

BIHAR HUMAN RIGHTS COMMISSION (BHRC)

9, Bailey Road, Patna

File No. BHRC/Comp. 2042/14

(Suo Motu Cognizance)

Case of Electric shock to seven children due to live fallen electric wire

20.06.2019

The Urdu daily 'Inquilab' on 24.06.2014 had reported a case of injury to seven children due to falling of live electric wire on them in the village Markama, Aliganj, Block Islamnagar of Jamui district. The Bihar Human Rights Commission took suo motu cognizance of the matter on 30.06.2014 which is re-produced hereinbelow:-

Quote: "It is reported in Urdu daily 'Inquilab' dated 28.06.2014 that in village Markama, Aliganj, Block Islamnagar of Jamui district 7 children received electric shocks because a live electric wire was on the road. It is also alleged that the transformer had fallen due to winds which was allowed to remain on the ground although the power continued to be supplied to it. It is further stated that out of 7 children condition of three children was serious and they have been admitted in the hospital.

Issue notice to the DM, Jamui to send a report to this Commission in this regard.

Copy of the order along with the paper cutting be sent to DM Jamui."

Unquote.

When no response was received from the authorities three successive reminders were issued on 09.09.2014, 24.08.2015 and 29.10.2015. These reminders too went in vain and finally Commission had to pass order for hearing fixing 08.02.2016 for summoning DM, Patna and Chairman, Bihar State Power (Holding) Co. Ltd., Patna in the matter.

The officers submitted reports from which it came to notice of the Commission that seven children had received injuries. The Commission ordered the Sr, Deputy Collector, present on behalf of DM, Patna to find out the parents of the injured and produce them before the Commission on the next date. It was also revealed that a sum of mere Rs.20,000/- were jointly paid to these victims by the Electricity Department which the Commission observed as 'shameful'.

On 03.03.2016 which was the next date of hearing four children who had received the most serious debilitating injuries were present. One of them had even lost his arm. Commission ordered DM, Jamui to direct the Civil Surgeon, Jamui to get these victims examined and give a detailed report as to the degrees of disabilities suffered by them. The DM was also ordered to give a comprehensive report to the Commission regarding the negligence of the authorities of Bihar State Power (Holding) Co. Ltd. Patna. On the request of the parents of the children a sum of Rs.10,000 each was ordered to be paid immediately to them for the travel expenses from village to this Commission. On next date of hearing i.e. 21.04.2016 the officers submitted that said amount was paid to them but the report of Civil Surgeon, had yet not been received. Civil Surgeon was directed to file the same on the next date of hearing i.e.16.06.2016 which he did. The final hearing of the matter was held on 16.08.2016. The order is produced hereinbelow:-

Quote: "Victims represented by Sri Abdul Kalam Azad. Bihar State Power (Holding) Company Ltd, represented by Sri Ajay Kr. Gautam Advocate.

Civil Surgeon, Jamui has filed a report which is not comprehensive. The doctors who gave opinions are requested to give fresh opinion regarding the nature of injuries suffered by the victims are:-

- (i) Whether such injuries are permanent
- (ii) What is the amount of disability caused by specific injury of specific victim?
- (iii) In case there be a negative psychological impact on any victim due to injury.

The doctors may also give their opinion whether the hair loss suffered by some of the victims was permanent and whether the scars are also permanent. The Commission had directed on 3.03.2016 DM, Jamui to appoint a committee; there has been no response from the DM.

Issue a fresh reminder to the DM along with copy of the order dated 3.03.2016.

List on 13.09.2016.” **Unquote**

The reports of DM, Jamui dated 01.10.2016 and Civil Surgeon, Jamui dated 18.10.2016 were received in the Commission.

The injury report of the four victim children stated that:-

- (i) Md. Asif s/o Md. Ayoob, village Chandradeep, District Jamui had 75% disability. There will be negative psychological impact and scars will remain permanent.
- (ii) Md. Azhar s/o Md. Khaliq, village Markama, District Jamui had 45% disability. There will be negative psychological impact and scars will remain permanent; hair loss is also permanent.
- (iii) Md. Arman s/o Md. Salam, village Markama, District Jamui had 45% disability. There will be negative psychological impact and scars will remain permanent.
- (iv) Md. Altamash s/o Md. Eqbal, village Markama, District Jamui had 30% disability. There will be negative psychological impact and scars will remain permanent; hair loss is also permanent.

From the reports submitted by the Civil Surgeon, Jamui through the District Magistrate, Jamui on the four points stated above, **the Commission feels that there was willful negligence on the part of the Bihar State Power (Holding) Co. Ltd. Patna and to meet the ends of justice the Company is liable to compensate the victims who are minors. Hence the Commission concludes that Md. Asif, who sustained 75% disability be paid compensation of Rs.4,00,000 (Rupees four lakh); Md. Azhar, who sustained 45% disability**

with permanent loss of hair and also Md. Arman, with the same i.e. 45% disability be paid Rs.3,50,000 each (Rupees three lakh fifty thousand each) and Md. Altamash, with 30% disability be paid Rs.3,00,000 (Rupees three lakh).

The compensation amount be paid within six weeks by the Chairman, Bihar State Power (Holding) Co. Ltd., Patna to the fathers/guardians of the above mentioned four minor victims with deduction of Rs.10,000 as they have already been compensated for in the very beginning as per orders stated above.

Copy of this order be given to (i) Principal Secretary, Home Department, Bihar, Patna (ii) Chairman, Bihar State Power (Holding) Co. Ltd., Patna, (iii) DM, Jamui and (iv) Civil Surgeon, Jamui; as well as all above mentioned four victims for information and necessary action.

Compliance report be submitted by 05.08.2019.

List on 9.08.2019.

(Ujjwal Kumar Dubey)
Acting Chairperson