



[1]
HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

**IN RE: In the matter of Massive Fire Broke out at Jaipur-
Ajmer-Kishangarh-Bhankrota Highway.**

JUSTICE ANOOP KUMAR DHAND

ORDER

21.12.2024

Reportable

By the Court:

1. A massive fire broke out at Jaipur-Ajmer-Kishangarh-Bhankrota Highway, occurred on 20.12.2024 at around 5:40AM in early morning, when a truck collided with an LPG Tanker. This incident was so shocking and pricking that it shattered everyone. It was an unfortunate incident which snatched away lives of several people and severe life threatening injuries and widespread destruction over an area of nearly 800 meters.
2. According to Electronic and Print Media Reports, this unfortunate incident occurred when the LPG tanker travelling from Ajmer to Jaipur attempted to take a U-Turn near Delhi Public School, which is also known as black spot. A truck approaching from opposite side collided with the tanker which resulted into a massive fire broke out and burnt dozens of vehicles plying nearby and caused death of more than a dozen of persons and life threatening burn injuries to dozens of persons in this huge fire.
3. The fire was accompanied with several explosions that shocked the nearby area while people fled in panic. The educational institutions and the major areas nearly remained shut



down. Even the road routes plying through the area had to be changed.

4. Over the past years, many regions of the country are experiencing an increase of extremely large and severe fire. Such fires directly impacted lives, human health, safety, livelihood, etc. They cause loss of bio-diversity and site degradation at landscape level leading to desertification. The depletion of terrestrial carbon by fires burning under extreme conditions in some vegetation types, including organic terrain in peatland biomes, is a major contribution to global climatic change.

5. Occurrence of fires by chemical or LPG has attained a very serious concern for disaster management within Government, private sector and public at large. These disasters may be traumatic in their impacts on human beings and have resulted in the casualties and also damages the nature and property. The elements which are at the highest risks due to chemical and LPG disaster primarily include industrial plant, gas godowns, situated in the thickly populated areas, chemical and LPG vehicles passing through and nearby the residential colonies, public and private vehicles, the residents of nearby settlements, adjacent buildings, occupants and surrounding community.

Chemical/ LPG disasters may arise in number of ways, such as:-

Process and safety systems failures:-

- i. Human errors.
- ii. Technical errors.
- iii. Management errors.



iv. Accidents occurring during the transportation.

6. India has witnessed the world's worst disaster like "Bhopal Gas Tragedy" in the year 1984 where over thousands of people died due to accidental release of toxic gas Methyl Iso Cynate (MIC). In the year 2009, fire incident occurred on 29.10.2009 at Indian Oil Corporation Depot at Sitapura, Jaipur resulting in several deaths, causing severe burn injuries to multiple persons and carrying huge damage to several properties.

7. Such accidents are significant in terms of injuries, pain, suffering, loss of lives, damage to properties and environment. India continued to witness a series of chemical accidents even after Bhopal had demonstrated the vulnerability of the country. Only in last decade, 130 significant chemical accidents were reported in India, which resulted into 259 deaths and 563 number of persons with major injuries.

8. Following are the relevant provisions on Chemical and LPG disaster management, prevailing in the Country:

- (i) Explosive Act, 1884.
- (ii) Petroleum Act, 1934.
- (iii) Environment Protection Act, 1986.
- (iv) Disaster Management Act, 2005.

Government has further reinforced the legal framework on the chemical/LPG safety and management of accidents by enacting new rules such as MSIHC Rules, EPPR Rules, SMPV Rules, CMV Rules, Gas Cylinder Rules, Hazardous Waste Rules, and by way of amendments to them.



National Disaster Management Authority (NDMA) of India had come out with specific guidelines on Chemical and LPG Disaster Management. In addition, the National Action Plan on Disaster Management has been finalized which would act on the roadmap for such disaster management.

9. The Disaster Management Act, 2005 envisages that each revenue District must have a Disaster Management Plan. Most of the revenue Districts of the State of Rajasthan had placed the Disaster Management Plan on the Rajasthan Government Website but still these districts did not have any Disaster Management Plan.

10. The Act, the Policy, the Rules and the Schemes formulated by the Government deserve to be implemented in their letter and spirit and the same should not remain on a piece of paper in the records only.

11. This Court finds that such incidents can be avoided, if proper cautions have been taken by the Government with regard to road safety. Road safety is one of the major problems on roads and highways. Every year thousands of people die while crossing the roads, U-turns and black spots. These accidents result in huge loss of human kind and economy. It is right time and high time for the Government to identify these black spots and adopt all the preventing measures to safe human life and all living beings. Danger alarm holdings can be fixed to alert the people to remain cautious while passing or crossing such U-turns and black spots.

12. Media report reveals that the Central Government has passed order for payment of Rs.2 Lakhs to the families of the deceased persons and Rs.50,000/- to the injured persons for the



fire incident occurred on 20.12.2024 and a Committee of six members has been constituted to enquire about the reasons of the incident and who is responsible for that.

13. In the considered opinion of this Court the above steps on the part of the Government are not sufficient; the matter requires immediate serious enquiry and investigation and appropriate amount of compensation is required to be paid to the family members of the deceased, the injured persons and to all the victims whose vehicles and properties have been damaged.

14. This Court has also noticed that several bridges and over-bridges are being constructed by the Government in the cities and outskirts of the cities and at the National Highways and the construction of the same is going on since several years and the same is still proceeding like snail's pace and not completed in spite of passing of several years. Such delay in completion of these construction works are causing huge difficulties to public at large. The Government is supposed to fix a time bound programme for completion of such construction works and if the work is not completed within the stipulated time, then appropriate action is required to be taken against the person(s), who is/are responsible for such delays.

15. Taking a serious note of the situation, a suo-motu cognizance is taken to find out the solutions to overcome such unfortunate incidents of fire at public places in the interest of public at large. Let this petition be registered as:

Suo-Motu: In Re:

In the matter of massive Fire Broke Out at Jaipur-Ajmer-Kishangarh-Bhankrota Highway.





(1). Union of India through Ministry of Disaster Management, New Delhi.

(2). Secretary, Ministry of Petroleum and Natural Gas, Government of India, New Delhi.

(3). Chief Secretary, Government of Rajasthan, Government Secretariat, Jaipur.

(4). Secretary, Disaster Management, Relief & Civil Defence Department, Government Secretariat, Jaipur.

(5). Secretary, Ministry of Petroleum and Natural Gas, Government Secretariat, Jaipur.

Issue notice to the respondents as to why the following directions be not issued to them:

(i) for holding an enquiry against all the defaulting persons and non-action on the part of the administration in not performing of statutory duty and causing negligence in occurrence of such unfortunate in such incident.

(ii) for awarding adequate amount of compensation to the family members of the deceased, injured and all the victims whose vehicles and properties have been damaged in this fire incident.

(iii) for shifting of the hazardous factories and godowns where highly inflammable chemicals, gases, etc. are manufactured and stored for distribution to the places away from the thickly populated areas.

(iv) for strict implementation of the provisions of the Acts, as referred in Para-8 of this order and for implementation of disaster management plan in all the revenue districts to save the lives of all living beings.



(v) for taking appropriate steps to complete the construction works of the bridges and over bridges within a time bound framework and

(vi) for framing appropriate schemes/policies provide a separate way/passage to such vehicles who carrying highly inflammable gases, chemical, hazardous articles, etc. to avoid any unwanted incident in future.

(vii) for identifying the black spots and dangerous U-turns and for adopting preventive measures to safe human life and all living beings by fixing danger alarm holdings on the highways.

(viii) Mr. Mahendra Shandilya, President of the High Court Bar Association, Jaipur, Mr. Rajendra Prasad, Advocate General, Mr. R. D. Rastogi, ASG and Mr. Sandeep Pathak, Adv. are requested to assist the Court. The Office is directed to reflect the names of these counsels and their Associates in the cause-list.

(ix) The Chief Secretary, Government of Rajasthan as well as all the Secretaries of all the respondent-Departments are directed to place on record the report regarding the steps taken by the Central and State Government on the issue involved in this petition.

(x) List on 10.01.2025 before the appropriate Bench having roster of PIL.

(ANOOP KUMAR DHAND),J