

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 181 of 2023 (SZ)

In the matter of:

Tribunal on its own motion SUO MOTU

Based on the 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”.

And

Union of India,

MoEF & CC, New Delhi and Others

...Respondent(s)

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**REPORT FILED BY THE DISTRICT COLLECTOR,
VIRUDHUNAGAR – 2ND RESPONDENT**

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Through
Dr. D. Shanmuganathan
Standing Counsel for Government of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai
Date: 30.05.2025

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No.181 of 2023 (SZ)

IN THE MATTER OF:

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"

Versus

State of Tamil Nadu, Represented by District Collector Virudhunagar

....Respondents

STATUS REPORT FILED BY THE STATE OF TAMIL NADU,
REPRESENTED BY DISTRICT MAGISTRATE / DISTRICT COLLECTOR,
VIRUDHUNAGAR
RESPONDENT

I, Dr.V.P.Jeyaseelan, S/o V.Palanisamy, aged about 36 years, presently working as District Collector, Virudhunagar District files the report as follows.

1. On February 12, 2021, a devastating fire accident occurred at M/s. Sree Mariammal Fireworks in Achankulam Village, Vembakottai Taluk, Virudhunagar District. Tragically, the accident claimed the lives of 19 individuals initially, and left 30 others injured. In response to this grave accident, the National Green Tribunal initiated Suo Motu Case No. 44/2021 and appointed a special committee to investigate the matter. The committee, chaired by the Hon'ble Justice Mr. Kannan, conducted a thorough inspection of the accident site on February 26, 2021, and subsequently submitted a detailed report to the Tribunal for further action.

Based on the findings of the committee's report, the National Green Tribunal issued a directive mandating the Tamil Nadu Government to disburse compensation to the victims' families through the District Administration within one month from the date of the judgment. The compensation amounts were specified as follows:

- ₹20,00,000/- for the families of deceased persons.
- ₹15,00,000/- for individuals with injuries exceeding 50%.
- ₹10,00,000/- for individuals with injuries ranging between 25% and 50%.
- ₹5,00,000/- for individuals with injuries between 5% and 25%.
- ₹2,00,000/- for individuals with minor injuries.

The order also stipulated that any compensation already provided must be deducted from the amounts specified above.

2. It is respectfully submitted that the District Administration, on behalf of the Tamil Nadu Government, has filed an appeal to the Supreme Court of India, New Delhi, challenging the judgment of the National Green Tribunal [Supreme Court AS Case No. 244/2024 against the above NGT judgement].

3. It is respectfully submitted that the Hon'ble Supreme Court, has passed the following order on 09.01.2024.

The impugned order of the National Green Tribunal (for short "the Tribunal") has been passed after two orders remand by this court. The first remand was on an appeal preferred by the Tamil Nadu Fireworks and Amorges Manufacturers' Association and the second remand was on an appeal preferred by the present appellant State of Tamilnadu. In paragraph 21 of the judgement and order dated 18th April, 2023 passed by this court in Civil Appeal No.2963 of 2022 preferred by the State, the appellant was specifically directed to appear before the Tribunal on 16th May, 2023.

Now, the grievance of learned senior counsel appearing for the appellant is that the Tribunal did not hear the appellant. However, it is not the case made out the appellant caused appearance on the date fixed by this court. Another grievance is made that a copy of the report relied upon by the tribunal was not supplied to the appellant if the grievance was genuine, the appellant would have appeared before the Tribunal on 16th May, 2023 and would have applied for supply of a copy of the report. That was not done. Even assuming that the appellant's advocate was present on 16th May, 2023, it was the duty of the advocate to appear before the Tribunal on all subsequent dates.

This is a case where in an accident in a firework factory, number of workers died, many sustained serious injuries, and we are constrained to observe that while dealing with the case before Tribunal, the approach of the State Government was Casual as reflected from the record. Therefore, we are not impressed by the submission that a copy of the report was not supplied to the appellant, there is no merit in the appeal and the same is accordingly dismissed”.

4. It is respectfully submitted that, as per the Tamil Nadu Government's Home (Police-12) Department **G.O. No. 443 dated 07.04.2021**, financial assistance was sanctioned from the Chief Minister's Relief Fund. An amount of **₹3,00,000/-** each was allotted to the families or legal heirs of the 21 deceased workers, and **₹1,00,000/-** each was granted to the 32 injured workers.

5. It is respectfully submitted that, in compliance with the government order, the District Administration disbursed the sanctioned amounts to the victims' families and injured individuals. However, among the seriously injured persons, six succumbed to their injuries after receiving treatment. Subsequently, the District Administration requested an additional amount of

₹2,00,000/- per deceased individual through this office's letter No. **L4/4793/2021, dated 11.07.2022**, addressed to the Commissioner of Revenue Administration. The Commissioner of Revenue Administration, in letter No. **R.A 5(3)/48651/2021, dated 05.08.2022**, endorsed this request to the Home Department. The additional funds are currently awaited from the Government.

6. It is respectfully submitted that the Union Government sanctioned financial assistance from the Prime Minister's Relief Fund, allotting ₹2,00,000/- each to the families or legal heirs of the 26 deceased workers and ₹50,000/- each to the 26 injured workers. However, in the case of one deceased worker, **Mrs. Nesamani**, who had no legal heirs, the allotted amount was unable to disburse.

The details of the disbursement are as follows:

SRI MARIAMMAL FIREWORKS FACTORY ACCIDENT AS ON 12.02.2021					CM AND PM	
RELIEF FUND FOR DEATH CASES DETAILS						
S. NO	NAME OF THE DECEASED	NAME AND ADDRESS OF HEIRS RECEIVING RELIEF	CM Relief fund (Rs)	PM Relief fund (Rs)	Total (Rs)	
1	KARUPPASAMY	SUNDARARAJ, S/O. KARUPPASAMY, SATTUR	3,00,000	2,00,000	5,00,000	
2	KARPAGAVALLI	RAJASEKAR, S/O. MARIAPPAN, SATTUR	3,00,000	2,00,000	5,00,000	
3	SELVI	NANDHINI, D/O. BACKIARAJ, SATTUR	3,00,000	2,00,000	5,00,000	
4	BACKIARAJ	NANDHINI, D/O. BACKIARAJ, SATTUR	3,00,000	2,00,000	5,00,000	
5	RENGARAJ	RAJAMMAL, W/O. RENGARAJ, SATTUR	3,00,000	2,00,000	5,00,000	
6	RAVICHANDRAN	KALAVATHI, W/O. RAVICHANDRAN, SATTUR	3,00,000	2,00,000	5,00,000	
7	USHA	MUNIASAMY, S/O. CHELLADURAI,SIVAKASI	3,00,000	2,00,000	5,00,000	
8	SANKARANARAYANAN	PUSHPAVALLI, W/O. SANKARANARAYANAN, SATTUR	3,00,000	2,00,000	5,00,000	
9	POOMARI	1. MARIKANNU, S/O. BOOLAMATHAN 2. KARUPPASAMY, S/O. MARIKANNU	3,00,000	2,00,000	5,00,000	

		3. MAREESWARAN, S/O. MARIKANNU, SATTUR			
10	MALLIGA	SUMATHI, D/O. PONNUSAMY, SATTUR	3,00,000	2,00,000	5,00,000
11	SANGARESWARE	BOSE, S/O. SHANMUGAVEL, SATTUR	3,00,000	2,00,000	5,00,000
12	JEYA	SELVANANTHAM, S/O. PALRAJ, SATTUR	1,00,000	2,00,000	3,00,000
13	KANNAN	RAJAPANDI, S/O. KANNAN, SATTUR	3,00,000	2,00,000	5,00,000
14	DHANALAKSHMI	PERUMAL, S/O. PALANISAMY, SATTUR	3,00,000	2,00,000	5,00,000
15	PANCHAVARNAM	KARUTHAPANDI, S/O. MARIMUTHU, SATTUR	3,00,000	2,00,000	5,00,000
16	GOPAL	MUTHUMARI, W/O. GOPAL, SATTUR	3,00,000	2,00,000	5,00,000
17	VANARAJ	DEVI, W/O. VANARAJ, SATTUR	3,00,000	2,00,000	5,00,000
18	MICHAELRAJ	JAYARANI, W/O. MICHAELRAJ, SATTUR	1,00,000	2,00,000	3,00,000
19	RAJAMMAL	JAYARAJ, S/O. SUNDARAGURUSAMY, SATTUR	1,00,000	2,00,000	3,00,000
20	SANTHANAMARI	KARUPPASAMY, S/O. CHANDRAN, SATTUR	1,00,000	2,00,000	3,00,000
21	PUSHPAM	THANGASAMY, S/O. IYAPPAN, SATTUR	1,00,000	2,00,000	3,00,000
22	KALIAPPAN	RAJESWARI, W/O. KALIAPPAN, VEMBAKOTTAI	1,00,000	2,00,000	3,00,000
23	SANDHIYA	SELVI, W/O. DHANASEELAN, VEMBAKOTTAI	3,00,000	2,00,000	5,00,000
24	CHINNATHAMBI	VIJAYALAKSHMI, W/O. RAJENDRAN, VEMBAKOTTAI	3,00,000	2,00,000	5,00,000
25	THANGALAKSHMI	KRISHNAKUMAR, S/O. PONNUDURAI, VEMBAKOTTAI	3,00,000	2,00,000	5,00,000
26	VAIJAYANTHI	PECHIMUTHU, S/O. KOODALINGAM, E.REDDIAPATTI	3,00,000	2,00,000	5,00,000
27	Mrs.NESAMANI, W/o Deva Aasirvadam	There are No legal heirs for deceased person hence the relief fund was unable to disburse.	-	-	-
GRAND TOTAL			66,00,000	52,00,000	1,18,00,000

7. It is respectfully submitted that, as per the State Government and Union Government allotted for the relief fund to the deceased 26 workers' families or legal heirs and the injured 26 workers, the amount was settled by the District Administration.

The details of the disbursement are as follows:

SRI MARIAMMAL FIREWORKS FACTORY ACCIDENT AS ON 12.02.2021 CM and PM RELIEF FUND FOR INJURED CASES DETAILS				
S.N O	NAME AND ADDRESS OF THE INJURED PERSON	CM Relief fund Rs.	PM Relief fund RS	Total Amount Rs.
1	Mrs. VASANTHA, W/O. NATARAJAN, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
2	Selvi. SAKTHEESWARI, D/O. SUNDARARAJ, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
3	Mrs. MARY, W/O. RAJASEKAR, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
4	MUTHUKUTTY, S/O. KANNAN, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
5	Mrs. BALASUBBU, W/O. VEYILMUTHU, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
6	Mr. VEYILMUTHU, S/O. MADASAMY, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
7	MUTHURAJ, S/O. VEYILMUTHU, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
8	KARTHIGA, W/O. MUTHURAJ, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
9	Mrs. SHANMUGAVADIVU, W/O. UTHIRAKUMAR, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
10	Mr. SUBBURAJ, S/O. RAJU, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
11	Mr. KALIRAJ, S/O. GURUSAMY, SRIRENGAPURAM, SATTUR TALUK	1,00,000	50,000	1,50,000
12	Mr. MUTHUPANDI, S/O. KALIAPPAN, SOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
13	Mr. BRUCELY, S/O. INNASIRAYAR, AMEERPALAYAM, SATTUR TALUK	1,00,000	50,000	1,50,000
14	Mrs. MALAIAMMAL, W/O. NAGARAJ, SATTUR TALUK	1,00,000	50,000	1,50,000
15	VEERALAKSHMI, W/O. MUTHURAJ, PADANTHAL, SATTUR TALUK	1,00,000	50,000	1,50,000
16	Mrs. SOOSAIRATHINAM, W/O. BACKIARAJ, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
17	Mr. BHASKARAN, S/O. THANGAIAH, SATTUR TALUK	1,00,000	50,000	1,50,000

18	Mr. KARUPPASAMY, S/O. PONNUSAMY, PADANTHAL,SATTUR TALUK	1,00,000	50,000	1,50,000
19	CHINNARAJ, S/O. VEYILMUTHU, NADUSOORANKUDI, SATTUR TALUK	1,00,000	50,000	1,50,000
20	ANTONYRAJ, S/O. RAJENDRAN, ANBIN NAGARAM, VEMBAKOTTAI TALUK	1,00,000	50,000	1,50,000
21	YESUPACKIAM, S/O. THANGAMANI, ANBIN NAGARAM, VEMBAKOTTAI TALUK	1,00,000	50,000	1,50,000
22	DEVASAHAYAM, S/O. VEDHAKANI, ANBIN NAGARAM, VEMBAKOTTAI TALUK	1,00,000	50,000	1,50,000
23	JAYARANI, W/O. ANTONYCRUZ, PANAYADIPATTI, VEMBAKOTTAI	1,00,000	50,000	1,50,000
24	SANGARESWARI, W/O. KANDASAMY, ELAYIRAMPANAI, VEMBAKOTTAI TALUK	1,00,000	50,000	1,50,000
25	KARUPPASAMY, S/O. MURUGAN, KANSAPURAM, WATRAP TALUK	1,00,000	50,000	1,50,000
26	MANIKANDAN, S/O. GANESAN, THAYILPATTI, SIVAKASI TALUK	1,00,000	50,000	1,50,000
Total		26,00,000/-	13,00,000/-	39,00,000/-

8. It is respectfully submitted that, in accordance with the Honorable Supreme Court's judgment in **AS Case No. 244/2024**, dated **09.01.2024**, the District Administration has formally requested permission from the government to proceed with further action in the matter.

9. It is respectfully submitted that, following the government's instructions, the District Administration has been directed to seek the legal opinion of the **Additional Advocate General** and to forward it to the government for further action, in compliance with the Supreme Court's order.

10. It is respectfully submitted that the **legal opinion** from the **Additional Advocate General** was duly obtained and forwarded to the government on **08.07.2024** for consideration and further action.

11. It is respectfully submitted that, in order to implement the judgment dated **16.05.2023** on **O.A No. 44/2021**, summarized from the Committee Report, para 9, *'On the other hand, we believe that the State Government shall take*

responsibility for 10% of liability for lack of effective supervision through Inspector of Factories and 10% on the Central Government for their failure to implement the safety laws. Rest of the 80% shall be levied on the licensee and his lessees jointly and severally and the 10% each as we have fixed on the Central and State Governments shall be several. One of us, (Kulkarni) is of the view that on account of the quoted provision of immunity, the payment by the State and the Centre shall be by way of contribution in gratis rather than responsibility by default. Further, as per rule 2(37) of the aforesaid rules, the occupier who has the control and who is responsible for managing the affairs of premises is solely responsible for the accident for the violations of rules and conditions of the licence.”

12. It is respectfully submitted that, in paragraph 15 of the aforementioned judgment, it has been stated as follows

*We reiterate the above view. Almost two years have gone and victims could not get relief as awarded and directed by this Tribunal. Stand of the State is against facts and law, apart from being unfair and unjust. State is not entitled to any further indulgence. **It has already been made clear that State is at liberty to recover the amount from erring enterprises.** The State is also under obligation to take preventing measures for ensuring environmental safety of citizens and maintaining strict vigil to avert such incidents. Thus, even on fresh consideration, **we reiterate the directions in the orders of this Tribunal dated 11.06.2021 and 03.03.2022, already reproduced above.** The State may take steps for compliance at the earliest, preferably within one month from today.*

13. It is respectfully submitted that, as per the judgment, the total amount of relief to be paid at the rate of **₹20,00,000** per person to the **26 deceased persons** amounts to **₹5,20,00,000**. The **State Government** was responsible for 10% of the relief amount, which totals **₹52,00,000**. However, the State Government had already provided **₹66,00,000** through the **Chief Minister's Relief Fund**, which has been settled to the legal heirs.

14. Similarly, the **Union Government** was also responsible for 10% of the relief amount. The **Prime Minister's Relief Fund** had already provided

₹2,00,000 for each deceased person, totaling ₹52,00,000. The remaining 80%, amounting to ₹4,16,00,000, is to be settled by the **owner/lessee** of the fireworks manufacturing unit.

15. It is respectfully submitted that, as per the judgment, the total amount of relief to be paid at the rate of ₹2,00,000 to ₹15,00,000 per person to the **26 injured persons** amounts to ₹2,04,00,000. The **State Government** was responsible for 10% of the relief amount, which totals ₹20,40,000. However, the **State Government** had already provided ₹26,00,000 through the **Chief Minister's Relief Fund**, which has been settled to the injured persons.

16. Similarly, the **Union Government** was also responsible for 10% of the relief amount, which totals ₹20,40,000. The **Prime Minister's Relief Fund** had already provided ₹50,000 for each injured person, totaling ₹13,00,000. The remaining relief amount to be paid by the Union Government is ₹7,40,000. The remaining 80%, amounting to ₹1,63,20,000, is to be settled by the **owner/lessee** of the fireworks manufacturing unit.

17. It is respectfully submitted that a total of ₹5,79,20,000 needs to be recovered from the **owner/lessee** in order to settle the amounts to the legal heirs of the deceased and injured persons. To achieve this, a requisition was sent to the government on **28.10.2024** requesting recovery of this amount under the **Revenue Recovery Act, 1890** with the objective of ensuring that the compensation to be settled for the legal heirs and the same is pending with the Government.

18. Initially, the properties owned by the **owner** and **lessee** of the fireworks manufacturing unit (S.Nos: 100/6 and 22 others of Achankulam Village, Vembakottai Taluk and S.Nos:101/1A and 2 others of E.Reddiyapatti village, Vembakottai Taluk) Overall 7.36.9 Hectare have been **blocked under Registration Act 22-B(2)**.

19. It is respectfully submitted that, in this context, the District Administration has diligently carried out all the necessary actions to ensure that the families of the deceased and the injured individuals are compensated as per the orders of the Hon'ble Tribunal and the relevant government authorities. The compensation provided by both the **Union Government** through the **Chief Minister's Relief Fund** and the **Central Government** through the **Prime Minister's Relief Fund** has been disbursed in full. Furthermore, the District Administration has taken proactive measures to recover the remaining compensation, amounting to ₹5,67,00,000, from the **owner/lessee** under the **Revenue Recovery Act, 1890**. A requisition was sent to the government on **28.10.2024**, seeking to initiate the recovery process. To further ensure the payment of this amount, the properties of the owner/lessee land have been **blocked under Registration Act 22-B(2)** initially.

20. It is respectfully submitted that, The Government of Tamilnadu has issue an order vide labour welfare and skill development (N2) department, G.O.(Ms) No.93, Dated:01.10.2024 to enhance the group insurance coverage of fireworks workers from Rs.50,000 to Rs.5,00,000/-

21. It is respectfully submitted that, the employees working in fireworks factories currently lack adequate insurance coverage. This absence of insurance presents significant challenges, particularly in the event of unforeseen accidents or mishaps that are inherent to the hazardous nature of this industry. The lack of coverage not only places an immense financial burden on the employees and their families during such incidents but also underscores the urgent need for a comprehensive framework to address this critical gap. Ensuring the availability of suitable insurance schemes for these workers would not only provide much-needed security but also promote a safer and more sustainable working environment.

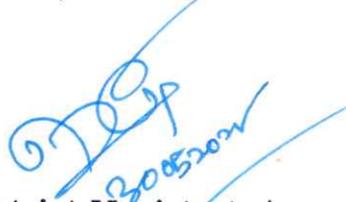
22. The licensee possesses assets valued at approximately Rs.50,00,000/- only, which is insufficient to adequately compensate the

victims. Therefore, a proposal was submitted to the Government on 09.05.2025, requesting an allocation of Rs. 5,67,00,000/- to facilitate compensation. This proposal is currently under consideration by the Government. Once the funds are sanctioned, compensation will be disbursed to the victims in accordance with the directives issued by the Hon'ble Tribunal.

23. The District Administration has consistently acted in line with the directions issued by the Hon'ble Tribunal and has made every effort to fulfill its responsibility in this matter. Given the steps taken, the case is progressing towards resolution. Therefore, it is respectfully submitted that the Hon'ble Tribunal may consider the actions already taken by the District Administration and the progress made in ensuring the rightful compensation is provided to the victims and their families.

It is therefore most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to accept the Status Report submitted by the District Administration, which comprehensively outlines the relevant facts, circumstances, and actions taken in connection with the matter at hand. It is further prayed that the Hon'ble Tribunal, after considering the information presented and the efforts undertaken, pleased to grant such time as it may deem just, appropriate, and necessary to ensure a fair, effective and timely resolution of the matter.

Date: 30.05.2025.



**District Magistrate/
District Collector,
Virudhunagar.**