

**BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, AT PUNE**

ORI. APPLICATION NO : 153/2024 (WZ)

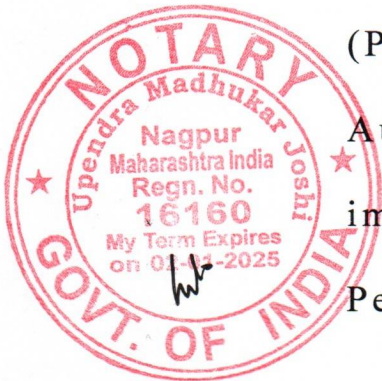
**[News item titled “ sIX killed in explosion at
firecracker unit near Nagpur” appearing in the
Hindu dated 13/06/2024]**

**REPLY ON BEHALF OF THE PETROLEUM &
EXPLOSIVES SAFETY ORGANISATION (PESO)
THE RESPONDENT NO.1 HEREIN**

The Respondent No.1 in the instant matter most humbly submits ;

In Response to the notice issued by this Hon'ble Tribunal , the Respondent No.1 namely the Petroleum & Explosives Safety Organization (PESO of the sake of Brevity) most humbly submits ;

The Answering Respondent submits that Petroleum & Explosives Safety Organisation (PESO) , is a Regulatory Authority with Autonomous Status . Its purpose is to control the import, export, transport , storage & usage of Petroleum Products , explosive materials,



flammable materials, pressure vessels, cryogenic vessels, design & installation of all necessary and relevant infrastructure. It comes under the Department of Promotion of Industry and Internal Trade, Ministry of Commerce and Industry, Govt of India.

3. Thus, the functions of the Answering Respondent is to administer/regulate/implement the provisions of the Petroleum Act, 1934, Explosives Act 1884 as well as Petroleum Rules, 2002 and explosive Rules 2008. It is further submitted that being the Regulatory Authority it is not involved in any decision making process.

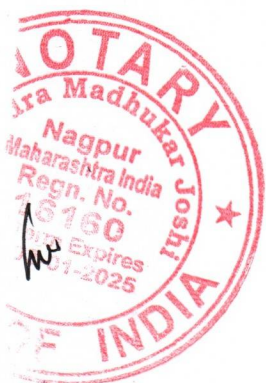
4. That the Petroleum and Explosives Safety Organisation (PESO) having headquarters at 5th floor, A Block, CGO Complex, Seminary Hills, Nagpur headed by the Chief Controller of Explosives (Respondent No 1) and is a subordinate office of Department for Promotion of Industry and



Internal Trade, Ministry of Commerce and Industry. PESO administers the Explosives Act, 2008, the Petroleum Act, 1934 and rules framed there under.

4. The Chief Controller of Explosives, Nagpur has been added by the Hon'ble Tribunal as Respondent No 1 in the present matter of which this tribunal has taken cognizance *suo moto* on the basis of the news item titled "Six killed in explosion at firecracker unit near Nagpur" appearing in The Hindu dated 13.06.2024.

5. The Answering Respondent submits that The manufacturing, spinning, impregnating, processing & packing of micro cord in the premises of M/s Chamundi Explosives Pvt Ltd, located at Survey No 140 & 141(Old) 128 & 129(New), Damna (Turagondi), Tehsil: Hingna, District: Nagpur, Maharashtra: 440023 is covered under license No. E/HQ/MH/20/105 (E121784) issued in FORM LE-1



of the Explosives Rules, 2008 issued by the Chief Controller of Explosives, Nagpur

6. The accident took place on 13th June 2024 at approximately 13.10 Hrs in the Building No. 39 (Unit-II) situated in the premises of M/s Chamundi Explosives Pvt Ltd, located at Survey No 140 & 141(Old) 128 & 129(New), Damna (Turagondi), Tehsil: Hingna, District: Nagpur, Maharashtra: 440023 while micro cord spinning, impregnating, processing & packing was in progress.

7. Due to fire & explosion, the equipment and machinery and ingredients provided in the building No 39 blast wall in front of gunpowder store room and walls & the roof of the gunpowder store room were damaged. As a result of fire and explosion, six workers lost their lives on the accident site, three workers were injured and admitted to hospital. The police station Higna, Nagpur has



lodged FIR No 0269 dated 13/06/2024 with respect to subject accident.

8. As per FIR No 0269 dated 13/06/2024 of police station Higna, Nagpur following employee of M/s Chamundi Explosives Pvt Ltd were declared dead.

Sr	Name	Gender	Age
1	Pannalal Rekhlal Bandewar	Male	56 yrs
2	Sheetal Ashish Chatak	Female	30 yrs
3	Pranjali Shrikant Falke	Female	20 Yrs
4	Vaishali Anando Kshirsagar	Female	20Yrssi
5	Monali Shankar Alone	Female	27 yrs
6	Pranjali Kisan Modre	Female	22 Yrs

The following workers were injured in the subject accident and admitted to hospital as reported in the said FIR.

Sr	Name	Gender	Age
1	Pramod Murlidhar Chawre	Male	27 yrs



2	Shradha Vanraj Patil	Female	22 yrs
3	Dansa Phoolansa Maraskolhe	Male	26 yrs

9. The police station, Hinga, Nagpur vide their letter No वपोनि कार्या/ हिंगणा/दस्तऐवज सादर/1645/2024 नागपूर dated 17/07/2024 reported that the above noted three workers died during treatment.

10. The intimation of the accident was received from the District Authority to the O/o Chief Controller of Explosives, Nagpur (Respondent No 1). On receipt of instruction from the O/o Chief Controller of Explosives, Nagpur (Respondent No 1), the officials of O/o Dy Chief Controller of Explosives, NAPES&TS, Gondkhairy, Nagpur immediately rushed and reached to the accident site.

11. The officials recovered unexploded explosives and burnt / unburnt explosives / ingredients from the accident site to ensure the site is free from any kind of explosives.



12. During accident investigation, it was observed that a battery, inverter and hot sealing pressing machine were installed in the packing room. These equipment were temporarily connected to electric supply of the building. The same were not approved for installation in the building.

13. Prima facie it seems that the fire initiated during hot sealing & packing operation of the micro cord in the building No 39. The fire transmitted to the cut pieces of micro cord and further to the spools of micro cord kept in the packing room for cutting and packing.

14. The ignited micro cord exploded and propagated fire to other rooms of the building including gun powder store room. The gun powder exploded due to fire and caused complete damage to the store room propagating fire in the adjacent process rooms resulting in death of 9 workers.



15. License No E/HQ/MH/20/105 (E121784) for manufacturing, spinning, impregnating, processing & packing of micro cord has been suspended in the interest of safety, effective immediately. The District Authority has been requested to conduct judicial enquiry as per the provisions of the Explosives Rules, 2008.

16. The accident investigation is under progress. The final accident investigation report shall be submitted to the Chief Controller of Explosives, Nagpur for further necessary action in due course. The Respondent further craves leave of this Hon'ble Court to place the Investigation Report on record during the course of proceedings.

Hence these submissions.

NAGPUR

DATED : 02/01/25

Phil J. P. K.

COUNSEL FOR RESPONDENT NO.1



SOLEMN AFFIRMATION

I Dr. Anuj Kumar S/o S.P. Srivastav ,
Aged about 52 yrs, Occu : Service ,
R/o Flat no 2, Plot no 121, Shivaji Nagar Nagpur
_____ do hereby take oath and state on solemn
affirmation:

That I am working as a Dy. Chief Controller of Explosives
with the Petroleum & Explosives Safety
Organisation , Nagpur the Respondent No.4
herein. I am conversant with the facts of the
present case and therefore able to depose the same.

I say that the Counsel as per my instructions
has drafted the above Reply . I have gone through
the contents of the above said Reply and
understood the same. I say that the contents of the
Reply are true to my knowledge and as per the
records of the Organisation which I believe to be
true. As far as the legal submissions herein are
concerned the same are correct as advised by my
counsel. The contents of the Reply are explained



to me in vernacular which I found to be correct.

Hence, signed and verified at Nagpur on this 01
day of JAN , 2025.

Anuj Kumar
Deponent

Dr. Anuj Kumar
Dy. Chief Controller of Explosives
NAPES & TS, Gondkhairy, Nagpur.

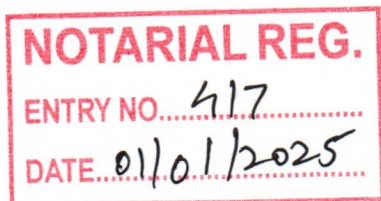
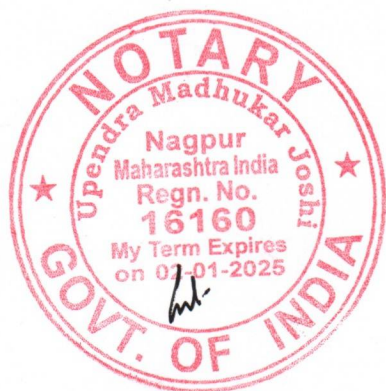
I know & Identify the Deponent

Atul J. Pathak

(Atul J Pathak)
Advocate

Sworn before me on this 01st
day of Jan 20 2025 at Nagpur by
Shri/Smt./Ku. Dr. Anuj Kumar Shrivastav
R/o. Pune who has been identified
by Shri/Smt. Atul J. Pathak
Advocate, Nagpur.

Yashwanthi
11/1/2025
NOTARY
GOVT. OF INDIA
Nagpur (M.S.) INDIA



01/01/2025