

REPORT OF THE JOINT COMMITTEE IN COMPLIANCE WITH ORDER DATED 27/05/2024 OF THE HON'BLE NATIONAL GREEN TRIBUNAL (NGT) IN THE MATTER OF OA NO. 26/2024 (WZ), In re: News item appearing in Millennium Post Dated 09.12.2023 titled "Pune : 6 dead in Fire at candle making unit" Versus Maharashtra Pollution Control Board & Ors.

A) Background

Grievance in the Original Application No. 26 of 2024 (WZ), In re: News item appearing in Millennium Post Dated 09.12.2023 titled "Pune : 6 dead in Fire at candle making unit" Versus Maharashtra Pollution Control Board & Ors., as per news dated 09/12/2023 " at least six persons died and 10 sustained injuries after a fire broke out at a sparkling candle manufacturing unit in Pimpri Chinchwad of Pune District". A sparkle candle making unit i.e. M/s Shivraj Enterprises, is located at Survey No.252, Gat No.158, Plot No.1, Triveni Nagar, Talwade, Tal. Haveli, District Pune, which was engaged in manufacturing of sparkling candle by mixing and filling process. A fire incident had occurred on 08.12.2023.

Hon'ble NGT directed vide order dated 27/05/2024 (copy of Hon'ble NGT order, dated 27/05/2024 is given at **Annexure-1**) and relevant order is reproduced as below:

"3. We deem it appropriate to constitute a Joint Committee comprising one member each of respondent No.1-MPCB, respondent No.2-District Collector, Pune and respondent No.5 – Directorate of Industrial Safety and Health (DISH) and MPCB – respondent No.1 shall be nodal agency of the said Joint Committee."

“ 4. The Joint Committee is directed to visit the site in question. Following shall be the Terms of Reference for the Joint Committee along which the report shall be submitted by the Committee:-

- “1. Accident Investigation Report along with corrective action plan;*
- 2. Details of deceased persons – employee/contract worker/other, age, last drawn salary, compensation paid;*
- 3. Details of injured persons – employee/contract worker/other, age last drawn salary, nature of injury, permanent disablement, if any, date of admission in hospital, date of discharge, compensation paid;*
- 4. Damage to nearby structures, if any;*
- 5. Actions taken by DISH and MPCB after the accident;*
- 6. Environmental damage in terms of air/water/land pollution and mitigation measures;*
- 7. Record of Regulatory Compliance by the Unit in terms of EPA 1986, Water (Prevention and Control of Pollution) Act 1974, Air (Prevention and Control of Pollution) Act 1981, Hazardous Waste (Management and Handling) Rules 2016;*
- 8. Unauthorized construction/expansion/installation carried out by the Unit, if any;*
- 9. Record of Regulatory Compliance by the Unit in terms of Manufacture, Storage and Import of Hazardous Chemicals Rules 1989 specifically in the terms of HAZOP Study/ies, Safety Audit/s carried out in past 3 years before the accident;*
- 10. HAZOP Study/ies, Safety Audit/s conducted after the accident along with status of implementation of Audit recommendations and also implementation of recommendations of MPCB and DISH; and*
- 11. Profit and Loss Account/Statement of the Unit for past 3 years prior to the accident.*

“5. We also direct that the Joint Committee shall ensure that one of the representatives of respondent No.4 is also available at the time of site inspection and all details which we have directed to be submitted as above may be obtained from it.”

B) Approach

In order to comply with the aforesaid Hon'ble NGT Order, MPCB has send email dated 10/06/2024 and also telephonic communications to the committee members and representative of industry Shri. Annaso Sutar (mobile no. 8237400147) and requested to remain present for Joint Committee visit on 12/06/2024 alongwith relevant information. The Joint Committee carried out inspection of the M/s. Shivraj Enterprises, located at Survey No.252, Gat No.158, Plot No.1, Triveni Nagar, Talwade, Tal. Haveli, District Pune, on 12/06/2024. The following Joint Committee members were present during the inspection:

- i. Shri Jayraj S. Deshmukh, Additional Tahsildar, Pimpri Chinchwad, Representative from Collector office, Pune.
- ii. Shri Y. P. Patange, Dy. Director, DISH, Pune.
- iii. Shri Manchak N. Jadhav, Sub-Regional Officer, MPCB, Pimpri Chinchwad.

Also Officials of Fire Department of Pimpri Chinchwad Municipal Corporation (PCMC), Owner of the industry premises Mrs. Jannat Najir Shikalgar and Shri. Najir Shikalgar were present and provided the information during visit. Representative of M/s. Shivraj Enterprises was not present and not replied to any communication made on his mobile number '8237400147'.

C) Observations and Findings

This report is outcome containing factual and action taken report of the said Joint Committee members based on the preliminary information received, followed by site inspection, information given by land owner & Pimpri Chinchwad Municipal Corporation (PCMC) and subsequent discussions of the Joint Committee members. The observations & findings of the Joint Committee are given as below.

D) Observations

The observation made by the Joint Committee during visit are as below,

- M/s. Shivraj Enterprises, industry is located in Red zone of Defence Department and at Talawade village in Pimpri Chinchwad Municipal Corporation area.
- Industry has not obtained any permission from any Government Department / local body.
- Industry was in operation in rented premises.
- Industry operation was illegal.
- Industry is now shut down and no any activity is in existence.
- No any record is available regarding previous operation of industry.
- Burnt material after fire incidence left over such as candles which contain some ash, burned wooden furniture, two no. of small machines, tiffin boxes, plastic water bottles, one barrel etc. is observed lying in the shed premises.
- Industry shed structure is not damaged.
- Joint committee enquired with surrounding peoples, but nobody was known about the industry operation details.

Sr. Police Inspector, Dehu road Police Station vide letter dated

14/06/2024 (Letter in marathi vernacular language) informed that the Page 4 of 39

accused 1) Shubhangi Sharad Sutar and 2) Sharad Raghunath Sutar are under arrest and in judicial custody at Yerwada jail since 09.12.2023 and 16.12.2023 respectively.

A copy of Police Station letter dated 14/06/2024 is enclosed herewith as an **Annexure-II**.

As per the Hon'ble NGT order dated 27/05/2024, report of the Joint Committee as per Terms of References given in order pointwise is as below,

1. Accident Investigation Report along with corrective action plan:-

i) Directorate of Industrial Safety and Health (DISH):-

Directorate of Industrial Safety and Health (DISH) has submitted their action taken report dated 13/03/2024 to MPCB. In said action taken report is summarized as below, On 08/12/2023, there was breaking news on News channel at about 5.00 pm regarding fire incidence at Fire work godown in Talawade area of Pimpri Chinchwad. Accordingly, team of DISH Pune officers visited the spot at about 7.00 pm. It comes to know that name of establishment is Shivraj Enterprises, Survey No.252, Gat No.158, Triveninagar, Talwade, Pune where this fire incidence took place.

This factory was engaged in manufacturing of Sparkle candles in a 30-feet X 40- feet X 18-feet shed at Talwade in Pimpri Chinchwad Area. On 08/12/2023 at @ 4.00 PM a sudden fire incident occurred in the factory because of the highly flammable material. There were 15 workers and one male person (Husband of occupier) working in the said establishment at the time of the incident.

The said fire was extinguished at 6.00 pm with the help of 7-8 Fire Tenders of fire Brigade. Six women workers died in this said incident at spot. Ten workers have been severely injured due to burns. Eight workers were immediately admitted to Yashwantrao Chavan Memorial Hospital, Pimpri, Pune and after initial treatment they were shifted to Sassoon Hospital, Pune for further treatment. Two Worker were directly admitted Sassoon Hospital Pune. Eight injured workers were succumbed their injuries during treatment. The remaining worker and husband of occupier were discharged from hospital after treatment.

During enquiry it was observed that mixing of the Nitro cellulose powder (explosive and very highly flammable), Potassium chloride, and metal (iron) powder was carried out in same shed and then the mixture (around 3-4 Kg at a time in a pot) was handed over to all female workers. Female workers were filling that mixture of powders in to the tubes of paper. One male person (Husband of Occupier) is engaged only for making and cutting the tubes in to the required size. All female workers used to fill the tubes with powder and then seal it with cover at one side by plastic cap and other side by white paper. The plastic cap is used to fix the candle on cake and white paper side is for fire.

The mixture of powder is pressed in the tubes with the help of pneumatic press. It is noticed that electrical connection is provided for press machine, weighing scale & Air compressor. On the day of accident at around 4:00 p.m. flash fire occurred while performing same activity which resulted in to fire in the same shed.

The said factory was running in red zone area notified by Defence Ministry and also without obtaining any license from any Government Authority. The directorate had carried out a detail enquiry of this incident by collecting the necessary evidence, recording of worker statements, inspection of the accident site etc. During investigation different contravention were found in relation with Factories Act-1948 / Maharashtra factories Rule-1963. Four numbers of criminal cases were filed against Occupier Mrs Shubhangi Sutar at Chief Judicial Magistrate Pune on 13/12/23 for these contraventions.

Recommendations / action plan by DISH-

- No electrical equipment / machinery shall be used /installed in the factory in place where explosives are manufacture/handled / stored, except with prior permission of appropriate authorities under Explosives Act.
- The workers shall be explained the dangers and precautionary measures to be taken.
- No female workers shall be employed on operation involving mixing of chemicals and cutting fuses in the factory.
- The workers shall be provided with personal protective equipment and special type of uniforms to avoid the possibility of generation of static charge due to cloths.
- All other provisions of the schedule XXVI of Rule 114 of Maharashtra Factories Rules, 1963 shall be complied with fully. In respect of fire works and Match factories.
- Workers shall not be allowed to carry their stainless-steel lunch boxes inside the factory premises. An isolated or separate place/ room shall be allocated to them, where they

can have their food and keep their belonging.

- Proper information, instruction and training shall be given to all the workers before employing them in to the factory.
- Quantities of explosives specified by the Explosive Authorities shall not be exceeded in any room.
- All necessary conditions are complied with and reported to appropriate authorities under Explosives Rules, 2008 & to the office of the undersigned.
- All the conditions laid down under license to manufacture fireworks or gunpowder or both in form no. LE-1 under Rule 99 of Explosives Rules, 2008 shall be fully complied with.

A copy of action taken report submitted by DISH is enclosed herewith as an **Annexure-III**.

ii) Maharashtra Pollution Control Board (MPCB):-

- MPCB received information on phone regarding fire incident on 08/12/2023 at 4:00 pm. Immediately the Officers of this office visited the site at 6:00 pm and came to know that 08 female workers died and 07 female workers injured and another 01 person as owner 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.
- Said Unit has not obtained consent to establish and consent to operate from MPC Board.
- Industry owner Mrs. Shubhangi Sharad Sutar is having leave and license agreement with industry premises owner Mrs. Jannat Najir Shikalgar dated 27/06/2023 for period

06/06/2023 to 05/06/2026 is for Engineering activity. Copy of the agreement is made available by the owner of the industry premises.

- 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.

2. Details of deceased persons – employee/contract worker/other, age, last drawn salary, compensation paid;

As per the letter dated 08/02/2024 submitted by Additional Tahsildar, Pimpri Chinchwad to The District Collector, Pune, details of the compensation paid to all deceased persons relatives from Chief Minister Relief Fund is as below,

Sr.no.	Name of deceased person	employee/contract worker/other	Age	Last drawn salary	compensation paid
1	Rama Devendra Abadar	employee	27	Information not available	Rs.5,00,000/-
2	Punam Abhay Mishra	employee	37		Rs.5,00,000/-
3	Lata Bharat Dhangikar	employee	38		Rs.5,00,000/-
4	Mangal Babaso Kharbade	employee	49		Rs.5,00,000/-
5	Kamaladevi Suraj Prajapati	employee	62		Rs.5,00,000/-
6	Kavita Ganesh Rathod	employee	45		Rs.5,00,000/-
7	Shilpa Ganesh Rathod	employee	31		Rs.5,00,000/-

8	Apeksha Ashok Torane	employee	18		Rs.5,00,000/-
9	Pratiksha Ashok Torane	employee	16		Rs.5,00,000/-
10	Priyanka Amol Yadav	employee	32		Rs.5,00,000/-
11	Usha Sitaram Padavi	employee	42		Rs.5,00,000/-
12	Kamal Ganu Chaure	employee	36		Rs.5,00,000/-
13	Suman Sayaji Godhade	employee	45		Rs.5,00,000/-
14	Radha Sayaji Godhade	employee	17		Rs.5,00,000/-

3. Details of injured persons – employee/contract worker/other, age last drawn salary, nature of injury, permanent disablement, if any, date of admission in hospital, date of discharge, compensation paid;

Sr. no.	Name of injured person	Employee /contract worker/other	Age	Last drawn salary	Nature of injury, permanent disablement	Date of admission in hospital	Date of discharge	Compensation paid
1	Renuka Dnyaneshwar Tathod	employee	27	Information not available	25-30% Burn	08/12/2023	Nil *
2	Sharad Sutar	Owner of industry	45		30-35 % Burn	08/12/2023	Nil**

* Information is submitted to PM portal on 15.01.2024 to obtain compensation from Prime Minister Relief Fund

** Person is not eligible for compensation as he is owner of the industry and responsible for the fire incident and he is accused.

A copy of Additional Tahsildar, Pimpri Chinchwad, letter (in marathi vernacular language) dated 08/02/2024 is enclosed herewith as an

4. Damage to nearby structures, if any;

During visit, Joint Committee inspected the industry shed and structures in surrounding area of industry shed and observed that there is no any damage to industry shed and surrounding structures.

5. Actions taken by DISH and MPCB after the accident;**I) DISH:-**

a) DISH has issued order dated 09/12/2023 regarding use of factory premises shall not be started again, unless following measures are complied:-

i) All the electrical equipment's / appliances /apparatus where Nitrocellulose is used / stored in the factory shall be of Flameproof construction.

ii) As per provision of rule 70(9)(d) of The MFR 1963, in every room of the factory exists sufficient to permit safe escape of the occupants in case of fire or other emergency shall be provided.

iii) Certificate of stability shall be obtained as per rule 3-A of Maharashtra Factories Rules, 1963.

b) DISH has also filed four no of criminal cases against Occupier Mrs. Shubhangi Sutar at Chief Judicial Magistrate Pune on 13/12/23 for these contraventions.

A copy of DISH order dated 09/12/2023 is enclosed herewith as an **Annexure-V.**

II) MPCB:-

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 (PCMC), Pimpri, Tal- Haveli, Dist- Pune to disconnect the water supply of the said unit and inform to this office accordingly.

MSEDCL has informed vide letter dated 16/01/2024 that industry has electricity connection in the name of Mrs. Jannat N. Shikalgar having customer no. 171371214525 and within shed area no any electrical board is provided.

PCMC has not informed about any action taken regarding disconnection of water supply. In said closure direction dated 11/12/2023 it is directed to industry to stop manufacturing activities forthwith till comply with the following directions

- i) The waste generated due to fire incident shall be disposed to Common Hazardous Waste Treatment, Storage and Disposal Facility (CHWTSDF) immediately and report the compliance with manifest as per Hazardous & other waste (M & TM) Rules, 2016 forthwith.
- ii) Industry 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.

iii) Industry shall not carry out manufacturing activities till industry obtained prior permission of the MPCB and DISH.

A copy of the Closure Direction dated 11/12/2023 is enclosed herewith as an **Annexure-VI**.

During Joint Committee visit, it is observed that industry has not disposed burnt material to CHWTSDF. The Joint Committee instructed to land owner to take prior permission from MPCB and Police department before disposal of the burnt material scientifically.

6. Environmental damage in terms of air/water/land pollution and mitigation measures;

MPCB, Pune has communicated to higher authority of MPCB for appointment of an external expert agency for assessment of Environmental damage in terms of air/water/land pollution and mitigation measures after the fire incident.

7. Record of Regulatory Compliance by the Unit in terms of EPA 1986, Water (Prevention and Control of Pollution) Act 1974, Air (Prevention and Control of Pollution) Act 1981, Hazardous Waste (Management and Handling) Rules 2016;

Industry has not obtained Consent to Establish and Consent to Operate from MPC Board. Industry was in operation without obtaining consent. Industry has not obtained any permission from any Statutory Bodies. MPCB was unaware about the existence of the unit as there was no record of existence or any complaint.

8. Unauthorized construction/expansion/installation carried out by the Unit, if any;

PCMC has submitted their reply affidavit to Hon'ble NGT dated 12.02.2024 and in the affidavit, it is mentioned that, the industry was operating illegally and had no permissions from PCMC and situated in Red zone. Also, the letter dated 06/02/2024 addressed to Dy. Commissioner (Fire), Fire Department, PCMC by Executive Engineer, Building permission, PCMC mentioned that, the concern area is Red zone where building construction permissions are not given.

A copy of the building permission Department letter (in marathi Vernacular language) dated 06/02/2024 is enclosed herewith as an **Annexure- VII.**

9. Record of Regulatory Compliance by the Unit in terms of Manufacture, Storage and Import of Hazardous Chemicals Rules 1989 specifically in the terms of HAZOP Study/ies, Safety Audit/s carried out in past 3 years before the accident;

The said factory was operating illegally in Red zone area notified by Defence Ministry and also without obtaining any license from any Statutory Bodies. Hence there is no any record available in terms of HAZOP Study/ies, Safety Audit/s carried out in past 3 years before the accident.

10. HAZOP Study/ies, Safety Audit/s conducted after the accident along with status of implementation of Audit recommendations and also implementation of recommendations of MPCB and DISH; and

As the industry is not in operation and shut down, both the owners of industry are in prison. No representative of industry was available during Joint Committee visit to give information regarding audits after the accident is carried out or not.

11. Profit and Loss Account/Statement of the Unit for past 3 years prior to the accident.

MPCB has informed to the representative of M/s. Shivraj Enterprises to remain present during Joint Committee visit on 12/06/2024 along with relevant information as both the owner of industry i.e. Mrs. Shubhangi Sharad Sutar and Mr. Sharad Sutar are in prison. Hence the information regarding Profit and Loss Account/Statement of the Unit for past 3 years is not available.

(Jayraj S. Deshmukh)
Additional Tahsildar
Pimpri Chinchwad

(Y. P. Patange)
Dy. Director, DISH
Pune

(Manchak N. Jadhav)
Sub-Regional Officer
MPCB, Pimpri Chinchwad

Item No.21

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

[Through Physical Hearing (with Hybrid Option)]

**ORIGINAL APPLICATION NO.26 OF 2024 (WZ)
[Earlier Original Application No.792 of 2023(PB)]**

In re : News item appearing in Millennium Post
Dated 09.12.2023 titled "Pune : 6 dead in
Fire at candle making unit"

Versus

Maharashtra Pollution Control Board & Ors.

Respondents

Date of hearing : 27.05.2024

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Respondents : Ms. Manasi Joshi, Advocate for R-1/MPCB
Mr. Shivshankar Swaminathan, Advocate for R-3/PCMC

ORDER

1. In compliance with our previous order dated 12.04.2024, the Registry has impleaded the Proprietor/Owner of M/s Shivraj Enterprises as respondent No.4 in this O.A. and service has been effected to the said respondent after such impleadment, proof of which is annexed in the form of tracking report.

2. We have already considered the replies filed by respondent No.1-MPCB and respondent No.3-PCMC, but we waited for the reply to be submitted from the side of respondent No. 4 - M/s Shivraj Enterprises. Since nobody has appeared from their side today, nor has any reply been filed by them, we have to proceed against respondent No.4 ex-parte because of their non-appearance despite sufficient service.

3. We deem it appropriate to constitute a Joint Committee comprising one member each of respondent No.1-MPCB, respondent No.2-District Collector, Pune and respondent No.5 - Directorate of Industrial Safety

and Health (DISH) and MPCB – respondent No.1 shall be nodal agency of the said Joint Committee.

4. The Joint Committee is directed to visit the site in question. Following shall be the Terms of Reference for the Joint Committee along which the report shall be submitted by the Committee:-

1. Accident Investigation Report along with corrective action plan;
2. Details of deceased persons – employee/contract worker/other, age, last drawn salary, compensation paid;
3. Details of injured persons – employee/contract worker/other, age last drawn salary, nature of injury, permanent disablement, if any, date of admission in hospital, date of discharge, compensation paid;
4. Damage to nearby structures, if any;
5. Actions taken by DISH and MPCB after the accident;
6. Environmental damage in terms of air/water/land pollution and mitigation measures;
7. Record of Regulatory Compliance by the Unit in terms of EPA 1986, Water (Prevention and Control of Pollution) Act 1974, Air (Prevention and Control of Pollution) Act 1981, Hazardous Waste (Management and Handling) Rules 2016;
8. Unauthorized construction/expansion/installation carried out by the Unit, if any;
9. Record of Regulatory Compliance by the Unit in terms of Manufacture, Storage and Import of Hazardous Chemicals Rules 1989 specifically in the terms of HAZOP Study/ies, Safety Audit/s carried out in past 3 years before the accident;
10. HAZOP Study/ies, Safety Audit/s conducted after the accident along with status of implementation of Audit recommendations and also implementation of recommendations of MPCB and DISH; and
11. Profit and Loss Account/Statement of the Unit for past 3 years prior to the accident.

5. We also direct that the Joint Committee shall ensure that one of the representatives of respondent No.4 is also available at the time of site

inspection and all details which we have directed to be submitted as above may be obtained from it.

6. The report in the matter shall be submitted by MPCB within one month through e-filing by using portal of NGT in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.
7. A copy of this order be communicated to the above-mentioned Committee members by the MPCB for compliance as above.
8. Put up this matter for next consideration on 31.07.2024.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

May 27, 2024
O.A. NO.26/2024(WZ)
npj

	<p>कार्यालय वरिष्ठ पोलीस निरीक्षक देहुरोड पोलीस ठाणे पिंपरी-चिंचवड पोलीस आयुक्तालय, पिंपरी पुणे दुरध्वनी 020-27671288/ 91-8317271288 Email :- psdehuroad.pcp-mh@gov.in</p>	
<p>जावक क्रमांक - 1417/2024 देहुरोड पोलीस ठाणे पिंपरी चिंचवड</p>		<p>दिनांक :- 14/06/2024</p>

प्रति,

मा. उप-प्रादेशीक अधिकारी सो.

MPC बोर्ड, पिंपरी चिंचवड

यांना सादर,

प्रतिवेदक :- विजय वाघमारे, वरिष्ठ पोलीस निरीक्षक देहुरोड पोलीस ठाणे, पिंपरी चिंचवड
यांजकडून विनंतीपुर्वक

विषय :- आरोपींची माहिती पुरविलेबाबत...

संदर्भ :- No. MPCB/SROPC/2024 /240611-FTS-0135 दि. 11/06/2024

महोदय,

उपरोक्त संदर्भ व विषयांन्वये सादर की, देहुरोड पोलीस ठाणे गुन्हा रजि. नं. 657/2023 भा.द.वि.कलम 304(2),285,286,337,338 सह The Explosive Act 1884 चे कलम 5, 9(ब) प्रमाणे दाखल गुन्ह्यातील आरोपी नामे - 1) शुभांगी शरद सुतार वय 35 वर्षे रा. गट नं. 405 पिंपरी सांडस आष्टापुर फाटा ता. हवेली जि. पुणे. 2) शरद रघुनाथ सुतार वय 40 वर्षे रा. सदर यापैकी आरोपी क्र. 01 हीस दि. 09/12/2023 रोजी 00:50 वा. व आरोपी क्र. 02 यास दिनांक 16/12/2023 रोजी 21:45 वा. दाखल गुन्ह्याचे कामी अटक करण्यात आली असुन सदर आरोपी सध्या येरवडा मध्यवर्ती कारागृह येथे न्यायालयीन कोठडीत आहेत.

मा. सादर व्हावे,

दि. 14/06/2024


(विजय वाघमारे)

वरिष्ठ पोलीस निरीक्षक
देहुरोड पोलीस ठाणे, पिं.चिं.



RPAJ

महाराष्ट्र शासन

औद्योगिक सुरक्षा व आरोग्य संचालनालय, पुणे (कार्यक्षेत्र-२)

प्लॉट नं जी.पी १६३, जी - ब्लॉक, महाराष्ट्र कामगार कल्याण भवन, तिसरा मजला, सुबोध विद्यालयाशेजारी,
संभाजीनगर, चिंचवड, पुणे - ४११०१९

दुरध्वनी क्रमांक ०२०-२७३७१०३२,

ई-मेल jd2tdish.pun-mh@gov.in

जा.क्र. संऔसुवआ/ २५५-५६ /२०२४

दिनांक : १३/०३/ २०२४.

प्रति,

NATIONAL GREEN TRIBUNAL,
New Administrative Building,
D-Wing, 9th Floor, Opposite Council Hall,
Camp Pune — ४११००९.

विषय :- Action Taken report and and recommendation on Fire
Incidence at Talawade PCMC Pune.

महोदय,

उपरोक्त संदर्भीय विषयान्वये सविनय सादर करण्यात येते की, दि.१४/०२/२०२४ रोजी NATIONAL GREEN TRIBUNAL, PUNE यांचेकडे झालेल्या सुनावणीबाबत शिवराज एन्टरप्रायझेस, सर्वे नं.२५२, गट नं.१५८, त्रिवेणीनगर, तळवडे, पुणे येथे दिनांक ०८/१२/२०२३ रोजी झालेल्या स्पाॅर्किंग कॅण्डल तयार करणेचा कारखान्यास लागलेल्या आगीबाबत चौकशीचा या विभागाने केलेल्या कार्यवाहीबाबतचा अहवाल सादर करण्यात येत आहे.

आपला विश्वासु,

(योगेशकुमार पतांगे)

उप संचालक

औद्योगिक सुरक्षा व आरोग्य,
पुणे (कार्यक्षेत्र-२)

प्रत : मा. अतिरीक्त आयुक्त -१, पिंपरी चिंचवड महानगर पालिका, पिंपरी, पुणे.

M/s Shivraj Enterprises,

Sr. No. 252 Gat No. 158, Plot No.1, Triveni Nagar Talawade ,

PCMC area,Tal –Haveli, Dist – Pune – 411 062.

1. Visited above premises on 8/12/2023 at about 6:00 p.m. along with Smt. S.S. Hondule (Additional Director Pune-3), Shri. Suhas Dorugade (Deputy Director Pune-3) and Shri. Sandip Londhe (Deputy Director Pune-1) to enquire into the dangerous occurrence of fire occurred in the premises on 8/12/2023 at about 04:00 p.m.
2. I have also visited the Yashwantrao Chawan Memorial Hospital Pimpri along with the above mentioned officers for enquire with injured workers&Sassoon Hospital Pune on 8/12/2023.
3. I have again visited the said premises on 09/12/2023.
4. During enquiry I have recorded the statements of following workers –

Sr.No	Name of Worker	Age	Designation	Date of record statement
1	Mr. Sharad Sutar	45 years	Husband of Occupier (injured) and recorded statement at Sassoon Hospital	8.12.2023
2	Babalu Rama	22 years	Worker working in neighbor factory	9.12.2023
3	Mrs. Chandrakala swami	55 years	Factory worker who was survived in the incident as she took half day leave on the day of accident	10.12.2023 & Recorded by Mr. Vijay Nikole, Dy Director DISH Pune

5. From the statements and my actual observations and discussions with the above mentioned workers, my enquiry revealed as:-
 - i) In this premises an activity of making of sparkle candles used for birthday celebrations is carried out.
 - ii) Raw materials such as Nitro cellulose (explosive and very highly flammable) , Potassium chloride(Potassium helps to oxidize firework mixtures) , metal (iron) powder (Iron is used to produce sparks) , starch paper are used in this manufacturing process .
 - iii) At the time of my visit to the above noted premises I found that the factory is situated at Sr. No. 252, Gar No 158 Triveni Nagar Talwade,Tal –Haveli , Dist –

Pune. In this premises one fabricated shed is constructed. The size of shed is around 30 feet x 40 feet x 18 feet height, which was used for mixing of raw material powders and filling of candles etc.

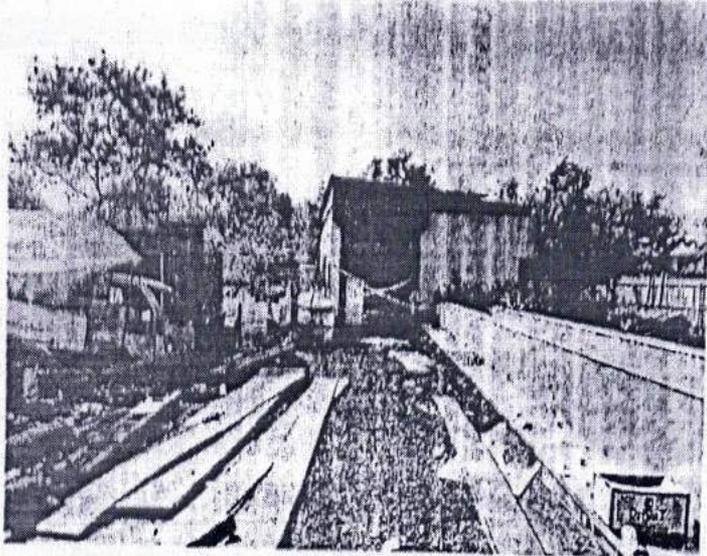
iv) Details about the manufacturing process of spark candles is as follows –

During enquiry it was observed that mixing of the powders (Nitro cellulose powder (explosive and very highly flammable), Potassium chloride, metal (iron) powder) was carried out in same shed and then the mixture (around 3-4 Kg at a time in a pot) was handed over to all female workers. Female workers were filling that mixture of powders in to the tubes of paper. One male person (Husband of Occupier) is engaged only for making and cutting the tubes in to the required size. All female workers used to fill the tubes with powder and then seal it with cover at one side by plastic cap and other side by white paper. The plastic cap is used to fix the candle on cake and white paper side is for fire.

6. Incidence –

- i) From the statements, actual observations and discussions with the above mentioned workers, enquiry revealed as:-

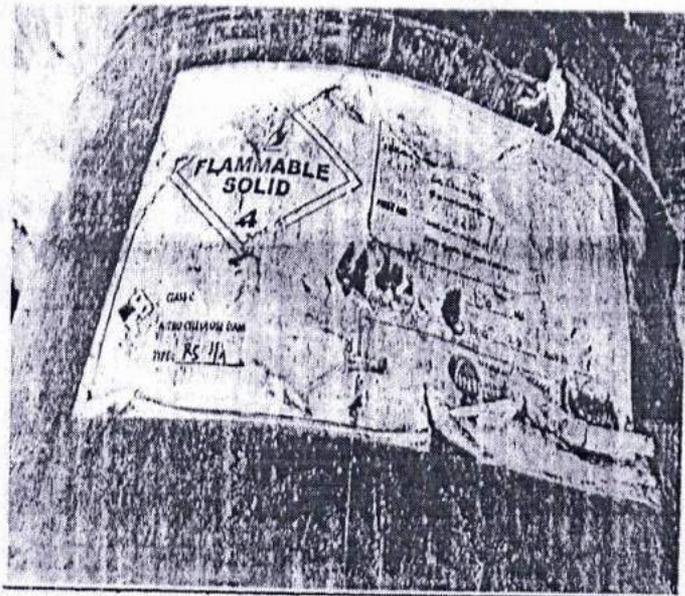
It is reported that all the workers resumed the duty at around 9 a .m. in the factory on 08/12/2023. All worker started their work in the mixing room of the factory in same shed. It is reported that the explosive powder was already mixed and kept in the mixing room .It is reported that around 3-4 Kg of mixture of powders was given to women workers for filling. Female workers used to fill this powder in to the tubes of paper. Then seal it with cover at one side by plastic cap and other side by white paper. The powder is pressed in the tubes with the help of pneumatic press. It is noticed that electrical connection is provided for press machine, weighing scale & Air compressor. On the day of accident at around 4:00 p.m. flash fire occurred while performing same activity which resulted in to fire in the same shed. It is reported that eight out of ten injured workers shifted to YASHWANTRAO CHAWAN MEMORIAL HOSPITAL PIMPARI Pune for medical treatment and after giving First Aid treatment they were shifted to Sassoon Hospital for further treatment. Two severally injured workers were directly admitted to Sasoon Hospital Pune. In this incident six fatalities were took place on the spot and all the bodies were shifted to YASHWANTRAO CHAWAN MEMORIAL HOSPITAL PIMPARI Pune.



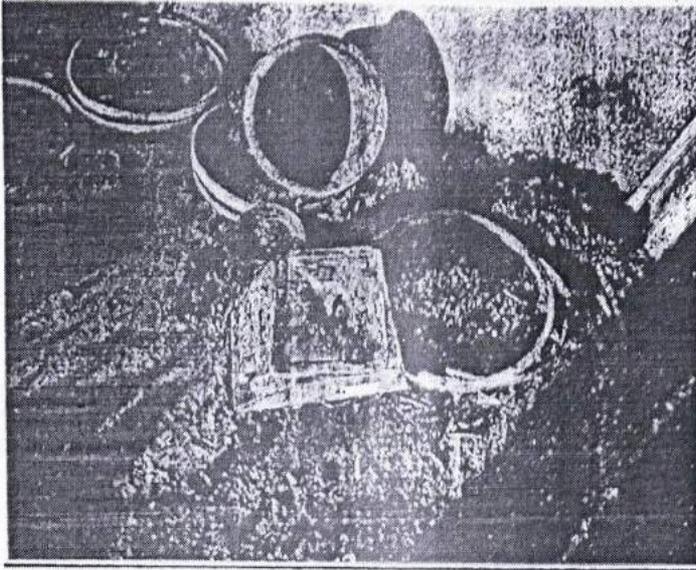
Manufacturing shed



Burnt items inside the shed



Drum of explosive chemicals used



Non flameproof weighing scale

7. Following workers are expired in this accident on 8.12.2023 & on 9.12.2023

Sr. No	Name	Sex	Age	Nature of Employment	Full postal address.
1.	Poonam Abhay kumar Mishra	Female	37 years	Daily Wages Worker	Ganesh Nagar, Near Laximi Jewelers, Rupeenagar, Talawade, Pune. Permenent Address – Hatakhans, Tal – Devriya, Dist – Devriya, State – Utarpradesh.
2.	Sangita Devandra Abadar	Female	28 years	Daily Wages Worker	SantkurpaSociety, Sanc ChoukChikhali, Pune Permenent Address – Nimba Ganesh, Tal – Patodha, Dist – Beed.
3.	Lata Bharat Dhangekar	Female	45 years	Daily Wages Worker	Ajinkyatara Hou. Society, Near Ram Mandir, Rupeenagar, Talawade, Pune.
4.	Mangal Babaso Kharabade	Female	45 years	Daily Wages Worker	Shiv Parvati Colany, Sayog Hou. Society, Rupeenagar, Talawade, Pune. Permenent Address – At. Post. Kondarki, Tal- Pandharpur, Dist-Solapur.
5.	Radha Sayaji	Female	18	Daily Wages	Shiv Parvati Colany, Sayog

	Godhale		years	Worker	Hou. Society, Rupeenagar, Talawade, Pune.
6.	Kamaladevi Suraj Prajapati	Female	65 years	Daily Wages Worker	At. Post - Yelwadi, Tal-Khed, Dist- Pune.
7.	Kavita Rathod expired on 9.12.2023	Female	45 years	Daily Wages Worker	Shriram Colony
8.	Pratiksha Ashok Torne expired on 9.12.2023	Female	16 years	Daily Wages Worker	Rupeenagar, Talawade, Pune.

8. Following workers are injured in the fire and now under medical treatment at Sasoon Hospital Pune.

Sr. No.	Name	Sex	Age	Nature of Employment	Full postal address.	Perchantage of Burn(Superficial & deep)
1.	Priyanka Amol Yadhav	Female	32 years	Daily Wages Worker	Rupeenagar, Talawade, Pune.	30-40%
2.	Sharad Sutar	Male	45 years	Occupier Family Member	Pimpri, Pune	30-35%
3.	Kamal Chaure	Female	35 years	Daily Wages Worker	Pimpri, Pune	40-45%
4.	Renuka Maruti Yadav	Female	20 years	Daily Wages Worker	Rupeenagar, Talawade, Pune.	25-30%
5.	Suman Radha	Female	40 years	Daily Wages Worker		20-30%
6.	Apeksha Ashok Torne	Female	18 years	Daily Wages Worker	Rupeenagar, Talawade, Pune.	80-85%
7.	Usha Padvi	Female	40 years	Daily Wages Worker	Pimpri, Pune	70-75%
8.	Shilpa Rathod	Female	31 years	Daily Wages Worker		90-95 %

Observations :-

Above premises is involved in making of the sparkle candles used in the birthday celebrations. On the day of accident, total 16 female workers and one male person (Husband of occupier) were engaged with the aid of power in the form of electricity, the above noted process constitutes a "manufacturing process" within the meaning of Sec 2(k) of the Factories Act, 1948. All 16 persons (excluding husband of occupier) employed and working in and in connection with the manufacturing process. Hence all these persons are "workers" as defined in Section 2(l) of Factories Act, 1948.

As per the section 85(1) of Factories Act 1948, The State Government may, by notification in the Official Gazette, declare that all or any of the provisions of this Act are applicable to any place wherein a manufacturing process is carried on with or without the aid of power or is so ordinarily carried on, notwithstanding that

- (i) the number of persons employed therein is less than twenty, if working with the aid of power and less than forty if working without the aid of power

In this premises the sparkle candles are manufactured. Raw materials such as Nitro cellulose (explosive and very highly flammable), Potassium chloride, metal (iron) powder, starch are used in this manufacturing process. From the MSDS of Nitro Cellulose it is learnt that Nitro Cellulose powder is having highly explosive and highly flammable properties and hence the mixture of raw materials used in the factory is also explosive and highly flammable.

In this premises Air compressor is installed and operation which is operated by electrical connection (Electricity Load 5 HP Each), weighing balance etc are found installed at the time of visit. Also from load sanctioned letter obtained from MSEDCL, the 5 HP electricity load is sanctioned and connected for this premises.

As per notification: FAC 2088/2048/ (997) Lab-4 dated 22/01/1993 state government (In exercise of the power conferred by the section 85(1) of the factories act 1948) has declared that all provisions of the Factories Act 1948 shall apply to a premises wherein the manufacturing process involving use, storage, handling, processing of hazardous chemicals which are toxic or highly inflammable or explosive or process wherein such substances are likely to be generated or given out (except petrol filling) are carried out.

Hence from the above the said mixture of the raw materials which is explosive premises constitutes a "factory" as defined in Sec. 85(2) of Factories Act, 1948. Hence the provisions of Factories Act 1948 and the Rules made there under are applicable to the above noted premises.

During enquiry I have enquired regarding the occupier ship of the factory. The name of the occupier is Mrs.Shubangi Sharad Sutar as Udyam Registration.

Probable Cause of Fire :-

Mixing of the powders (Nitro cellulose powder, Potassium chloride, metal (iron) powder) was carried out in small shed and then it was handed over to all Female workers. Around 3-4 Kg of mixture of powders was given to women workers for filling . Female workers were filling this powder in to the tubes of paper. One male worker is engaged only for making and cutting the tubes in to the required size. All female workers fill the tubes with powder and then seal it with cover at one side by plastic cap and other side by white paper. The plastic cap is used to fix the candle on cake and white paper side is for fire. From the MSDS of Nitro Cellulose it is learnt that Nitro Cellulose is having explosive and highly flammable properties .Exact cause of this fire cannot be ascertained but from the circumstantial and situational evidences it is revealed that,on date 8/12/2023 at about 4:00p.m. while around 16 female workers were working in the small shed . They were filling this mixture of powder in to the tubes of paper. They were manually filling the fine mixture of powder (Nitro cellulose powder,Potassium chloride, metal (iron) powder) in to the paper tubes .While filling the said powder into the tubes by hands ,of course some particles of that powder were flying in the air in the shed .As the mixture contains Nitro cellulose ,particles of Nitro cellulose (explosive and highly flammable) flew into the air along with the mixture . As this explosive and highly flammable powder(nitro cellulose) was flying inside the shed , the explosive atmosphere was created inside the room .As soon as the explosive atmosphere (flying particles) came in contact with the source of ignition ,there was fire and explosion . It is noticed non flame proof ordinary electric fittings like electric weighing scale, non-flame proof plug and switch were installed in that shed. The ignition source might due to static charge or due to electrical spark from the non flame proof electrical fittings,that powder got ignited and there was fire and explosion in that room .

9. Contraventions:-

A. Contravention of Rule 4(4) of Maharashtra Factories Rules,1963:

As per the office record it was revealed that no application for obtaining the license in form I was submitted to this office. No occupier shall use any premises as a 'Factory' unless a license obtained under Rule 6 (of Maharashtra Factories Rule 1963) from Director, Industrial Safety and Health, Mumbai, Maharashtra or renewed under Rule 8 (of Maharashtra Factories Rule 1963) by the Joint director, Industrial Safety and Health and the said license valid at the relevant time. On the day of my visit Occupier of the factory was using the premises as a 'Factory' without submitting application for factory license.

Thus on the occupier of the factory has contravened the provision of Rule 4(4) of Maharashtra Factories Rule 1963

B. Contravention of Rule 4(1)(a), Rule 4(1)(b), Rule 4(1)(c) of Maharashtra Factories Rules, 1963.

At the time of my visit, it is also noticed that the occupier of the said factory is using the said premises as a factory without getting the plans approved in respect of

a) Site on which the factory is situated .

b) Building used for the purpose of manufacturing process and

c) The layout of plant and machinery, including the storage for raw materials and finished products, intermediate by-products, from Chief Inspector of Factories (i.e. Director, Industrial Safety and Health), or Deputy Chief Inspector of Factories (i.e. Joint Director, Industrial Safety and Health).

Hence by using the said premises as a factory without getting the plans approved in respect of above mentioned locations, the occupier of the said factory has contravened the provisions of Rule 4 (1) (a), Rule 4 (1)(b), Rule 4 (1)(c) of Maharashtra Factories Rules 1963.

C. Contravention of Rule 70(4)(a) of Maharashtra Factories Rules, 1963 :-

On the date of accident i.e. on 8/12/2023, one non flame proof electric weighing machine and one non flame proof plug and switch with ordinary non flame proof wiring was found provided in the mixing and filling shed. In that shed manufacturing process (mixing and filling) was being carried out and Nitrocellulose (explosive and very highly flammable) was being used in the manufacturing process. Nitrocellulose is Explosive and very highly flammable substance having explosive properties. Ordinary electric fittings like plug and switch, weighing balance etc. were found provided in that shed where Nitrocellulose is used. Accumulation of explosive and highly flammable material (nitrocellulose) in the air in the shed (where explosive and highly flammable nitrocellulose was used) makes it a high-risk area and creates a risk of fire or explosion. It was therefore necessary to exclude all sources of ignition by excluding all electrical apparatus from the risk area or providing them with flame proof electrical fittings of construction and installed and maintained to avoid the risk of being a source of ignition. However, on the date of fire incidence all the above ordinary electric fittings which are sources of ignition were found provided in that risk area (mixing and filling sheds) where nitrocellulose (explosive and highly flammable) was used. Hence occupier of the factory has contravened the Rule 70 (4)(a) of the Maharashtra Factories Rule, 1963.

D. Contravention of Rule 70(9)(d) of Maharashtra Factories Rules, 1963 :-

It is observed that one shed is constructed & used as factory shed of size 1200 sq feet. It is noticed that dimensions of shed are 30 feet X 40 feet approximately. It is noticed that one Rolling Iron shutter about 2.5 meter width and height 3 meter. As per provisions of rule 70(9)(d) of The MFR 1963, in every room of a factory exits sufficient to permit safe escape of the occupants in case of fire or other emergency shall be provided with shall be free of any obstruction. There shall be at least two ways of escape from every room and the exits shall be remote from each other as possible and shall be arranged to provide direct access in separate directions from any point in the area served. It is noticed that only one door was provided to shed. The second exit is not provided to same shed. Hence occupier has contravened the provisions of Rule 70(9)(d) of Maharashtra Factories Rules, 1963 on the day of accident.

E. Contravention of Clause 6(b) of Schedule XXVI under Rule 114 of the Maharashtra Factories Rules 1963:

From inquiries with workers, it is reported that manufacturing of sparklers is carried out in the premises. Explosive mixture is made for making the sparklers from the below materials. Candle Sparklers are manufactured with raw material such as Nitro cellulose, Potassium Chloride, Gun Powder, Gum. Therefore the above said Factory is a "Fire Works Factory" within the meaning of Clause 2(a) of Schedule XXVI as prescribed under Rule 114 of Maharashtra Factories Rules, 1963. It is noticed that all workers are not supplied with asbestos aprons so as to cover the chest gonads and thighs of the workers.

Hence the provisions of Schedule XXVI prescribed under Rule 114 of Maharashtra Factories Rules, 1963 are applicable to the above said factory.

It is revealed that at the time of fire on 8/12/2023, workers engaged in godown were wearing clothes made of artificial fibre & were not supplied with asbestos apron to cover the chest, gonads and thighs of the workers. Thus the occupier has contravened provision of, sub clause of 6(b) of Schedule XXVI under Rule 114 of the Maharashtra Factories Rules, 1963.

F. Contravention of Clause 9(1) of Schedule XXVI under Rule 114 of the Maharashtra Factories Rules 1963:

As per provisions of sub clause of 9(1) of Schedule XXVI under Rule 114 of the Maharashtra Factories Rules 1963, no females workers and young person shall be employed on operation mixing of chemicals. However it is noticed that at the time of accident 16 female workers are employed in manufacturing provisions. It is revealed that provisions of sub clause of 9(1) of

Schedule XXVI under Rule 114 of the Maharashtra Factories Rules 1963 is not complied as 15 female workers are employed in the factory.

Thus the occupier has contravened provision of sub clause of 9(1) of Schedule XXVI under Rule 114 of the Maharashtra Factories Rules 1963.

G Contravention of Clause 10(b) of Schedule XXVI under Rule 114 of the Maharashtra Factories Rules 1963:

It is noticed that in the said factory one shed is used as premises. It is noticed 16 workers are employed in one shed. As per provisions of clause 10(b) of schedule XXVI under rule 114 of The MFR 1963. Not more than four persons, any point of time, shall be employed in any one building where explosive is manufactured. On 8/12/2023, it is revealed that provisions of sub clause of 6(b) of Schedule XXVI under Rule 114 of the Maharashtra Factories Rules 1963 is not complied as 15 workers are employed in one shed.

Thus the occupier has contravened provision of sub clause of 10(b) of Schedule XXVI under Rule 114 of the Maharashtra Factories Rules 1963.

II Contravention of Section 68(a) of Factories Act, 1948 :-

During enquiry it is noticed that, diseased worker Pratiksha Ashok Torne is having age of 16 years and also came to my knowledge that the occupier/manager of the factory had not made any application to the Certifying Surgeon for issuing the certificate of fitness required for the employment of Pratiksha Ashok Torne in the factory as per section 69 (1), also no any fitness certificate has been issued by a Certifying Surgeon in the name of Pratiksha Ashok Torne under Section 69 (2)(a).

Therefore, for allowing Pratiksha Ashok Torne to work in the factory without obtaining a fitness certificate with reference to her under Section 69 (1) and 69(2) (a) is in the custody of the manager of the factory, the Occupier of the factory has contravened the provisions of Section 68 (a) of the Factories Act, 1948.

10. The Occupier of the factory may explain the irregularities pointed out in these remarks at Sr.No.8 in explanation he may Show Cause as to why suitable legal action shall not be considered against him for the said irregularities within two days from the date of receipt of this letter.

11. Occupier is hereby instructed to deposit the amount of compensation with Workmen Commissioner as per Employees Compensation Act, 1923 and shall be intimated to this office.

Furthermore it is recommended that-

- a. To pay Suitable ex-gratia amount to the dependents of the deceased.
 - b. To offer / provide suitable employment to the next kin of the deceased.
12. Following remedial measures shall be taken to avoid reoccurrence of accident
- The Factory shall not be restarted unless license is obtained from the appropriate authorities under Explosive Act, 1884. & Explosive Rules, 2008.
 - Plans in respect of site, room, machinery layout, storages and processes shall be got
 - approved by Chief Controller of Explosive, as per The Explosives Act, 1884 and
 - The Explosive Rules, 2008 and by the Joint Director, Industrial Safety and Health, PUNE.
 - No electrical equipment / machinery shall be used /installed in the factory in the place where explosives are manufacture/handled / stored, except with prior permission of appropriate authorities under Explosives Act.
 - The workers shall be explained the dangers and precautionary measures to be taken
 - No female workers shall be employed on operation involving mixing of chemicals and cutting fuses in the factory.
 - The workers shall be provided with protective equipment and special type of uniforms to avoid the possibility of generation of static charge due to cloths.
 - All other provisions of the schedule XXVI of Rule 114 of Maharashtra Factories Rules, 1963 shall be complied with fully.
 - Workers shall not be allowed to carry their stainless-steel lunch boxes inside the factory premises. An isolated or separate place/ room shall be allocated to them, where they can have their food and keep their belonging.
 - Proper information, instruction and training shall be given to all the workers before employing them in to the factory.
 - Quantities of explosives specified by the Explosive Authorities shall not be exceeded in any room.
 - Factory shall not be started unless the above condition are complied with and reported to appropriate authorities under Explosives Rules, 2008 & to the office of the under signed.
 - All the condition laid down under license to manufacture fireworks or gunpowder or both in form no. LE-1 under Rule 99 of Explosives Rules, 2008 shall be fully complied with.
13. These remarks shall be pasted in Inspection book in form no-31.


 (Y P Patange)
 Dy. Director,
 Industrial Safety and Health,
 Pune (Add.charge)

 <p>औद्योगिक सुरक्षा व प्रदूषण नियंत्रण</p>	 <p>महाराष्ट्र शासन</p> <p>सह संचालक, औद्योगिक सुरक्षा व आरोग्य पुणे विभाग, पुणे कार्यक्षेत्र-२</p> <p>महाराष्ट्र कामगार कल्याण भवन, तिसरा मजला, प्लॉट नं. जी.पी. १६३, संभाजीनगर बहिणाबाई चौधरी प्राणी संग्रहालय समोर, एमआयडीसी, (थरमॅक्स चौक), चिंचवड पुणे ४११०१९</p> <p>Email : jd2dish.pun-mh@gov.in दुरध्वनी क्रमांक 020-27371032 वेबसाइट - http://mahadish.in</p>	 <p>माहितीचा अधिकार</p>	
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जा.क्र.ससंऔसुवआ/निरीक्षण/ योप्रप/ ८४२ /२०२३

दिनांक - ११ / १२ / २०२३

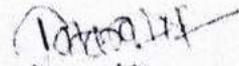
By RPAD

प्रति,

सौ. शुभांगी शरद सुतार
रा. गट नं. ४०५, पिंपरी सांडस,
अशतापुर फाटा, ता. हवेली, पुणे ४१२२०७

विषय - भेट / कारखाना निरीक्षण दि. ०८/१२/२०२३

खाली सही करणाऱ्या अधिकाऱ्यांनी दि. ०८/१२/२०२३ रोजी आपल्या कारखान्यास भेट दिली आहे.
त्याबाबतचा भेट शिरे अहवाल सोबत जोडला आहे. भेटी दरम्यान आढळलेल्या त्रुटीच्या बाबतीत
आपला खुलासा दोन प्रतीत या कार्यालयात पुढील २ दिवसांचे आत सादर करण्यात यावा.



(यो.प्र.पतंगे)

उपसंचालक

औद्योगिकसुरक्षावआरोग्य,पुणे कार्यक्षेत्र २

अपर तहसिल कार्यालय, पिंपरी चिंचवड ता. हवेली, जि. पुणे

पिंपरी चिंचवड नवनगर विकास प्राधिकरण कार्यालय जूनी इमारत, निगडी, पुणे- 44

Email :- apartahsilpimparichinchwad@gmail.com

फोन नं. 020-2764223

क्र. फौज/कावि/30/2024,

दिनांक :- 8/02/2024

प्रति,

मा. जिल्हाधिकारी पुणे
(गृह शाखा)विषय :- मौजे तळवडे ता. हवेली येथील स्पर्किंग कॅण्ड कारखान्यास
लागलेल्या आगीमुळे झालेल्या मृत्यूमुळे मयतांचे वारसास मुख्यमंत्री
सहायता निधीतून मदत देणेबाबत.

महोदय,

उपरोक्त विषयांकित पत्रान्वये सादर करणेत येते की, मौजे तळवडे ता. हवेली येथील गट नं 252 मध्ये श्री जत्रूत नजीर शिकलगार यांचे 0 हे 18.66 आर क्षेत्रामध्ये 1500 चौ फूटचे बांधकाम असलेल्या जागेत श्री शरद सुतार यांचा स्पर्किंग कॅण्डल तयार करणेचा कारखाना चालू होता. सादर कारखान्यामध्ये शुक्रवार दि. 8/12/2023 रोजी दुपारी 2.00 चे सुमारास स्पर्किंग कॅण्डलच्या साठ्याचा स्फोट होऊन मोठ्या प्रमाणात आग लागली असून प्राथमिक अहवालानुसार 06 महिला कामगारांचा मृत्यू झाला असून 09 महिला कामगार व 1 पुरुष गंभीर जखमी असलेबाबत स्थानिक चौकशीमध्ये कळले होते. उपचारादरम्यान दि. 14/12/2023 अखेर एकूण 14 महिला कामगार मयत असून उर्वरित 01 महिला व 01 पुरुष यांचेवर उपचार सुरु होते. सादर मयत एकूण 14 महिला कामगार यांचे वारसांना मुख्यमंत्री सहायता निधीमधून मदत मिळणेकामी या कार्यालयाकडील पत्र क्र. फौज/कावि/3310/2023, दि. 11/12/2023 अन्वये 09 महिला कामगारांचे व क्र. फौज/कावि/3197/2023, दि. 22/12/2023 अन्वये उर्वरित 05 महिला कामगारांचा प्रस्ताव सादर करणेत आलेला आहे. त्याअनुषंगाने आपलेकडील क्र. पगस/कावि/02/2024, दि. 8/01/2024 रोजीचे आदेशान्वये खालील नमूद एकूण 05 व्यक्तींना प्रत्येकी 5,00,000/- प्रमाणे 25,00,000/- सहायता निधी दि. 8/01/2024 रोजी प्राप्त झाला आहे.

अ. क्र.	मयत व्यक्तीचे नाव	वारस व्यक्तीचे नाव	बँकेचे नाव	खाते क्रमांक	अदा केलेली रक्कम
1	रमा देवेंद्र आबदार	देवेंद्र प्रभू आबदार	HDFC Bank Ltd	501002374608 98	5,00,000/-
2	पूनम अभय मिश्रा	अभयकुमार मिश्रा	कोटक महिंद्रा बँक तळेगाव चौक	2713002104	5,00,000/-
3	लता भारत धंगीकर	भारत विठठल धंगीकर	HDFC Bank Ltd Khed	501004857066 20	5,00,000/-
4	मंगल बाबासो खरबडे	प्रियंका निशांत बनसोडे	बँक ऑफ महाराष्ट्र	60270081777	5,00,000/-
5	श्रीमती कलमादेवी सूरज प्रजापती	उमेश सुरज प्रजापती	बँक ऑफ इंडिया	055610110006 309	5,00,000/-
			एकूण देय रक्कम (अक्षरी पंचवीस लाख मात्र)		25,00,000/-

उक्त नमूद रक्कम धनादेश क्र. 958740 दि. 8/01/2024 रोजी संबंधित मयत व्यक्तीचे वारस यांचे खात्यावर NEFT द्वारे जमा करणेत आलेली आहे.

त्याचप्रमाणे आपलेकडील आदेश क्र. पगस/कावि/50/2024, दि. 25/01/2024 उर्वरित 09 मयत महिलांचे वारसांना दि. 25/01/2024 रोजी प्रत्येकी 5,00,000/- प्रमाणे 45,00,00/- अनुदान प्राप्त झाले आहे. त्याचा तपशील खालीलप्रमाणे ...

अ. क्र.	मयत व्यक्तीचे नाव	वारस व्यक्तीचे नाव	बँकेचे नाव	खाते क्रमांक	अदा केलेली रक्कम
1	कविता गणेश राठोड	गणेश बळीराम राठोड	-	07230100013330	5,00,000/-
2	शिल्पा गणेश राठोड	गणेश बळीराम राठोड	-	07230100013330	5,00,000/-
3	अपेक्षा अशोक तोरणे	वनिता अशोक तोरणे	स्टेट बँक ऑफ इंडिया	62359471131	5,00,000/-
4	प्रतिक्षा अशोक तोरणे	वनिता अशोक तोरणे	स्टेट बँक ऑफ इंडिया	62359471131	5,00,000/-
5	प्रियंका अमोल यादव	अमोल नागनाथ यादव	बँक ऑफ महाराष्ट्र	60407301012	5,00,000/-
6	उषा सिताराम पाडवी	सिताराम भावराव पाडवी	बँक ऑफ इंडिया	3300632585	5,00,000/-
7	कमल गणू चौरे	गणू रामलाल चौरे	बँक ऑफ महाराष्ट्र	68004731555	5,00,000/-
8	सुमन सयाजी गोधडे	सुवर्णा सयाजी गोधडे	बँक ऑफ महाराष्ट्र	60230081730	5,00,000/-
9	राधा सयाजी गोधडे	पूनम सयाजी गोधडे	बँक ऑफ महाराष्ट्र	60230845085	5,00,000/-
	एकूण देय रक्कम (अक्षरी पंचेचाळीस लाख मात्र)				45,00,000/-

उक्त नमूद रक्कम धनादेश क्र. 958743 व 958744 दि. 25/01/2024 रोजी मयतांचे वारसांचे नावे जमा करणेत आलेले आहे. त्याबाबचे बँक स्टेटमेंटची प्रत माहितीसाठी सोबत सादर करणेत येत आहे.

तसेच सदर एकूण 14 मयत महिला कामगार व 01 जखमी महिला श्रीमती रेणूका ज्ञानेश्वर ताथोड यांना प्रधानमंत्री सहायता निधीद्वारे मदत मिळणेकामी विहित नमुन्यातील माहिती दि. 15/01/2024 रोजी पीएम पोर्टलवर भरणेत आलेली आहे.

दि. 8/12/2023 रोजी मौजे तळवडे ता. हवेली येथे गट नं 252 मधील क्षेत्र 0 हे 18.66 आर या मिळकतीवर श्री शरद सुतार यांचा स्पार्किंग कॅण्डल बनवणेचा कारखाना अवैधरित्या सुरु होता. त्यामुळे शरद सुतार यांचेविरुद्ध फिर्यादी अग्निशामन अधिकारी यांचेमार्फत FIR No 0657, दि. 8/12/2023 अन्वये गुन्हा दाखल करणेत आलेला आहे. त्यामुळे जखमी व्यक्तीपैकी शरद सुतार हे मुख्यमंत्री सहायता निधी अथवा पीएम पोर्टलद्वारे प्राप्त होणा-या निधीस पात्र होणार नाहीत, याबाबत अहवाल या कार्यालयाकडील पत्र क्र. फौज/कावि/64/2023, दि. 12/01/2024 अन्वये सादर करणेत आलेला आहे. तथापि सदरचा अहवाल आपले माहितीसाठी सविनय सादर.

आपला विश्वासू

(जयराज देशमुख)

अपर तहसिलदार पिंपरी चिंचवड,
ता. हवेली, जि. पुणे

प्रत :- मा. अतिरिक्त आयुक्त पिंपरी चिंचवड महानगरपालिका यांना माहितीसाठी सविनय सादर.

प्रत :- मा. उपविभागीय अधिकारी हवेली उपविभाग पुणे यांना
माहितीसाठी सविनय सादर.

**Shivraj Enterprises,
Sr. No. 252 Gat No. 158, Plot No.1, Triveni Nagar Talawade ,
PCMC area, Tal -Haveli, Dist - Pune - 411 062**

WHEREAS Fire incident took place in aforesaid factory on 08/12/2023 at 4.00 pm in which 08 female workers died and 07 female worker injured . Another 01 person was also injured due to fire.

The undersigned visited the above said premises on 08 /12/2023 and found the factory was running without obtaining valid license. The manufacturing process involves the activities of manufacturing of sparkler candles using nitro cellulose (explosive) and potassium chloride and gun powder. These activities constitute a manufacturing process within the meaning of Section 2(K) of the Factories Act, 1948. Total numbers of 17 workers were engaged in manufacturing process. As per notification: FAC 2088/2048/ (997) Lab-4 dated 22/01/1993 state government (In exercise of the power conferred by the section 85(1) of the factories act 1948), provision of factory Act 1948 are applicable to said premises.

WHEREAS one non flame proof electric weighing machine and one non flame proof plug and switch with ordinary non flame proof wiring was found provided in the mixing and filling shed in the aforesaid factory. In that shed manufacturing process (mixing and filling) was being carried out and Nitrocellulose (explosive and very highly flammable) was being used in the manufacturing process. Nitrocellulose is Explosive and very highly flammable substance having explosive properties. Ordinary electric fittings like plug and switch, weighing balance etc. were found provided in that shed where Nitrocellulose is used. Accumulation of explosive and highly flammable material (nitrocellulose) in the air in the shed (where explosive and highly flammable nitrocellulose was used) makes it a high-risk area and creates a risk of fire or explosion. It was therefore necessary to exclude all sources of ignition by excluding all electrical apparatus from the risk area or providing them with flame proof electrical fittings of construction and installed and maintained to avoid the risk of being a source of ignition.

WHEREAS it is observed that one shed is constructed & used as factory shed of size 1200 sq feet. It is noticed that dimensions of shed are 30 feet X 40 feet approximately. It is noticed that one Rolling Iron shutter about 2.5 meter width and height 3 meter. As per provisions of rule 70(9)(d) of The MFR 1963, in every room of a factory exits sufficient to permit safe escape of the occupants in case of fire or other emergency shall be provided which shall be free of any obstruction. There shall be at least two ways of escape from every room and the exits shall be remote from each other as possible and shall be arranged to provide direct access in separate directions from any point in the area served. It is noticed that only one door was provided to shed. The second exit is not provided to same shed.

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

Phone No. 020-25811694
Fax No. 020-25811701
e-mail : ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdewadi,
Old-Pune Mumbai Road,
Pune- 411003

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, Primpri 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

95 पिंपरी चिंचवड महानगरपालिका



पिंपरी पुणे ४११०१८.
 बांधकाम परवानगी व अनधिकृत
 बांधकामनियंत्रण विभाग
 क्र. बीपी/कावि/ चिखली/प्र.क्र. ११/७८ /२०२४
 दिनांक : ०६/०२ / २०२४

BPI Table JE 13/19/ 2024

प्रति,
 उप आयुक्त (अग्नि)
 अग्निशमन विभाग,
 पिंपरी चिंचवड महानगरपालिका,
 पिंपरी १८

National Green Tribunal, New delhi दि १५/१/२०२४ जेती झालेली मुलाखती
 विषय :- मौजे तळवडे, ता. हवेली, जि. पुणे येथील स्पार्कल कॅंडल तयार करणेचा कारखान्यास
 लागलेल्या आगीबाबत.
 संदर्भ:- १) उप आयुक्त (अग्नि) पिंपरी चिंचवड मनपा यांचेकडील पत्र क्र. अग्नि/०४/कावि/४०/२०२४,
 दि. ३१/०१/२०२४

मा.महोदय,
 उपरोक्त विषयांकित संदर्भिय पत्र या विभागास प्राप्त झालेले आहे. सदरचा भाग हा रेड झोन
 बाधीत क्षेत्रात येत असल्याने या विभागामार्फत बांधकाम परवानगी देण्यात येत नाही, तसेच अनधिकृत
 बांधकामाबाबत कार्यवाही (उदा. नोटीस, अतिक्रमण, निष्कासन इ.) क्षेत्रिय अधिकारी यांचे स्तरावर
 करणेत येते.

तरी आपले माहितीसाठी.

आपला विश्वासू,

कार्यकारी अभियंता (क,ई,फ)
 बांधकाम परवानगी व अनधिकृत
 बांधकाम नियंत्रण विभाग
 पिंपरी चिंचवड महानगरपालिका
 पिंपरी १८.