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## **“Noise Pollution: Omnipresent Yet Unnoticed and Concerned Laws”**

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### **ABSTRACT**

This research paper inspects the problem of noise pollution as a major hazard on the life of the people subjected to the noise. The effects of noise pollution are related with the mental, physical, emotional and psychological welfare of an individual. Mild noise can be annoying while excessive noise can destroy a person's hearing. The lightest unwanted sound can become every annoying if it continues for any length of time. Its detrimental results from various sources are potential hazards that must be checked at source, control in the transmission path and judicial levels. The paper at hand presents an overview of the technological facet of noise pollution, and seeks to deal with noise pollution and its effect in India and its legislative aspects with respect to India. Excerpts from International Laws are represented for a meaningful discussion and some vital steps taken by European countries to curb noise pollution are also added.

Key points: noise pollution, sources and effects of noise pollution, legal aspects

### **Introduction**

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Vibrations transmitted through an elastic medium (air, water or solids), with frequencies in the approximate range of 20 to 20,000 hertz, capable of being detected by ears is known as sound.

The word noise is derived from the Latin term *nausea*. It has been defined as unwanted sound, a potential hazard to health and communication dumped into the environment with regard to the adverse effect it may have on unwilling ears.<sup>1</sup>

Noise is a sound that is undesired, unexpected, unpleasant or loud. Undesired in that it interferes with sleep, rest, recreation, work or communication the word noise comes from the Latin word *nausea* meaning seasickness.

Section 2(a) of the Air (Prevention and Control of Pollution) Act, 1981 includes noise in the definition of 'air pollutant'. Section 2(a) air pollution means any solid, liquid or gaseous substance including noise present in the atmosphere such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment. According to Encyclopedia Britannica: In acoustic noise is defined as any undesired sound.<sup>2</sup> In Chambers 21st Century Dictionary the definition of noise has undergone a change. Noise pollution stands carved out as a phrase separately from noise. The two are defined as under: Noise- a sound; a harsh disagreeable sound, or such sound; a din. Pollution- an excessive or annoying degree of noise in a particular area, e.g. from traffic or aero plane engines.

Pollution is a word derived from the verb pollute. Section 2(c) of the Environment (Protection) Act, 1986 defines environmental pollution to mean the presence in the environment of any

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<sup>1</sup>P.S. Jaiswal and Nistha Jaiswal – Environmental Law, Second Ed. 2003, p. 327

<sup>2</sup>Vol. 16, 1968, p. 558

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environmental pollutant. Section 2(b) of the said Act defines environmental pollutant to mean any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment.

Sound which is uninvited and undesired, without agreeable musical quality can be called Noise. Thus noise can be taken as a group of loud, non-harmonious sounds or vibrations that are unpleasant and irritating to ear.

Environment pollution is assuming perilous proportions all through the globe and India is not free from this poisonous disease. This is the gift of modern living, industrialization and urbanization.

Unless timely action is taken we have a forbidding and bleak future for the world.

"Noise pollution is defined as environmental noise or an unwanted sound that is annoying, distracting, or physically harmful. Harms include hearing loss, stress, sleeplessness etc. Noise pollution is also known as sound pollution."

Noise as music- Noise is defined as an undesirable sound. Sound, which pleases the listeners, is music and that which causes pain and annoyance is noise. At times, what is music for some can be noise for others.<sup>3</sup>

There is undoubtedly, legislations concerning noise pollution in India but they are so scanty and the offences of breaking the law are only nominal so a person gets away easily and doesn't give much importance to noise pollution and its problems. Thus, to bring a sense of hazard of the alarming rise in noise pollution, stringent and effective laws should be enacted.

The effects of noise pollution are much more than one can reasonably think about the effect of noise. Many problems like hypertension, exasperation, loss of hearing, lack of concentration etc. are

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<sup>3</sup>Parivesh News Letter: Central Pollution Control Board, December, 1996

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the hurtful effects of noise above the standard sound level. Noise pollution not only affects us physically and mentally but legally as well. It is violative of **article 21** of the Constitution of India.

The various suggestions given at the end of the paper will try to elaborate the possible measures we can take to get rid of the problem of noise pollution to a great extent and measure taken by few countries against noise pollution has also been discussed to get an upright view of the possible ways at hand to do away with the problem.

### **Sources of Noise Pollution**

Source is the equipment or process directly responsible for sound generation. Noise pollution like other pollutants is also a by-product of industrialization, urbanization and modern civilization.

Broadly speaking, the noise pollution has two cradles, i.e. **industrial and non-industrial**. Industrial sources may include noises from several industries operating in cities, big machines working at a very high speed and high noise intensity. In general it is wrought, at every stage in industry by various aspects like soldering, hammering, drilling, blowing, running machinery, motors, sheet metal work, lathe machine work, operation of cranes, grinding, turning, riveting, fabricating, forging, compressing, vacuuming, breaking, molding, steaming, boiling, cooling, heating, venting, painting, pumping, packing, transporting etc. The upsetting qualities of noise emitted by industrial sites are generally its loudness, its distinguishing features such as tonal or unwary components, and its intermittency and duration. It creates very serious of large-scale noise snags; significantly affect the working people as well as surrounding people.

The physiognomies of industrial noise vary considerably depending on specific industrial process. High noise levels are common in petrochemical, steel industries, thermal power stations, cement industries, and mines etc., due to presence of unsteady force and its structural elements

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caused by moving parts, vibration of heavy equipment's, sound from engines, gear, bearings, rotating and reciprocating machines, combustion, fans, pressurized flow, during shifting of raw materials and end products, trucks and dumpers etc. Even the mechanical noise is the major part of industrial noise and is due to machinery of all kinds and often increases with the type of operation and power capacity of the machines.

The **non-industrial sources** include an array of agents creating noise pollution. It has transportation sources to agricultural agents, household noise to defense equipment. The non industrial sources are extensive and are related to our day to day lives. Road traffic noise, railway noise and air traffic noise are the part of transportation sources. The road traffic is the most widespread source of noise in all countries and the most prevalent cause of annoyance and interference. It is directly proportional to the volume of vehicles. With the increase of population there is an increase in number of vehicles and hence increasing noise pollution. A major role for the increase of noise pollution has been carried out by various types of road vehicles especially by auto vehicle. The major sources of noise in automobiles are exhaust, intake, engine and fan, and tires at high speed. The blowing of horns and use of defective silencer pipes also have not been regularized except in some specific zones. Road traffic noise affects those persons in great extent who live adjacent to roads. The noise yield of all components increases with speed. For example when all the conditions of a vehicle are kept same an increase of 10dB is observed with increase in speed of a car from 30 mph to 60 mph. The Road traffic noise not only depends on the number of vehicles and also depends on several factors, like road and vehicles' condition, traffic clearance, speed of vehicle to the laws prevailing in the various areas regarding noise. Measurement and analysis of such noise sources therefore inevitably present considerable problems, and numerous attempts have been made to quantify/model the noise exposure patterns in various environmental situations. Automobiles constitute the largest group of creators of noise.

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In cities 60-70% of noise may come from road traffic. The people living near roadside (highway) are mainly exposed. The penetration of vehicle noise into residential areas is known to occur over considerable distances from the major road routes. This noise can be augmented by narrow streets and tall buildings, which produce a chasm in which traffic noise reverberates. Furthermore, it is known to be a function of the type of vehicle (diesel truck, passenger car etc.), the type of tires used and the road surface over which the vehicle is driven, the way in which the vehicle is driven, and the condition of the silencer or muffler.

**Rail Traffic Noise** is the noise created by the railways. It includes diesel exhaust, cooling fans, engine and Air Intake, wheel-rail interaction, electric traction motor and electric generator or any miscellaneous noise generated in freight and passenger cars etc. The noise from locomotive engines, horns and whistles, and switching and shunting operation in railyards can impact neighboring communities and railroad workers. Other sporadic noise includes car impacts sounds when trains are braking and accelerating and the sounds of sirens or horns. The steam engines used by Railways produce a lot of noise. Introduction of fast trains on various routes of railways are also adding to the noise pollution. The noise generated in communities having long haul or rapid transit vehicles (like Metros) in their environment will depend primarily on track observer distance, frequency and train length and condition of track. The rapid transit trains are short, so that their noise duration time is much less than that of good trains. Rapid transit vehicles produce lower level of noise than compare to lengthy trains. The impact of the noise pollution by train has been reported to the maximum in those areas where railway track passes through residential areas. It also affects the workers in the railways. Since when observed, rail car retarders can produce a high regularity, high levels screech that can

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reach peak level of 120 dB at a distance of 100 feet, which transforms to levels as high as 138, or 140 dB at the railroad worker's ear.

The third transportation noise source is **Aircraft Noise**. Now-a-days, the problem of low flying military aircraft has added a fresh facet to community infuriation, as the nation seeks to improve its nap-of-the-earth aircraft operations over national parks, wilderness areas, and other areas previously unaffected by aircraft noise has appealed national attention over recent years.

The noise from commercial aircraft is only a problem around airports as this is where aircraft converge at low altitude and high engine power. The speed of an aircraft and noise are directly proportional, higher the speed, the greater the noise. The invention of supersonic aircrafts has added more noise for the plight of persons who live near aerodromes.

Increasing air traffic with different types of aircraft's and city expansion will exacerbate the noise problems. Noise pollution of an aircraft will increase with the speed. The aircraft noise reduction; traffic and flight path restrictions can alleviate them.

The use of aircrafts of many types has been engendering various types of noises. The invention of supersonic aircrafts has added more noise for the predicament of persons who live near aerodromes. Taking off and landing of an aircraft produces unbearable noise. It may sometimes break window panes, crack plaster and shake buildings. By these effects of noise one can very certainly and completely understand that what would be the effects of such noise on human body.

The other non industrial sources like **defense equipment's sources** have the shooting practices, wars, bomb explosion in its ambit. Artillery, tanks, launching of rockets, explosion exercising of military airplanes and shooting practices add to the atmosphere a lot of Noise. Screams of jet engines and sonic boom have a deafening impact on ears and in extreme cases have been known

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to shatter the window panes and old dilapidated buildings. In normal day –to–day activities, various home appliances in our residences produce noise. Some of the major sources are Exhaust Fans, lawn movers, mixers, grinders, fan, Cooling & Heating System, T.V & Music System, motors used for pumping etc. Apartment residents are often annoyed by noise in their homes, especially when the building is not well designed and constructed. Some noises are exterior that comes from emergency vehicles, traffic, refuse collection, and other city noises can be a problem for urban residents, especially when windows are open or insufficiently glazed. External noises also include community noise. It is one of the major sources for affecting a large number of people living within the community. It occurs due to various activities of community during religious festivals, fairs, marriages, or public functions. In India, one of the very common man made source of noise pollution has been the frequent use of loud speaker. For every occasion, religious, or non-religious, public or private, presence of amplifiers has been a must, as if it has been one of the paraphernalia. The most shocking example of the use of loud speaker is the one made for religious purposes. Due to the fear of unpleasant neighborhood associations most people are reluctant to lodge a complaint and accept as a part of life to bear the pollution of Noise. The use of amplifiers provides one of the most frequent sources of disturbances. Most of the problems, which occur in public, originate from these main sources: Amplified sound i.e. loud speakers, public gatherings and festivals; Indecent behavior of people; Rash driving with various kinds of horns/music with unnecessary use in vehicles. Radios and microphones can cause noise pollution if they are switched on with high volumes. Recent day interest in Western



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music and dance by youngsters with high volume causes noise pollution. Other sources are rock concerts, barking dogs, construction equipment's.

When turned from urban to rural areas the use of tractors, tube wells, farm machines for agriculture, thrashers, harvesters, powered tillers etc., have all made agriculture highly mechanical but at the same time highly noisy. Noise level 90 dB to 98 dB due to a series of running off farm machines has been recorded in the State of Punjab. Noise is even unavoidable when there is construction of rural area into urban or sterile land to cultivate one. During demolition of old sites and construction of new buildings huge machines which produce a lot of noise are being commissioned and it has become a common scene in every big city where construction work is in progress. The noise from the construction of highways, city streets, and buildings is a major contributor to the urban scene. Construction noise sources include pneumatic hammers, air compressors, bulldozers, loaders, dump trucks (and their back-up signals), and pavement breakers. Huge machines used in construction work produce a lot of noise. A lot of noise has been created during the construction of repair work of roads in cities. This noise is hazardous to a common man.

### **Noise as an Environmental Problem in India**

Noise has surfaced as one of the major pollutants of environment in the recent years. In reality, it calls for some legislation for its control, like the Air Pollution Act and Water Pollution Act but no legislation for it has yet been enacted. Willy-nilly of the fact, the problem of noise is, in noway, less delicate than the problem of air and water pollution. Certainly, there are some central and state enactments which directly or indirectly recount to the problem of noise; however, there is

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no particular legislation in India as in some other countries to meet the growing encounters of noise pollution on national level.

As per the legal belief, pollution is "wrongful contamination of the air, water or soil causing injury to the right of an individual". In this context, noise may be treated as a pollutant that contaminates the environment, affecting human health, their activities and mental abilities. The act of dumping unwanted sound into the environment without heeding to its adverse effects on human or animal kind is recognized as Noise pollution. It is a by-product of the concentrated use of power or energy. Since it impacts the social and personal liberties of an individual, it should

be recognized as a cognizable offence<sup>4</sup>

Noise of drum (*dhol*), tambourine (*dhapli*), bugle (*bigul*) and conch (*shankh*) has been in the foundation of our Indian Culture. Almost all the religious ceremonies or festivals in India are performed with noise. But due to the rapid growth of urbanization and industrialization, noise has become a grave challenge to the quality of life of the people in most of the industrialized countries. Noise has now become a permanent feature in the normal life of the people. The noise carries its confrontational effects on human health, animals and even birds by way of causing various health hazards. Thus noise is perched to challenge human survival. The relatively new problem of noise pollution has emerged in recent years in India which is an outcome of indiscriminate use of loudspeakers. Its arbitrary use from religious places and in performance of religious ceremonies and speeches sometimes makes it so difficult for the people to enjoy their basic freedoms with all human dignity.

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<sup>4</sup>Yadav P.R., and Mishra S.R. in *Human Ecology* (Discovery Publishing House, New Delhi), 2004

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Undoubtedly, enactments for environmental protection exist in India, but the solemnity of the problem of noise pollution has not yet been realized by the Government. However, noise has been included within **Section 2** of the *Air Pollution Act* and further under **Section 6(b)** of the *Environment Protection Act* enabling the Central Government to enact the rules for the control of noise pollution. In pursuance thereof the Government notified *Ambient Air Quality Standards* in respect of noise.<sup>5</sup>

The *Central Pollution Control Board* has also approved **Noise Standards** for different sources of noise, which have not yet been notified by the Government.<sup>6</sup>

Certainly, these noise standards may be helpful in controlling the problem of noise to a greater extent; however, to reostat the quick growth of noise in the country and to keep the environment noise-free for the people, some explicit and strict legislation to unravel the problem of noise pollution has become an urgent need of the hour.

### **Existing Legal Provisions for Controlling Noise**

**Section 3** of the *Bihar Control of the Use and Play of Loudspeakers Act, 1955* provides restrictions against use and play of loudspeakers. It reads: "No person shall use and play a loudspeaker:

a) Within such distance as may be prescribed from a hospital, a building in which there is telephone exchange, or

b) Within such distance as may be prescribed from any educational institution established under law or hostel as is in the use of students.

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<sup>5</sup>"Airport Noise Law Legislation." <http://www.netvista.net.htm>

<sup>6</sup> [cpcb.nic.in/noise\\_standards.php](http://cpcb.nic.in/noise_standards.php)

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**Section 6** of the Act provides that the cognizance of offence under the Act would be on a complaint made by or at the instance of, the person aggrieved by such offence or upon a report in writing made by any police officer.<sup>7</sup>

**Section 268** of the *Indian Penal Code*<sup>8</sup> states that "A person is guilty of public nuisance who does any act or is guilty of an illegal omission which causes any common injury, danger or annoyance to the public or to the people in general who dwell or occupy property in the vicinity, or which must necessarily cause injury, obstruction, danger or annoyance to persons who may have occasion to use any public right."

**Section 290** of the *Indian Penal Code* says that "Wherever one commits a public nuisance in any case not otherwise punishable by this Code shall be punished with fine which may extend to Rs

200. Under **Section 133** of the *Criminal Procedure Code*, the Magistrate has the power to make conditional order requiring the person causing nuisance to remove such nuisance.<sup>9</sup>

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<sup>7</sup>[law.bih.nic.in/listofacts/act1955](http://law.bih.nic.in/listofacts/act1955)

<sup>8</sup>Kamboj, N.S. (1993). *Control of Noise Pollution*. Deep & Deep Publications, New Delhi. pp1-19, 146-151.

<sup>9</sup>[www.dpcc.delhigovt.nic.in/pdf/noisef.pdf](http://www.dpcc.delhigovt.nic.in/pdf/noisef.pdf)

## Effects of Noise

Noise is a distinct type of atmospheric pollution which people do not take much earnestly but is no less dangerous than the other types of pollutants. Noise and sound should not be mistaken as the same thing. The two terms differ in their meaning. It is when the effects of a sound are unwelcome or unpleasant that it may be termed as noise. Noise by definition is unwanted sound. What is pleasant to some ears might be extremely unpleasant to others depending upon a number of psychological factors. Even sweet music, if it disturbs a person who is trying to concentrate or to sleep is noise to him, just as the sound of a carpenter riveting a hammer is noise to everyone. In other words, any sound may be a noise if circumstances reason it to be disturbing. Before having the idea about the harmful effects of the noise pollution I, like most of the Indians used to ask the question that; why worry about the noise? Time and again unkept, noise stimulates a stern impact on humans and on living organisms. As suggested by the WHO noise can affect human health and well-being in a number of ways, including annoyance, sleep disturbance, interference with communication, performance effects, and effects on social behavior and hearing loss. Noise can cause annoyance and aggravation as a result of interference, disruption and distraction.

Activity disturbance is regarded as an important indicator of the community impact of noise. The AEC national noise survey assessed two major troubles, for example, listening activities and sleep: 41% of respondents reported experiencing disturbance to listening activities and 42% to sleep. Closely 80 million people, 20% of the population of the European Union (EU), are open to noise levels high enough to cause antagonistic effects including displeasure and sleep disturbance. Another 170 million live in areas where noise can cause "serious annoyance" during the day. In terms of costs such as lowered property market value, abatement measures, avoidance, prevention, medical care, and production losses, the annual cost of noise pollution has been estimated by the European Commission to be as high as E38 billion (or US\$34 million)<sup>10</sup>

<sup>10</sup>Booker, Susan M. (2001) "EC says Ssshhh!" *Environmental Health Perspectives, Volume 109, Number 5, May 2001* <http://ehis.niehs.nih.gov.in/docs.html>

Noise is known to cause annoyance, distraction and disturbance from interferences in sleep and conversation.<sup>11</sup> A review article by Dutch scientist notes that "there is sufficient scientific evidence that noise exposure can induce hearing impairment, hypertension and ischemic heart disease, annoyance, sleep disturbance, and decreased school performance. Research into the effects of noise on human health indicates a variety of health effects. People experiencing high noise levels (especially around airports or along road/rail corridors) differ from those with less noise exposure in terms of: increased number of headaches, greater susceptibility to minor accidents, increased reliance on sedatives and sleeping pills, increased mental hospital admission rates. A review article by Dutch scientists *Willy Passchier-Vermeer and Wim F. Passchier*, published in the March 2000 issue of *EHP Supplement*."<sup>12</sup>

notes that "there is sufficient scientific evidence that noise exposure can induce hearing impairment, hypertension and ischemic heart disease, annoyance, sleep disturbance, and decreased school performance."

Association with a range of possible physical consequences including colds, high blood pressure, cardiovascular changes, increased general medical practice attendance, problems with the digestive system and fatigue may also occur due to relentless exposure to noise. Prolonged exposure to noise levels at or above 80 dB(A) can cause deafness. The amount of deafness depends upon the degree of exposure.

Some of the adverse effects are summarized below.

- Annoyance: Noise creates annoyance to the receptors of the ear due to sound level fluxes.

<sup>11</sup> Odum, E.P., Pollution and Environmental Health in *Fundamentals of Ecology* (W.B. Saunders Company, London), 3rd Edition, 1971, 432-450

<sup>12</sup> Passchier-Vermeer, W. and Passchier, W.F. in *Noise exposure and public health, Environmental Health Perspectives Supplements*, Vol. 108, No. S1, March 2000, 123-131

The periodic sound due to its asymmetrical occurrences causes displeasure to hearing and causes annoyance and makes the person short-tempered.

- Physiological effects: Features like sudden change in breathing amplitude, blood pressure, heart-beat rate, pulse rate, hypertension, and blood cholesterol are affected and in many cases these even lead to fatalness.
- Loss of hearing: loss of hearing may gradually settle down due to lengthy exposure to high levels of sound. This is mostly undetected as the person acclimatizes the high level of sound, but has an adverse impact on hearing function.
- Human performance: loss of focus and anguish from irritation which makes the workers anxious and less interested in work, will eventually affect their performance.
- Nervous system: Noise causes pain, bustling in the ears, feeling of tiredness, thereby effecting the functioning of human system.
- Insomnia: Sleeping pattern gets disturbed by prompting people to become restless and lose concentration and presence of mind while carrying out their work.

### **Effects of Noise on Life and Liberties**

Personal liberty means a collection of rights, necessary for the existence of human life. In

*Maneka Gandhi v. Union of India*<sup>13</sup> the Supreme Court pointed out that the expression "personal liberty" does not mean only liberty of the persons but also liberty or rights attached to the person (*Jus-*

<sup>13</sup>*The Constitution of India*. <http://indiacode.nic.in/coiweb.htm>

*personam*). A division bench of the Delhi High Court observed in *AV Chardel v. Delhi University* that "life and personal liberty" includes a variety of rights, which though not specified in Part-III of the Constitution, can be included in various aspects of liberty provided they are indispensable for the full development of human personality. Further in *Francis Coralie v. Union Territory of Delhi*, **Justices PNBhagwati, Fazal Ali, Murtaza**, while stressing the quality of life and its enjoyment within the ambit of **Article 21** have rightly said: "the right to life enshrined in **Article 21** cannot be restricted to mere animal existence. It means something much more than just physical survival. The right to life includes the right to live with human dignity and all that goes along with it." Thus the expression "personal liberty" is not limited to the protection of limb and life but includes everything essential for the enjoyment of life with all human dignity.

An important question on how far the violation of liberties essential for life caused by the environmental pollution lies within the scope of **Article 21** has been discussed by the **High Court of Andhra Pradesh** in *T. Damodar Rao v. S.O. Municipal Corporation, Hyderabad*. It observed: "The enjoyment of life and its attainment and fulfillment guaranteed by **Article 21** of the Constitution embraces the protection and safeguarding of nature's gifts without which life cannot be enjoyed. There can be no reason why practice of violent extinguishment of life alone should be regarded as violative of **Article 21** of the Constitution. The slow poisoning by the contaminated atmosphere caused by environmental pollution and spoliations should also be regarded as amounting to violation of **Article 21** of the Constitution.

Rights to sleep, food, recreation, serene and peaceful living and conversation, etc. are such basic liberties without which the enjoyment of life with all human dignity is not possible. If these were disturbed by noise, their infringement would certainly lie within **Article 21** of the Constitution



especially in those cases where the permit for the use of such sources of noise has been granted directly by the state administration or indirectly through its corporate bodies. In these conditions the states should not be allowed to run away from its accountability if it fails to control the manner of use of such sources of noise which ultimately results into the violation of personal freedoms besides causing a problem of environmental pollution through noise.

### **Major steps taken by some of the countries to curb problem of noise pollution**

#### **European guidelines**

The European Union (EU) set up European guidelines in respect to noise pollution.<sup>14</sup> For nighttime, it is recommended to not exceed the 40dB threshold. An interim threshold of 55dB is set as an upper bound, because above this limit, (sleeping) disorders are more prevalent. However, about 20% of people living in or proximate urban areas suffer from sounds at night that exceed even the interim threshold<sup>15</sup> and if anyone is caught breaking the norms she is dealt with a heavy hand of law and punished.

#### **Netherlands**

In general sound annoyance is an independent matter and cannot be covered by law. In the Netherlands the government set up laws to protect households and other noise-sensitive buildings like hospitals and schools from **noise pollution**. There are different laws for different sound sources; airplanes, traffic, industry and neighbors<sup>16</sup> and the sources are so well managed from producing noise by the law of the government that there is hardly any case of noise pollution.

#### **Ireland**

Environmental Protection Agency Act, 1992 and the Environmental Protection Agency Act,

<sup>14</sup><http://www.rijksoverheid.nl/onderwerpen/geluidsoverlast/geluidsoverlast-in-de-wet>

<sup>15</sup><http://www.noiseandhealth.org/article.asp?issn=14631741;year=2010;volume=12;issue=47;spage=61;epage=63;au last=Kim>

<sup>16</sup><http://www.rijksoverheid.nl/onderwerpen/geluidsoverlast>

1992(Noise)Regulations1994(S.I.No.179of1994)arethelawswhichgivethepeopleof Ireland a chance to sue the person who caused the nuisance of noise to court and legal rights are

### **Conclusions and Recommendations**

Conclusions and recommendations, suitable for adoption in Indian condition are stated below:

- 1) The prevailing enactments, which directly or indirectly relate to the problem of noise pollution in India, are scarce to control it on national level. Thus, there is need to have some stringent and effective legislation to control noise pollution in the country which will be best suited to Indian culture and social set-up.
- 2) Pronouncement of noise standards from various sources at specific time of the day by the government.
- 3) Identification of the right of the citizens to enjoy noise-free environment through some constitutional guarantee.
- 4) Affirmation of noise as an offence on personal liberty and dignified and healthy living.
- 5) Courts should be set up for the trial of cases of noise.
- 6) Use of loudspeakers at religious places, processions/public gathering and festivals at a prescribed level.
- 7) Award of compensation to affected individuals or people by noise.
- 8) Fix responsibility on the local bodies and administrative authorities for stern vigilance on noise sources and training them about the method to deal with noise offences.
- 9) Appoint officials in local bodies for escalating check on noise propagation due to social activities.

10) Removal of heavy horns from all vehicles. Provision for public complaints against use of pressure horns by government vehicles, administrative authorities, local bodies, and affluent people.

11) Ban industrial and noisy trade activities in residential areas.

A lot can be done to stop the growing horror of noise pollution with the help of government and also the NGO's which can go to the ground level and spread awareness about the hazards of the noise.