



No. HSPCB/Misc./2020/894-917

Dated: 03-12-2020

TOP PRIORITY
COURT MATTER

To

All the Deputy Commissioners of State of Haryana

Sub: Ban on Fire Crackers - Directions of NGT dated 01.12.2020 in OA No. 249 of 2020 (Tribunal on its own motion Vs MoEF & Others).

With reference to the above subject, please find herewith enclosed the Order of Hon'ble NGT dated 01.12.2020 in OA No. 249/2020 in the matter of 'Remedial action against pollution by use of fire crackers, aggravating the menace of Covid 19 pandemic, posing higher danger to the lives and health of vulnerable groups' wherein the following specific directions have been issued.

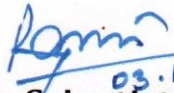
1. There will be total ban on sale and use of all kinds of fire crackers during Covid-19 pandemic in the NCR and all cities/towns in the country where the ambient air quality falls under the 'poor' and above category.
2. Direction to restrict use of fire crackers in cities/towns where air quality is 'moderate' or below to green crackers only and for duration of not more than two hours and only for celebration of any specified festivals or permitted occasions will continue. Such festivals be specified by the States. Other than specified festivals, prior permission of the District Magistrate of the area will be required for use of crackers for limited period which will be given having regard to air quality.
3. During Christmas and New Year, green crackers can be used from 11:55 pm to 12:30 am only at places where air quality is 'moderate' or below as directed by the Hon'ble Supreme Court.
4. With a view to ensure availability of air quality data, atleast one air quality monitoring station must be set up at every district headquarter at the earliest. The air quality data may be placed on the website of the District administration and also at prominent locations in the towns, in the form of AQI, PM2.5 and PM10.
5. Air Quality Monitoring Committees (AQMC) in terms of order of this Tribunal dated 08.10.2018 in OA No. 681/201819 to coordinate with the District Magistrates for compliance of the above directions.
6. District Magistrates in every district may take steps to ensure that banned fire crackers are not sold in terms of order of the Hon'ble Supreme Court dated 23.10.2018.

(Continued...)

7. The District Magistrate, on a complaint or otherwise, will recover compensation from violators of the above directions on the parameters already mentioned in the order.
8. Any victim of pollution, apart from other remedies, can approach the District Magistrate for compensation, by showing evidence of individual damage and the person responsible for the damage. Such claim may be dealt with by a reasoned order.
9. If no such claim is made for six months after collection of the compensation, the amount credited to the 'District Environment Compensation Fund' can be spent for restoration of the Environment in the District.

In view of the above directions, you are hereby advised to get them strictly implemented in your jurisdiction and send a fortnightly compliance report on the actions taken, for compilation and onward submission to the Hon'ble Tribunal.

D/A : As above



03.12.2020
Sr. Scientist (HQ)
For Member Secretary

Endst No. HSPCB/MISC./2020/918-969

Dated 03-12-2020

Copy of the communication and order forwarded to the following for information and necessary action:

1. Chief Secretary, Government of Haryana.
2. Additional Chief Secretary, Environment and Climate Change Department.
3. Additional Chief Secretary, Health and Family Welfare Department.
4. Director General of Police cum HoPF, Government of Haryana.
5. All Divisional Commissioners of Haryana
6. All Police Heads of District Heads of Haryana.
7. All Regional Officers of HSPCB.
8. PS to Chairman, HSPCB
9. PA to MS, HSPCB.
10. Sr Scientist, Air Cell, HSPCB.
11. IT Cell, HSPCB for uploading in the website of HSPCB.


03.12.2020
Sr. Scientist (HQ)
For Member Secretary