



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ  
PUNJAB POLLUTION CONTROL BOARD

No. ....

Dated. ....

To

The Environmental Engineer,  
Punjab Pollution Control Board,  
Regional Office- Amritsar, Bathinda,  
Batala, Faridkot, Fatehgarh Sahib, Hoshiarpur,  
Jalandhar-I&II, Patiala, Sangrur, Mohali,  
Ropar and Ludhiana-I, II, III&IV.

**Subject: - Guidelines under Explosives rules 2008.**

On the subject cited matter, it is intimated that the Director, Department of Industries & Commerce, Punjab has forwarded the guidelines formulated and approved by the Govt. of Punjab under explosive rules 2008. The copy of the same is enclosed herewith for taking action as mentioned in guidelines.

DA as above:

*sd*

Member Secretary

Endst No- *25581*

Dated- *06/12/22*

A copy of the above is forwarded to the Environmental Engineer(computer), Punjab Pollution Control Board, Patiala for uploading these guidelines on the website of the Board.

*Kgall*

Member Secretary

*2*

**Government of Punjab**  
**Department of Industries & Commerce, Punjab,**  
**Chandigarh,**

To

✓ All District Magistrates,  
(In the State).

Memo No. Tech/Explosive Rules/Part-III/

4530-A

Date: 14/9/22

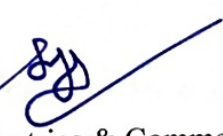
**Subject:- Guidelines under Explosives Rules-2008.**

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Refere to this office Memo no, Tech/Explosive Rules/Part-II/4083-A dated 14.09.2021 regarding Guidelines under Explosive Rules- 2008.

2. Guidelines under Explosive Rules, 2008 as formulated and approved by the Govt. are enclosed herewith for compliance and necessary action in coordination with Police and all relevant departments for the year 2021-2022.

Encl.As above.

  
Director Industries & Commerce, Punjab

Endst. No. Tech/Explosive Rules/Part-III/

Date:

A copy of the above along with enclosures is forwarded to the following for information and further necessary action:-

1. Additional Chief Secretary, Department of Home Affairs & Justice. (Home-2 Branch), Punjab Civil Secretariat-1, Chandigarh.
2. Principal Secretary Science, Technology & Environment, Punjab Sector-9, Punjab Civil Secretariat-2, Chandigarh.
3. Chairman, Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala.
4. All General Manager, District Industries Centre (in the State of Punjab) for information and necessary action. They are requested to handover the hard copy of the guidelines to the respective DMs and Commissioners of Police/ SSPs and District Fire Officers of the districts and compliance report to be sent to this office/ DI&C office at the earliest.

Encl. As above,

  
Director Industries & Commerce, Punjab

**Guidelines for District Magistrates to exercise powers under Explosive Rules, 2008 in a fair and judicious manner-2022**

- i. The crackers should be sold between 10.00 AM to 7.30 PM.
- ii. The temporary licenses should be issued by the DM as per the directions of the Hon'ble High Court by its order dated October 13, 2017 in CWP No. 23548 of 2017, i.e., upto 20% of the total number of temporary licenses issued in the year 2016 and the grant of issuance of temporary licenses shall be on the basis of draw of lots to be held by the concerned Deputy Commissioner themselves and their power shall not be delegated to anybody else under any circumstances. The draw of lots made by the Deputy Commissioners, as directed by the Hon'ble High Court, would be videographed. However, there remains a complete embargo on grant of permanent licenses in terms of the order of the Hon'ble High Court dated October 13, 2017.
- iii. Near the designated area for sale of crackers, and/or cluster of fireworks shops, vehicle(s) of Fire Brigade, at least two in number, PCR and an Ambulance must be placed in order to help and control the situation/ mis-happening. Each cluster of fireworks shops shall also maintain appropriate supplies and measures for provision of first-aid. In this regard, for providing the above said services, a fees has proposed to be charged from each temporary licence holder / shop keepers @ Rs.2000/- per season upto Diwali Festival in the Municipal Corporation limit, Rs.1000/- per in the Municipal Council limit and @Rs.500/- in Municipal Committee limit. These fees are to be charged at the time of granting temporary licence for sale of crackers by the DM and amount to be divided into ratio of 60:40 between the concerned Municipal Corporation / Municipal Council / Municipal Committee or Fire Department and Health department for providing services of Ambulance 108.
- iv. The sale of fire crackers by the temporary licensees, granted by the Deputy Commissioner concerned, shall only be in the areas, which would be designated by the respective Deputy Commissioners.

- v. No stall should be allowed to install and sell the crackers along / near the National highways, State Highways, Railway lines / tracks/narrow streets paths and crowded area. Further, as mandated by the Hon'ble High Court in its order dated October 13, 2017 in CWP 23548 of 2017, no temporary licensee shall be entitled to sell firecrackers or market them at any other place except the earmarked/designated area by the Deputy Commissioner concerned which will be supervised by a senior officer having the power of Executive Magistrate.
- vi. The licensees shall ensure compliance with the Explosives Rules 2008. Further, While preparation of designated areas it shall be ensured that :
  - 1. The fireworks shall be kept in a shed made of non-flammable material, which is closed and secured so as to prevent unauthorized persons having access thereto.
  - 2. The sheds for possession and sale of fireworks shall be at a distance of at least three Meters from each other and fifty meters 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 meters of any shed.
  - 6. In one cluster not more than fifty shops shall be permitted.
- vii. The designated area fixed for sale of crackers should be declared as non-smoking area and in this regard a board to be installed by the Municipal Corporation / Municipal Council / Municipal Committee on the access / passage leads to designated area on which it should be written that "Smoking is prohibited in this area / No Smoking Zone". Further, it may also be displayed in writing in large font at conspicuous in the designated areas that

the use of cigarette, lighter and matches box in the designated areas is prohibited.

- viii. Further, it was also suggested that in the designated area and in the shops use of Aggarbatties / Dhooph should be prohibited.
- ix. The vehicle parking area should be 15 meters away from the designated area fixed for sale of crackers.
- x. The designated area should be barricaded on all sides where required subject to sufficient egress/exit points. The appropriate authority will ensure that appropriate avenues of egress are ensured and maps of the designated areas highlighting the exit are displayed prominently so that any mishaps or stampedes can be avoided.
- xi. The silent Generator only to be allowed where it is required with the condition that it should be installed 15 meters away from the designated area and its supply wire should be laid underground through conduit pipe.
- xii. No crackers should be tested or blasted near designated area.
- xiii. The salesperson should not be below the age of 18 year and the temporary licence holder should submit the detail of all salesman and other persons involved in the sale of crackers with the application form for obtaining temporary licence.
- xiv. The salesman / salesperson should wear cotton clothes during the period of sale of crackers.
- xv. The crackers should be transported in steel body covered vehicles from Godown of the authorized whole seller licensees to sale shop in the designated area / cluster.
- xvi. The concerned police authorities and the DM shall ensure that fireworks are not burst in silence zones that is, an area at least 100 meters away from hospitals, nursing homes, primary and district health-care centres, educational institutions, courts, religious places or any other area that may be declared as a silence zone by the concerned authorities.

- xvii. In terms of the judgment dated October 23, 2018 (modified vide Orders dated October 30 and 31, 2018), passed by the Hon'ble Supreme Court in WP (C) No. 728 of 2015, the following shall also be ensured :
- a. No licensee shall store, display or sell joined firecrackers (series of crackers or laries);
  - b. No licensee shall store, display or sell any firecrackers that use barium salts or compounds of antimony, lithium, mercury, arsenic, lead or strontium chromate in the manufacture of fireworks;
  - c. No licensee shall store, display or sell any firecrackers whose decibel levels are not within the permitted limits;
  - d. Licensee shall produce crackers with reduced emission (improved crackers) and green crackers. Crackers which have already been produced would be allowed to be sold for this Diwali and other festivals and occasions.
  - e. No e-commerce websites, including Flipkart, Amazon etc., shall accept any online orders and effect online sales.
  - f. On Diwali days, when such fireworks generally take place, it would strictly be from 8:00 p.m. till 10:00 p.m. only. On Christmas eve and New Year eve, when such fireworks start around midnight, i.e. 12:00 a.m., it would be from 11:55 p.m. till 12:30 a.m. only. On the occasion of Gurpurab, fireworks shall be allowed for one hour in the morning i.e., 4 am to 5 am and one hour in the evening i.e., 9 pm to 10 pm.
  - g. An endeavour shall be made to explore the feasibility of community firecracking.
  - h. All the State Government, and particularly the Police, shall ensure:
    1. that fireworks take place only during the designated time, and
    2. there is no sale of banned firecrackers,

In case any violation is found, the Station House Officer (SHO) of the concerned Police Station of the area shall be held personally liable for such violation and this would amount to committing contempt of the Supreme Court, for which such SHO(s) would be proceeded against.

- i. The concerned Deputy Commissioners shall also ensure that appropriate display boards are installed at the designated Areas to spread public awareness of the harmful effects of fire crackers and to apprise the general

public that the use of firecrackers on Diwali day or any other festival can be strictly from 8 pm till 10 pm only. **{A copy of the relevant judgments of the Hon'ble Supreme Court and High Court is enclosed for ready reference.}**

- xviii Warning boards displaying the words "**Explosives and Dangerous Goods.**" shall be placed at conspicuous places near the designated areas for sale of crackers and/or cluster is of fireworks shops. Such warning boards would be provided in local languages and insert other languages that will ensure maximum dissemination of the intended message.
- xix. **For Marriage Function**
- a) Every Marriage Palace should obtain a License for Fireworks, Marriage palace owner will be responsible for Fireworks License.
  - b) In Marriage Palace there should be fixed open place for fireworks, which should at least 30 meter far away from the tent, main road and parking place. Power lines should not be crossing above the place prescribed for bursting or firecrackers.
  - c) Water should be available at the place prescribed for bursting of firecrackers and fire extinguishers should also be available on the spot.
  - d) The permission should be granted by the District Magistrate only after obtaining NOC from the Police Department and Fire Brigade for the place where the firecrackers are to be set off by the owners of the Marriage Palace.
  - e) Prohibition of bursting firecrackers at a wedding without a license.
- xx. **Sobha Yatras/Nagar Kirtan/Parbhat Pheri and Dusshera Festival.**
- a) Approval of Display License No. LE-06 in Serial No. 20 of Rule No. 113 of Explosives Rules 2008 for setting up and keeping firecrackers at approved places by making stages during Sobha Yatras/Nagar Kirtan.

- b) Prohibition of placing firecrackers in vehicles running Sobha Yatras/Nagar Kirtan/Parbhat Pheri and other vehicles which are to be part of the Sobha Yatras/Nagar Kirtan/Parbhat Pheri.
- c) Permission of the stage/place/area at which the firecrackers are to be fired should be obtained from the District Magistrate.
- d) The District Magistrate should obtain reports from the Police Department and Fire Brigade that the stage/place/area should not be near any petrol pump/gas agency or any other place where flammable substances are likely to be present.
- e) There should be a complete ban on the use of firecrackers in densely populated areas.
- f) The stage/place/area where the fire crackers are to be fired should not be under the power lines.
- g) Firecrackers should not be fired in the open. Where firecrackers are to be fired, there should be a complete arrangement of fire extinguishers and also first Aid.
- h) Firecrackers work should be prohibited on road and at land (Non Designated Area).
- i) Firecrackers should be fired at starting or last stage of Sobha Yatras/Nagar Kirtan/Parbhat Pheri at designated area.
- j) During Dusshera Festival, the organizing Dusshera Committee should obtain the permission from the District Magistrate at the Dusshera Ground/Designated area where the Dusshera is celebrated. Firework start around 6.00 P.M. to 7.00 P.M. At the time of fire cracking the public gathering at the Dusshera Ground should be 30 meter away in radius from the designated fire place. Near the designated area of fire cracking vehicle of Fire Brigade at least one in number, PCR and Ambulance-108 must be placed in order to help and control the situation/mis-happening. In this regard, for providing the above said services, a fee is proposed to be



charged from each organizing Dusshera Committee @ Rs. 2,000.00 per day on the Dusshera Festival in Municipal Corporation limit, Rs. 1000.00 per day in the Municipal Council limit and Rs. 500.00 in the Municipal Committee limit. These fee are to be charged at the time of granting permission by the SDM/DM and amount to be divided into ratio of 60:40 between concerned Municipal Corporation/Municipal Committee or Fire Department and Health Department for providing services of Fire Brigade and Ambulance-108.

- xxi. The above guidelines are subject to Updation based on recent judgments of Hon'ble High Court/Supreme Court, if any which will be conveyed to all as and when received.

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