

Case no. 529/12/37/2025 (SCN)
NATIONAL HUMAN RIGHTS COMMISSION
Law Division, M-4 Branch

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SHOW CAUSE NOTICE

To,

The Chief Secretary,
Government of Madhya Pradesh
3rd - 4th Floor, Vallabh Bhawan-II
Bhopal, Madhya Pradesh
Pin - 462004

WHEREAS, the Commission received a complaint from Rakesh Shukla, alleged that on 01/01/2025, his son, Manas Shukla, was seriously injured after climbing a pile of stones near an illegal crusher and mineral storage site run by Bhupendra Singh Thakur, the MLA of Khurai, and his nephew, Lakhan Singh Thakur. The high-tension wire, located dangerously close to the pile, electrocuted his son, causing severe burns and the amputation of his hand. Despite reporting the incident to the Police and providing medical certificates, no action was taken due to the political influence of the Thakur family. The complainant claimed that the illegal operation violated mining and safety laws and was directly responsible for his son's injury. Despite efforts to file a report, the Police allegedly informed the Thakurs, preventing any legal proceedings. The complainant also alleged that he was threatened of killing and forced to leave his village by the accused.

AND WHEREAS, Pursuant to the directions of the Commission dated 15.05.2025, the Superintendent of Police, Sagar, submitted an action taken report dated 03.06.2025, wherein it is submitted that the matter was investigated by the Additional Superintendent of Police, District Sagar, based on the complaint. The investigation included reviewing the police station Khurai records. It was found that on 01.01.2025, the Manas Shukla son of Rakesh Shukla, age 14 years, was electrocuted while returning home. The boy Manas touched a live wire near the crusher and died on the spot due to electrocution. He was admitted in the Govt. Hospital, Bina. It is further submitted that Memo Inquiry was conducted on 01.01.2025 and statement of father and friends of victim were recorded. All of whom were present with Manas at the time. Their statements confirmed that they had gone to a nearby crusher and while returning via the road, Manas touched an electric wire, which led to his electrocution. According to their statements, a live wire was hanging down from the electric pole on the roadside, which Manas touched unknowingly.

AND WHEREAS, Further, the Under Secretary, Home Dept, Govt. of Madhya Pradesh, vide communication dated 23.06.2025, forwarded the action taken report of Jt. Collector, Sagar. It is submitted that vide order dated 17.04.2025, the Collector, Sagar, formed a three-member committee for the investigation of the application presented by the complainant. With the approval of the Collector, the investigation team reached the residence of the complainant on 12.05.2025 at 09:00 AM. However, it was informed that complainant had gone to Bhopal. Based on the above investigation, the following conclusions were reached:

a. The investigation team went to the house of Rakesh Shukla for his statement, but he was not present. A notice was sent through the Tehsildar and revenue officers, asking him to appear. His family member informed that he had gone to Bhopal for work and would appear later. The team waited, but he did not show up.

b. No report was found at the local police station regarding the claims made by Rakesh Shukla. There was also no record of the incident at the location mentioned.

c. Encroachment was found on Khasra No. 575/1/1 by Lal Singh Thakur and Shivraj Singh Thakur, who had constructed a wall. However, no proof was provided by Rakesh Shukla that they had harassed him or his family. No written police complaint was submitted either. No evidence was provided to support the claim of harassment or physical threat.

d. No child, including Manas Shukla, was made to work at the stone crusher operated by Shri Lakhan Singh. The incident occurred while the child was playing on the road boundary.

e. The stone crusher run by Shri Lakhan Singh is located over 200 meters away from the residential area of Khasra land. The electric wire that passed below the power line where the incident took place was not connected to the crusher.

f. The victim boy, received an electric shock while climbing a pile of soil located near the boundary of the road. This happened when he came in contact with an electric wire. No direct or indirect connection to the incident could be established with the accused parties. Therefore, the complaint regarding the alleged human rights violation appears to be unsubstantiated.

Further, the complainant vide an email dated 01.05.2025 and 28.07.2025, submitted its comments reiterating the allegations. The complainant specifically stated that he has been receiving threats from influential individuals, pressuring him to withdraw the case or face dire consequences. He has also submitted that he has been incurring significant medical expenses for procedures related to the prosthesis of an artificial hand following the accident. It is further submitted that Anshul Parihaar has been falsely implicated in a criminal case for raising the voice against the alleged accused. The complainant requested for fair investigation in the matter.

AND WHEREAS, The Commission has considered the material placed on record. The both submitted reports of Collector, Sagar and SP, Sagar, are cursory and have several loopholes. There are several inconsistencies and gaps in the Police report which render it unreliable and an attempt at whitewashing the whole affair as per following:-

i. First of all, the Commission took cognizance on 21.03.2025 and directed the Collector, Sagar and SP, Sagar, to submit action taken report, within two weeks; however, there was no response. Further reminders dated 09.04.2025 and 23.04.2025 were issued; still there was no response. The responses/action taken reports were submitted only after issuance of conditional summons dated 01.05.2025.

ii. The SP, Sagar, and the Addl. Collector, Sagar, forwarded the respective inquiry reports without looking into the grievances & allegations of the complainant as all reports are silent on the allegations of the complainant.

iii. It is an undisputed fact that the victim lost his hand due to electrocution. It is also an admitted fact that the victim, a minor boy, received an electric shock while climbing a pile of soil located near the boundary of a public road. However, neither the Police Inquiry Officer nor the Joint Inspection Team (constituted by the Collector, Sagar) made any effort to ascertain why the pile of soil was stockpiled directly beneath a live high-tension (HT) electricity wire. Crucially, no inquiry was made into whether the owner of the crusher had obtained permission to stockpile soil at such a location, and whether the minimum statutory clearance between the ground and the HT line was maintained in accordance with applicable safety norms.

iv. Further, it is deeply concerning that the inquiry officers did not involve the Electricity Inspector, a statutory authority competent under the Electricity Act, 2003, in their respective inquiries. The absence of the Electricity Inspector raises serious questions regarding the comprehensiveness, legality, and impartiality of the inquiry.

v. The inquiry officers also failed to consider the binding provisions of the Electricity Act, 2003 and the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010. These legal frameworks mandate strict compliance with safety standards, including maintaining adequate clearance from live wires and ensuring public safety near electrical infrastructure. The complete disregard of these statutory mandates amounts to negligence in the discharge of official duty.

vi. Prima facie, both inquiries are designed to give clean chit to the alleged accused parties. The inquiry team as constituted by the Collector, Sagar, concluded that "no direct or indirect connection to the incident could be established with the accused parties. Therefore, the complaint regarding the alleged human rights violation appears to be unsubstantiated."

vii. After five months, the Collector, Sagar, constituted a three-member committee. Following an inquiry, the committee concluded that no evidence was found. This outcome seemed somewhat expected, as with such a long delay, it was likely that the alleged accused had enough time to remove or conceal any incriminating material. It is well known established fact that the passage of time significantly impacts the chances of identifying and prosecuting an accused person.

viii. Furthermore, the Commission has observed that Shri Bhupendra Singh, MLA from Khurai, has attempted to exert undue influence on its proceedings by submitting letters containing false allegations.

AND WHEREAS, the Commission on **08.08.2025**, after considering the relevant reports, has observed and directed as under:-

"prima facie, both the Collector, Sagar and the Superintendent of Police (SP), Sagar, have failed to take any action in the matter as mandated under the law. The incident occurred on 01.01.2025, yet there is no record indicating that any lawful or penal action was initiated against the accused/owner of the crusher. This inaction points to a serious lapse in administrative and policing duties. Furthermore, despite the District Administration and District Police being informed on the very same day i.e. 01.01.2025 about the occurrence of a fatal electrocution incident (the doctor of Civil Hospital, Bina prepared PMLC and informed the SHO, Bina PS, Sagar), no preventive or corrective action was taken. Notably, no official visit to the accident site was conducted on the day of the incident to assess the cause, secure evidence, or take preventive measures to avoid recurrence. This amounts to a dereliction of duty and a breach of public trust, particularly in a case involving serious bodily harm to a minor who, at such a tender age, has lost one of his hands. Therefore, let following direction be issued to the: A. Chief Secretary, Govt. of Madhya Pradesh:

i. To show cause why the Commission should not recommend the Cadre Controlling Authority, Department of Personnel and Training (DoPT), Ministry of Personnel, Public Grievances, and Pensions (DoPP&P), Govt. of India, for taking action against the Collector, Sagar, Madhya Pradesh, who have failed to take any action in the matter as mandated under the law.

ii. To further show cause as to why Commission should not recommend a compensation of Rs. 10,00,000/- (Rs. Ten Lakh only) to the victim boy namely Manas Shukla son of Rakesh Shukla, age 14 years.

B. Director General of Police, Madhya Pradesh: Register the FIR of the incident. The Commission finds the defence offered by the Collector and Superintendent of Police, Sagar that no complaint was submitted by the complainant, untenable. This position reflects a lack of awareness of the legal obligations and guidelines established by the Hon'ble Supreme Court regarding registration of FIR. Moreover, all of them were aware of the occurrence of the accident through the Civil Surgeon who prepared the MLC of the victim boy, through the complainant, through media reports, and through communication from the Commission. The registration of an FIR in this case is also necessary to enable the boy to receive monetary compensation from the concerned department, facilitate his registration under relevant social security schemes, and claims such as medical benefits or insurance where submission of an FIR copy is mandatory."

NOW THEREFORE, you are hereby called upon to show cause by **23.08.2025** as to why the Commission should not recommend a compensation of Rs. 10,00,000/- (Rs. Ten Lakh only) to the victim boy namely Manas Shukla son of Rakesh Shukla.

TAKE FURTHER NOTICE that in default, the Commission may proceed to take such action as it deems proper.

GIVEN UNDER MY HAND AND THE SEAL of the Commission, on this day of 13th August, 2025.



BY ORDER

ASSISTANT REGISTRAR (LAW)