

4716

GOVERNMENT OF ANDHRA PRADESH
LABOUR, FACTORIES, BOILERS AND INSURANCE MEDICAL SERVICES DEPARTMENT

Letter No.2351366/Lab.II/A1/2023

Dated 11.01.2024

From
The Secretary to Government,
LFB & IMS Department,
A.P Secretariat,
Velagapudi.

To
The Registrar,
National Green Tribunal,
Faridkot House,
Copernicus Marg,
New Delhi – 110001 (we).

Sir,

Sub: LFB&IMS Department - National Green Tribunal – Notice dated 13.12.2023 in O.A.No.164/2018 - Listed the matter on 18.01.2024 – Reply – Furnished.

Ref: From the Consultant (Judicial), National Green Tribunal, New Delhi, Notice in OA No.164/2018, dt.13.12.2023.

With reference to the Notice received in the reference cited, I submit herewith the reply / response in connection with OA No. 107/2020 of National Green Tribunal, New Delhi in respect of Government of Andhra Pradesh in Labour, Factories, Boilers & Insurance Medical Services Department.

2. I request you to bring the same before the Hon'ble National Green Tribunal and to communicate the orders passed, if any in this matter.

Yours faithfully,


(D. M. HARI JAWAHARLAL)

GOVERNMENT OF ANDHRA PRADESH
LABOUR, FACTORIES, BOILERS & INSURANCE MEDICAL SERVICES DEPARTMENT

Reply/ Response in connection with O.A:107/2020 of Hon'ble NGT Principal Bench, New Delhi in respect of Labour, Factories, Boilers & IMS Department, Government of Andhra Pradesh

* * ** **

It is submitted that there was an accident on 27.06.2020 at about 09.40 AM in M/s Nandyala Gases Private Limited, New Industrial Estate, Udumalpuram (vg), Nandyal (M) (belongs to SPY Agro Industries, Nandyala), erstwhile Kurnool District, Andhra Pradesh due to bursting of Ammonia pipeline of the refrigeration plant in the factory while restoring the operation, by charging Ammonia after completion of a maintenance job of replacement of the solenoid valve in the said pipeline. Due to this incident, the Ammonia gas had released into work atmosphere and the General Manager who was supervising the said work got exposed and died. The Hon'ble NGT had initiated suo-motu proceedings based on the news item published in the local daily Indian Express, Dated 28.06.2020 with O.A:107/2020.

2. Subsequently, the Hon'ble Tribunal had issued advance notice of hearing to CPCB, APPCB, District Magistrate of concerned District & Factory management and also constituted a joint committee comprising representatives of CPCB, State PCB, District Magistrate, Prof. Ch. V. Ramachandra Murthy, Andhra University, Prof. Pulipati King, Head of Chemical Engineering Department, Andhra University to assess final compensation to the victims and for restoration of environment, and suggestions for precautions in future. Accordingly, the joint committee had furnished the report. Basing on the Report, the Hon'ble Tribunal had disposed the matter by issuing final order in the above matter on 08.01.2021 with directions to factory establishment for complying with joint committee recommendations as well as to the statutory regulators to carry out safety audits of the concerned establishments to avoid such accidents in future. The direction to statutory regulators was complied with by the Department through organizing a special drive of inspections / Safety audits during year 2020-21 as ordered by the Government. In this connection it is submitted that the Department was not one of the respondents in the above matter and the Department officials were not part of the Joint committee constituted by the Tribunal.

PTO.

::2::

3. It is further submitted that this accident was investigated by the Department and after the detailed enquiry, a Show cause notice along with inspection Orders have been issued to the Occupier-cum- Manager of the factory for the contraventions led to gas leak under Section 7A (2) and Rule 61-F(2)&(3) and Rule 61-E RW Section 87 and Rule 95 Schedule XV part II(11)&(15) under the Factories Act and Rules made there under. Subsequently prosecution had been filed in the Hon'ble Court at Nandyal.

4. Further, the present notice received now from the Registry of NGT has been issued consequent to the orders of NGT in OA 164/2018 duly referring to common order issued by NGT in certain other OAs which included OA 107/2020 which was connected to an accident in Nandyal as submitted above. The OA 164 / 2018 is dealing with environmental issues in certain power plants in different states other than Andhra Pradesh. Therefore, this OA is not related to the functioning of Factories Department and not connected to the state of Andhra Pradesh as respondents in this matter are certain power plants and Pollution Control Boards from some other states. Hence, there is no action to be taken by the Department in this OA 164/2018.

5. In view of the above, there is no action pending in the Department either in OA 107 /2020 or OA 164 /2018.

Dr M HARI JAWAHARLAL
SECRETARY TO GOVERNMENT