ORDER

The Delhi Pollution Control Committee has issued the directions u/s 31 (A) of Air (Prevention and Control of Pollution) Act, 1981, read with Rule 20 (A) (6) of the Air (Prevention and Control of Pollution) (Union Territories) Rules, 1983, to ban manufacturing, storage, selling (including delivery through online marketing platforms) and stop bursting and sale of all kinds of fire crackers vide F No. DPCC/(10)(10)(39)/leg-2020/922, dated 06.10.2023.

- Whereas, Central Pollution Control Board is the state Board for all the Union Territories to exercise powers and performs functions under the Air (Prevention & Control of Pollution) Act, 1981.
- And whereas, Central Pollution Control Board has delegated all its powers and functions under Air (Prevention and Control of Pollution) Act, 1981 in respect of NCT of Delhi to Delhi Pollution Control Committee vide Notification No. S.O. 198(E) dated 15.03.1991.
- And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of Section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no.GSR 106(E) dated 20.02.1987.
- And whereas, Delhi faces grave air pollution particularly in winter season and level of pollutants like Particulate Matter Concentration (PM2.6 and PM10) goes much beyond the prescribed standards for Ambient Air Quality.
- And whereas, Hon'ble National Green Tribunal vide orders has directed Govt. of NCT of Delhi and DPCC to initiate steps to curb Fugitive Emissions/Air Pollution NCT of Delhi.
- And whereas, as per section 17(1) (a) of Air Act, 1981 Delhi Pollution Control Committee (DPCC) is to plan a comprehensive program for the prevention, control and abatement of air pollution and to secure execution thereof.
- And whereas, bursting of fire crackers would cause extensive air pollution and release metal particles, dangerous toxins, harmful chemicals and noxious gases which would form one of the main sources of air pollution particularly when AQI reels under "Severe" category. The emission from use of fire cracker is short lived, but it shows sudden peak which adversely affect health conditions of citizens.
- And whereas keeping in view the past experience, this year also, the situation of ambient air quality during the month of October to January may remain poor and bursting of "There will be total ban on sale and use of all kinds of fire crackers during Covid-19 pandemic in the NCR and all cities/towns in the country where the ambient air quality falls under the 'poor' and above category".
- And whereas, when severe AQI levels reach such a dangerous level, the deadly air pollutants can make their way into lungs causing severe discomfort and health issues, and hazardous AQI levels can be highly unacceptable to health by aggravating to chronic health conditions caused by breathing poisonous air.
- And whereas, the Hon'ble Supreme Court of India vide its order dated 23.07.2021 in Civil Appeal No.2865-2867 of 2021 titled as "Uttar Pradesh Udhyog Vyapar Pratinidhi Mandal & Another Vs Ministry of Environment Forest and Climate Change & Anothers Etc." has dismissed the appeal against the order of the Hon'ble National Green Tribunal dated 01.12.2020 as mentioned above.
- And whereas, I have reasons to believe that circumstances exists where bursting of fire crackers would cause extensive air pollution and respiratory effects even on healthy people and severe health impact on people with lung/heart diseases in the jurisdiction of Sub Division Lajpat Nagar, South East District, Delhi.
- Now, therefore, in exercise of the powers conferred upon me by the section 144 of the Criminal Procedure code, 1973 (No. 2 of 1947) read with Govt. of India, Ministry of Home Affairs, New Delhi's Notification No. U-11036-UTL, dated 09.09.2010, **I, Jai Narain Bhardwaj, Assistant Commissioner of Police, Sub-Division, Lajpat Nagar, South East District, Delhi,** do hereby make this written order that there will be a

'Complete Ban' on manufacturing, storage, selling (including delivery through online marketing platform) and bursting of fire crackers upto 01.01.2024 in the jurisdiction of Sub Division, Lajpat Nagar, South East District, Delhi.

- The order shall come into force with effect from **27.10.2023** and shall remain in force for a period of **67 days** up to **01.01.2024** (both days inclusive) unless withdrawn earlier.

Any person contravening this order shall be punished under section 188 of the Indian Penal Code in addition to Section 9-B of the Explosives Act.

As the notice cannot be served individually upon all concerned, the order is hereby passsed ex-parte. It shall be published for the information of the public through the press and by affixing copies on the notice board of the offices of all DCsP, Addl. DCsP, AcsP, Tehsil Offices of the Districts, all Police Stations concerned and the offices of NDMC and MCD.

27.10.2023

(Jai Narain Bhardwaj)
Assistant Commissioner of Police,
Sub Division, Lajpat Nagar, Delhi.

No. 2807-32 **/ACP/Lajpat Nagar, South East , Delhi the** 27-10-2023

Copy forwarded for information and necessary action to the:-

1. Secretary to Govt. of India, MHA, New Delhi.
2. Chief Secretary, Govt. of NCT of Delhi.
3. Secretary to Lt. Governor, Delhi.
4. All Secretaries Govt. of NCT, of Delhi.
5. Deputy Director, I.B. MHA, GOI, Delhi.
6. All Spl. CsP/Jt. CsP, Addl. CsP including P/PTC, Delhi.
7. Addl. Csp/DCsP/ Addl. DCsP of all the districts/Units of Delhi including FRRO for communicating to all the ACsP/ SHOs/Inspectors.
8. Secretary. NDMC with request that order may be got pasted on the notice board outside the Committee's office.
9. Commissioners of MCD, Delhi.
10. PRO, Delhi Police with 50 spare copies for necessary action (through e-mail).
11. District Magistrate, Delhi.
12. Head peshi Clerk to the Finance Commissioner (FC) Delhi.
13. Deputy Commissioner of Police, Head Quarters, Delhi for necessary action.
14. Director of New Service, AIR for broadcasting.
15. Director of Information and Publicity, Govt. of NCT of Delhi. With the request for publicity in the press.
16. Director, Doordarshan Kendra, Parliament Street, New Delhi for telecasting on T.V.
17. Tehsildar, Delhi/New Delhi/Mehrauli for pasting the same on the Notice Board.
18. DCsP/Special Branch Traffic and PCR, Delhi.
19. S.O. to C.P. Delhi.
20. L.A. to C.P. Delhi.
21. All ACsP/South East Distt.
22. All SHOs/Inspr/ South East District.
23. Inspr. Legal Cell, RI/SED & Inspr. Admn /SED.
24. PAs/ SOs to DCP/Addl. DCsp/ SED.
25. HAX/SED.
26. HAR/SED.