DIRECTION

WHEREAS, the Department of Environment, Government of West Bengal, is entrusted to execute different environmental laws, within the territorial jurisdiction of West Bengal, for prevention and control of pollution in the atmosphere;

AND WHEREAS Environment (Protection) Act, 1986 read with Noise (Regulation & Control) Rules, 2000, has already laid down different rules for curbing noise pollution in the different areas and also notified permissible limit of noise level of different categories of area during day time and night time, which reads as follows:

<table>
<thead>
<tr>
<th>Area Code</th>
<th>Category of Area</th>
<th>Limit in dB(A) Leq.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Day Time</td>
</tr>
<tr>
<td>A</td>
<td>Industrial area</td>
<td>75</td>
</tr>
<tr>
<td>B</td>
<td>Commercial area</td>
<td>65</td>
</tr>
<tr>
<td>C</td>
<td>Residential area</td>
<td>55</td>
</tr>
<tr>
<td>D</td>
<td>Silence zone</td>
<td>50</td>
</tr>
</tbody>
</table>

Note-1 : Day time is reckoned in between 6 a.m. and 10 p.m.
Note-2 : Night time is reckoned in between 10 p.m. and 6 a.m.
Note-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.
Note-4 : Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

AND WHEREAS, for maintaining the ambient air quality standard in respect of noise in different areas and zones, State Government has already issued a notification under Memo No. EN/3346/T-IV-6/001/2007 (Pt.II) dated 29-12-2009 wherein detailed functional responsibility of the different Government regulatory authorities were laid down;
AND WHEREAS under Rule 3(4) of the Noise Pollution (Regulation & Control) Rules, 2000, it has been very specifically mentioned that 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;

AND WHEREAS Rule 5A of the Noise Pollution (Regulation & Control) Rules, 2000 as amended on 11-01-2010, very specifically notified some restrictions on the use of horns, sound emitting construction equipments, which reads as follows :-

§ No horn shall be used in `Silence Zone’ or during night time in residential areas, except during public emergency;
§ Sound emitting construction equipments shall not be used or operated during night time in residential areas and `Silence Zone’.

HENCE, in exercise of the power conferred under Section 5 of the Environment (Protection) Act, 1986 and Rules made thereunder, all development authorities, local bodies and other concerned authorities are requested to comply with the aforementioned statutory regulation strictly and during issuance of `Consent to Establish’ or environment clearance to any project proponent or developers or industrial units, West Bengal Pollution Control Board,(hereinafter will be referred to as the `State Board’) should impose the aforementioned statutory norms.

It is further clarified that police authority should take urgent steps to prohibit the use of the horn in `Silence Zone’ area and during night time, the same restrictions regarding use of horns be imposed in residential area.
In case of any violation, State Board and police authority is at liberty to take regulatory action under Environment (Protection) Act, 1986 and Rules made thereunder against the violators.

This order will take immediate effect.

By Order,

Sd/-
( M. L. Meena )
Principal Secretary
Department of Environment,
Government of West Bengal.
And
Chairman,
State Noise Monitoring Committee.