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Government of Jammu & Kashmir
Office of the District Magistrate, Leh

ORDER

1. Whereas the use of fire crackers is becoming a regular feature of the festivities and celebrations associated with occasions like Losar, Diwali etc.
2. Whereas the storage and use of fire crackers poses severe risks to not only human communities but also animals both wild and domestic. The risks are in the form of accidents in fire cracker storage sites, outbreak of fire due to use of fire crackers like in the case of Matho village recently and most significantly environmental impact in the form of pollution of air and water bodies.
3. Whereas Leh district is located in an ecologically fragile landscape characterized by low air oxygen levels and limited water resources. Pollution inducing activities such as storage and use of fire crackers is bound to have a significant negative impact on the flora and fauna of Leh district. Moreover, the landscape of Leh district is characterized by traditional architectural style emphasizing the use of combustible items like wood, making structures especially vulnerable to gutting due to fire.
4. Whereas the Hon'ble Supreme Court of India in the case titled **Arjun Gopal and others V/S Union of India and others** observed in reference to the use of fire crackers that;

"We are conscious that we are dealing with time honoured ways of celebrating certain occasions. The petitioners and every member of the Bench and the Bar also celebrate in the same way. But does that justify the continuance of this manner of celebration, when the quality of air in the region is so poor and

injurious to health and well being and is destroying essential components of the freedom to live a healthy life? Allowing availability of such fireworks or explosives constitutes a serious invasion of the Freedoms and Rights conferred on citizens by Part III of the Constitution of India. Such an invasion is all the more deleterious towards the rights and freedom of the poor and the under privileged who must breathe such air without any means of protecting themselves".

"There is no doubt that protecting citizens (including those who use fireworks) by making these unavailable in the market would require the suspension of trade of a miniscule section of the population. May be they have acquired stocks for sale or obtained credit for their business. We are however of the view, that balancing the vital interests of the vast majority of citizens against the commercial interests of a few, the balance must heavily tilt in favour of citizens in general".

5. Whereas there is every possibility that continuous storage and use of fire crackers in Leh district shall have far reaching consequences on the environment and health of its residents.

Therefore, I, G Prasanna Ramaswamy, IAS, District Magistrate Leh invoking the powers vested in me by the Section 144 of the Jammu and Kashmir Criminal Procedure Code and Rules 83, 85 to 88 of the Explosive Rules 2008 do hereby order that;

1. No person organization or any group of individuals shall engage in the storage, sale or purchase of fire crackers.
2. No person, organization or any group of individuals shall engage in the use of fire crackers.
3. This order however, shall not apply to;
 - (i) The authorized use of explosives for industrial & road construction activities.
 - (ii) The use of flares and markers by any member of the armed forces like Army, Airforce or Paramilitary for operational and training purposes.

For the purposes of this order 'use' of fire crackers implies storage, sale, purchase and bursting/lighting up of fire crackers as defined by the Explosives Rules 2008.

This order shall come into force from 1st of January, 2017 and shall continue for a period of 2 months.

This order shall be complied with by both the civilian and military populations of the district without any exemption. The district Police and the Commanding Officers/Commandants of Military, Paramilitary and Border Roads Organization shall ensure the compliance of this order.

Given under my hand and the seal of the Court, this 29th day of December, 2016.



(G Prasanna Ramaswamy, IAS)
District Magistrate,

Leh.

29/12/16
District Magistrate
Leh Ladakh

Dated : 29/12/2016

No. JC-161(C)2008(903)

Copy to the :-

1. Hon'ble CEC, LAHDC, Leh for favour of information.
2. HQ 14 Corps for information and compliance.
3. AOC, 21 Wing Airforce Station, Leh information & compliance.
4. DIG, ITBP Ladakh for information and compliance.
5. Chief Engineer, Project Vijayak for information & compliance.
6. Chief Engineer, Project Himank Leh for information & compliance.
7. SSP Leh for information & compliance.
8. Joint Dy. Director, IB Leh for information.
9. ✓ TD, NIC Leh for uploading on NIC website.
10. AD Information Leh for wide publicity of this order through local print, electronic and voice media.
11. President, Press Club Leh for information