

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

Original Application No.1386/2024

News Item titled "Ten students hospitalized after suspected gas leak at local institute in Jaipur" appearing in the Hindustan Times dated 16.12.2024

Date of hearing: 24.12.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: None

**ORDER**

1. This original application is registered *suo motu* based on the news item titled "Ten students hospitalized after suspected gas leak at local institute in Jaipur" appearing in Hindustan Times dated 16.12.2024
2. The news item relates to a gas leak from a drain in Jaipur, Rajasthan resulting in the hospitalization of 10 students of coaching institute in city's Mahesh Nagar area. As per the news item, the students complained of difficulty in breathing, severe headache and fainted due to a suspected gas leak from a drain.
3. News item does not disclose that any compensation has been paid to the victims of gas leak. Tribunal in M.A No. 46/2022 in Original Application No. 05/2022 *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"* in a similar case of gas leak while awarding the compensation to the family members of the victims and victims of the gas leak has held as under:-

*“The heirs of the deceased are entitled to compensation atleast @ ₹20 lakhs in respect of each death and @ ₹10 lakhs to each of those who fell sick on principle of restitution laid down inter alia in Sarla Verma (2009) 6 SCC 121 and Uphaar (2011) 14 SCC 481.”*

4. The news item raises substantial issues relating to compliance of provisions of Public Liability Insurance Act, 1991 and Environment (Protection) Act, 1986.

5. The power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of *“Municipal Corporation of Greater Mumbai vs. Ankita Sinha &Ors.”* reported in 2021 SCC Online SC 897.

6. Hence, we implead the following as respondents in the matter:

(i) Respondent no.1-Rajasthan State Pollution Control Board(RSPCB), through its Member Secretary, Headquarter, 4 Institutional Area, Jhalana Doongri, Jaipur;

(ii) Respondent no.2-Central Pollution Control Board (CPCB), through its Member Secretary, Parivesh Bhawan, East Arjun Nagar, Delhi-110032,

(iii) Respondent no.3-Ministry of Environment, Forest and Climate Change (MoEF&CC), Regional Officer, Rajasthan, Integrated Regional Office, Jaipur, A-209&218, Aranya Bhawan, Mahatma Gandhi Road, Jhalana Institutional Area, Jaipur-304002, Rajasthan;

(iv) Respondent no.4-District Magistrate (DM), Jaipur, Collectorate, Bani Park, Jaipur-302016, Rajasthan.

7. Let notice be issued to the respondents for filing their

response/reply by way of affidavit before the concerned Bench of the Tribunal atleast one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal.

8. As the matter relates to State of Rajasthan and is within jurisdiction of Central Zonal Bench, Bhopal, therefore, Registry is directed to transmit record of this original application to Central Zonal Bench, Bhopal for further proceedings.

9. List before Central Zonal Bench, Bhopal on 10.02.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

December 24, 2024  
Original Application No.1386/2024  
JG..