

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

IA Nos. 44-49 in WRIT PETITION (CIVIL) NO(s). 72 OF 1998

IA No. 50 in I.A.No.38 in WRIT PETITION (CIVIL) NO(s). 72 OF 1998

IA No. 51 in I.A.No.39 in WRIT PETITION (CIVIL) NO(s). 72 OF 1998

IN RE:NOISE POLLUTION -IMPLEMENTATION OF

THE LAWS FOR RESTRICTING USE OF LOUDSPEAKERS AND HIGH

VOLUME PRODUCING SOUND SYSTEMS

Petitioner(s)

(With appln(s) for directions and clarification)

Date: 26/03/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr. Jitendra Sharma, Sr. Adv. (A.C.)(N.P.)

Mr. Sandeep Narain, Adv. (A.C.)

Er. Anil Kumar Mittal, Adv.

For Applicant Mr. C.S. Rajan, Sr. Adv.

Mr. K. Rajeev, Adv.

Mr. K. Ramakumar, Adv.

Mr. A. Raghunath, Adv.

Mr. Deepak Prakash, Adv.

Mr. Himinder Lal, Adv.

For Respondent(s) Mrs Anil Katiyar, Adv.

Ms. Hemantika Wahi ,Adv

Mr. P. Parmeswaran ,Adv

State of Kerala

Mr. T.L.V. Iyer, Sr. Adv.

Mr. P.V. Dinesh, Adv.

Mrs. Sindhu T.P., Adv.

For CPCB

Mr. Vijay Panjwani ,Adv

M/S Arputham, Aruna & Co. ,Adv

Mr. M.A.Chinnasamy ,Adv

Mr. Braj Kishore Mishra ,Adv

Mr. V.K. Sidharthan ,Adv

Mr. Jagjit Singh Chhabra ,Adv

M/S. Lawyer'S Knit & Co ,Adv

Mr. Minakshi Sarma, Adv.

For M/S Corporate Law Group ,Adv

.2/-

..

-2-

For NCT of Delhi

Mr. Ashok Bhan, Adv.

Mr. S. Wasim A. Qadri, Adv.

Mr. D.S. Mahra, Adv.

For Min. of Environ-
ment

Mr. Krishan Mahajan, Adv.

Ms. Sunita Sharma, Adv.

Mr. D.S. Mehra, Adv.

For State of Goa
Environment Dept.

Mr. Bhavanishankar V. Gadnis, Adv.

Mrs. Sunita B. Rao, Adv.

Mr. P.V. Yogeswaran ,Adv

Mr. S.S. Shinde, Adv.

For Mr. Ravindra Keshavrao Adsure ,Adv

Mr. S. Ravi Shankar ,Adv

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

In our order dated 23.2.2007 we have indicated that no loud

speakers or any other amplifier would be used and the noise level shall not

exceed 55 db. We are told that the State Government has not so far

categorized the places as industrial, commercial, residential or silent zones

as contemplated under Rule 3(2) of the Noise Pollution (Regulation &

Control Rules) 2000, in the various parts of the State, for the purpose of

regulating the noise standards. Therefore, the standards of noise now

prescribed may not be applicable unless notification is passed by the State.

Directions issued regarding the noise level in our previous order is deleted.

The counsel for the petitioner submitted that in the earlier order

nothing was said about firecrackers. It is pointed out by the counsel for

the respondent that this Court

..3/-

-3-

has already issued directions in paragraph 174 in the case of Noise

Pollution (V) in RE, Forum, Prevention of Environmental & Sound

Pollution vs. Union of India & Anr. 2005 (5) SCC 733, to the effect that the

firecrackers shall not be burst between 10 p.m. to 6 a.m. It may be noted

that in paragraph 168 of the above judgment, this Court made the following

observations:

"168. Festivals and ceremonies wherein fireworks and

crackers are customarily burst can be accompanied by

earmarking a place and time wherein and when all the people

can come together and witness or view a show of fireworks

dispensing with the need of crackers being burst in residential

areas, and that too which is done without any regard to timings.

Manufacturers can be encouraged to make such fireworks as would display more the colours rather than make noise."

For the festivals and ceremonies, the restriction imposed can be relaxed as

large number of people gather and firecrackers may be used, subject to the

directions given in the above judgment and also subject to the directions

given by the appropriate authorities of Department of Explosives.

I.As. are allowed accordingly..

(R.K. DHAWAN)

COURT MASTER

(VEERA VERMA)

COURT MASTER