

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

Original Application No. 796/2023

News Item titled "**Nine workers killed in blast in an explosives factory near Nagpur**" appearing in The Hindu Bureau dated 18.12.2023

Date of hearing: 18.01.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent: Dr. Vipin Itankar, District Magistrate, Nagpur (Through VC)
Mr. Mukesh Verma, Adv. for MPCB

ORDER

1. This original application is registered in *suo motu* exercise of power on the basis of the news item titled "**Nine workers killed in blast in an explosives factory near Nagpur**" appearing in 'The Hindu Bureau' dated 18.12.2023. As per the news item, a powerful blast ripped through an explosive manufacturing factory at Bazaargaon, around 60 kms away from Nagpur. The blast was stated to be in a 'cast booster' unit of Solar Industries India, which makes drones and explosives for security units. At the time of the incident, 12 workers were said to be present in the unit. The explosion took place during a sieving operation (the explosive raw material is sieved before use) in a building where boosters for use in coal mines are made.

2. The news item raises substantial issue relating to compliance of the environmental norms.

3. Power of the Tribunal to take up the matter in *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal*

Corporation of Greater Mumbai vs. Ankita Sinha & Ors.” reported in 2021 SCC Online SC 897.

4. On advance notice, a reply on behalf of District Magistrate, Nagpur, Respondent No. 2 has been filed disclosing that in the said incident as many as nine persons had died. It is also disclosed that to the family members of deceased, Rs. 5 lakhs per deceased were released by the State Government and Rs. 20 lakhs per deceased were given by the company management. This payment will not affect the independent right of family members of the deceased workers under the relevant enactments.

5. The report discloses following action after the incident:

“Action taken after accident :-

- *As soon as the incident was reported, the accident area was demarcated as a restricted area.*
- *The factory and all operations in the factory were immediately shut down.*
- *All the workers were sent back to their homes.*
- *The company launched drones to conduct aerial surveys.*
- *Fire highlights were used to wet the area.*
- *BDDS team of police force immediately deployed and inspected the accident site for safe access to the accident area,*
- *PESO (Petroleum and Explosive Safety Organization) team reached to carry out the search operation after inspecting the incident site, guidelines were given.*
- *Forensic team collected samples from the spot for further investigation.*
- *A team of (SDRF) and police, along with company personnel, conducted a search operation, collected the body and samples of different body parts from the spot and sent it for post-mortem.*
- *Crime No.882/2023 under section 304 A, 286 of IPC was registered against unknown person at Police Station Kondhali.*

Public Assistance :-

- *5 lakhs per deceased from the State Government were released to the kin of diseased*
- *20 lakhs per deceased person from the company management were given*
- *Assurance of one employment to the dependents of the deceased.”*

6. The report also discloses that the Deputy Chief Controller of Explosives DTS Gondkhairi, Amravati Road Nagpur has conveyed that the site of incident is no more suitable for manufacture/storage of explosives and, therefore, the license has been suspended. As per the report, the Magisterial enquiry has also been ordered.

7. Report does not disclose any details relating to the environmental damage caused on account of the incident and compliance of environmental norms by the unit in question, hence this issue needs consideration.

8. Since the matter relates to the Western Zone Bench of the Tribunal, therefore, the OA is transferred to the said bench for appropriate further action. Registry is directed to transfer the original record of this OA to Western Zone Bench, Pune.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 18, 2024
Original Application No. 796/2023
DV.