

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.637/2023

In re: News item appearing in Hindu dated 09.10.2023 titled **“Bengaluru cracker godown blast: toll rises to 14; three held”**

Date of hearing: 30.10.2023

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Mukesh Kumar, Advocate for KSPCB
Mr. Rajat Jonathan Shaw, Advocate for State of Karnataka

ORDER

1. This original application has been registered in *suo-moto* exercise of power on the basis of the news item published on 09.10.2023 in Hindu titled “Bengaluru cracker godown blast: toll rises to 14; three held”.

2. As per the newspaper report an explosion took place in Balaji Cracker Shop, a Shop cum Godown at Attibele near Bengaluru, while firecrackers were being unloaded from a vehicle. It is reported that as many as 14 persons have died and 11bodies have been identified.

3. The tribunals power to register suo-moto OA has been recognized in the matter of *“Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.” reported in 2021 SCC Online SC 897.*

4. The Learned Counsel appearing for Karnataka PCB has submitted that no permission was taken for storage of fire crackers in the godown from State Pollution Control Board.

5. The Learned Counsel appearing for State of Karnataka has informed that FIRs have been registered against the violators and arrests have been made. He submits that shop cum godown was operating without any license or permission. He has sought two weeks time to obtain instructions and file reply.

6. The issue relating to compliance of provisions of the Public Liability Insurance Act, 1991 which is a scheduled Act and award of compensation thereunder arises in this case. The Tribunal in OA 44/2021 dated 16.05.2023 found it is necessary to ascertain the status of compliance of the safety norms under Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (“the 1989 Rules”) and Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996 (“the 1996 Rules”) relief to the victims, restoration of environment and precautions to prevent recurrence in future.

7. Hence, we implead following parties as Respondents:-

- (i) Member Secretary, Karnataka Pollution Control Board;
- (ii) Chief Secretary, State of Karnataka;
- (iii) Balaji Cracker Shop through its owner.

8. The Counsel for the State is directed to disclose the name, address and details of the owner of the Balaji Cracker Shop on the next date of hearing.

9. The Counsels for the State Pollution Control Board as also the State of Karnataka are directed to disclose if any compensation has been paid to the family members of deceased victims.

10. Since the matter relates to the Southern Zone, therefore, the original application is transferred to the Southern Bench at Chennai for further action in the matter.

11. List the matter on 30.11.2023 before the Southern Bench at Chennai

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

October 30, 2023
Original Application No.637/2023
JG