

From

The Deputy Commissioner,
Una, District Una (H.P.)

To

The Deputy Registrar (Judicial),
Hon'ble National Green Tribunal,
Principal Bench, Faridkot House,
Copernicus Marg, New Delhi-110001.

No. 1890 /ADM/ALC

Dated 05.03.2022

Sub: - **Notice of hearing in Suo Moto matter-
O.A. No. 143/2022. In re: "7 killed in
blast at firecrackers factory in Himachal
Una", published in the Tribune dated 22nd
February, 2022.**

Sir,

Kindly refer to your office notice dated 23.02.2022 whereby the undersigned has been informed that the above referred O.A. No. 143/2022 will be taken up for hearing by the Hon'ble National Green Tribunal through Video conferencing on Tuesday the 08th March, 2022 and also directed to be present before the learned Bench through the Video conferencing alongwith response.

In this regard, the undersigned respectfully submits as under: -

A. Brief Incident Report

1. A fire related accident caused due to explosives in a shed located in village Bathu, Tehsil Haroli was reported at around 10.15 AM on 22.02.2022 to the police control room. On receipt of the information, the fire brigade and police teams were rushed to the spot. SDM Haroli along with revenue teams also rushed to the spot for relief work. The immediate cause of the accident is explosion and resultant fire caused due to the explosives being used for making firecrackers at the said premises.
2. Due to the explosion, 6 persons died on the spot while 14 persons were injured due to burn injuries. 18 victims were females while 2 victims were males.
3. Out of the 14 injured persons, 11 persons were referred to PGI Chandigarh for further treatment from Regional Hospital, Una whereas 3 persons with minor injuries were admitted at Regional Hospital Una.
4. Identity of the 6 deceased was established, post-mortem was conducted and bodies were handed over to the families for last rites on 23.02.2022. Immediate relief of Rs. 50000/- has been provided to each of the families of the deceased victims.

5. In respect of the injured persons, Rs. 15000/- each has been provided as immediate relief to 8 persons with major injuries, Rs. 5000/- each has been provided to 5 persons with minor injuries. Out of those referred to PGI Chandigarh, 5 persons have died since the date of the incident and their families have been given additional immediate relief of Rs. 50000/- each. One more person referred to PGI was found not to have been admitted by PGI and as per accounts of ambulance team he left for treatment at Ambala. He is still being traced through police and still to be given relief.
6. Total amount of Rs. 6.25 lacs has been given as immediate relief to families of the 11 deceased persons and Rs. 70,000/- has been given as immediate relief to the injured persons. Rs. 4 lacs per deceased (in total as ex-gratia) would be disbursed to the families after completion of codal formalities as per State Relief Manual. The documentation for the same is being done by SDM Haroli.
7. At present, 03 persons are admitted in PGIMER Chandigarh and 01 person is admitted in RH Una and 04 persons have been discharged after treatment.
8. In addition to this, additional relief for the families of the deceased to the tune of Rs. 2 lacs per family and for the injured persons to the tune of Rs. 50,000 per person

has been announced by the Hon'ble Prime Minister of India as ex-gratia relief for which the documentation like legal heir certificates, bank account numbers etc are being collated for submission to PMO through the online portal.

9. The complete list of victims is as follows: -

Details of 11 Deaths (All Females)			
Sr. No.	Name	Details	Remarks
1.	Akhtari (53 years) W/o Anvar Hussain	#19, Santokhgarh, Santokhgarh, Una, Himachal Pradesh, 174301	Died on the pot
2.	Anmata (19 Years) D/o Anwar	Santokhgarh, Santokhgarh, Una, Himachal Pradesh, 174301	Died on the spot
3.	Shaheen D/o Nannhe	Post Office Fatehganj, Mirganj, District Bareilly, Uttar Pradesh-243501	Died on the spot
4.	Rajni Devi (28 years) D/o Kartar Chand	Dallewal, Hoshiarpur Punjab-144523	Died on the spot
5.	Monika (37 Years) W/o Deepak Kumar	Ward No.10 Village & Post Office Bahdala, Behadala, (459) Una Himachal Pradesh-174306	Died on the spot
6.	Sunita (35 Years) W/o	Village Bhangal, Post Office Bathri (174301),	Died on the spot

	Kartar Chand	Nangal Rupnagar Punjab-140126	
7.	Asgari (45 years) W/o Noseh Ali	Ward No. 08 Village & Post Office Santokhgarh, Tehsil and District Una, Himachal Pradesh-174301	Died at PGIMER Chandigarh on 24-02-22
8.	Jafri (43 years) W/o Noor Mohammad	Near Gurudwara, Ward No. 07 Village & Post Office Santokhgarh, Tehsil and District Una, Himachal Pradesh-174301	Died at PGIMER Chandigarh on 24-02-22
9.	Isharat B (39 years) W/o Moveen	43, Sadar Cantt, Bareilly District Bareilly, Uttar Pradesh - 243001	Died at PGIMER Chandigarh on 25-02-22
10.	Shakeela (43 years) W/o Nabi Hasan	Gora Loknathpur Mustakil, Bareilly, Behroli, Uttar Pradesh-243504	Died at PGIMER Chandigarh on 26-02-22
11.	Nasrin (36 years) W/o Chote	Ward No. 08 Village & Post Office Santokhgarh, Tehsil and District Una, Himachal Pradesh-174301	Died at PGIMER Chandigarh on 27-02-22

Details of 09 Injured Persons (07 Female & 02 Male)

Sr.	Name	Details	Remarks
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No.			
1.	Farha (20 years) D/o Sageer	Village Sutuiya, Post Office Kichha Udham Singh Nagar, Uttarakhand- 263148	Admitted in Regional Hospital,Una, H.P
2.	Nikhat (16 years) D/o Mo Mobeen	Sadar Bazaar Cantt, Bareilly Bareilly, Uttar Pradesh 243001	Not admitted at PGI, Minor injuries (Discharged)
3.	Parveen D/o Nannhe	Village & Post Office Jankaur, Jankaur Khas (216), Una, Himachal Pradesh-174303	Treatment at Regional Hospital,Una, H.P (Discharged on 26-02-22)
4.	Joshi S/o Chandu Pal	Bathri, Tehsil Haroli District Una, Himachal Pradesh	Admitted in PGIMER Chandigarh
5.	Nasra (61 years) W/o Ali Hussain	Ward no. 8, Village and Post Office Santokhgarh, Tehsil & District Una, Himachal	Referred to PGIMER Chandigarh (Discharged on 26-02-22)

		Pradesh-174301	
6.	Muskan(18years) D/o Chote Lal	Village & Post office Santokhgarh, Tehsil & District Una, Himachal Pradesh-174301	Referred to PGIMER Chandigarh (Discharged on 23-02-22)
7.	Nafeesa (51 Years) W/o Abdul Jabbar	Ward No. 8, Village & Post Office Santokhgarh, Tehsil & District Una, Himachal Pradesh-174303	Admitted in PGIMER Chandigarh
8.	Asma (39 years) W/o Liaquat	House No. 21 Post Office Bahroli Gora Loknathpur Ehatmali, Bareilly, Uttar Pradesh-243504	Admitted inPGIMER Chandigarh
9.	Ismail (19 years) S/o Guddu	Bathri, Tehsil Haroli, District Una, Himachal Pradesh	Referred to PGIMER Chandigarh, further left for treatment at Ambala, untraceable

			till now
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B. Background Facts

10. In the premises where this incident happened, there are two sheds and one storage room. In one of the sheds, the signs of fire and explosion are visible and the charred dead bodies were found lying here. In the other shed, packing material for firecrackers was found lying. A tanker of water was also found in the premises. In the storage room, as per the version of SP Una, some explosives were found stored. Upon preliminary inquiry, it has been found that the shed is located on Khasra No. 1709 in Khewat No. 852/419 and Khatoni No. 899/456 situated in Up Mohal Gurplah, Tehsil Haroli. As per the report of District Revenue Officer Una received vide letter No. 626/DRO/LR dated 05.03.2022 (copy annexed as **Annexure B-I**), the M/s Nova Tech Engineers had purchased the land comprised in Khasra No. 1709 area measuring 0-36-55 hectare situated in Up Mohal Gurplah, Mauza Bathu, Tehsil Haroli District Una on the basis of permission granted by the Financial Commissioner (Revenue) to the Government of H.P., Shimla vide letter No. Rev.-B-F(10)98/2012 dated 01.05.2012 under the provisions of Section 118 of the

H.P. Tenancy and Land Reforms Act, 1972 for making “Weighing Scale Structure, Steel Structures, RCC Structures & Pre-cast RCC wall’ and Essentiality Certificate issued by the Director Industries Department Himachal Pradesh vide letter No. Ind. Dev. F (14) EC-7/2012 dated 07.03.2012. However, M/s Nova Tech Engineers were not found to be conducting any operations at the premises at present.

11. It has also been found that another building (without any name of unit indicated on the outside) with storage of some explosives is located at some distance from this shed on land comprised in Khasra No. 400, Khatoni No. 457 bearing Khasra No. 222 in Mohal Bela Bathri, Tehsil Haroli. This land is recorded in the ownership of M/s Jai Guruji Enterprises. As per report received from the District Revenue Officer Una vide above referred letter dated 05.03.2022, the M/s Jai Guruji Enterprises had purchased the land comprised in Khewat No. 400, Khatoni No. 451, Khasra No.222 area measuring 0-08-93 hectare situated in Mohal Bathri Bela, Tehsil Haroli District Una on the basis of permission granted by the Financial Commissioner (Revenue) to the Government of H.P., Shimla vide letter No. Rev.-B-F(10)-319/2020 dated 03.06.2021 under the provisions of Section 118 of the H.P. Tenancy and Land Reforms Act, 1972 for

making “ POP crackers and filaments’ and Essentiality Certificate issued by the Director Industries Department Himachal Pradesh vide letter No. EC/ 12/19943/2020 dated 03.11.2020. As per investigation conducted by police till now, it is this unit which has been found to have been running the operations at the shed where the incident happened on 22.02.2022.

C. Action Taken

12. On 22.02.2022 itself, the undersigned had authorized the Sub Divisional Magistrate, Haroli District Una to conduct an inquiry into the cause and circumstances of the said accident in pursuance of the provisions contained in Section 9 of the Explosives Act, 1884 and Rule 133 of the Explosives Rules, 2008. The SDM was also authorized to exercise powers of search & seizure under Rule 128 of the Explosives Rules, 2008. Copy of the order no. 1822-27/ALC/DM-Una dated 22.02.2022 (copy annexed as **Annexure C-I**). The SDM Haroli vide order bearing endorsement No. 196-200/Reader-SDM dated 22.02.2022 (copy annexed as **Annexure C-II**) had directed the M/s Jai Guru Ji Enterprises Bathri Bela under Rule 125 (1) of the Explosive Rules, 2008 to produce the license/ authority to store/manufacture the explosive in the said premises within twenty-four hours

on 23.02.2022 by 1600 Hrs. But the said firm failed to produce the desired statutory permission/license within stipulated period. Therefore, the Sub Divisional Magistrate, Haroli District Una in pursuance of the power conferred under Rule 128 (1) (d) of the Rules ibid vide order bearing endorsement No. 201-206/Reader-SDM dated 23.02.2022 (copy annexed as **Annexure C-III**) had ordered to seal the premises of M/s Jai Guru Ji Enterprises Bathri Bela till the safe disposal of explosive or ingredients by appropriate authority.

13. By letter no. 1830-37/ALC/Una dated 22.02.2022 (copy annexed as **Annexure C-IV**), this office had also requested the office of Chief Controller of Explosives, CGO Complex, 5th, A Block Seminary Hills, Nagpur, Maharashtra-44001 and Deputy Chief Controller of Explosives, SCO-802 Second Floor, NAC, Manimajra, Chandigarh-160101 to inspect/ examine the said premises as per the provisions of Rule 128 of the Explosives Rules, 2008. The team of Shri Sumitra Raychaudhury (Dy. Controller of Explosives) and Shri Saurabh Shakya (Dy. Controller of Explosives) was deputed vide letter No. ACC/NH/22/01 dated 23.02.2022 (copy annexed as **Annexure C-V**) to visit the accident site for investigation on 24.02.2022 and the

said team visited the site on 24.02.2022 but their report/ instructions is yet to be received by this office. However, the Deputy Chief Controller of Explosive, SCO-802, 2nd Floor, NAC, Manimajra, Chandigarh-160101 vide his letter No. ACC/NH/22/01 dated 01.03.2022 (copy annexed as **Annexure C-VI**) has reported that no license has been issued in favour of M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli District Una by his organization to store, use, possess or manufacture fireworks/explosives.

14. As a precautionary measure, this office has also written to General Manager, District Industries Centre Una vide office letter No. 1838-40/ALC/Una dated 22.02.2022 (copy annexed as **Annexure C-VII**) to physically inspect and check all industrial units in the District and check whether they have taken all statutory approvals under the Explosives Act, 1884 if they deal with manufacture, storage, sale and transport of explosives at any stage of their processes. The action taken report of General Manager, District Industries Centre Una is awaited.

15. This office has also written to Labour Officer Una vide this office letter No. 1841/ALC/Una dated 24.02.2022 (copy annexed as **Annexure C-VIII**) to physically

inspect and check all the units located within district Una and to identify whether units employing the labour are following due provisions relating to labour laws or not? The action taken report of Labour Officer Una is awaited.

16. This office has also written to Labour Officer Una vide letter No. 1857/ALC/Una dated 24.02.2022 (copy annexed as **Annexure C-IX**) to facilitate documentation of the deceased as well as injured persons for claim of compensation under the provisions of the Employees Compensation Act and to take up the matter with competent authorities of EPFO and ESI for any compensation which may be available under respective statutes. The Labour Officer Una vide his letter No. LO. Una/ compensation-1073 dated 04.03.2022 (copy annexed as **Annexure C-X**) has reported that the Labour Inspector, Una and the Sr. Assistant Labour Office Una have been deputed to facilitate the documentation of dependants/legal heir of deceased as well as injured persons for filling claims of compensation under the provisions of Employees Compensation Act, 1923. He has also reported that the requisite documents/information are being collected and the matter of filing of claim before the authority will be taken up with the District Legal Aid Authorities.

D. Magisterial Inquiry

17. It is submitted that vide order No.1822-27/ALC/DM-Una dated 22.02.2022 (copy annexed as **Annexure D-I**) the undersigned had authorized the Sub Divisional Magistrate, Haroli District Una to conduct an inquiry into the cause and circumstances of the said accident in pursuance of the provisions contained in Section 9 of the Explosives Act, 1884 and Rule 133 of the Explosives Rules, 2008. However, the Principal Secretary (Home) to the Government of Himachal Pradesh vide order bearing No. Home (A) E (5)-2/2021 dated 22.02.2022 (copy annexed as **Annexure D-II**) has appointed Shri S.S. Guleria, Divisional Commissioner, Kangra Division to conduct a Magisterial Inquiry in the matter and submit the inquiry report. In view of this, the undersigned has withdrawn the order appointing the SDM as the inquiry officer vide order No. 1842-47/ALC/DM-Una dated 24.02.2022 (copy annexed as **Annexure D-III**) and presently the Divisional Commissioner, Kangra is conducting inquiry into the matter.

18. The Divisional Commissioner Kangra had visited the spot on 23.02.2022 and the statements of all the Officers/officials/stakeholders related to fire incident

were recorded by him on 24.02.2022 and the statements of the three victims admitted in the Regional Hospital Una were recorded by him on 25.02.2022. He had also recorded the statements of major injured persons who are admitted in PGIMER, Chandigarh on 26.02.2022. The inquiry report will be submitted directly to the State Government.

E. Police Investigation

19. It is submitted that as per report received from the Superintendent of Police, Una vide letter No. Reader/SP: 22-9240 dated 05.03.2022 (copy annexed as **Annexure E-I**), a case FIR No. 41/2022 dated 22.02.2022 U/s 304, 286, 323, 34 IPC and Section 5 of Explosive Substance Act, 1908 was registered at Police Station Haroli in this matter. He has further reported that this case has been registered on the complaint of one victim namely Farha D/O Sh. Sangir Ahmad r/o VPO & Tehsil Satarganj, District Bareilly, UP at present residing in H.No. 39, Ward No. 8, Santoshgarh, Tehsil & District Una stating therein that she has been working in this cracker factory for the past one month in which about 30-35 persons were employed. On dated 22.02.2022, while they were working, suddenly a massive fire broke out in the explosive mixture due to

which 6 persons died on the spot while 14 others including her were injured and were taken to Una Hospital for treatment from where injured had to be shifted to PGI Chandigarh. She further stated that this event occurred due to negligence of the owner of the cracker factory against whom legal action must be taken. Brief summary of the investigation till now is as follows: -

1. A Special Investigation Team (SIT) headed by DIG Northern Range, Dharamshala and comprising of Commandant 1st IRBn Bangarh and SP Una was constituted vide DGP, HP Order Endst. No. L&O-10 (Misc) 2022- 4232-35 dated 22.12.2022 for the investigation of this case.
2. The SIT conducted detailed inspection of the scene of crime on dated 22.02.2022 & 23.02.2022.
3. During the course of investigation, section 304, 323, 34 IPC and section 5 of Explosive substance Act, 1908 have been added and section 304-A and 337 IPC and section 9 C of Explosive Act 1884 have been deleted.
4. **So far following four accused have been arrested in this case:-**

1. Deepak Singh Rana s/o Kushal Singh Rana,
R/O village Nainwan, Tehsil Garhshankar,

District Hoshiarpur, Punjab. (He was working as bill clerk/supervisor in Jai Guruji Enterprises)

2. Gulfam S/o Shamsudeen R/O near Choti Masjid Lisari, Village Lisari, Meerut, Uttar Pradesh. (He was managing the day to day operation of the factory where fire broke out. Younger brother of Nadeem)
3. Nadeem S/O Shamsudeen R/O near Choti Masjid Lisari, Village Lisari, Meerut, Uttar Pradesh. (Elder brother of Gulfam. Main supplier of raw material)
4. Rohit Suri s/o B.L.Suri r/o House no. 365 Phase 1B Shivalik Avenue, New Nangal District Ropar Punjab

Deepak Singh, Gulfam and Nadeem are now in Judicial custody till 11.3.2022 and Rohit Suri is in police custody upto 07/03/2022.

5. So far **11 persons have died** due to burning in the fire that broke out in the fire crackers manufacturing unit. 6 persons died on the spot itself on 22.2.2022. 05 more persons died in PGI Chandigarh during treatment. Post mortem of 06 deceased has been got done at Regional hospital

- Una and of 05 deceased in PGI Chandigarh. 03 injured are still admitted in PGI Chandigarh.
6. On 23.2.2022 spot inspection and examination has been carried out by the team of RFSL expert and all the incriminating and relevant physical evidences have been lifted and sent for expert examination to RFSL Dharamshala.
 7. Statements of all the injured persons, who were declared fit to give statement by Medical Officer, have been recorded. All the other workers of this factory have been associated in the investigation and the statements of 4 workers have also been recorded.
 8. Regarding the incident, a meeting has been conducted with the Deputy Controller of Explosives, Chandigarh and his team who visited the spot.
 9. Three accused in this case are still absconding. Their CDRs are being analyzed. Police team has been stationed in Delhi for apprehending these accused. So far, several places have been raided in search of these accused.
 10. Forward and backward linkages qua the supply of raw material and finished product i.e. Corsair Tubes/Baby Part Pop have been verified. Police

team has visited Saharanpur and Meerut in Uttar Pradesh to verify the forward and backward linkages

11. During the investigation of the case, officials of different departments namely, GM Industries, Una, Assistant Director Factories Una, Labour Officer Una, Labour Inspector Tahliwal, Assistant Commissioner, Sales Tax and Excise, Mehatpur, District Pollution Officer, Una, Tehsildar have been associated and interrogated in the case.
12. Ownership of the land on which the factory was running illegally and its possession has been verified and duly established. The statements of relevant persons have been recorded.
13. Computer hardware (1 laptop & 2 printers) was seized from the second factory of Jai Guruji Enterprises situated in mohal Bela Bathri located a short distance from the first factory where the incident of fire occurred.
14. Look Out Circular had been issued against the two absconding accused namely Nikhil Soni son Pramod Kumar resident 117 UG/F Raja Garden Rajouri Garden J-6 West Delhi and Rohit Suri son B.L.Suri resident house no. 365 Phase 1B Shivalik Avenue, New Nangal District Ropar Punjab for

their arrest out of which Rohit Suri has been arrested.

15. The SIT also seized physical and documentary evidences including bill books and cash books from the second factory of Jai Guruji Enterprises.
16. Scientific investigation of the case is underway keeping in view all possible angles and all out efforts are being made to nab all the accused of this case and to establish all forward-backward linkages. All out efforts are being made to nab the remaining accused and further investigation of the case is in progress.

F. Departments Reports

It is submitted that the detailed reports on the fire incident were sought from various departments and the same are submitted as under: -

20. As per report of General Manager, District Industries Centre Una received vide letter No. Ind/U/Dev/Estt-SIT E/Jai Guruji-4463 dated 03.03.2022 (copy annexed as **Annexure F-I**), regarding Nova Tech Engineers, Bathu, Tehsil Haroli District Una, prior to setting up of industrial unit, this unit had obtained Entrepreneurs Memorandum-1 for setting up a weighing scale structure, Steel & RCC structure and pre case RCC wall

manufacturing unit and was assigned EM-1 number 02/007/11/00897/micro dated 29.08.2011. Essentiality Certificate was issued in favour of the unit by Director, Industries vide letter No. Ind.Dev.F(14)EC-7/2012-3148 dated 17.03.2012. Thereafter, this unit never applied for Entrepreneurs memorandum part 2 and no record pertaining to this unit is available in this office. He has further reported that the M/s Jai Guruji Enterprises, Bela Bathri is not registered with the department of Industries. However, one unit in the name of Jai Guruji Enterprises had submitted a Common Application Form (CAF) to set-up an industrial unit in the name of Jai Guruji Enterprises which was acknowledged by the department on 04.02.2019 and was given in principal approval by State level single window clearance and monitoring authority (SLSWC&MA) in its meeting held on 25.02.2019. In Common Application from M/s Jai Guruji Enterprises mentioned that 2000 sq.mts land will be taken from IA Tahliwal or Mehatpur and if not available then will be taken at nearby area of Tahliwal or Bela Bathri, Essentiality certificate number EC/12/19943/2020 dated 11.03.2020 was issued in favour of the unit by Director Industries.

21. The Assistant Director (Factories) North Zone, District Una Department of Labour & Employment vide his letter No. D.D. (Fac) Una/Cracker-237 dated 04.03.2022 (copy annexed as **Annexure F-II**) has reported that the M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli District Una and M/s Nova Tech Engineers, Bathu, Tehsil Haroli District Una are not registered with his office/department.

22. The Superintending Engineer, (OP) Circle, H.P. SEBL, Una vide his letter No. 260290/SK/2022-9999-10000 dated 04.03.2022 (copy annexed as **Annexure F-III**) has reported that the M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli District Una is not registered with his department whereas M/s Nova Tech. Engineers, Bathu, Tehsil Haroli District Una had applied for power connection vide application 8091/MS dated 09.07.2012 and AE, ESD, HPSEBL, Tahliwal released the connection vide SCO No. 7583 dated 24.03.2014 having connected load 48.732 KW after verifying the test report and NOC given by the General Manager Industry Department vide No. Ind. U Dev. EM-1/2009-2681 dated 28.01.2012. The firm has reduced the connected load from 48.732 KW to 17.430 KW on dated 14.06.2018 for the manufacturing weight scale structure and on dated 05.01.2021 the firm was

permanently disconnected vide PDCO NO. PDCO/100004017027/202110105 dated 05.01.2021. He has further reported that on dated 06.07.2020 Mr. Nikhil Soni had applied for temporary connection of 29.730 KW load for construction purpose at Bela Bathri and connection was released on 19.07.2020 vide SCO No. 2000248865 dated 15.07.2020 as per HPSEBL Tariff order and till date the firm has not applied for permanent connection. Due to default amount the temporary connection disconnected at site.

23. The Assistant Environmental Engineer, H.P. State Pollution Control Board Una vide his letter No. HPSPCB/RO/Una/OA No. 143 of 2022/2021: 2619 dated 04.03.2022 (copy annexed as **Annexure F-IV**) has reported that neither the M/s Jai Guruji Enterprises, Village Bela Bathri Tehsil Haroli District Una is registered with his office nor the said Unit has applied online for the consent of the State Board and approached this office for the same. He has further reported that Ms/ Nova Tech Engineers was registered with his office. The State Board had granted consent to establish and consent to operate to the unit vide letter No. 2457-58 dated 31.01.2012 and letter No. 2209-11 dated 04.12.2013 respectively for the manufacturing of Weighing Scales Structure, Steel Structure, RCC

Structures and Pre-cast RCC walls. Consent to Establish/Operate was granted to the unit on the basis of Entrepreneur Memorandum (Part-1) issued in favour of the unit by GM, DIC Una vide EM No. 02/007/11/00897 dated 29.08.2011. Consent to operate granted to the unit was expired on 31.03.2014. Thereafter the unit has neither applied for further renewal of the consent nor obtained permanent registration (EM-II) from GMDIC Una Una which is required for the processing of renewal of Consent to operate application of the State Board. The unit was not in operation since year 2014. He has also reported that as per office record the inspection of M/s Nova Tech Engineer, Bathu, Tehsil Haroli District Una was carried out on 20.01.2012 by Junior Environmental Engineer w.r.t. consent to establish and the inspection of consent to operate application of the Unit on 03.12.2013.

24. The Labour Officer Una vide his letter No. LO, Una/Cracker-1070 dated 04.03.2022 (copy annexed as **Annexure F-V**) has reported that the M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli District Una and M/s Nova Tech Engineers, Bathu, Tehsil Haroli District Una are not registered with his office/department.

25. The Deputy Commissioner, State Taxes & Excise Una District Una (H.P.) vide his letter No. EXN-UNA-Estt.-1571 dated 04.03.2022 (copy annexed as **Annexure F-VI**) has reported that the M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli District Una and M/s Nova Tech Engineers, Bathu, Tehsil Haroli District Una (H.P.) are registered with State Taxes and Excise Department.

It is pertinent to mention here that the cause of the incident that happened on 22.02.2022 and facts & circumstances surrounding the operations of the said unit are subject-matter of inquiry being conducted by the Divisional Commissioner, Kangra Division who has been appointed as Inquiry Officer by the State Government in this regard.

The report is being submitted for kind perusal of this Hon'ble Tribunal.

Yours faithfully,



Raghav Sharma, IAS,
Deputy Commissioner,
Una, District Una (H.P.)
Ph. No. 01975-225800

Encls As above.

BT

क्रमांक 626 /डी.आर.ओ./एल.आर.

प्रेषक

जिला राजस्व अधिकारी,
ऊना, जिला ऊना (हि.प्र.)।

प्रेषित

उपायुक्त,
ऊना, जिला ऊना (हि.प्र.)।

दिनांक 05.03.2022

विषय: Notice of hearing in Suo-Moto matter-OA No. 143/2022 in re: "7 killed in blast at firecrackers factory in Himachal Pradesh Una", published in the Tribune dated 22nd February, 2022.

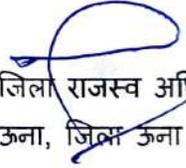
महोदय,

उपरोक्त विषय पर पत्र संख्या: 1865-71/ADC/ALC , दिनांक 28.02.2022 के संदर्भ में निवेदन है कि फर्म M/s Nova Tech Engineers ने भूमि नम्बर खसरा 1709, रकवा तादादी 0-36-55है0 स्थित उपमहाल गुरपलाह, मौजा वाथू, तहसील हरोली, सरकार के अनुमति पत्र संख्या: रैव-बी. एफ.(10)-98/2012, दिनांक 01.05.2012 से हि. प्र. मुजारियत एवं भू-सुधार अधिनियम, 1972 की धारा- 118 के तहत 'Weighing scale structure steel structures, RCC structures & Pre-cast RCC wall' बनाने के लिए उद्योग निदेशालय द्वारा जारी अनिवार्यता प्रमाण पत्र संख्या: इंड.डैव.एफ.(14)-ईसी-7/2012, दिनांक 07.03.2012 के आधार पर, औद्योगिक इकाई स्थापित करने हेतु खरीदी गई थी। तदोपरान्त दिनांक 12.06.2012 वरुये वसीका नम्बर 777 उप-पंजीकाध्यक्ष हरोली जिला ऊना में मुताविक जमाबन्दी वर्ष 2009-10 मनजीत सिंह पुत्र ईशर सिंह पुत्र लखू बासी उपमहाल गुरपलाह बहक M/s Nova Tech Engineers मारफत श्री लखजीत सिंह पुत्र गुरमीत सिंह वासी 40/60/1 गली नम्बर 1 डाबा राड़, शिमला पुरी लुधियाना(पंजाब) के नाम वै नामा पंजीकृत हुआ है। उसके उपरान्त ईन्तकाल नम्बर 563 वै नामा तारीख फैसला 26.06.2012 वाया मनजीत सिंह बहक M/s Nova Tech Engineers तस्दीक हुआ है। मुताविक जमाबंदी हाल उपमहाल गुरपलाह वर्ष 2017-18 भूमि खेवट नम्बर 852 खतौनी नम्बर 899, खसरा नम्बर 1709 रकवा तादादी 0-36-55है0 सालम मिनजानिव M/s Nova Tech Engineers के नाम दर्ज है। इसके अतिरिक्त वित्तायुक्त हि.प्र. राजस्व पत्र संख्या: रैव-बी. एफ.(10)-319/2020, दिनांक 03.06.2021 के द्वारा M/s Metch Tech Overseas खाता/खतौनी नम्बर 400/451 खसरा नम्बर 222

रकवा तादादी 0-08-93 है. महाल बाथड़ी बेला तहसील हरोली जिला ऊना को विक्रय व M/s Jai Guru Ji Enterprises को क्रय करने की अनुमति जारी हुई । तदोपरान्त दिनांक 24.09.2021 वसीका नम्बर 887 उप-पंजीकाध्यक्ष हरोली में बै नामा वहक M/s Jai Guru Ji Enterprises पंजीकृत हुआ है । उसके उपरान्त ईन्तकाल नम्बर 1108 वै नामा तारीख फैसला 27.09.2021 वहक M/s Jai Guru Ji Enterprises मारफत निखिल सोनी पुत्र श्री प्रमोद कुमार सोनी वासी 117 यूजी, 7एफ राजौरी गार्डन जे-6 पश्चिम दिल्ली को अनुमति पत्र की शर्तों के साथ स्वीकार हुआ है। उपरोक्त वैनामा, नकल जमाबंदी व ईन्तकाल की प्रति वराये अवलोकनार्थ साथ संलग्न कर सेवा में प्रेषित है।

संलग्न: 48

भवदीय,


जिला राजस्व अधिकारी,
ऊना, जिला ऊना (हि.प्र.)

1

No. Rev.B.F.(10)-319/2020
Government of Himachal Pradesh
Department of Revenue

From

The Addl. Chief Secretary-cum-F.C. (Revenue) to the
Government of Himachal Pradesh.

To

✓ The Deputy Commissioner
Una, District Una
Himachal Pradesh.

Dated: Shimla-2,

03-06-2021.

Subject: - Permission to purchase land alongwith building by **M/s Jai Guruji Enterprises** for the purpose of setting up of Industrial Unit.

Sir,

I am directed to refer to your office letter No. 2010/DRO/LR Dated 21-11-2020 on the above noted subject and to say that the case of applicant firm has been considered keeping in view the provisions of Clause (h) of Sub-Section (2) of Section 118 of the Himachal Pradesh Tenancy & Land Reforms Act, 1972 and serial number (6) of sub-rule (3) of rule 38-A of Rules framed under the aforesaid Act and the Government has granted permission in favour of **M/s Jai Guruji Enterprises** to purchase land alongwith building comprised in Khatta/Khatauni No. 400/451 Khasra No. 222 measuring 00-08-93 Hect. situated at **Mohal Bathri Bela, Tehsil Haroli, District Una, H.P.**, for setting up of industrial unit on the following conditions:-

- M*
1. The permission will be valid for one year from the date of issuance of this letter.
 2. In the instant case the details furnished by the applicant have not been verified at Government level and are assumed to be correct. Hence, if at any time it is found that the details are not correct, the permission shall be deemed to have been withdrawn/cancelled and land if so purchased shall vest in the State Government free from all encumbrances alongwith structures, if any. Further, in case any dispute(s) arises between the transferor and transferee, the State Government will not be responsible for that and can not be impleaded as party in any court/forum.

P.T.O.

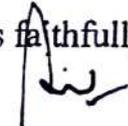
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De Una
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1506-21

545/NTLR
16/6/21

3. Attention of applicant be drawn to the proviso below section 118(2)(h) of the Act ibid which requires the purchaser to utilize the land for the purpose for which it is allowed to be purchased within a period of 2 (two) years further extendable by 1 (one) year. In this regard, this period of 2 (two) years will be counted from the date of registration. However before purchase, the purchaser should satisfy themselves that they will be able to complete various other formalities to set up the industrial unit, construct factory building, install machinery and start production all within a period of 2 (two) years (extended by one year if required). In case they fail to do this, the land will vest in the State alongwith structure, if any, free from all encumbrances. Further, the Government or any authority, as per rules, can not, give any extension beyond three years.
4. An entry will be made in remarks column of the concerned Jamabandi with red ink that the transferee will not become an agriculturist on account of such transfer of land and he/she will not become eligible for allotment/lease/grant from the Government. The transferee of land will remain non-agriculturist for all purposes.
5. The stamp duty of land proposed to be transferred will be charged from the transferee as per Law.

Yours faithfully,


(K.K. Sharma)

Addl. Secretary (Revenue) to the
Government of Himachal Pradesh

Endst. No. As above. Dated: Shimla-2,

☞ -06-2021.

Copy is forwarded to:-

1. **M/s Jai Guruji Enterprises** through its proprietor Sh. Nikhil Soni R/o 117, UG/F, Rajaj Garden Rajouri Garden, J-6, West Delhi-110027 for information.
2. The Director of Industries, Himachal Pradesh w.r.t. Essentiality Certificate No. Ind. EC/12/19943/2020 dated 03-11-2020, with the request to ensure utilization of land within a period of 2 years and send a certificate to this effect as per direction issued by this department vide letter No.Rev.B.F.(10)-187/2003, dated 29.10.2003.


(K.K. Sharma)

Addl. Secretary (Revenue) to the
Government of Himachal Pradesh

3

"ESSENTIALITY CERTIFICATE"

(Certificate No. EC/12/19943/2020)

This is to certify that land along with building area measuring 00-08-93 Hect. situated at Mohal Bathri Bela Tehsil Haroli, Distt. Una H.P. as detailed below is required by M/s Jai Guruji Enterprises (Proprietary Concern), Village Bathri Bela, Tehsil Haroli, Distt. Una H.P. for setup of new Industrial unit for the manufacturing of POP Cracker AND FILAMENTS with a proposed investment of worth Rs.264.13 Lakhs including plant and machinery worth Rs.130.28 Lakhs and proposed employment to 46 persons.

Earlier the said land measuring 00-08-93 Hect. had been purchased by M/s MATCH TECH OVERSEAS after obtaining permission vide 118 of HPT & LR Act, 1972 from Revenue Department vide letter No. Rev.B.F.10/180/2008 dated 17-06-2008 on the strength of Essentiality Certificate issued vide this office letter No. Ind.Dev.F.14)EC-221/2005 dated 21-06-2010. The unit is registered with the department vide EM-II No. 02/007/00288 dated 21-06-2010 for the manufacture of Readymade Garments (T-Shirts) and the unit commenced commercial production w.e.f. 17-06-2010.

Detail of land is as under as per mention in Jamabandi for the Year 2015-2016 :-

Sl. No.	Khata No.	Khatauni No.	Khasra No.	Area
	400	451	222	00-08-93 Hect
				00-08-93 Hect

Terms & Conditions:-

1. This land is recommended for transfer/lease after ascertaining the eligibility of transferee as per the criteria laid down by the department.
2. This land is recommended for transfer / lease in favour of the enterprise as the same is essentially required for the aforesaid purpose. The aforesaid activities cannot be run in a lesser area.
3. This land is recommended for transfer after obtaining all NOCs from all relevant departments/authorities and after ensuring adherence to any guidelines, under Rule 38-A of the Himachal Pradesh Tenancy and Land Reforms Rules.
4. This EC can be withdrawn/cancelled/amended at any time by the department, if any factual error/misrepresentation of facts /omission comes to the notice of the department.
5. You have to apply for permission under section 118 with revenue dept through concerned deputy commissioner.

Digitally signed by 201101243005
Date: 2011.01.24 12:43:05
Signature: 201101243005

संख्या: रैव0-बी0-एफ0(10)-98/2012
हिमाचल प्रदेश सरकार
राजस्व विभाग

प्रेषक

वित्तायुक्त (राजस्व)
हिमाचल प्रदेश सरकार ।

प्रेषित

उपायुक्त,
उना, जिला उना,
हिमाचल प्रदेश।

दिनांक शिमला-171002

विषय -

M/S Nova Tech Engineers द्वारा औद्योगिक इकाई स्थापित करने हेतु भूमि कय करने की अनुमति प्राप्त करने बारे ।

महोदय,

उपरोक्त विषय पर मुझे आपके कार्यालय पत्र संख्या: 287/एन0टी0(एल0आर0) दिनांक 28-3-2012 द्वारा प्राप्त कम्पनी के आवेदन प्रकरण के सन्दर्भ में यह कहने का निदेश हुआ है कि प्रदेश सरकार ने हिमाचल प्रदेश टेनेन्सी एण्ड लैण्ड रिफॉर्मज एक्ट, 1972 की धारा 118 की उप-धारा 2 के खण्ड(एच) तथा हिमाचल प्रदेश टेनेन्सी एण्ड लैण्ड रिफॉर्मज (संशोधित) रूलज, 2011 के नियम 38 ए के उप-नियम 3 के खण्ड (ई) के अन्तर्गत शक्तियों का प्रयोग करते हुये कम्पनी के पक्ष में खसरा नं0 1709 रकबा तादादी 00-36-55 है0 स्थित मौजा बाथू तहसील हरोली, जिला उना में निम्नलिखित शर्तों पर औद्योगिक इकाई स्थापित करने हेतु कय करने की अनुमति प्रदान की जाती है:-

1. अनुमति इस पत्र के जारी होने से 1 वर्ष तक मान्य/वैध होगी ।
2. भूमि का प्रयोग उसी प्रयोजन के लिये 2 वर्षों की अवधि के अन्दर किया जायेगा जिस प्रयोजन के लिये अनुमति दी गई है। यदि भूमि का प्रयोग उसी प्रयोजन के लिये निर्धारित अवधि के अन्दर नहीं किया गया तो उक्त भूमि सभी प्रकार से भारमुक्त होकर सरकार में निहित हो जायेगी ।
3. जमाबन्दी की टिप्पणी खण्ड में लाल स्याही से इन्द्राज किया जाये कि क्येता भविष्य में सरकार से किसी भी प्रकार से भूमि आबंटन/लीज/अनुदान के लिये कृषक की परिभाषा में नहीं आयेगा ।
4. इस स्वीकृति के अन्तर्गत कय की गई भूमि का क्रेता कृषक कहलाने का अधिकारी नहीं होगा और ऐसा अकृषक व्यक्ति अकृषक ही रहेगा ।
5. विक्रय की जाने वाली प्रस्तावित भूमि की स्टैम्प शुल्क नियमानुसार क्रेता से वसूल की जायेगी ।
6. इस विभाग के पत्र संख्या रैव0-बी0-एफ0(10)187/2003, दिनांक 29.10.2003 द्वारा जारी दिशानिर्देश के अनुसार आवश्यक प्रमाण पत्र निर्धारित दो वर्षों की समयावधि के भीतर इस विभाग को उपलब्ध करवाना सुनिश्चित करें।

भवदीय,

अतिरिक्त सचिव (राजस्व)
हिमाचल प्रदेश सरकार

शिमला-2 16/5/2012

पृष्ठांकन संख्या : यथोपरि दिनांक
प्रतिलिपि निम्नलिखित को प्रेषित है :-

1. M/S Nova Tech Engineers मारफत श्री लखजीत सिंह पुत्र श्री गुरमीत सिंह, निवासी 4062/1, गली नं0 1 डाबा रोड, शिमलापुरी, लुधियाना पंजाब को सूचनार्थ ।
2. निदेशक, उद्योग, हिमाचल प्रदेश, शिमला को उनके द्वारा जारी अनिवार्यता प्रमाण पत्र संख्या:इण्ड.डैव.एफ(14)ई0सी0-7/2012-3148 दिनांक 7.3.2012 के सन्दर्भ में इस आशय से प्रेषित है कि वह उक्त कम संख्या-6 पर लगाई गई शर्त की अनुपालना सुनिश्चित करें।

Pathwari Haroli

18/5/2012

No. 316/NTLR

Dated 16/5/2012

अतिरिक्त सचिव (राजस्व)
हिमाचल प्रदेश सरकार।

5 27/7

No. Ind. Dev.F (14) EC- 7/2012
Government of Himachal Pradesh
Directorate of Industries
No. 3148. Dated: Shimla- 171001.

"ESSENTIALITY CERTIFICATE"

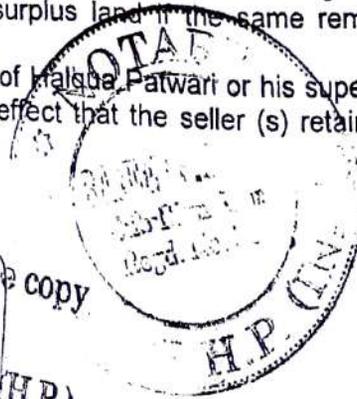
This is to certify that land measuring **3655 sq. mtrs.** at **Village Bathu, Tehsil Haroli, District Una, H.P.** as detailed below is required by **M/S Nova Tech. Engineers** acknowledged as **Micro Enterprise** by the Department vide Entrepreneur Memorandum No. 02/007/12/00897 dated 29/08/2011 for the manufacture of **Weighing Scale Structures, Steel Structures, RCC Structures & Pre-Cast RCC Wall.**

Location of proposed land	Khasra Nos. of proposed land	Area in Sq. Mtrs.
Village Bathu, Tehsil Haroli, District Una, H.P.	1709	3655
	Total:	3655

1. This land is recommended for transfer after ascertaining the eligibility of transferee as per the criteria laid down by the department.
2. This land is recommended for transfer in favour of party as the same is essentially required for the aforesaid purpose. The aforesaid activities can not be run in a lesser area.
3. This land is recommended for transfer after obtaining all NOCs from all relevant departments / authorities and after ensuring adherence to guidelines of the department , under Rule 38-A of the HP Tenancy and Land Reforms Rules .
4. The enterprise shall have to employ at all levels at least **70%** (or as prescribed from time to time) of the total manpower whether on regular/ contractual/ sub-contractual/ daily wages basis or any other mode from amongst the bonafide Himachalies. The party is therefore advised to register itself on the job portal at web address: www.himachal.nic.in/job_portal to access data base of suitable job seekers already registered with employment exchanges/ sub-employment exchanges in the State and accordingly initiate steps to employ suitably qualified bonafide Himachalies in its unit.
5. The land proposed to be purchased should be a compact block.
6. The land proposed to be purchased shall be used for Industrial purpose only i.e. for manufacturing of **Weighing Scale Structures, Steel Structures, RCC Structures & Pre-Cast RCC Wall** within two years from the date of permission granted by the Govt. for purchase of land failing which this Essentiality Certificate shall be deemed to be withdrawn & the Govt. shall have the right to resume this land and allot it to interested party intending to set up industrial unit on the payment as registered in the conveyance deed.
7. The enterprise shall have to obtain other necessary NOCs/permissions from other concerned authorities as required for this Industrial Project including exemption under the rule, if any.
8. The enterprise shall ensure full utilization of land for industrial purpose failing which the Govt. shall have the right to resume the surplus land if the same remains unutilized.
9. The enterprise shall have to submit a certificate of **Halsua Patwari** or his superiors to the concerned Deputy Commissioner to the effect that the seller (s) retain the

Attested to be true copy

Notary Public, Una (H.P.)



6

[Handwritten signature]

- minimum land to be classified as not landless and will not become landless after sale of the proposed land.
- 10. 1% cess on the actual cost of construction shall be deposited by the industrial unit under the Building and other construction Workers Welfare Cess Act 1996.
- 11. This Essentiality Certificate is valid for one year from the date of issue.

[Handwritten signature]
 Director of Industries,
 Himachal Pradesh.
 Dated: 7 MAR 2012

Endst. No. Ind. Dev.F (14) EC- 7/2012

Copy to: -

1. Sh. Lakhjit Singh S/o Sh. Gurmeet Singh , R/o 4062/1, Street No. 1, Daba Road, Shimlapuri, Ludhiana (Pb).
2. The Principal Secretary (Inds) to the Govt. of H.P, Shimla -171002
3. The Principal Secretary (Revenue), to the Govt. of H.P., Shimla- 171002
4. The Deputy Commissioner, Una , District Una , (H.P.).
5. The Labour Commissioner- cum Chief Inspector of Factories, H.P
6. The General Manager , DIC Una , Distt. Una , H.P. w.r.t. his letter No-Ind / U/ Dev/Private land -5029 dated 09/02/2012 for information

[Handwritten signature]
 Director of Industries,
 Himachal Pradesh



Attested to be true copy
[Handwritten signature]
 Notary Public, Una (H.P.)

C-I

OFFICE OF THE DISTRICT MAGISTRATE, UNA DISTRICT UNA (HP)

OFFICE ORDER

Whereas, it has come to the notice of the undersigned that an accident relating to fire caused by explosives has occurred in a shed being used for making and storage of firecrackers in village Bathu, PO Bathu, Tehsil & District Una on dated 22/02/2022 in which many innocent lives have been lost;

Whereas, it has also come to the notice of the undersigned that the said premises were unlicensed and unauthorized for manufacturing and storage of fireworks under the Explosives Act, 1884.

Therefore, in pursuance of the powers conferred under Section 9 of the Explosives Act, 1884 and Rule 133 of the Explosives Rules, 2008, I, Raghav Sharma, IAS, District Magistrate, Una, District Una (HP), do hereby order and direct that the Sub-Divisional Magistrate, Haroli, shall conduct an inquiry into the cause and circumstances of the said accident in accordance with the statutory provisions. He shall ensure that all wreckage and debris shall be left untouched except in so far as its removal may be necessary for the rescue of persons injured and recovery of bodies of persons killed by the accident. He shall exercise all powers conferred under Section 9(2) of the Explosives Act, 1884 and powers of search & seizure under Rule 128 of the Explosives Rules, 2008 for this inquiry. He shall submit the detailed inquiry report to the undersigned.

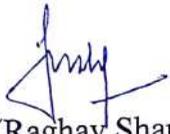
(Raghav Sharma, IAS)
District Magistrate
Una, District Una (HP)

Endst No. 1822-27/ALC/DM-Una

Dated 22/02/2022

A copy is forwarded to:-

- 1)Chief Secretary to the Govt. of H.P for information.
- 2)ACS (Home) to the Govt. of H.P for information.
- 3)SDM Haroli for information and further necessary action.
- 4)SP Una for information and further necessary action.
- 5)Chief Controller of Explosive, CGO Complex, 5th, A Block Seminary Hills, Nagpur, Maharashtra-440001.
- 6)Deputy Chief Controller of Explosives SCO-802 2nd Floor, NAC, Manimajra, Chandigarh-160101.


(Raghav Sharma, IAS)
District Magistrate
District Una(H.P.)

OFFICE OF THE SUB DIVISIONAL MAGISTRATE,
HAROLI, DISTRICT UNA (HP)

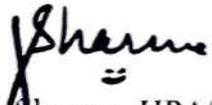
ORDER

Whereas, it has come to the notice of the undersigned that an accident relating to fire caused by explosives has occurred in a shed being used for making and storage of firecrackers in village Bathu (revenue village Gurplah), PO Bathu, Tehsil Haroli Distt. Una on dated 22-02-2022 in which six innocent lives have been lost and fourteen workers have got serious burn injuries;

Whereas, it has also come to the notice of the undersigned that one more premises in the name of 'M/s Jai Gurudev Enterprises Bathri Bela' in village Bela Bathri is engaged in manufacturing / storage of explosives. In view of the public safety and the bodily safety of the public at large, it appears to the undersigned that it is necessary to inspect the license / any other document which authorize to store / manufacture the explosives.

Therefore, in pursuance of the power conferred under Rule 125 (1) of The Explosives Rules 2008, M/s Jai Gurudev Enterprises Bathri Bela, is hereby directed to produce such license / pass / authority letter, which authorizes to store / manufacture the explosives. The license / authority document shall be submitted to the undersigned on 23rd February 2022 latest by 1600 Hrs, failing which action against you shall be initiated under Rule 128 (1) (a) & 128 (1) (d) of The Explosive Rules 2008.

Issued on 22nd February 2022 at 1600 Hrs.


(Vikas Sharma, HPAS)
Sub Divisional Magistrate
Haroli, District Una (HP)

196-200
Endst No. Reader/SDM

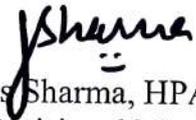
Dated: 22/02/2022

A Copy is forwarded to :-

- ✓ 1. The Deputy Commissioner Una, Distt Una, HP
2. Chief Controller of Explosives, CGO Complex, 5th, A Block Seminary Hills, Nagpur, Maharashtra - 440001
3. Deputy Chief of Explosives, SCO - 802, 2nd Floor, NAC Manimajra, Chandigarh - 160101
4. M/s Jai Guru Ji Enterprises Bathri Bela, through C/O Nikhil Soni, 117/UGF Rajori Garden, J - 6, West Delhi, Delhi - 110027 (Mobile - 98990 00023)

ADc/ALC
ADc/ALC
2/3/22

20355519
03/03/22


(Vikas Sharma, HPAS)
Sub Divisional Magistrate
Haroli, District Una (HP)

OFFICE OF THE SUB DIVISIONAL MAGISTRATE,
HAROLI DISTRICT UNA (HP)

OFFICE ORDER

Whereas, it has come to the notice of the undersigned that an accident relating to fire caused by explosives has occurred in a shed being used for making and storage of firecrackers in village Bathu, PO Bathu, Tehsil Haroli Distt. Una on dated 22-02-2022 in which six innocent lives have been lost and fourteen workers have got serious burn injuries.

Whereas, it has also come to the notice of the undersigned that the said premises were unlicensed and un-authorized for manufacturing and storage of fireworks under the Explosives Act, 1884. An order vide Endst. No 196-200/Reader/SDM dated 22-02-2022 was issued to M/s Jai Guru Ji Enterprises Bathri Bela by undersigned under Rule 125 (1) of The Explosive Rules 2008, whereby you were directed to produce the license/authority to store / manufacture the explosive in the said premises within twenty-four hours on 23rd February 2022 by 1600 Hrs.

Whereas, after a lapse of the stipulated time period of twenty-four hours, you have failed to produce the desired statutory permission/license. In the present circumstances, it can safely be believed that you have willfully disobeyed the said order and it is necessary to seize, detain and remove any explosive or ingredients stored in the premises.

Therefore, in pursuance of the Power conferred under Rule 128 (1) (d), 1, Vikas Sharma, HPAS, Sub Divisional Magistrate Haroli, Distt. Una (HP), do hereby order to seal the premises M/s Jai Guru Ji Enterprises Bathri Bela till the safe disposal of explosive or ingredients by appropriate authority.


(Vikas Sharma, HPAS)
Sub District Magistrate
Haroli, District Una (HP)

Endst No. 201-206 /Reader/SDM

Dated 23/02/2022

A Copy is forwarded to:-

1. The Deputy Commissioner Una, Distt. Una (HP) for information please
2. The Superintendent of Police Una, Distt Una (HP) for information please
3. The Deputy Superintendent of Police Haroli, Distt Una with the direction to deploy suitable police personnel for security of the seized material
4. Chief Controller of Explosives, CGO Complex, 5th, A Block Seminary Hills, Nagpur, Maharashtra-440001
5. Deputy Chief of Explosives, SCO-802, 2nd Floor, NAC Manimajra, Chandigarh-160101
6. M/s Jai Guru Ji Enterprises Bathri Bela, through C/o Nikhil Soni, 117/UGF Rajori Garden, J-6, West Dehli, Dehli-110027 (Mobile- 98990 00023)


(Vikas Sharma, HPAS)
Sub District Magistrate
Haroli, District Una (HP)

From

The District Magistrate
Una, District Una (HP).

To

1) The Chief Controller of Explosives,
CGO Complex, 5th, A Block, Seminary Hills,
Nagpur, Maharashtra-440001

2) Deputy Chief Controller of Explosives, SCO-802,
2nd Floor, NAC Manimajra, Chandigarh-160101

Endst No 1830-37ALC/Una

Dated 22/02/2022

Subject:- Disposal of explosives seized at village Bathu, Tehsil Haroli, District Una.

Sir,

An accident relating to fire caused by explosives has occurred in a shed, being used for making and storage of firecrackers in village Bathu, PO Bathu, Tehsil Haroli, District Una on dated 22/02/2022 in which 6 innocent lives have been lost and 14 persons have been gravely injured. A storage room has been found on the said land which is being used for storage of certain explosives. The said operation has been found to have been conducted without valid licence under the Explosives Act, 1884 and the explosives at the site have been seized & detained under Rule 128(1)(d) of the Explosive Rules, 2008. Accordingly, the explosives are to be examined by Chief Controller or Controller and disposed off as per your instructions under Rule 128 (3). Therefore, you are requested to kindly inspect/examine the said premises at the earliest and do the needful as per statutory provisions to prevent any danger to life and property.

District Magistrate

Una, District Una(HP)

Endst No 1830-37ALC/Una

Dated 22 /02/2022

A copy is forwarded to the :-

- 1) Chief Secretary to the Govt. of H.P. for information.
- 2) Additional Chief Secretary(Home) to the Govt. of H.P. for information.
- 3) Principal Secretary(Revenue)-cum-Member Secretary SDMA for information.
- 4) Director-cum-Special Secretary(Revenue-DM) for information and necessary action.
- 5) Superintendent of Police, Una District Una for information.
- 6) Sub-Divisional Magistrate, Haroli for information and necessary action.



District Magistrate

o/c Una, District Una (HP)



भारत सरकार

Govt. of India

पेट्रोलियम एवं विस्फोटक सुरक्षा संगठन
Petroleum & Explosives Safety Organisation

कार्यालय उप मुख्य विस्फोटक नियंत्रक

Office of Dy. Chief Controller of Explosives

एसओ सीओ-802, द्वितीय तल, एनएसी, मनीमाजरा, चण्डीगढ़
S.C.O. No. 802, Second Floor, NAC, Manimajra, Chandigarh.

दूरभाष सं 0172-2731035, 2731036, फॅक्स सं 2731040

Tel. No. (0172)-2731035, 2731036, Fax No. 2731040

E-mail address: dyceechandigarh@explosives.gov.in

पत्रांक : ACC NH/22/01

दिनांक: 23.02.2022

To

The District Magistrate,
District Una, Himachal Pradesh.

Sub: Investigation of explosion accident occurred on dated 22-02-2022 at Village-Bathu, Teshsil-Haroli, Distt Una (HP) and disposal of seized explosive at site - Reg.

Sir,

This has reference to the memo no. Fbd(c)13 dated 23.02.2022 of the Joint Chief Controller of Explosives, North Circle, Faridabad and your Endst no. 1830-37ALC/Una dated 22/02/2022 regarding subject matter.

It is informed that the two officers of this office namely Shri Saumitra Raychaudhuri, Dy. Controller of Explosives and Shri Saurabh Shakya, Dy. Controller of Explosives have been deputed to visit the accident site for investigation on 24/02/2022.

The ~~following~~ contact numbers of officers are furnished below:

1. Shri Saumitra Raychaudhuri, Dy. Controller of Explosives : 9869647936
2. Shri Saurabh Shakya, Dy. Controller of Explosives : 9123229767

It is requested to provide them necessary assistance for investigation into the accident and disposal of the seized explosives.

Yours faithfully,

(G. Kumaraśwamy)
Dy. Chief Controller of Explosives,
Chandigarh

Copy to :-

1. The Chief Controller of Explosives, Nagpur with reference to his email dated 23/02/2022.
2. The Jt. Chief Controller of Explosives, North Circle, Faridabad with reference to his memo no. Fbd(c)13 dated 23/02/2022.
3. The Sr. Supdt. Of Police, Una, Himachal Pradesh.
4. The Sub-Divisional Magistrate, Haroli, District Una, Himachal Pradesh.

Dy. Chief Controller of Explosives



भारत सरकार

Govt. of India

पेट्रोलियम एवं विस्फोटक सुरक्षा संगठन

Petroleum & Explosives Safety Organisation

कार्यालय उप मुख्य विस्फोटक नियंत्रक

Office of Dy. Chief Controller of Explosives

एसओ सीओ-802, द्वितीय तल, एनएसी, मनीमाजरा, चण्डीगढ़

S.C.O. No. 802, Second Floor, NAC, Manimajra, Chandigarh.

दुरभाष सं. 0172-2731035, 2731036, फॅक्स सं. 2731040

Tel. No. (0172)-2731035, 2731036, Fax No. 2731040

E-mail address: dyccechandigarh@explosives.gov.in

पत्रांक : ACC/NH/22/01

दिनांक: 01.03.2022

To

The District Magistrate,
District Una, Himachal Pradesh.

Sub: Accident/explosion occurred in an unauthorized premises on dated 22-02-2022 at Village-Bathu, Tehsil-Haroli, Distt Una (HP) and disposal of seized explosive at site - reg.

Sir,

This has reference to your letter No. 1861ADC/ALC dated 28.02.2022 regarding subject matter.

It is informed that no licence has been issued in favour of M/s. Jai Guruji Enterprises Bela Bathri, Tehsil Haroli, District Una to store, use, possess or manufacture fireworks/explosives.

It is also informed that no licence has been issued to store, use, possess or manufacture fireworks/explosives by this organization in the Una District, Himachal Pradesh. It is requested to visit our organization website (www.peso.gov.in) for information.

Yours faithfully,

(G. Kumaraswamy)

Dy. Chief Controller of Explosives,
Chandigarh.

From

The District Magistrate
Una, District Una (HP).

To

The General Manager
District Industries Centre, Una(HP)

Endst No 1838-40 ALC/Una

Dated 22/02/2022

Subject:- Regarding inspection of industrial units related to manufacture, sale, storage and transport of explosive substances..

Sir,

It has come to the notice of the undersigned that an accident relating to fire caused by explosives has occurred in a shed, being used for making and storage of firecrackers in village Bathu, PO Bathu, Tehsil Haroli, District Una on dated 22/02/2022 in which many innocent lives have been lost. It was further found that the premises were unlicensed and unauthorized for manufacturing and storage of fireworks under the Explosives Act, 1884. In order to prevent reoccurrence of such accidents, you are directed to physically inspect and check all the units located within district Una and identify, if they deal with manufacture/storage/sale/transport of explosives material at any stage and whether they have taken all statutory approvals for the same. In this exercise, all units located in industrial plots as well as those located on private land, whether within or outside industrial areas, should be thoroughly verified. Assistance of local revenue staff and Panchayat functionaries be taken for identification of all such units and to send a comprehensive report to this office with in 7 days positively.

District Magistrate
Una, District Una(HP)

Endst No ALC/Una

Dated /02/2022

A copy is forwarded to :-

- 1) All the Sub-Divisional Magistrates for extending necessary assistance.
- 2) All the BDO for extending necessary assistance.

District Magistrate
Una, District Una (HP)

From
The District Magistrate
Una, District Una (HP).

To
The Labour Officer,
Una, Distt. Una

Endst No/841 /ALC/Una

Dated 24/02/2022

Subject:- Regarding inspection of industrial units related to manufacture, sale, storage and transport of explosive substances..

Sir,

It has come to the notice of the undersigned that an accident relating to fire caused by explosives has occurred in a shed, being used for making and storage of firecrackers in village Bathu, PO Bathu, Tehsil Haroli, District Una on dated 22/02/2022 in which many innocent lives have been lost. It was further found that the premises were unlicensed and unauthorized for manufacturing and storage of fireworks under the Explosives Act, 1884 and unorganized and unregistered labour was being employed there under unsafe conditions. In order to prevent reoccurrence of such accidents, you are directed to physically inspect and check all the units located within district Una and identify whether units employing the labour are following due provisions relating to labour laws or not. In this exercise, all units located in industrial plots as well as those located on private land, whether within or outside industrial areas, should be thoroughly verified. Assistance of local revenue staff and Panchayat functionaries be taken for identification of all such units and to send a comprehensive report to this office with in 7 days positively.


District Magistrate
Una, District Una(HP)

From
The District Magistrate
Una, District Una (HP).

To
The Labour Officer
Una, District Una(HP)

Endst No/1857ALC/Una

Dated 24/02/2022

Subject:- Regarding compensation to the victims of explosion accident occurred in village Bathu, Tehsil Haroli, District Una under various provisions.

Sir,

It has come to the notice of the undersigned that on date 22/02/2022 an accident occurred in village Bathu, Tehsil Haroli, District Una (HP) in which six persons have lost their lives and 14 have been injured. In this regard, you are directed to depute an officer from your office to facilitate the documentation of the deceased as well as injured persons for claim of compensation under the provisions of Employees Compensation Act. In addition, matter be immediately taken up & followed up with competent authorities of EPFO & ESI for any compensation which may be available under respective statutes. Follow up report be submitted on weekly basis to the undersigned.

District Magistrate
Una, District Una (HP)

Endst No/1853-54 ALC/Una

Dated 24/02/2022

A copy is forwarded to the :-

- 1) Commissioner, Employees Provident Fund Organisation, Bhavishya Nidhi Bhawan, Block No-34, 1st and 2nd Floor, SDA Complex Kasumpti, Shimla-171009(H.P)
- 2) Deputy Director, Employees State Insurance Corporation, Baddi, Distt. Solan(H.P.)-1732025

For information and necessary action.

District Magistrate
Una, District Una (HP)

C-X

No: LO, Una/compensation- 1073
Government of Himachal Pradesh
Office of Labour Officer Una H.P.

Dated, Una-174303 the dated: 04th March, 2022

To,

✓
The District Magistrate,
Una, District Una (H.P.)

Subject: Regarding compensation to the victims of explosion accident occurred in village bathu Tehsil Haroli, Distt. Una under various provisions.

Sir,

With reference to your office letter vide No.1857/ALC/Una dated: 24/02/2022 on the above cited subject. In this context it is submitted that the Labour Inspector, Una and the Sr. Assistant, Labour Office, Una have been deputed to facilitate the documentation of dependents/legal heir of deceased as well as injured persons for filling claims of compensation under the provisions of Employees Compensation Act, 1923.

It is also submitted that requisite documents/information in respect of 09 deceased and 3 injured persons have been collected. It is also submitted that autopsy report of 03 deceased person died at PGI Chandigarh have been collected and autopsy report of 06 workers died on spot is awaited from Regional Hospital, Una and dependents/legal heir of other 02 deceased persons died at PGI Chandigarh are out of station and have been contacted for submission of autopsy report and other relevant documents.

Further progress report will be submitted after receiving the relevant documents from the remaining persons and the matter of filling of claim before the authority will be taken up with the District Legal Aid Authorities.

Yours Faithfully,


Labour Officer
Una, Distt. Una (H.P.)

OFFICE OF THE DISTRICT MAGISTRATE, UNA DISTRICT UNA (HP)

OFFICE ORDER

Whereas, it has come to the notice of the undersigned that an accident relating to fire caused by explosives has occurred in a shed being used for making and storage of firecrackers in village Bathu, PO Bathu, Tehsil & District Una on dated 22/02/2022 in which many innocent lives have been lost;

Whereas, it has also come to the notice of the undersigned that the said premises were unlicensed and unauthorized for manufacturing and storage of fireworks under the Explosives Act, 1884.

Therefore, in pursuance of the powers conferred under Section 9 of the Explosives Act, 1884 and Rule 133 of the Explosives Rules, 2008, I, Raghav Sharma, IAS, District Magistrate, Una, District Una (HP), do hereby order and direct that the Sub-Divisional Magistrate, Haroli, shall conduct an inquiry into the cause and circumstances of the said accident in accordance with the statutory provisions. He shall ensure that all wreckage and debris shall be left untouched except in so far as its removal may be necessary for the rescue of persons injured and recovery of bodies of persons killed by the accident. He shall exercise all powers conferred under Section 9(2) of the Explosives Act, 1884 and powers of search & seizure under Rule 128 of the Explosives Rules, 2008 for this inquiry. He shall submit the detailed inquiry report to the undersigned.

(Raghav Sharma, IAS)
District Magistrate
Una, District Una (HP)

Endst No. 1822-27/ALC/DM-Una

Dated 22/02/2022

A copy is forwarded to:-

- 1)Chief Secretary to the Govt. of H.P for information.
- 2)ACS (Home) to the Govt. of H.P for information.
- 3)SDM Haroli for information and further necessary action.
- 4)SP Una for information and further necessary action.
- 5)Chief Controller of Explosive, CGO Complex, 5th, A Block Seminary Hills, Nagpur, Maharashtra-440001.
- 6)Deputy Chief Controller of Explosives SCO-802 2nd Floor, NAC, Manimajra, Chandigarh-160101.


(Raghav Sharma, IAS)
District Magistrate
District Una(H.P.)

D-II

**Government of Himachal Pradesh
Department of Home**

No. Home(A) E(5)-2/2021

Dated: Shimla-171002, 22nd Feb. 2022

Order

WHEREAS, a fire incident has been reported today at a cracker factory at Bathu, District Una, in which 6 persons have died and many are injured.

AND WHEREAS, it has been considered necessary to conduct a Magisterial Enquiry to find out the circumstances/reasons that led to the aforementioned fire incident.

NOW THEREFORE, Shri S.S. Guleria, Divisional Commissioner, Kangra is hereby appointed to conduct a Magisterial Enquiry in the matter and submit the enquiry report within 07 days of this order.

By Order

Principal Secretary (Home) to the
Government of Himachal Pradesh

To
Shri S.S. Guleria,
Divisional Commissioner,
Kangra, District Kangra, H.P.

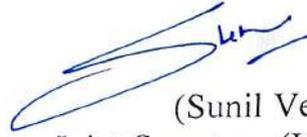
Endst No. : Home(A)E(5)-2/2021 Dated: Shimla-2, the 22nd Feb. 2022.

A copy is forwarded for information to:-

1. The Principal Secretary to Chief Minister, Himachal Pradesh, Shimla-2.
2. The Director General of Police, Himachal Pradesh, Shimla-2.
3. The Special Private Secretary to Chief Secretary, Himachal Pradesh, Shimla-2.
- ✓ 4. The Deputy Commissioner, Una District Una, Himachal Pradesh.
5. The Superintendent of Police, Una, District Una, Himachal Pradesh.

ADC/ALC
ADC
28/2/22

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28/02/22



(Sunil Verma)
Joint Secretary (Home) to the
Government of Himachal Pradesh

D-III

OFFICE OF THE DISTRICT MAGISTRATE UNA DISTRICT UNA (HP)

OFFICE ORDER

Whereas, an order bearing endorsement No. 1822-27/ALC/DM-Una, dated 22.02.2022 was issued by the undersigned and the Sub Divisional Magistrate, Haroli was directed to conduct inquiry in the matter of Explosives in a factory situated at Bathu under Section 9 (2) of the Explosives Act, 1884 and powers of search & seizure under Rule 128 of the Explosives Rules, 2008 ;

Whereas, the Worthy Divisional Commissioner, Kangra at Dharamsala has been appointed as inquiry officer to conduct an inquiry in the matter by the Principal Secretary (Home) to the Government of Himachal Pradesh vide order No. Home (A)(5)-2/2021, dated 22nd Feb,2022.

Therefore, in view of the orders issued by the Principal Secretary (Home) the order No. 1822-27/ALC/DM-Una, dated 22.02.2022 issued by the undersigned are hereby withdrawn with immediate effect.



(Raghav Sharma, IAS)
District Magistrate
Una, District Una (HP)

Endst No. 1842-47 /ALC/DM-Una

Dated: - 23.02.2022

A copy is forwarded to:-

1. The Chief Secretary to the Govt. of H.P. for information.
2. The ACS (Home) to the Govt. of H.P. for information.
3. The SDM, Haroli for information and further necessary action.
4. The S.P. Una for information and further necessary action.
5. Chief Controller of Explosive, CGO Complex 5th, A Block Seminary Hills, Nagpur, Maharashtra-440001.
6. The Deputy Chief Controller of Explosives SCO-802 2nd Floor, NAC, Manimajra, Chandigarh- 160101.



Raghav Sharma, IAS)
District Magistrate
Una, District Una (HP)

E-I

	OFFICE OF THE SUPERINTENDENT OF POLICE, DISTT. UNA HIMACHAL PRADESH	
No. Reader/SP:22-	E-mail: sp-una-hp@nic.in Contact No:- 01975-226048	Dated: 05/03/2022

9240

To

The District Magistrate,
District Una, Himachal Pradesh

Subject: Notice of hearing in Suo Moto matter-OA No. 143/2022. In re: " 7 killed in blast at firecrackers factory in Himachal Una", published in the Tribune dated 22nd February, 2022.

Sir,

Kindly, with reference to your office letter No. 1862-64/ADC/ALC dated 28/02/2022, it is submitted that a case FIR No. 41/2022 dated 22/02/2022 U/S U/S 304, 286, 323, 34 IPC and Section 5 of Explosive Substance Act, 1908 was registered at Police Station Haroli due to fire incident at Fire Cracker Factory at Bela Bathri. The detailed status of the case and investigation carried out so far is as follows:-

Brief facts of the Case:

This case has been registered on the complaint of one victim namely Farha D/O Sh. Sangir Ahmad r/o VPO & Tehsil Satarganj, District Bareilly, UP at present residing in H.No. 39, Ward No. 8, Santoshgarh, Tehsil & District Una stating therein that she has been working in this cracker factory for the past one month in which about 30-35 persons are employed. On dated 22.02.2022, at about 11am, while they were working, suddenly a massive fire broke out in the explosive mixture due to which 6 persons died on the spot while 14 others including her were injured and were taken to Una Hospital for treatment from where 10 persons had to be shifted to PGI Chandigarh. She further stated that this event occurred due to negligence of the owner of the cracker factory against whom legal action must be taken.

Investigation done so far:-

1. A Special Investigation Team (SIT) headed by DIG Northern Range, Dharamshala and comprising of Commandant 1st IRBn Bangarh and SP Una was constituted vide DGP, HP Order Endst. No. L&O-10 (Misc) 2022- 4232-35 dated 22.12.2022 for the investigation of this case.
2. The SIT conducted detailed inspection of the scene of crime on dated 22.02.2022 & 23.02.2022.
3. During the course of investigation, section 304, 323, 34 IPC and section 5 of Explosive substance Act, 1908 have been added and section 304-A and 337 IPC and section 9 C of Explosive Act 1884 have been deleted.

4. So far following four accused have been arrested in this case:-

1. Deepak Singh Rana s/o Kushal Singh Rana, R/O village Nainwan, Tehsil Garhshankar, District Hoshiarpur, Punjab. (He was working as bill clerk/supervisor in Jai Guruji Enterprises)

ADC/ALC

ADCM
5/3/22

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05/03/22

2. Gulfam S/o Shamsudeen R/O near Choti Masjid Lisari, Village Lisari, Meerut, Uttar Pradesh. (He was managing the day to day operation of the factory where fire broke out. Younger brother of Nadeem)
3. Nadeem S/O Shamsudeen R/O near Choti Masjid Lisari, Village Lisari, Meerut, Uttar Pradesh. (Elder brother of Gulfam. Main supplier of raw material)
4. Rohit Suri s/o B.L.Suri r/o House no. 365 Phase 1B Shivalik Avenue, New Nangal District Ropar Punjab

Deepak Singh, Gulfam and Nadeem are now in Judicial custody till 11.3.2022 and Rohit Suri is in police custody upto 07/03/2022.

5. So far **11 persons have died** due to burning in the fire that broke out in the fire crackers manufacturing unit. 6 persons died on the spot itself on 22.2.2022. 05 more persons died in PGI Chandigarh during treatment. Post mortem of 06 deceased has been got done at Regional hospital Una and of 05 deceased in PGI Chandigarh. 03 injured are still admitted in PGI Chandigarh.
6. On 23.2.2022 spot inspection and examination has been carried out by the team of RFSL expert and all the incriminating and relevant physical evidences have been lifted and sent for expert examination to RFSL Dharamshala.
7. Statements of all the injured persons, who were declared fit to give statement by Medical Officer, have been recorded. All the other workers of this factory have been associated in the investigation and the statements of 4 workers have also been recorded.
8. Regarding the incident, a meeting has been conducted with the Deputy Controller of Explosives, Chandigarh and his team who visited the spot.
9. Three accused in this case are still absconding. Their CDRs are being analyzed. Police team has been stationed in Delhi for apprehending these accused. So far, several places have been raided in search of these accused.
10. Forward and backward linkages qua the supply of raw material and finished product i.e. Corsair Tubes/Baby Part Pop have been verified. Police team has visited Saharanpur and Meerut in Uttar Pradesh to verify the forward and backward linkages
11. During the investigation of the case, officials of different departments namely, GM Industries, Una, Assistant Director Factories Una, Labour Officer Una, Labour Inspector Tahliwal, Assistant Commissioner, Sales Tax and Excise, Mehatpur, District Pollution Officer, Una, Tehsildar have been associated and interrogated in the case.
12. Ownership of the land on which the factory was running illegally and its possession has been verified and duly established. The statements of relevant persons have been recorded.
13. Computer hardware (1 laptop & 2 printers) was seized from the second factory of Jai Guruji Enterprises situated in mohal Bela Bathri located a short distance from the first factory where the incident of fire occurred.
14. Look Out Circular had been issued against the two absconding accused namely Nikhil Soni son Pramod Kumar resident 117 UG/F Raja Garden Rajouri Garden J-6 West Delhi and Rohit Suri son B.L.Suri resident

house no. 365 Phase 1B Shivalik Avenue, New Nangal District Ropar Punjab for their arrest out of which Rohit Suri has been arrested.

15. The SIT also seized physical and documentary evidences including bill books and cash books from the second factory of Jai Guruji Enterprises.
16. Scientific investigation of the case is underway keeping in view all possible angles and all out efforts are being made to nab all the accused of this case and to establish all forward-backward linkages.

Fire broke out in this unit on 22.2.2022 in which 11 persons have lost their lives. So far, four accused persons namely Deepak Rana, Gulfam, Nadeem and Rohit Suri have been arrested. All out efforts are being made to nab the remaining accused and further investigation of the case is in progress.

Hence, the report is submitted for your kind perusal please.

Yours faithfully,


Arit Sen Thakur (IPS)
Superintendent of Police,
Distt. Una, Himachal Pradesh

F-I

No. Ind/U/Dev/Estt-SIT E/Jai Guruji 4463
Office of the General Manager,
District Industries Centre,
Una, District Una (H.P.) 03 MAR 2022

To

District Magistrate,
District Una. Himachal Pradesh.

Subject: - Notice of hearing in suo moto matter-OA no 143/2022. In ref "7 killed in blast at firecrackers factory in Himchal Una published in the Tribune dtd 22nd February, 2022.

Sir,

20355669

04/03/22

In reference to your office letter number 1865-71/ADC/ALC dtd 28/02/22 on the subject cited above, the requisite information is submitted as under:

1. M/S Jai Guruji Enterprises, Bela Bathri is not registered with the department of Industries. However, One unit in the name of Jai Guruji Enterprises had submitted a Common Application Form (CAF) to set-up an industrial unit in the name of Jai Guruji Enterprises which was acknowledged by the department on 04/02/2019 and was given in principal approval by state level single window clearance and monitoring authority (SLSWC&MA) in its meeting held on 25/02/2019. In Common Application form M/S Jai Guruji Enterprises mentioned that 2000 sq mts land will be taken from IA Tahliwal or Mehatpur and if not available then will be taken at nearby area of Tahilwal or Bela Bathri. Essentiality certificate number EC/12/19943/2020 dtd 11/03/2020 was issued in favour of the unit by Director Industries.

ADC/ALC
ADGms
3/3/22

Copy of the in principal approval of state level single window clearance and monitoring authority (SLSWC&MA) dtd. 25/02/2019 is enclosed at annexure-1 and common application filed (CAF) is enclosed at annexure -2 & copy of essentiality certificate enclosed at annexure-3.

Regarding Nova Tech Engineers, Bathu, tehsil Haroli, it is informed that the prior to setting-up of industrial unit, this unit had

obtained Entrepreneurs Memorandum-1 for setting-up a weighing scale structure, Steel & RCC structure and pre cast RCC wall manufacturing unit and was assigned EM-1 number 02/007/11/00897/micro dated 29/08/2011. Essentiality Certificate was issued in favour of the unit by Director, Industries vide letter number Ind.Dev.F(14)EC-7/2012-3148 dtd 17/03/2012. Thereafter, this unit never applied for Entrepreneurs Memorandum part 2 and no record pertaining to this unit is available in this office.

Copy of Entrepreneurs Memorandum-1 and Essentiality Certificate is enclosed at **annexure-4 & 5**.

2. No inspection of Jai Guruji Enterprises and Nova Tech Engineers tehsil Haroli was ever carried out by department of Industries. There is no such mandate to carry out continuous or day to day inspections of industrial units by industries department. Various approvals under different acts and rules are accorded by concerned departments and it is the duty of the concerned department or Board to carry out regular inspections and ensure the implementation and compliance of these norms in an industrial unit. It is not the duty of Industries Department to ensure compliance of norms under different acts and rules which are notified and monitored by other departments. For an instance, Labour department ensures implementation of labour laws, State Pollution Control Board accords approvals regarding Pollution norms, Petroleum and Explosives Safety Organization (PESO) accords licence/ approvals regarding explosive substances, Employee State Insurance Corporation (ESIC) monitors rules regarding payment of ESI, Fire Safety Department accords permission regarding Fire Safety norms, Drug Controller Office issues permissions regarding drug manufacturing etc.

It is also important to mention here that Ministry of Micro, Small & Medium Enterprises (MSME) vide their notification dated 26/06/2020 has framed new guidelines for classification of Micro, Small & Medium Enterprises as well as process to file the Udyam Registration.

Under the new regime, now Udyam Registration is done on the online Udyam Registration Portal of the ministry of MSME. It is optional for the unit to file the Udyam Registration. The registration process is being implemented and monitored by Government of India. State department of Industries does not register the industrial units. Copy of the notification dtd 26/06/2020 is enclosed at annexure-6 and procedure of registration as specified by Ministry of MSME, Government of India is enclosed at annexure-7.

However, if any industrial unit intends to avail the various incentives, subsidies etc from the government, only in that case an inspection is done by industries department and at the time of granting such incentives, copies of all the approvals from various departments are obtained by the industries department.

Submitted for necessary action please.

Yours faithfully



(Anshul Dhiman)
General Manager,
District Industries Centre,
Una, Distt. Una (H.P.)
Tele/fax: - 01975-223002
Email id: gmdicuna-hp@nic.in

Enclosed: as above

Single Window Clearance System

Directorate of Industries (DOI)
Govt. of Himachal Pradesh

Annexure - I

IN-PRINCIPLE APPROVAL

No.: CAF/02/04/4365/279

Date of Issue: 26 Feb 2019

M/S. Jai Guruji Enterprises has filled Common Application Form No. 4365 received Dt. 04 Feb 2019 expressing its intent to setup the Manufacturing enterprise as per following details:-

Nature of Organisation		Type of Enterprise		Project Status		Industry Type	
Proprietary		Small		New		Red	
Proposed Location				Industrial Area Tehaliwal, Distt. Una, H.P.			
Proposed Product & Capacity Per Annum							
Items							
Product Name		Excise Code		Quantity		Unit	
POP POP Cracker		36041000		4800000		Kilogram	
Filament (Thread for Kites/Manza)		52042090		12		TONNES	
Detail of Investment (Rs. in lacs)							
Land		Building		Plant & Machinery		Other Fixed Assets	
25.00		25.00		130.28		84.05	
						Total	
						264.33	
Detail of Employment							
Skilled				Unskilled		IT/ITeS Professional	
Male		Female		Male		Female	
8		2		25		10	
						Total	
						46	
Requirement of Basic Infrastructure							
Land		Power Connection Load(kW)		Power Contract Demand (kVA)		Water (Ltrs/day)	
2000 Sq.mtrs		198		150		500	

The State Single Window Clearance & Monitoring Committee has granted IN-PRINCIPLE approval in its 6th Meeting held on 16-02-2019 for establishment of enterprise in Himachal Pradesh.

The proposal is approved in Principle subject to the following conditions:

- The unit will employ at all level at least 70% (or as prescribed from time to time) of total manpower, whether on regular/Contractual/Sub-contractual/daily basis/ or any other mode from amongst bonafide Himachalis.
- The HPPCB concurred in principle only for manufacturing of POP POP crackers and simple thread (excluded nylon thread and any other synthetic glass coated thread) as per the Hon'ble NGT order dated 11.7.2017 in OA No.384 of 2016 and OA No.442/2016 " that in the entire country there shall be prohibition on procuring, stocking, sale and use of nylon thread which is also called Chinese Dor or Chinese manjha and other synthetic thread coated with glass and such other harmful substances or kite flying".
- The firm should apply for registration/ permit with HPGWA and accordingly permission shall be granted as per provisions of the Act.

Single Window Clearance System

Directorate of Industries(DOI)
Govt. of Himachal Pradesh

- 4) The power for a load of 198 kW with 150 kVA contract demand can be made available at 11 kV supply voltage from 33/1 kV, Tahliwala Sub-station. The Industrial unit has to apply within 30 days of approval of proposal for PAC online through Single Window portal in case Contract demand is more than 100 kVA failing which the commitment shall stand cancelled. The consumer/unit has to deposit the requisite charges for issuance of PAC within two months of online demand generation failing which the commitment of supply of power shall be forfeited. In case the power is required in future, the unit has to apply afresh with HPSEBL and shall be dealt as per general procedure being followed after examining the feasibility of feeding the load at that point of time. The recovery of expenditure for supply of electricity shall be as per HPERC(Recovery of Expenditure for supply of Electricity) Regulations,2012.
- 5) The Site /location for setting up of the project should conform to the sitting criteria and other environmental considerations as prescribed by the concerned State/ Centre Govt. Departments/ Organizations. You are therefore advised to keep in mind all these requirements for setting up of the project.
- 6) In order to reduce requirement of fresh water you are also advised to recycle used/ waste water.
- 7) 1% Cess on the actual cost of construction shall be deposited by the industrial unit under the Building and Other Construction Workers Welfare Cess Act 1996.
- 8) The unit will update monthly progress Report regarding implementation of project or any problems/hurdles being faced online on Single Window Portal.

This approval is valid for two years from today. If no effective steps are taken to establish the project within this time period, it will be presumed that you are not interested in establishing the project and the approval will lapse automatically without any further notice. We assure you of our full co-operation and wish you and your enterprise all the success.



[Digitally Signed by H.R. Sharma, IAS, Shaurya Chakra on 26-02-2019 19:08:50]
Director of Industries,
Govt. of Himachal Pradesh,

No: D.D. (Fac) Una/Cracker- 237
Government of Himachal Pradesh
Office of the Deputy Director (Factories) Una H.P.
Telephone No. & Fax No. 01975-224095
E-mail address--- adf-una-hp@nic.in

Dated, Una-174303 the dated: 04th March,2022

To,

The District Magistrate
Una, District Una (H.P.)

Subject: Notice of hearing in Suo Moto matter-OA No.143/2022. In re: "7 killed in blast at firecrackers factory in Himachal Una", published in the Tribune dated 22nd February, 2022.

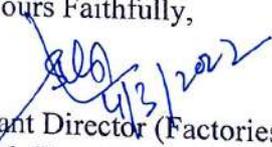
Sir,

With reference to your office letter received on the above noted subject, detailed report as required by your worthy office as given below:

1. No, M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli, District Una and M/s Nova Tech Engineers, Bathu, Tehsil Haroli District Una are not registered with this office/department.
2. No, this office has not conducted any physical inspection of M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli, District Una and M/s Nova Tech Engineers, Bathu, Tehsil Haroli District Una, as this office/department had no information regarding setting up of the above said units.

This for your information please.

Yours Faithfully,


Assistant Director (Factories)
North Zone, Distt. Una
Department of Labour & Employment

F-III

15

HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED
(A State Govt. Undertaking)



Registered Office
Number (CIN)
GST No.
Telephone Number
Website address
Email

Vidyut Bhawan, HPSEBL, Shimla-171004.
U40109HP2009SGC031255
HPSEBL 02 AACCH4894EHZB
01975-238182, (Fax No.01975-238509),
www.hpseb.com
seunahpseb@yahoo.co.in

Dated:- 4-3-2022

No. 260290/SK/2022-

9999 - 10000

To

The District Magistrate,
Una District Una (HP).

Sub.:-

Notice of hearing in Suo Moto matter-OANo. 143/2022. In re: "7 killed in blast at firecrackers factory in Himacahal Una", published in the Tribune dated 22nd Feb. 2022.

Ref.:-

Your office letter No. 1865-71/ADC/ALC dated 28.02.2022.

R/Sir,

"Jai Hind."

Please refer to your office letter No. 1865-71/ADC/ALC dated 28.02.2022 the subject cited information in respect of (OP) Circle, HPSEBL, Una is as under.:

Point No.	Question	Answer
1	Whether the M/S Jai Guruji Enterprises Bela Bathri, Tehsil Haroli District Una and M/S Nova Tech. Engineers, Bathu, tehsil Haroli District Una is registered with your department or not? If registered, documents be supplied.	M/S Jai Guruji Enterprises Bela Bathri, Tehsil Haroli District Una has not registered in our department whereas M/S Nova Tech. Engineers, Bathu, tehsil Haroli District Una has applied for power connection during 09/07/2012 vide application 8091/MS and AE, ESD, HPSEBL, Tahliwala released the connection vide SCO No. 7583 dated 24.03.2014 having connected load 48.732 KW after verify the test report after NOC given by the GM Industry department vide No. Ind. U Dev. EM-1/2009-2681 dated 28.01.2012. The firm has reduced the connected load from 48.732 KW to 17.430 KW on dated 14.06.2018 for the manufacturing weight scale structure and on dated 05.01.2021 the firm was permanently disconnected vide PDCO No. PDCO/100004017027/202110105 dated 05.01.2021 (documents attached).

2	<p>Whether any physical inspection of the M/s Jai Guruji Enterprises Bela Bathri, tehsil Haroli Distt. Una and M/S Nova Tech. Engineers, Bathu Tehsil Haroli Distt. Una has ever been carried out by your department or not? If inspection, documents be supplied and if not inspected then reason there be intimated.</p>	<p>No physical inspection carried out in respect of M/s Jai Guruji Enterprises Bela Bathri, tehsil Haroli Distt. Una because the firm is not registered with HPSEBL. However, during 06.07.2020 Mr. Nikhil Soni has applied for temp. connection of 29.730 KW load for construction purpose at Bela Bathri and connection was released on dated 19.07.2020 vide SCO No. 2000248865 dated 15.07.2020 as per HPSEBL tariff order (copy attached) and till date the firm has not applied for permanent connection. Due to default amount the temp. connection disconnected at site. The physical inspection of M/S Nova Tech. Engineers, Bathu Tehsil Haroli Distt. Una. had carried out at the time of release of conection.</p>
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This is for your kind information please.

Yours faithfully,

(Er. Anil Sehgal)
 Superintending Engineer,
 (OP) Circle, HPSEBL, Una.
 Ph. No. 01975-238509

Copy of the above is forwarded to the Sr. Executive Engineer, Electrical Division, HPSEBL, Gagret.

(Er. Anil Sehgal)
 Superintending Engineer,
 (OP) Circle, HPSEBL, Una.
 Ph. No. 01975-238509



H.P.STATE POLLUTION CONTROL BOARD

Regional Office Una

Office: Phase-IV Rakkar Colony, Tehsil & Distt. Una, Pin-174303(H.P.)

Phone: 01975-238131

Website : <http://www.hppcb.nic.in> e-mail : pcbrouna@gmail.com

No: HPSPCB/RO/Una/OA No. 143 of 2022/2021: 2619

Dated: 04/03/2022

From: Assistant Environmental Engineer

To

The Deputy Commissioner Una,
District Una (HP)

Subject: Notice of hearing in Suo Moto matter-OA No. 143/2022. In re: "7 killed in blast at firecrackers factory in Himchal Una", published in the Tribune dated 22nd February, 2022.

Sir,

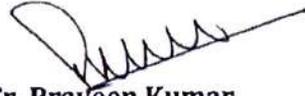
Kindly refer to your office letter no. 1865-71/ADC/ALC dated 28/02/2022 on the subject cited above. In this regard, the point-wise detailed report as asked in the matter is as under:

Sr. No.	Information Sought	Reply
1.	Whether the M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli, Distt. Una and M/s Nova Tech Engineers, Bathu, Tehsil Haroli, District Una is registered with your department or not? If registered, documents be supplied.	<p>M/s Jai Guruji Enterprises, Village Bela Bathri, Tehsil Haroli, Distt. Una (HP) is not registered with this office. The said unit has neither applied online for the consent of the State Board nor approached this office for the same.</p> <p>M/s Nova Tech Engineers was registered with this office. The State Board had granted Consent to Establish and Consent to Operate to the unit vide this office letter no. 2457-58 dated 31/01/2012 and letter no. 2209-11 dated 04/12/2013 respectively for the manufacturing of Weighing Scales Structure, Steel Structure, RCC Structures and Pre-cast RCC Walls. Copy of Consent to Establish & Consent to Operate granted to the unit is enclosed as Annexure-I & Annexure-II respectively. Consent to Establish/Operate was granted to the unit on the basis of Entrepreneur Memorandum (Part-I) issued in favour of the unit by GM DIC Una vide EM No. 02/007/11/00897 dated 29/08/2011 (copy of EM-Part I is enclosed as Annexure-III). Consent to Operate granted to the unit was expired on 31/03/2014. Thereafter the unit has neither applied for further renewal of the Consent nor obtained permanent registration (EM-II) from GM DIC Una which is required for the processing of renewal of Consent to Operate application of the State Board. The unit was not in operation since 2014.</p>
2.	Whether any physical inspection of the M/s Jaiguruji Enterprises Bela Bathri, Tehsil Haroli Distt. Una and	No inspection of the unit in the name of M/s Jai Guruji Enterprises, Village Bela Bathri, Tehsil Haroli, Distt. Una (HP) has been carried out by this office as this office has no knowledge of the operation of said unit as well as no complaint has been received in this office regarding operation of such unit.

<p>M/s Nova Tech engineer, Bathu, Tehsil Haroli District Una has ever been carried out by your department or not? If inspected, documents be supplied and If not inspected then reason thereof be intimated.</p>	<p>As per this office record, inspection detail of M/s Nova Tech Engineers, Village Bathu, Tehsil Haroli, Distt. Una (HP) is given below:</p> <ol style="list-style-type: none">a) Inspection was carried out on 20/01/2012 by Junior Environmental Engineer w.r.t. to Consent to Establish application of the unit. Copy of inspection report enclosed as Annexure-IV.b) Inspection was carried out on 03/12/2013 by Junior Environmental Engineer w.r.t. Consent to Operate application of the unit. Copy of inspection report enclosed as Annexure-V.
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This is submitted for your kind information please.

Yours faithfully,



Er. Praveen Kumar
Assistant Environmental Engineer
HPSPCB Una

F-VI

No: LO, Una/Cracker- 1070
Government of Himachal Pradesh
Office of Labour Officer Una H.P.

Dated, Una-174303 the dated: 04th March, 2022

To,

The District Magistrate
Una, District Una (H.P.)

Subject: Notice of hearing in Suo Moto matter-OA No.143/2022. In re: "7 killed in blast at firecrackers factory in Himachal Una", published in the Tribune dated 22nd February, 2022.

Sir,

With reference to your office letter received on the above noted subject, detailed report as required by your worthy office as given below:

1. No, M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli, District Una and M/s Nova Tech Engineers, Bathu, Tehsil Haroli District Una are not registered with this office/department.
2. No, this office has not conducted any physical inspection of M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli, District Una and M/s Nova Tech Engineers, Bathu, Tehsil Haroli District Una , as this office/department had no information regarding setting up of the above said units.

This for your information please.

Yours Faithfully,


Labour Officer
Una, Distt. Una (H.P.)

No. EXN-UNA-Estt.- 1571
O/o Deputy Commissioner of State Taxes & Excise
Una, District Una (H.P.).

To

Deputy Commissioner,
Una, District Una (HP).

Dated Una the 04 March, 2022.

Subject:- Notice of hearing in suo moto matter-OA No. 143/2022 in re: **"7 killed in blast at firecrackers factory in Himachal Una"** published in the Tribune dated 22nd February, 2022.

Sir,

I have the honour to refer to your office letter No. 1865-71/ADC/ALC dated 28/02/2022 on the subject cited above.

In this connection it is submitted that the Assistant Commissioner, State Taxes & Excise, Industrial Area Mehatpur has submitted a detailed report in this behalf which is enclosed herewith in original for your kind information and further necessary action please.

Thanks and regards.

Enclosed: As Above.

Yours Faithfully,

ADC/ALC

20355854
05/03/22

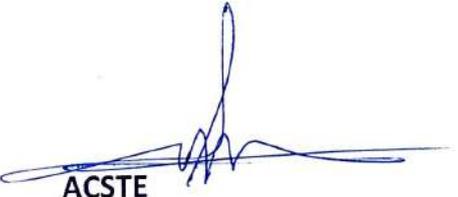
ADC Uns
5/3/22

4.3.2022
Deputy Commissioner, State Taxes & Excise, Una, District Una (H.P.).
Phone No. 01975-226088
Email: aetc.una@mailhptax.gov.in

Report

Sub:- Notice of hearing in Suo-Moto matter-OA No. 143/2022. In re: "7 killed in blast at firecrackers factory in Himachal Una", Published in the Tribune dated 22nd February, 2022.

1. Yes, M/s Jai Guruji Enterprises Bela Bathri, Tehsil Haroli Distt. Una And M/s Nova Tech Engineers, Bathu Tehsil Haroli Distt. Una are registered with state Taxes and Excise Department. (RC Copies enclosed.)
2. The physical inspection of the M/s Jai Guruji Enterprises GSTIN 02ANYPS9911P1ZX and M/s Nova Tech Engineers GSTIN 02ALNPS0018A1ZR has not been carried out by this office. As per section 67 read with rule 139 of GST Act, the power of inspection, search and seizure lies with proper officer not below the rank of Joint Commissioner of State Taxes and Excise. The authorization for inspection, search or seizure is granted only on certain grounds and substantial reasons to believe that Registered Tax Payer has evaded tax as per the reasons described in Form GST INS-1. (Copies of Section 67, Rule 139 and Form GST INS-1 of GST Act Enclosed)



ACSTE

Industrial Area Mehatpur
Distt. Una H.P.