

**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

22/09/2025	<p>This is an office reference.</p> <p>Heard Mr. Shashank Thakur, learned Dy. Advocate General for the State/respondent, Mr. Sourabh Kale, learned counsel on behalf of Mr. Trivikram Nayak, learned counsel for the respondent No.2 and Ms. Surya Kawalkar Dangi, learned counsel for the intervenor. Mr. Shaantam Patil, learned counsel on behalf of Mr. Rakesh Choubey, learned counsel for the intervenor.</p> <p>In compliance of the Court's order dated 09.09.2025, the Chief Secretary, Government of</p>

Chhattisgarh, Mahanadi Bhawan, Mantralaya, Nawa Raipur, Atal Nagar, C.G. has filed his personal affidavit on 18-09-2025, the relevant portion of the same is reproduced hereinbelow:

“4. That, during the hearing dated 19.9.2024, an affidavit was filed by the Superintendent of Police, Bilaspur enumerating action taken by the district administration under Kolahal Niyamtran Adhiniyam, 1985 against violators of Noise Pollution. Subsequently, during the hearing of 19.12.2024, it was noted that certain intervenors have sought directions from this Hon'ble Court for enforcement of the Noise Pollution (Regulation and Control) Rules, 2000. Accordingly, this Hon'ble Court directed the State Government to apprise the Court regarding the applicability of the said Rules.

5. That, pursuant to the aforesaid order of the Hon'ble Court, the State Government (vide

order dated 27.01.2025 issued by the General Administration Department), constituted a 5-member committee comprising of representatives from Department of Home, Department of Law and Department of Urban Administration and Development with the Secretary, Department of Housing and Environment as its Chairman and the Member Secretary, Chhattisgarh Environment Conservation Board as its Member Secretary. The mandate of the Committee was to perform a comparative analysis of the Kolahal Adhiniyam, 1985 and the Noise Pollution (Regulation and Control) Rules, 2000 and suggest suitable amendments to the Kolahal Adhiniyam, 1985 to strengthen the enactment. (A copy of the order of the General Administration Department dated 27.01.2025 is attached as Annexure R-1)

6. That, during the meeting held on 29.5.2025,

Law Department submitted its observation before the Committee.

7. That, during the aforesaid meeting, the Committee directed Chhattisgarh Environment Conservation Board (CECB) to propose draft of necessary amendments to the Kolahal Niyantran Adhiniyam, 1985. (Copy of the minutes of the meeting of the Committee dated 29.5.2025 is attached as Annexure R-2).

8. That, pursuant thereto, Chhattisgarh Environment Conservation Board (CECB) prepared a draft of the amendments proposed in the Kolahal Niyantran Adhiniyam, 1985 and forwarded it to the Secretary, Housing and Environment vide letter dated 13.08.2025.

9. That, during the meeting held on 14.8.2025, the Committee members reviewed the draft of the proposed amendments to the Kolahal Niyantran Adhiniyam, 1985 submitted by CECB. The member representatives of various

departments present at the meeting were requested to obtain final approval/comments from their respective Secretaries and submit it in the next meeting on 15.9.2025 to finalize the draft of the proposed amendments to be recommended by the Committee. (Copy of the minutes of the meeting of the Committee dated 14.8.2025 is attached as Annexure R-3).

10. That, during the meeting held on 15.09.2025, the Committee noted that Home Department is the administrative department for undertaking amendments in the Kolahal Niyantaran Adhiniyam, 1985. The representative of Home Department stated that the draft of the proposed amendments is under scrutiny in the Department and therefore additional time is needed for submitting comments on the same. (Copy of the minutes of the meeting dated 15.9.2025 is attached as Annexure R-4)

11. That, the proposal is presently under active consideration of the Department of Home and the matter is being pursued expeditiously. The Committee will take up the matter again in its next meeting.

12. That, the Deponent has the highest regard and respect to the authority and order passed by the Hon'ble Court, and accordingly they make all sincere efforts to comply with the orders passed by the Hon'ble Court.

13. That, the submissions made hereinabove and the factual pleading contained therein are true to my information as derived from the official records and believed by me to be true.

It is stated that the steps are being taken for necessary amendments in the *Kolahal Niyamtran Adhiniyam, 1985* in view of the *Noise Pollution Regulation and Control Rules, 2000*, the matter is active consideration by the State.

It also appears from the affidavit, that the matter is sub judice before the Home Department and the learned State counsel submits that the Home Department would do the needful in the matter.

At this juncture, learned counsel for the intervenor submits that an intervention application was filed on 01/09/2025, wherein certain suggestions have been put forth. It has been highlighted that during the festive seasons in the district of Raipur, a total of 783 cameras have been installed. It is further submitted that noise pollution violations can be effectively monitored under the Kolahal Adhiniyam, 1985, and the Noise Pollution Regulation and Control Rules, 2000. The CCTV footage should be preserved to ascertain any violations of the noise regulations.

With regard to the aforesaid submission, learned State counsel submits that the preservation of CCTV footage should be ensured on specific dates during the festive seasons and processions related to the immersion of idols.

Amardeep	<p>In view of the above, the Chief Secretary, Government of Chhattisgarh is hereby directed to ensure strict compliance and to take all necessary actions in this regard.</p> <p>List the case on 16/10/2025</p> <p style="text-align: center;">SD/-</p> <p style="text-align: center;">(Bibhu Datta Guru) Judge</p> <p style="text-align: right;">SD/-</p> <p style="text-align: right;">(Ramesh Sinha) Chief Justice</p>
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