

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

(By Video Conferencing)

Original Application No. 545/2022

In re : News item published in The Hindu dated 25.07.2022 titled  
**“Explosion in Bihar illegal firecracker unit kills five”**

Date of hearing: 13.09.2022

**CORAM: HON’BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON’BLE PROF. A. SENTHIL VEL, EXPERT MEMBER  
HON’BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent(s): Mr. Rajesh Meena, District Magistrate, Saran  
Mr. Abhimanyu Singh, Advocates for Bihar SPCB

**ORDER**

1. Proceedings in this matter have been initiated *suo-motu* in the light of captioned media report. Advance notice for hearing was given to the State PCB, District Magistrate, Saran, Bihar and Director Industries, Bihar. Response has been filed by CPCB, State PCB and District Magistrate.

2. Response of CPCB merely forwards the report of the State PCB. The report of the State PCB mentions that inspection was conducted on 25.07.2022 at the blast site. It was found that sons of Teni Miya (dead) namely Riyazul Miya, Sabir Ali and Mulajim Miya along with their family were engaged in manufacture and sale of firecrackers from their house itself. On the day of incident, fire broke out in their house and consequently LPG cylinder blasted and resultantly four members of their family and one neighbor died. Further, two children and one shop owner Asraf Ali also got injured. The blast occurred on 24.07.2022 at 10:30 a.m. The operation of

the industrial unit was without any clearance from the concerned authorities. Complaint has been filed under the provision of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 in the Court of the CJM, Saran.

3. The report of the District Magistrate, Saran is also to the same effect. It is further stated that FIR has been registered in the matter and investigation is taking place. Facts have been verified by Sub-Divisional Magistrate, Chapra.

4. Having regard to the above, it is patent that the incident in question, resulting in loss of lives, is on account of failure to follow the environmental safety norms. Adequacy of monitoring and Oversight mechanism for compliance of provision of the Water Act, Air Act and EP Act and Rules framed thereunder is necessary to prevent such incidents, apart from adequate awareness.

5. The Tribunal has dealt with number of cases involving industrial accidents resulting into fatalities and injuries and issued directions to the MoEF&CC, States and the statutory regulators to strengthen monitoring for ensuring compliance of environmental safety norms and preventing such incidents. Particulars of the matters dealt with are:-

1. *In re: Gas Leak at LG Polymers Chemical Plant in RR Venkatapuram Village Visakhapatnam in Andhra Pradesh*, OA No. 73/2020 decided on 01.06.2020.
2. *Aryavart Foundation through its President vs. Yashyashvi Rasayan Pvt. Ltd. & Anr.*, OA No. 85/2020 (Earlier OA 22/2020) (WZ) decided on 03.02.2021.
3. *Bonani Kakkar vs. Oil India Limited & Ors.*, OA No. 43/2020(EZ) decided on 19.02.2021.
4. *News item published in the local daily "Economic Times" dated 30.06.2020 titled "Another Gas Leakage at Vizag Factory kills two, critically injures four..."*, OA No. 106/2020 decided on 22.12.2020.

5. *News item published in the "Indian Express" dated 01.07.2020 titled "Tamil Nadu Neyveli boiler blast: 6 dead, 17 injured", OA No. 108/2020 decided on 22.12.2020.*
6. *News item published on 13.07.2020 in the local daily named "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported", OA No. 134/2020 decided on 22.12.2020.*
7. *News item published in the "Times of India" dated 20.11.2020 entitled "Six killed as blast tears through Malda Plastic recycling factory", OA No. 272/2020 decided on 18.12.2020.*
8. *News item published in the "Indian Express" dated 23.11.2020 entitled "Maharashtra: Two Killed, eight injured in methane gas leak in sugar factory", OA No. 274/2020 decided on 16.08.2021.*
9. *In RE: News item published in the local daily "Indian Express Sunday Express" dated 28.06.2020 titled "Gas Leak in Agro Company Claims life of one", O.A No. 107/2020 decided on 08.01.2021.*
10. *In re : News item published in Navbharat Times dated 24.12.2020 titled "Gas leaks in IFFCO Plant, 2 Officers dead", O.A. No. 04/2021 decided on 04.06.2021.*
11. *In re: News item published in The Indian Express dated 07.01.2021 titled "Four workers dead due to toxic gas leak in Rourkela Steel Plant", O.A. No. 09/2021 decided on 11.02.2021.*
12. *In re: News item published in The News Indian Express dated 12.02.2021 titled "At least 19 dead in Virudhunagar firecracker factory blast, more than 30 injured, O.A. No. 44/2021 decided on 03.03.2022.*
13. *In re: News item published in Times Now News dated 23.02.2021 titled "Karnataka: Six killed in quarry blast in Hiremagavalli, Chikkaballapur", O.A. No. 59/2021 decided on 22.04.2022.*
14. *In re: News item published in The Hindu dated 23.02.2021 titled "Two dead, 5 missing in fire at UPL Plant", O.A. No. 60/2021 decided on 14.12.2021.*
15. *In re: News item published in The Times of India dated 28.02.2021 titled "Delhi : Man charred to death as illegal factory catches fire", O.A. No. 65/2021 decided on 31.08.2021.*
16. *In re: News item published in The Hindu dated 14.03.2021 titled "Safety lapses led to reactor blast at pharma unit", OA No. 79/2021 decided on 31.08.2021.*
17. *In Re: News item published in the "Indian Express" dated 04.11.2020 titled "Ahmedabad: Nine killed as godown collapses after factory blast", OA No. 258/2020 decided on 23.03.2021.*
18. *In re: News item published in The Times of India dated 08.06.2021 titled "18, mostly women, killed in fire at Pune chemical unit", OA 130/2021 decided on 01.02.2022.*
19. *Rakesh Suresh Chandra Kapadia v. Gujarat Pollution Control Board & Ors., OA No. 31/2021 (WZ), decided on 08.11.2021.*
20. *In re: News item published in The Hindustan Times dated 17.06.2021, titled "Blast in firecracker unit in Maharashtra's Palghar, at least 10 injured", OA No. 134/2021 decided on 25.06.2021.*
21. *In re: News item published in The Indian Express dated 12.07.2021 titled "Six killed in factory fire: Owner held, raids*

- on to nab second accused”, OA No. 171/2021 decided on 07.09.2021.*
22. *In re: News item published in The Indian Express dated 07.01.2022 titled “Gujarat: At least 06 dead, 20 sick after gas leak at industrial area in Surat”, OA No. 05/2022 decided on 18.01.2022.*
  23. *In re: News item published in India Today dated 26.12.2021 titled “7 dead in boiler explosion at noodle factory in Bihar’s Muzaffarpur, probe ordered”, OA No. 02/2022 decided on 22.04.2022.*
  24. *In re: News item published in The Economic Times dated 21.12.2021 titled “3 dead, 44 injured in flash fire at IOC’s Haldia refinery”, OA No. 440/2021 decided on 07.01.2022.*
  25. *In re: News item published in The Tribune dated 22.02.2022 titled “7 killed in blast at firecrackers factory in Himachal Una”, OA No. 143/2022 decided on 08.03.2022.*
  26. *In re: News item published in Hindustan Times dated 05.03.2022 titled “Bhagalpur: 14 dead in firecracker unit blast”, OA 198/2022 decided on 27.05.2022.*
  27. *In re: News item published in The Times of India dated 12th April, 2022, titled “Six killed in chemical factory blast in Gujarat”, OA No. 272/2022 decided on 12.04.2022.*
  28. *In re: News item in NDTV dated 14.04.2022 titled “6 killed, 12 injured after fire breaks out at Andhra Pradesh Pharma Unit”, OA No. 284/2022 decided on 20.04.2022.*

6. In light of above, we direct the Chief Secretary, Bihar to call a meeting with all the District Magistrates and other statutory regulators to brainstorm on the issue and issue appropriate SOP to prevent such incidents in the State. One of the measures for preventing such incident is creating awareness through appropriate IEC activities. Such activities may be undertaken, if viable, along with the Bihar State Legal Service Authority and Education Department. It may be particularly ensured that explosives are handled in accordance with laid down norms and procedures and no un-authorized manufacturing involving explosives takes place.

7. The meeting may be called by the Chief Secretary within one month and progress report on the subject may be filed within three months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF with the Registrar General of this Tribunal. If found necessary, the Registrar General may place the matter for further direction before the Tribunal.

Subject to above, the application will stand disposed of.

A copy of this order be forwarded to Chief Secretary, Bihar and Member Secretary, Bihar State Legal Services Authority by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

September 13, 2022  
Original Application No. 545/2022  
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