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NOTIFICATION

MINISTRY OF ENVIRONMENT AND FOREST NOTIFICATION

New Delhi, the 14th February, 2000.

S.O. 123 (E), the 14 February, 2000. Whereas the increasing ambient noise levels in public places from various sources, inter-alia, industrial activity, construction activity, generator sets, loud speakers public address system, music system, vehicular horns and other mechanical devices have deleterious effects on the health and the psychological well being of the people; it is considered necessary to regulate and control noise producing and generating sources with the objectives of maintaining the ambient air quality standards in respect of noise.

Whereas a draft of Noise Pollution (Control and Regulation) Rules, 1999 was published under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 528(E) dated the 28th June, 1999 inviting objections and suggestions from all the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public;

And whereas copies of the said Gazette were made available to the public on the 1st day of July, 1999.

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government.

Now, therefore, in exercise of the powers conferred by clause (ii) of sub-section (2) of section 3, sub-section (1) and clause (b) sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules for the regulation and control of noise producing and generating sources, namely :—

The Noise Pollution (Regulation and Control) Rule, 2000.**1. SHORT-TITLE AND COMMENCEMENT :—**

(1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :— In these rules, unless the context otherwise requires,—

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986)-

(b) "area/zone" means all areas which fall in either of the four categories given in the Schedule annexed to these rules;

(c) "authority" means any authority or officer authorised 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 designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force.

(d) "person" in relation to any factory or premises means a person or occupier or his agent, who has control over the factory or premises;

(e) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the constitution.

3. Ambient air quality standard in respect of noise for different areas/zones :—

(1) The ambient air quality standards in respect of noise for different areas/zones shall be such as specified in the Schedule annexed to these rules.

(2) The State Government may categorize the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementations of noise standards for different areas.

(3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements and ensure that the existing noise levels do not exceed the ambient air quality standards specified under these rules.

(4) All development authorities, local bodies and other concerned authorities while planning developmental activity or carrying out functions relating to town and country planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

(5) An area comprising not less than 100 metres around hospitals, educational institution and courts may be declared as silence area/zone for the purpose of these rules.

4. Responsibility as to enforcement of noise pollution control measures:-

- (1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.
- (2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

5. Restrictions on the use of loud speaker/public address system:-

- (1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.
- (2) 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, e.g. auditoria, conference rooms, community halls and banquet halls.

6. Consequences of any violation in silence zone/areas:-

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable penalty under the provisions of the Act:-

- (i) Whoever, play any music or uses any sound amplifiers,
- (ii) Whoever, beat a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instruments, or
- (iii) Whoever, exhibits any mimetic, musical or other performances of a nature to attract crowds.

7. Complaints to be made to the authority:-

- (1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone, make a complaint to the authority.
- (2) The authority shall act on the complaints and take action against the violator in accordance with the provisions of these rules and any other law in force.

8. Power to prohibit etc. continuance of music sound or noise :-

- (1) If the authority is satisfied from the report of an officer incharge of a police station or other information received by him that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk of or to any person who dwell or occupy property on the vicinity, he may, by a written order issue such direction prohibiting, controlling or regulating.

(a) the incidence or continuance in or upon any premises of-

- (i) any vocal or instrumental music,

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, public address systems, appliance or apparatus or contravence which is capable of producing or re-producing sound, or

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford to the applicant an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it rejects any such application either wholly or in part, record its reasons for such rejection.

SCHEDULE

(see rule 3(1) and 4(1))

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	Limits in 8(A) Leg *	
		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

metres 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 abovementioned categories by the competent authority.

*dE(A) Leg denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearings

A "decibel" is a unit in which noise is measured.

"A", in dE(A) Leg, denotes the frequency weighing in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leg : It is an energy mean of the noise level over a specified period.

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