


By Email

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|  | <p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE 4-6th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI -110006 Visit us at http://dpcc.delhigovt.nic.in</p> |
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F.No.DPCC/(10)(10)(39)/leg-2019/79

Dated: 14.09.2022

Sub: 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 bursting of all kinds of fire crackers.

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 (l) 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 (PM2.5 and PM10) goes much beyond the prescribed standards for Ambient Air Quality 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, 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 in NCT of Delhi. When air quality reaches severe levels, the deadly air pollutants can make their way into lungs causing severe discomfort and health issues and may aggravate chronic health conditions.

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 fire crackers during this season will further degrade the ambient air quality.

And whereas, the Hon'ble National Green Tribunal on 1st December 2020 in Original Application No. 249/2020 entitled as, "Tribunal on its own Motion Versus Ministry of Environment, Forest & Climate Change, Govt. of India" had directed:

"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, 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 Udyog Vyapar Pratinidhi Mandal & Others Vs Ministry of Environment Forest and Climate Change & Others Etc" has dismissed the appeal against the order of the Hon'ble National Green Tribunal dated 01.12.2021 as mentioned above.

Now, therefore, in view of the above and in exercise of the powers conferred under Section 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, and keeping in view the need in public interest to curb high air pollution in Delhi, Delhi Pollution Control Committee hereby directs as under:

"There will be a 'Complete Ban' on all kinds of firecrackers on manufacturing, storage, selling (including delivery through online marketing platforms) and bursting upto 01.01.2023 in the territory of NCT of Delhi."

The District Magistrates and Deputy Commissioners of Police shall implement the aforesaid directions. Daily action taken reports are required to be submitted to Delhi Pollution Control Committee on email ID: msdpcc@nic.in

This issues with the approval of the Competent Authority.


(Dr. K.S. Jayachandran)
Member Secretary

To,

1. Commissioner, Delhi Police, Jai Singh Road, New Delhi
2. The Divisional Commissioner, 5 Sharnath Marg, Delhi-110054.

Copy to:

1. The Vice Chairman, Delhi Development Authority, Vikas Sadan, I.N.A., New Delhi-110023.
2. The Commissioner, Municipal Corporation of Delhi, 4th Floor, Dr. SPM, Civic Centre, Minto Road, Delhi - 110002.
3. The Secretary, New Delhi Municipal Council, Palika Kendra, Parliament Street, New Delhi-110001.
4. The Chief Executive Officer, Delhi Cantonment Board, Sadar Bazar, Delhi Cantt. Delhi-110010.

Copy for kind information to:

1. Secretary to Hon'ble Lieutenant Governor, GNCTD.
2. Addl. Secretary to Hon'ble Chief Minister, GNCTD.
3. Secretary to Hon'ble Minister (E&F), GNCTD
4. Staff Officer to Chief Secretary, GNCTD.
5. PPS to Pr. Secretary (Env & Forests), GNCTD