ITEM NO.23 COURT NO.3 SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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

ARJUN GOPAL & ORS. Petitioner(s)

VERSUS

UNION OF INDIA . & ORS. Respondent(s)

[ONLY I.A. NOS. 245432/2026, 251493/2026, 245387/2026, 264010/026, 325852/2025 & I.A. NO. 103495/2026 ARE LISTED UNDER THIS ITEM]
IA No. 103495/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 325852/2025 - APPROPRIATE ORDERS/DIRECTIONS

Date : 30-09-2026 This matter was called on for hearing today.

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HON'BLE MR. JUSTICE PRASANNA B. VARALE

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UPON hearing the counsel the Court made the following

O R D E R

We have heard the learned Additional Solicitor General(ASG), learned Senior Counsel and the learned counsel appearing for the parties.

During the course of hearing the following instructions received from the Union of India pertaining to the fire crackers have been placed before this Court.

> **“10.That the findings of the aforesaid study along with the specifications communicated by**

CSIR-NEERI in respect of New Generation Joined Crackers and their corresponding noise emission levels, provided the following:

Number of firecrackers in a series	Shell size (inner dia (mm) x outer dia (mm) x length (mm)	Bursting time (seconds)	Type of New Generation Joined Green cracker developed by NEERI	Observed Noise emissions L_{AI}(dBA)	Noise standards for individual fire-cracker under the Environment (Protection) Rules, 1986 L_{AI}(dBA)
1	5 x 6 x 33	<10	F	89-90	125
10	5 x 6 x 33	12 – 15	F	105.5-114.6	120
1000	5 x 6 x 33	50 – 60	F	112.2 – 116.6	110
	5 x 6 x 33	75 – 90	F	101.3 – 103.5	
10000	5 x 6 x 33	90 -106	F	118.2 – 120.5	105
	5 x 6 x 33	160 – 200	F	102.6 – 103.9	

11. That the aforesaid report mentioned that, in the conventional joined firecrackers, 25 braids were bursted in 1 second whereas in the next generation joined crackers, only 5 braids are bursted in 1 second, as the bursting time duration has increased 5 times in Next Generation Joined Green Crackers as compared to conventional Joined Crackers.

12. That, accordingly, the Respondent respectfully submits that a limited and conditional relaxation may be considered in respect of specified Next Generation Joined Green Crackers as recommended by the CSIR-NEERI complying with the applicable noise, emission and safety requirements, subject to which these fire-

crackers conform to the following conditions and such further conditions as may be prescribed by this Hon'ble Court:

i. conform to the specifications/formulations tested and approved by the competent authority;

ii. are manufactured only by duly licensed manufacturers;

iii. comply with the prescribed noise limit of 125 dB(AI)/145 dB(C) peak, as applicable;

iv. comply with the applicable emission and safety requirements;

v. maintain the prescribed shell size, shell number and bursting duration/time between bursts, formulation as prescribed by CSIR-NEERI;

vi. undergo the prescribed testing and certification under applicable statutes, regulations/rules and guidelines;

vii. carry appropriate identification/ marking to facilitate regulatory enforcement and traceability; and

viii. shall not contain banned chemicals."

Upon hearing the learned counsel appearing for the parties, we accept the suggestions made.

That leaves us to the issue pertaining to the use of Barium in fire crackers. Learned ASG appearing for the respondent(s) would submit that open ground testing will have to be conducted on the green fire crackers using Barium.

Accordingly, such exercise is to be taken on or before 14th October, 2026.

List all the applications including IA NO.103495/2026 seeking appropriate orders on 15.10.2026.

There is also an incidental issue involved which is specifically applicable to the Delhi-NCR region.

Learned Senior counsel appearing for some of the parties brought to the notice of this Court that in the pending matter being *M.C. Mehta v. Union of India*- Writ Petition [C] No.13029/1985, an order has been passed on 15.10.2025, by the Bench comprising of Hon'ble the Chief Justice of India. The issues involved in both the matters, namely, the present matter and the *M.C. Mehta* (supra) are incidental and overlapping and, therefore, it would be ideal to hear the matters together.

In such view of the matter, we only permit the learned Senior counsel to make an appropriate mentioning before Hon'ble the Chief Justice of India.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR