

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

Original Application No.153/2024(WZ)

[Earlier Original Application No.770/2024(PB)]

NEWS ITEM TITLED "SIX KILLED IN EXPLOSION AT FIRE
CRACKER UNIT NEAR NAGPUR" APPEARING IN THE HINDU
DATED 13/06/2024.

Reply on behalf of Respondent No.7. (The Commissioner of
Police, Nagpur City.)

- 1) It is submitted that the Hon'ble Western Zone Bench National Green Tribunal, Pune has taken Suo Moto Cognizance on the basis of the news item titled "Six Killed in Explosion at Firecracker Unit Near Nagpur," appearing in *The Hindu* vide dated 13/06/2024. On 03/01/2025, while hearing the present matter, the Hon'ble Tribunal issued a notice to the Commissioner of Police, Nagpur City, and made him a party as Respondent No. 7.
- 2) The Commissioner of Police, Nagpur City received the notice on 23/01/2025. In response to the said notice, the Commissioner of Police, Nagpur City is submitting his reply in the present Original Application. On 13/06/2024 after receiving information of the incident/accident

through the Control Room, the Commissioner of Police, Nagpur City, the Joint Commissioner of Police and other Senior Police Officers of Nagpur City visited the spot and took necessary actions and Ambulance. Fire Brigade, Forensic Team, Photographer, etc. were immediately called to the spot. The police authorities controlled the crowd that had gathered at the spot and shifted the injured/deceased to the hospital.

- 3) The Commissioner of Police, Nagpur City in the exercise of the powers conferred under Section 9(1) of the Explosives Act, 1884 issued an order to the Deputy Commissioner of Police, Zone-1, Nagpur City to conduct a Magisterial Enquiry into the matter. He further directed the Senior Police Inspector of Hingna Police Station, Nagpur City to take necessary action regarding the incident and to lodge the report. The order copy of the letters are annexed herewith and marked as **Annexure R-1**.
- 4) It is further submitted that the offence was registered on 13/06/2024, vide Crime No. 269/2024, under Sections 304(A), 338, and 286 of the IPC. The accused, Jay Shivshankar Khemka (Factory Owner) and Sagar Premraj Deshmukh (Factory Manager), were arrested. The Senior P.I. of Hingna is conducting the investigation in the said matter. A copy of the FIR is annexed herewith and marked as **Annexure R-2**.
- 5) It is submitted that the Deputy Commissioner of Police, Zone-1, has conducted a detailed Magisterial Enquiry and submitted a report

dated 29/07/2024, to the Commissioner of Police, Nagpur City. A copy of the Magisterial Enquiry Report is annexed herewith and marked as **Annexure R-3.**

6) It is submitted that during the Investigation and Magisterial Enquiry the Deputy Commissioner of Police has called the report regarding Explosion in Chamundi Explosive Company, Dhamna Nagpur. After receiving the final report from PESO (Petroleum and Explosives Safety Organization) it is revealed that no special measures were taken by the company to prevent such accident. Thus, it appears that the Chamundi Explosive Company has violated Rule 19, 22, 34 & 109 of the Explosive Rules, 2008 and specific conditions no.8,4,13,5 mentioned in license form number LE-1 . A copy of the final report of PESO is annexed herewith and marked as **Annexure-R-4.**

7) It is also submitted that during the Investigation and Magisterial Enquiry a report was received from the Additional Director, Industrial Safety and Health, Nagpur Division in which it is stated that while applying for renewal of license the fact that there were women workers employed in the factory was not disclosed. However, women workers were found working at Chamundi Explosive Company, Dharma Nagpur. From this, it is evident that the owner of Chamundi Explosive Company, Dhamna Nagpur, has submitted false/ incorrect information to

Department of Industrial Safety & Health (DISH) therefore the Chamundi Explosive Company has violated the Section 7-A(2)(a), 8(c)(1), 9(1) and Rule 114, 4(2), 4(4), 73-X(1) of the Factory Act. A copy of the report received from the Additional Director, Industrial Safety and Health, Nagpur Division is annexed herewith and marked as **Annexure-R-5**.

8) It is submitted that when the report was called from the MSEDCL it is revealed that on the day of incident the electricity power supply was tripped (shut down) because of undergoing tree cutting work. The report of MSEDCL is annexed herewith and marked as **Annexure-R-6**.

9) It is submitted that after perusing the report submitted by the Deputy Commissioner of Police, Zone-1, it was revealed that M/s. Chamundi Explosives Pvt. Ltd. had violated the terms and conditions set by the PESO (Petroleum and Explosives Safety Organization) and DISH (Department of Industrial Safety & Health). Based on the above report, the Commissioner of Police, Nagpur City rejected the request for the renewal of the Sulphur License and Potassium Nitrate License, vide order dated 10/02/2025. The copy of the order dated 10/02/2025 is annexed herewith and marked as **Annexure R-7**.

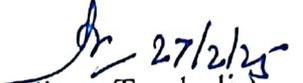
10) It is therefore submitted that the Commissioner of Police, Nagpur City has immediately taken cognizance of the above-mentioned matter and registered an offence vide Hingna P.S C.R.No. 269/2024 U/s

614

304(A), 338, 286 IPC. As the investigation is on-going, it is requested that the matter may kindly be disposed of.

Nagpur

Date : 22/02/2025


(Nisar Tamboli)

Joint Commissioner of Police
Nagpur City.

(For Commissioner of Police, Nagpur City.)

