

IN THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No. 772 of 2024

IN THE MATTER OF:

News item titled, “3 sleeping after finishing shift killed in blaze at Narela factory 6 injured” appearing in The Times of India dated 09.07.2024

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NEW DELHI

DATED: 28.01.2025

FILED BY:

JYOTI MENDIRATTA

(Advocate for GNCT of Delhi)

**IN THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application NO.772/2024**

IN THE MATTER OF:

News item titled " 3 sleeping after finishing shift killed in blaze at Narela factory 6 " appearing in the Times of India dated 09/07/2024

VERSUS

Central Pollution Control Board, Through its Member Secretary & Ors

AFFIDAVIT ON BEHALF OF RESPONDENT

NO. 4 IN COMPLIANCE WITH ORDER DATED 30.09.2024

MOST RESPECTFULLY SHOWETH:

I, Dharmendra Sharma, aged about 52 years, currently posted as Executive Magistrate, Narela, GNCTD, located at MPCC Building, Naya Bans Delhi on behalf of District Magistrate, North do hereby solemnly affirm and state as under:

1. That I am well conversant with the facts of the present case based on the official records and as such I am competent to depose with respect thereto and file the present Affidavit.

2. That this Hon'ble Court by Order dated 30.09.2024 has directed to file a reply by way of an affidavit indicating the position concerning payment of compensation to the family of the deceased and to the victims.

3. That I have gone through the contents of the Original Application(OA) and understood the contents thereof.

Ds
27/11/24

4. That the matter pertains to fire incident reported at Narela Industrial Area dated 08.06.2024 in Factory no. H-1249, M/s ShayamKripa Foods Pvt. Ltd. The details of the injured and dead victims in the fire incident are as following:

A. Three victims have died in the fire incident:

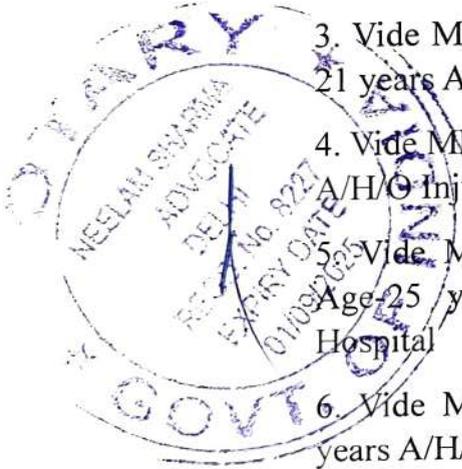
1. Vide MLC No. 3235/24 Shyam S/O Jagdish, Age-24 years,
2. Vide MLC No. 3303/24 Ram Singh S/O Girja Shankar, Age-30 years A/H/O Burn Injury
3. Vide MLC No. 3241/24 Beerpal S/O Rajaram, Age-42 years A/H/O burn injury in unresponsive & unconscious state were declared brought dead.

B. Six victims were injured in the fire accident:

1. Vide MLC No. 3236/24 Pushpender S/O Rakesh Sharma, Age-26 years A/H/O Burn Injury and referred to Safdurjung Hospital,
2. Vide MLC No. 3237/24 Akash S/O Kanhaiyalal Age-19 years A/H/O Burn Injury and referred to Safdurjung Hospital,
3. Vide MLC No. 3238/24 Mohit Kumar S/O RajuKushwaha, Age-21 years A/H/O Burn Injury and referred to Safdurjung Hospital,
4. Vide MLC No. 3240/24 Ravi Kumar S/O Jaikishan, Age-19 years A/H/O Injury by brick (Simple injury),
5. Vide MLC No. 3301/24 Monu S/O Jagdish Narayan Sharma, Age-25 years A/H/O Burn Injury and referred to Safdurjung Hospital
6. Vide MLC No. 3302/24 Lalu S/O BanshlalKushwaha, Age-32 years A/H/O Burn Injury and referred to Safdurjung Hospital.

5. That compensation to the victims of the fire incident is under process wherein compensation is to be paid as per ex gratia relief in various eventualities fixed by the Order issued vide F. No. F.1(87)/Relief/Building collapse2010/2663 dated 05.03.2020. (Annexure-A).

[Handwritten Signature]
27/1/25



- 6. That it is humbly submitted that the payment of compensation is pending due to non-submission of report by concerned SHO detailing the exact address of the victims and their legal representatives. The FIR in the case mentions the address of all the victims as H- 1249, DSIIDC Narela, Delhi(Annexure-B). Letter to concerned Police station as well as reminder letter have been dispatched but final report from the Police department has not been received till date.
- 7. That the delay in filing affidavit is deeply regretted as the District Magistrate as well as the Sub Divisional Magistrate are busy in the ongoing Delhi legislative Assembly Elections, 2025. The deponent submits that the answering respondents humbly pray to be given time to pay compensation/ ex gratia relief to the victims of the fire incident. The deponent has full regard to the majesty of the Hon'ble Court and has highest regard for rule of law. The undersigned is willing to abide by the order(s) of this Hon'ble Court.

I identified the deponent who has signed in my presence

[Handwritten Signature]



[Handwritten Signature]
27/1/25

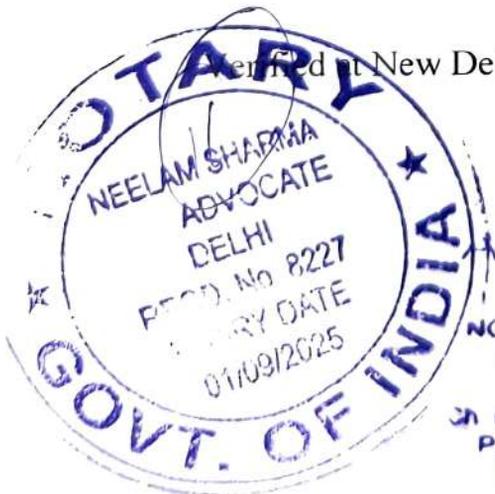
DEPONENT

VERIFICATION

I, the abovementioned deponent do verify that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed therefrom.

27 JAN 2025

Verified at New Delhi on this ____ day of January 2025.



NOTARY (GOVT. OF INDIA)
Neelam Sharma
Advocate
Sh. No 165A, Gate No. No. 11
Patela House Courts,
New Delhi-110001
(M.F. 9899408301)



[Handwritten Signature]
27/1/25

DEPONENT

27 JAN 2025

OFFICE OF THE PR. SECRETARY CUM DIVISIONAL COMMISSIONER
REVENUE DEPARTMENT : GNCT OF DELHI
5, SHAM NATH MARG, DELHI-110054

(RELIEF BRANCH)

Dated 05.03.2020

F.1(87)/Relief/Building Collapse2010/ 2663

ORDER

In partial modification of all earlier orders/circulars, the Govt. Of NCT of Delhi vide Cabinet Decision No. 2808 dated February 28, 2020 and Cabinet Decision No. 2810 dated March 5, 2020 has decided to enhance/revise the scale for grant of ex-gratia relief in various eventualities, as per the details given below.

(i) Fire and other Accidents (caused by individual or natural calamities):

- | | | |
|------------------------------|---|---|
| (a) Death (Major) | : | Rs.10,00,000/- in each case (1 Lakh ex-gratia shall be given to the family immediately and 9 lakh after documentation process is completed and approvals obtained.) |
| (b) Death (Minor) | : | Rs.5,00,000/- in each case |
| (c) Permanent Incapacitation | : | Rs.5,00,000/- in each case |
| (d) Serious injury | : | Rs.2,00,000/- in each case |
| (e) Minor Injury | : | Rs.20,000/- in each case |
| (f) Orphaned Children | : | Rs.3,00,000/- in each case |

(ii) Bomb Blasts, Communal Riots & Other Riots, Terrorist Attacks:

- | | | |
|------------------------------|---|---|
| (a) Death (Major) | : | Rs.10,00,000/- in each case (1 Lakh ex-gratia shall be given to the family immediately and 9 lakh after documentation process is completed and approvals obtained.) |
| (b) Death (Minor) | : | Rs.5,00,000/- in each case |
| (c) Permanent Incapacitation | : | Rs.5,00,000/- in each case |
| (d) Serious Injury | : | Rs.2,00,000/- in each case |
| (e) Minor Injury | : | Rs.20,000/- in each case |
| (f) Orphaned Children | : | Rs.3,00,000/- in each case |

Loss of Moveable Property (in riots):

- (a) Animal (source of income/livelihood): Rs.5,000/- each
- (i) Farm Animal: Cows, buffaloes, Sheeps
- (ii) Cart Animal: Horses, Oxen, Camel
- (b) Normal Rickshaw : Rs.25,000/- each
- (c) E-Rikshaw/E-Scooty : Rs. 50,000/-each

(iv) Damage to residential unit (In riots/fire/natural calamities/other than Jhuggles):

- Each floor shall be considered as a different residential unit and the relief amount be disbursed as follows:
 - Total Damages : Rs.5,00,000/- (Rs. 4 lakh for damage to structure shall be divided among the owner(s) of the floor and Rs. 1 lakh for loss of household items shall be divided among occupant(s)/tenant(s) of that floor.
 - Substantial Damage : Rs.2,50,000/- (Rs. 2 lakh for damage to structure shall be divided among the owner(s) of the floor and Rs. 50,000/- for loss of household items shall be divided among occupant(s)/tenant(s) of that floor.
 - Minor Damage : Rs.25,000/-
- An immediate relief of Rs. 25000/- will be released for each floor for loss of household items. This amount shall be divided among occupant(s)/tenant(s) and shall be adjusted from the final ex-gratia compensation amount arrived at after due diligence by the authorized officer and approval of the competent authority
- In case of riots, for tenant(s)/house owner(s) who have lost household goods not through fire but through looting/theft, compensation of Rs.1 lakh per residential unit for complete looting/theft and Rs. 50,000/- for partial looting/theft shall be provided. However, in all such cases, furnishing of copy of FIR shall be mandatory.

(v) Damage to Schools during riots:-

- a) Schools with enrolment upto 1000 students: Rs.5,00,000/-
- b) Schools with enrolment more than 1000 students: Rs.10,00,000/-

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**Damage to uninsured commercial property/commercial articles
(in riots/fire/natural calamities/[other than Jhuggies])**

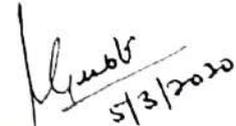
50% of the loss up to a maximum of Rs. 5,00,000/-

This category shall also include cases of looting /theft/loss of articles in an uninsured Commercial property. However, in all such cases, furnishing of copy of FIR shall be mandatory.

Relief in case of damage to jhuggies (in case of riots/fire/etc.) shall be provided as per Cabinet Decision No. 2295 dated 24.02.2016 and Order No. F.1(87)/Relief/Building Collapse/2010/3589-97 dated 20.10.2016.

The Pr. Secretary (Revenue) & Divisional Commissioner, Delhi and District offices each have been allotted budget under their respective heads of Accounts-“ Major Head 2245 Relief” on account of Natural Calamities to meet the expenditure on payments of gratuitous relief, tentage, food etc. In cases of natural calamities like fire, bomb blast, earthquake, riot etc.

The powers to sanction of relief to the victims have already been delegated to all the Deputy Commissioners, being Head of Department in all cases in accordance with the scale approved in the order to ensure timely disbursal of Relief vide order no. F.1(87)/Relief/Building Collapse/2010/09 dated 04.01.2012.


(MITHLESH GUPTA)

SUB DIVISIONAL MAGISTRATE-II (HQ)

No. F.1.1(87)/Relief/Building Collapse/2010/2663

Dated 5/3/2020

Copy for information and necessary action to :-

1. The Pr. Secretary to H.E. Lt. Governor, Delhi, Raj Niwas, Delhi.
2. The Addl. Secretary to Hon'ble Chief Minister, Delhi Sectt., Delhi.
3. The Secretary to Hon'ble Deputy Chief Minister, Delhi Sectt. Delhi
3. The Secretary to Hon'ble Minister of Revenue, Delhi Sectt., Delhi.

4. The Staff Officer to Chief Secretary, Delhi Sectt., Delhi.
5. The Pr. Secretary (Home), GNCT of Delhi.
6. The Pr. Secretary (Finance), GNCT of Delhi.
7. The PS to Pr. Secretary (Revenue), GNCT of Delhi.
8. All Dy. Commissioner (Revenue), GNCT of Delhi/New Delhi.
9. All ADMs/SDMs/Executive Magistrate/Tehsildars, GNCT of Delhi.
10. Guard File.

Mithlesh Gupta
5/3/2020

(MITHLESH GUPTA)
SUB DIVISIONAL MAGISTRATE-II (HQ)

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (ज़िला): OUTER NORTH P.S.(थाना): NARELA INDUSTRIAL AREA Year(वर्ष): 2024 FIR No(प्र.सू.रि.सं.):0538 Date : 08/06/2024 (DELHI)
2. Act(s)(अधिनियम): Section(s)(धारा(एँ)): - IPC 1860 285/287/337/304A
3. Occurrence of Offence (अपराध की घटना):
 (a) Day(दिन): SATURDAY Date From(दिनांक से): 08/06/2024 Date To(दिनांक तक): 08/06/2024
 Time Period (समय) Time From (समय से): 03:30 hrs Time To (समय तक): 03:30 hrs
 (b) Information received at P.S.(थाना जहां सूचना प्राप्त हुई Date(दिनांक): 08/06/2024 Time 15:47 hrs
 (c) General Diary Reference (रोजानामचा Entry No.(प्रविष्टि) 069A Date/Time 08/06/2024 15:47
4. Type of Information (सूचना का Written
5. Place of Occurrence (घटनास्थल):
 (a) Direction and Distance from P.S (थाना से दूरी और EAST , 2 Km(s) Beat No(बीट सं.) : 09
 (b) Address(पता): ,FACTORY NO. FACTORY NO. H-1249, ,NARELA INDUSTRIAL AREA, DELHI
 (c) In case, Outside the limit of the Police Station (यदि थाना सीमा के बाहर हैं):
 Name of P.S(थाना का नाम): District(ज़िला):
6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):
 (a) Name(नाम): SI (Sub-Inspector) DEEPAK LATHWAL ,PIS No.28105504 ,Belt No.D/337
 (b) Date/Year of Birth (जन्म तिथि 25/09/1990 Nationality (राष्ट्रीयता): INDIA
 (c) Passport No.(पासपोर्ट सं.): Date of Issue (जारी करने की तिथि Place of Issue (जारी करने का
 (d) Occupation POLICE OFFICER
 (e) Address(पता): PS NIA DELHI., NARELA INDUSTRIAL AREA, OUTER NORTH, DELHI, INDIA, 9696807000, DEEPAK.28105504@DELHIPOLICE.GOV.IN
7. Details of Known/Suspect/Unknown accused with full particulars(attach separate sheet if necessary)(ज्ञात/ सदिग्ध /अज्ञात का पुरे विवरण सहित वर्णन
8. Reason for delay in reporting by the complainant/informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण): NO DELAY
9. Particulars of the properties stolen/involved (attach separate sheet if necessary):
 SI.No. (क्र.सं.) Property Type(Description) Est. Value(Rs.)(मूल्य (रु में))
- 10 Total value of property stolen (चोरी हुई सम्पत्ति का कुल
- 11 Inquest Report / U.D. Case No., if any (मृत्यु समीक्षा रिपोर्ट / यू. डी. प्रकरण न., यदि कोई

12 F.I.R. Contents (attach separate sheet, if required)(प्रथम सूचना रिपोर्ट तथ्य):

District : OUTER NORTH (DELHI) P.S./Section: NARELA INDUSTRIAL AREA GD No. : 0018A Date: 08/06/2024 Time: 03:45:40 Entry Made For : Rank / Name / PIS No. of Police Officer : SUB-INSPECTOR / RANBIR SINGH/ 28840850 GD Type(s) : PCR Call GD Subject: इतला आमद PCR Call Assigned to: SI (Sub-Inspector)/DEEPAK LATHWAL/28105504 GD Brief : Ref. Event ID - 9251495, Incident Address: H-1249 DIDC NARELA BHOR GARH, Incident Description: YHA FACTORY MEIN AAG LGI HAI EK AADMI SERIOUS INJURED HAI AUR 2 LOG ANDER FASE HUE HAI, Mobile No: 9311150351, 9311150351, From: CT NISHA, 10380/PCR, Information Received on Telephone and feed in CCTNS व बजरिये फोन SI Deepak साहब को बतलाया गया। जो उचित कार्यवाही अमल में लायेगा। Submitted By DO NOTE: COMPUTER COPY Signature SUB-INSPECTOR / RANBIR SINGH/28840850 श्रीमान D/O साहब, थाना नरेला इंडस्ट्रियल एरिया दिल्ली सरकारी कार्य हेतु निवेदन इस प्रकार है कि आज दिनांक 08/06/2024 को मन SI को दौराने Emergency Duty DD No. 16-A व 18-A मिलने पर मय हमराही HC Sudhir No. 2276/OND जाय घटना स्थल Shayam Kripa Foods PVT LTD. Factory No. H-1249, Narela Industrial Area, पहुंचे जो उपरोक्त फैक्ट्री में मूंग की दाल तैयार की जाती है जहाँ पहुंचने पर देखा कि उपरोक्त फैक्ट्री में आग लगी हुई है जो मौके पर फायर ब्रिगेड की टीम की मदद से rescue operation चलाया गया जो दौराने Rescue operation कुल 9 व्यक्ति Ambulance व PCR की सहायता से नजदीकी हॉस्पिटल SRHC Hospital Narela Delhi में admit कराये गये जो उसके बाद मन SI ने मौका पर पहुंचे beat staff HC Mahasher Ali 2490/OND को मौका पर मौके की हिफाजत के लिए छोड़कर मन SI मय हमराही HC Sudhir No. 2276/OND SRHC Hospital Narela पहुंचा जहाँ पर पर 1. MLC No. 3235/24 पर Dr. साहब ने patient Shyam S/o Jagdish Age 24 years, R/o H-1249 DSIIDC Narela, Delhi को patient brought in unconscious & unresponsive condition with A/H/O Injured in fire in a factory को Brought Dead डिक्लेअर किया, 2. MLC No. 3303/24 पर Dr. साहब ने patient Ram Singh S/o Girja Shankar Age 30 years, R/o H-1249 DSIIDC Narela, Delhi को patient brought in unconscious & unresponsive condition with A/H/O burn injury को Brought Dead डिक्लेअर किया, 3. MLC No. 3241/24 पर Dr. साहब ने patient Beer Pal S/o Unknown (Raja Ram) Age 42 years, R/o H-1249 DSIIDC Narela, Delhi को patient in casualty with A/H/O burn injury in unresponsive & unconscious state को Brought Dead डिक्लेअर किया, 4. MLC No. 3236/24 पर Dr. साहब ने patient Pushpender S/o Rakesh Sharma Age 26 years, R/o H-1249 DSIIDC Narela, Delhi को patient in casualty with A/H/O burn injury को nature of injury O/R and refer to Safdarjung Hospital तहरीर किया, 5. MLC No. 3237/24 पर Dr. साहब ने patient Akash S/o Kanhaiya Lal Age 19 years, R/o H-1249 DSIIDC Narela, Delhi को patient in casualty with A/H/O burn injury को nature of injury O/R and refer to Safdarjung Hospital तहरीर किया, 6. MLC No. 3238/24 पर Dr. साहब ने patient Mohit Kumar S/o Raju Kushwaha Age 21 years, R/o H-1249 DSIIDC Narela, Delhi को patient in casualty with A/H/O burn injury को nature of injury O/R and refer to Safdarjung Hospital तहरीर किया, 7. MLC No. 3240/24 पर Dr. साहब ने patient Ravi Kumar S/o Jai Kishan Age 19 yrs, R/o H-1249 DSIIDC Narela, Delhi को patient in casualty with A/H/O injury by brick को nature of injury Simple तहरीर किया, 8. MLC No. 3301/24 पर Dr. साहब ने patient Monu S/o Jagdish Narayan Sharma Age 25 yrs, R/o H-1249 DSIIDC Narela, Delhi को patient in casualty with A/H/O burn injury को nature of injury O/R and refer to Safdarjung Hospital तहरीर किया, 9. MLC No. 3302/24 पर Dr. साहब ने patient Lalu S/o Bansh Lal Kushwaha Age 32 yrs, R/o H-1249 DSIIDC Narela, Delhi को patient in casualty with A/H/O burn injury को nature of injury O/R and refer to Safdarjung Hospital तहरीर किया। जो उपरोक्त 3 मृतक बॉडीज को HC Sudhir 2276/OND की कस्टडी में BJRM हॉस्पिटल में PM हेतु Pre reserve करवाया CRIME TEAM को मौका पर और हॉस्पिटल में Inspection & Photographs के लिए बुलाया गया था इसके साथ साथ उपरोक्त Injured SRHC Hospital से Higher Center Safdarjung Hospital के लिए Refer किये जा चुके थे जो SRHC Hospital में मौका के eyewitness की तलाश की गई जो कोई eyewitness नहीं मिला उसके बाद मय हमराही बराये Injured के statement लेने हेतु Safdarjung Hospital खाना हुए जो उपरोक्त Injured में से Pushpender, Akash, mohit, Monu & Lalu दौराने इलाज मिले उनकी injuries के बारे में पता करना चाहा जो उन्होंने दर्द ज्यादा होने से ब्यान देने से मना कर दिया केवल इतना बतलाया की उन्हें फैक्ट्री नंबर H-1249, Narela Ind. Area में compressor के AIR Diver में blast होने से लगी आग के कारण चोट लगी है जो हॉस्पिटल में eyewitness की तलाश की गई जो कोई Eyewitness नहीं

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 मिला जिसके बाद मन SI मय स्टाफ वापिस फैक्ट्री H-1249, Narela Ind. Area पहुंचा जहाँ पर घटना स्थल के आस-पास चश्मदीद गवाह की काफी तलाश की गई लेकिन कोई भी चश्मदीद गवाह नहीं मिला। जो फैक्ट्री के अन्दर अभी ज्यादा हीट होने के कारण Crime Team के द्वारा अंदर का इन्स्पेक्शन नहीं करवाया गया जो इसका बाद में inspection करवाया जायेगा जो मौका मुलाहिजा से, DD Entry से, व हालात से अपराध U/s 285/287/337/304A IPC का घटित होना पाया जाता है। लिहाजा एक हिन्दी लेख तैयार करके मुकदमा दर्ज Computer कराने हेतु DO Room में दरपेश है जिस पर मुकदमा दर्ज Computer करके मुकदमा नंबर से सूचना दी जाये। मन SI मौका पर ही मौजूद हूँ। घटना घटित की तिथि व समय:- 08/06/2024 at about 03:30 AM घटना स्थल:- Factory No. Factory No. H-1249, Narela Industrial Area, Delhi लेख भेजने की तिथि व समय:- 08/06/2024 at 15:35 PM SD/Eng SI Deepak Lathwal, No. D-337, PS-N.I.A. Delhi Dt. 08/06/2024 पुलिस कार्यवाही एक लिखित article Hindi/English written by SI Deepak No. D-337 के द्वारा थाना मे मुझ ASI/DOको प्राप्त हुई एक लिखित Article मिलने पर मुझ ASI/DOने मुकदमा U/S 285/287/337/304 A IPC का दर्ज Computer करके CCTNS Operator के द्वारा Computer में Feed कराकर असल लेख व FIR की Computerized Copy बाहुकम जनाब SHO साहब SI Deepak No. D-337 के हवाले की गई। जो आगे की कार्यवाही अमल में लाएंगे। FIR Copy व अन्य संबंधित दस्तावेज डाक के द्वारा सीनियर आफिसर के सामने प्रस्तुत होंगे Submitted by DO.

13 Action Taken Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2:

(की गयी कार्यवाही: चूंकि उपरोक्त जानकारी से पता चलता है कि किया गया अपराध मद सं.2.में उल्लेख धारा के तहत है):

(i) Registered the case and took up the

(प्रकरण दर्ज किया गया और जांच के लिए लिया

OR (या)

(ii) Directed (Name of the I.O.)(जांच अधिकारी का नाम DEEPAK LATHWAL

Rank (पद):
SI (SUB-INSPECTOR)

No(सं.): 28105504

to take up the investigation (को जांच आपने पास में लेने के लिए निर्देश दिया गया) OR

(iii) Refused investigation due to(जांच के

OR (के कारण इंकार किया या)

(iv) Transferred to P.S.(नाम)(थाना):

District(ज़िला):

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित)

F.I.R read over to the complainant/informant, admitted to be correctly recorded and a copy given to the free of cost : (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी) :

R.O.A.C.(आर.ओ.ए.सी.):

14 Signature / Thumb Impression

of the Complainant / Informant:

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

Signature of Officer

Name(नाम): VIJAY RANI

Rank (पद): ASST. SI (ASSISTANT SUB-INSPECTOR)

No.(सं.): 28940594

15 Date and Time of despatch to the court:

(अदालत में प्रेषण की दिनांक और समय):