

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPPIL No. 88 of 2023**

In The Matter Of Suo Moto Public Interest Litigation, Regarding Noise
Pollution Based On News Item

Versus

The Chief Secretary, State of Chhattisgarh & Others

Order Sheet

21/10/2024	<p>This is an office reference.</p> <p>Heard Mr. Prafull N Bharat, learned Advocate General assisted by Mr. Shashank Thakur, learned Deputy Advocate General for the State/respondent No. 1, 4, 5 and 6, Mr. Trivikram Nayak, learned counsel for the respondent No. 2. Also heard Ms. Surya Kawalkar Dangi, Mr. Harshmander Rastogi, Mr. Veer Verma and Mr. Bhupendra Shrivastava, learned counsel for the respective Intervenors.</p> <p>Intervention applications, being I.A. No. 4 of 2024, has been filed by one Vijay Kashyap, IA No. 5 of 2024 has been filed by one Dr. Rakesh Gupta, and I.A. No. 6 of 2024 has been filed one Mr. Rakesh Choubey, seeking permission to intervene</p>

in the matter.

Mr. Rastogi, learned counsel appearing in IA No. 6 of 2024, submits that despite various orders and laws in force, the State is not in a position to control the noise pollution especially during the festival season. Various vehicles and e-Rickshaws are used in which sound amplifiers are installed which is causing great inconvenience to the public at large. There is no proper procedure or mechanism has been laid with respect to lodging of complaints in cases related to noise pollution. Even after making complaints to various authorities as well as in Dial 112, no action is being taken by the respondent authorities which is violative of the directions of this Court.

In response to the above, Mr. Bharat, learned Advocate General submits that so far as IA No. 6 of 2024, is concerned, the intervenor himself has annexed certain news clippings which shows that the State is taking strict action against the persons who are violating the laws relating to noise pollution. When a complaint is made by the affected party, prompt action is being taken by the State. Mr. Bharat submits that the State is conscious of the fact and is making all efforts to curb the noise pollution which is being caused by the DJs and other Sound Systems and assures the Court that he would further make

efforts for controlling the noise pollution.

Ms. Surya Kawalkar Dangi, learned counsel (in IA No. 5 of 2024) submits that DJs are mounted on various vehicles and music is played in high volumes which is causing severe damage to the health of the public at large. Even those DJs carry high beam lights, laser lights and flash lights which are causing serious injuries to the eyes. She has annexed coloured photographs of various festive occasions when the DJ operators are flouting the orders and directions of this Court as well as various environmental related laws.

Mr. Bharat submits that so far as use of laser lights in the DJs and other vehicle mounted sound systems are concerned, that have already been banned in the State and the DJ operators who are flouting the orders/laws are being penalised by imposition of fine and if found violating on repeated occasions, their vehicle and other instruments are being seized/confiscated apart from imposition of fine.

The Collector/District Magistrate, Raipur, is directed to file his personal affidavit with respect to the averments / pleadings made in IA No. 5 of 2024.

Mr. Veerm Verma, learned counsel for the intervenor in IA No. 4 of 2024 submits that the police authorities are

harassing and torturing the DJ operators and the association of the DJ operators in the garb of the present PIL and the letter dated 11.09.2024 issued by the Housing and Environment Department, Government of Chhattisgarh, and are realising illegal gratification even from those DJ operators who are strictly complying with the orders passed by this Court and other environmental laws.

In response to the above, Mr. Bharat submits that no such instance has been brought to the notice of the State and he assures the Court that the rule of law shall prevail and the orders passed by this Court from time to time and the other relevant provisions of law shall be followed in its letter and spirit.

Let this case be listed again on **20th November, 2024**.

Sd/-
(Bibhu Datta Guru)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE