

Government of Andhra Pradesh
Collector's Office, Kakinada District, Kakinada - 533 001

Computer No.25230

Dt: .02.2023

From
Dr.Kritika Shukla, I.A.S.,
Collector & District Magistrate,
Kakinada District, Kakinada.

To
The Registrar General,
National Green Tribunal,
Principal Bench, Faridkot House,
Copernicus Marg,
New Delhi - 110001.

Sir,

Sub: Accidents - Kakinada District - Peddapuram Division & Mandal - G.Ragampeta Village - 7 (seven) factory workers died on 09.02.2023 while cleaning the boiler tanks at M/s A.S.Agro Industries - Registrar General, National Green Tribunal, New Delhi - OA No.111/2023 Suo Motu case based on News item published in the newspaper The Hindu, dated 10.02.2023 entitled "7 asphyxiated while cleaning edible oil tank at factory in Andhra Pradesh Kakinada district" - Report Submitted - Reg.

- Ref:
- 1.C/24/2023, dt.09.02.2023 of the Tahsildar, Peddapuram.
 - 2.This office proceedings computer No.25230, dt.09.02.2023.
 - 3.Preliminary enquiry report of the Enquiry Officer and Joint Collector, Kakinada District. Dt.10.02.2023.
 - 4.FIR No.65/2023, dt.10.02.2023 registered at Peddapuram PS.
 - 5.Letter dt.10.02.2023 of the Registrar General, National Green Tribunal, New Delhi, New Delhi.
 - 6.This office computer No.25230, dt.13.02.2023 addressed to the District Collector, Alluri Sitharamaraju District.
 - 7.C.No.915/C-3/2023, dt.16.02.2023 of the Superintendent of Police, Kakinada District.
 - 8.Letter dt.16.02.2023 of the Managing Partner, M/s A.S.Agro Industries of G.Ragampeta Village of Peddapuram Mandal.
 - 9.Computer No.8200, dt.17.02.2023 of the District Collector, Alluri Sitharamaraju District.

I invite kind attention to the references cited, wherein the Registrar General, National Green Tribunal, New Delhi in the reference 5th cited has issued a notice that OA No. 111/2023 titled "7 asphyxiated while cleaning edible oil tank at factory in Andhra Pradesh Kakinada district" will be listed before the Hon'ble Tribunal at Faridkot House, Copernicus Marg, New Delhi- 110001 on 28th February, 2023 through Physical Hearing (With Hybrid Option).

In the reference 1st cited, The Tahsildar, Peddapuram has reported that 7 (seven) factory workers died on 09.02.2023 between 7.30 AM and 9.00 AM while cleaning the boiler tanks at M/s A.S.Agro Industries, G.Ragampeta Village of Peddapuram Mandal.

Description of the Incident:

On 09.02.2023, at around 07.00AM, two workers were entrusted with cleaning an empty oil storage tank measuring 7.5 mt X 3.0 mt located to the west of the Factory. As a result, the two workers entered the tank through the top manhole cover to clean the sludge that had accumulated at the bottom of the tank. After five to seven minutes of cleaning, the two workers were reportedly exposed to toxic fumes within the tank as they felt irritation of eyes and throat and also breathlessness and attempted to come out of the tank through the fixed vertical ladder. In order to rescue the two workers, five other workers entered one after the other into the tank and all the seven workers died inside the tank due to asphyxiation.

Details of the deceased factory workers:

1. Vechhangi Sagar S/o Seetharam, A/22 years, C/ST Bagata, D.No.2-29, Laxmipuram village, Parreda Panchayat, Pedabayalu Mandal, A.S.R. Dist. (Aadhar No: 2073 7686 4185).
2. Korra Ramarao s/o Kalyanam, A/44 years, C/ST Bagata, Champaput village, Parreda Panchayat, Pedabayalu Mandal, A.S.R. Dist. (Aadhar No: 4670 6259 5932).
3. Kattamuri Jagadish s/o Pydiraju, A/24 years, C/Toorpu Kapu, Pulimeru village, Peddapuram Mandal. (Aadhar No: 6470 9871 8494).
4. Yallamilli Vijaya Durga Prasad s/o Nookaraju, A/27 years, C/Settibalija, Pulimeru village, Peddapuram Mandal. (Aadhar No: 8134 9548 5193).
5. Vechhangi Krishna Rao s/o Bonjanna, A/35 years, C/ST Bagata, D.No.2-25, Laxmipuram village, Parreda Panchayat, Pedabayalu Mandal, A.S.R. Dist. (Aadhar No: 3902 5314 4693).
6. Vechhangi Narasinga Rao s/o Gundanna, A/39 years, C/ST Bagata, D.No.2-24, Laxmipuram village, Parreda Panchayat, Pedabayalu Mandal, A.S.R. Dist. (Aadhar No: 2852 1268 3521).
7. Kurthada Bonjanna @ Banjubabu s/o Arjun, A/36 years, C/ST Bagata, D.No.39/C2, Vanchediputtu village, Parreda Panchayat, Pedabayalu Mandal, A.S.R. Dist. (Aadhar No: 2223 1047 4656).

Out of 7 deceased factory workers, 5 workers belong to the Scheduled Tribe (Bagata) community, one belongs to the Toorpu Kapu (B.C) and other belongs to the Settibalija (B.C) Community.

Action Taken:

1. **FIR:** Based on a complaint filed by Sri Vechangi Kiran S/o Bojanna of Pedabayalu Mandal of ASR District, the Station House Officer, Peddapuram PS, has registered a case in **Crime.No.65/2023, dt.10.02.2023 U/s 304(A) added 304 IPC & Sec.3(2)(v) of SC/ST POA Act.**

2. Arrest: The Sub Divisional Police Officer, Peddapuram has reported that the accused A-1 Akkireddy Srinivas S/o Bullabbai is working as a Supervisor in the factory, A-2 Singavarapu Viswanath S/o Tulasidhara Rao and A-3 Singavarapu Raghuram S/o Sambasiva Rao are the Owners/Partners of Ambati Subbanna Oil Company, G.Ragampeta village of Peddapuram Mandal were arrested on 11-02-2023 and sent them for judicial remand and the Hon'ble 1st AJFCM Court, Peddapuram remanded them for judicial custody.

3. YSR BHIMA: Out of 7 deceased factory workers, the following 4 (Four) deceased were eligible for **Rs.5.00 lakh** relief under YSR Bhima Scheme and proposals were submitted to the concerned.

S.No.	Name of the Deceased	Age	Caste	Eligible/ Not Eligible
1	Vechhangi Krishna Rao s/o Bonjanna	35	ST (Bagata)	Eligible
2	Vechhangi Narasinga Rao s/o Gundanna	39	ST (Bagata)	Eligible
3	Kurthada Bonjanna @ Banjubabu s/o Arjun	34	ST (Bagata)	Eligible
4	Yallamilli Vijaya Durga Prasad s/o Nookaraju	27	BC (Settibaliga)	Eligible

4. SC/ST Atrocity Act: The District Collector, ASR District has sanctioned Rs. 1,00,000/- (one Lakh Rupees) each, for a total of Rs.5,00,000/- (Rupees Five lakhs only) towards Relief in FIR Stage as per the G.O.Ms.No.95, dt.29.08.2016 of the Social Welfare (CV.POA) Dept., to the nominees of the five victims relating to the Scheduled Tribe (Bagata) community and residents of Pedabayalu Mandal i.e., 1. Sri Vechangi Sagar S/o Seetharam, 2. Vechangi Narasinga rao S/o Gundanna, 3. Vechangi Krishnarao S/o Bojjanna, 4. Kurthadi Bojjanna S/o Arjun and 5. Kora Ramarao S/o Kamalamma.

Further, the District Collector, ASR District has informed that the Tahsildar, Pedabayalu has been called for proposals for the assignment of land proposals @ Ac.1.00 each to the families of the 5 victims. After receipt of the proposals, assignment of land will be given to them.

5. Closure and Seal of the Factory: After careful consideration of material facts of the case, A.P. Pollution Control Board issued CLOSURE ORDERS to the unit for operating industry without having valid CTE/CTO of the Board and without adequate pollution control treatment facilities, under section 33(A) of the Water (Prevention and control of pollution) Amendment Act, 1988 and under Sec. 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1987 in the interest of Public Health & Environment.

6. Enquiry Committee Formed: The District Collector, Kakinada District, has formed a committee consisting of the following officials, headed by the Joint Collector, Kakinada District.

1. Deputy Commissioner of Labour, Kakinada
2. Deputy Inspector of Factories, Kakinada
3. Executive Engineer, APPCB, Kakinada
4. District Industries Officer, Kakinada
5. Revenue Divisional Officer, Peddapuram

The Enquiry Officer and Joint Collector, Kakinada District has submitted preliminary enquiry report stating that the cause of death of 7 workers was due to the factory management's negligence, and the factory has been sealed and necessary action has been initiated against the factory's owners and final report yet to be given.

7. Compensation:

1. The Government has announced that each of the deceased families will receive **Rs.25,00,000/-** as compensation for the accident that occurred at M/s A.S.Agro Industries, G.Ragampeta Village, Peddapuram Mandal.
2. In addition, the Managing Partner, M/s A.S.Agro Industries of G.Ragampeta Village of Peddapuram Mandal has submitted his letter vide reference 3rd cited, stating that they have already agreed to pay **Rs.25,00,000/-** as compensation to each of the 7 deceased families and are in the process of doing so and have paid **Rs.50,000/-** for each deceased's funeral expenses.

In view of the above, I hereby submit the report on the accident that occurred at M/s A.S.Agro Industries, G.Ragampeta Village, Peddapuram Mandal to the Hon'ble National Green Tribunal in due compliance of the notice issued by the Hon'ble Tribunal.

Encl: As above

Yours faithfully



District Collector
Kakinada District: Kakinada

09.సి./24/2023, తేదీ: 09.02.2023

తహశీల్దారు వారి కార్యాలయం, పెద్దాపురం

నుండి:

శ్రీ వి.జితేంద్ర, ఎం.ఎస్సీ,
తహశీల్దారు,
పెద్దాపురం మండలం.
అయ్య.

నకు :

శ్రీ జిల్లా కలెక్టర్,
కాకినాడ జిల్లా
కాకినాడ

విషయము: ప్రమాదములు - పెద్దాపురం మండలం - జి.రాగంపేట గ్రామము - ది.09.02.2023 తేదీ ఉదయం సుమారు గం. 7.30 ని. నుండి 9.00 గం. మధ్య జి.రాగంపేట లోని అంటి సుట్టన్న అండ్ కో ఎడిబుల్ ప్రాకింగ్ యూనిట్ నందు బాయిలర్ క్షీన్ చేయుచుండగా అపరాధక 7 గురు కార్మికులు మరణించుట - ప్రాథమిక నివేదిక సమర్పించుట - గురించి.

సూచిక: మండల రెవెన్యూ ఇన్స్పెక్టర్, పెద్దాపురం వారి ప్రాథమిక నివేదిక, 08.02.2023.

పై సూచికను దయలో గమనించకేరడమైనది.

పెద్దాపురం మండలం జి.రాగంపేట గ్రామములో ది.09.02.2023 తేదీ ఉదయం సుమారు గం. 7.30 ని. నుండి 9.00 గం. మధ్య జి.రాగంపేట గ్రామములోని అంటి సుట్టన్న అండ్ కో ఎడిబుల్ ప్రాకింగ్ యూనిట్ నందు బాయిలర్ క్షీన్ చేయుచుండగా అపరాధక ఈ క్షింది పేర్లొన్న 7 గురు కార్మికులు మరణించినారు.

1. వెచ్చంగి కృష్ణ రెడ్డి బంజన్న, వయసు - 35 సం.లు, పాడేరు, ASR జిల్లా
2. వెచ్చంగి నర్సింహ, వయసు - 35 సం.లు, పాడేరు, ASR జిల్లా
3. వెచ్చంగి సాగర్, వయసు - 20 సం.లు, పాడేరు, ASR జిల్లా
4. కొంరాడ జంబిబాబు, పాడేరు, ASR జిల్లా
5. కుర్ల రామారావు, పాడేరు, ASR జిల్లా
6. కట్టమూరి జగదీశ్, పులిమేరు గ్రామము, పెద్దాపురం మండలము
7. ప్రసాద్, పులిమేరు గ్రామము, పెద్దాపురం మండలము

పై సంఘటనకు సంబంధించి ఫ్యాక్టరీ సీక్ చేయడమైనది. ఫ్యాక్టరీ యాజమాన్యం పై FIR నమోదు చేయడమైనది. పూర్తి నివేదికను తదుపరి సమర్పించబడునని తెలియజేయడమైనది.

//అనుమతిని//

విశ్వసనీయ
సం/-వి.జితేంద్ర
తహశీల్దారు
పెద్దాపురం

డిప్యూటీ తహశీల్దారు 9/2/23

నకలు రెవెన్యూ డివిజన్ లో అధికారి, పెద్దాపురం వారికి తగు సమాచార నిమిత్తము సమర్పించడమైనది.

**Government of Andhra Pradesh
Collectorate, Kakinada District: Kakinada**

Computer No. 25230

Dt.09.02.2023

**PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE,
KAKINADA DISTRICT: KAKINADA**

PRESENT:: DR.KRITIKA SHUKLA, I.A.S.

Sub: Accidents - Kakinada District - Peddapuram Division & Mandal - G.Ragampeta Village - 7 (seven) factory workers died on 09.02.2023 between 7.30 AM and 9.00 AM while cleaning the boiler tanks at Ambati Subbanna & Co edible oils - Enquiry into the cause of the accident and other aspects - Constitution of Committee with officials - Orders issued.

Ref: C/24/2023, dt.09.02.2023 of the Tahsildar, Peddapuram Mandal.

ORDER

The Tahsildar, Peddapuram Mandal in the reference read above has reported that 7 (seven) factory workers died on 09.02.2023 between 7.30 AM and 9.00 AM while cleaning the boiler tanks at Ambati Subbanna & Co edible oils, G.Ragampeta Village of Peddapuram Mandal. There were 7 factory workers working at the time of the incident, and 7 individuals have died.

In order to cause detailed enquiry into the incident, a committee is hereby constituted with the following officials headed by the Joint Collector, Kakinada

1. Deputy Commissioner of Labour, Kakinada
2. Deputy Inspector of Factories, Kakinada
3. Executive Engineer, APPCB, Kakinada
4. District Industries Officer, Kakinada
5. Revenue Divisional Officer, Peddapuram

The above committee shall conduct detailed enquiry into the cause of the incident with reference to the compliance of all safety and security requirements by the Management and suggestions/ recommendations for the measures to be taken for not to incur such incidents in future anywhere in the District.

The Committee shall submit report to the undersigned within 3 (three) days without fail.


District Collector
Kakinada District: Kakinada





To
The Officers concerned
Copy to the Tahsildar, Peddapuram
Copy to CC to Collector / Joint Collector / DRO

PRELIMINARY ENQUIRY REPORT OF THE JOINT ENQUIRY COMMITTEE INTO THE FATAL ACCIDENT OCCURRED IN A.S AGRO INDUSTRIES , G RAGAMPETA VILLAGE, PEDDAPURAM MANDAL, KAKINADA DISTRICT

Sub: Accidents – Kakinada District – Peddapuram Division & Mandal – G.Ragampeta Village – 7 factory workers died on 9.2.2023 while cleaning the boiler tanks at Ambati Subbanna & Co edible oils – Enquiry into the cause of the accident and other aspects – committee constituted – enquiry report submitted.

- Ref: 1. Collector proceedings vide ref 25230 dated 09.02.2023.
 2. Report from Revenue Divisional Officer, Peddapuram vide ref H/154/2023 dated 09.02.2023
 3. Report from EE, Pollution control board, Kakinada Ir. No./PCB/RO-KKD/2023-2079 dated 09.02.2023
 4. Report from DC labour, Kakinada vide letter RC. No A/246/2023 dated 10.2.2023
 5. Preliminary enquiry report submitted by Deputy Chief Inspector of factories, Kakinada dated 10.2.2023

* * *

INDUSTRY DETAILS:

A.S Agro industries situated at G.Ragampeta village, Peddapuram mandal is a unit engaged in the activity of filling of edible & non-edible grade sesame oil into 1 Litre and half litre bottles. The unit is employing about 30 workers and installed motive power of 195 HP. The unit is in operation since September 2021.

OWNERSHIP DETAILS:

The said A.S agro industries is taken on lease by M/s Ambati Subbana & Co Oil Firm, Samalkot. Sri S. Tulasidhara Rao is the managing partner.

ACTIVITY AT G. RAGAMPETA UNIT:

Expelled sesame oil from Samalkot unit is being transported , stored and packed in G.Ragampeta unit. There are about 11 oil storage tanks in this unit.

*Magister
 Sec Supt
 Put up letter
 to spikkd
 for n/a as per
 rules & act -
 10/2/23*

DETAILS OF ACCIDENT:

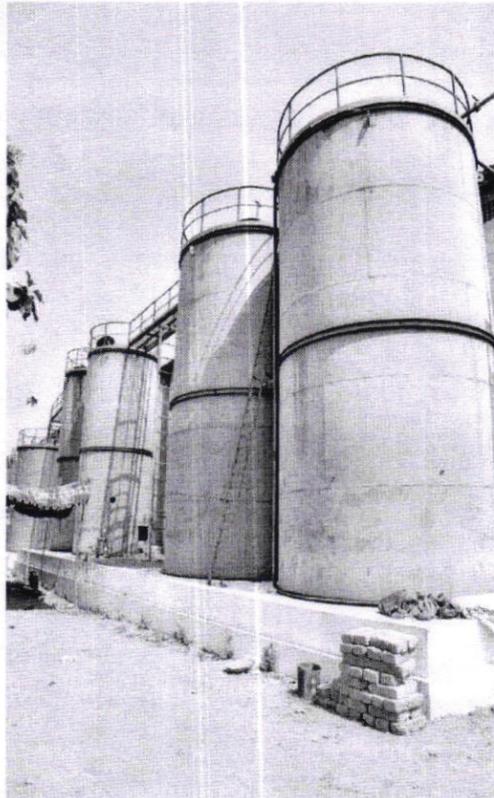
Due to the storage of oils in these tanks sludge accumulated at the bottom of the tanks over a period of time. This sludge is nothing but suspended impurities in the oil, which settles at the bottom. As per enquiry each tank will be cleaned once in a month to remove the bottom sludge and on an average this sludge deposition in each tank is about 1000 Kg.

The management has engaged about 11 workers from Paderu village on daily wage basis for doing helper/menial type works. These workers were given accommodation in a shed abutting North side wall of the Factory.

On 09-02-2023 at about 6 AM, Four of the 11 workers from Paderu village were entrusted the job of cleaning one of the edible oil tank located towards West of the Factory. This tank is 7.6 m height and 3 m diameter and provided with one man entry point at the top of the tank of size 60 cm .**The workers entrusted in the job were neither imparted any training / instructions in tank cleaning and likely hazards associated nor provided with any Safety personnel protective equipment like Nose masks , Eye goggles, Breathing apparatus and Safety belts etc.**

Of the 4 workers engaged for cleaning 2 workers, Sri Kiran and Sagar entered into the Tank from top at about 7 AM and two workers Rama Rao and Mallanna stood out side the tank. The workers who entered into the tank stirred the thick solidified sludge with their feet so as to let it out through the bottom discharge pipe. This stirring of sludge might have caused release of entrapped heavy toxic gases and caused further depletion of Oxygen levels inside the tank. Both the workers reportedly experienced irritation of Throat and Eyes along with suffocation and breathlessness. Immediately both of them tried to come out of the tank by climbing the fixed vertical steel ladder provided inside the tank. Sri Kiran with a difficulty came out and Mr.Sagar who was following Kiran almost reached to the top of the tank but because of low levels of oxygen ,exhausted and asked Mr.Kiran to pull him off. Sri Kiran attempted to pull out Sri Sagar but because of oily hands Sri Sagar slipped from the hands of Kiran (who was also exhausted and could not hold Sagar) and again fell into the tank.

Sri Kiran came down from the tank and alerted other workers to rescue Mr.Sagar, in that process one after the other total 6 workers entered into tank and all were died due to asphyxiation.



NAMES OF DECEASED WORKERS :

1. Vetchangi Krishna Rao S/o Bonjanna, Age-36 years
2. Vetchangi Narsinga Rao S/o Gundanna , Age- 40 years
3. Vetchangi Sagar Age- 23 years
4. Kattamuri Jagadeesh , Age- 25 years
5. Korra Rama Rao, Age-44 years
6. Kurtada Bonjanna Age- 36 years
7. Yallmilli Prasad Age- 27 years

CAUSES OF THE ACCIDENT:

1. The tank in consideration is of size 7.6 m x 3 m diameter is a confined space for all practical purposes. This tank has got only one entry point at the top with diameter of 60cms. **This type of construction with no man hole cover at the bottom will have deficient oxygen levels at the bottom against the standard 21% of ambient air.**

2. The stirring of the sludge by the workers for about 5 to 10 minutes inside the tank might **have caused emission of entrapped toxic gases like Methane, Hydrogen sulphide, Carbon monoxide etc along with other obnoxious fumes** . Eruption of these gases, might have further depleted the oxygen levels inside the tank. **Since the workers not provided with required personal protective equipments, they were exposed and succumbed to these gases.**

FINDINGS AND FURTHER ACTION TO BE TAKEN :

1. From personal inspection of the spot and enquiry it is understood that the 7.6 m x 3m diameter tank has been provided with only one opening at the top and no other emergency exit or window is kept for ventilation.

From investigation it has come to know that the factory has been running without any permission/licence from the factories department. It is further submitted that the following facts were revealed on enquiry:

1. The factory is unregistered under the Factory Act, 1948.
2. The occupier didn't pay attention to ensuring the health and safety of the workers as evident by the lack of any protective equipment and gear.
3. The disposal of sludge is being done in an unscientific manner which poses threat to human lives as well as the environment.
4. First-aid facilities are not provided.

Noting the above observations, the Joint Enquiry Committee concludes that the negligence of the owner and the occupier resulted in the accidental death of the seven workers.

Action is recommended under the following provisions.

1. Factory Act, 1948

- a. Section 6(1) relating to Approval, Licensing and registration of factories.
- b. Section 7A (1) relating to the duty of the occupier to ensure health, safety and welfare of all workers while they are at work in the factory.
- c. Section 12 (1) relating to Disposal of wastes and effluents
- d. Section 36 (1) & (2) relating to Precautions against dangerous fumes, gases, etc.
- e. Section 41 (F) (1) relating to Permissible limits of exposure of chemical and toxic substances
- f. Section 45 relating to the Provision of first-aid facilities.

- g. Section 111A relating to the Right of workers to get trained within the factory.

Section 92 prescribes the penalty: Save as is otherwise expressly provided in this Act and subject to the provisions of section 93 , if in, or in respect of, any factory there is any contravention of any of the provisions of this Act or of any rules made thereunder or of any order in writing given thereunder, the occupier and manager of the factory shall each be guilty of an offence and punishable with imprisonment for a term which may extend to [two years] or with fine which may extend to [one lakh rupees] or with both, and if the contravention is continued after conviction, with a further fine which may extend to [one thousand rupees] for each day on which the contravention is so continued.

2. Employee Compensation Act, 1923.

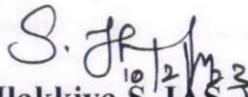
- a. Section 4 (1): Subject to the provisions of this Act, the amount of compensation shall be as follows, namely:-- (a) where death results and from the injury : an amount equal to fifty per cent. of the monthly wages of the deceased *[employee] multiplied by the relevant factor; or an amount of *[one lakh and twenty thousand rupees], whichever is more;
- b. Section 18A – Penalties: (1) Whoever-- (a) fails to maintain a notice-book which he is required to maintain under sub-section (3) of section 10, or (b) fails to send to the Commissioner a statement which he is required to send under sub-section (1) of section 10A, or (c) fails to send a report which he is required to send under section 10B, or (d) fails to make a return which he is required to make under section 16 or *(e) fails to inform the employee of his rights to compensation as required under section 17A, shall be punishable with fine which **shall not be less than fifty thousand rupees but which may extend to one lakh rupees. (2) No prosecution under this section shall be instituted except by or with the previous sanction of a Commissioner, and no Court shall take cognizance of any offence under this section, unless complaint thereof is made within six months of the date on which the alleged commission of the offence came to the knowledge of the Commissioner.

3. IPC

- a. **Section 304:** Punishment for culpable homicide not amounting to murder.—Whoever commits culpable homicide not amounting to murder shall be punished with 1[imprisonment for life], or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine, if the act by which the death is caused is done with the intention of causing death, or of causing such bodily injury as is likely to cause death, or with imprisonment of either description for a term which may extend to ten years, or with fine, or with both, if the act is done with the knowledge that it is likely to cause death, but without any intention to cause death, or to cause such bodily injury as is likely to cause death.
- b. **Section 304A:** Causing death by negligence, Whoever causes the death of any person by doing any rash or negligent act not amounting to culpable homicide, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Post mortem report is awaited from GGH, Kakinada, Oil sludge sample has been taken by EE PCB for testing for possible harmful affluent. Food safety officer has taken sample of edible oil for testing.

All the above results would further state the cause of death and the negligence caused by the factory management. Till then, it is recommended that the factory is sealed and necessary action is initiated against the owners of the factory.


(Lakkiya.S. IAS.)

Enquiry officer and
Joint collector & Additional District magistrate,
Kakinada District, Kakinada



FIRST INFORMATION REPORT
(Under Section 154 and 157 Cr.P.C)

A.P.P.M. Orders 470,500

1. District: Kakinada P.S: Peddapuram Year: 2023 FIR No. 65/2023 Date: 10/02/2023
 2. Acts & Section(s): 304(A) IPC added 304 IPC to Sec. 3(2)(v) of S.C.G. & T. POA Act
 3. a) Occurrence of Offence: Day: Thursday Date & Time From: 09/02/2023 07:00
 Date & Time To: _____ Prior To: _____ Time Period: _____
 b) Information Received at P.S.: Date & Time: 09/02/2023 11:00 10/02/2023 at 10:00 PM
 c) General Diary Reference: Entry No: 9 Date & Time: 09/02/2023 11:00
 4. Type of Information: Written
 5. Place of Occurrence:
 a) Distance and Direction From P.S.: 4km, North-East Beat No.: _____
 b) Address Place: Area/Mandal: _____ Street/Village: _____
Ambati Subbanna Oil factory Peddapuram G Ragamepta
 City/District: Kakinada State: Andhra Pradesh PIN: _____
 c) In case, outside the limit of this Police Station, then
 Name of P.S.: _____ District: _____
 6. Complainant / Informant:
 a) Name: Vechangi Kiran
 b) Father's / Husband's Name: Bonjanna
 c) Date/Year of Birth: _____ Age: 25
 d) Nationality: Indian e) Caste: Bagata
 f) Passport No: _____ Date of issue: _____ Place of issue: _____
 g) Occupation: _____ Mobile No: 9569614104
 h) Address House No: _____ Area/Mandal: _____ Street/Village: _____
 _____ Pedabayalu No Ward
 City/District: Alluri Sita Rama Raju SEB State: Andhra Pradesh PIN: _____
 7. Details of known/suspected/unknown accused with full particulars:

Serial No: 1

a) Name: Company Employee Vasu and Owners of Ambati Subbanna Oils
 b) Father's / Husband's Name: _____ c) Occupation: _____
 d) Caste: _____ e) Gender: Male f) Age: 0 Nationality: Indian
 g) Address House No: _____ Street/Village: _____ Area/Mandal: _____

 City/District: _____ State: _____ PIN: 0
 h) Phone(Off): 0 Phone(Res): 0 Cell No: 0
 i) Email: _____

Physical features, deformities and other details of the Suspect :

S. No	Sex	Date/Year of Birth	Build	Height (cms)	Complexion	Identification Marks(s)
1	2	3	4	5	6	7
1	Male			0cm		

Deformalities/ Peculiarities	Teeth	Hair	Eyes	Habbit(s)	Dress Habit(s)	Languages/ Dialect
8	9	10	11	12	13	14

Deformalities/ Peculiarities	Teeth	Hair	Eyes	Habbit(s)	Dress Habit(s)	Languages/ Dialect
8	9	10	11	12	13	14

Place Of				
Burn Mark	Leucoderma	Mole	Scar	Tattoo
15	16	17	18	19

8. Reasons for delay in reporting by the complainant / informant :

After taken dead bodies to out side of tank information given to complainant by owner of company

9. Particulars of properties stolen/involved (Attach separate sheet, if necessary) :

10. Total value of property stolen :

11. Inquest Report/ U.D. Case No. if any :

12. Contents of the complaint / statement of the complainant or informant :

Occurred on 09-02-2023 at about 7 A.M. at Ambati Subbanna Oil factory, G.Ragampeta village, Peddapuram Mandal and reported on the same day at 11 A.M. wherein the accused who is management of Ambati Subbanna Oil factory allowed Vechangi Krishna, Vechangi Narasimha, Vechangi Sagar, Kuratadu Manjubabu, Kurram Ramarao, Kattamuri Jagadesh and Yellamilli Durga Prasad others into factory for coolly works. On 09-02-2023 at about 7 A.M. the above 7 persons got down into empty Oil tank existed in the said factory for the purpose of tank cleaning and the said 7 persons were died in the tank due to suffocation caused with insufficient oxygen in the tank. The management of said factory did not taking any precautionary measures and did not provided any tools for protection of lives of workers who got down into the tank for which this incident took place and caused death of above 7 persons due negligent act of immediate worker Vasu and Management of the said oil factory.

13. Action taken:

Since The above information reveals commission of offence(s) U/s as mentioned at item No :

2

1) Registered the case and took up the investigation or :

Name : ABDULNABI SK

2) Directed to take up the Investigation or :

Rank : Inspector

No. _____

3) Refused investigation due to :

4) Transferred to P.S :

District : _____

on point of jurisdiction.

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and

a copy given to the complainant / informant, free of cost.

R.O.A.C

4. Signature / Thumb impression of the complainant / informant.

Signature of Officer in charge, Police Station

Name : SK ABDUL NABI

Rank : Inspector of police

5. Date and time of dispatcl. to the court :

09/02/2023 14:30

Being on the preliminary Enquiry report of Joint Enquiry committee and its recommendations, I added section of law 304 IPC and section of law 3(2)(v) of 1945 (POA) Act in addition to section of law 304(A) IPC in Cr. No. 65/2023 of Peddapuram PS on 10/2/2023 at 22:00 hrs (copies of reports are Enclosed herewith)

Signature of Officer in charge, Police Station
10/2/2023

Government of Andhra Pradesh
Collector's Office, Kakinada District, Kakinada - 533 001

Computer No. 25230

Dt: 13.02.2023

From
Dr.Kritika Shukla, I.A.S.,
Collector & District Magistrate,
Kakinada District, Kakinada.

To
The District Collector,
Alluri Sitharamaraju District.

Sir,

Sub: FIR – Kakinada District - Peddapuram Division & Mandal – G.Ragampeta Village – 7 (seven) factory workers died on 09.02.2023 between 7.30 AM and 9.00 AM while cleaning the boiler tanks at Ambati Subbanna & Co edible oils - Complaint filed by Vechangi Kiran - FIR No.65/2023, dt.10.02.2023 registered at Peddapuram PS U/s 304(A) added 304 IPC & Sec.3(2)(v) of SC/ST POA Act – For sanction of relief - Reg.

Ref: 1. C/24/2023, dt.09.02.2023 of the Tahsildar, Peddapuram Mandal.
2. FIR No.65/2023, dt.10.02.2023 registered at Peddapuram PS.

I invite attention to the references cited. In the reference 1st cited, the Tahsildar, Peddapuram Mandal has reported that 7 (seven) factory workers died on 09.02.2023 between 7.30 AM and 9.00 AM while cleaning the boiler tanks at Ambati Subbanna & Co edible oils, G.Ragampeta Village of Peddapuram Mandal.

The details of the deceased are as follows.

S.No	Name of the worker	Age	Caste	Village	Mandal	District
1	Vechangi Krishna	35	Bagata (ST)	Lakshmipuram	Pedabayulu	Alluri Sitharamaraju
2	Vechangi Narasimha	35				
3	Vechangi Sagar	20				
4	Kuravada Banjubabu	38		Unchedupattu		
5	Kurra Ramarao	40		Sampangipattu		
6	Kattamuri Jagadish	25	Turpukapu (BC)	Pulimeru	Peddapuram	Kakinada
7	Yellamilli Durga Prasad	27	Settibalija (BC)			

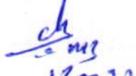
In the reference 2nd cited, the Station House Officer, Peddapuram PS has registered **FIR No.65/2023, dt.10.02.2023 U/s 304(A) added 304 IPC & Sec.3(2)(v) of SC/ST POA Act.**

In view of the above, the above deceased 5 (five) factory workers mentioned in the **FIR No.65/2023, dt.10.02.2023 U/s 304(A) added 304 IPC & Sec.3(2)(v) of SC/ST POA Act** are residents of the Pedabayulu Mandal of the Alluri Sitharamaraju District, and the FIR is enclosed herewith for taking necessary action for sanction of relief as per acts and rules in the matter.

Encl: As above

//By Order//


Supdt-Magl


13/2/23

Yours faithfully
Sd/- Dr.Kritika Shukla
Collector
Kakinada District: Kakinada

By RP
Speed post.

GOVERNMENT OF ANDHRA PRADESH
//POLICE DEPARTMENT//

From
Sri M.Ravidranath Babu, IPS.,
Superintendent of Police,
Kakinada District,
KAKINADA.

To
The Research Officer,
Hon'ble National Commission for
Scheduled Tribes,
6th Floor, "B" Wing Lok Nayak Bhavan,
Khan Market, New Delhi-110003.

C.No:915/C-3/2023, Dated: 16-02-2023.

Sir,

Sub:- Police -Kakinada District - Kakinada - National Commission for Scheduled Tribes - Action Taken report on the "**Suo Moto**" petition was taken by the Hon'ble National Commission for Scheduled Tribes, New Delhi -Submission off - Regarding.

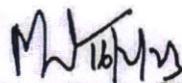
Ref:- 1) Notice File No. NCST/ATY-935/AP/2/2023-APCR Dt. 15-02-2023. of the National Commission for Scheduled Tribes, New Delhi.

Adverting to the reference cited, which is received in this office on 15.02.2023, it is to submit that the enquiry report of the Deputy Superintendent of Police, Disha Women P.S. Kakinada I/c of Sub Divisional Police Officer, Peddapuram, Kakinada District in this regard on the "**Suo Moto**" petition of the Hon'ble National Commission for Scheduled Tribes, New Delhi is enclosed herewith for kind perusal.

Submitted for favour of information.

- Enclosures:-** 1) Copy of FIR in Cr. No. 65/2023 of Peddapuram P.S
2) Copy of Altered FIR in Cr. No. 65/2023 of Peddapuram P.S.
3) Copy of Remand Report

Yours faithfully,


Superintendent of Police,
Kakinada District,
KAKINADA.

Copy w/c submitted to the Director General of Police, AP Mangalagiri for Kind information

✓ Copy w/c submitted to the Inspector General of Police, Eluru range, Eluru for favour of information.

16/2/23 at 4:07 PM
DESPATCH CLERK
Dist. Police Office
KAKINADA DISTRICT
KAKINADA

102



POLICE DEPARTMENT



From

Sunkara Muralimohan
Dy.Suptd. of Police, Disha P.S,
Kakinada
I/C Peddapuram Sub-Division

To

The Superintendent of Police,
Kakinada District,
Kakinada

Sir,

Sub:- POLICE-PDP, Kakinada Dist., A.P.: Submission of ACTION TAKEN REPORT when called for by the National Human Rights Commission (NHRC) based on media reports that on 09-02-2023 morning around 7 (seven) employees of a factory died while cleaning an oil tanker at Kakinada District of A.P., following the negligence on the part of the management of the said factory as the victims were not provided with any safety measures - Reg.

Ref:- 1)..Case No. 195/1/30/2023 of National Human Rights Commission (Law Division), New Delhi dt. 10-02-2023
2).. Cr. No. 65/2023 U/Sec. 304-A, 304 IPC & Sec. 3 (2)(V) of SC/ST (POA) Act-1989 of Peddapuram P.S.

G1
13/2/23

I submit that this is a representation submitted by the petitioner Sri Rajeevkumar Sharma R/o C-645, Shaheednagar, Sahibabad, Ghaziabad, Uttar Pradesh-201006 to the Hon'ble National Human Rights Commission (N.H.R.C.), New Delhi seeking for its intervention for payment of compensation and other dues to the families of the victims when 7 employees of a factory at Kakinada District of A.P., died while cleaning a tanker of its factory on 09-02-2023 morning following the negligent act on the part of the management of the said factory in providing necessary safety arrangements/measures to the to those who died in this fatal incident due to which the N.H.R.C. called for 'Action Taken Report' in this regard etc.,

In this connection I submit that I made enquiries and I am here with noted down the names of the deceased and the accused to avoid mentioning of their names repeatedly.

NAMES AND ADDRESS OF THE DECEASED:

DECEASED No.1:

Vechhangi Sagar s/o Seetharam, A/22 years, C/ST Bhagata, D.No.2-29, Laxmipuram village, Parreda Panchayat, Pedabayalu Mandal, A.S.R.Raju Dist. (Aadhar No: 2073 7686 4185)

DECEASED No.2:

Korra Ramarao s/o Kalyanam, A/44 years, C/ST Bhagata, Champaput village, Parreda Panchayat, Pedabayalu Mandal, A.S.R.Raju Dist. (Aadhar No: 4670 6259 5932).

DECEASED No.3:

Kattamuri Jagadish s/o Pydiraju, A/24 years, C/Toorpu Kapu, Pulimeru village, Peddapuram Mandal. (Aadhar No: 6470 9871 8494)

DECEASED No.4:

Yallamilli Vijaya Durga Prasad s/o Nookaraju, A/27 years, C/Settibalija, Pulimeru village, Peddapuram Mandal.

(Aadhar No: 8134 9548 5193)

DECEASED No.5:

Vechhangi Krishna Rao s/o Bonjanna, A/35 years, C/ST Bhagata, D.No.2-25, Laxmipuram village, Parreda Panchayat, Pedabayalu Mandal, A.S.R.Raju Dist. (Aadhar No: 3902 5314 4693)

DECEASED No.6:

Vechhangi Narasinga Rao s/o Gundanna, A/39 years, C/ST Bhagata, D.No.2-24, Laxmipuram village, Parreda Panchayat, Pedabayalu Mandal, A.S.R.Raju Dist. (Aadhar No: 2852 1268 3521)

DECEASED No.7:

Kurthada Bonjanna @ Banjubabu s/o Arjun, A/36 years, C/ST Bhagata, D.No.39/C2, Vanchediputtu village, Parreda Panchayat, Pedabayalu Mandal, A.S.R.Raju Dist. (Aadhar No: 2223 1047 4656)

NAMES AND ADDRESSES OF THE ACCUSED :

- A1) Akkireddy Srinivas s/o Bullabbai, A/41 years, C/Kapu, R/o D.No.18-9-67/2, Gandhinagar, Near Water Tank Road, Samalkota Town.
- A2) Singavarapu Viswanath s/o Tulasidhara Rao, A/41 years, C/Telukula, R/o D.No.18-6-32/1, Ambativari Thota, Near Post Office, Samalkota.
- A3) Singavarapu Raghuram s/o Sambasiva Rao, A/36 years, C/Telukula, R/o D.No.18-6-32/1, Ambativari Thota, Near Post Office, Samalkota.

The accused A-2 and A-3 are the Owners/Partners of Ambati Subbanna Oil Company, G.Ragampeta village of Peddapuram Mandal, whereas A-1 is working as a Supervisor being employed by A-2 and A-3. A-1 is caste by "Kapu-OC" and resident of Gandhinagar, Near Water Tank Road, Samalkot Mandal while the A-2 and A-3 are caste by Telukula (B.C) and they are the residents of D.No.18-6-32/1, Ambativari Thota, Near Post Office, Samalkota.

The deceased i.e. D-1 Vechhangi Sagar, D-2 Korra Ramarao, D-3 Kattamuri Jagadish, D-4 Yallamilli Vijaya Durga Prasad, D-5 Vechhangi Krishna Rao, D-6 Vechhangi Narasinga Rao and D-7 Kurthada Bonjanna @ Banjubabu are the workers of "Ambati Subbanna @ Co Edible Oils" at G. Ragampeta (v) of Peddapuram Mandal, Kakinada Dist., of whom D-1, D-2, D-5 to D-7 are caste by ST Bhagatha and residents of Pedabayalu Mandal of ASR Raju District, whereas D-3 and D-4 are caste by Turpu Kapu (BC) and Settibalija (BC) respectively and both are residents of Pulimeru village of Peddapuram Mandal.

The offence took place in Oil Tank No.5 belongs to Ambati Subbanna & Co Edible Oils, G.Rangampeta village of Peddapuram Mandal is located in the limits of Peddapuram P.S. within the jurisdiction of this Honourable Court.

On 09-02-2023 morning on receipt of a written report from the complainant Vechhangi Kiran s/o Bonjanna, A/25 years, C/ST Bhagata, Laxmipuram village, Pedabayalu Mandal, A.S.R.Raju District a case in Cr. No. 65/2023 U/Sec. 304-A IPC was registered at Peddapuram PS on 09.02.2023 at 11.00 AM by Inspector of Police, Peddapuram P.S. and then he informed me about the incident and registration of the FIR, then I informed the same to SP, Kakinada and Addl.SP (Admn) and then rushed to the said Company premises.

Then, I visited the scene of offence and got shifted the 7 dead bodies of the deceased to the Mortuary Shed of GGH, Kakinada with a view to conduct inquest by me and my SIs and CIs after examining the complainant and other witnesses as crowd is largely gathering there and causing disturbance for conducting of inquest Case Diary.

Then, I conducted inquest over the dead body of the Deceased-1 in the presence of mediators from 10.00 PM to 12.00 Mid Night of 09.02.2023 at G.G.H. (Govt. General Hospital, Kakinada) and accordingly the remaining dead bodies of the Deceased-2 to Deceased-7 were also conducted inquests by my Sis and C.Is in the presence of Panchayatdars and their relatives and sent them to the Professor, Forensic Medicine, RMC, Kakinada, GGH Campus with a request to conduct Autopsy over the dead bodies of the deceased-1 to deceased-7 and issue Post Mortem report of D-1.

I verified the license of Ambati Subbanna Oil and Co, G. Ragampeta village and I came to know that it is un-registered factory. The unit existed in Survey Nos.242/1 and 242/2 having two sheds and 7 oil tanks at the rear side of second shed.

On the same night i.e. on 09-02-2023 night around 9.30 PM, I received a Memo in C.No.37/DCRB/2023 dt.10.02.2023 along with the copies of 1) Letter of the collector & district magistrate, Kakinada, 2) Copy of preliminary enquiry report of the joint enquiry committee headed by the Joint Collector, Kakinada Dist, 3) Copy of report submitted by the joint committee headed by the Joint Collector Kakinada Dist addressed to the SP Kakinada and 4) Copy of complaint filed by the Deputy Chief Inspector of Factories Kakinada dated.10.02.2023. On perusal of the preliminary enquiry report of the above documents and findings of the Joint Enquiry Committee report in which it was mentioned the liability under factories act under Indian Penal Code.

Action is recommended under the following provisions

1. Factory Act, 1948
 - a. Section 6(l) relating to Approval, Licensing and registrations of factories.
 - b. Section 7A(l) relating to the duty of the occupier to ensure health, safety and welfare of all workers while they are at work in the factory.
 - c. Section 12(l) relating to Disposal of waters and effluents
 - d. Section 36(1)&(2) relating to Precautions against dangerous fumes, gases, etc.
 - e. Section 41(F)(l) relating to Permissible limits of exposure of chemical and toxic substances.
 - f. Section 45 relating to fire the Provision of first-aid facilities.
 - g. Section 111 A relating to the Right of workers to get trained within the factory.

Section 92 prescribes the penalty: Save as is otherwise expressly provided in this Act and subjected to the provisions of section 93, if in or in respect of, any factory there is any contravention of any of the provisions of this Act or of any rules made there under or of any order in writing given there under, the occupier and manager of the factory shall each be guilty of an offence and punishable with imprisonment for a term which may extend to (two years) or with fine which may extend to (one lakh rupees) or with both, and if the contravention is continued after conviction, with a further fine which may extend to (One thousand rupees) for each day on which the contravention is so continued.

2. Employee Compensation Act, 1923.

a. Section 4(l): Subject to the provisions of the Act, the amount of compensation shall be as follows—where death results and from the injury. An amount equal to fifty percent of the monthly wages of the deceased*(Employee) multiplied by the relevant factor, or an amount of (one lakh and twenty thousand rupees), whichever is more.

b. Section 18A-Penalties 1) Whoever-(a) fails to maintain a notice-book which he is required to maintain under sub-section(3) of section 10, or (b) fails to send to the Commissioner a statement which he is required to send under sub-section(l) of section 10A, or(c) fails to send a report which he is required to make under section 16 or(c) fails to inform the employee of his rights to compensation as required under section 17A, shall be punishable with fine which shall not be less than fifty thousand rupees but which may extend to one lakh rupees. (2) No prosecution under this section shall be instituted except by or with the previous sanction of a Commissioner, and no Court shall take cognizance of any offence under this section, unless complaint thereof is made within six months of the date on which the alleged commission of the offence came to the knowledge of the Commissioner.

3. IPC

a. Section 304. Punishment for culpable homicide not amounting to murder-Whoever commits culpable homicide not amounting to murder shall be punished with (imprisonment for life) or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine, if the act by which the death is caused is done with the intention of causing death, or of causing such bodily injury as is likely to cause death, or with imprisonment of either description for a term which may extend to ten years, or with fine or with both, if the act is done with the knowledge that it is likely to cause death, but without any intention to cause death, or to cause such bodily injury as is likely to cause death.

b. Section 304A: Causing death by negligence. Whoever causes the death of any person by doing any rash or negligent act not amounting to culpable homicide, shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.

Basing on the preliminary enquiry report of the Joint Enquiry Committee Report, the Section of law altered into and as per my instructions CI Peddapuram added the Sec.of law 304 IPC & Sec.3(2)(v) of SC & ST (POA) Act at 10.00 PM on 10.02.2023 and sent the alter FIR to all concerned.

It is blurted out in my investigation the complainant Vechhangi Kiran is a resident of Lakshmipuram village h/o Parreda Panchayath, Pedabayalu Mandal of ASR District. The scene of offence took place in Oil Tank No.5 belongs to Ambati Subbanna & Co Edible Oils, G.Rangampeta village of Peddapuram Mandal of Kakinada District., A.P. The complainant is the brother of the Deceased-1 (Vechhangi Sagar) (D-1). They are belongs to ST Bhagata by caste. They are eking their livelihood by doing coolie works. His brother used to come to work in Ambati Subbanna Oil factory

situated outskirts of G.Ragampeta village of Peddapuram Mandal from the last 6 months. Accordingly some the deceased Deceased-2 (Korra Ramarao), Deceased-5 (Vechhangi Krishnarao), Deceased-6 (Vechhangi Narasingarao) and Deceased-7 (Kurthada Bonjanna @ Banjubabu) of the D-1 mandal of Alluri Seetharamaraju Dist., AP also used to work at the said Ambati Subbanna Oil factory situated outskirts of G.Ragampeta village of Peddapuram Mandal along with the D-1 (Deceased-1). Meanwhile on 09-02-20223 morning around 6 a.m., when the deceased-1 to deceased-7 (D-1 to A-7) came to work at the said factory. Then around 7 a.m. the Supervisor Vasu who is working in the company asked them to clean the oil tanks located in the premises of the said the factory and in this regard the said company did not provide to its workers any safety kits. On that Vechangi Sagar, Korra Rama Rao, Poyiba Mallanna got down into the tank. Then D-1 got into the bottom of the tanker while 2 of them viz., Ramarao and Mallayya remain outside of the tank as they could not withstand the stench from the said oil tanker and also felt much breathing problem and then the D-1 (Sagar) fell down in the tank while the remaining 2 persons came out however and rescued themselves and then they sought out the help of the remaining workers to save the D-1 of which D-2 Korra Ramarao, D-3 Kattamuri Jagadish, D-4 Yallamilli Vijaya Durga Prasad, D-5 (Krishnarao), D-6 (Narasinga Rao) and D-7 (Kurthada Bonjanna @ Bonju Babu) into the tank rescue the person i.e. D-1 who went earlier into the said tanker did not come back and could not survive and died into the said tanker . Later Factory Management rushed there and made a hole on the bottom of the said tanker with a gas cutter and found the above 7 persons died and then brought them out from the tank through the whole. Supervisor Vasu and Management who sent the workers into the tanker for cleaning without any training and issuing safety kits and accissorries and failed to provide and thereby they became the factors for the death of the D-1 to D-7.

Basing on the preliminary enquiry report of the Joint Enquiry Committee Report, the Section of law was altered into 304(A), 304 IPC, Sec.3(2)(v) of SC & ST POA Act, 1989.

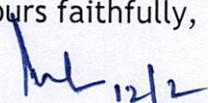
During the course of investigation the accused A-1 to A-3 were arrested on 11-02-2023 and sent them for judicial remand and the Hon'ble 1 AJFCM Court, Peddapuram remanded them for judicial custody.

In this case the P.M. reports of the D-1 to D-7 were obtained from the Medical Officers/Professors, Dept. of Forensic Medicine, Rangaraya Medical College, G.G.H., Kakinada by preserved the viscera and pending final opinion. Accordingly the caste certificates of the accused-1 to 3 are to be obtained from the concerned Tahsildars. I will finalize the case soon after receiving them.

In this case the Police responded spontaneously and acted dutiful. The A.P. Govt. announced Rs. 25 Lakh to each of the deceased family towards relief. Accordingly the Factory management where the incident took place is also announced Rs. 25 Lakh to each of the deceased family towards relief. The District Collector/District Magistrate, Kakinada Dist., A.P., got sealed the said factory as the said Company is not having any valid Registration. Proposals are also being sent to the District Collector/Magistrate for issuing of relief to the victims' families under SC/ST (POA) Rules.

This is for favour of information.

Yours faithfully,


Dy.Suptd. of Police,
Disha P.S., Kakinada,
I/C Peddapuram Sub-Division, A.P.
Sub-Divisional Police Officer
PEDDAPURAM
Kakinada District

Encls:

- 1.. Copy of FIR in Cr. No. 65/2023 of Peddapuram P.S.
- 2.. Copy of Altered FIR in Cr. No. 65/2023 of Peddapuram P.S.
- 3.. Copy of Remand Report in Cr. No. 65/2023 of Peddapuram P.S.

Sub-Divisional Police Officer
PEDDAPURAM
Tatnada District

Date : 16/02/2023

From,

M/s A.S.Agro Industries
D.No.9-74(Old 9-87)
G,Ragampeta,
Peddapuram Mandal,
Kakinada District

To,
The District Collector,
Kakinada District,
Kakinada

Respected Sir,/ MADAM

The Late Shri Ambati Subbanna started manufacturing best quality gingelly oil and sold the gingelly oil as A.S.BrandGingelly Oil in the year 1910 i.e., about more than 100 years ago with the help of his nephew and son in law Late Shri Singavarapu Satyanarayana. Subsequently both of them formed into partnership firm with the name and style "M/s Ambati Subbanna& Co (Oil firm)" and later the sons of Late Shri Ambati Subbanna and Late Shri Singavarapu Satyanarayana were inducted as partners into the partnership firm and with the joint labour the brand A.S.Brand emerged as one of the leading manufacturers in South India of Gingelly Oil and other oils and became a house hold name as the gingelly oil manufactured by the firm is used extensively in South India for making house hold pickles and by pickle manufacturers. The business expanded and currently the firm in involved in the manufacture and sale of groundnut oil and other oils also.

In the past 100 years of manufacturing of the gingelly oil and other oils and in the history of the Firm there in never any untoward incident in the manufacturing process including injuries to employees and personnel working in the manufacturing process of the gingelly oil and other oils as the management of firm is inclined and committed to the welfare and good being of the employees and personnel working in the manufacturing process as best manufacturing processes are being followed by the firm until the untoward incident happened on 9/02/2023 at the leased premises of the firm in G.Ragampeta.

The primary manufacturing premises of the firm is located at D.No. 18-1-12 in Samalkota, Samalkota Municipality and the manufacture is carried out with all necessary permissions.

The property in G.Ragampeta is the property of the sister firm of "M/s Ambati Subbanna& Co (Oil firm)" by name "M/s A.S.Agro Industries" and the firm "M/s A.S.Agro Industries" was started with an intention to manufacture and trade groundnut, linseed, cashew, cotton seed, rice bran and oil extraction and refining in the year 2010 and all the firm applied for all requisite permissions in the year 2012 from District Industries Centre, Director of Town and country planning , Pollution Control Board and other departments that are necessary for carrying out the intended business of the firm "M/s A.S.Agro Industries" and though necessary sheds and buildings are constructed for the newly intended business subsequently the partners

Mag. Supt

Copy to

DC, Labone

to follow

up on

Payment of

Compensation

Sd/-

16/2/23

Jc

Ma

dub

16/2/23

of the firm resolved not to start the intended business due to prevailing market conditions and as the sheds and buildings constructed in the property are lying vacant without any use, the property is leased out to "M/s Ambati Subbanna & Co (Oil firm)" vide registered lease deed dt. 01/05/2017 and the firm "M/s Ambati Subbanna & Co (Oil firm)" used the premises for storing and packing oils and without any manufacturing and processing of oils till about 1 year back when some of the manufacturing processes were intended to be carried out in the premises on a trial run and after the trial run about 1 month the partners of the firm have resolved to expand the processing and manufacturing of oils manufactured by the firm "M/s Ambati Subbanna & Co (Oil firm)" in the premises at G.Ragampeta and they could not proceed immediately with applying for and obtaining necessary permissions due to the hectic business activity for the upcoming pickle season which starts in February every year where the demand for gingelly oil would be at its peak.

In the premises in G.Ragampeta the Storage tanks used for storing oils would be cleaned between every 30 to 45 days based on the condition of the tank and there are specific instructions to the personnel employed in cleaning of the tanks that not more than 2 personnel should get down into the tanks for cleaning into the storage tanks and if there is any problem or adverse situation the same should be informed to the Supervisor of the shift without the personnel getting down into the tanks.

On 9/2/2023 the supervisor accordingly employed 2 personnel to get down into the storage tank for cleaning and 2 personnel were employed outside for collecting the oil that would be drained from the storage tank and collected into storage drums and went out for breakfast. We were informed that the 2 personnel who got down into the tanks felt discomfort at the time of cleaning and one personnel who got down into the tank came out of the tank and the other personnel who remained in the tank started shouting for help and due to anxiety and to save the personnel in the tank 6 others one after another got down into the tank to save others and in all 7 personnel died. All the personnel who got down into tank did so without informing the Supervisor who is adept at handling adverse situations only due to their anxiety to save the personnel who got down into the tank and were trapped inside the storage tank and there is no negligence of any kind on part of the management of firm in the untoward incident that has happened on 9/2/2023. It is significant that this the first untoward incident that has happened in the more than 100 years of the history of the firm and the management of firm would do all that is necessary for the families of the deceased personnel and we have already agreed that we would pay Rs 25,00,000/- as compensation to each of the 7 deceased families and are in the process of paying the same and have already paid Rs 50,000/- as funeral expenses to each deceased and undertake that we would take all necessary steps and precautions to see to that no untoward incident happens in the future putting human safety and life above the business and ambitions of the firm.

For M/s A.S. Agro Industries



Managing Partner – S. Tualsidhar Rao

From
Sri Sumit Kumar, I.A.S.,
Collector & District Magistrate,
Alluri Sitharama Raju District.

To
The Collector ,
Kakinada District.
Kakinada.

Sub: SC/ST Atrocities – Paderu Division – Pedabayalu Mandal – 1. Sri.Vechangi Sagar S/o. Seetharam 2. Vechangi Narasinga rao S/o.Gundanna 3. Vechangi Krishnarao S/o. Bojjanna 4. Kurthadi Bojjanna S/o.Arjun 5. Korra Ramarao S/o. Kalyanann - Victim in FIR No.65/2023 Dt.10.2.2023 U/s304 (A) added 304 IPC & Sec.3(2) (V) of SC/ST POA Act of Peddapuram Police Station –FIR filed - Sanction of relief- @ Rs.1,00,000 lakh each to the Nominee of Deceased Victim – Reg.

Ref: 1. G.O.Ms.No.95 Social Welfare(CV.POA) Dept Dt.29.08.2016.
2. Computer No.25230, dt.13.02.2023 of the District collector, Kakinda District.

-0-0-0-

I invite attention to the ref.cited. The District collector, Kakinda in the reference 2nd cited has reported that five factory workers relating to Pedabayalu Mandal, ASR District died on 9.2.2023 while cleaning the Boiler tanks at Amabati Subbanna & Co edible oils, G.Ragampeta (v) Peddapuram Mandal.

Further the District Collector, reported that the SHO, Peddapuram registered FIR No. 65/2023 and finally requested this office to sanction relief to Victims as per rules and the details of the Victims as follows.

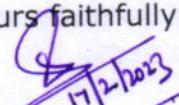
S.No	Name of the Victims	Age	Nominee	Relation To the victim	Caste	Village	Mandal
1	Vechangi Krishna Rao	35	Laxmi	Wife	Bagata (ST)	Lakshnipuram	Pedabayulu
2	Vechangi Narasinga rao	35	Portimma	Wife			
3	Vechangi Sagar	20	Satyamma	Mother			
4	Kurtha Banjanna	38	Nellamma	Wife		Unchedupattu	
5	Korra Ramarao	40	Kamamma	Wife		Sampangipattu	

According to G.O.Ms.No.95 Social Welfare(CV.POA) Dept. Dt.29.08.2016 their legal heirs are eligible for payment for sanction of relief amount to FIR No.65/2023 Dt.10.2.2023 U/s304 (A) added 304 IPC & Sec.3(2) (V) SC/ST POA Act of

Peddapuram for sanction of relief. The proceedings already issued for sanction of relief to 5 victims Rs.1 lakh each The copy of proceedings is enclosed.

Further, The Tahsildar, Pedabayalu has been called for proposals submission of assignment of land proposals @ Ac.1.00 each to the families of 5 victims. After receipt of proposals assignment of land will be issued to them.

Yours faithfully


17/2/2023
Collector,
ASR District, Paderu.

0 17/2/2023


17/2/2023
S. S. D. R. C