

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
Original Application No.792/2023**

**In re : News Item appearing in Millenium Post dated 9/12/2023
entitled "Pune:6 dead in fire at candle making unit".**

**Report in compliance of the Order dated 15/1/2024 passed by
the Hon'ble National Green Tribunal, Principal Bench, New
Delhi.**

1. The Hon'ble National Green Tribunal, Principal Bench, New Delhi has registered the aforesaid News Item as Original Application bearing No.792/2023 and vide order dated 15/1/2024 transferred the said O.A. to the Hon'ble NGT, Western Zone, Pune and impeded the Maharashtra Pollution Control Board as a Party Respondent and directed the Respondents , *"to file their response indicating, if the unit was operating with necessary environmental clearance, the action which has been taken against the unit for violating the environmental norms"*.
2. In compliance of the Hon'ble NGT order 15/01/2024, the submissions of the Respondent-MPCB is as under :
 - (i) A sparkler candle making unit i.e. M/s. Shivraj Enterprises, located at Sr. no. 252, Gat no. 158, Plot no.

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1, Triveni Nagar, Talwade, Tal- Haveli, Dist- Pune in Pimpri Chinchwad Municipal Corporation area.

- (ii) The aforesaid unit was engaged in manufacturing of sparkling candle by mixing and filling process. The raw materials used were of explosive nature.
- (iii) This office received information on phone regarding fire incidence occurred on 08/12/2023 at 4:00 pm. Immediately the Officers of the Respondent Board at Pimpri Chinchwad visited the aforesaid site on the same day i.e. 8/12/2023 at 6:00 pm and came to know that 08 female workers died and 07 female workers injured and another 01 person was also injured due to fire. Also observed that the said unit was burnt and fire was controlled and stopped completely by the Fire Department.
- (iv) Said Unit has not obtained consent to establish and consent to operate from MPC Board.
- (v) Said Unit is located in Red zone of Defence Department and at Talawade village in Pimpri Chinchwad Municipal Corporation area.
- (vi) MPC Board has issued Closure Direction dated 11/12/2023 to the said Unit and directed Executive Engineer, MSEDCL, Sub Division Pradhikaran, Pimpri, Tal- Haveli, Dist- Pune to disconnect the

electric supply of the said Unit and also directed Executive Engineer, (Water Supply Division) Pimpri Chinchwad Municipal Corporation, Pimpri, Tal-Haveli, Dist- Pune to disconnect the water supply of the said unit and inform to this office accordingly. A copy of the Closure Direction dated 11/12/2023 is enclosed herewith as an **Annexure-I**.

(vii) At present the above unit is not in operation.



(Manchak Jadhav)

Sub Regional Officer,

MPC Board, Pimpri Chinchwad

Place- Pune

Date- 08/02/2024

**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE**

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"Your Service is our Duty"

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MPCB/ROP/ MPCB/Closure Direction/ 231211-FTS-0297 Date: 11/12/2023

To,
M/s. Shivraj Enterprises,
Sr. No. 252, Gat No. 158, Plot No. 1,
Triveni Nagar, Talwade, Tal. Haveli,
Dist. Pune

Sub: Closure Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981.

Ref : 1 Fire accident occurred in the factory on dtd. 08/12/2023
2. Visit of the Board Officials to your unit on 08/12/2023
3. Sub Regional Officer, Pimpri Chinchawad submitted legal action proposal vide no. MPCB-LEGAL_ACTIONS-111223015 Dtd. 11/12/2023.

WHEREAS, it is obligatory on your part to obtain Consent to Establish and Consent to Operate from the Maharashtra Pollution Control Board under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under the provisions of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016. It is also obligatory on your part to provide adequate pollution control devices.

AND WHEREAS, a fire accident was occurred in your industry on 08/12/2023 & same news has appeared on electronic and print media.

AND WHEREAS, in order to verify the fire incidence, the officials of the Board have visited to your industry on 08/12/2023 and observed as follows:

1. You are engaged in manufacturing of sparkler candles by mixing and filling process by using explosive nature raw materials without obtaining consent to establish and consent to operate from the MPC Board.
2. You have failed to furnish the information forthwith and intimate the occurrence of such fire accident, act, or event to the MPC Board.

AND WHEREAS, In view of above non-compliance and after examining the record of your case and the reports of the officers of the Board, it has been observed that you are operating your unit without obtaining consent from the Board under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 and adequate pollution control devices, thereby causing water and air pollution into the environment.

NOW THEREFORE, in exercise of the powers conferred upon me under section 33A of Water (Prevention & Control of Pollution) Act, 1974 and under Section 31 A of Air

(Prevention & Control of Pollution) Act, 1981, you are hereby directed to stop your manufacturing activities forthwith till you comply with the following directions:

- 1) The waste generated due to fire incident shall be disposed to CHWTSDF immediately and report the compliance with manifest as per Hazardous & Other Waste (M&TM) Rules, 2016 forthwith.
- 2) You shall take scientific measures to avoid the nuisance due to generated waste in any form in the fire accident and dispose the same after suitable treatment, if necessary.
- 3) You shall not carry out your manufacturing activities till you obtain prior permission of the Maharashtra Pollution Control Board and Directorate of Industrial Safety and Health (DISH).

In case, you fail to comply with the above directions the Board will have no option than to initiate appropriate legal action under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

This is issued with the approval of the Competent Authority of the Board.

For and on behalf of
Maharashtra Pollution Control Board



(Ravindra Andhale)
Regional Officer, Pune

Copy submitted for favor of information to:-

1. The Member Secretary, MPCB, Mumbai.
2. Joint Director (APC), MPCB, Mumbai.
3. Law Officer (P & L Div), MPCB, Mumbai.

Copy forwarded with compliments for necessary action to:

1. Executive Engineer, MSEDCL, Sub Division Pradhikarn, Pimpri, Tal. Haveli, Dist. Pune :- He is directed to disconnect the electric supply of the aforesaid unit forthwith and inform this office accordingly.
2. Executive Engineer, (Water Supply Division) Pimpri Chinchwad Municipal Corporation, Pimpri, Pune :- He is directed to disconnect the water supply of the aforesaid unit forthwith and inform this office accordingly.
3. Directorate of Industrial Safety and Health, Pune.

Copy to

1. Sub Regional Officer, Pimpri Chinchwad: - He is directed to serve the directions to addressee and competent authorities and submit acknowledgement copy to this office timely & submit further compliance report of same.
2. M/s. Maharashtra Enviro Power Ltd., Ranjangaon, Tal. Shirur, Dist. Pune.

For and on behalf of
Maharashtra Pollution Control Board



(Ravindra Andhale)
Regional Officer, Pune