

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO.1237 OF 2024

IN THE MATTER OF: -

News Item titled "Two Killed 3 injured in firecracker explosion in Gonda" appearing in the Times of India dated 07.10.2024

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NEW DELHI
DATED: 03 02.2024

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1237 of 2024

IN THE MATTER OF:

News Item titled "Two Killed 3 injured in firecracker explosion in Gonda" appearing in the Times of India dated 07.10.2024

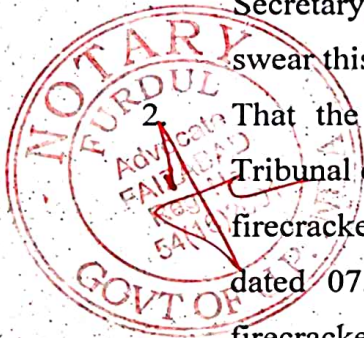
**RESPONSE ON BEHALF OF THE RESPONDENT NO.-1, UTTAR
PRADESH POLLUTION CONTROL BOARD, IN COMPLIANCE
TO THE ORDER DATED 16.10.2024 PASSED BY THE HON'BLE
NATION GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI**

I, Prakhar Kumar, aged about 59 years, S/o Shri R.P. Katiyar presently posted as Regional Officer, Uttar Pradesh Pollution Control Board (hereinafter referred to as "UPPCB"), Ayodhya do hereby solemnly affirm and state on oath as under:

1. That in the abovenoted I am well acquainted with the facts and circumstances of the case and has been authorized by the Member Secretary, U.P. Pollution Control Board, hence am competent to swear this affidavit.

2. That the present matter is suo-motu registered by this Hon'ble Tribunal on the basis of the news item titled "Two Killed 3 injured in firecracker explosion in Gonda" appearing in the Times of India dated 07.10.2024. The news item relates to an explosion at a firecracker factory in Gonda, Uttar Pradesh resulting in the death of two people, and three others getting injured. As per the news item, a group of people were illegally making firecrackers at an abandoned and dilapidated house in Belasar village when the explosion took place.

3. That it is most respectfully submitted that by considering the matter this Hon'ble Tribunal vide its order dated 16.10.2024 has impleaded Respondents with direction to file their response/reply by way of affidavit before the Tribunal at least one week the next date of hearing. Relevant part of said order reads as follows:



[Handwritten Signature]

“5. Hence, we implead the following as Respondents in the matter:

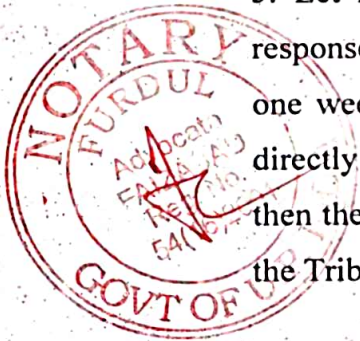
1. Member Secretary, Uttar Pradesh Pollution Control Board (UPPCB): Building No. TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow-226010;

2. Central Pollution Control Board (CPCB), through its Member Secretary: Parivesh Bhawan, East Arjun Nagar, Delhi 110032;

3. Ministry of Environment, Forest and Climate Change (Regional Office, Lucknow): Kendriya Bhawan, 5th Floor, Sector H, Aliganj, Lucknow-226024;

4. District Magistrate (DM), Gonda: District Magistrate Office, Gonda, Uttar Pradesh, India;

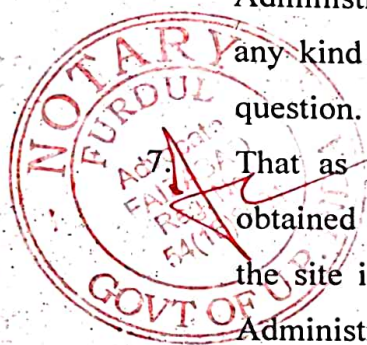
5. Let notice be issued to the Respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing. If any respondent directly files the reply without routing its through his advocate then the said respondent will remain virtually present to assist the Tribunal.”



4. That in compliance of the direction issued by this Hon'ble Tribunal the District Magistrate, Gonda has constituted a joint committee comprising of the officials of UPPCB, Circle Officer, Tarabganj, Gonda, Sub Divisional Magistrate, Tarabganj, Gonda and Additional District Magistrate (Finance/Revenue) for inspection of the site in question and also to collect the relevant information regarding the said incident.

5. That in pursuance of the above, the joint committee has carried an inspection of the site in question, i.e. Village-Belsar, Ragadganj Bazar, Tehsil-Tarabganj, District-Gonda on 17.01.2025. A copy of the joint committee report is being annexed herewith as Annexure-R1/1.

6. That further as per the inspection report, the work of making firecrackers was being done on the day of incident i.e. on 07.10.2024 in the vacant semi-constructed house of one Mr. Farooq located at the place in question i.e. Village-Belsar, Ragdganj Bazar, Tehsil-Tarabganj, District-Gonda, by (1). Ayub alias Lallu, Son of Nakkhu, (2). Akash alias Chhotu, Son of late Amarnath, (3). Ayaz Mohammad alias Toofan, Son of Late Dost Mohammad, (4). Ishaq, Son of Nakkhu and (5) Krishna Kumar, Son of Chhabile, all Residents of Village-Belsar Deha, Police Station and Tehsil-Tarabganj, District-Gonda. The incident of firecracker explosion took place between 12:00 pm to 01:00 pm at the said place, in which all the 05 persons mentioned above were seriously injured on the spot, out of which 03 people i.e. Ayub alias Lallu, Akash alias Chhotu and Ayaz Mohammad alias Toofan died during treatment. After the said incident, the firecrackers manufactured/stored were rendered destroyed by the District Administration/Police Administration. Furthermore, during inspection manufacturing of any kind of explosive material was not found to be at the site in question.



7. That as per the office records of UPPCB, the consent was not obtained from UPPCB for manufacturing/producing firecrackers at the site in question. Further, action is being taken by the District Administration/Police Administration in respect of the incident took place on 07.10.2024.

8. That the above response on behalf of the Uttar Pradesh Pollution Control Board is being submitted before Hon'ble Tribunal for kind perusal and consideration.

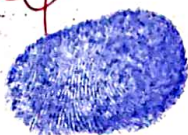
Regional Officer
U. P. Pollution Control Board
AYODHA **DEPONENT**

VERIFICATION:

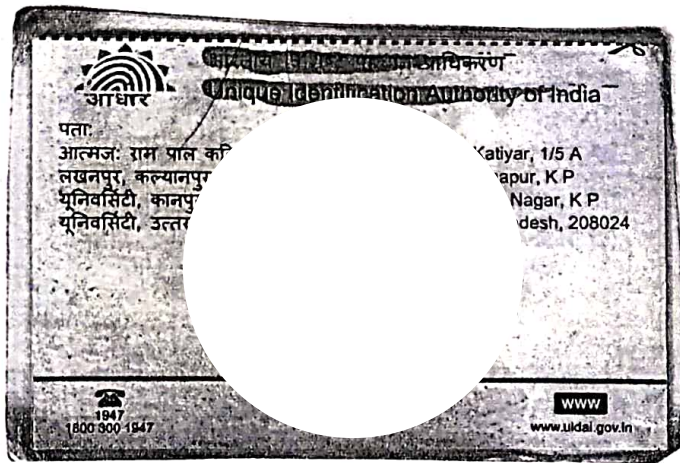
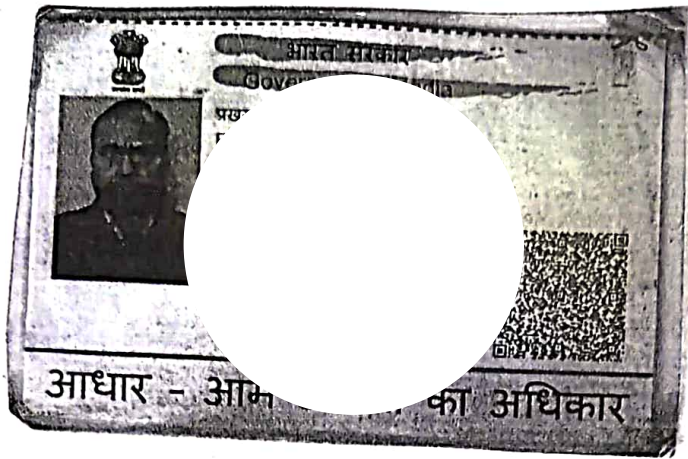
Verified at Ayodhya on this 3rd day of February, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

Deponent Sri.....
Identified By Sri.....
SWORN & VERIFIED BEFORE ME

NOTARY
03/02/25



Regional Officer
U. P. Pollution Control Board
AYODHA **DEPONENT**



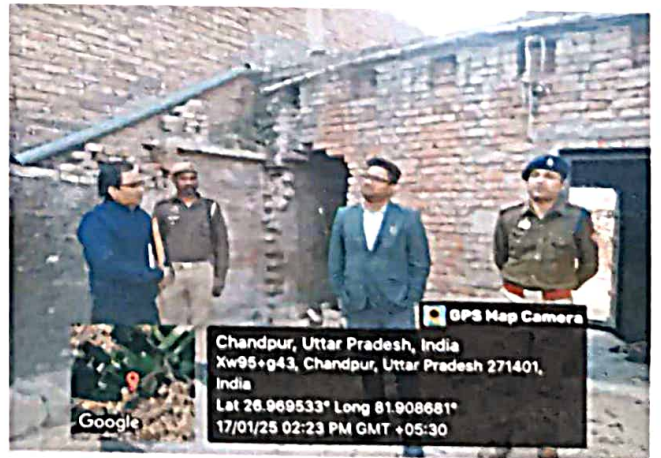
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विषय-मा० एन०जी०टी०, नई दिल्ली में योजित ओ०ए० संख्या-1237/2024 News Item titled "Two Killed 3 injured in firecracker explosion in Gonda" appearing in the Times of India dated 07.10.2024 में पारित आदेश दिनांक 16.10.2024 के अनुपालन में प्रश्नगत स्थल ग्राम - बेलसर, रगडगंज बाजार, तहसील-तरबगंज, जनपद-गोण्डा की स्थलीय निरीक्षण आख्या।

उपरोक्त विषयक मा० एन०जी०टी०, नई दिल्ली में योजित ओ०ए० संख्या-1237/2024 News Item titled "Two Killed 3 injured in firecracker explosion in Gonda" appearing in the Times of India dated 07.10.2024 में दिनांक 16.10.2024 को आदेश पारित किये गये हैं, मा० एन०जी०टी० द्वारा पारित आदेश निम्नवत् हैं-

- “1. This original application is registered suo-motu on the basis of the news item titled "Two Killed 3 injured in firecracker explosion in Gonda" appearing in the Times of India dated 07.10.2024
2. The news item relates to an explosion at a firecracker factory in Gonda, Uttar Pradesh resulting in the death of two people, and three others getting injured. As per the news item, a group of people were illegally making firecrackers at an abandoned and dilapidated house in Belasar village when the explosion took place.....”
- “...5. Hence, we implead the following as respondents in the matter:
 1. Member Secretary, Uttar Pradesh Pollution Control Board (UPPCB): Building No. TC-12 V, Vibhuti Khand, Gomti Nagar, Lucknow-226010;
 2. Central Pollution Control Board (CPCB), Through its Member Secretary: Parivesh Bhawan, East Arjun Nagar, Delhi - 110032;
 3. Ministry of Environment, Forest and Climate Change (Regional Office, Lucknow): Kendriya Bhawan, 5th Floor, Sector H, Aliganj, Lucknow-226024;
 4. District Magistrate (DM), Gonda: District Magistrate Office, Gonda, Uttar Pradesh, India ;
 5. Let notice be issued to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal.
 6. List on 06.02.2025.”

मा० एन०जी०टी० द्वारा पारित उक्त आदेश के अनुपालन में रिस्पॉन्स/प्रतिउत्तर दखिल किये जाने के सम्बन्ध में आवश्यक कार्यवाही हेतु पत्रावली जिलाधिकारी महोदया को दिनांक 13.11.2024 को प्रस्तुत की गयी थी। तत्क्रम में जिलाधिकारी महोदया द्वारा प्रश्नगत प्रकरण की जांच हेतु एक संयुक्त जांच कमेटी गठित की गयी। संयुक्त जांच कमेटी द्वारा प्रश्नगत स्थल ग्राम - बेलसर, रगडगंज बाजार, तहसील- तरबगंज, जनपद-गोण्डा का निरीक्षण दिनांक 17.01.2025 को किया गया। निरीक्षण के दौरान लिए गये फोटोग्राफ्स निम्नानुसार हैं-



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निरीक्षण के दौरान मौके पर उपस्थित स्थानीय निवासियों के अनुसार प्रश्नगत स्थल के पूरब दिशा में इदरीश पठान का प्लॉट तत्पश्चात् कृषि योग्य भूमि पश्चिम दिशा में सटा हुआ नक्खू का घर, उत्तर दिशा में सार्वजनिक मार्ग तत्पश्चात् इदरीश पठान का प्लॉट एवं दक्षिण दिशा में तालाब स्थित है। मौके पर उपस्थित स्थानीय निवासियों द्वारा अवगत कराया गया कि प्रश्नगत स्थल ग्राम-बेलसर, रगडगंज बाजार, तहसील-तरबगंज, जनपद-गोण्डा में स्थित फारूख के खाली पडे अर्धनिर्मित मकान में अयूब पुत्र नक्खू जिसका घर फारूख के घर से सटा हुआ है, में 01. अयूब उर्फ लल्लू पुत्र नक्खू द्वारा 02. आकाश उर्फ छोटू पुत्र स्व0 अमरनाथ 03. अयाज मोहम्मद उर्फ तूफान पत्र स्व0 दोस्त मोहम्मद 04. इशाहाक पुत्र नक्खू एवं 05. कृष्ण कुमार पुत्र छबीले समस्त निवासीगण ग्राम- बेलसर डीहा, थाना व तहसील- तरबगंज, जनपद- गोण्डा के सहयोग से घटना दिनांक 07.10.2024 को पटाखे (फायरक्रैकर्स) बनाने का कार्य किया जा रहा था, जो 4-5 दिन पूर्व ही प्रारंभ किया गया था। उक्त स्थल पर पटाखों के विस्फोट की घटना दोपहर लगभग 12:00 बजे से 01:00 बजे के मध्य हुई थी, जिसमें मौके पर उपरोक्त वर्णित सभी 05 लोग गम्भीर रूप से घायल हो गये थे, जिसमें से 03 लोग 01. अयूब उर्फ लल्लू पुत्र नक्खू 02. आकाश उर्फ छोटू पुत्र स्व0 अमरनाथ 03. अयाज मोहम्मद उर्फ तूफान पत्र स्व0 दोस्त मोहम्मद की इलाज के दौरान मृत्यु हो गयी थी। स्थानीय निवासियों द्वारा यह भी अवगत कराया गया कि उक्त घटना के पश्चात् जिला प्रशासन/पुलिस प्रशासन द्वारा प्रश्नगत स्थल पर निर्मित/भण्डारित पटाखों को निष्प्रयोज्य/नष्ट कर दिया गया था। निरीक्षण के दौरान उक्त स्थल पर किसी प्रकार के विस्फोटक पदार्थों के निर्माण का कार्य होता हुआ नहीं पाया गया।

क्षेत्रीय कार्यालय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, अयोध्या के कार्यालय अभिलेखानुसार प्रश्नगत स्थल पर पटाखों (फायरक्रैकर्स) को बनाने/उत्पादन हेतु राज्य प्रदूषण नियंत्रण बोर्ड से सहमति प्राप्त नहीं की गयी थी। प्रश्नगत स्थल पर दिनांक 07.10.2024 को हुई घटना के संदर्भ में जिला प्रशासन/पुलिस प्रशासन द्वारा अग्रेतर कार्यवाही की जा रही है। अवगत कराना है कि उपरोक्त वर्णित लोगों द्वारा उक्त स्थल पर अवैध रूप से बिना कोई लाईसेन्स प्राप्त किये firecrackers बनाने का कार्य किया जा रहा था, जिस कारण उक्त कार्य में संलिप्त लोगों/परिजनों को किसी प्रकार का कोई मुआवजा अनुमन्य नहीं होगा।

उपरोक्त निरीक्षण आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

सहायक पर्यावरण अभियंता,
उ0प्र0 प्रदूषण नियंत्रण बोर्ड,
अयोध्या

क्षेत्रीय अधिकारी,
उ0प्र0 प्रदूषण नियंत्रण
बोर्ड, अयोध्या

क्षेत्राधिकारी,
तरबगंज, गोण्डा

उप जिलाधिकारी,
तरबगंज, गोण्डा

अपर जिलाधिकारी (वि0/रा0)
गोण्डा