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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

“ಪರಿಸರಭವನ”, 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ.49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ, ಭಾರತ
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// BY RPAD //

NO/PCB/NEC/1/2013-14/ 7908

DATED: 28 MAR 2014

DIRECTIONS UNDER SECTION 31 (A) OF THE AIR (PREVENTION AND CONTROL POLLUTION) ACT, 1981, READ WITH RULE 20(A) OF KARNATAKA AIR (PREVENTION AND CONTROL OF POLLUTION) RULES, 1983.

- Sub: Prevention and Controlling of noise pollution in Bangalore city in particular and other cities of Karnataka State- Reg.
Ref: 1)Provisions of the Air (Prevention and Control of Pollution) Act, 1981.
2)Provisions of the Noise Pollution(Regulation and Control) Rules, 2000.
3)GO No. FEE 46 ENV 2000, Dated: 13/8/2002.

-/-/-/-

Whereas, there is an increase in ambient noise levels in Bangalore public places from various sources like traffic, vehicular horn, construction activity, generator sets, loud speakers, public address system, music system, , fire crackers, sound producing instruments, other musical devices etc. For regulation of the noise, the Government of India, Ministry of Environment and Forest has issued the Noise Pollution (regulation and control), Rules, 2000 under the Environment (Protection) Act, 1986. In the said Rules, for the purpose of enforcement, the Authority is defined as under:-

"authority" means and includes any authority or officer authorized by the Central Government, or as the

case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank, of the Deputy Superintendent of Police designed for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;"

The said Rules also stipulated the standards in respect of noise for different areas/zones classified as Industrial, Commercial, Residential or Silent areas/zones. The standards prescribed under Rule 3(1) and 4(1) of the said rules are as under:-

AMBIENT AIR QUALITY STANDARDS IN RESPECT OF NOISE

Area Code	Category of Area/Zone	Limits in dB(A) Leq*	
		Day Time	Night Time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

- Note: 1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
 2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
 (3. Silence zone is defined as an area comprising not less than 100 meters around hospitals, educational institutions and courts. The silence zones are zones which are declared as such by the competent authority).
 4. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

Whereas, the authority as mentioned above shall be the responsible for enforcement of noise control measures and due compliance of the ambient air quality standards in respect of noise.

Whereas, the responsibility of State Pollution Control Board under the Rule shall collect, compile and publish technical and statistical data relating to noise pollution and measures devised for its effective prevention, control and abatement.

Whereas, in compliance with the Noise (Regulation and Control) Rules, 2000, the department of Forest, Ecology & Environment in exercise of powers conferred by clause (ii) of Sub-Section (2) of Section (3) of Section (1) and Clause (b) of Sub-Section (2) of Section (6) and Section 25 of the Environment protection Act, 1986 read with Rule 5 of Environment Protection Rules, 1986 has issued a Government Order No.FEE 46 ENV 2000 dated 13-8-2002, for regulation and control of the noise producing and generating source situated in Bangalore Development Authority area, Bangalore Metropolitan Region Development Authority area and in the city of Mysore, Gulbarga, Belgaum and Hubli-Dharwad and also in other areas of the State.

Wherein, the Government for the purpose of enforcement of noise pollution control measures, responsibility given as under:-

" Responsibility as to enforcement of noise pollution control measures:

1) Under Section 5 of the Environment (Protection) Act, 1986 the Government hereby issues directions to the Director General of Police, the Commissioner of Police in the cities of Bangalore, Mysore, Gulbarga, Belgaum and Hubli-Dharwad, and other officers of the Home Department not below the rank of the Deputy Superintendent of Police to take action against the persons who violate the standards prescribed in the schedule through the use of loud

speaker/sirens/ public address system or other modes of creating noise between 6.00 A.M. to 10.00 P.M. to 6.00 A.M. and to prosecute them under section 15 of the Environment (Protection) Act, 1986."

The order also indicates the restriction for the use of loud speaker/public addressed system is as under:-

" Restriction on the use of loud speakers/public address system:-

- a. *A loud speaker or a public address system shall not be used except after obtaining written permission from the designated authorities as mentioned in para 2(1) above.*
- b. *A loud speaker or a public address system shall not be used at night (between 10.00 p.m. to 6.00 a.m.) except in closed premises for communication within eg., auditoria, conference rooms, community hall and banquet halls."*

Whereas, the said order states that the KSPCB shall give assistance to the Police Department if required in monitoring the noise.

Whereas, under the Air (Prevention and Control) Act, 1981, noise is also defined as air pollutant. KSPCB is the enforcing authority for control of noise pollution in industrial plants.

Section 17(1)(g) empowers the KPSCB to lay down, in condition with the Central Board and having regard to the standards for the quality of air laid down by the Central Board, standards for emission of air pollution into the atmosphere from industrial plants and

automobiles or for the discharge of any air pollutant into the atmosphere from any other source whatsoever not being a ship or an aircraft:

Whereas, as per Section 17 of the Air (Prevention & Control) Act, 1981 and the Noise Rules, KSPCB has established 5 continuous of line ambient air quality monitoring stations at the following place:

1. Peenya industrial area,
2. Parisara Bhavan, Church Street, Bangalore
3. Basaveshwara Nagar,
4. BTM Layout
5. Marathahalli representing the industrial, commercial, residential and sensitive zones.

The monitoring data has been communicated to the Police Commissioner, Infantry Road, Bangalore & the Transport Commissioner, Bangalore in letter No.KSPCB/AQMC/ Noise pollution/2013-2014-702 dated 18-12-2013. The status of ambient air quality at the above said locations and other places of monitoring indicates that the ambient noise levels are existing by 14% to 30% over and above the prescribed standards. In the said communication it was requested to initiate action to mitigate the noise pollution.

Whereas the KSPCB is empowered to issue such directions to give instructions for ensuring stands for emission from automobiles, ^{viz. vide the Air (Prevention & Control) Act 1981} reads as under:

Section 20. Power to give instructions for ensuring standards for emission from automobiles:- with a view to ensuring that the standards for emission of air pollutants from automobiles laid down by the State Board under clause (g) of sub-section (1) of Section 17 are complied with, the State

Government shall, in consultation with the State Board, give such instructions as may be deemed necessary to the concerned authority in charge of registration of motor vehicles under the Motor Vehicles Act, 1939, (4 of 1939), and such authority shall, notwithstanding anything contained in that Act or the rules made thereunder be bound to comply with such instructions.

Hence, the following directions are issued invoking Section 31(A) of the Air (prevention and Control of Pollution) Act, 1981 for effective enforcement of the Noise Pollution (Regulation and Control) Rules, 2000,

ORDER

- 1. In exercise of the power conferred u/s.31(A) of the Air (Prevention and Control), Act, 1981 read with Rule 20(A) of the Air (Prevention and Control) Rules, KSPCB hereby directs (1) the Director General of Police and the Commissioner of Police in the city of Bangalore Addl. Commissioner of Police, Traffic division to take immediate following steps to control noise pollution.**
 - (a) To regulate the traffic in Bangalore city to avoid traffic jam to reduce noise and air pollution.
 - (b) To take action on the drivers of motor vehicles honking in the traffic junction unnecessarily creating the noise pollution.
 - (c) To declare all major traffic junction in Bangalore city as no honking zones and to display signages.
 - (d) To regulate the use of loud speakers/public address systems, music system etc. as per the restriction mentioned under GO No.FEE 46 ENV.2000, dated 13-8-2002.

- (e) To seize all such noise producing gadgets viz., loud speakers, amplifiers and all other equipments which produces the offending noise and violating the law.
- (f) To seize bore well rigs, drilling borewells during night (10 PM to 6 AM)

2. Direction to the Commissioner, BBMP, Bangalore.

- (a) To declare an area not less than 100 meters around all Government Hospitals in Bangalore and High Court Silence zone and any other areas as deemed necessary for maintain as Silence Zone.
- (b) To declare the traffic junction as no honking zone and to display signages in consultation with Home Department.
- (c) To regulate the developmental activities, installation of air-conditioners and blower in the commercial establishment, generators, etc. causing noise pollution and affecting the quality of life and to avoid noise menace and to achieve the objectives of maintaining the ambient air quality standard in respect of noise.
- (d) To prohibit all sound emitting construction equipments/activities except on going metro rail works during the night time (10 PM to 6 AM).

3. Directions to the Commissioner, Transport Department, Bangalore.

- (a) To ensure that the vehicles are fitted only with the authorized horn and silencers, which emits the sound within permissible limits as stated above

- (b) To take all necessary measures to avoid noise menace due to vehicles and to achieve ambient air quality standard in respect of noise.
- (c) To instruct all the Regional Transport office to ensure that the sound levels of the vehicles shall not exceed limits specified in para (E) of Schedule-VI of the Environment (Protection) Rules, 1986, which be treated for the present as operative guidelines & the Vehicle Dealers shall be informed, that no vehicles be sold, if the same do not meet the standard of the sound levels mentioned above.

FOR AND ON BEHALF OF THE
KARNATAKA STATE POLLUTION CONTROL BOARD
BANGALORE-560001


CHAIRMAN

To :

- 1) The Commissioner of Police,
Infantry Road,
Bangalore 560 001.
- 2) The Commissioner,
Bruhat Bangalore Mahanagara Palike,
Bangalore 560 001.
- 3) The Transport Commissioner ,
MS Building, Dr.B.R.Ambedkar Veedhi,
Bangalore- 560 001.

Copy to

1. All SEO's for information and necessary action.
2. All RO's for information and necessary action.