

SPEED POST

AQM/ FireCrackers/2018-19/ 14249

December 24, 2018

To:

**Commissioner of Police,
Delhi Police,
Police Headquarter, ITO, Delhi - 110002**

Sub.: Directions under Section 5 of The Environment (Protection) Act, 1986 for not restricting bursting of unauthorized fire crackers in Delhi – reg.

WHEREAS, Section 16 (2) (b), (f) and (j) of The Air (Prevention & Control of Pollution) Act, 1981 mandates the Central Pollution Control Board (hereafter referred as CPCB) to execute nation- wide program for prevention, control and abatement of air pollution and organize a comprehensive program and perform such other functions as may be prescribed;

WHEREAS, rising air pollution in Delhi during winter season is a matter of serious concern, especially with regard to high levels of particulate matter exceeding National Ambient Air Quality Standards, 2009;

WHEREAS, emissions released from fire crackers burst during Diwali further increases particulate matter concentration in ambient air vis-à-vis contributes to rise in pollution levels in Delhi;

WHEREAS, Hon' ble Supreme Court vide order dated 23.10.2018 permitted production of fire crackers with reduced emissions (improved crackers and green crackers);

WHEREAS, Hon' ble Supreme Court vide order dated October 31, 2018 banned sale of fire crackers other than crackers with reduced emissions (improved crackers and green crackers) in Delhi and NCR;

WHEREAS, available evidence does not suggest that Petroleum and Explosives Safety Organization (PESO) has given any certificate for production of reduced emission cracker;

WHEREAS, it has been reported that fire crackers other than those permitted by the Hon' ble Supreme Court were burst on Diwali in Delhi;

WHEREAS, the air quality in Delhi was very adversely impacted due to bursting of fire crackers on November 7, 2018;

WHEREAS, the above status indicates non-compliance of the Hon' ble Supreme Court orders;

WHEREAS, CPCB directed Commissioner of Police, Delhi Police, on November 09, 2018 to submit report on action taken for not restricting bursting of unauthorized fire crackers in Delhi along with reasons for non-compliance of the Hon' ble Supreme Court order;

WHEREAS, CPCB received action taken report of Commissioner of Police, Delhi Police dated December 06, 2018, wherein Commissioner of Police informed the steps taken to check bursting of firecrackers such as sensitization and education to public, school children, Resident

Welfare Associations and NGOs through various platforms such as advertisement in newspapers, radio channels and bulk SMSs including air that is polluted due to fireworks and to maintain stipulated time as per Hon' ble Supreme Court order, and that 2905 location were identified to burst the firecrackers;

WHEREAS Delhi Police further, reported that no temporary licenses were issued and inspection of premises of all 18 permanent license holders was carried out and show cause notice issued against 2 licensees;

WHEREAS, 731 teams were constituted to enforce the directives of Hon' ble Supreme Court and 752 cases + 4 DD entries registered under IPC 1860 and Explosive Act, 613 person arrested/ prosecuted and 8682 kg of explosive seized;

NOW THEREFORE, in view of the above, and, in exercise of powers vested under Section 5 of The Environment (Protection) Act, 1986, Commissioner Delhi Police is hereby directed, to ensure that orders of Hon' ble Supreme Court, WP (C) 728 of 2015: Arjun Gopal and Ors. Vs Union of India and Ors. dated October 23, 2018 and October 31, 2018 are complied with during Christmas and New Year.

The receipt of direction may be acknowledged within 07 days and action taken report may be submitted to CPCB by January 07, 2018.

(S.P. Singh Parihar)
Chairman

Copy to:

1. **Joint Secretary,
CP Division,** : for information please
Ministry of Environment, Forests and Climate Change,
Indira Prayavaran Bhawan, Jorbagh Road,
New Delhi - 110 003
2. **Chairman,
Delhi Pollution Control Committee,**
4th & 5th Floor, ISBT Building, Kashmere Gate,
New Delhi, Delhi 110006
3. **Divisional Head,
IT Division, CPCB**

(Prashant Gargava)
Member Secretary

Prashant