

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH,

NEW DELHI

O.A. NO. 545 OF 2022

IN THE MATTER OF

IN RE: NEWS ITEM PUBLISHED IN THE HINDU DATED
25.07.2022 TITLED "EXPLOSION IN BIHAR ILLEGAL
FIRECRACKER UNIT KILLS FIVE"

COMPIANCE REPORT IN LIGHT OF DIRECTIONS
PASSED IN ORDER DATED 13.09.2022

I, SURENDRA SINGH S/O. Sd. C.D. SINGH aged about
51...years, posted as CCF (CC) presently at
PATNA, do hereby solemnly affirm and state on oath as
under follows:

1. That I am working on the above-mentioned post and well conversant with the facts and circumstances of the case as derived from the official records, I am an authorized officer and as such I am competent to swear this counter affidavit on behalf of the Respondent-State herein.
2. That the instant matter was disposed of vide order dated 13.09.2022 by which the Hon'ble directed the Chief Secretary, Bihar to call a meeting with all the



District Magistrates and other statutory regulators to brain storm on the issue and issue appropriate Standard Operating Procedure (SOP) to prevent such incidents and to ensure that explosives are handled in accordance with laid down norms and procedure and no un-authorized manufacturing involving explosives takes place.

3. That in view of the direction passed by the Hon'ble Tribunal, a meeting under the Chairmanship of Chief Secretary, Bihar, was convened on 21.10.2022 in which *inter-alia* it was decided that:
- (i) The sale and storage of the firecracker shall be done in accordance with the Explosive Act 1884 and the Explosives Rules, 2008;
 - (ii) During festivals temporary license may be granted for green cracker and Rule 85 and 86 of the Explosives Rules, 2008 shall be strictly followed;
 - (iii) The noise standard prescribed under the Environment (Protection) Act, 1986, for firecracker must be strictly followed;



- (iv) A standard Operating Procedure relating to manufacture, Sale, Use and Storage of firecracker was also made in the aforesaid meeting.

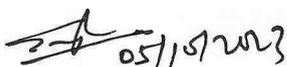
A copy of the letter no. 562, dated 22.10.2022 along with its annexure including the SOP is annexed and marked as Annexure-1.

4. That a copy of the decision taken in the aforesaid meeting was forwarded to all the District Magistrates in State of Bihar for its compliance.
5. That it is humbly stated that since the framing of the SOP and subsequent action taken by the District Administration there has been no incident of explosion in un-authorized explosives manufacturing unit.
6. That it is further stated that the Bihar State Pollution Control Board, Patna in pursuance of the decision taken in the 113rd Board Meeting convened on 14.11.2022 and Board's Notification no. 01, dated 06.01.2023 has brought all permanent store houses



of fireworks under the consent mechanism and thus all permanent firecracker store houses having obtained license from Petroleum and Explosive Safety Organisation (PESO) is required to obtain Consent-to-Establish (CTE) and Consent-to-Operate (CTO) from State Board before establishing a firecracker store house.

7. That the State Board has issued Notification no. 07, dated 05.04.2023 under which the storage, sale or use of fire-cracker generating noise level exceeding 125 dB(A) or 145 dB(C)pk at 4-meter distance from the point of bursting is prohibited and firecracker containing barium salts/ lithium/ arsenic/ antimony/ lead/ mercury are also prohibited.
8. That in view of above stated facts it is humbly submitted that the order of the Hon'ble Tribunal dated 13.09.2022 has been complied with.


05/10/2023

DEPONENT

(SURENDRA SINGH)
CCF (CC)

बिहार सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग

प्रेषक,

अरविन्द कुमार चौधरी, भा०प्र०से०
सरकार के प्रधान सचिव।

सेवा में,

प्रमण्डलीय आयुक्त, सभी प्रमण्डल, बिहार।
जिला पदाधिकारी, सभी जिले, बिहार।

दिनांक- 22.10.2022

विशय:

O.A. No. 545/2022 News item published in The Hindu dated 25.07.2022 titled "Explosion in Bihar illegal firecracker unit kills five" की खबर पर माननीय राष्ट्रीय हरित अधिकरण, प्रधान बेंच, दिल्ली द्वारा ली गई संज्ञान में पारित आदेश दिनांक 13.09.2022 के आदेश के अनुपालन के क्रम में।

महाशय,

निदेशानुसार उपरोक्त विषयक मुख्य सचिव की अध्यक्षता में दिनांक 21.10.2022 को संपन्न बैठक में हुई चर्चा के आलोक में निम्न निदेश दिये जाते हैं :-

- I. पटाखों की बिक्री एवं भण्डारण हेतु भारत सरकार द्वारा विस्फोटक अधिनियम, 1884 के अंतर्गत अधिसूचित विस्फोटक नियम, 2008 में वर्णित प्रावधानों के अनुरूप मानदण्डों का अनुपालन सुनिश्चित किया जाय।
- II. त्योहारों के दौरान पटाखों के स्वामित्व एवं बिक्री हेतु अस्थायी अनुज्ञप्ति (हरित पटाखों के लिए) जारी की जा सकती है, यदि उनके द्वारा नियमावली के नियम 84 में वर्णित शर्तों को पूरा किया जाता है। नियम 85 एवं 86 (प्रतिलिपि संलग्न, अनुलग्नक-1) में वर्णित सावधानियों का भी सख्ती से अनुपालन सुनिश्चित किया जाय।
- III. पटाखों के भण्डारण हेतु विस्फोटक नियम, 2008 की अनुसूची-VII (प्रतिलिपि संलग्न, अनुलग्नक-2) में वर्णित मानकों का सख्ती से अनुपालन सुनिश्चित किया जाय।
- IV. पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन (PESO) द्वारा राज्य में कुल 5 पटाखा बिक्रेताओं को विस्फोटक नियम, 2008 के अंतर्गत स्थायी अनुज्ञप्ति प्रदान की गई है (प्रतिलिपि संलग्न, अनुलग्नक-3)।
- V. पर्यावरण संरक्षण अधिनियम, 1986 के अंतर्गत पटाखों हेतु अधिसूचित शोर मानकों का अनुपालन सुनिश्चित किया जाय (प्रतिलिपि संलग्न, अनुलग्नक-4)।
- VI. बैठक में विस्तृत विमर्श के उपरांत तैयार की गई मानक संचालन प्रक्रिया (Standard Operating Procedure) की प्रति (अनुलग्नक-5) संलग्न है। इसका अनुपालन सुनिश्चित किया जाय।

अनु०-यथो०।

विश्वासभाजन,

(अरविन्द कुमार चौधरी)

सरकार के प्रधान सचिव।

ज्ञापांक- पर्या०/जल०/परि०-69/2022-562 पटना-14, दिनांक-22.10.2022

प्रतिलिपि:-अनुलग्नक सहित अपर मुख्य सचिव, शिक्षा विभाग/प्रधान सचिव, पंचायती राज विभाग/प्रधान सचिव, उद्योग विभाग/प्रधान सचिव, श्रम संसाधन विभाग/प्रधान सचिव, नगर विकास एवं आवास विभाग/सचिव, आपदा प्रबंधन विभाग/सचिव, सूचना एवं जन-संपर्क विभाग/सदस्य सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्वद, पटना/सदस्य सचिव, बिहार राज्य वैधिक सेवा प्राधिकार, पटना को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

(अरविन्द कुमार चौधरी)

सरकार के प्रधान सचिव।

ज्ञापांक- पर्या०/जल०/परि०-69/2022-562 पटना-14, दिनांक-22.10.2022

प्रतिलिपि:-मुख्य सचिव, बिहार को अनुलग्नक सहित सूचनार्थ प्रेषित।

(अरविन्द कुमार चौधरी)

सरकार के प्रधान सचिव।

Rule 84: Temporary shops for possession and sale of fireworks during festivals.—During festivals, the District Magistrate may issue temporary licences for possession and sale of fireworks in a temporary shop subject to the following conditions namely :—

- (1) The fireworks shall be kept in a shed made of non-flammable material, which is closed and secured so as to prevent unauthorised persons having access thereto.
- (2) The sheds for possession and sale of fireworks shall be at a distance of at least three metres from each other and fifty metres from any protected work.
- (3) The sheds shall not face each other.
- (4) No oil burning lamps, gas lamps or naked lights shall be used in the shed or within the safety distance of the sheds. Electrical lights, if used, shall be fixed to the wall or ceiling and shall not be suspended by flexible wire. Switches for each shop shall be fixed rigidly to the wall and a master switch shall be provided for each row of sheds.
- (5) Display of fireworks shall not be allowed within fifty metres of any shed.
- (6) In one cluster not more than fifty shops shall be permitted.

85. Special precautions to be observed for fireworks.—(1) Subject to other provisions of this rule, fireworks shall not be placed or kept in a shop window used for display of goods.

- (2) Fireworks in the shop shall be kept in a spark proof receptacle, or the original outer packet in which they were received if that package is effectively sealed and in good order and condition.
- (3) A receptacle or package containing fireworks shall be kept in a position away from and clear of shop traffic and to be separated from all articles of a flammable or combustible nature.
- (4) Where a package containing fireworks is opened for sale, the fireworks shall immediately be placed in a clean, dust free and spark proof receptacle.

86. Safety distances to be maintained.—

- (1) Factory or magazine—The factory licensed for manufacture or magazine licensed for possession, sale or use of explosives shall maintain safety distance specified in Schedule VIII and condition of licence, as the case may be.
- (2) Store house.—The store house licensed for possession of fireworks or safety fuse shall maintain safety distance of three metres from protected works and minimum fifteen metres from any such premises or any other premises used for storage of similar explosives, flammable or hazardous materials.
- (3) Shop.—The shop licensed for storage and sale of small arms nitro-compound, fireworks or safety fuse shall be at a distance of minimum fifteen metres from any such premises or any other premises used for storage of similar explosives, flammable or hazardous materials.



अनुसूची - 2

EXPLOSIVE RULES 2008

अनुसूची - 2

SCHEDULE - VII

SPECIFICATION - 3 (अ) 3)

312

THE GAZETTE OF INDIA : EXTRAORDINARY

[PART II—SEC. 3(i)]

D. Drying Platform:

The basic considerations in the construction of drying platform are to ensure that the fireworks items are dried securely by keeping them out of reach of persons engaged in other activities and to prevent any grit, dust or moisture from coming into contact with the fireworks. The drying platform shall always be kept dry.

The drying platform shall have a platform of bricks, stone or concrete with a floor area of minimum 9 square metres to a maximum of 15 square metres. The height of platform shall be 1 to 1.5 metres. The bricks and concrete shall conform to relevant Indian Standard Specifications. The cement mortar shall consist of not less than one part of cement and three parts of clean sand. However, drying platform used for drying of sparklers may have a floor area on the ground filled with sand and lined with bricks or a floor area spread on the ground with stone jelly and cement.

Where any platform is located directly in the line of the door of any process building, a blast wall in front of such door of the said building shall be provided as per specification 6 attached to this schedule. In case where drying platforms lie adjacent to each other, a blast wall shall be constructed in the intervening space at 1 to 2 metres away from any one of such platforms lying adjacent to each other.

In the case of a fuse cutting-cum-drying platform, such platform may be built at a distance of 18 metres from process buildings and shall observe an outer safety distance of 45 metres. Such drying platform shall have a screen/blast wall at a distance of 1 to 2 metres from the platform, with a height equal to half of the length of the side perpendicular to the screen wall/blast wall. The construction of the screen/blast wall shall be as per specification 6 attached to this schedule. A temporary roof may be provided by erecting 4 pillars or poles if necessary for protection from direct sunlight.

E. Transit building :

The basic considerations in construction of a transit building are to ensure that the contents are kept out of the hands of unauthorised persons, to maintain them in good condition and to reduce risk of fire. This calls for a construction which will resist illegal entry as much as possible and be well ventilated. The place of a storage should be dry and it should be possible to draw stocks in strict rotation.

The transit building should have walls built of brick, stone or concrete. The bricks and concrete shall conform to relevant Indian Standard Specifications. The cement mortar shall consist of not less than one part of cement and three parts of clean sands. The interior of the transit building shall be kept clean and all benches, shelves and fittings shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel and the detachment of any grit, iron, steel or substances shall be in such manner as not to come in contact with the materials stored and such interior, benches, shelves and fittings shall as far as practicable be kept clean and free from grit.

- It should have a cement brick wall of 45 centimetres thick and RCC roof of 15 centimetres thick.
- The transit building shall have adequate number of ventilators as desired by the licensing authority. The ventilators shall be provided at the top and the bottom of the walls as suggested by the licensing authority. The ventilators shall be 22.5 centimetres x 11.25 centimetres fitted with suitable frames firmly set in the walls on the outer face. The bars shall be of minimum 2.35 square centimetres set angle-wise with the frame. The inner opening shall be protected with wire gauge of minimum 3 mesh per centimetre.
- Only one door shall be provided.
- The door shall be made of wood fitted with non-ferrous hinges.
- The door shall open outwards.
- If the door faces the drying platform or the door of any other process building, a blast wall (34 centimetres brick cement or 23 centimetres RCC) in front of doors at a distance of 1 to 2 metres. The blast wall shall be 0.5 metre wider than the door opening on both sides and shall have a height of 2 metres.
- That transit building may not be provided with lighting conductor unless otherwise specified by the licensing authority.

2. Magazine for storage of fireworks or safety fuse:

The basic considerations in construction of a magazine are to ensure that the contents are kept out of the hands of unauthorised persons, to maintain them in good condition and to reduce risk of fire. This calls for a construction which will resist illegal entry as much as possible and is well ventilated. The place of a storage should be dry and it should be possible to draw stocks in strict rotation.

The magazine should have walls built of brick, stone or concrete. The bricks and concrete shall conform to relevant Indian Standard Specifications. The cement mortar shall consist of not less than one part of cement and three parts

of clean sands. The interior of the storehouse shall be kept clean and all benches, shelves and fittings shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel and the detachment of any grit, iron, steel or substances in such manner as not to come in contact with the materials stored and such interior, benches, shelves and fittings shall as far as practicable be kept clean and free from grit.

- a. The magazine shall have adequate number of ventilators as desired by the licensing authority. The ventilators shall be provided at the top and the bottom of the walls as suggested by the licensing authority. The ventilators shall be 22.5 centimetres x 11.25 centimetres fitted with suitable frames firmly set in the walls on the outer face. The bars shall be of minimum 2.35 square centimetres set angle-wise with the frame. The inner opening shall be protected with wire gauge of minimum 3 mesh per centimetres.
- b. The magazine shall have a minimum 12 mm red line painted on the interior walls at a height 3 metres from the floor level. This line indicates maximum height to which explosives may be stacked. The gang way space of minimum 30 centimetres shall be provided around the usable portion of the walls to provide air circulation. In addition sufficient space shall be provided for passage between the stacks of packages if required by the licensing authority. The licensing authority may specify lower stacking height if deemed necessary.
- c. The magazine shall have sufficient number of wooden windows for proper lighting inside. The windows shall open outwards.
- d. The magazine shall have external doors that opens outwards and when closed fit tightly to be constructed of wood with or without lining of steel plate.
- e. The magazine shall have smooth, stone or cement flooring.
- f. The roof of the magazine may be made of G. I. sheet or A.C. sheet.
- g. The magazine shall have a floor area of 2 square metres per tonne of fireworks or 10,000 metres of safety fuse.
- h. The magazine shall have a floor area of 16 square metres per tonne of paper caps or amereces.
- i. The magazine shall have a floor area of 8 square metres per tonne of serpent egg.
- j. The paper caps or amereces or colour matches which contain chlorate may be kept under this store house shall be separated by an intervening partition wall made of brick, stone or concrete to prevent explosion or fire in the one communicating with the other.
- k. The magazine shall be fitted with lightning conductor as per IS 2309.

3. Store House for fireworks :

- (1) The storehouse shall be single storied building with 23 centimetres thick walls built of brick or stone mortar, or concrete and roof of 15 centimetres thick RCC.
- (2) The storehouse shall maintain open safety distance of 3 metres on all sides, which shall be protected by 1.8 metres high boundary wall or fencing.
- (3) The storehouse shall have a floor area of not less than 12 square metres and not more than 40 square metres for storage of fireworks.
- (4) The door of storehouse shall be made of wood or other suitable materials and open outwards. If shutter door is provided, there shall be hinges provided at the top of the shutter door to lock the shutter leaf in open position.

Specification 4: Specification for a road van for carriage of explosives.

Part - I (General) :

- (1) Air space between body and cab. - A clear space of at least fifteen centimetres shall be left between the body and cab.
- (2) Driver's cab.—The cab shall be fitted and covered externally with 0.914 millimetres aluminium sheeting. The wood if used shall be treated as to render it non-flammable.
- (3) Cab-doors shall be fitted having windows of non-splinter type glass.
- (4) Wind screen.—A substantially framed wind-screen shall be fitted with the portion in front of the driver's seat pivoted on strong brass quadrants for opening.

अनुलजक - 3

अनुलजक - 3

List of Licences Granted in LE 5 -> Form24, Explosives Rules, 2008, in State Bihar, District All,
As on dated 21-Oct-2022
(Permanent Licenses Issued by PESO to Permanent Fire Cracker Retailers)

Sr. No.	Old licence No.	New Licence No. (DocKey)	Name and Address (Correspondance)	Situation Of Premises (Premises Address)	Capacity	Date of Grant Of Licence	Validity Of Licence	Current Status
1	BI-1776/Ex	E/EC/BI/24/1 (E18065)	MD.RIZWAN Khajekalan(Satgharwa),Macharhatta, Ashok Rajpath, Patna City PATNA, Bihar - 800008	Survey No. - 220, Plot no. 509, Hol.no. 16 Khajekalan, Patna city PATNA, Bihar -	Chorsa Crackers and/or Sparklers - 1200 Kg., Fire Works - 300 Kg.	08-09-1987	31-03-2023	Valid
2	NA	E/EC/BI/24/8 (E72210)	Santosh Atishbazi Santosh Kumar, C/o Janardan Pd. Gupta, Ward No. 19, Karpuri Chowk, Madhepura MADHEPURA, Bihar - 852113	Khasra No. - 607 609 Khata 97, Madhepura MADHEPURA, Bihar - 852113	Chorsa Crackers and/or Sparklers - 1200 Kg., Fire Works - 300 Kg.	22-04-2013	31-03-2023	Valid
3	BI-1943/EX	E/EC/BI/24/2 (E18069)	Mohd. Rizwan, M/s. JAWAID STORES At-MACHCHARAHATTA, P.O - KHAJEKALAN, Patna city PATNA, Bihar - 800008	Plot No. - 490 KHAJEKALAN PATNA, Bihar -	Chorsa Crackers and/or Sparklers - 1200 Kg., Fire Works - 300 Kg.	03-04-1991	31-03-2023	Valid
4	BI-1758/EX	E/EC/BI/24/3 (E18077)	Mohd. RIZWAN NAWAB MANZIL, KHAJEKALAN GHAT ROAD, Patna city PATNA, Bihar - 800008	Plot No. - 2743,2852(P), Khajekalan Ghat Road PATNA, Bihar -	Chorsa Crackers and/or Sparklers - 1200 Kg., Fire Works - 300 Kg.	07-05-1967	31-03-2023	Valid
5	NA	E/EC/BI/24/9 (E83012)	Decoration Mahal Katki Bazar, Tower Chak, Darbhanga DARBHANGA, Bihar - 846004	Khasra No. - 5895(U), 7877(N), Sripur Bahadurpur, Malthipatti DARBHANGA Bihar - 846004	Chorsa Crackers and/or Sparklers - 1200 Kg., Fire Works - 300 Kg.	14-10-2014	31-03-2024	Valid

Noise Standards for Fire-crackers

(The Noise standards for fire-crackers were notified by the Environment (Protection) (Second Amendment) Rules, 1999 vide G.S.R.682(E), dated the 5th October, 1999 and inserted as serial no. 89 of Schedule I of the Environment (Protection) Rules, 1986. Subsequently these Rules were amended by the Environment (Protection) Second Amendment Rules, 2006 vide G.S.R. 640(E), dated the 16th October, 2006, under the Environment (Protection) Act, 1986)

- A. (i) The manufacture, sale or use of fire-crackers generating noise level exceeding 125 dB(A) or 145 dB(C)_{pk} at 4 meters distance from the point of bursting shall be prohibited.
- (ii) For individual fire-cracker constituting the series (joined fire-crackers), the above mentioned limit be reduced by $5 \log_{10}(N)$ dB, where N = number of crackers joined together.
- B. The broad requirements for measurement of noise from fire-crackers shall be-
- (i) The measurements shall be made on a hard concrete surface of minimum 5 meter diameter or equivalent.
- (ii) The measurements shall be made in free field conditions i.e., there shall not be any reflecting surface upto 15 meter distance from the point of bursting.
- (iii) The measurement shall be made with an approved sound level meter.
- C. The Department of Explosives shall ensure implementation of these standards.
- D. The fire-crackers for the purpose of export shall be exempted from the sub-paragraphs A, B and C above, subject to the compliance of the following conditions, namely:-
- (i) the manufacturer shall have an export order;
- (ii) the fire-crackers shall conform to the level prescribed in the country to which it is exported;
- (iii) they shall have a different packing colour code, and



- (iv) there shall be a declaration on the box "not for sale in India" or "only for export in other countries."

Note: dB(A)_i: A-weighted impulse Sound Pressure Level in decibel
dB(C)_{pk}: C-weighted Peak Sound Pressure Level in decibel."



मानक संचालन प्रक्रिया

Standard Operating Procedure (SOP)

पटाखों के निर्माण/बिक्री एवं उपयोग संबंधी गतिविधियों से संबंधित

2022

क्र०सं०	मानक संचालन प्रक्रिया	कार्रवाई
1.	विस्फोटक अधिनियम, 1884 के प्रावधानों के तहत आतिशबाजी एवं पटाखों को विस्फोटक (Explosive) के रूप में परिभाषित किया गया है।	-
2.	आतिशबाजी एवं पटाखों के निर्माण, विक्रय, परिवहन, प्रयोग इत्यादि हेतु विस्फोटक अधिनियम, 1884 की धारा-5 के तहत विहित प्राधिकार से अनुज्ञप्ति प्राप्त करना अनिवार्य है। अनुज्ञापन प्राधिकारी प्रासंगिक अधिनियम के अनुसूची-IV Part 1 उल्लेखित है। मुख्य रूप से जिला पदाधिकारी, कन्ट्रोलर ऑफ एक्सप्लोसिव या उनके अधिकृत पदाधिकारी को अधिकृत किया गया है।	संबंधित जिला पदाधिकारी / कन्ट्रोलर ऑफ एक्सप्लोसिव या उनके अधिकृत पदाधिकारी
3.	आतिशबाजी एवं पटाखों के बिक्री हेतु दुकानों को दुकान एवं प्रतिष्ठान रजिस्ट्रेशन नियमावली, 1955 (Bihar Shops and Establishments Rules, 1955) के प्रावधानों के तहत संबंधित जिला प्रशासन से रजिस्ट्रेशन कराना अनिवार्य है।	संबंधित जिला पदाधिकारी
4.	पटाखा निर्माण हेतु कारखाना अधिनियम, 1948 की धारा-6 के तहत पटित कारखाना नियमावली, 1950 के नियम 4 एवं 5 के तहत कारखाना अनुज्ञप्ति (Factory License) प्राप्त करना अनिवार्य है।	संबंधित कारखाना निरीक्षक
5.	विस्फोटक नियम, 2008 के तहत विस्फोटक या किसी मैगजीन में विस्फोटक को रखने के लिए पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन (Petroleum & Explosives Safety Organization/PESO) अनुज्ञप्ति प्राप्त करना अनिवार्य है।	पटना उप-मंडल (Patna Sub Circle) Controller of Explosives 4 th floor, F wing, Karpuri Thakur Sadan, Kendriya Karmchari Parisar (GPOA), Ashiyana-Digha Road, Digha, Patna- (Bihar) -800025 (0612)2565913 2565914, Email- cepatna@explosives.gov.in
6.	संबंधित जिला उद्योग केन्द्र से इकाई का निबंधन अनिवार्य है।	संबंधित जिला उद्योग केन्द्र
7.	आतिशबाजी एवं पटाखों के निर्माण, विक्रय, संग्रहण हेतु बिहार अग्निशमन सेवा नियमावली, 2021 के प्रावधानों के तहत अनुज्ञप्ति/एन.ओ.सी. प्राप्त करना अनिवार्य है।	संबंधित अग्निशमन कार्यालय
8.	जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण निवारण एवं नियंत्रण)	बिहार राज्य प्रदूषण नियंत्रण पर्षद

	अधिनियम, 1981 के प्रावधानों के तहत राज्य में किसी भी आतिशबाजी/पटाखा निर्माण इकाई की स्थापना से पूर्व बिहार राज्य प्रदूषण नियंत्रण पर्वद से स्थापनार्थ सहमति (Consent-to-Establish/CTE) तथा इकाई का संचालन प्रारम्भ करने के पूर्व (Consent-to-Operate/CTO) प्राप्त करना अनिवार्य है।	
9.	आतिशबाजी/पटाखा निर्माण इकाई को केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा उद्योगों के वर्गीकरण में 'लाल श्रेणी' में रखा गया है।	
10.	आतिशबाजी/पटाखा निर्माण इकाईयों एवं पटाखों की बिक्री करने वाले दुकानों को नाम एवं पूरा पता का डिसप्ले बोर्ड लगाना होगा, जिसपर उनके द्वारा प्राप्त सभी अनुज्ञापतियों/रजिस्ट्रेशन/निबंधन की सूचना/संख्या/निर्गत की तिथि, वैधता की तिथि एवं संबंधित अग्निशमन सेवा कार्यालय तथा संबंधित थाना का फोन/मोबाईल नं० के साथ अंकित करना होगा।	आतिशबाजी/पटाखा निर्माण इकाईयों एवं पटाखों की बिक्री करने वाले दुकानों।
11.	माननीय सर्वोच्च न्यायालय, दिल्ली द्वारा दिनांक 29.10.2021 को पारित आदेशानुसार दीपावली/छठ एवं अन्य त्योहारों के दौरान वायु/ध्वनि प्रदूषण पर नियंत्रण हेतु: <ul style="list-style-type: none"> i. अधिक शोर, वायु प्रदूषण एवं अपशिष्ट जनन करने वाले लड़ी/सीरिज वाले पटाखों के निर्माण/उपयोग को प्रतिबंधित किया गया है। ii. पटाखों की बिक्री केवल लाइसेंसधारी दुकानदारों द्वारा ही की जा सकती है। ऐसे लाइसेंसधारी दुकानदार यह सुनिश्चित करेंगे कि उनके द्वारा मात्र वैसे ही पटाखों की बिक्री की जाय जो माननीय सर्वोच्च न्यायालय के आदेश के अन्तर्गत मान्य हो। iii. 125dB से कम आवाज एवं कम धुंआँ उत्सर्जित करने वाले पटाखों (हरित पटाखों) के ही निर्माण/बिक्री की अनुमति दी गयी है। iv. वैसे पटाखों जिसमें बेरियम नाईट्रेट (साल्ट सहित), ऐंटीमोनी, लीथियम, मरकरी, 	



	<p>आर्सेनिक और लीड के यौगिकों का प्रयोग किया जाता है, का उत्पादन, वितरण, खरीद एवं बिक्री पर पूर्णतः प्रतिबंध है।</p> <p>v. PESO (Petroleum and Explosive Safety Organization) द्वारा अनुमोदित मानक के अनुसार अल्युमिनियम, सल्फर और पोटैशियम से निर्मित पटाखों का उपयोग किया जा सकेगा।</p> <p>vi. ऑनलाईन ई-कॉमर्स वेबसाइटों के माध्यम से पटाखों की बिक्री प्रतिबंधित है।</p> <p>vii. मान्य पटाखों (हरित पटाखे) का उपयोग रात्रि 8:00 बजे से 10:00 बजे के बीच ही किया जाना है।</p> <p>viii. सामुदायिक आतिशबाजी को प्रोत्साहित किया जाना है।</p> <p>ix. शांत क्षेत्र यथा-अस्पताल, शैक्षणिक संस्थान, न्यायालय, सचिवालय, विधानमंडल, राजभवन, जैविक उद्यान आदि के 100 मीटर के दायरे में शोर उत्पन्न करने वाले किसी भी प्रकार के पटाखों का उपयोग वर्जित है।</p> <p>x. यह निदेश शादी-विवाह एवं अन्य अवसरों यथा सभी निजी, सार्वजनिक एवं धार्मिक समारोहों/कार्यक्रमों पर सामान रूप से लागू होंगे तथा उक्त निदेशों का अनुपालन सुनिश्चित किया जाना अनिवार्य होगा।</p> <p>xi. पटाखों का प्रयोग केवल निर्धारित स्थल एवं समय के दौरान ही हो।</p>	
12.	प्रतिबंधित पटाखों तथा उससे मानव स्वास्थ्य एवं पर्यावरण पर पड़ने वाले दुष्प्रभाव के संबंध में प्रिंट इलेक्ट्रॉनिक एवं सोशल मीडिया तथा लीफलेट, नुक्कड़-नाटक, बैनर आदि के माध्यम से जन-जागरूकता हेतु समय-समय पर प्रचार-प्रसार किया जायेगा।	IPRD, संबंधित जिला पदाधिकारी।
13.	प्रतिबंधित पटाखों की बिक्री का निरीक्षण वर्ष में प्रत्येक चार माह में जिला दण्डाधिकारी के माध्यम से सम्पूर्ण जिलों में सुनिश्चित करना है।	सभी जिला पदाधिकारी एवं सभी वरीय पुलिस अधीक्षक/पुलिस अधीक्षक।
14.	दीपावली पर्व के पूर्व जिला के सभी विद्यालय/महाविद्यालय के छात्रों के बीच पटाखों	शिक्षा विभाग/सभी जिला शिक्षा पदाधिकारी।

	की दुष्प्रभाव, पटाखों से संबंधित आपदा/दुर्घटना के समय अपनाये जाने वाले प्राथमिक चिकित्सा उपचार, बचाव आदि की जानकारी से अवगत कराना है।	
15.	सभी जिलों में प्रत्येक छः माह में (माह-सितम्बर एवं मार्च में) अनिवार्य रूप से सभी पुलिस थाना से अपने-अपने कार्य क्षेत्र में किसी प्रकार का अवैध पटाखा कारखाना संचालित नहीं होने की प्रतिवेदन प्राप्त कर संबंधित जिला पदाधिकारी के समक्ष समर्पित करना है।	सभी वरीय पुलिस अधीक्षक/सभी पुलिस अधीक्षक।
16.	जिला में स्थापित सभी पटाखा दुकानों की सूची, उसको निर्गत अनुज्ञप्ति संख्या, जी.पी.एस. लोकेशन, संचालक का नाम एवं पता, सम्पर्क/फोन/मोबाईल नम्बर को जिला स्तर पर संधारित रखा जायेगा, जिसकी एक प्रति गृह विभाग, बिहार एवं बिहार राज्य प्रदूषण नियंत्रण पर्षद, पटना को उपलब्ध कराया जायेगा।	सभी जिला पदाधिकारी एवं सभी वरीय पुलिस अधीक्षक/पुलिस अधीक्षक।
17.	वर्तमान में बिहार राज्य प्रदूषण नियंत्रण पर्षद द्वारा राज्य में किसी पटाखा निर्माताओं को स्थापनार्थ सहमति (Consent-to-Establish/CTE) एवं संचालनार्थ सहमति (Consent-to-Operate/CTO) निर्गत नहीं किया गया है। भविष्य में जब भी पटाखा निर्माताओं/कारखानों को CTE(NOC) @CTO निर्गत किया जायेगा, तदसम्बंधी सूचना गृह विभाग एवं संबंधित जिला पदाधिकारी को दिया जायेगा।	बिहार राज्य प्रदूषण नियंत्रण पर्षद
18.	बिना वैध अनुज्ञप्ति के किसी भी पटाखा कारोबारी को राज्य के अन्दर प्रतिबंधित पटाखों का आयात करने से वर्जित रहेगा।	वाणिज्यकर विभाग एवं परिवहन विभाग।

