bedridden for around a month and a half. This aspect of the case and version of the Petitioner has been taken seriously by the Commission.

The Commission observed that the report of investigation of the Police and the facts, circumstances, photos and videos submitted by the Petitioner did not corroborate. There is intervention of influential persons which the petitioner narrated confidentially to the Commission with a request to ensure her safety and security.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

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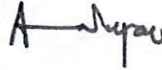
The Commission further observed that the investigation of the Police seemed to be biased against the Petitioner. There is every possibility of miscarriage of justice in the instant case. The life and liberty of the petitioner and her family has been endangered. According to the NCRB report, violent crimes in the state have increased by 11.8% as compared to 2020. The state recorded 26,038 violent crimes in 2021 as against 23,287 cases in 2020. The State tops the rising trend in crimes as per the NCRB records.

The Commission takes into consideration all the material facts and circumstances. The local Police apparently failed to discharge their duties.

In view of the above, the Commission recommends that 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.

It is also recommended that 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.

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
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Attendance Sheet
National Commission for Scheduled Tribes

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

Sitting to be held on 12.04.2023 at 11.30 A.M in the case of श्रीमती उषा दांगोरे, ग्राम - माकरला, तहसील पंधाना -, जिला खण्डवा वेदन अभ्यासे प्राप्त (.प्र.म) - आरोपियों के विरुद्ध प्रकरण पंजीबद्ध किया जाकर प्रकरण की फिर से तथ्यपरक जांच करने तथा आवेदिका को सुरक्षा प्रदान करने बाबत।

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
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II	Officers from Distt. Khandwa		
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