

Deputy Director, Office of the Industrial Safety and Health,
Second floor, Multistory Building, Kanbivaga, Jilla Seva Sadan 2,
Beside Gayatrinagar, Bharuch-392001
Phone/Fax No. (02642) 240421 Email ID:
dydishbh@gmail.com

Date: 10/01/2025

To,
The Occupier/Manager,
Gujarat Fluorochemicals Limited,
Plot No.12/A, GIDC Dahej,
Ta. Vagra, District: Bharuch

- (1) On 28/12/2024 at about 7:40 p.m. vapor of CMS-Chloro Methane Superior Chemical got released and spread into the atmosphere by breaking the nut-bolt of the bonnet from the bonnet (manual valve) of the pipeline carrying the CMS-Chloro Methane superior chemical to the CMS-1 plant, wherein total 04 workmen named (1) Mr. Nitish Kumar Sugrimprasad, (2) Mr. Mahesh Nandlal, (3) Mr. Mudrika Thakorprasad Yadav, (4) Mr. Rajesh Kumar Sureshchandra Magnadiya died and two workmen (1) Chhelbihari Shahu and (2) Suryalal Shahu were injured. For the investigation thereof, the undersigned had visit jointly with Mr. V.A. Halvadiya, Assistant Director, Industrial Safety and Health, Bharuch on 29/12/2024, and for further investigation the undersigned visited with Mr. R.A. Patel, Joint Director, Industrial Safety and Health, Surat Region, Surat and Shri A.H. Meraiya, Industrial Safety and Health Officer, Bharuch on 30/12/2024, with Mr. A.H. Meraiya, Industrial Safety and Health Officer, Bharuch and Mr. A.U. Vekariya, Assistant Director (Chemical), Industrial Safety and Health Chemical, Gujarat State, Ahmedabad on 03/01/2025, with Mr. A.H. Meraiya, Industrial Safety and Health Officer, Bharuch on 07/01/2025, with Mr. A.H. Meraiya, Industrial Safety and Health Officer, Bharuch on 08/01/2025 and with Mr. R.A. Patel, Joint Director, Industrial Safety and Health, Surat Region, Surat on 10/01/2025.
- (2) By employing total 4348 workmen in the said factory, work of production of PTFE, ETFEE, HFC-125, Caustic Soda, HFP, TFA DMA, HCFC-225, FKM, PFA, PVDF, FEP, VDF, DCTFMA, Methylene Dichloride, Chloroform, Carbon Tetrachloride, Sulphuric Acid, Hydrochloric Acid etc. gets carried out by using TFE, Initiator, Sodium Ethoxide, Tetrafluoroethylene, AHF, Methanol, Chlorine, Acetone, Sulphuric Acid, Hydrochloric Acid, Salt, Sodium Carbonate, Soda Ash, Tetraflouro Ethylene, R-21, HFP, VDF, TFE, PPVE, R-142b, KSM, Sulfolane, Ammonia, Copper Acetate, Copper powder etc. It is process of production as per Section-2(k) of the Factories Act, 1948. The factory is eligible under the Factories Act, 1948 and the factory is registered under Section-2(M)(1) of the Factories Act, 1948. License



No. 15074 of the factory has been renewed for 5000 workers and 5000 Horse Power up to the year 2025. Plan of the factory has been sanctioned vide Plan No. DIR/IS & H/F-PLAN/2019/1341 dtd. 16/05/2019. The Stability Certificate of the factory has been obtained from the competent person Mr. H. Z. Gami (B.E.CIVIL) on 14/08/2019.

- (3) On visit of the place for the investigation of incident of spreading of vapour of CMS Chemical into the atmosphere by breaking the nut-bolt of the bonnet from the bonnet (manual valve) of the pressurized pipeline carrying the CMS-Chloro Methane superior chemical to the CMS-1 plant, Accident Form No. 29, Form No. 21, Photographs, Written statements of witnesses, Police Panchnama, Opinion of Mr. A. U. Vekariya, Assistant Director (Chemicals), Industrial Safety and Health Chemical, Ahmedabad regarding incident of accident, written statements of workmen, trends obtained for the distributed control system of the factory, following facts have come to know with respect to accident.

- (4) Description of the accident:

Process of production of PTFE, ETFEE, HFC-125, Caustic Soda, HFP, TFA DMA, HCFC-225, FKM, PFA, PVDF, FEP, VDF, DCTFMA, Methylene Dichloride, Chloroform, Carbon Tetrachloride, Sulphuric Acid, Hydrochloric Acid etc. gets carried out by using TFE, Initiator, Sodium Ethoxide, Tetrafluoroethylene, AHF, Methanol, Chlorine, Acetone, Sulphuric Acid, Hydrochloric Acid, Salt, Sodium Carbonate, Soda Ash, Tetraflouro Ethylene, R-21, HFP, VDF, TFE, PPVE, R-142b, KSM, Sulfolane, Ammonia, Copper Acetate, Copper powder etc.

On seeking opinion of A.U. Vekaria, Assistant Director (Chemicals), Industrial Safety and Health Chemicals, Gujarat State, Ahmedabad, regarding this accident, after carrying out investigation of place, following facts have come to know.

Process of production of MDC (Methylene Dichloride), Chloroform, Carbon Tetrachloride, Sulfuric Acid (98%) and HCL (31%) gets carried out in the Chloromethane Superior CMS-1 plant by using the Methanol, Chlorine, Acetone, Sulfuric Acid (98%), Hydrochloric Acid etc.

In the Chloromethane Plant-1 in the factory, due to equilibrium conditions in distillation column T2202, condenser E2207 and condenser to receiver V2204, the operating pressure of the entire system is maintained at 9 to 9.5 kg/cm². The mixture of chloromethane, dichloromethane, HCL, chloroform remains in the column, vapor line, condenser, condensate line and recovery vessel V2204 in the liquid form and in gas form and the topside temperature of the column is maintained at 85 to 95°C and the temperature in the pipeline between condenser E2207 to Receiver V2204 is maintained at



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24 to 30°C. On checking the DCS data for 12 hours prior to accident, no change was found in the process parameters of the said process i.e. pressure and temperature. The mixture of chloromethane, dichloromethane, HCL, chloroform has highly toxic, flammable and corrosive properties. Due to corrosive properties, there is a risk of mechanical integrity damage in the pipeline and fittings. Due to corrosion in the nut-bolt of the 8 inch plug valve in the pipeline between condenser E2207 and receiver V2204, its mechanical integrity was damaged and due to mechanical failure in the plug valve due to shear stress as the operating pressure of the system was 9 to 9.5 kg/cm², the mixture of chloromethane, dichloromethane, HCL, chloroform got spread at the workplace and toxic exposure thereof has resulted into a fatal accident.

In the factory, on 28/12/2024, when the production process was going on in the CMS-1 plant, the G-section of the CMS-1 plant, wherein the crude CMS gases coming from the Thermal Reactor, gets sent to the Recycle Column. In the Recycle Column, heavy crude CMS and light crude CMS gets separated. Out of which, heavy crude CMS is sent to the Distillation Section for further processing for making MDC and other products. While the light crude CMS is sent back to the reactor for recycling from the column. When the process of recycling intermediate methyl chloride and MDC was going on in the column of the G-section of the CMS-1 plant, the temperature in the pipeline between condenser E2207 and receiver V2204 gets maintained at 24 to 30°C. There is an 8 inch carbon steel plug valve (bonnet valve) in the pipeline from condenser E2207 to receiver V2204. On inspection of the said valve, due to mechanical failure of the nut-bolt of this 8 inch carbon steel plug valve (bonnet valve), the PTFE body of the said valve has come out of the bonnet, due to which CMS gas (mixture of 85% MDC (Methylene Dichloride), 1% HCL and Carbon Tetrachloride, 13% Methyl Chloride, Chloroform and other gases) got spread at the work place area and it formed vapor cloud.

Workman Mr. Sanjivbhai Makasana heard an abnormal sound at around 07:40 hrs. in the factory. So, while looking at the DCS system, he saw the reading of PT (pressure transmitter) as decreasing by 3 numbers in the top of the Recycle Column (T-2202). In normal circumstances, the reading of the PT (pressure transmitter) at the top of T-2202 remains 9.2 kg/cm². In the beginning, as early as Mr. Sanjivbhai Makasana saw the pressure getting decreased from 9.2 kg/cm² to 9.1 kg/cm², Mr. Sanjivbhai Makasana immediately started the process of taking safe shutdown of the CMS-1 plant, for which he shut down the Chlorine Steam, isolated the chlorine isolation valve FV-2203, PV-2201 isolation valve, isolated the steam from the recycle column T-2202, etc., and shut down the plant safely.

The said CMS gas (85% MDC (Methylene Dichloride), 1% HCL and Carbon Tetrachloride, 13% Methyl Chloride, Chloroform and other gases) got spread at the workplace area and formed a vapor cloud, due



to which toxic exposure of the workmen working nearby (1) Mr. Suchitkumar Sugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr. Mudrika Thakorprasad Yadav, who were engaged in the work of painting and scaffolding erection, and (4) Mr. Rajeshkumar Sureshchandra Magnadia, who was engaged in the work of Utility operation, died due to toxic exposure to CMS gas and two workmen (1) Chhelbihari Shahu and (2) Suryalal Shahu, who were working as riggers in TAP-1 utility plant of the factory, also had difficulty in breathing.

Due to the said leakage of gas, the operator was shifted to OHC and the workmen working on Scaffolding near Thermal B section (1) Mr. Suchitkumar Sugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr. Mudrika Thakorprasad Yadav and (4) Mr. Rajeshkumar Sureshchandra Magnadiya (Utility Operation) were brought to OHC by ambulance. Thereafter, they were shifted to the Word Wizard Hospital-Dahej and then as per the recommendation of the doctors present at the hospital, the patients were immediately shifted to the 7 Star Multispecialty Hospital-Bharuch, where during the treatment, Mr. Rajeshkumar Sureshchandra Magnadiya (aged 48) were declared as dead on 29/12/2024 at 01:54 pm, Mr. Mithi Kumar Sugrimprasad (aged 39) died on 29/12/2024 at 01:56 pm, Mr. Mahesh Nandlal (aged 25) died on 29/12/2024 at 02:21 pm and Mr. Mudrika Thakorprasad Yadav (aged 30) died on 29/12/2024 at 06:01 am by the doctors present on duty. And the workmen (1) Chhelbihari Shahu and (2) Suryalal Shahu were discharged by the Doctor present on duty on completion of treatment from the Hospital at Bharuch on 29/12/2024 at 18:00 pm and on 31/12/2024 respectively.

(5) Breach of law:

The aforesaid fatal accident took place in the factory on 21/12/2024 at about 07:40 pm and total of 04 workmen died and two workers were injured in this accident. The investigation team visited the factory and on personally carrying out inspection of the accident site, on 28/12/2024 at 07:40 pm, there is a plug valve (bonnet valve) of the pipeline between Condenser E-2207 and Receiver V-2204 lying in the G-section of CMS-1 plant, which is of the size of 8 inch and made up of carbon steel material, having diaphragm made up of PTFE (Poly Tetra Fluoro Ethylene) material and having the fasteners with this valve coated with PTFE. From the said valve and pipeline, CMS gas mixture (85% MDC (Methylene Dichloride), 1% HCL and Carbon Tetrachloride, 13% Methyl Chloride, Chloroform and other gas mixture) gets transported, and CMS vapor circulates in it under pressure. This CMS is a corrosive type of material. There are chances of corrosion in this valve and its fasteners. In this incident, due to damage of the mechanical integrity of the 8 inch plug valve in the pipeline between condenser E-2207 and receiver V-2204 in G-section of CMS-1 plant due to corrosion in the nut-bolt and the pressure of

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this system remains at 9 to 9.4 kg/cm². Therefore, failure of the said carbon steel 8 inch size plug valve (bonnet valve) occurred, due to which the mixture of CMS got spread at the workplace area and formed a vapor cloud. In this accident, due to the said toxic exposure, the workmen working nearby (1) Mr. Suchitkumar Sugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr. Mudrika Thakorprasad Yadav, (4) Mr. Rajesh Kumar Sureshchandra Magnadiya died, and the workmen working in the nearby TAP-1 utility plant (1) Chhelbihari Shahu and (2) Suryalal Shahu were injured. If the said plug valve (bonnet valve) had been operated safely and without causing any harm to health, the fatal accident that befell the above four workmen could have been prevented.

Thus, on 28/12/2024 at about 07:40 PM, due to failure in the 8 inch size of plug valve (bonnet valve) located in the G Section of the CMS-1 plant of the factory, a toxic vapor cloud was formed in the atmosphere of the CMS factory, resulted into the death of the workmen. The occupier/manager of the factory, by not maintaining the 8 inch carbon steel plug valve (bonnet valve) in the pipeline between condenser E-2207 to receiver V-2204 in G-section of CMS-1 plant in the factory, which is used in the process of CMS having toxic corrosive and flammable properties, in a safe and health conscious manner, and by continuing the production process in G-section of this CMS-1 plant of the factory, the occupier/manager of the factory has committed breach of provisions of Section-7(A)2(A) of the Factories Act, 1948.

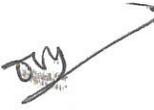
- (6) The following precautionary measures are advised to be taken in the factory to prevent such incident from happening in the future.
- (i) Such pipelines, valves and other parts connected to the said process be maintained in efficient condition in order to prevent recurrence of such an incident.
- (7) The attendance sheet of Workmen (1) Mr. Suchitkumar Sugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr. Mudrika Thakorprasad Yadav, (4) Mr. Rajeshkumar Sureshchandra Magnadiya for the month of December-2024 in Form No. 28 shall be preserved and presented, if required.
- (8) The Form of Accident in Form No. 29 showing the particulars of fatal accident suffered by the following workmen (1) Mr. Suchitkumar Sugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr. Mudrika Thakorprasad Yadav, (4) Mr. Rajeshkumar Sureshchandra Magnadiya be preserved and produced, if required.
- (9) Salary Register showing the details of salary of the workmen (1) Mr. Suchitkumar Sugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr.



Mudrika Thakorprasad Yadav, (4) Mr. Rajeshkumar Sureshchandra Magnadiya, for the month of December-2024 be preserved and produced, if required.

- (10) Form of Accident in Form No. 29, Form No. 21, Photographs, CCTV, DCS system report, copy of Stability Certificate have been obtained from the occupier of Factory. All these original documents be preserved and presented, if required.
- (11) It seems from the record that, the information of fatal accident occurred to the workmen in December-2024 was given in Form No. 21 dtd. 30/12/2024.
- (12) Due Salary, privilege leave and other dues of the workmen for December-2024 be paid to their legal heirs and information thereof be given in writing with proof.
- (13) If the workmen are registered in ESIC in December-2024, details of the pension paid under ESIC to the legal heirs of the workmen, be produced, and if they are not registered under ESIC, arrangement be made to pay it to the heirs of workmen under W.C. at the earliest.
- (14) At the time of our visit to the factory, Mr. Dr. Sunil Bhatt, Factory Manager, is present. And as said by him, the occupant of the factory is Mr. Sanathkumar Muppirala. In case of any change therein, please submit an explanation in writing along with evidence within 7 days.
- (15) If you have any explanation regarding violation of law mentioned in the above Remark No. 5, please submit it in writing to our office in two copies along with the evidence within 3 days and submit a report by completing the suggestions mentioned in Remark No. 6 and inform us by inserting these remarks in the Visit Book in Form No. 31.

Sd/- Illegible
(Ms. J. J. Chauhan)
Factory Inspector and
Deputy Director,
Industrial Safety and Health,
Bharuch


Deputy Director
Industrial Safety and Health
Bharuch



Director Industrial Safety and Health, Gujarat State
3rd Floor, Shram Bhavan, Next to Gun Forge, Rustom
Kama Marg, Khanpur, Ahmedabad-380001
Phone: 079-25502346, 25502349

No. DISH/H-Safety/Chemical/2025/15

Date: 06/01/2025

To,
The Deputy Director,
Industrial Safety and Health,
Bharuch

Subject: Regarding investigation of Accident

Name of the factory: GUJARAT FLUOROCHEMICALS LTD.
12/A, GIDC, DAHEJ, TA-VAGRA,
DIST-BHARUCH

With respect to the fatal accident occurred in the above factory on 28/12/2024, Mr. A. H. Meraiya, Asst. Director, Bharuch on 03/01/2025 for the investigation of accident. My clear opinion regarding the incident of accident is as follows.

Date of Accident : Date 28/12/2024 Time: Approx. 19.40 hrs.
Manufacturing plant : Chloromethane Plant - 1
Opinion :

In the Chloromethane Plant-1, due to equilibrium conditions in distillation column T2202, condenser E2207 and in condenser to receiver V2204, the operating pressure of the entire system gets maintained at 9 to 9.5 kg/cm² pressure. In the column, vapor line, condenser, condensate line and recovery vessel V2204, the mixture of Chloromethane, Dichloromethane, HCL, Chloroform remains in liquid form and in gas form and the topside temperature of the column is maintained at 85 to 95°C and the temperature in the pipeline between condenser E2207 and receiver V2204 is maintained at 24 to 30°C. On checking the DCS data for 12 hours prior to the time of the accident, no change was observed in the process parameters of the said process i.e. pressure and temperature. The mixture of chloromethane, dichloromethane, HCL, chloroform has highly toxic, flammable and corrosive properties. Due to corrosive properties, there is a risk of mechanical integrity damage in the pipeline and fittings. Due to corrosion in the nut-bolt of the 8 inch plug valve in the pipeline between Condenser E2207 and Receiver V2204, due to damaging of its mechanical integrity, and due to mechanical-failure in the plug valve due to shear stress

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as the operating pressure of the system was 9 to 9.5 kg/cm², a mixture of Chloromethane, Dichloromethane, HCL, Chloroform has spread at the workplace and its toxic exposure has resulted into a fatal accident.



Sd/- Illegible
Asst. Director (Chemical)
Industrial Safety and Health
Gujarat State, Ahmedabad

Safe Workman-Safe Industry-Prosperous Gujarat

A handwritten signature in black ink, appearing to be "D. D. D." followed by a flourish.

Deputy Director
Industrial Safety and Health
Bharuch



**IN THE COURT OF HON. JUDICIAL MAGISTRATE
FIRST CLASS LABOUR COURT BHARUCH**

Cr. Case No. 02/2025 of 2025

Complainant: **Ku. J.J. CHAUHAN** (Age 44 years) Mo. No. 9998007381) (I/c) Deputy Director, Industrial Safety and Health, Bharuch and Inspector of Factories, Office of Deputy Director, Industrial Safety and Health, Second Floor, Multi storied Building, Kanbivaga, Bharuch. Pin Code No. 392001 Phone No. 02642-240421.

Versus

Accused:- **Mr. Sanathkumar Muppirala** -Occupier (Mo. No. 9724176011)

Name of the factory:- **Gujarat Fluorochemicals Limited.**

Address of the factory: Plot No 12/A, GIDC
DAHEJ, Ta: Vagra, District:
Bharuch

Complaint:- Complaint for Breach of Section-7a(2) (a) of the Factory Act 1948

1. The complainant in this case, Ms. J.J. Chauhan, who has been appointed as a Factory Inspector under the Factories Act, 1948, pleads that....
2. The accused in this case is Shri Sanathkumar Muppirala, Gujarat Fluoro Chemicals Limited, Plot No. 12/A, GIDC Dahej, Ta: Vagra, District: Bharuch, is the occupier of the factory with the name and address. The factory is classified under the chemical category. By employing total 4348 workmen in the said factory, Manufacturing process of PTFE, ETFEE, HFC-125, Caustic Soda, HFP, TFA DMA, HCFC-225, FKM, PFA, PVDF,



FEP, VDF, DCTFMA, Methylene Dichloride, Chloroform, Carbon Tetrachloride, Sulphuric Acid, Hydrochloric Acid etc. gets carried out by using TFE, Initiator, Sodium Ethoxide, Tetrafluoroethylene, AHF, Methanol, Chlorine, Acetone, Sulphuric Acid, Hydrochloric Acid, Salt, Sodium Carbonate, Soda Ash, Tetraflouro Ethylene, R-21, HFP, VDF, TFE, PPVE, R-142b, KSM, Sulfolane, Ammonia, Copper Acetate, Copper powder etc. It is Manufacturing activity as per Section-2(k) of the Factories Act, 1948. The factory is eligible under the Factories Act, 1948 and the factory is registered under Section-2(M)(1) of the Factories Act, 1948. License No. 15074 of the factory has been renewed for 5000 workers and 5000 Horse Power up to the year 2025. Plan of the factory has been Approved vide Plan No. DIR/IS & H/F-PLAN/2019/1341 dtd. 16/05/2019. The Stability Certificate of the factory has been obtained from the competent person Mr. H. Z. Gami (B.E.CIVIL) on 14/08/2019.

3. Offence:-

On 28/12/2024 at about 7:40 p.m. There was a sudden release of vapor of CMS-Chloro Methane Superior Chemical due to failure of the nut-bolt of the bonnet from the bonnet (manual valve) of the pipeline carrying the CMS-Chloro Methane superior chemical to the CMS-1 plant, wherein total 04 workmen named (1) Mr. Suchit Kumar Sugrimprasad, (2) Mr. Mahesh Nandlal, (3) Mr. MudrikaThakorprasad Yadav, (4) Mr. Rajesh Kumar SureshchandraMagnadiya died and two workmen (1) ChhelbihariShahu and (2) SuryalalShahu were injured. For the investigation thereof, the undersigned had visit jointly with Mr. V.A. Halvadiya, Assistant Director, Industrial Safety and Health, Bharuch on 29/12/2024, and for further investigation the undersigned visited with Mr. R.A. Patel, Joint Director, Industrial Safety and Health, Surat Region, Surat and Shri A.H. Meraiya, Industrial Safety and Health Officer, Bharuch on 30/12/2024, with Mr. A.H. Meraiya, Industrial Safety and Health Officer, Bharuch and Mr. A.U. Vekariya, Assistant Director (Chemical), Industrial Safety and Health Chemical, Gujarat State, Ahmedabad on 03/01/2025, with Mr. A.H. Meraiya, Industrial Safety and Health Officer, Bharuch on 07/01/2025, with Mr. A.H. Meraiya, Industrial Safety and Health Officer, Bharuch on 08/01/2025 and with Mr. R.A. Patel, Joint Director, Industrial Safety and Health, Surat Region, Surat on 10/01/2025.



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As From Accident Register Form No. 29, Form No. 21, Photographs, C.C.T.V., Report of FSL, DCS (Distributed Control System) Data Event and written statement of the witnesses, site visit taken for investigation of the accident of happened on dt.28-12-2024 in the factory, facts about accident are found as under.

By employing total 4348 workmen in the said factory, Manufacturing of PTFE, ETFEE, HFC-125, Caustic Soda, HFP, TFA DMA, HCFC-225, FKM, PFA, PVDF, FEP, VDF, DCTFMA, Methylene Dichloride, Chloroform, Carbon Tetrachloride, Sulphuric Acid, Hydrochloric Acid etc. gets carried out by using TFE, Initiator, Sodium Ethoxide, Tetrafluoroethylene, AHF, Methanol, Chlorine, Acetone, Sulphuric Acid, Hydrochloric Acid, Salt, Sodium Carbonate, Soda Ash, Tetraflouro Ethylene, R-21, HFP, VDF, TFE, PPVE, R-142b, KSM, Sulfolane, Ammonia, Copper Acetate, Copper powder etc.

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In the factory, on 28/12/2024, when the production process was going on in the CMS-1 plant, the G-section of the CMS-1 plant, wherein the crude CMS gases coming from the Thermal Reactor, gets sent to the Recycle Column. In the Recycle Column, heavy crude CMS and light crude CMS gets separated. Out of which, heavy crude CMS is sent to the Distillation Section for further processing for making MDC and other products. While the light crude CMS is sent back to the reactor for recycling from the column. When the process of



recycling intermediate methyl chloride and MDC was going on in the column of the G-section of the CMS-1 plant, the temperature in the pipeline between condenser E2207 and receiver V2204 gets maintained at 24 to 30°C. There is an 8 inch carbon steel plug valve (bonnet valve) in the pipeline from condenser E2207 to receiver V2204. On inspection of the said valve, due to mechanical failure of the nut-bolt of this 8 inch carbon steel plug valve (bonnet valve), the PTFE body of the said valve has come out of the bonnet, due to which CMS gas (mixture of 85% MDC (Methylene Dichloride), 1% HCL and Carbon Tetrachloride, 13% Methyl Chloride, Chloroform and other gases) got spread at the work place area and it formed vapor cloud.

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The said CMS gas (85% MDC (Methylene Dichloride), 1% HCL and Carbon Tetrachloride, 13% Methyl Chloride, Chloroform and other gases) got spread at the workplace area and formed a vapor cloud, due to which toxic exposure to the workmen working nearby (1) Mr. SuchitkumarSugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr. MudrikaThakorprasad Yadav, who were engaged in the work of painting and scaffolding erection, and (4) Mr. RajeshkumarSureshchandraMagnadia, who was engaged in the work of Utility operation, died due to toxic exposure to CMS gas and two workmen (1) ChhelbihariShahu and (2) SuryalalShahu, who were working as riggers in TAP-1 utility plant of the factory, also had difficulty in breathing.

Due to the said leakage of gas, the operator was shifted to OHC and the workmen working on Scaffolding near Thermal B section (1) Mr. SuchitkumarSugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr. MudrikaThakorprasad Yadav and (4) Mr. RajeshkumarSureshchandraMagnadiya (Utility Operation) were brought to OHC by ambulance. Thereafter, they were shifted to the Word Wizard Hospital-Dahej and then as per the recommendation of the doctors present at the hospital, the patients were immediately shifted to the 7 Star Multispecialty Hospital-Bharuch, where during the treatment, Mr.



RajeshkumarSureshchandraMagnadiya (aged 48) was declared dead on 29/12/2024 at 01:54 pm, Mr. Suchit Kumar Sugrimprasad (aged 39) died on 29/12/2024 at 01:56 pm, Mr. Mahesh Nandlal (aged 25) died on 29/12/2024 at 02:21 pm and Mr. MudrikaThakorprasad Yadav (aged 30) died on 29/12/2024 at 06:01 am by the doctors present on duty. And the workmen (1) ChhelbihariShahu and (2) SuryalalShahu were discharged by the Doctor present on duty on completion of treatment from the Hospital at Bharuch on 29/12/2024 at 18:00 pm and on 31/12/2024 respectively.

The aforesaid fatal accident took place in the factory on 28/12/2024 at about 07:40 pm and total of 04 workmen died and two workers were injured in this accident. The investigation team visited the factory and on personally carrying out inspection of the accident site, on 28/12/2024 at 07:40 pm, there is a plug valve (bonnet valve) of the pipeline between Condenser E-2207 and Receiver V-2204 lying in the G-section of CMS-1 plant, which is of the size of 8 inch and made up of carbon steel material, having diaphragm made up of PTFE (Poly Tetra Fluoro Ethylene) material and having the fasteners with this valve coated with PTFE. From the said valve and pipeline, CMS gas mixture (85% MDC (Methylene Dichloride), 1% HCL and Carbon Tetrachloride, 13% Methyl Chloride, Chloroform and other gas mixture) gets transported, and CMS vapor circulates in it under pressure. This CMS is a corrosive type of material. There are chances of corrosion in this valve and its fasteners. In this incident, due to damage of the mechanical integrity of the 8 inch plug valve in the pipeline between condenser E-2207 and receiver V-2204 in G-section of CMS-1 plant due to corrosion in the nut-bolt and the pressure of this system remains at 9 to 9.4 kg/cm². Therefore, failure of the said carbon steel 8 inch size plug valve (bonnet valve) occurred, due to which the mixture of CMS got spread at the workplace area and formed a vapor cloud. In this accident, due to the said toxic exposure, the workmen working nearby (1) Mr. SuchitkumarSugrimprasad, (2) Mr. Mahesh Nandalal, (3) Mr. MudrikaThakorprasad Yadav, (4) Mr. Rajesh Kumar SureshchandraMagnadiya died, and the workmen working in the nearby TAP-1 utility plant (1) ChhelbihariShahu and (2) SuryalalShahu were injured. If the said plug valve (bonnet valve) had been operated safely and without risk to health, the fatal accident that befell the above four workmen could have been prevented.

Thus, on 28/12/2024 at about 07:40 PM, due to failure in the 8 inch size of plug valve (bonnet valve) located in the G Section of the CMS-1 plant of the factory, a toxic vapor cloud was formed in the atmosphere of the CMS factory, resulted into the death of the workmen. The occupier/manager of the factory, by not maintaining the 8 inch carbon steel plug valve (bonnet valve) in the pipeline between condenser E-2207 to receiver V-

DM



2204 in G-section of CMS-1 plant in the factory, which is used in the process of CMS having toxic corrosive and flammable properties, in a safe and health conscious manner, and by continuing the production process in G-section of this CMS-1 plant of the factory, the occupier/manager of the factory has committed breach of provisions of Section-7(A)2(A) of the Factories Act, 1948.

4. **Punishment:-**

Thus, since said accused has committed an offence punishable under Section-92 of the Factory Act-1948 by infringing the Section-7(a)2(a) of the Factory Act 1948, my complaint is there to initiate legal against the accused.

Hence, complaint of the complainant is with respect that, by issuing process against said accused, be pleased to order appropriate punishment for an offence committed by the accused.

5. Witness:

1. Complainant will present personally.
2. Mr. R.A. Patel, Joint Director,
Industrial Safety & Health, Surat
3. Mr. A.U. Vekaria, Assistant
Director (Chemical), Industrial Safety & Health,
Ahmedabad
4. Shri V.A. Halwadia, Assistant Director,
Industrial Safety and Health, Bharuch
5. Shri A.H. Meraiya, Industrial Safety and Health
Officer, Bharuch
6. If required, additional
witness/evidences shall be submitted.

6. The complainant in this case is a public servant as per Section 8(7) of the Factories Act, 1948 and Section 21 of the Indian Penal Code. As his duties include field work and attendance in other courts, it is a humble request to be exempted from appearing before the Hon'ble Court within the stipulated time.



by

7. The complainant hereby undertakes to be present at the hearing of the case, either for testimony or during the investigation of witnesses, upon summons.

Place: Bharuch

Sd/- illegible

Dt.27/01/2025

(J.J. Chauhan)

Factory Inspector and,

Deputy Director,

Industrial Safety and Health,

Bharuch

8/11
**Deputy Director
Industrial Safety and Health
Bharuch**



OTIBEN J. PARMAR

Advocate & Notary

J/3, Navi Vasahat, Limdi Chaowk,

Bharuch. Mo: 8849951675

Regd. No: 8354/2010

Sr. No: 2783/2025

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

Through Physical Hearing (with hybrid option)

12 DEC 2025

Original Application No.02/2025(WZ)

Shri Ashutosh Kumar

..... Applicant

Versus

Gujarat Fluorochemicals Ltd.& Others

.....Respondent(s)

AFFIDAVIT IN REPLY**ON BEHALF OF THE RESPONDENT NO.4 (DISH)**

I, DineshkumarB.Gamit, aged 44, Serving as Deputy Director, Industrial Safety and Health, Bharuchdo hereby solemnly affirm and state on oath as under:-

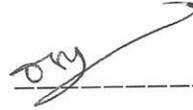
1. I say and submit that I am presently working as Deputy Director, Industrial Safety and Health, Bharuch.I have perused a copy of order of the Hon'ble NGT (Pune Bench) dated 27/10/2025in the above matter.

2. I say and submit that I am filing the present affidavit in reply with a view to bring on record the translation copy of attachment of the previous affidavit in reply - Copy of Inspection Note and Criminal Complaint which was produced originally in Gujarati but as per order dated 27/10/2025 we produce translation copy of above mentioned document in English and such translation copy of the documents also provide to

Dy

the other parties of this petition. (copy attached here with as Annexure-... 1 - 2)

Hence as per the above contention kindly accept our reply as well as attachment of the translation copy of Inspection Note and Criminal Complaint.

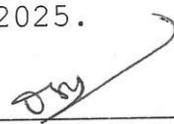

Deputy Director
Industrial Safety and Health
Bharuch

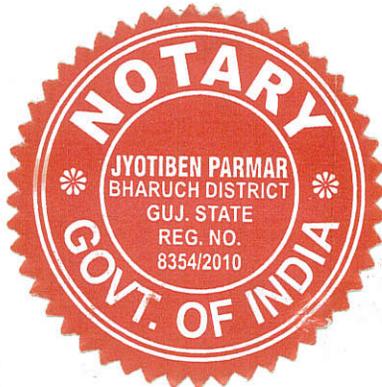
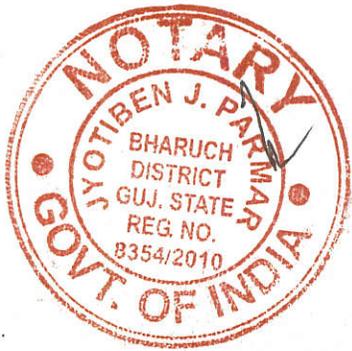
VERIFICATION

1. What is stated here in above are statement of facts derived from the relevant record and files and are true to the best of my knowledge and I believe the same to be true.
2. All the documents enclosed with the affidavit in reply are the English translation copies of their originals.

SOLEMNLY AFFIRMED AT 12 DAY OF DECEMBER 2025.


Identified By


D E P O N E N T
Deputy Director
Industrial Safety and Health
Bharuch



Solemnly Affirmed
BEFORE ME

JYOTIBEN J. PARMAR
NOTARY
REGD. NO. 8354/2010
DIST BHARUCH
12 DEC 2025

