

Speed Post

DIRECTORATE OF INDUSTRIAL SAFETY AND HEALTH  
GOVERNMENT OF NCT OF DELHI  
LABOUR DEPARTMENT

D-BLOCK, SECOND FLOOR, 5, SHAMNATH MARG DELHI - 110054

No. FD/UR/AD/NORTH/2022/2301

Dated: 09/11/2022

To

Consultant (Judicial)  
(NG.T.) (P.B.)  
National Green Tribunal,  
Principal Bench,  
Faridkot House, Copernicus Marg,  
New Delhi-110001.

**Action Taken Report**

Sub.: Investigation of fire accident that occurred in M/s Bala Sundari Industries, E-909, Narela Industrial Area, DSIIDC, Delhi-110040.

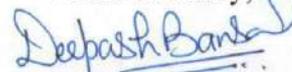
Sir,

I am directed to refer your mail dated 02.11.2022 regarding listing of the matter OA-No-804/2022 titled "Delhi: 2 dead in factory fire in Delhi Narela" before the Hon'ble NGT, New Delhi on 15.11.2022.

A fire accident occurred on 01.11.2022 at about 09:30 AM in the premises of M/s Bala Sundari Industries, E-909, Narela Industrial Area, DSIIDC, Delhi-110040 which was investigated under the provisions of the Factories Act, 1948 on 01.11.2022 & 03.11.2022 and the following observations were made:-

1. At the time of inspection, it was found that 20 workers were employed/working in the aforesaid premises who were engaged in manufacturing of PVC footwear with the aid of power operated machines.
2. That the fire occurred at the first floor of the premises probably due to short circuit followed by explosion of solvent stored on the same floor. In this unfortunate fire accident, 03 workers lost their lives and 17 got burn injuries.
3. That the factory was found running without issuance of licence under the Factories Act, 1948.
4. That the notice of discrepancies has been issued to the Occupier and Manager of the factory on 09.11.2022, copy enclosed.
5. That the legal action under the provisions of the Factories Act, 1948 will be initiated after expiry of notice period.

Yours faithfully,



(Deepash Bansal)

Assistant Director (ISH)

Encl.: Copy of the notice dated 09.11.2022.

33/c



**Registered Post**

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
DIRECTORATE OF INDUSTRIAL SAFETY AND HEALTH  
(LABOUR DEPARTMENT)  
D BLOCK, II FLOOR, 5 SHAMNATH MARG: DELHI - 110054**

**NO.FD/UR/AD/NORTH/22/2298-2300**

**Dated:- 09/11/2022**

To,

SH. ANSHUL GARG (PROPRIETOR – OCCUPIER),  
SH. SAHIL GARG (MANAGER),  
M/S BALA SUNDARI INDUSTRIES,  
E-909, NARELA INDUSTRIAL AREA,  
DSIIDC, DELHI-110040.

Sir,

A fire broke out in your premises located at E-909, Narela Industrial Area, DSIIDC, Delhi-110040 on 01/11/2022 at 9:30 AM. Upon inspection of the premises on 01/11/2022 at 4:30 PM by the undersigned and along with Sh. Kausik Sadhukhan, Asstt. Director (ISH) on 03/11/2022 at 12:30 PM it was found that 20 workers were working inside the premises on 01/11/2022 who were engaged in manufacturing of PVC Footwear received burn injuries and out of them three died. The manufacturing of PVC Footwear covered under section 2(k) of the Factories Act, 1948 with the aid of power operated machines and as such that premises constitute a “Factory” under section 2(m)(i) of the Factories Act, 1948.

**Name of Power Operated Machinery:**

- 1) Eva Injection Moulding Machine – 1 No.
- 2) Rotary Injection Moulding Machine – 9 No.
- 3) Mixture Machine - 4 No.
- 4) Grinding Machine – 2 No.

**Name of workers working in the premises and injured on 01/11/2022:**

- 1) Kishan dev 2) Pintu 3) Sintu 4) Atul 5) Sameer 6) Pinku 7) Sanjay 8) Mewa Lal
- 9) Vinod 10) Monu Yadav 11) Chander Shekhar 12) Kali Charan 13) Pramod 14) Pukar
- 15) Purn 16) Rakesh 17) Suraj 18) Arvind 19) Akhil 20) Sonu Thakur.

You are hereby directed to take necessary steps to comply with the law and submit your compliance report in writing item-by-item along-with documentary proof in support thereof within a week, and produce the requisite records for checking in the office on any working day between 10AM to 1 P.M.:-

1. That the premises constituted a Factory within the meaning of section 2(m) (i) of the Factories Act, 1948 and have not obtained a licence from the Chief Inspector of Factories, Delhi, you are thus running the factory without a licence, amounting to contravention of the provisions of Rule 3, 3-A & 11-A of the Delhi Factories Rules, 1950 read with section 6 & 7 of the Factories Act, 1948.

You are hereby directed to show cause in writing within a week as to why serious view should not be taken in the matter. You are also directed to submit a copy of "Factory Licence" if obtained/ possessed in respect of this factory with your reply & in case an application for registration & grant of licence under the Factories Act, 1948 has been already submitted to the Chief Inspector of Factories, 5- Sham Nath Marg, Delhi- 110054, your reply should be submitted with documentary proof in support thereof.

2. That the following records/registers as required to be maintained under the provisions of the Factories Act, 1948 and the Delhi Factories Rules, 1950 should now be produced for checking before the undersigned on any working day as aforesaid within a week, as required under Rule 102 of the Delhi Factories Rules, 1950 read with Section 9(d) of the Factories Act, 1948:

- (a) Muster Roll in Form No. 26 – last 12 months
- (b) Leave with Wages Register in Form No.15 – last 03 years
- (c) Register of Adult workers in Form No. 12
- (d) Record of Lime washing and Painting in Form No. 7
- (e) Overtime Muster Roll in Form No-10.
- (f) Accident Register in Form No 27

3. That the notice of period of work in Form No.11 (a) had not been displayed, in contravention of the provisions of Section 61 of the Factories Act, 1948 read with Rule 79 of the Delhi Factories Rules, 1950.

4. That the record of pressure vessel examination in form No.8 in respect of the following vessels being used in the factory be produced amounting to contravention of the provisions of Rule 56 of the Delhi Factories Rules, 1950, read with Section 31 of the Factories Act, 1948.

- a) Air compressor with receiver – 2 No.

5. That the firefighting equipment as prescribed under Rule 61 of the said Rules to the extent given below had not been provided in the factory, read with Section 38 of the said Act:

- a) Fire buckets containing sand/water had not been found provided.
- b) Provision of water supply for firefighting had not been provided.
- c) Fire extinguishers; DCP/CO<sub>2</sub> type had not been found provided.

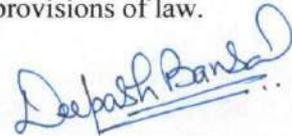
6. That certificate of first aid trained person be produced amounting to contravention of the provisions of Section 45 of the said Act read with Rule 63 of the said Rules.

7. That the emergency exit had not been provided from basement to ground floor, ground floor to first floor, first floor to second floor, second floor to terrace in the factory and you have failed to maintain all practicable measures to prevent outbreak of fire and its spread, both internally and externally amounting to contravention of the provisions of Rule 61 of the Delhi Factories Rules, 1950 read with Section 38 of the Factories Act, 1948.

32/c

8. That on 01/11/2022 at around 9:30 A.M. a fire took place at first floor of your factory and spread over to second floor & terrace partially covered with shed of the factory, in which 20 workers received burn injuries and out of which three workers died. You have not sent the written report in Form No. 18, amounting to contravention of the provisions of Rule 96 of the Delhi Factories Rules, 1950 read with Section 38 of the Factories Act, 1948.
9. That on 01/11/2022 at around 9:30 A.M. a fire occurred at first floor of the building due to electric short circuit followed by explosion in solvent stored as raw material kept at the same floor in the drums. Thus, you have failed in the maintenance of all places of work in the factory in a condition that is safe and without risks to health of workers amounting to contravention of the provisions of Section 7A of the Factories Act, 1948.

The above orders are issued without prejudice to the legal action which I may take for non compliance of any of the provisions of said Act & Rules, You are hereby also directed to state in writing, so as to reach this office, within a week, of the receipt of this letter, as to why a serious view should not be taken for the above contravention of the provisions of law.



**(DEEPASH BANSAL)**  
**Asstt. Director (ISH)**  
**(Inspector under Factories Act, 1948)**  
**Govt. of NCT of Delhi**

Copy to:-

1. Employees State Insurance Corporation, - Please refer this office mail dated  
Sub Regional Office – Rohini, 02.11.2022 & 03.11.2022 regarding  
Ministry of Labour & Employment, GoI, registration of this establishment and  
D-11, Sector-7, Rohini, Delhi-110085. their employees under ESIC Act, 1948.  
Reply is still awaited.
2. Dy. Labour Commissioner (North), - with the request to take appropriate  
Compensation Commissioner under action in the matter under EC Act, 1923  
Employees Compensation Act, 1923 with intimation of ATR to this office.  
Labour Welfare Centre, Nimri Colony,  
Ashok Vihar, Ph-IV, Delhi-110052.



**Asstt. Director (ISH)**

o/c