

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH,
NEW DELHI**

(Through Video Conferencing)

Original Application No.66 of 2022(PB)

K.Saravanan

...Applicant

Vs

State of Tamil Nadu,

...Respondent

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**Filed by
Tamil Nadu Pollution Control Board**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.66 of 2022(PB)

K.Saravanan

...Applicant

Vs

State of Tamil Nadu,

...Respondent

**INDEPENDENT REPORT FILED ON BEHALF OF THE
TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Kannan, S/o. V. Raghavan, Hindu, aged about 60 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Member Secretary, Tamil Nadu Pollution Control Board (TNPCB), Chennai -600 032, and filing this Report on behalf of the Respondents Tamil Nadu Pollution Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records.
2. It is humbly submitted that this application is regarding a blast in a fire cracker shop at Shankarapuram, Kallakurichi District. Tamil Nadu on 26.10.2021 at 6.15 p.m in which 8 persons lost their lives and 15 persons got injured.
3. It is humbly submitted that this Hon'ble Tribunal constituted a joint committee of the Petroleum and Explosives Safety


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Organisation (PESO), Chief Fire Officer, State PCB, Superintendent of Police and District Magistrate – Kallakurichi, Tamil Nadu. It is humbly submitted that the District Magistrate, Kallakurichi was appointed as nodal agency for coordination and compliance.

4. It is humbly submitted that this Respondent is in receipt of the report dated 06.01.2023 of the District Magistrate, Kallakurichi, Nodal Agency in this matter, addressed to the National Green Tribunal (PB), wherein it is stated that this Applicant has sent the same complaint to the National Human Rights Commission, New Delhi and based on the detailed enquiry conducted and site inspection made by respective department officials, the action taken report has been sent to the National Human Rights commission vide report dated 13.07.2022. Copy of the same is attached as Annexure-1.
5. It is humbly submitted that the Nodal Agency, the District Magistrate, Kallakurichi has reported that since the applicant had sent the same complaint to both the National Green Tribunal and National Human Rights Commission, the members mentioned by this Hon'ble Tribunal visited the site and inspected with respect to the compliance of norms.
6. It is humbly submitted that the nodal agency, the District Magistrate, Kallakurichi, submitted an action taken and compliance report based on the report sent to the National Human Rights Commission on account of the complaint being

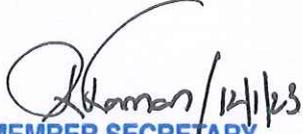
K. Manoj 12/11/23
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the same before the Commission as well as this Hon'ble Tribunal.

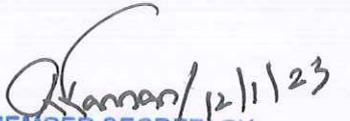
7. It is humbly submitted that it is stated in the report of the District Magistrate, Kallakurichi, that immediate action was taken upon receiving the information about the accident, site inspection was conducted and rescue operations sped up.
8. It is humbly submitted that the nodal agency, the District Magistrate, Kallakurichi, appointed Additional District Magistrate as enquiry officer to conduct detailed enquiry.
9. It is humbly submitted that as per the enquiry report of the Additional District Magistrate, the impugned cracker shop had license valid up to 31.03.2022.
10. It is humbly submitted that as per the report of nodal agency, the District Magistrate, Kallakurichi, in the first level enquiry of the Police Department, it is revealed that a large amount of crackers were stored in the shop beyond the permitted limit and also banned local crackers were stored in the first floor of the building which is a non permitted area and reckless handling of crackers were found to be the main reason for the above fire accident.
11. It is humbly submitted that, it is mentioned in the report of the nodal agency that a criminal case in crime number 832/2021 U/s I.P.C. 286,436,338,304(II), R/W 9(B) (1) (b) Explosives Act has been registered in Sankarapuram Police Station against the owner of the above cracker shop. It is humbly submitted


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76, MOUNT SALAI, CHENNAI-600 032.

Magistrate and District Revenue Officer, Kallakurichi and the criminal case is under trial before the Judicial Magistrate Court, Sankarapuram.

16. It is humbly submitted that, the officer appointed by this Respondent, the DEE, TNPCB, Villupuram inspected the incident site on 06.01.2023 and observed that the cracker shop was found to be in damaged condition and remains unaltered. The photographs taken during inspection are enclosed as Annexure-2.

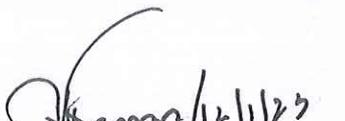
Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.


MEMBER SECRETARY
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BEFORE ME

VERIFICATION

I, R. Kannan, S/o. V. Raghavan, working as Member Secretary, having office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.


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76, MOUNT SALAI, CHENNAI-600 032.

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TAMILNADU POLLUTION CONTROL BOARD
78, MOORTHY SALAI, CHENNAI-600 032

SECRETARY

MEMBER SECRETARY
TAMILNADU POLLUTION CONTROL BOARD
78, MOORTHY SALAI, CHENNAI-600 032

From

Thiru.J.Sravan Kumar, I.A.S.,
District Collector,
Kallakurichi.
Kallakurichi District.

To

The Consultant (Judicial),
National Green Tribunal,
Principal Bench, Faridkot House,
Copernicus Marg,
New Delhi - 110 001.

R.C. No. C4/ 14131 /2021, Dated: .01.2023

Sir,

Sub: Explosives Rules 2008 - Tamil Nadu State - Kallakurichi District - Sankarapuram Taluk and Town - Mr.K.Saravanan S/o.K.K.Karunanithi, 38.Pootai Main Road - a complaint sent to National Green Tribunal regarding a blast in the cracker shop at Sankarapuram - Compliance report send regarding.

- Ref:**
1. Order received from the Principal Bench, National Green Tribunal Original application No.66/2022, Dated 02.02.2022 and 22.11.2022.
 2. The Notice received from the National Human Rights Commission (Law Division), New Delhi, Case No.2/22/59/2022, Dated: 07.02.2022 and 24.05.2022.
 3. Report of the District Collector, Kallakurichi Rc.No.C4/14131/2021, Dated 13.07.2022.
 4. The Proceedings of the District Collector, Kallakurichi, Ref.No.C4/14131/2021, Dated: 27.10.2021.
 5. The Report received from the Enquiry Officer/Additional District Magistrate/District Revenue Officer, Kallakurichi, Dated: 08.12.2021.
 6. The Proceedings of the Additional District Magistrate/District Revenue Officer, Kallakurichi, Ref.No.C4/14131/2021, Dated: 04.03.2022.

I solicit your kind attention to the references cited.

I send herewith the action taken and compliance report regarding the complaint of Mr.K.Saravanan, S/o.K.K.Karunanithi, 38.Pootai Main Road, Sankarapuram Taluk and Town received from the National Green Tribunal, regarding the blast in the cracker shop owned by Mr.Selva Ganapathy S/o. Sagadevan at Sankarapuram Town and Taluk as called for in the reference 1st cited.

The Petitioner Mr.K.Saravanan had sent the same complaint to the National Human Rights Commission, New Delhi and it was received from the Commission vide in the reference 2nd cited.

Based on the detail enquiry conducted and site inspection made by respective departmental officials, the action taken report have been sent to the National Human Rights commission vide in the reference 3rd cited.

It is submitted that the petitioner had sent the same complaint to both the National Green Tribunal and National Human Rights Commission. In this regard the members mentioned in the Joint Committee constituted by the National Green Tribunal had visited the site and inspected with respect to the compliance of norms. Since both the complaint are the same, the action taken and compliance report is submitted based on the report sent in the reference 3rd cited as detailed below.

Based on the information received from the Tahsildar, Sankarapuram, reporting that the blast was happened in the cracker shop on 26.10.2021 at 06.15 P.M. at Murugan Crackers Shop in Main Road, Sankarapuram Town, The District Collector, The Superintendent of Police, The District Revenue Officer and the District Fire Officer of Kallakurichi District were rushed to the accident spot and inspected the site and speed up the rescue operations. Special medical camp had been organized by the District administration and first aid treatment was given to the injured persons in the above accident. The Honourable Minister of Public Works, Highways and Minor Ports for Tamil Nadu, Members of Legislative Assembly of Kallakurichi, Sankarapuram and Rishivandiyam Constituencies were closely monitored the rescue operation in coordination with District Administration and consoled the injured persons in the Government hospital and instructed the medical team for a quality treatment. They met the family members of the affected persons and assured them that the necessary relief measures will

be taken by the Government. In the above accident 06 persons were died in the same spot, one person died in the Kallakurichi, Govt. Head Quarters Hospital and another one died in the Chennai, KMC Hospital, Totally 08 Persons were died and 01 person was grievously injured.

As per the proceedings of the District Magistrate / District Collector Kallakurichi in the reference 4th cited, the Additional District Magistrate/ District Revenue Officer, Kallakurichi had been appointed as Enquiry Officer to conduct detailed enquiry and to submit report.

In this regard enquiry was conducted and the enquiry report cited in the reference 5th reveals that the above cracker shop was a licensed (Form-24 LE-5) one bearing License No.2/2010-2011 and the licence has been subsequently renewed by the Revenue Divisional Officer, Kallakurichi valid up to 31.03.2022. It reveals in the first level enquiry of the Police department, that a large amount of crackers were stored in the shop beyond the permitted limit and also banned local crackers were stored in the first floor of the building which is a non permitted area and reckless handling of crackers were found to be the main reason for the above fire accident. A criminal case in crime number 832/2021 U/S I.P.C. 286,436,338,304(II), R/W 9(B) (1) (b) Expolsives Act has been registered in Sankarapuram Police Station against the owner of the above cracker shop Mr.S.Selva ganapathy S/o.Sagadevan. He had been arrested and remanded in Kallakurichi sub-Jail and later released on bail.

The Government of Tamil Nadu has sanctioned Rs.5,00,000/- (Rupees Five Lakh Only) for 08 persons who were deceased in the accident and Rs.1,00,000/- (Rupees One Lakh Only) for each 02 persons who were grievously injured. Totally Rs.42,00,000/- (Rupess Forty Two lakhs only) was sanctioned and disbursed as relief amount to the affected family members.

Further it is submitted that action has been taken by the District Administration had taken various measures by sanctioning loan and assigning House Site to the affected families for their livelihood. A monthly pension of Rs.1,000/- (Rupees One thousand only) has been sanctioned to the mother of the deceased boy namely Sanjai.

It is submitted that, the District Collector has ordered the respective authorities to inspect all the cracker shops in the District and ensure norms and safety measures as prescribed by the guidelines. As per the Collector's order the District Revenue Officer, The Revenue Divisional Officers, and all Tahsildars had inspected all the crackers shops and found Violation in 5 Shops which were sealed and the license of the above shops were suspended.

In this regard detailed enquiry has been conducted by the Enquiry Officer / Additional District Magistrate and District Revenue Officer, Kallakurichi on 08.12.2021 in the presence of The Controller of Explosives, (PESO), Chennai, District Fire Officer, Revenue Divisional Officer, Kallakurichi, Deputy Superintendent of Police, Tirukovilur, Tahsildar Sankarapuram, District Supply Officer, Executive Officer, Town Panchayat Sankarapuram and press reporters with the affected family members, local resident people and political party members. The license of the Murugan Crackers Shop owned by Mr.Selvaganapathy S/o.Sagadevan has been permanently cancelled by the Additional District Magistrate and District Revenue Officer, Kallakurichi as per the proceedings in the reference 6th cited and the criminal case is under trial in the Judicial Magistrate Court, Sankarapuram.

Hence, In this regard, the District Administration has taken immediate action for the rescue and relief measures. Inspection has been made by the concerned departmental officials to ascertain complaine of norms in all the cracker shops and action has been taken against the shops which were violated the norms. I finally submit that all the respective officials are sensitized to keep vigil so as to ensure the safety measures and norms in all the cracker shops in this District to avoid such fire accidents in future.

Yours faithfully
[Signature]
District Collector
Kallakurichi

[Signature]
A/1/23

Photographs showing the incident prone site at Kallakurichi Main Road, Sankarapuram Taluk ,
Kallakurichi District



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**INDEPENDENT REPORT FILED ON
BEHALF OF THE TAMIL NADU
POLLUTION CONTROL BOARD**

**Filed by :
Tamil Nadu Pollution Control Board.**

Date:12.01.2023.

Date of hearing on:16.01.2023.

