

Explanation

1. 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, Superintendent of Police/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
2. “Public place” means any place to which the public has access, whether as of right or not and includes auditorium hotels, public waiting rooms, convention centers, public offices, shopping malls, cinema halls, educational institutions, libraries, open grounds and the like which are visited by general public
3. “night time” means the period between 10.00 pm and 6:00 am

GYANENDRA DEV TRIPATHI,
Commissioner & Secretary to the Government of Assam,
Environment & Forest Department.

Therefore following directions are issued to all concerned under Section 5 of the Environment (Protection) Act, 1986 and Section 3 (3) of the Noise Pollution (Regulation and Control, Rules, 2000 for compliance across the State of Assam.

DIRECTIONS

1. A loud speaker or a public address system shall not be used except after obtaining written permission from the competent authority.
2. A loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria conference rooms, community halls or during a public emergency
3. Ban is imposed on sale, purchase and use of sound system / public address system which are not fitted with sound limiter (s) to maintain the noise level. The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB (A) above the ambient noise standards for the area or 75 dB (A) whichever is lower
4. 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 5dB (A) the ambient noise standards specified for the area on which it is used.
5. That the following officers shall enforce these directions in exercise of power conferred on them by law in their jurisdiction
 - a) District Magistrate
 - b) Police Commissioner or any other officer not below the rank of Deputy Superintendent of Police designated for the maintenance of the ambient air quality standard in respect of Noise
 - c) Pollution Control Board, Assam shall extend technical support to the District Magistrate
6. Penalty for contravention of the provisions of the act and the rules, orders and directions - Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued there under shall, in respect of each such failure or contravention be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.
7. That the following officers shall take cognizance of offences and initiate legal action in case of non compliance of these directions as per the powers conferred on them under Section 19 of the Environment (Protection) Act, 1986 and shall file complaint in the jurisdiction court of law:
 - a) Secretary to the Govt. of Assam, Environment & Forest Department
 - b) Chairman and Member Secretary of Pollution Control Board, Assam
 - c) Deputy Commissioner of the Districts
 - d) Police Commissioner or any other officer not below the rank of Deputy Superintendent of Police designated for the maintenance of the ambient air quality standard in respect of Noise
 - e) Regional Officer of Pollution Control Board, Assam



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ENVIRONMENT AND FORESTS DEPARTMENT

NOTIFICATION

The 2nd August, 2021

No.FRM.01/2019/Pt-I/184.-

Whereas, the Hon'ble National Green Tribunal (NGT) in the matter of O A. No 681/2018 dtd 15.11 2019 directs that. "Noise limiters need to be installed on potential devices, including retrofitting the existing devices"

And whereas; As per the Noise Pollution (Regulation and Control) Rules, 2000 under the Schedule [Rule 3(i)] ambient air quality standards in respect of Noise for different areas / zones have specified, according to which 55 Decibel during day time (6.00 AM to 10.00PM) and 45 decibel during night time (10.00 PM to 6.00AM) level of sound volume as physically acceptable for common citizen in residential area. Again under Rule 5, a loud speaker of a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls, banquet halls or during a public emergency

And whereas; it has been observed that in various functions and get - together often mike and loud speaker are used with amplifier producing very loud sound volume, resulting disturbances of physical and mental health of surrounding persons creating noise hazard.

And whereas; in general the sound of mike / loud speaker, intentionally used to reach largely to a long distance, are playing very loudly by mike/amplifier. But by connecting sound limiter (sound controlling device) to an amplifier and restricting upto desired decibel standard of loud speaker mike etc, in public address system, the sound could be sent to a long distance.