

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 44 of 2021

In re: News item published in The News Indian
Express dated 12.02.2021 titled
"At least 19 dead in Virudhunagar firecracker
factory blast, more than 30 injured"

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**ACTION TAKEN REPORT FILED ON BEHALF OF
THE TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Vijayabaskaran, Son of E. Rathinam, Hindu, aged about 59 years, having office at No. 76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that this Hon'ble NGT (PB) has taken a Suo Motu application with regard to the major fire accident occurred on 12.02.2021 in a fire cracker manufacturing industry by name M/s. Sree Mariyammal Fire cracker factory, Achankulam Village, Vembakottai Taluk, Virudhunagar District. In this regard, the Hon'ble NGT (PB) has constituted a eight member committee headed by Justice K. Kannan – former Judge of Punjab & Haryana and Madras High Courts to enquire about the cause of accident and to furnish the report about the frequent accidents in fire work industries.


ADDL. CHIEF ENVIRONMENTAL ENGINEER
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CHENNAI-600 032.

3. It is respectfully submitted that with respect to TNPCB, the eight member committee suggested that "To monitor the ambient air quality in all cluster of firework factories, minimum of two continuous Ambient Air Quality Stations shall be installed, through which impact on environment due to incidental explosion can be quantified" and 'Firecrackers' manufacturing and bulk storage facilities under the ambit of Consent Management within specified time frame as mandated".

In response to the above the TNPCB decided to monitor the ambient air quality in all clusters of firework factories. In this regard, TNPCB is in the process of identifying the location for installation of Continuous Ambient Air Quality Station in the cluster area of Virudhunagar District. Further the TNPCB field officers are requested to inventorize the fire cracker manufacturing industries and to ensure that those industries shall come under the purview of Consent Management system of TNPCB.

4. It is respectfully submitted that the Hon'ble NGT (PB) has passed an order dated 11.06.2021 and directed inter alia as follows:-

"The State PCB may incorporate appropriate conditions in consents including prohibiting use of banned chemicals and compliance of manufacture, storage and import of Hazardous Chemical Rules, 1989 and 1996 Rules. Further, mechanism to ensure taking of insurance policies covering risk to life and health of all workers and others likely to be affected by fire or other accidents. Mechanism may provide monitoring of compliance and stopping activities of units not following the laid down SOPs and regulations. Substance of this order and regulatory


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measures may be published in local area in vernacular language for information of local inhabitants to facilitate information and compliance.”

➤ In pursuance to the said NGT order, while issuing the consent order to the fire cracker manufacture units, the following appropriate conditions are being imposed by the TNPCB in the consent orders:

i. The unit shall prohibit the use of banned chemicals and shall comply with the provision of Manufacture, Storage and import of Hazardous Chemicals Rules, 1989 & the Chemical Accidents (Emergency Planning, Preparedness and Response Rules, 1996.

ii. The unit shall manufacture the green crackers as recommended by CSIR-NEERI within the consented quantity and the unit shall also maintain production records.

iii. The unit shall comply with the order of Hon'ble Supreme Court of India in its order dated: 26.11.2019 in W.P.(Civil) No.728/2015. These units shall also manufacture fire crackers in accordance with the standards prescribed by new compositions recommended by NEERI and prescribed by Petroleum and Explosive safety organization (PESO).

➤ Further, the Firecrackers manufacturing associations were addressed to instruct their members to obtain certification from CSIR - NEERI to produce green crackers, as directed by the Hon'ble Supreme Court of India. Also, a meeting was recently held

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with the fire crackers manufacturing association such as TANFAMA and TIFMA on 13.07.2021. They are requested to manufacture only green crackers as recommend by the CSIR-NEERI and to comply the orders of Hon'ble Supreme Court of India in its order dated: 26.11.2019 in W.P. (Civil) No. 728/2015.

5. It is further submitted that the above said NGT order dated 11.06.2021 also mentioned about the need for a study of the carrying capacity of the area to sustain the extent of such activities having regard to the potential for accidental, occupational safety and environmental hazards to be conducted, by the Director of Industrial Safety in coordination with the State PCB and CPCB, within three months and report shall be submitted to the Chief Secretary, Tamil Nadu for further action.

In this regard, the Director, Industrial Safety and Health has requested the Board vide his letter No.H3/3160/2021, dated: 19.07.2021 to nominate an officer from TNPCB to include in the committee to carry out study by sharing the expertise in analysing the aspects as per the direction of the Hon'ble NGT. Hence, TNPCB nominated the District Environmental Engineer, TNPCB, Virudhunagar as committee member to Co-ordinate with the Director of Industrial Safety and Health & CPCB so as to carry out study by sharing the expertise in analysing the aspects as per the direction of Hon'ble NGT(PB) New Delhi.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Principal Bench) may be pleased to


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take this Report on record and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.


ADDL. CHIEF ENVIRONMENTAL ENGINEER
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CHENNAI-600 032.

BEFORE ME

VERIFICATION

I, R. Vijayabaskaran, Son of E. Rathinam, working as Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032 do hereby verify that the contents of above report are true to the best of my knowledge through records


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POLLUTION CONTROL BOARD.**

Dated: 29.11.2021

