

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL SOUTHERN ZONE, CHENNAI**

APPLICATION NO. 262 of 2020

President, Onakkoor Paristithi

Samarakshana Samity : Applicant

VS.

Secretary, Kerala State Pollution Control Board,
Thiruvananthapuram and others : Respondent(s)

**REPORT FIELD BY THE ENVIRONMENTAL ENGINEER AS
PER ORDER OF THE HON'BLE NATIONAL GREEN
TRIBUNAL**

STANDING COUNSEL FOR THE 1ST RESPONDENT:

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL SOUTHERN ZONE, CHENNAI**

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Dated this the 18th day of June 2021

STANDING COUNSEL FOR THE 1ST RESPONDENT

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL CHENNAI**Application No. 262/2020**

President, Onakkoor Paristithi Samarakshana Samity : Applicant

VS.

Secretary, Kerala State Pollution Control Board,
Thiruvananthapuram and others : Respondent(s)

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER, KERALA
STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE II,
PERUMBAVOOR**

I, Dinesh K.S, aged 51 years s/o K.V. Sidharthan, now working as Environmental Engineer in the District Office - II (Ernakulam) of the Kerala State Pollution Control Board, do hereby submit the report in OA 262/2020 filed by President, Onakkoor Paristithi Samarakshana Samithy.

1. The Hon'ble Tribunal had vide order dated 16.03.21 in original application No. 262/2020 directed as follows:

“The Pollution Control Board (PCB) is directed to file a further report showing the regulation of timing of industrial units that is being operated in that area is there any restriction of timings for carrying out the operations in such area, which authority is regulating these activities etc., and also file a further report as to whether the directions issued by them in the notice issued in January, 2021 has been complied with by the 3rd respondent and also conduct further sound level test to ascertain as to whether on account of the compliance of the directions issued by them any improvement has been passed in controlling the sound pollution in that area”.

2. Since the sound level obtained during the day time and night time exceeds the sound level prescribed for residential area during the monitoring conducted on 23.01.21, direction was given to the industry to provide sound barrier wall of adequate height between the industrial shed and the boundary and to provide adequate sound absorbing panels in the northern side of the loom area and compressor room through the letter dated 25.01.21. In compliance with the direction given following additional control measures provided in the company for noise reduction

1. Transparent PVC strip curtains were installed at three number wide opening locations in North sidewall between main shed and the lean-to-shed area.
2. Gunny fabric false ceiling works carried out below the roof in the entire area of both sheds.
3. PVC sound barrier screens erected throughout the length of external wall of lean-to-roof area in East-West direction.
4. Hanged gunny fabric curtains in inner surface of the lean-to-roof area.
5. On Northern outer border of the company in front of the petitioner's residence and parallel to the Panchayat road, erected a frame work of 12 m height at a length of 85 m and the frame work is covered with synthetic carpet material in two layers.
6. The metallic roof sheets slopping towards north side of factory shed are blanketed with synthetic carpet material for dampening the noise reverberated in the metallic roofing.

3. Sound monitoring conducted on 09.06.21. Monitoring started at 9.30 am and stopped on 10.06.21, 9.30 am. Sound level, was measured near the residence of Sri. Abraham Paul to ascertain as to whether on account of the compliance of the directions issued by them any improvement has been passed in controlling the sound pollution in that area. Only 67 looms out of 97 looms is functioning at the time of monitoring as the production is limited due to low supply order.

Average sound level obtained during various time intervals are given below:

Date	Time	Base ambient sound level obtained(Without industrial operation)
09.06.2021	9.43a.m to 10.14a.m	58.8 dB(A)
	10.13 p.m to 11.01 pm	53.7 dB(A)

Date	Time (Day time)	Average sound level obtained
09.06.2021 – 10.06.2021	11.02 a.m. - 11.32 a.m.	54.7 dB(A)
	11.43 a.m. - 12.57 p.m.	54.0 dB(A)
	1.44 p.m. - 3.17 p.m.	61.6 dB(A)
	3.35 p.m. - 5.25 p.m.	61.6 dB(A)
	5.56 p.m. - 08.23 p.m.	60.0 dB(A)
	8.24 p.m. - 10.10p.m.	58.8 dB(A)
	Average sound level calculated for day time (11 am to 10 pm)(Ambient + Industry) Noise	59.37 dB(A)
	Sound level due to operation of the company in day time	50.27 dB(A)
Date	Time (Night time)	
09.06.2021-10.06.2021	11.02 p.m to 12.41 a.m	53.3 dB(A)
	12.42 a.m to 04.29 a.m	56.6 dB(A)
	Average sound level calculated for night time (11 pm to 4.30 am)(Ambient + Industry) Noise	55.1 dB(A)
	Sound level due to operation of the company in Night time	49.5 dB(A)

4. Intermittent rain interrupted the monitoring in some intervals. The chirping of

beetles in the monitoring area contributed to an increase in sound pressure level especially in evening, night and early morning. Even though monitoring conducted up to 9.30 am, sound pressure level during morning hours is not considered as the chirping sound of beetles are very high during this period. Copy of the sound level monitoring report is produced herewith and marked as Exhibit R1(a).

5. Table showing comparison of average sound level obtained during monitoring on 23.01.21 and 09.06.21 during day time and night time is given below.

Date	Monitoring period (day Time)	Average sound level due to operation of the company in day time
23.01.21	9.30 am to 9.30 pm	61.63 dB(A)
09.06.21	11 am to 10 pm	50.27 dB(A)

Date	Monitoring period (night time)	Average sound level due to operation of the company in Night time
23.01.21	9.30 pm to 7a m	58.71 dB(A)
09.06.21	10 p.m to 4.30 a.m	49.5 dB(A)

6. From the above tables, it is clear that by providing additional control measures for abating noise pollution by the unit, there is considerable reduction in noise level.

7. It is submitted that the Board insists time regulation for the operation of stone crusher units and quarries and the permitted operational timing for the above two activities is 6 a. m to 6 p.m. No other time restriction is insisted the area in which the unit in question is functioning. It is to be insisted that the industries should conform to the national ambient noise standards with respect to the adjoining area. The National ambient noise standards is produced herewith and marked as Exhibit R1(b). Board is the prescribed regulatory authority to monitor and control the noise pollution in the industries.

All the above are true to the best of my knowledge, information and belief.

Dated this the 18th day of June 2021.

Dinesh K S Digitally signed by Dinesh
KS
Date: 2021.06.18 10:06:24
+05'30'

DEPONENT



VERIFICATION

I, Dinesh K.S, aged 51 years s/o K.V. Sidharthan, now working as Environmental Engineer in the District Office - II (Ernakulam) of the Kerala State Pollution Control Board at Perumbavoor, duly authorized to file this reply on behalf of the Kerala State Pollution Control Board do hereby verify on this, the 18th day of June 2021, that all what is stated above is true and correct to the best of my knowledge, information and belief and is borne out from the records maintained in our office.

Dinesh K S Digitally signed by Dinesh K S
Date: 2021.06.18 10:07:21
+05'30'

Dinesh K.S.

Environmental Engineer,

District Office - II

(Ernakulam),

Kerala State Pollution Control Board, Perumbavoor.



**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL SOUTHERN ZONE, CHENNAI**

APPLICATION NO. 262 of 2020

President, OnakkoorParistithiSamarakshanaSamity : Applicant

VS.

Secretary, Kerala State Pollution Control Board,
Thiruvananthapuram and others : Respondent(s)

AFFIDAVIT

I, Dinesh K.S, aged 51 years S/o K.V. Sidharthan, residing at Irinjalakuda do hereby solemnly affirm and state as follows:

I am now working as the Environmental Engineer, District Office – II (Ernakulam) Kerala State Pollution Control Board at Perumbavoor, Ernakulam District. I am competent to and duly authorized to represent the fifth respondent in the above case. I know the facts and circumstances of the case. The factual submissions made here under in paragraphs 1 to 7 of the reply are true and correct to the best of my knowledge, information and belief. The legal submissions made therein are made on advice received from Counsel. In these circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying reply on file and it is so humbly prayed in the interests of justice in this case.



Dinesh K S Digitally signed by Dinesh K S
Date: 2021.06.18 10:08:14
+05'30'

DINESH K.S., DEPONENT

Solemnly affirmed and signed before me by the literate deponent personally known to me on this the 18th day of June 2021 at my office in Ernakulam.

STANDING COUNSEL FOR THE 1ST RESPONDENT



KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE (ERNAKULAM -II), PERUMBAVOOR

PMC 20/733, Govt. Hospital- KSRTC Road, Near Kallunkal Auditorium, Perumbavoor-683 542

Telephone : 0484-2593747

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Website: www.keralapcb.nic.in

PCB/EKM/DO-2/AM-79/2019

Date: 15.06.2021

AMBIENT NOISE LEVEL MONITORING REPORT

Source: Ambient Noise Level Monitoring at BRMSCO GARMENTS PVT. LTD.
 ANCHELPETTY as per the order dated 16/03/2021 on
 OA 262/2020 by National Green Tribunal Southern Zone Chennai.

Date of Monitoring : 09.06.2021 – 10.06.2021

Date	Time	Observation Area	Base ambient sound level obtained (Without industrial operation)
09.06.2021	9.43 am to 10.14 am	Complainant's Residence -North West direction of the unit. (Day time)	58.8 dB(A)
	10.13 pm to 11.01 pm	Night Time	53.7 dB(A)



Sl. No	Parameter	Unit	Observation Area	Time & Duration of monitoring	Value in dB (A)
1	Sound(LAeq)	dB(A)	Complainant's Residence - North West direction of the unit. (Day Time)	11.02 am- 11.32 pm & 30 min	54.7
2	Sound(LAeq)	dB(A)	11.43 am -12.57 am & 1Hr 14 min	54.0
3	Sound(LAeq)	dB(A)	1.44 pm – 3.17 pm & 1Hr 33 min	61.6



4	Sound(LAeq)	dB(A)	3.35 pm – 5.25 pm & 1Hr 50 min	61.6
5	Sound(LAeq)	dB(A)	5.56 pm – 8.23 pm & 2Hr 27 min	60.0
6	Sound(LAeq)	dB(A)	8.24 am – 10.10 pm & 1Hr 46 min	58.8
7	Sound(LAeq)	dB(A)	Complainant's Residence - North West direction of the unit. (Night Time)	11.02 pm-12.41 am & 1Hr 39 min	53.0
8	Sound(LAeq)	dB(A)	12.42 am-4.29 am & 3Hr 47 min	56.6
9	Sound(LAeq)	dB(A)	4.32 am-6.08 am & 1Hr 36 min	60.6
10	Sound(LAeq)	dB(A)	6.08am-7.18 am & 1Hr 10 min	64.0



11	Sound(LAeq)	dB(A)	7.19 am-9.57 am & 2Hr 38 min	61.3
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Observation Area	Time of monitoring	Value in dB (A)	Noise Standards in dB(A) at residential Area
Complainant's Residence -North West direction of the unit.	Average sound level calculated for day time (11 am to 10 pm)(Ambient + Industry) Noise	59.37 dB(A)	55 dB(A)
.. ..	Average sound level calculated for night time (11 pm to 4.30 am)(Ambient + Industry) Noise	55.1 dB(A)	45 dB(A)

Observation Area	Time of monitoring	Value in dB (A)	Noise Standards in dB(A) at residential Area
Complainant's Residence -North West direction of the unit.	Average sound level of the Day time due to the operation of the company based on the standard operating procedures on noise monitoring	50.27 dB(A)	55 dB(A)
.. ..	Average sound level of the Night time due to the operation of the company based on the standard operating procedures on noise monitoring	49.5 dB(A)	45 dB(A)



Remarks

Morning

- * Sound level meter placed at location 35 meter away from the boundary wall of the unit.
- * Chirping sound of beetles was experienced at the monitoring time.
- * 67 looms out of 97 looms were functioning at the time of monitoring.
- * The looms were working at 25 rpm.
- * 11.30am to 11.33 am monitoring stopped due to rain
- * D G set was not functioning at the time of monitoring.
- * Around 12.35pm, 12.45pm, 5.08pm & 3.20pm truck and auto passed along the road in between the unit and complainant's residence.

Evening and Midnight

- * At 5.00 am to 5.10 am mic set sound from the Onakkoor church.
- * 6.00 am to 7.00 am and 9.00am to 9.30 am the chirping sound of beetles was high at this time.
- * Sound level meter placed at location 36 meter away from the boundary wall of the unit.
- * Lamination unit was not working at night.

AE₂/AS
[Signature]
15/06/21

SARANYA DAS



ASSISTANT SCIENTIST



Ambient Noise Standards

SCHEDULE

(see rule 3(1) and 4(1))

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

Note:-

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
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
4. 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.

Note : The Principal Rules were published in the Gazette of India, vide S.O. 123(E), dated 14.2.2000 and subsequently amended by the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 vide S.O. 1046(E), dated 22.11.2000 and by the Noise Pollution (Regulation and Control) (Amendment) Rules, 2002 vide S.O. 1088(E), dated 11.10.2002, under the Environment (Protection) Act, 1986.

