

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Department of Forest, Ecology and Environment
(Ecology and Environment)

Subject: Prevention and Control of Noise Pollution in the State

Read: 1. Environment (Protection) Act, 1986

2. The Karnataka Police Act, 1963 and amendments made there after

3. The Air (Prevention and Control of Pollution) Act, 1981

4. Ministry of Environment and Forest, Government of India, Notification CSR 1063(E) dt 26.12.1989 under Environment (Protection) Rules, 1986

5. Government Order No. DEE 83 ENG 91 dt 28.09.1991 issued by the Department of Ecology and Environment

6. Notification No. S.O. 123 (L) Noise pollution (Regulation and Control) Rules, 2000 dated 14.2.2000 issued by MoEF, GoI

7. Amended Notification No. S.O. 1046 (E) Noise pollution (Regulation and Control) Rules, 2000 dated 22.11.2000 issued by MoEF, GoI

8. Comprehensive Development Plan for Bangalore City Planning Area approved in G.O. HUD 3 TTP 83, Dated. 12.10.1984 issued by and Housing and Urban Development Department.

9. Revised Comprehensive Development Plan - 2011 AD for Bangalore Local Planning Authority Approved in GO No. HUD-139 MNJ 94 Dated. 05.01.1995

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10. The Bangalore Metropolitan Region Development Act, 1985 (Karnataka Act No. 39 of 1985) published in Karnataka Gazette dated 26.10.1985.

11. Government Orders issued under Karnataka Town and Country Planning Act, 1961.

Preamble:

The increasing ambient noise levels in public places from various sources, inter alia, industrial activity, construction activity, generator sets, loudspeakers, public address systems, music systems, vehicular horns and other mechanical devices have deleterious effects on human health and the psychological well-being of the people. It is considered necessary to regulate and control noise producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise.

The principal rules were published in the Gazette of India vide Notification No. S.O. 123 (E) Noise Pollution (Regulation and Control) Rules, 2000 dated 14.07.2000 and amendment notification No. S.O. 1046(E) Noise Pollution (Regulation and Control) Rules, 2000 dated 22.11.2000 issued by Ministry of Environment and Forests, Government of India under Environment (Protection) Act, 1986. In the said notification, the State Governments were empowered to categorize the areas into industrial, commercial, residential or silence areas/ zones for the purpose of implementation of noise standards for different areas as prescribed in the Schedule to the notification.

GO No. FEE 46 ENV 2000, Bangalore, Dated: 13.08.2002

Now, therefore, in exercise of the powers conferred by clause (ii) of sub section (2) of section 3, sub section (1) and clause (b) of sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (26 of 1986)

read with rule 5 of the Environment (Protection) Rules, 1986, the State Government hereby issues the following order for regulation and control of noise producing and generating sources situated in the Bangalore Development Authority Area as notified in the Government Order mentioned under reference (8) & (9) above and Bangalore Metropolitan Region Development Authority Area as notified under reference (10) above and in the cities of Mysore, Gulbarga, Belgaum, and Hubli-Dharwad and in other areas of the State as per Government Orders mentioned in reference (11) above.

1. The noise levels in any of the categorized area/zone within the Bangalore Development Authority Area and Bangalore Metropolitan Region Development Authority Area and in the cities of Mysore, Gulbarga, Belgaum, and Hubli-Dharwad and other areas of the State shall not exceed the ambient air quality standards in respect of noise as specified in the schedule given below.

SCHEDULE

Ambient Air Quality Standards in respect of Noise

Area code	Category of Area/Zone	Limits in dB (A) Leq*	
		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 area is declared as an area comprising not less than 100 metres around hospitals, educational institutions, courts and religious

places or any other area, as declared by the State Government from time to time.

4. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

*dB (A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

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

"A" in dB (A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

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

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

- 1) Under Section 5 of the Environment (Protection) Act, 1986 the Government hereby issues directions to the Director General of Police, the Commissioner of Police in the cities of Bangalore, Mysore, Gulbarga, Belgaum and Hubli-Dharwad, and other officers of the Home Department not below the rank of the Deputy Superintendent of Police to take action against the persons who violate the standards prescribed in the schedule through the use of loud speakers / sirens / public address system or other modes of creating noise between 6.00 A.M to 10.00 P.M and 10.00 P.M to 6.00 A.M and to prosecute them under section 15 of the Environment (Protection) Act, 1986.

3. Restriction on the use of loud speakers/public address system:-

- a. A loud speaker or a public address system shall not be used except after obtaining written permission from the designated authorities as mentioned in para 2 (1) above.
- b. A loud speaker or a public address system shall not be used at night (between 10.00p.m to 6.00a.m) except in closed premises for communication within, e.g. auditoria, conference rooms, community hall and banquet halls.

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. Since the Environment (Protection) Act, 1986 makes it an obligatory duty cast on the officers entrusted with such duty to comply with such directions and instructions, the Government hereby directs that this instruction shall be circulated among all the district/taluk officers of the police department and the city Police officers to take action as stated above.

6. Consequences of any violation in silence Zone/area:-

(1) Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Environment (Protection) Act,-

- i) Whoever, plays any music or uses any sound amplifiers,
- ii) Whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument, or

- iii) Whoever exhibits any mimetic, musical or other performance of a nature to attract crowds:

7. Complaints to be made to the Competent 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 designated authorities as mentioned in para 2 (1) above.

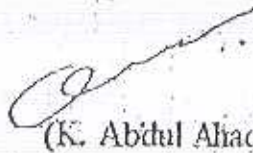
(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

(3) The Karnataka State Pollution Control Board shall give assistance to the Police Department, if required, on receipt of the complaint in monitoring the Noise levels.

(4) The Police Department shall report the action taken to the Secretary (Ecology and Environment), Department of Forest, Ecology and Environment.

8. The Government hereby makes it explicitly clear that the above instructions are applicable to all Government / Semi-Government Department Heads including companies and corporations and violations of the above shall attract penal action under section 17 of the Environment (Protection) Act, 1986.

By order and in the name of the
Governor of Karnataka



(K. Abdul Aliad)
Under Secretary to Government
Department of Forest, Ecology and Environment

To.

1. The Compiler, Karnataka Gazette for publication in next Gazette and to furnish 500 copies of the GO to Secretary (E&E), DFE.
2. Additional Chief Secretary to Government, Vidhana Soudha, Bangalore.
3. Additional Chief Secretary to Government (Home and Transport), Vidhana Soudha, Bangalore.
4. Principal Secretary to Government, Forest, Ecology and Environment, Bangalore.
5. Principal Secretary to Government, Urban Development, Bangalore.
6. Principal Secretary to Government, Health Department, Bangalore.
7. Principal Secretary to Government, Revenue Department, Bangalore.
8. Principal Secretary to Government, Education Department, Bangalore.
9. Principal Secretary to Government, Rural Development and Panchayat Raj Department, Bangalore
10. Principal Secretary to Government, Commerce and Industries Department, Bangalore
11. Secretary to Government, Ecology and Environment, Bangalore.
12. Secretary to Government (Home) Bangalore.
13. Secretary to Government (Transport) Transport Department, Bangalore.
14. Secretary to Government Urban Development Department, Bangalore.
15. All Secretaries and Heads of the Department of the State
16. Director General of Police, Bangalore.
17. Commissioner, Bangalore Development Authority, Bangalore.
18. Commissioner, Bangalore Metropolitan Region Development Authority, Bangalore.
19. Commissioner, Transport Department, Bangalore.
20. Commissioner of Police, Bangalore/Mysore/ Hubli-Dharwad/Belgam
21. Chairman, Karnataka State Pollution Control Board, Bangalore.
22. Director (Town Planning) Bangalore.

23. Director (Technical Cell), DFEE, Bangalore.
24. Registrar, High Court of Karnataka, Bangalore.
25. Divisional Commissioners / Deputy Commissioner / Assistant Commissioners of the sub division.
26. Chief Executive Officers of all Zilla Panchayats of the State.
27. All heads of public enterprises/corporations of the State.
28. Guard File / Spare Copy.