

GOVERNMENT OF TRIPURA
DEPARTMENT OF SCIENCE, TECHNOLOGY AND ENVIRONMENT
PT. NEHRU COMPLEX, AGARTALA

No. T 11(33)DSTE CC/P-1/461-73

Dated the 29th January 2014

MEMORANDUM - 07

Subject: Checking noise pollution

Attention of all concerned is hereby drawn to the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 framed under the Environment (Protection) Act, 1986 as well as provisions of the Central Motor Vehicles Act, 1989, as applied to Tripura. The High Court of Tripura in Writ Petition (C) (PIL) 03 of 2013 has issued certain directions on the 20th January 2014 (copy enclosed). In compliance with the said directions, following action shall be taken by all concerned for checking noise pollution:

I. Action by Police

- (i) The Sub-Divisional Police Officer (SDPO) of the Subdivision shall be designated 'authority' as per Rule 2(c) of the Noise Pollution (Regulation and Control) Rules, 2000. Persons requiring use of loud speaker shall have to submit application under the prescribed format to the SDPO of the concerned area at least seven days before the date of use. The SDPO, on receipt of the said application, shall undertake enquiry, as deemed necessary, and give permission indicating the conditions to be complied with and copy of the same shall be endorsed to the SDM concerned. The permission may also be refused, if deemed necessary, indicating the reasons thereof. The SDPO, with help of officer-in-charge of the Police Station, shall take necessary action for ensuring that the directions indicated above are complied with and in the event of any violation, appropriate action shall be taken as per provisions of the relevant Act and Rules and the directions issued by the Hon'ble High Court.
- (ii) No loudspeaker or any sound producing instrument or a musical instrument or a sound amplifier shall be used at night time during 10 PM to 6 AM except within an auditorium, conference rooms, community hall, banquet hall or during public emergency.
- (iii) Under no circumstances, loudspeakers or other sound making instruments be permitted in the "silence zone" within a radius of 100 meters from any school, college, governmental hospital or court.

Subant


- (iv) The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5 dB(A) the ambient noise standards specified for the area in which it is used.
- (v) Required equipment for measuring intensity of sound shall be made available to the SDPOs.
- (vi) Due care shall be taken for ensuring that the rules are obeyed in a graceful and civil manner as far as feasible and only in case of resistance by the violators, punitive action is to be taken.

II. Action by other departments

- (i) The horns or other sound producing device on vehicles should comply with Rule 119 of the Motor Vehicles Rules. No vehicle with sound boxes should be permitted to ply. Requirement for complying with these should be indicated in the licence and looked into while issuing and renewing licence. While appropriate legal action may be taken for the first offence committed by the driver/vehicle, in case the offence happening for the second time, route permit, wherever applicable, of such vehicle/driver shall be cancelled and the sound box seized. (Action by Transport Department)
- (ii) Awareness regarding noise pollution should be generated among students, youth, enforcement agencies, civil society. For the purpose, wide publicity should be given to these in print and electronic media. (Action by ST&E/School Education/ICA Departments)
- (iii) Tripura State Pollution Control Board (TSPCB) shall organize capacity building on necessary technical guidance to concerned officials. The Board shall also keep general watch for maintaining ambient air quality standards for sound levels in different zones.
- (iv) All development authorities, local bodies and other concerned authorities, while planning development activity or carrying out functions relating to town and country planning, shall give due consideration to checking 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. (Action by UD, PW Departments)

III. General

- (i) Implementation of the statutory provisions and directions of the Hon'ble High Court of Tripura, as indicated above, shall be monitored at the district level by the DM & Collectors with help of the District Superintendents of Police and other officials and at the State level by the Director General of Police.


(S.K. Panda)
Chief Secretary
Government of Tripura

To

1. Director General of Police
2. Chairman, Tripura State Pollution Control Board
3. Additional Chief Secretary, PWD
4. Secretary, Home/Transport/ST&E/UD
5. Chief Executive Officer, TTAADC
6. All DM & Collectors,
7. All District Superintendents of Police
8. All Sub-Divisional Police Officers

Copy to:

1. Secretary, Information & Cultural Affairs with request to issue due publicity.
2. Director, Tripura Government Press with request to publish the same in the Tripura Gazette.

Copy for favour of information to:

1. ACS to Chief Minister
2. PS to all Ministers
3. PS to all Secretaries

Format for submission of application seeking permission for use of loudspeaker / public address system.

1. Name and address of the :
application
2. Contact number :
3. Date and time of use of ;
loudspeaker/public address system:
4. Place/location of use of the ;
loudspeaker/public address system:
5. Details of equipment sought to be :
used.

Undertaking

I / We hereby undertake to comply with the relevant provisions of the Noise Pollution (Regulation and Control) Rules, 2000 and the directions of the Hon'ble High Court of Tripura dated the 20th January 2014 in Writ Petition (C) (PIL) 03 of 2013, as relevant for the purpose.

(Signature of the person seeking permission)

Format for granting permission for the use of loudspeaker/public address system

No. _____
Office of the Sub-Divisional Police Officer
_____ Sub-Division

Dated, the _____, 2014

Order

In exercise of the powers under Rule 2(c) of the Noise Pollution (Regulation and Control) Rules, 2000 framed under the Environment (Protection) Act, 1986 and the Notification No.F.11(33)/DSTE/CC/Pt-I dated the 29th January 2014 of the Department of Science, Technology & Environment, Government of Tripura, permission is hereby granted to _____ for use of loudspeaker/public address system at the place and on the date(s) specified below:

1. Name of the place and its location :
2. Date(s) for which the permission given : On /
From(date) to(date)
3. Time allowed for use of the loudspeaker/public address system : From (hrs.) to (hrs.)
4. Specification of the loudspeaker/public address system allowed :

The above permission is subject to the following conditions:

- (i) The loudspeaker or public address system shall not be used at night time (between 10-00 pm and 6-00 am).
- (ii) The noise level at the boundary of the public place, where loudspeaker or public address system is being used, shall not exceed 10 dB(A) above the ambient noise standards for the area or 75 dB(A), whichever is lower.
- (iii) Any violation of the conditions will lead to cancellation of the permission and make the person(s) liable for penalty, as laid down under the said Rules.

Copy to:
The Sub-Divisional Magistrate, _____

Sub-Divisional Police Officer