

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, (SZ),
CHENNAI

O.A.NO.04 OF 2021

SUO MOTU based on the news
in Deccan Chronicle Newspaper,
Edition Dated 18.12.2020,
"Noise Pollution turns deathly
in Hyderabad's Residential areas"

...Applicant

Vs

The Principal Secretary to
Government of Telangana Environment,
Science & Technology,
Telangana Secretariat,
Hyderabad - 500022 and 5 others

...Respondents

REPLY FILED BY THE 6th RESPONDENT

I, Anjani Kumar, IPS, S/o Sri Arun Kumar, aged 54 years, working as
Commissioner of Police, Hyderabad City hereby solemnly affirm and sincerely
state as follows:

1. I submit that, I am the Commissioner of Police, Hyderabad City and 6th
respondent herein and as such I am acquainted with the facts and
circumstances in my official capacity.
2. I submit that in order to implement the Noise regulation and Control
Policy of 2000 strictly, the following action plan was framed by the Joint
Committee to control the noise levels in Residential areas of Hyderabad
City, after elaborate discussions:-
 - a. Identifying the Noise Hotspots that are existing under the jurisdiction
of Hyderabad City.
 - b. Identifying the Silence Zones i.e. places around Schools, Hospitals,
Courts and Govt. Offices. Erecting of sign boards indicating "**No Horn
Zone**".
 - c. Awareness on honking of horns unnecessarily, usage of speakers and
loud speakers, sensitisation on the silence zones, reducing of
machinery noise etc.
 - d. All the Station House Officers of Hyderabad City Police, both Law &
Order and Traffic Wings will effectively monitor the noise pollution
and take legal action including booking of cases, where ever the
violations are noticed.


Commissioner of Police
Hyderabad City

- e. Special Drives on the usage of non-designated, prohibited horns and modified silencers which are causing higher noise levels than the prescribed and will take action against violators by imposing penalties to ensure strict compliance.
 - f. Cases will be booked against the violators under IPC, Hyderabad City Police Act, M.V. Act and also under Environmental Act.
 - g. A Loud Speaker or a Public address system or any sound producing instrument or a musical instrument or a sound amplifier will not be allowed to use at night time except in closed premises for communication within, like auditoria, conference rooms, and community halls or during a public emergency.
 - h. Implementation of the MV Act Section 119 and 120 with regard to horns and silencers respectively. Both Police and Transport departments will carry out the implementation.
 - i. Verifying the compliance of the vehicles noise as per the standards given by CPCB under Environment (Protection) Act at the manufacturing stage. This will be achieved by random checks of the different category of the vehicles will be conducted along with Transport authority at the Dealers and manufacturers located in Hyderabad City.
 - j. To control the noise pollutions caused by Fire Crackers, in various celebrations etc.
 - k. Industrial Noise Consent Condition and compliance: TSPCB is stipulating the noise standards while issue of the CFO and the compliance verification will be carried out.
 - l. Set-up and publicize helpline in Hyderabad City for complaints against reported non-compliance: In Hyderabad City Police help lines like Dial-100, Hawk-eye, Whatsapp including its website are available to receive complaints. In addition to this other civic agencies like TSPCB and GHMC were also set-up their toll free number/helpline number for the purpose of reporting grievances.
3. I submit that, a circular was issued vide No.L&O/LO2/0085/20201, dt.19-02-2021, reiterating and emphasizing, to all the Station House Officers of Hyderabad City Police, both Law & Order and Traffic Wings, to identify the problematic areas for taking long term measures to curb the noise pollution and to conduct a special drives so as to monitor the noise


 Commissioner of Police
 Hyderabad City

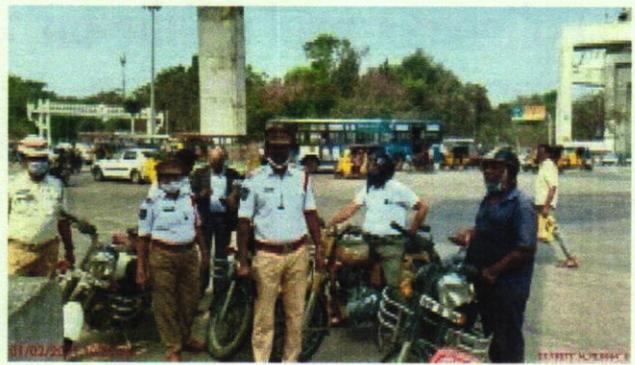
pollution effectively and take legal action including booking of cases against the violators and impose penalties as laid down in G.O.Ms.No.172, Environment, Forests, Science & Technology (ENV) Department, dated 12-10-2010 and also under Hyderabad City Police Act, M.V.Act & Indian Penal Code.

4. I submit that, an action plan was prepared and implemented to conduct special drives to curb the violators using vehicles with multi tone horns, modified silencers and the shops that are selling these horns. Awareness drives were also conducted to educate the public on the ill effects of noise pollution and not to use crackers, multi tone horns, modified silencers etc. Night patrolling teams were arranged with additional force to register cases against the violators under various sections of laws as laid down in the IPC, Hyderabad City Police Act, MV Act, Indian Penal Code and Environment (Protection) Act, 1986.

Police officials conducting special drive and registering cases against the violators.



Tr. PS. Nallakunta



Tr. PS. Marredpally



Tr. PS. S.R.Nagar



Tr. PS. Malakpet



Tr. PS. Sultan Bazar



Tr. PS. Panjagutta


Commissioner of Police
Hyderabad City



Tr. PS. Trimulgherry



Tr. PS. Banjara Hills

5. I submit that, as a part of measures, to bring down the noise pollution in Hyderabad and an observance of National Road Safety Month from 18th January-2021 to 17th February-2021, an awareness cum counseling programme was conducted by Hyderabad Traffic Police on 30-01-2021 to sensitize commuters on Sound/Noise Pollution.

Police counsel public on sound, noise pollution

DC CORRESPONDENT
HYDERABAD, JAN. 30

The Hyderabad traffic police organised an awareness and counselling programme at KBR Park, Banjara Hills, on Saturday on curbing sound and noise pollution. The counselling was part of the National Road Safety Month, which started on January 18 and will end on February 17.

Anil Kumar, additional commissioner, Hyderabad traffic police, said: "We have started a special drive of booking cases against vehicles causing noise pollution through modification of company-fitted silencers. Such vehicles cause two types of pollution - air and noise. Sound level above 65 decibels is injurious to health. Sound of around 75 decibels can cause serious health prob-

lems, such as hypertension, anxiety and cardiovascular diseases," he said. The officer underlined that as per section 190 of Motor Vehicle Act, any person, who violates standards prescribed in relation to road safety and causes noise and air pollution, is punishable under law. "Notices will be issued to automobile shops and mechanics to stop selling such silencers," he said.

Don't modify silencers, bikers warned

CITY BUREAU
Hyderabad

Two-wheeler modification enthusiasts in the city, mostly owners of Royal Enfield Bultards, have been in the line of fire over the last few days with the Hyderabad Traffic Police training their guns on illegal modifications and silencers that are causing sound pollution. Additional Commissioner of Police (Traffic) Anil Kumar said a total of 1,134 cases were booked against violators for modifying company fitted silencers and causing sound pollution.

Speaking at an awareness programme to sensitise motorists on sound pollution at KBR Park in Banjara Hills as part of National Road Safety month, he said many bikers are removing company-fitted silencers and fixing silencers that are emitting more noise.

Sound levels above 65 decibels were injurious to health while sound levels above 75 decibels could cause serious health prob-



Additional Commissioner of Police, Traffic, Anil Kumar inspecting the seized silencers on Saturday.

lems such as hypertension, anxiety and cardiovascular diseases, Anil Kumar said. "Notices would be issued to automobile shops and mechanics to stop selling such modified silencers and not to fix tampered silencers to vehicles. Cases would be filed against those who violate the notice," he said. He informed that in January, 1,134 cases were booked against violators for modifying company fitted silencers and causing more noise pollution in the city. Urging citizens not to

modify silencers, Anil Kumar said the special drive against noise pollution would continue. During the programme, Traffic Police officers counselled 200 violators who modified the silencers of their vehicles and caused noise pollution.

THE HANS INDIA

Cops crack whip to silence vehicle noise in Hyderabad

As part of 'Road Safety Month,' the Hyderabad Traffic Police have been cracking a whip on the modified silencers which are being fixed to the two wheelers

HANS NEWS SERVICE
HYDERABAD

THE parents of the youth, who were indulging in 'sound pollution' with their modified silencers to the bikes, had to face the session of counseling from the traffic police officials on Saturday.

As part of the 'Road Safety Month,' the Hyderabad Traffic Police have been cracking a whip on the modified silencers which are being fixed to the two wheelers. The police officials had a counseling session by exhibiting the seized silencers of the bikes at KBR Park here on Saturday.

Most of the youth in the city have been found using the modified silencers for their two wheelers illegally and becoming a reason for the nuisance of noise pollution. The police officials called the youth and made them aware of the ill-effects of sound pollution.

The Additional Commissioner, traffic, Anil Kumar said that most of the two wheeler commuters were using the modified silencers in the city and creating nuisance for the public and suggested the youth not to use



the vehicles as they are manufactured and taken from the showrooms and also advised them not to tamper or modify.

The additional commissioner also warned the Mechanics who were modifying the silencers and asked them to stop immediately. He said that if the authorities find them modifying the silencers, criminal actions would be taken against them. He said that a notice would also be served to the mechanics in this regard within two three days.

The police officials told the youth how the noise pollution creates problems for children and Old aged. A parent, who

came with his son, was also told to ensure their children follow the rules. The parent said that he was unaware of the modification and assured that he would make sure his son does not repeat the mistake.

As part of the drive, nearly 100 silencers were caught by the traffic police and exhibited in the counseling session. The authorities asked the violators to fix the original silencers. There was a silencer costing Rs 50,000 among the seized silencers.

Traffic DCP, LS Chowhan, Additional DCP, Bhaskar, Traffic ACP, Govardhan and other traffic police were also present.

Sri Anil Kumar, IPS, Addl.CP, Tr, Hyd. at awareness and counseling programme.

6. I submit that, as a part of the special drive, enforcements was done and cases booked on various vehicles causing noise pollution by modifying company fitted silencers and Hyderabad Traffic Police officers counseled around 200 violators who had modified the silencers of their vehicles, causing noise pollution, lot of irritation and inconvenience to residential areas and silent zones. They were informed that the sound level above 65 decibels is injurious to health and sound level about 75 decibels will

Commissioner of Police
Hyderabad City

Cause serious health problems such as Hypertension, Anxiety and Cardio Vascular diseases etc., the Addl. CP Traffic also informed the public that as per Section 190 of the motor vehicle Act-1988, any person who violates the standards prescribed in relation to road safety and causes noise and air-pollution, shall be punishable under the law. It was also informed that the notices will be issued to the automobile shops and mechanics to stop selling such modified silences and not to fix such tampered silencers to the vehicles causing noise pollution and also said that on all those, who are found violating the notice a case will be booked against them as per the law. In the month of January-2021, about 1134 cases were booked against the violators for modifying company fitted silencers and causing more noise pollution in the city. This special drive against noise pollution menace is being continued.

7. I respectfully submit that the cases under the Hyderabad City Police Act and M.V.Act were being booked by the Law & Order and Traffic Police respectively earlier also. However, after the meeting was conducted by the Commissioner of Police, Hyderabad city, dated 10.02.2021, wherein directions were issued and a special drive was taken to file cases under Sec. 21/76 of CP Act and 190 (ii) of MV Act to control the noise pollution under Hyderabad City Police Act, M.V. Act, and also to strict implementation of Environment (Protection) Act, 1986 by following the Noise Pollution (Regulation & Control) Rules, 2000. As a result from 10-02-2021 to 22-02-2021 as many as 4625 cases were booked by the City Police under various laws. As most of the places the cause of noise was vehicular noise and horns therefore majority of cases were booked by the Traffic Police.
8. I respectfully submit that in the year 2021, January in the first 5 weeks, 3963 cases were booked against the violators to reduce the noise pollution, i.e. on an average of 790 cases per week, this number increased to 3 times i.e. to approximately 2313 cases per week. It is pertinent to mention that in the year 2020 average only 52 cases per week were booked.

Zone/Unit of Hyd City Police	Cases booked on Noise Pollution in the year 2020	Before the date of meeting (from 01-01-2021 to 09-02-2021)	From the date of meeting (from 10-02-2021 to 22-02-2021)
TOTAL Cases	2701	3963	4625


 Commissioner of Police
 Hyderabad City

Further, it is respectfully submit that the Pollution Control Board has been monitoring the noise levels at Real Time Noise Monitoring Stations, located in Residential areas as mentioned in O.A. No.4/2021 of Hon'ble National Green Tribunal, Southern Zone, Chennai, i.e. Jubilee Hills and Tarnaka residential areas. The details of the noise levels recorded on the day of meeting of Joint Committee held i.e. on 10th Feb., 2021 and on the day before the date of submission of report of Joint Committee i.e. on 25th Feb., 2021 are as follows.

Date of recording of Noise Levels	JUBILEE HILLS Jubilee Housing Society, abutting Tennis Academy, Hyderabad		TARNAKA Tarnaka Welfare Association Building, Hyderabad	
	Noise Level measured in dB(A)		Noise Level measured in dB(A)	
	Leq Day	Leq Night	Leq Day	Leq Night
10-02-2021 (Day of Joint Committee Meeting held on 10-02-2021)	58.7	53.6	51.1	56.2
25-02-2021 (Day before the report submission Date)	54.2	- 51.0 (Reading of 24-02-2021)	52.0	- 51.6 (Reading of 24-02-2021)

STANDARD	<i>Residential Area</i>	<i>Commercial Area</i>	<i>Industrial Area</i>	<i>Sensitive Area</i>
<i>Day time : Leq Day dB(A) (6.00 AM to 10.00 PM)</i>	55	65	75	50
<i>Night time: Leq Day dB(A) (10.00 PM to 6.00 AM)</i>	45	55	70	40

9. I respectfully submit that from the above mentioned noise readings, it is clear that due to sustained and strenuous efforts made to curb the noise pollution, the noise levels in the places mentioned in O.A. No.4/2021 of the Hon'ble NGT, were brought down substantially in residential areas of Jubilee Hills and Tarnaka, as well as in the entire Hyderabad.

10. I respectfully submitted that the efforts made to curb the noise pollution in Hyderabad City will continue the same so as to maintain the permissible noise levels.

Therefore I pray that this Hon'ble Tribunal may be pleased to pass an appropriate order or further other orders and thus render justice.

DEPONENT

Commissioner of Police
Hyderabad City

VERIFICATION

I, Anjani Kumar, IPS, S/o Sri Arun Kumar, aged 54 years, working as Commissioner of Police, Hyderabad City, do hereby declare that the contents are true and correct to the best of my knowledge and the information available on records.

Hence, verified at _____ on this the _____ day of March, 2021.

DEPONENT

Commissioner of Police
Hyderabad City.

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REPLY FILED BY
THE 6th RESPONDENT

H.YASMEEN ALI

Counsel for the 6th Respondent