



Memo No. 321 -3L/WPB-E(VI)/2020

Dated: 26/10/2021

ORDER

Sub : Directions under Section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 & Rules made thereunder, orders of Hon'ble Supreme Court of India vide judgement dated 23.10.2018 in W.P (C) No. 728 of 2015 and directives of Hon'ble National Green Tribunal in O.A. No. 249/2020 dated 09.11.2020 and 01.12.2020.

In compliance with the Hon'ble Supreme Court orders vide judgement dated 23.10.2018 in W.P (C) No. 728 of 2015, directions of the Hon'ble National Green Tribunal in original Application No. 249/2020 dated 09.11.2020 [Para 48(v)], dated 01.12.2020 [Para 32 (i, ii & iii)] and also considering the fact that the bursting of fire crackers releases harmful chemicals, having severe impact on the respiratory health of vulnerable groups and the fact that such pollutants aggravate health conditions of COVID-19 positive persons and persons staying in home isolation and considering the latest assessment of the Air Quality across the State of West Bengal showing that the Air Quality of the districts and Kolkata is moderate/satisfactory level till 3rd week of October, 2021.

Now, therefore, in exercise of the powers conferred under Section 31(A) of Air (Prevention & Control of Pollution) Act, 1981 and Rules made thereunder and keeping in view the need of public interest to curb high air pollution, West Bengal Pollution Control Board hereby directs as under -

1. There shall be a complete ban on the sale and bursting of all kinds of fire crackers, except green crackers in the State of West Bengal, till further orders in this respect.
2. In the State of West Bengal only green crackers can be sold and bursting of such crackers shall be allowed for (i) two hours during Deepawali festival from 8 p.m. to 10 p.m. (ii) two hours during Chatt Puja from 6 a.m. to 8 a.m. (iii) 35 minutes during Christmas & New years' eve from 11.55 p.m. to 12.30 a.m.
3. Other than the above specified festivals, prior permission of the District Magistrates /Commissioners of Police/ Superintendents of Police shall be required for use of only green crackers for a limited period (not more than two hours) in the State of West Bengal.
4. In addition to the above, there shall be strict compliance of all terms and conditions mentioned in the order passed by the Hon'ble Supreme Court of India vide Judgment dated 23.10.2018 in W.P. (C) No. 728 of 2015 and orders passed by Hon'ble NGT dated 09.11.2020 and 01.12.2020 passed in O.A. No. 249/2020.

The District Magistrates and Commissioners of Police/Superintendents of Police shall implement the aforesaid directions. Daily action taken report is to be submitted to West Bengal Pollution Control Board in the prescribed proforma.

Roshni Sen

Member Secretary

West Bengal Pollution Control Board

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Copy forwarded to :

1. The Chief Secretary, Government of West Bengal.
2. The Additional Chief Secretary, Department of Environment, Government of West Bengal.
3. The Chairman, West Bengal Pollution Control Board.
4. The District Magistrate _____
5. The Commissioners of Police _____
6. The Superintendents of Police _____
7. P.S. to Hon'ble MoS, Department of Environment, Government of West Bengal.

Roshni Sen

Member Secretary
West Bengal Pollution Control Board

Proforma for daily Action Taken Report (ATR)

Name of the District/ Commissionerate:

Date	Places of occurrence	Police Station	Number of violations	ATR				
				Type of violation	Provision of law under which action has been initiated	Whether any arrest made	Material seized / confiscated.	Environmental Compensation (EC) recovered as per Hon'ble NGT order.

Name:

Designation:

Signature: