

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPIL No. 88 of 2023**IN THE MATTER OF SUO MOTO PUBLIC INTEREST LITIGATION,
REGARDING NOISE POLLUTION BASED ON NEWS ITEM**versus**

THE CHIEF SECRETARY & ORS

09/09/2025	<p>This is an office reference.</p> <p>Heard Mr. Shashank Thakur, learned Dy. Advocate General for the State/respondent, Mr. Trivikram Nayak, learned counsel for the respondent No.2 and Ms. Surya Kawalkar Dangi, learned counsel for the intervenor.</p> <p>Learned counsel for the State would submit that the amendment has been proposed under the Kolahal Adhiniyam, 1985 and for the said purpose the proposal has already been forwarded by the Chhattisgarh Environment Conservation Board on 13/08/2025 to the</p>

Secretary, Department of Housing and Environment, Raipur and a copy of the same has been produced before the this Court, which is taken on record.

Learned counsel further submits that another Committee has been constituted on 14/08/2025 under the In-charge Secretary of Department of Housing and Environment, Raipur to consider the proposed amendment and the said Committee would very soon get the said amendment done as has been proposed.

In view of above, the Chief Secretary to the Government of Chhattisgarh is directed to file his personal affidavit about the proposed amendment which is pending consideration before the Committee, as has been formed under the In-charge Secretary of Department of Housing and Environment.

An intervention application filed by Dr. Rakesh Gupta, ENT Hospital, District: Raipur, in the instant matter, which is reproduced hereunder:

“1. That, intervener have filed an intervention application bearing I.A. no. 5 of 2024, wherein the intervener have

submitted gross violation of noise pollution rules as no action has been taken during the Durga and Ganesh festival and the noise rules have been violated by the DJ owners.

2. That, intervener desires to bring on record additional facts which have emerged during the recent festival of Ganesh Chaturthi. That, during the visarjan season DJs were found operating at extremely high noise levels, ranging between 95 to 110 decibels (dB) as recorded on noise meters at multiple points in Raipur city. That, in support of the aforesaid facts, the Intervener has collected photographic evidence of noise level recordings during the evening of, Raipur. Copies of photographs are annexed herewith as Annexure A. These sound levels are alarmingly above the permissible limits prescribed under the Noise Pollution (Regulation and Control) Rules, 2000. A copy of the Noise Pollution (Regulation and Control) Rules, 2000 are annexed herewith as Annexure B. Copies of newspaper clipping showing DJ's played at high volume are annexed

herewith as Annexure C.

3. That, it is further relevant to bring on record that as per a news report published on 08.09.2025 from Ambikapur, during the Ganesh Visarjan procession one minor child aged about 15 years collapsed and died while dancing to the music played by the DJ. The said report further indicates that there is a serious doubt that the child may have suffered a cardiac arrest owing to the extremely loud sound emitted from the DJ system. The unfortunate incident highlights the immediate and life-threatening consequences of exposure to excessively high decibel levels and reinforces the urgent necessity of preventive and penal measures against such violations. A copy of the news published on 08.09.2025 is annexed herewith as Annexure D.

4. That, hearing sound at high level which has been played during the Ganesh festival has adverse effects on the health. In order to demonstrate the health consequences of such excessive noise, reliance is placed upon authoritative medical studies. The AIIMS Report

establishes that continuous exposure to noise levels above 70-85 dB causes both auditory and non-auditory health effects, including hearing impairment, hypertension, cardiovascular disorders, sleep disturbance, impaired cognition, and psychological ailments. The report also underlines that children are especially vulnerable, suffering from impaired concentration, reading difficulties, and long-term neurological impacts when subjected to such high levels of noise. A copy of the AIIMS report is annexed herewith as Annexure E. That, further, a comprehensive study conducted by the National Institute of Technology, Raipur during August-September 2022 across 18 major intersections of Raipur city, has confirmed that the equivalent noise levels recorded at almost all locations consistently exceeded CPCB standards. The study involved a sample survey of 400 residents and revealed widespread complaints of "ear pain," "whistling and buzzing," "rise in blood pressure," "loss of sleep," "headaches," and "decrease in efficiency" directly correlated with noise

exposure. The findings highlight that Raipur residents are already living in an environment with baseline noise higher than prescribed limits, and festival DJs exacerbate this condition drastically. A copy of the professors of NIT, Raipur report is annexed herewith as Annexure F.

5. That, it is respectfully submitted that the instant issue is one relating to the public health, as both AIIMS and NIT reports demonstrate scientifically that exposure beyond permissible limits causes long-term and sometimes irreversible damage. International guidelines by the World Health Organization (WHO) recommend that for quality sleep the ambient noise should not exceed 30-40 dB at night, and that sustained exposure above 70 dB leads to irreversible hearing loss. The festival-related noise at 95-110 dB is therefore of extreme concern.

6. That, it is respectfully submitted that uncontrolled noise pollution hinders the citizens' fundamental right to life guaranteed under Article 21 of the Constitution, as it deprives individuals of their right to live in a healthy and peaceful

environment.

7. That, herein, it is pertinent to submit that the traffic management system in Raipur is equipped with cameras installed at major intersections, which have captured visuals of DJs mounted on vehicles during processions. These cameras can provide direct evidence of violations. However, such recordings are retained for only 30 days, after which they are overwritten or deleted automatically. That, in the state of Chhattisgarh against the traffic violators action is taken through the footage captured through these cameras also. A copy of the newspaper is annexed herewith as Annexure G.”

Learned State counsel submits that it cannot be denied that the incidents are happening where the Kolahal Adhiniyam, 1985 is being defied and there was extreme high noise levels recorded raising from 95 to 110 decibels during the recent festivals, though the prescribed standard was 50 decibels.

It has been noticed by this Court through social media as well as another news items that a child has

also died during the festival owing to high volume of DJ (Disc Jockey) system.

In view of above, we hope and trust that the State would take the matter seriously at their end and get the proposed amendment done as has been proposed by the Committee immediately without any further delay.

Let the matter be listed on **22/09/2025** on which date, the affidavit be filed by the Chief Secretary to the Government of Chhattisgarh, as directed above.

SD/-

(Bibhu Datta Guru)
Judge

SD/-

(Ramesh Sinha)
Chief Justice

Amardeep