

অসম চৰকাৰ



GOVERNMENT OF ASSAM

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OFFICE OF THE DISTRICT MAGISTRATE:::KAMRUP:::AMINGAON
(MAGISTRACY BRANCH)

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Prohibitory Order u/s 163 BNSS

Whereas, ensuing Dipawali/Kali Puja on the 31st October & 1st November, 2024 and the Chath Puja on the 7th November, 2024 will be celebrated across the country as well as in Kamrup District;

And,

Whereas, during the course of the celebration of the festival there is likelihood of bursting of firecrackers in public places and public thoroughfares, which if unregulated will significantly affect the air quality and will produce a large volume of noise;

And,

Whereas, bursting of crackers leads to increase air pollution which will have an adverse impact on health, and hence it is deemed necessary to ban certain categories of fire crackers and restrict the timing for usage of all others;

And,

Whereas, the Hon'ble Supreme Court of India vide order No.44727/2021 in WRIT PETITION (C) No.728/2015 dated 29.10.2021 has noted that air pollution from all sources has to be contained, and hence there is a need to restrict the usage of firecrackers,

And,

Whereas, the Government of Assam has also directed that the sale and usage of foreign made fire cracker are strictly prohibited;

Now, therefore, I, Shri Deba Kumar Mishra, ACS District Magistrate, Kamrup District, Amingaon, in exercise of the powers conferred upon me under section 163 BNSS, do hereby prohibit -

1. The sale, purchase and procurement of foreign-made firecrackers;
2. The sale, purchase and procurement of firecrackers Barrium & other chemicals banned by the Apex Court of India;
3. Bursting of fire crackers in any part of the district between 10:00 p.m. to 08:00 a.m. w.e.f. 31.10.2024 till 02.11.2024;
4. The Use of firecrackers generating noise level exceeding 125 db (AI) of 145 db (C) PK at 4 meters distance from the point of bursting;
5. Bursting of crackers within 100 meters of hospitals, nursing homes, primary and district health care centers etc.;
6. Further, the sale of fire crackers shall only be through licensed traders and it shall be ensured that these licensed traders sell only those firecrackers which have been permitted by this office and are in compliance to central pollution control board guidelines;

* However, there is no obligation on bursting of **green crackers** (of noise level < 125 db (AI) of 145 db (C) PK) by public between **08:00 p.m. to 10:00 p.m. on the 31st October, 2024.**

As circumstances do not admit of serving of a notice upon any individual(s) or organization(s), as provided u/s – 153 BNSS, this order is being passed ex-parte as envisaged U/S 163 (2) BNSS and it shall come into force with immediate effect and remain in force till the celebration of the festival is over.

Anyone aggrieved with this order is/are at liberty to approach the undersigned for any modification / alteration / rescind of this order. Violation of this promulgation will be punishable under section 223 of BNS and any other existing relevant provisions of law. The Superintendent of Police, Kamrup shall ensure implementation of this order in letter and spirit.

Given under my hand and seal on this 30th Day of October, 2024.

(Shri Deba Kumar Mishra, ACS)
District Magistrate
Kamrup, Amingaon

Memo No. E 2058 MJ-15/1/2022-KMJ/ (A)

Dated Amingaon, the October, 2024

Copy forwarded to :

1. The Chairman, Pollution Control Board Assam, Bamunimaidam, Guwahati-21, for favour of information.
2. The Secretary, Coordination, O/o the Chief Secretary, Assam, for favour of information.
3. The Superintendent of Police, Kamrup, Amingaon. He is requested to enforce the order through Police Officers/ In-Charges of all P.S./O.P. within Kamrup District and to take immediate action against any violation of this order.
4. All Circle Officer & EMs under Kamrup district, information and necessary action.
5. The DIO, Kamrup, for publishing the order in district official web page.
6. P.S. to the Addl. Chief Secretary to the Govt. Of Assam, Home & Political Deptt., Dispur, Ghy-6, for favour of information.
7. The DIPRO, Kamrup for wide publicity of the order through local dailies/AIR/ Doordarshan etc.

Sd/
(Shri Deba Kumar Mishra, ACS)
District Magistrate
Kamrup, Amingaon