

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPPIL No. 88 of 2023**

IN THE MATTER OF SUO MOTO PUBLIC INTEREST  
LITIGATION, REGARDING NOISE POLLUTION BASED ON NEWS ITEM

**versus**

THE CHIEF SECRETARY

Order Sheet

<b>19/09/2024</b>	<p>This is an Officer reference.</p> <p>Mr. Prafull N. Bharat, learned Advocate General assisted by Mr. Sangharsh Pandey, learned Government Advocate for the State/respondent Nos. 1, 4, 5 &amp; 6. Mr. Trivikram Nayak, learned Advocate for respondent No. 2 and Mr. Rohit Sharma and Mr. Bhupendra Shrivastava learned Advocates for the Intervenor.</p> <p>Learned Advocate General states that in compliance of the order dated 04/09/2024, an affidavit has been filed by the Superintendent of Police, Bilaspur (C.G.) wherein the preventive measures taken by the State and its instrumentalities are as under:-</p> <p><i>“2. It is respectfully submitted that the District Administration is taking constant action against the</i></p>

*sound- polluters under the Chhattisgarh Kolahal Niyantran Adhiniyam, 1985. As many as 24 cases have been booked against the sound-polluters since 01.03.2024. A list of cases booked for violation of Chhattisgarh Kolahal Niyantran Adhiniyam, 1985 is filed herewith as ANNEXURE D/1.*

*3. That, a meeting was called by the Superintendent of Police, Bilaspur on 29.08.2024 and was attended by the Superintendent of Police, Bilaspur, Additional Superintendent of Police (City), City Superintendent of Police, Sub Divisional Magistrate, Bilaspur and all the operators of DJ/ Dhumal. In the meeting it was directed that all the operators of DJ/ Dhumal would use sound- amplifier within the permitted decibel limit. It was also decided that the sound-amplifier / Dhumal would be used only after due permission of the authorities and for the given date and time only. The DJ/ Dhumal operators were instructed and advised to function as per the Rules and in case of violation legal action would be initiated against them. Copy of minutes of meeting dated 29.08.2024 along with photographs is filed herewith collectively as ANNEXURE D/2.*

*4. That, an association of DJ operators have given an application dated 10.09.2024 to the Collector, Bilaspur and also to the Superintendent of Police, Bilaspur that due to action of the authorities*

*they are facing difficulties in their business and therefore, going on a strike and have decided that they will not play DJ and Dhumal in any place in Chhattisgarh. Thus, application of the Association demonstrates that the State authorities are continuously performing legal duties and are controlling any violation of provisions of Chhattisgarh Kolahal Niyamtran Adhiniyam, 1985. A copy of application dated 10.09.2024 is filed herewith as ANNEXURE D/3.*

*5. That, the Department of Housing and Environment has issued a memo dated 11.09.2024 to all the Collectors and all the Superintendents of Police in the State of Chhattisgarh. In its letter dated 11.09.2024 the Department of Housing and Environment has instructed for strict compliance of the orders of the Hon'ble Supreme Court and the Hon'ble High Court of Chhattisgarh with respect to the sound pollution. In its letter dated 11.09.2024 the Department of Housing and Environment has instructed the Collector, Superintendent of Police and other District Authorities to compulsorily take action against sound-polluters without waiting for a citizen to complain through a phone call. It has been directed that any vehicle modified as DJ platform should be confiscated along with the sound-boxes. In case of second default by the same vehicle the permit of the vehicle be cancelled. The letter also*

*directs to seize and destroy any pressure horns, multi-toned horns of the vehicle. It also instructs that use of loud-speakers within 100 meters range (aerial distance) near School, College, Hospital, Court, Office be acted upon and the instruments be seized. In case of second time violators of the instrument, the instrument be released only after the orders of Hon'ble High Court of Chhattisgarh. A copy of letter dated 11.09.2024 is filed herewith as ANNEXURE D/4.*

*6. It is respectfully submitted that a meeting was called on 13.09.2024 to implement the directions issued by the Department of Housing and Environment dated 11.09.2024 which was attended by the Additional Superintendent of Police (City), Bilaspur, Sub Divisional Officer (Revenue), Bilaspur, Regional Transport Officer, Bilaspur, City Superintendent of Police, Civil Line Bilaspur and the Directors and Members of Mini Truck Transport Union. In the meeting, directions have been issued to the members of the Mini Truck Transport Union for strict compliance of the order dated 11.09.2024 issued by the Government of Chhattisgarh, Department of Housing and Environment, Raipur. ”*

Learned Advocate General further submits that with respect to the noise pollution which is being caused, positive and effective steps have been taken to curtail the

same by permitting the use of loudspeaker etc. within the permissible limit as has been prescribed under the Act and also in view of the guidelines issued by the Apex Court in this regard time and again which has been observed by this Court in its previous orders.

Let the matter be listed again for further consideration and monitoring of the noise pollution in the entire State of Chhattisgarh on **21<sup>st</sup> of October, 2024.**

Sd/-

**(Bibhu Datta Guru)**  
**Judge**

Sd/-

**(Ramesh Sinha)**  
**Chief Justice**

*amita*