



ABSTRACT

LAW & ORDER – Guidelines for installation and worship of Vinayakar idols and also immersion thereof– Notified.

PUBLIC (LAW & ORDER.B) DEPARTMENT

G.O.Ms.No.598

Dated : 09.08.2018.

**Vilambhi, Aadi-24,
Thiruvalluvar Aandu-2049.**

Read :

1. Orders of Hon'ble High Court, Chennai, dated 23.08.2017 in W.P.No.21953/2017 and 22240/2017.
 2. From the Commissioner of Police, Greater Chennai, Letter No.753/S.B.XII/2017, dated 23.09.2017.
 3. From the Commissioner, Corporation of Chennai, Letter No. WDC /2210/2017, dated 23.04.2018.
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ORDER :

Proposals have been received from the Commissioner of Police, Greater Chennai and the Commissioner, Corporation of Chennai regarding formation of guidelines / rules for temporary installation and worship of idols on public land, duly taking into account the observations made by the Hon'ble High Court in a batch of Writ Petitions on the issue.

2. The Government examined the issue in detail. With a view to maintain public peace, tranquility, public safety, regulation of traffic and control of pollution, the Government, after careful consideration, issue the Guidelines regarding the installation and worship of Vinayakar idols and also immersion thereof, as in the Annexure to this Government Order and notify the same for the State of Tamil Nadu.

3. The officials concerned are hereby instructed to give wide publicity to the above guidelines and ensure strict implementation of the same with immediate effect.

4. This order issues with the concurrence of Environment and Forests Department vide its U.O. dated 03.08.2018 and Home Department, vide its U.O. No.1, dated 03.08.2018.

(BY ORDER OF THE GOVERNOR)

P. SENTHILKUMAR,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

To

All Secretaries to Government, Secretariat, Chennai-9.
All District Collectors.
All Commissioners of Police.
All Superintendents of Police.
The Director General of Police, Chennai-4.
The Commissioner of Police, Greater Chennai, Chennai-7.
The Additional Director General of Police (Law & Order), Chennai-4.
The Inspector General of Police, Intelligence, Chennai-4.
The Commissioner, Corporation of Chennai, Chennai-3.
The Director of Stationery and Printing, Chennai-2.
The Works Manager, Government Central Press, Chennai-79.

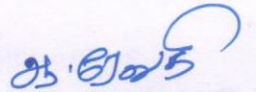
(Two copies – for publication of the Notification in an
Extra-ordinary issue of Tamil Nadu Government
Gazette, dated 09.08.2018)

The Secretary to Governor, Raj Bhavan, Chennai-22.
The Secretary (III) to Chief Minister, Chennai-9.
The Director of Information & Public Relations, Chennai-9.
The Registrar General, High Court, Chennai-104.
The Advocate General of Tamil Nadu, High Court, Chennai-104.
The Government Pleader, High Court, Chennai-104.

Copy to :

The Home / Environment & Forests / Municipal Administration & Water Supply /
Rural Development & Panchayat Raj / Energy / Highways & Minor Ports /
Law Department, Chennai-9.
The Accountant General, Chennai-9 / 18.
The Pay & Accounts Officer, Chennai-9 / 18.
The Resident Audit Officer, Chennai-9.
Stock File / Spare Copies.

/ Forwarded // By order /


SECTION OFFICER


9.9.18

ANNEXURE

Guidelines regarding installation and worship of Vinayakar idols and also immersion thereof

With a view to maintain public peace, tranquility, public safety, regulation of traffic and control of pollution, the following guidelines are issued for the State of Tamil Nadu :-

(1) Any organiser intending to install Vinayakar idol should apply in a prescribed format (as in Form-I) to the Assistant Commissioners of Police concerned, where there are Police Commissionerates, and RDO / Sub Collector in all other cases, at least a month in advance along with No Objection Certificates (NOCs) obtained from

- i) Land owner concerned. If the proposed land is a public land, NOC from the Local Bodies concerned / Highways or the Department concerned should be obtained;
- ii) The Station House Officer concerned (including Sound Amplifier License / Permit);
- iii) Fire and Rescue Services to the effect that temporary structures erected adhere to the fire safety standards;

and

- (i) A letter indicating source of power supply and proof of temporary supply of electricity from TANGEDCO.

Necessary permission will be issued by the Assistant Commissioner of Police in Police Commissionerates, and RDO / Sub-Collector in other cases in Form-II annexed to the guidelines.

(2) The idols proposed to be installed should be made of pure clay and should not be made of any polluting materials such as Plaster of Paris or painted with prohibited polluting chemicals and as stipulated by Tamil Nadu Pollution Control Board and Central Pollution Control Board from time to time. In case idols are to be painted, water soluble and non-toxic natural dyes alone should be used. Use of toxic and non-biodegradable chemical dyes for painting idols is strictly prohibited.

(3) The organisers should avoid using inflammable materials for construction of temporary structures and should provide entry and exit, which are wide enough for smooth and easy ingress into and exit out of 'Pandhals' and / or structures in a regulated manner.

- (4) The organisers should ensure that adequate first aid and emergency medical facilities are made available and no inflammable materials are stored in and around the worship areas.
- (5) The height of the idol proposed to be installed should not exceed 10 feet including the base and the dais.
- (6) Installation of idols near other religious places / hospitals / educational institutions should be avoided.
- (7) Sound Amplifier (Mike) License would be granted only for two hours in the morning and two hours in the evening, during Pooja. Cone type speakers are prohibited and only box type speakers should be used. Public Address System should not exceed the prescribed noise decibel limit and in the event any music is played, the music should not exceed the prescribed noise decibel limit.
- (8) The organisers should ensure that no illegal activities take place under the garb of Vinayakar worship including unauthorized tapping and / or pilferage of electricity.
- (9) No flex boards in support of any political party or communal leader shall be erected at the premises of the programme.
- (10) Organisers should depute two volunteers round the clock for safety of the idol. The installation places of idol should be properly illuminated. Generator set may be provided in case of power failure.
- (11) Shouting of slogans inciting communal hatred and affecting the sentiments of other religions shall not be permitted at any cost.
- (12) The organisers should strictly follow any other conditions laid down by the Revenue / Police / Tamil Nadu Pollution Control Board authorities in the interest of maintaining public peace, public safety and communal harmony.
- (13) The Fire and Rescue Services should ensure that fire safety norms and rules are strictly complied with and the 'Pandhals' including the electrical installations thereof are inspected and approved by the fire authorities concerned.
- (14) The District Collectors concerned shall annually finalise the list of idol immersion points in their districts in consultation with the Police Department, Tamil Nadu Pollution Control Board, Local Bodies and related Departments. Idols should be immersed only in the designated "Idol Immersion Points" identified by the authorities concerned.
- (15) Vinayakar idols installed in the public places for worship should be taken out for immersion within five days from the date of installation.

- (16) Vinayakar idol immersion procession should be taken out before 1200 hours on the specified day in the approved routes prescribed by the Police through vehicles and immersed in the designated places in an orderly manner. Wherever possible, the procession should be taken out through the routes by-passing the mosques / churches, as stipulated by the Police authorities.
- (17) Four wheelers, (i.e.), mini lorry / tractor should only be used for carrying the idols. Bullock cart / fish cart / three wheelers would not be permitted.
- (18) Capacity of participants travelling in the vehicle carrying Vinayakar idol should be in accordance with the Motor Vehicle Act, 1988.
- (19) Bursting of crackers at the Vinayakar idol installation places / immersion points / procession routes should not be allowed.
- (20) Worship materials like flowers, clothes, decorating material (made of paper and plastic), etc., should be removed before immersion of idols. Bio-degradable materials should be collected separately for recycling or composting. Non-biodegradable materials should be collected separately for disposal in sanitary landfills.
- (21) The 'Idol Immersion Points' shall be cordoned off and barricaded. Synthetic liner may be placed in the bottom, well in advance. The said liner shall be removed on completion of immersion ceremony so that the remains of idols would be brought to the bank. Bamboo and wooden logs, if any, would be reused. Clay, etc., may be taken to sanitary landfill for disposal.
- (22) Within 48 hours of the immersion of idols, the left over material at the idol immersion points on the banks of rivers, lakes, beaches, etc., should be collected by the local bodies for disposal.
- (23) Tamil Nadu Pollution Control Board should conduct water quality assessment of the water body, preferably in Municipal Corporations at three stages, (i.e.), pre-immersion, during immersion and post immersion. Considering the size of water body, appropriate number of sampling locations may be determined in order to get a fairly representative assessment of water quality. For ascertaining water quality, physico-chemical parameters such as pH, DO, BOD, COD, Conductivity, Turbidity, TDS, Total Solids and Metals (Chromium, Lead, Zinc and Copper) may be analysed.
- (24) The appeal against the order of permission issuing authority lies with the Commissioner of Police in Police Commissionerates and District Collector in other cases.

FORM – I

Application for permission to install idol and to take out processions

From

(Name and address with contact details of the convenor who intends to install idols and to take out procession).

To

The Sub-Collector (or) The Revenue Divisional Officer (or)
The Assistant Commissioner of Police
(as the case may be)

Sir,

I hereby apply for permission to install idol (not exceeding ----- feet) at
.....
..... situated within Police
limits in Taluk of District.

I forward herewith the following particulars in duplicate, duly signed by me :-

- (a) NOC from the Land owner concerned. If the proposed land is a public land, NOC from the Local Bodies / Highways or the Department concerned;
- (b) NOC from the Station House Officer concerned (including Sound Amplifier License / Permit);
- (c) NOC from Fire and Rescue Services to the effect that temporary structures erected adhere to the fire safety standards;

and

- (i) A letter indicating source of power supply and proof of temporary supply of electricity from TANGEDCO.

UNDERTAKING

- (1) I agree to install idol made of biodegradable material such as clay and use only natural dyes and will not use chemical colours.
- (2) I agree to proceed with installation of the idol only with prior permission.
- (3) I agree to use the amplifiers and loudspeakers within the permissible limits in the specified timing.
- (4) I agree to refrain from bursting of crackers.
- (5) I agree that I will not tap electricity illegally.
- (6) I agree that no flex boards in support of any political party or communal leader will be erected.
- (7) I agree that the idol immersion procession will be taken out with Police permission at the route and time specified by the Police and the idols will be immersed at the notified immersion points as per the conditions laid down.
- (8) I agree that I will abide by any other conditions put forth for permission.

Signature of the Convenor
who intends to install
idols and take out procession

FORM – II

Permission to install the idols and permission for procession

From

The Sub-Collector (or) The Revenue Divisional Officer (or)
The Assistant Commissioner of Police
(as the case may be)

To

(Name and address of the convenor
who intends to install idols and
and to take out procession).

Sir / Madam,

Permission is hereby accorded for installation of idol (not exceeding
10 feet) from to at
..... within
..... Police limits in Taluk of
..... District, subject to the conditions attached herewith.

Sub-Collector (or) Revenue Divisional Officer (or)
Assistant Commissioner of Police

Date:

Place:

Copy to :

1. The

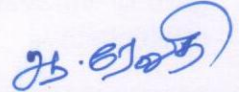
Permission is issued subject to the following conditions :-

- (a) The idols proposed to be installed should be made of pure clay and should not be made of any polluting materials such as Plaster of Paris or painted with prohibited polluting chemicals and as stipulated by Tamil Nadu Pollution Control Board and Central Pollution Control Board from time to time. In case idols are to be painted, water soluble and non-toxic natural dyes alone should be used. Use of toxic and non-biodegradable chemical dyes for painting idols is strictly prohibited.
- (b) The organisers should avoid using inflammable materials for construction of temporary structures and should provide entry and exit, which are wide enough for smooth and easy ingress into and exit out of 'Pandhals' and / or structures in a regulated manner.
- (c) The organisers should ensure that adequate first aid and emergency medical facilities are made available and no inflammable materials are stored in and around the worship areas.
- (d) The height of the idol proposed to be installed should not exceed 10 feet including the base and the dais.
- (e) Installation of idols near other religious places / hospitals / educational institutions should be avoided.
- (f) Sound Amplifier (Mike) License would be granted only for two hours in the morning and two hours in the evening, during Pooja. Cone type speakers are prohibited and only box type speakers should be used. Public Address System should not exceed the prescribed noise decibel limit and in the event any music is played, the music should not exceed the prescribed noise decibel limit.
- (g) The organisers should ensure that no illegal activities take place under the garb of Vinayakar worship including unauthorized tapping and / or pilferage of electricity.
- (h) No flex boards in support of any political party or communal leader shall be erected at the premises of the programme.
- (i) Organisers should depute two volunteers round the clock for safety of the idol. The installation places of idol should be properly illuminated. Generator set may be provided in case of power failure.
- (j) Shouting of slogans inciting communal hatred and affecting the sentiments of other religions shall not be permitted at any cost.

- (k) The organisers should strictly follow any other conditions laid down by the Revenue / Police Tamil Nadu Pollution Control Board authorities in the interest of maintaining public peace, public safety and communal harmony.
- (l) Vinayakar idols installed in the public places for worship should be taken out for immersion within five days from the date of installation.
- (m) Vinayakar idol immersion procession should be taken out before 1200 hours on the specified day in the approved routes prescribed by the Police through vehicles and immersed in the designated places in an orderly manner. Wherever possible, the procession should be taken out through the routes by-passing the mosques / churches, as stipulated by the Police authorities.
- (n) Four wheelers, (i.e.), mini lorry / tractor should only be used for carrying the idols. Bullock cart / fish cart / three wheelers would not be permitted.
- (o) Capacity of participants travelling in the vehicle carrying Vinayakar idol should be in accordance with the Motor Vehicle Act, 1988.
- (p) Bursting of crackers at the Vinayakar idol installation places / immersion points / procession routes should not be allowed.
- (q) Worship materials like flowers, clothes, decorating material (made of paper and plastic), etc., should be removed before immersion of idols.
- (r) In case of appeal against the order of permission issuing authority, it lies with the Commissioner of Police in Police Commissionerates and District Collector in other cases.

P. SENTHILKUMAR,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

// TRUE COPY //


SECTION OFFICER


9.8.18