

Item No.6

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

**Original Application No.125/2023(CZ)
(O.A.No.539/2023 - PB)**

News report published in The Times of India
dated 31.08.2023 titled “5 die in toxic gas at MP factory”

Applicant(s)

Vs.

MP PCB

Respondent(s)

Date of Hearing: **05.01.2024**

**CORAM: HON’BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON’BLE DR. A SENTHIL VEL, EXPERT MEMBER**

For Applicant(s):

For Respondent(s): Mr. Rohit Sharma, Adv.
 Dr. Sapna Aggarwal, Adv.
 Mr. Mehul Bhardwaj, Adv.
 Mr. Yadvendra Yadav, Adv.

ORDER

1. The issue raised in this application is death of five workers in a food industry in Murena (M.P.) on account of the impact of poisonous gases when these workers had entered in the tank in a factory manufacturing synthetic cherries for paan and the food industry. The unit was involved in a food processing unit named M/s Sakshi Food Products village Dhanela, AB Road, Tehsil Banmore, District Murena (M.P.) and vide order dated 08.11.2023, notices were issued to both the respondents to submit their reply. Notices were issued and served but the reply of Respondent no. 4 & 5 are on record. Factual report by the Joint Committee was submitted, which is also on record.
2. In the report it has been submitted by the joint committee that certain deficiencies and non actions on the part of unit were found, which requires immediate measures in addition to calculation of environment compensation by the Madhya Pradesh Pollution Control

Board in light of the ground water contamination, soil contamination due to unauthorized discharge on the land and not taking safety precautions, safety equipments and having no mechanical system for the desludging and transfer of salt water, storage tank to disposal pit. It is further reported that the industry has no method of awareness or risk associated things or any supervisor to guide and carry out the work safety measures.

3. Accordingly, we direct the respondents and the project proponent to submit the reply. In the meanwhile, we direct the Member Secretary, State Pollution Control Board to constitute a committee consisting one representative from the CPCB and one representative from the State Pollution Control Board, who are expert having sufficient knowledge in the field to assess the environmental compensation on the basis of the report submitted by the Joint Committee on the basis of visit dated 22.09.2023, and submit the report within three weeks.
4. Learned Counsel for the Respondent no. 6, 7 & 8 has submitted that reply he has filed on behalf of the Respondents just today. The Same be traced from the e-filing portal and kept on record. Copy of the same be provided to the opposite parties. Rest of the respondents are directed to submit their reply within two weeks.
5. List it on **6th February, 2024**.

Sheo Kumar Singh, JM

Dr. A Senthil Vel, EM

5th January, 2024
O.A. No. 125/2023 (CZ)
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