

The Noise Pollution (Regulation and Control) Rules, 2000

1. Short-title and commencement

(1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions** : In these rules, unless the context otherwise requires :-

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

(b) "area/zone" means all areas which fall in either of the four categories given in the Schedule annexed to these rules;

(c) "authority" means and includes any authority or officer authorized by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;

(d) "court" means a governmental body consisting of one or more judges who sit to adjudicate disputes and administer justice and includes any court of law prescribed over by a judge, judges or a magistrate and acting as a tribunal in civil, taxation and criminal cases;

(e) "educational institution" means a school, seminary, college, university, professional academies, training institutes or other educational establishment, not necessarily a chartered institution and includes not only buildings, but also all grounds necessary for the accomplishment of the full scope of educational instruction, including those things essential to mental, moral and physical development;

(f) "hospital" means an institution for the reception and care of sick, wounded, infirm or aged persons, and includes government or private hospitals, nursing homes and clinics.

(g) "person" shall include any company or association or body of individuals, whether incorporated or not.

(h) "State Government" in relation to a Union Territory means the Administrator thereof appointed under article 239 of the Constitution.

3. Ambient air quality standards in respect of noise for different areas/zones:

(1) The ambient air quality standards in

respect of noise for different areas/zones shall be such as specified in the Schedule annexed to these rules.

(2) The State Government shall categorize the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas.

(3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements and ensure that the existing noise levels do not exceed the ambient air quality standards specified under the rules.

(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) An area comprising not less than 100 meters around hospitals, educational institutions and courts may be declared as silence area/zone for the purpose of these rules.

4. Responsibility as to enforcement of noise pollution control measures :

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

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

(1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.

(2) A loud speaker or a public address system shall not be used at night (between 10.00 pm to 6.00 am) except in closed premises for communication within e.g. auditoria, conference rooms, community halls and banquet halls.

(3) Notwithstanding any thing contained in sub-rule(2). The State Government may subject to such terms and conditions as are necessary to reduce noise pollution permit use

of loud speakers or public address systems during night hours (between 10.00 p.m. to 12.00 midnight) on or during any cultural or religious festive occasion of a limited duration not exceeding fifteen days in all during a calendar year.(Added vide S.O. No. 1088(E) dated 11th October, 2002)

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

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provision of the 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 performances of a nature to attract crowds.

7. Complaints to be made to the 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 the authority.

(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.

8. Power to prohibit etc. continuance of music sound or noise:-

(1) If the authority is satisfied from the report of an officer in charge of a police station or other information received by him that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk of annoyance, disturbance, discomfort or injury to the public or to any person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating:-

(a) the incidence or continuance in or upon any premises of -

(i) any vocal or instrumental music,

(ii) sounds caused by playing, beating, classing, blowing or use in any manner

whatsoever of any instrument including loudspeakers, public address systems, appliance or apparatus or contrivance which is capable of producing or re-producing sound, or

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule(1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub rule(1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford to the applicant an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it rejects any such application either wholly or in part, record its reasons for such rejection.

Schedule [See Rule 3(1) and 4(1)]

Limits in dB(A)Leq*

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	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 am to 10.00 pm.

2. Night time shall mean from 10.00 pm to 6.00 am.

3. Silence zone is an area comprising not less than 100 metres around hospitals, educational institutions, courts, religious places or any other area which is declared as such by the competent authority.

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.

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4. In the earlier clause the words “religious places” has been added by S.O.1046(E), dated 24th November, 2000, Gazette of India (Extra). No.749 dated 24th November 2000. ■

Standardising noise

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The noise standards are generally set on the basis of World Health Organisation (WHO) stipulations. WHO has stipulated 65 dB permissible noise from an industrial area during both day and night. In commercial area it is 60 dB whereas 55 and 45 dB are prescribed for commercial, residential and silence zones respectively.

A comparison shows that in India the noise standards set are more or less in tune with the WHO specification, but the major lacuna seems to be in the implementation. In developed countries especially in UK, though the standards are set, the suspect

depending on the width of the road. California bans impulse noise at a maximum level of 20 dB above the standards. Australian capital territory treats special cases such as security alarms, garbage collection, non-amplified noise from a church, new year’s eve, parties etc. In India ban is imposed on loud impulse noises at 110 dB. This shows that generally, the noise standards set in India is in agreement to the international noise regulations.

In India, the limit allotted during day / night for these categories is 75/70, 65/55, 55/45 and 50/40 dB respectively. In Australia, the standard is 65dB for industrial area for day and 55 dB for



	India	Australia	Canada	Israel	Japan	United States
Industrial	75-70	65-55	65-55	70	60-50	60-80 / 55-75
Commercial	65-55	55-45	60-55	55	60-50	60-80 / 55-65
Residential	55-45	45-35	55-45	50	50-40	55-65 / 50-60
Silent Zone	50-40	45-35		45	45-35	

noise and the background (ambient) noise levels are measured and the noise deemed offensive if the difference is more than 10 dB. Also the figures must be treated with caution since the method of measurement is important and is often explicitly stated. The fairly good agreement between countries, however, suggests that methodological similarity.

Special situations are identified which are influenced by a particular culture. For e.g., in Israel, no singing or music is allowed outdoors between 2.30 and 4.00 pm. In Japan, cities, high limit is allotted to areas facing a road and it varies

nighttime, 55 and 45 dB for commercial area, 45 and 35 dB for residential area and 45/35 for the silence zone. In Canada, the standards are 65/60, 60/55 and 55/45 for the first three categories while Israel limits them as 70 dB, 55dB, 50 dB and 45 dB. In Japan, the figures are 60/50, 60/50, 50/40 and 45/35 dB. In United States, the stipulations slightly vary from state to state. It ranges from 60-80 dB for day time and 55-75 dB for night in an industrial area, 60-65 and 55-65 for commercial area and 55-65 dB and 50-60 dB respectively for day and night time for residential area. ■