

LISTED ON: 11/4/2023

THE NATIONAL GREEN TRIBUNAL
CIVIL/CRIMINAL APPELLATE/ORIGINAL JURISDICTION

O.A. NO. 251 OF 2023

BETWEEN

"IN RE: TWELVE DEAD, SEVERAL INJURED
IN EXPLOSION AT FIRE CRACKER UNIT IN
KANCHEEPURAM,"

... PETITIONERS

Vs

MEMBER SECRETARY, TAMIL NADU POLLUTION
CONTROL BOARD & ORS.

.. RESPONDENTS

INDEX

SL. NO.	PARTICULARS	COPIES	COURT FEES
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- VAKALATHNAMA FILED BY THE RESPONDENT NO. 3 AND 4
- Counter Affidavit filed by the 3rd Respondent

Total

SURESH,
Clerk, I.D 6233
9582461980

Filed by


(SHEIKH P. KALAI)

(D. KUMANAN)

Advocate-on-record

Appellant (s) / Petitioner (s)

Respondent (s) / Caveator (s)

Room No.3, Old Tamil House,

Chanakyapuri, New Delhi.

Mobile: 9582461980

(COMPUTER CODE: 2777)

STANDING COUNSEL FOR STATE OF TAMIL NADU

FILED ON : /04.2023

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

OA NO. 251 OF 2023

IN THE MATTER OF:

"In re: Twelve Dead, Several Injured in explosion at Fire Cracker Unit in Kanchipuram."

VS

3. The District Collector,
Kancheepuram District
Tamil Nadu.

4. Commissioner
Kancheepuram Corporation
Kancheepuram District
Tamil Nadu.

KNOW ALL to whom these present shall come that M. AARSHI, ^{D/o} Manickavasagam,
R/o Kancheepuram, do hereby appoint: D. KUMARAN, SHEILA. P. KRISHNA,

(Hereinafter called the advocate/s) to be my/our Advocate in the above noted case authorised him:-

To act appear and plead in the above noted case in this court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each court by me/us.

To sign, file verify and present pleadings, appeals cross-objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint, and instruct any other Legal Practitioner, authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the Power of Attorney on our behalf.

And I/we the undersigned do hereby agree to ratify and confirm the acts of the Advocate or his substitute in the matter as my/our acts, as if done by me/us and purposes.

And I/we undertake that I/we or my/our duly authorised agent would appear in the Court on all hearings and will inform the Advocate for appearance when the court is adjourned.

And I/we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever the Court shall be of the Advocate, which he shall receive and retain himself.

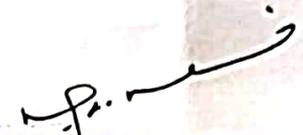
And I/we the undersigned do hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the advocate remaining unpaid, he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is



only for the above case and above Court. I/we hereby agree that once the fee is paid, I/we will not be entitled for the refund of the same in any case whatsoever.

IN WITNESS WHEREOF I/we do here unto set my/our hand to these presents the contents of which have been understood by me/us on this 05th day of April 2023,
Accepted subject to the terms of fees.

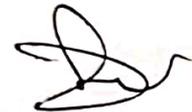
1.


DISTRICT COLLECTOR
KANCHEEPURAM

2.


ஆணையாளர்
காஞ்சிபுரம் மாநகராட்சி

(The Commissioner, Kancheepuran Corporation)


D. KUMARAN, STELLA P. LOUIS
Advocate

1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPLE BENCH, NEW DELHI
IN
OA NO. 251 OF 2023

IN THE MATTER OF

"In re: Twelve Dead, Several Injured In explosion at Fire Cracker Unit in Kancheepuram."

Versus

1. Member Secretary, Tamil Nadu Pollution Control Board,
2. Deputy Chief Controller of Explosives, Tamil Nadu.
3. District Collector, Kancheepuram District, Kancheepuram, Tamil Nadu.
4. Commissioner, Kancheepuram Corporation, Kancheepuram, Tamil Nadu.

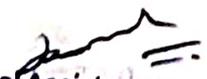
...Respondents

COUNTER AFFIDAVIT FILED BY THE 3RD RESPONDENT
THE DISTRICT COLLECTOR, KANCHEEPURAM.

I, Dr. M. Aarthi, I.A.S., daughter of Manickavasagam, Indian, aged about 37 years, now discharging duties as the District Collector, Kancheepuram District do hereby solemnly affirm and sincerely state as follows:

2) I am the 3rd Respondent herein and as such, I am well acquainted with the facts and circumstances of the case from the available records.

3) I respectfully submit that, the News Item Published in ABP News Bureau, Dated.22.03.2023 under the Caption of Nine Dead, Several injured In Explosion at Fire cracker Unit In Kancheepuram.


Personal Assistant (General)
to the Collector, Kancheepuram.


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4) I humbly submit that, the fire accident had occurred on ² 22.03.2023 at 11.45 A.M. in a Fire Crackers manufacturing and sales Godown which belongs to Thiru.Narendiran S/o Natarajan located at S.No.389/6,Orikkai Village of Kancheepuram Taluk and District. In this fire accident the 12 labourers who were working in the above Godown died, another 15 persons were injured and are undergoing treatment in various Government Hospitals.

5) I submit that, the license for the fire crackers manufacturing and sales Godown was issued by the District Revenue Officer, Kancheepuram vide Proceedings R.Dis.No.97066/1988/U2 dated: 04.03.1991. The licensee had applied for renewal of license on 12.01.2021 and it had been renewed from 01.04.2021 to 31.03.2024 vide Proceedings of the District Revenue Officer, Kancheepuram- K.Dis.No.988/2021/M3 dated: 08.10.2021 after inspection of the site.

6) It is submitted that, as per the announcement of Hon'ble Chief Minister of Tamil Nadu, each Rs.3,00,000/- was given by the District Collector, Kancheepuram to the legal heirs of deceased persons under the Chief Minister Relief Fund and also Rs. 1,00,000/- was given to injured persons who are undergoing medical treatment in Government Hospitals.

Meanwhile, the owner of the Fire Crackers manufacturing and sales Godown Thiru.Narendran, S/o Natarajan has been arrested by Inspector of Police, B6 Magaral Police Station Crime No. 49/2023 u/s 286, 338,


Personal Assistant (General)
to the Collector, Kancheepuram.


DISTRICT COLLECTOR
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304(ii) of Indian Penal Code, 1860 r/w 12, 9(B)(1)(b) of Indian Explosives Act, 1884 and the case is under investigation.

7) In view of this accident, the license issued to this factory is ordered to be suspended until further orders under Section 6(E)(3)(b) of the Explosives Act, 1884 and the District Revenue Officer is appointed as an inquiry officer to find out the cause and circumstances of this accident.

Deceased Persons

S.No	Name and Address of the Deceased Persons	Age	Community
1	Thiru.Sudharsan S/o. Gunasekaran, Nellikara street, Kancheepuram	31	Hindu- Mudhaliyar
2	Thiru.Boopathi, S/o. Sundharam , No.22/28, Thayaramman Kulam, Kancheepuram	53	Hindu - Sengunthar
3	Tmt. Vijaya , W/o. Gangadharan, Eswaran kovil st, Valathottam.	38	Hindu - Vanniyar
4	Thiru. Murugan, S/o. Nadesan Thambiran, Samanthipuram, Kottavakkam.	50	Hindu - Vanniyar
5	Tmt. Devi W/o. Raja, Murugan kovil st, Kuruvimalai	32	Hindu - Mudhaliyar
6	Selvan. Gowtham S/o. Baskar, 19B, Sangubani vinayagar kovil st, Kancheepuram	15	Hindu - Vanniyar
7	Tmt.Sasikala W/o. Sakthivel, Murugan kovil st, Kuruvimalai Village.	45	Hindu - Vanniyar
8	Tmt.Kottiswari, W/o. Loganathan, 142, Vinayagar Koil street, Kuruvimalai village.	48	Hindu - Vanniyar
9	Thiru. Gangadharan, s/o Dharuman, Eswaran Koil street, Valathottam.	55	Hindu - Vanniyar

[Signature]
Personal Assistant (General)
to the Collector, Kancheepuram.

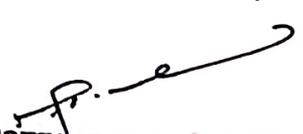
[Signature]
DISTRICT COLLECTOR
KANCHEEPURAM

10.	Thiru.Gajenderan S/o. Govindasamy, Anganwadi St, Valathottam.	50	Hindu- Vanniyar
11.	Thiru. Ravi S/o. Nagenderan, Kunnavakkam.	49	Hindu- Adidravadar
12.	Thiru.Jagatheesan S/o. Nadarajan, Kuthambakkam.	35	Hindu- Vanniyar

List of Injured Persons - Hospitalised at Kancheepuram GH for Treatment

S.No	Name and Address of the Injured Persons	Age	Community	Remarks
1	Tmt .Kumudha W/o. Paramasivam, Kuruvimalai Village.	35	Hindu - Vanniyar	Right Leg Fracture
2	Tmt. Kaliammal W/o. Settu Kalaingar Nagar, Kuruvimalai Village	35	Irrular	Injury
3	Tmt. Santhi W/o. Shanmugam, 75, Anganvadi Street, Valathottam	45	Hindu - Vanniyar	Fire Injury in Ear
4	Tmt. Madavi W/o. Thulasi, 71, Bajanai Koil Street, Valathottam	40	Hindu - Vanniyar	Leg & Hand Fire Injury
5	Tmt.Uma W/o Venkatesan, 189, Kalaingar street, Kuruvimalai	35	Hindu - Vanniyar	Fire Injury
6	Tmt.Saritha W/o. Sivakumar, No.3/8, Mandram St, Kuruvimalai.	38	Hindu- Vanniyar	Fire Injury
7	Tmt.Sarala W/o. Venkatesan, No.7, Murugan Kovil St, Kuruvimalai.	32	Hindu- Vanniyar	Fire Injury
8	Thiru.Manikandan S/o. Gajenderan, Anganwadi St, Valathottam.	29	Hindu- Vanniyar	Fire Injury


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to the Collector, Kancheepuram.


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9	Thiru. Loganathan S/o. Kuppusamy, No.54, Bajanai Kovil St, Valathottam.	38	Hindu- Vanniyar	Fire Injury at Leg
10	Tmt. Lakshmi W/o. Sambasivam, No.53, Bajanai Kovil St, Valathottam.	40	Hindu- Vanniyar	Fire Injury

List of Injured Persons - hospitalised at Chengalpattu GH for Treatment

S.No	Name and Address of the Injured Persons	Age	Community	Remarks
1.	Tmt. Unnamalai W/o. Gajenderan, Valathottam	48	Hindu- Vanniyar	Severe Fire Injured
2.	Tmt. Savithri W/o. Gajenderan, Bajanai Kovil St, Valathottam.	54	Hindu- Vanniyar	Fire Injured at Muscle
3.	Thiru.Ravikumar S/o. Thangaraj, No.3, Nehru Nagar, Orikkari, Kancheepuram.	27	Irular	Severe Fire Injured

List of Injured Persons- Hospitalised at Chennai Kilpauk for Treatment

S.No	Name and Address of the Injured Persons	Age	Community	Remarks
1.	Tmt. Malar W/o. Elangovan, Kalaingar St, Kuruvimalai Village.	40	Hindu- Vanniyar	Severe Fire Injured
2.	Tmt. Alamelu W/o. Mohan, Road St, Kuruvimalai Village.	45	Hindu- Vanniyar	Severe Fire Injured


Personal Assistant (General)
to the Collector, Kancheepuram.


DISTRICT COLLECTOR
KANCHEEPURAM

In these circumstances, I humbly request that the Hon'ble National Green Tribunal, New Delhi may kindly be pleased to accept the aforesaid Counter affidavit and to pass appropriate order which deems fit and necessary in the circumstances of the case and thus render justice.

Dated. .04.2023


DISTRICT COLLECTOR
KANCHEEPURAM

Verification

I, Dr M Aarthi I.A.S., Third Respondent herein do hereby verified the contents of this Report and they are true to my personal knowledge based on the records and I have not suppressed any facts.

Signature: 

Official stamp:

DISTRICT COLLECTOR
KANCHEEPURAM