

ध्वनी प्रदूषण (नियंत्रण व नियमन) नियम, २०००
ची प्रभावीपणे अंमलबजावणी करण्यासाठी
प्राधिकरणाची नियुक्ती करण्याबाबत

महाराष्ट्र शासन

पर्यावरण विभाग, मंत्रालय,

शासन निर्णय क्रमांक : ध्वनीप्र-२००९/प्र.क्र.९५/तांक-१

नविन प्रशासन भवन, १५ वा मजला, मादाम कामा रोड, मुंबई - ४०० ०३२

दिनांक: २१ एप्रिल, २००९

- वाचा - १) शासन निर्णय क्रमांक : ध्वनीप्र-२०००/प्र.क्र.२४/तांक ३, दिनांक १६ ऑगस्ट, २००० आणि दिनांक १५ जून, २००१
२) मे. उच्च न्यायालयाच्या मुंबई खंडपीठांमध्ये दाखल करण्यात आलेल्या सार्वजनिक हिताच्या याचिका क्र. (१) २०५३/२००३, (२) ७४/२००७, (३) ८५/२००७ आणि (४) १/२००९ मधील दिनांक २६/२/२००९ चे आदेश

प्रस्तावना :-

पर्यावरण विभाग, शासन निर्णय क्र. एन.पी./२०००/२४/क्र.३, दिनांक १६/८/२००० व दिनांक १५/०६/२००१ रोजी ध्वनी प्रदूषण (नियंत्रण व नियमन) नियम, २००० च्या २ (क) नुसार, राज्यातील पोलीस आयुक्त असलेल्या शहरामध्ये पोलीस उप आयुक्त व इतर ठिकाणी जिल्हा पोलीस अधिक्षक यांना एक सदस्य प्राधिकरण म्हणून ध्वनी प्रदूषण नियमाची अंमलबजावणी करण्यासाठी नियुक्ती करण्यात आली आहे.

मा. उच्च न्यायालय, मुंबई खंडपीठाने वरील याचिकांमध्ये महाराष्ट्र शासन व इतर विभागांनी ध्वनी प्रदूषण (नियंत्रण व नियमन) नियम, २००० ची प्रभावी अंमलबजावणी करण्याकरीता दिनांक २६/२/२००९ रोजी ठराविक निर्देश दिलेले आहेत. त्यानुसार स्थानिक स्वराज्य संस्थांनी शहरी भागात शांतता झोन जाहीर करणे आवश्यक आहे.

शासन निर्णय :-

१) मा. उच्च न्यायालयाच्या आदेशानुसार तसेच ध्वनी प्रदूषण (नियंत्रण व नियमन) नियम, २००० च्या कलम ३ (५) नुसार स्थानिक स्वराज्य संस्थांनी शहरी भागात शांतता झोन त्वरीत जाहीर करून योग्य ते आदेश काढावेत. तसेच शहरात शांतता झोनचे फलक लावून आदेशाची प्रभावी अंमलबजावणी करण्यासाठी योग्य ती प्रसिध्दी करावी.

- १) शैक्षणिक संस्थांच्या सभोवताली १०० मीटर क्षेत्र
- २) सर्व न्यायालयाच्या सभोवताली १०० मीटर क्षेत्र
- ३) रुग्णालयाच्या सभोवताली १०० मीटर क्षेत्र

२) ध्वनी प्रदूषणाची वाढती पातळी व निरनिराळे प्रदूषण स्रोत विचारात घेता, शासनाच्या निरनिराळ्या विभागांनी सद्यस्थितीत ते राबवीत असलेल्या नियमाद्वारे ध्वनी प्रदूषण नियंत्रण व नियमनाची अंमलबजावणी करावी. त्याकरिता परिशिष्ट १ मध्ये नमूद केल्याप्रमाणे, शासनाच्या संबंधित विभागांच्या अधिपत्याखालील संस्थांच्या अधिकाऱ्यांना पदनाम प्राधिकरण म्हणून जाहीर करण्यात येत आहे. याबाबत संबंधीत

रौटा/इच-०१००[४००-४-२००९]-१

विभागांनी स्वतंत्र आदेश निर्गमित करावेत. सदर प्राधिकरण, ते राबवित असलेल्या नियमांच्या तरतुदीनुसार तसेच ध्वनी प्रदूषण (नियंत्रण व नियमन) नियम, २००० च्या तरतुदीनुसार ध्वनी प्रदूषण नियंत्रण व नियमनाची कार्यवाही करण्यास सक्षम असेल.

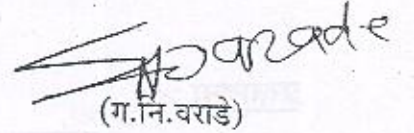
A.

३) ध्वनी प्रदूषण करणारे उपकरणे / स्रोत जसे D.G. Sets (15-500 KVA); Coal Washeries ; Fire Crackers Generator Sets with Diesel (upto 1000 KVA) manufactured on or after 1st July, 2003 ; Vehicles at manufacturing stage from the year, 2003 and 1st April, 2005 respectively as well as Noise Limits for Automobiles and Domestic appliances and construction equipments at the manufacturing stage laid down under the provisions of the Environment (Protection) Act, 1986 and Rules made there under इत्यादींची, सभोवतालच्या हवेतील ध्वनी प्रदूषण गुणवत्तेच्या विहित मर्यादा परिशिष्ट २ मध्ये नमूद केल्याप्रमाणे असेल.

४) या शासन निर्णयान्वये, पर्यावरण विभागाने यापूर्वी दिनांक १६ ऑगस्ट, २००० आणि दिनांक १५ जून, २००१ रोजी या विषयाबाबत निर्गमित केलेला शासन निर्णय खारीज करण्यात येत आहे. हा शासन निर्णय निर्गमित झाल्याच्या दिनांकापासून लागू राहील.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

B.


(ग.नि.वराडे)

संचालक (पर्यावरण)

प्रत माहितीसाठी :-

मा.मुख्यमंत्र्यांचे प्रधान सचिव

मा.उपमुख्यमंत्र्यांचे प्रधान सचिव

मा. मुख्यसचिव

अतिरिक्त मुख्यसचिव, गृह विभाग, मंत्रालय

अतिरिक्त मुख्यसचिव, सार्वजनिक आरोग्य विभाग, मंत्रालय

प्रधान सचिव (अ. व सु.), गृह विभाग

प्रधान सचिव, नगर विकास विभाग (१), मंत्रालय

प्रधान सचिव, नगर विकास विभाग (२), मंत्रालय

प्रधान सचिव, महसूल विभाग, मंत्रालय

प्रधान सचिव, उच्च व तंत्रशिक्षण विभाग, मंत्रालय,

प्रधान सचिव, शालेय शिक्षण विभाग, मंत्रालय

सचिव, गृह विभाग (परिवहन),

सचिव, पर्यावरण

मा. मंत्री (पर्यावरण), यांचे खाजगी सचिव,

मा. राज्यमंत्री (पर्यावरण), यांचे खाजगी सचिव,

सर्व मा. मंत्री / राज्यमंत्री यांचे खाजगी सचिव

सर्व जिल्हाधिकारी

सर्व पोलीस आयुक्त / उप आयुक्त

सर्व जिल्हा पोलीस अधिक्षक / उप अधिक्षक

पर्यावरण विभाग सर्व अधिकारी / कार्यासन / निवडनस्ती - तांक १

परिशिष्ट - १

एच-०१०० -१३

ध्वनी प्रदूषण व नियमन व नियंत्रणाची अंमलबजावणी करण्यासाठी शासनाच्या अधिपत्याखाली असलेल्या संस्थांमधील संबंधीत अधिका-याची पदनाम प्राधिकरण म्हणून नियुक्ती

Sr. No	Officer /Agency	Concerned Department	Duties
1.	District Magistrate, Sub-Divisional Magistrate,	Revenue	Corresponding Rules for the enforcement of the Noise Pollution Control measures within their respective jurisdiction.
2.	Police Commissioner or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of Ambient Air Quality Standards, as mentioned in the Rule 2(c) of Noise Pollution(Regulation and Control) Rules, 2000.	Home	The Police Authorities will be responsible for initiating further legal actions in respect of the violations..
3.	Municipal Commissioner, Additional/Deputy Municipal Commissioner/ Chief Officer of Municipal Council/Committee Govt. of Maharashtra not below the rank of the Deputy Superintendent of Police.	Urban Development	<p>Corresponding Rules for the enforcement of noise standards laid down under the Environment (Protection) Rules, 1986 at source for construction projects, utilities for buildings (ACs, DG sets etc.), domestic appliances, development and other activities in their jurisdiction.</p> <p>The urban local bodies shall be responsible for demarcation of the silent zones as per the Noise Rules, 2000 and displaying the same adequately.</p> <p>The urban local bodies shall include an Action Plan for noise control in the Environmental Status Report submitted by them annually, including noise monitoring and noise mapping studies.</p> <p>The Local Body and Urban Development Deptt., Govt. of Maharashtra will not grant any permissions for development activities in consistent with or in conflict with the categorization of zone. In case of overlapping zones, stringent standards will prevail over in that particular area.</p>
4.	Registrar /Head Master of the Educational Institutions duly approved by the concerned Government not below the rank of the Deputy Superintendent of Police	Higher & Technical Education/ School Education	Corresponding Rules for the enforcement and maintenance of the Ambient Noise Standards laid down for domestic appliances, automobiles etc. in respect of any activity in its jurisdiction.
5.	Dean/Superintendent of the Government Hospitals not below the rank of the Deputy Superintendent of Police	Public Health	Corresponding Rules for the enforcement and maintenance of the Ambient Noise Standards laid down for domestic appliances, automobiles etc. in respect of any activity in its

6.	Head of M.M.R.D.A., M.S.R.D.C., C.I.D.C.O., having local jurisdiction constituted under various Laws and Public Works Department.	Urban Development	<p>jurisdiction.</p> <p>Corresponding Rules for the enforcement and maintenance of Noise Standards laid down under the Environment (Protection) Rules, 1986 at source for construction projects, utilities for buildings (ACs, DG sets etc.), domestic appliances, development and other activities in their jurisdiction</p> <p>These Developmental Authorities should include adequate noise abatement measures in their project activities such as noise barriers to the bridges and flyovers, tree plantation for roads etc.</p>
7.	Member Secretary and any officer Maharashtra Pollution Control Board not below the rank of the Deputy Superintendent of Police	Environment Department	<p>(i) Monitoring of Ambient Noise Levels in case of specific requests from other authorities referred in the table and communicating the results to the respective Authorities for further necessary action at their end.</p> <p>(ii) For the enforcement of Noise Pollution Control Measures and Standards in industrial areas.</p>
8.	<p>(i) Any officer from the State Transport Department / Deputy Regional Transport Officer in their respective jurisdiction not below the rank of the Deputy Superintendent of Police</p> <p>(ii) Head of Maharashtra State Road Transport Corporation or any officer/ Depot Manager not below the rank of the Deputy Superintendent of Police.</p> <p>(iii) Traffic Police Authorities not below the rank of the Deputy Superintendent of Police</p>	Home Department (Transport)	<p>Enforcement and maintenance of the Noise Standards laid down under Environment (Protection) Rules, 1986 and Motor Vehicles Act, 1939 for the new and operating vehicles within their respective jurisdiction.</p> <p>The noise levels generated by the in-use vehicles should be monitored while grant of Pollution Under Control Certificate.</p>

परिशिष्ट- २

Schedule
(Under rule 3(1) and 4(1)) of Noise Pollution (Control and Regulation) Rules, 1999

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	Limits in dB(A) Leq*	
		Day Time	Night Time
(A)	Industrial Area	75	70
(B)	Commercial Area	65	55
(C)	Residential Area	55	45
(D)	Silence Zone	50	40

- i. Day time shall mean from 6.00 a.m. to 10.00 p.m.
- ii. Night time shall mean from 10.00 p.m. to 6.00 a.m.
- iii. Silence Zone is defined as an area comprising not less than 100 meters around hospitals, educational institutions and courts. The silence zones are zones which are declared as such by the competent authority.
- iv. 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.

2. Standards / Guidelines for control of Noise Pollution from Stationary Diesel Generator (DG) Sets.

(A) Noise Standards for DG sets (15-500 KVA)

The total sound power level, L_w of a DG set should be less than, $94 + 10 \log_{10} (KVA)$, dB(A), at the manufacturing stage, where, KVA is the nominal power rating of a DG set. This level should fall by 5 dB(A) every five years, till 2007, i.e. in 2002 and then in 2007

(B) Mandatory acoustic enclosure/acoustic treatment of room for stationary DG sets (5KVA and above).

Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.

The acoustic enclosure / acoustic treatment of the room should be designed for minimum 25 dB (A) Insertion Loss or for meeting the ambient noise standards, whichever is on the higher side (if the actual ambient noise is on the higher side, it may not be possible to check the performance of the acoustic enclosure/acoustic treatment. Under such circumstances, the performance may be checked for noise reduction upto actual ambient noise level, preferably in the night time). The measurement for Insertion Loss may be done at different points at 0.5 m from the acoustic enclosure/room, and then averaged.

The DG set should also be provided with proper exhaust muffler with insertion loss of minimum 25dB (A).

- A. (C) **Guidelines for the manufacturers/users of DG sets (5 KVA and above).**
01. The manufacturer should offer to the user a standard acoustic enclosure of 25 dB(A) Insertion Loss and also a suitable exhaust muffler, with Insertion Loss of 25 dB(A).
 02. The user should make efforts to bring down the noise levels due to the D.G. set, outside his premises, within the ambient noise requirements by proper siting and control measures.
 03. The manufacturer should furnish noise power levels of the unsilenced DG sets as per standards prescribed under (A).
 04. The total sound power level of a D.G. set, at the user's end, shall be within 2 dB(A) of the total sound power level of the DG set, at the manufacturing stage as prescribed under (A).
 05. Installation of a DG set must be strictly in compliance with the recommendations of the DG set manufacturer.
 06. A proper routine and preventive maintenance procedure for the DG set should be set and followed in consultation with the DG set manufacturer, which would help to prevent noise levels of the DG set from deteriorating with use.

3. Noise Level Standards for Coal Washeries

Operational / Working Zone -- not to exceed 85 dB(A) Leq for 8 hours exposure.

The Ambient Air Quality Standards in respect of noise as notified under Environment (Protection) Rules, 1986 shall be followed at the boundary line of the coal washery.

Code of Practice of Coal Washery

Water or Water mixed chemical shall be sprayed at all strategic coal transfer points such as conveyors, loading/unloading points etc. As far as practically possible conveyors, transfer points etc. shall be provided with enclosures.

- * The crushers/pulverizers of the coal washeries shall be provided with enclosures, fitted with suitable air pollution control measures and finally emitted through a stack of minimum height of 30m, conforming particulate matter emission standards of 150 mg/Nm³ or provided with adequate water sprinkling arrangement.
- * Water sprinkling by using fine atomizer nozzles arrangement shall be provided on the coal heaps and on land around the crushers/pulverisers.
- * Area, in and around the coal washery shall be pucca either asphalted or concreted.
- * Water consumption in the coal washery shall not exceed 1.5 cubic meter per tonne of coal.
- * The efficiency of the settling ponds of the waste water treatment system of the coal washery shall not be less than 90%.
- * Green belt shall be developed along the road side, coal handling plants, residential complex, office building and all around the boundary line of the coal washery.
- * Storage bunkers, hoppers, rubber decks in chutes and centrifugal chutes shall be provided with proper rubber linings.

- * Vehicles movement in the coal washery area shall be regulated effectively to avoid traffic congestion. High pressure horn shall be prohibited. Smoke emission from heavy duty vehicle operating in the coal washeries should conform the standards prescribed under Motor Vehicle Rules, 1989.

4. Noise Standards for fire-crackers

- A.(i) The manufacturer, sale or use of fire-crackers generating noise level exceeding 125 dB(A) or 145 dB(C)_{pk} at 4 meters distance from the point of bursting shall be prohibited.
- (ii) For individual fire-cracker constituting the series (joined fire crackers), the above mentioned limit be reduced by $5 \log_{10} (N)$ dB, where N=Number of crackers joined together.
- B. The broad requirements for measurement of noise from fire-crackers shall be-
- (i) The measurements shall be made on a hard concrete surface of minimum 5 meter diameter or equivalent.
- (ii) The measurement shall be made in free field conditions i.e., there shall not be any reflecting surface upto 15 meter distance from the point of bursting.
- (iii) The measurement shall be made with an approved sound level meter.
- C. The Department of Explosives shall ensure implementation of these standards.

5. Noise Limits for Generator Sets run with diesel

Noise limit for diesel generator sets (upto 1000 KVA) manufactured on or after 1st July, 2003

The maximum permissible sound pressure level for new diesel generator (DG) sets with rated capacity upto 1000 KVA, manufactured on or after the 1st July, 2003 shall be 75 dB(A) at 1 meter from the enclosure surface.

The diesel generator sets should be provided with integral acoustic enclosure at the manufacturing stage itself.

The implementation of noise limit for these diesel generator sets shall be regulated as given in below mentioned paragraph.

Requirement of certification

Every manufacturer of engine or every importer of engine or product must have valid certificates of Type Approval and certificates of Conformity of Production for each year, for all engine models being manufactured or for all engines or product models being imported, after the effective date with the emission limit as specified in earlier paragraph.

6. (1) Noise limits for vehicles applicable at manufacturing stage
from the year, 2003.

Sr.No.	Type of Vehicle	Noise Limits dB(A)	Date Implementation of
(1)	(2)	(3)	(4)
1.	Two Wheeler		1 st January, 2003
	Displacement upto 80 cm ³	75	
	Displacement more than 80 cm ³ but upto 175 cm ³	77	
	Displacement more than 175 cm ³	89	
2.	Three Wheeler		1 st January, 2003
	Displacement upto 175 cm ³	77	
	Displacement more than 175 cm ³	80	
3.	Passenger Car	75	1 st January, 2003
4.	Passenger or Commercial Vehicles		1 st July, 2003
	Gross vehicle weight upto 4 tonnes	80	
	Gross vehicle weight more than 4 tonnes but upto 12 tonnes	83	
	Gross vehicle weight more than 12 tonnes	85	

(2) Noise Limits for vehicles at manufacturing stage applicable on and from 1st April, 2005

Sr.No.	Type of vehicles	Noise Limits
1.0	Two Wheelers	
1.1	Displacement upto 80 cc	75
1.2	Displacement more than 80 cc but upto 175 cc	77
1.3	Displacement more than 175 cc	80
2.1	Three Wheelers	
2.1	Displacement upto 175 cc	77
2.2	Displacement more than 175 cc	80
3.0	Vehicles used for the carriage of passengers and capable of having not more than nine seats, including the driver's seat	74
4.0	Vehicles used for the carriage of passengers having more than nine seats including the driver's seat and a maximum Gross Vehicle Weight (GVW) of more than tonnes	
4.1	With an engine power less than 150KW	78
4.2	With an engine power of 150 KW or above	80
5.0	Vehicles used for the carriage of passengers having more than nine seats including the driver's seat: Vehicle used for the carriage of goods.	
5.1	With a maximum GVW not exceeding 2 tonnes	76
5.2	With a maximum GVW greater than 3 tonnes but not exceeding 3.5 tonnes	77
6.0	Vehicles used for the transport of goods with a maximum GVW exceeding 3.5 tonnes	
6.1	With an engine power less than 75 KW	77
6.2	With an engine power of 75 KW or above but less than 150KW	78
6.3	With an engine power of 150 KW or above	80

7. Noise Standards Part E:-

A. Noise limits for Automobiles (Free Field Distance at 7.5 meter in dB(A) at the manufacturing stage.

(a)	Motorcycle, Scooters and Three Wheelers	80
(b)	Passenger Cars	82
(c)	Passenger or Commercial vehicles upto 4 MT	85
(d)	Passenger or Commercial vehicles above 4 MT and Upto 12 MT	89
(e)	Passenger or Commercial vehicles exceeding 12 MT	91

B. Domestic appliances and construction equipments at the manufacturing stage to be achieved by 31st December, 1993.

(a)	Window Air Conditioners of 1 ton to 1.5 ton	68
(b)	Air Coolers	60
(c)	Refrigerators	46
(d)	Diesel generator of domestic purposes	85-90
(e)	Compactors (rollers), Front Loaders, Concrete Mixers, Cranes (moveable), Vibrators and Saws	75
