

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL**

**Original Application No. 77/2015 (CZ)
N.Vaidraj Vs. Union of India & 6 Ors.**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE PROF. A.R.YOUSUF, EXPERT MEMBER**

PRESENT : Applicant: None
Respondent MOEF&CC : Shri Om S.Shrivastav, Advocate
State of MP : Shri Sachin K.Verma, Advocate
MPPCB: Ms. Parul Bhadoria, Advocate for
Shri Purushaindra Kaurav, Advocate
Municipal Corp. Sagar: Shri Shrey Raj Saxena, Advocate for
Shri Ayush Dev Bajpai, Advocate
Shri Mrinal Kant Pathak, CEO

Date and Remarks	Order of the Tribunal
Order No.2 12th October, 2015	<p>Learned Counsel for the Respondents pray for time to submit the reply. The application pertains to noise pollution.</p> <p>In the meanwhile looking to the festive season of Dussehra and Diwali, it was urged that some directions be issued. We would expect the District Magistrate and Superintendent of Police in their respective jurisdiction within the State to take all possible steps to enforce compliance of the provisions of the Rules of 2006 pertaining to the use of microphone and loudspeakers/amplifier between 10:00 pm to 06:00 am. Steps taken by the Principal Secretary, Housing & Environment, State Government in this behalf by issuing directions and reminders to the District Administration shall also be placed on record. At the same time concern has been raised during the hearing regarding bursting of crackers during the festivity particularly during Diwali. Taking cognizance of the same, we would direct the State and the District Collector as well as the Superintendent of Police and MPPCB to submit their response of the following issues and steps taken :</p> <ol style="list-style-type: none">(1) What are the steps taken to ensure observance of the prescribed decibel value on the crackers and their monitoring.(2) In the absence of any mention on the printed labels and packages of the crackers regarding their decibel value, what

mechanism the administration proposes to employ for detection of the decibel value of the cracker which are available in the market.

(3) It has also been submitted during the course of hearing that in many cases, crackers even those which are imported, hardly give any information regarding the composition and compound used for the explosive material in the crackers. In this behalf, the MPPCB and the District Administration need to take a stand on determination of the compounds used for preparation of such crackers particularly as a result of bursting of such crackers what would be the impact on the air ambience. Sample studies after taking such crackers from the market and particularly imported one as they are alleged to be more harmful shall be carried out and report submitted with action taken based on such reports.

(4) We would also issue notice to the Ministry of Environment, Forest & Climate Change and the Home Ministry and/or Custom and Excise Department, Government of India whether they have notified or determined what kind of crackers and explosive material are permitted to be imported and with what composition and the method employed to detect and monitor the same.

Shri Om S.Shrivastav, Advocate for Government of India, MoEF&CC shall convey our above order to the other ministries.

Let the matter be listed on **14th October, 2015.**

.....JM
(DALIP SINGH)

.....EM
(PROF A.R.YOUSUF)