

ITEM NO.2

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 728/2015

ARJUN GOPAL & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

([ONLY I.A. NO. 155697/2018 TO BE LISTED])

Date : 30-10-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Gopal Sankaranarayanan, Adv.
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Ms. Uttara Babbar, AOR

UPON hearing the counsel the Court made the following
O R D E R

I.A. No. 155816/2018

Respondent No.7/applicant in this application has sought clarification in respect of direction No.(xv) in our judgment dated 23.10.2018. It is particularly in respect of the following portion of the said direction:

"(xv).....insofar as the other States are concerned, an endeavor shall be made by them also to explore the feasibility of community firecracking. However, it is made clear that Direction No. (xiv) pertaining to the duration within which fireworks can take place on such

occasions would be applicable throughout India. Similarly, Direction No. (xiii) for extensive public awareness campaigns is also a pan India direction."

In direction No. (xv) it is stated that insofar as Government of NCT of Delhi and the State Governments of the NCR areas are concerned, the respective governments would permit community firecracking wherever it is possible. In respect of other States it is mentioned that an endeavour in that respect shall also be made by those States to explore the feasibility of community firecracking. Direction No. (xiv) is about the duration in which there can be fireworks i.e. 08:00 p.m till 10:00 p.m. In the aforesaid portion it is stated that insofar as timings are concerned that would also be applicable throughout India. There are some other applications filed where change in timings is sought for, which would be considered in those applications. Insofar as the aforesaid direction is concerned, we do not find any reason to change the same. This application is, therefore, dismissed.

I.A. No. 156525/2018

Having regard to the averments made in this application, insofar as State of Tamil Nadu, Union Territory of Puducherry and other Southern States are concerned, they are permitted to change the timings during which firecrackers can be burnt from 08:00 p.m. to 10:00 p.m to any other timings and which can be even staggered timings. However, it is made clear that the total timings would not be more than 02 hours.

Interlocutory Application is accordingly disposed of.

I.A. No. 155697/2018, I.A. No. 155828/2018, I.A. No. 156484/2018,
I.A. No. 156704/2018, I.A. No. 157066/2018 & I.A. No. 156999/2018.

Arguments heard.

Mr. Nadkarni, learned ASG appearing on behalf of Union of India and PESO, states that he will be filing an affidavit in respect of Barium by tomorrow.

List these applications on 31.10.2018.

(ASHWANI THAKUR)
COURT MASTER (SH)

(RAJINDER KAUR)
BRANCH OFFICER