



Directives under Rule 126 of Explosives Rules 2008

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A recent accident during display of fireworks at Paravoor, Kerala has brought out several discrepancies such as lack of effective enforcement of the Explosive Rules 2008 on the part of the district administration, use of unauthorized fireworks, viz. Amittus, Kuzhiminnal, Palm leaf crackers, multishots, gundus etc., use of unauthorized chemicals i.e. potassium chlorate in fireworks, unauthorized storage of fireworks at public display site and non-adherence of prescribed safety distances between display site and spectators, etc.

To prevent such incidents in future, there is an urgent need of tightening of enforcement of the Explosives Rules 2008 by District Authorities. For the same, following directives are issued under Rule 126 of the Explosives Rules 2008 to be implemented by District Authorities for safe public display of fireworks:-

- (i) District Magistrate's office will be the single window for granting licenses in Form LE-6 of the Explosives Rules, 2008 for public display of fireworks. Application for license for public display of fireworks shall be submitted to the District Magistrate's office two months prior to scheduled date of display and if approved, permission will be granted at least one month prior to the display date;
- (ii) District Magistrate may take appropriate decision on relaxation of timing for display of fireworks in the light of Hon'ble Supreme Court's order dated 26.03.2007 in the case of Prevention of Environmental and Sound Pollution Forum Vs Union of India and others [Writ Petition (Civil) No. 72 of 1998];
- (iii) Only authorized fireworks approved by Chief Controller of Explosives shall be used for public display of fireworks (*Rule 6 and condition 4 of licence in Form LE-6 of the Explosives Rules 2008*);
- (iv) For authorization of traditional fireworks viz. Amittus, Kuzhiminnal, Palm leaf crackers, multishots, gundus, etc. manufacturers shall apply to Chief Controller of Explosives, Petroleum and Explosives Safety Organisation (PESO), Nagpur as per Rule 6 of the Explosives Rules 2008, accompanied by particulars namely nature, composition, percentage of ingredients, dimensions, process of manufacture and performance characteristics of the fireworks. PESO will approve the fireworks within 10 days and after submission of fireworks samples, authorization will be accorded within 30 days;
- (v) Storage licenses to store fireworks, if required, near the display site shall be taken from the Office of Deputy Chief Controller of Explosives, PESO at Ernakulam. The store house (magazine) should be shown in the drawing along with display site (*Rule 71 and Schedule IV of the Explosives Rules 2008*);
- (vi) The District Magistrate shall ascertain that 100 meters safety distance between the fireworks display site and spectators and 250 meters from hospitals, schools and nursing home shall be strictly complied. Barricading shall be provided at 100 meters around the display site to prevent entry of general public in the display area (*conditions 3 and 11 of licence in Form LE-6 of the Explosives Rules 2008*);
- (vii) Wherever these safety distances are not available, the display site should be shifted to a suitable area. Even if safety distances are available but the display site is congested, that may make evacuation of people in case of an accident difficult/ problematic, it should be shifted to an open area;
- (viii) District Authority shall ensure presence of experienced manpower for conducting fireworks display (*condition 24 of licence in Form LE-6 of the Explosives Rules 2008*);
- (ix) District Magistrate shall instruct festival organizers to conduct risk assessment by reputed organizations to identify potential hazards arising on account of fireworks display prior to applying for display licence and ensure that relevant provisions of the Explosives Rules, 2008 are complied with. Based on the risk assessment study, disaster management plan shall be prepared by the District Administration before the fireworks display;
- (x) Strict action should be taken against unauthorized manufacturers and display of fireworks (*Rules 6 and 7 of the Explosives Rules 2008*);
- (xi) District/Police Authorities shall collect samples of fireworks from the premises of manufacturers and submit the same to Regional Chemical Examiner's Laboratory at Ernakulam well in advance to be tested for potassium chlorate or any other chlorate. Fireworks containing chlorate or prohibited chemicals shall not be used for public display (*Rule 128 (c) and condition 6 of licence in Form LE-6 of the Explosives Rules 2008*);
- (xii) District Magistrate will have to send a report every 15 days to the State Government regarding display of fireworks, starting one month prior to start of festival season till the end. The report shall include particulars like no. of applications received, no. of licenses granted, suitability of display site, compliance of the Explosives Rules 2008, etc.

MJPS

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