



Supreme Court Dismisses Plea Against Ban On Firecrackers

Why in News

Recently, the Supreme Court has dismissed appeals challenging the [National Green Tribunal's \(NGT\) order](#) which had imposed a complete ban on the sale and use of all firecrackers during the Covid-19 pandemic in NCR and other cities in India.

- The order was given in the context of a poor [Air Quality Index \(AQI\)](#), owing to the burning of crackers.

Key Points

▪ Background:

- In 2017, the Supreme court had **banned the use and sale of toxic crackers** during the **celebration owing to diwali, Christmas, etc.**, on the basis of a petition filed by two infants.
 - They had said the air pollution caused by various factors, especially firecrackers, had made **Delhi a gas chamber**.
 - They pleaded for their **right to life**.
- The court **dismissed arguments that bursting crackers was a fundamental right** and an essential practice during religious festivals like Diwali.
 - The court held that the **Right to Freedom of Religion (Article 25) is subject to Right to life (Article 21)**.
 - If a particular religious practice is threatening the health and lives of people, such practice is not entitled to protection under Article 25.

▪ NGT Order:

- The NGT in its December 2020 order said that only [green crackers](#) (which use less polluting raw materials) would be permitted for Christmas and New Year, in areas where the ambient air quality was in the moderate or below categories.
 - However, owing to [Covid-19 pandemic](#), NGT again prohibited the sale and use of firecrackers.
- The firecrackers companies argued that the ban was an impediment to their livelihoods.
- In reply to the argument, the Tribunal had reasoned that the **“right to business is not absolute (Article 19 (1) (g)) and there is no right to violate air quality and noise level norms**.

▪ Harmful Effects of Crackers:

- Firecrackers contain lots of **heavy metals and toxic chemicals** like cadmium, lead, chromium, aluminium, magnesium, nitrates, carbon monoxide, copper, potassium, sodium, zinc oxide, manganese dioxide etc.
- These chemicals, if inhaled or ingested, can cause **severe effects in the health of people** like heart diseases, respiratory or nervous system disorders.

- Further, **noise pollution** causes restlessness, temporary or permanent hearing loss, high blood pressure; sleep disturbance and even poor cognitive development in kids.

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