

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
CENTRAL ZONE, BHOPAL
Original Application No. 20/2024

IN THE MATTER OF:

*SUO MOTO ACTION ON THE NEWS REGARDING BLAST IN THE
FIRE CRACKER FACTORY IN HARDA DISTRICT OF MADHYA
PRADESH ON 06.02.2024*

STATUS REPORT OF THE PRESENT MATTER ON BEHALF OF
COLLECTOR HARDA

IT IS MOST RESPECTFULLY SUBMITTED HEREINUNDER :

1. That, the present original application is registered in suo-moto exercise of powers on the basis of Danik Bhaskar news reporting (bulletin) at 11.00AM on 06.02.2024 highlighted the fire incident in factory of fire crackers in village Baragarh, Magardha Road, Harda in Madhya Pradesh in which the high explosion and blast in the fire cracker factory took place at 11.00AM in which more than 60 houses are in fire incident and persons and residence of more than 100 houses have been directed to vacate their houses immediately.
2. That this Hon'ble Tribunal vide Order dated 06.02.2024 in the present matter directed the following :

8. In the circumstances where more than 60 houses have been damaged due to fire incident due to explosive in the fire crackers industry, more than 100 houses were forced to vacate. There is a report of high number of human death and injuries to more than 50 persons. The minimum relief is required. Accordingly the owner of the industry is responsible to immediately pay and deposit an amount as interim compensation to the victim –

- (i) @ Rs. 15 lakh per death cases and
- (ii) @ Rs. 3 lakh per small injury case.
- (iii) @ Rs. 5 lakh burn injury case and grievous injuries.
- (iv) @ Rs. 5 lakh per damage burnt house
- (v) @ Rs. 2 lakh payable to the persons who have been forced to vacate their houses.

9. All these amounts should be calculated by the District Magistrate, Harda, M.P. and deposited in the account of “District Environmental Compensation Fund” to be maintained by the District Magistrate, Harda. The amount to be deposited by the owner of the industry. Necessary and immediate relief should be given to the aggrieved, injured and the needy and affected by this incident immediately, with further assistance by the State Government.”

3. Thereafter, in compliance of the aforementioned direction, a committee was constituted comprising of, 1) Executive Engineer, Public Works Department, Harda; 2) Sub-Divisional Magistrate, Harda; 3) Chief Medical and Health Officer, District Harda; 4) Tehsildar, Harda; 5)

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Chief Municipal Officer, Municipal Council, Harda; 6) Civil Surgeon and Hospital Superintendent, District Harda. Thereafter the committee observed the following details of the victims of incident :

Amount	No. of Victims	Total Amount
15,00,000/-	13 Deaths =	1,95,00,000/-
3,00,000/-	237 Small Injury	7,11,00,000/-
5,00,000/-	64 Burns / Grievous Injury	3,20,00,000/-
5,00,000/-	39 Destroyed Homes	1,95,00,000/-
2,00,000/-	Victims forces to leave their homes - 201	4,02,00,000/-
13 Deaths, 301 Injured		18,23,00,000/-

4. It is submitted that, additionally, the individuals affected by the incident have been accommodated in a temporary camp, incurring an expenditure of approximately INR 7 lakhs per month. Presently, around 200 individuals from 38 families continue to reside in the temporary camp. Furthermore, the disposal of seized firecrackers and other related materials following the incident is expected to incur an expenditure of approximately INR 1 crore. Both of these amounts are to be recovered from the accused.

5. It is further submitted that, From the aforementioned payable amount, the bank accounts of the accused were seized, and an assistance amount of INR 60 lakhs has already been provided to the families of the four deceased individuals.

6. That, In compliance with the orders of the National Green Tribunal (NGT), the immovable properties of the accused were seized, and auction proceedings were initiated. In this process, 19 properties were auctioned for a total amount of INR 2.65 crore. However, on 23.04.2024, the Hon'ble High Court of Madhya Pradesh, in Writ Petition No. 5160/2024, passed the following order:

“Keeping in mind the fact that the respondents are likely to disburse the amount of compensation, we are of the considered view that if the amount of compensation is distributed, it would be very difficult to recover the same. Hence, for the very limited purpose, we deem it just and necessary to stay further proceedings, including disbursement of any amount, till the next date.”

In compliance with this order, the auction process was stayed, and as a result, the transfer deeds for the auctioned properties could not be executed.

Consequently, the auctioned amount has not been realized and disbursed to the families of the victims.

7. Thereafter, the Hon'ble High Court of Madhya Pradesh vide Order dated 16.12.2024 in Writ Petition No. 5160 of 2024, finally disposed off the matter with the following directions :

“11. In view of above, the petition is disposed of with the following directions:-

- a. *It would be open to the petitioner to raise the objection with regard to classification, genuineness of claimants/victims in respect of the injuries; and the categorization, classification and quantum to be paid to individual for loss of property and destruction of houses and displacement.*
- b. *In case, such an objection is raised by the petitioner, NGT shall consider the same in accordance with law.*
- c. *In so far as the offer of petitioner for making arrangement of a higher amount towards the auction of the property vis-a-vis the bid received, it is open to the petitioner to place such a proposal before the NGT and for the NGT to consider the same, in accordance with law.*
- d. *The interim order dated 23.04.2024 staying disbursement of the amount is modified and vacated to the limited extent pertaining to the death cases. It would be open to the administration to disburse the death compensation as directed by the NGT.*
- e. *Further it would be open to the NGT to consider disbursement of the amount in respect*

of injury cases and cases pertaining to loss to property and displacement of individuals, taking into consideration the objection of the petitioner, if any raised before the NGT.

f. *No order as to cost.”*

8. Despite the lapse of 10 months since the unfortunate incident, the affected individuals have yet to receive the compensation necessary to mitigate their losses. At present, approximately 200 individuals from 38 families remain displaced and are compelled to reside in temporary camps due to the extensive damage caused to their homes during the incident. This prolonged displacement has caused significant hardship, underscoring the urgent need for timely compensation to enable these individuals to make arrangements for their permanent housing and restore a semblance of normalcy to their lives. In view of the pressing nature of the situation and the necessity to alleviate the suffering of the affected families, it is respectfully requested that the matter be scheduled for an expedited hearing to ensure swift resolution and disbursement of the requisite compensation.

9. It is therefore humbly prayed before this Hon'ble Tribunal that, that permission may be granted to the administration to execute the sale deeds of the auctioned properties belonging to the factory owner in favor of the successful bidders. This step is crucial to facilitate the recovery of the auction proceeds, which can then be utilized for the disbursement of compensation among the victims of the incident. Executing the sale deeds will ensure the finalization of the auction process, thereby enabling the administration to provide financial relief to the affected individuals in a timely and efficient manner. Such action will not only uphold the principles of justice but also address the pressing needs of the victims who have been awaiting compensation for an extended period.

Date: 22.12.2024

Place: Bhopal



**Through Counsel
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State of Madhya Pradesh**