



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Legal-77/ **1532**

Date:- **17.11.23**

To,
The Registrar,
Hon'ble National Green Tribunal,
Central Zone Bench State Commission Bhawan,
3RD Floor, Area Hills, Bhopal-462011 (M.P.)

Sub.:- Regarding compliance of direction passed by Hon'ble N.G.T., Central Zone Bench, Bhopal in O.A. No. 102/2022 (CZ) titled as Anil Mehta V/s State of Rajasthan & Ors.

Ref.:- Hon'ble N.G.T., Central Zone Bench, Bhopal's order sheet dated 31.07.2023.

Sir,

Apropos above, in compliance with the directions passed by Hon'ble N.G.T., Central Zone Bench, Bhopal in O.A. No. 102/2022 (CZ) titled as Anil Mehta V/s State of Rajasthan & Ors. vide order sheet dated 31.07.2023. Please find the attached compliance report on behalf of Rajasthan State Pollution Control Board for kind perusal please.

Encl: As above

Yours Faithfully,

(Sharad Saksena)

Regional Officer

In this context the details of the actions taken by this office on recommendations of joint committee and the Hon'ble NGT order dated 31.07.2023 is as under: -

Recommendation no. of Joint Committee report dated 09.02.2023 and specific Hon'ble NGT order dated 31.07.2023	Joint committee recommendation	Action taken by RSPCB
1.	So, it is evident that the CPCB has itself mentioned that the limitation of noise rules with respect to loud speakers and it is the need of the hour that specific guidelines be framed for same specifically mentioning the duration of noise pollution monitoring to be carried out in such circumstances. It is also submitted that operation of loudspeakers, bursting of fire-crackers, blowing of horns etc all are having noise level much more than the prescribed limit in day period and therefore, the ambient noise standard are bound to increase in such circumstances and CPCB should develop a special protocol for dealing with complaints of bursting of fire-crackers, barat processions, horns and loudspeakers which shall be mandatory to follow and shall be followed. CPCB should also take up a study of a model city which is free from noise pollution and recommend measures to be incorporated here too and should also give the comment regarding measurement of noise pollution from a point source eliminating other such sources.	No action required by RSPCB. Action may be taken at CPCB level. Therefore, request letter has been issued to Regional Director, Central Pollution Control Board, Bhopal vide letter no. 227 dated 12.05.2023 and again reminder letter issued vide letter no. 1446 dated 06.11.2023. (Copy enclosed as annexure-I)
2.	Public grievance lodging App to control the menace of pollution due to Noise in the country may be prepared by CPCB with the provisions of following steps:- (i) Complaint lodging facility with	No action required by RSPCB. Action may be taken at CPCB level. Therefore, request letter has been issued to Regional Director, Central Pollution Control Board, Bhopal vide letter no.

	uploading facility of video/GPS tagged photographs for the general complainant. (ii) The complaint to be automatically transferred to concerning area SHO. (iii) SHO mark complaint to concerning Beat Constable. (iv) Beat constable equipped with Noise Level Meter approach the location and measure the Noise. (v) If complaint found correct on site fine based on CPCB report scale of compensation for violation of Noise Rules as mentioned (Copy enclosed) in Original Application No. 681/2018 may be imposed with challan and uploaded on the same app marking disposal of complaint. (vi) The complainant may also receive copy of challan and complaint will be closed.	227 dated 12.05.2023 and again reminder letter issued vide letter no. 1446 dated 06.11.2023. (Copy enclosed as annexure-I)
3.	All the lake side hotels at Fatehsagar/Ambavgarh should be install a continuous ambient noise level meter with the consultation of RSPCB connected by online CCTV to the above app so that the information of noise level is in the public domain and the authority can check the levels as mentioned in the app at point no. 1 above.	For creating awareness on the issue, a noise level meter has been installed at the boundary of Hotel Lalit Laxmi Vilas Palace depicting the sound level display to the general public at the behest of RSPCB about the issue of noise pollution. The same is installed at a point where, there is rush of traffic near Fatehsagar lake. The noise level due to traffic, horn etc. was monitored and results are enclosed as annexure-II) which shows that in the above area the noise due to movement of vehicles also contribute significantly. As per the joint committee report point no. 02 Page no. 05, 29 hotels were given notice by RSPCB to check noise pollution and the analysis reports submitted in the same report clearly indicates the ambient noise pollution results were significantly reduced. (Copy of joint committee report enclosed as

annexure-III).

After the same a general letter/ advisory was issued to all the above hotels informing them the order of the Hon'ble NGT dated 21.04.2023 and 13.09.2023 (Annexure-IV) respectively to maintain the ambient noise level standards and noise level meters were ordered to be installed in above hotels to ensure compliance of the Noise Pollution Control Rules and also the hotels that are situated in ESZ area or near ESZ area to ensure that the ESZ area doesn't get disturbed by hotels near the vicinity as the noise can travel to nearby areas if not checked.

The RSPCB has conducted noise level monitoring fortnightly after the Hon'ble NGT order dated 31.07.2023 to assess the ambient noise pollution level and the results are enclosed as annexure V.

A look at the same shows that during day time in the 02 points selected in the ESZ area, the ambient noise monitoring results fall within the range (50.2 -61.3 dB), (51.8-58.4 dB) during day time and (45.9-48.6 dB), (45.2-49.8 dB) during night time and are within limit of commercial area of day time 65 dB and night time 55 dB permissible limit. It may be noted that traffic is much less in ESZ area. In other areas such as Mumbai Bazar, Fatehsagar Lake and surrounding area such as Rajeev Gandhi Garden, Fatehsagar Pal and P.P. Singhal Marg the ambient noise level parameters cross the permissible limits due to heavy traffic. A study conducted earlier by RSPCB was reported in the joint committee report and is part of the judgment dated 31.07.2023 of Hon'ble NGT (Page no. 6-8 of the same (Annexure-VI).

However the city has not yet been divided into zones by Municipal Council, Udaipur yet and so standards to

		be implemented are not still defined. As per the recent survey conducted by RSPCB (Copy of survey report with Gps containing photographs enclosed as (annexure-VII) out of 30 hotel selected in I phase as per joint report earlier total 14 Hotels has installed Noise level meters in their premises and 16 have installed display boards to create awareness and others are in the process of doing so and shall be done within 15 days. It may please be noted that the above has implemented in hotels specifically which are having marriage gardens as and when required. It may please be noted that the CPCB has been directed by Hon'ble NGT to create a public grievance app and the details of the same are mentioned in point no. 02 above.
4.	All the hotels should install a display board depicting the ill effect of noise pollution and certifying that they do not increase the sound levels beyond permissible standards at their main gate.	As per the recent survey conducted by RSPCB (Copy of survey report with Gps containing photographs enclosed as annexure-VII) total 16 Hotels have been installed display boards to create awareness and others are in the process of doing so.
5.	The Municipal authorities/ UIT should install display boards in their areas indicating ill effect of noise pollution near Lakes of Udaipur in ESZ.	Letter has been issued to Municipal Commissioner regarding compliance vide this office letter no. 220 dated 11.05.2023 and a reminder letter was issued vide letter no. 1434 dated 06.11.2023 with copy to District Collector.(Copy enclosed as annexure-VIII)
6.	The Municipal authorities should complete the work of notifying area into commercial residential and silence zone so that applicability of noise level standards can be ensured. In this regard, the Municipal Commissioner Udaipur has asked the Director ULB to appoint a technical consultant through the process of tender and the work is under process.	Letter has been issued to Municipal Commissioner regarding compliance vide this office letter no. 220 dated 11.05.2023 and a reminder letter was issued vide letter no. 1434 dated 06.11.2023 with copy to District Collector.(Copy enclosed as annexure-VIII)
7.	Every Police Thana shall be equipped with	Letter has been issued to Superintendent



	Noise Level Meter. It need be mentioned here that it was found by joint committee towards noise level meter reading and the officials carrying out monitoring should also take into account the above fact as the noise level meter measures a sum total noise present at any location from all sources.	of Police regarding compliance vide this office letter no. RPCB/ ROU/Legal-77/222 dated 11.05.2023 and reminder letter issued vide this office letter no. RPCB/ ROU/Legal-77/1442 dated 06.11.2023 with copy to District Collector.(Copy enclosed as annexure-IX)
8.	Mobile DJ music systems/operating on four wheelers vehicles with Barat procession/religious procession to be banned and the ban to be enforced by Police/ RTO.	Letter has been issued vide this office letter no. RPCB/ROU/ Legal-77/ 196 dated 04.05.2023 and reminder letter issued vide letter no. RPCB/ROU/ Legal-77/ 1438 dated 06.11.2023 to Regional Transport officer for cancelation of registration and seizure of vehicles and all such vehicles equipped with mobile DJ music system/ operating on four wheelers with copy to District Collector.(Copy enclosed as annexure-X)
9.	In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited:- (a.) Prohibition for DJ sound system in marriage procession. (b.) Bursting of fire crackers. (c.) Hotels/ not allowed to play music in open area i.e. Garden. They shall ensure play music in sound proof/ acoustic halls. (d.) Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/ marriage gardens in open. (e.) Use of Laser light/ Spot light. (f.) Marriage gardens with halls shall be allowed if music is played in enclosed halls. If there is no facility of hall then the same be closed. (g.) <u>Point No. 26 of Hon'ble NGT decision dated 31.07.2023</u>: - We are also of the view that by taking out processions like marriage processions etc. and by beating the	This office has issued a letter to Station House Officer, Police Station, Ambamata vide letter no. RPCB/ROU/Legal-77/1013 dated 29.08.2023 for necessary action. (Copy enclosed as annexure-XI). The information pertaining to this office is mentioned in point no. 3 compliance above. <i>As per Rule No. 4 (2) of Noise Pollution (Regulation and Control) Rules.</i> <i>The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise</i> <i>and definition of authority:-</i> <i>"Authority" means and includes any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for</i>

drums or using bands, noise pollution levels cannot be breached particularly during night hours. At least these activities cannot be permitted to go on in area falling within 'Zone of Influence' of Sajjangarh Wildlife Sanctuary. Therefore, to that extent respondents shall ensure and impose complete prohibition on such activities. Concerned hotels etc. shall be notified of this prohibition so that they may not allow such activities to go on.

(h.) Point No. 27 of Hon'ble NGT decision dated 31.07.2023: - Fourth question is regarding "light pollution". Learned counsel for applicant drew our attention to annexure 23 and 24 to OA which are some articles published in different journals on the aspect of 'light pollution'. However, it is not disputed that till date no authenticated investigation or research with regard to light pollution has been conducted in the context of Indian conditions and at least none has been placed on record. It cannot be doubted that in certain circumstances high Intensity Lights may be detrimental to wildlife and other species of different categories and also to nature as such. But this aspect requires a detailed study on the matter, and if necessary, appropriate guidelines/regulations need be framed. On this aspect we find it appropriate to direct MoEF & CC, respondent 6, and Ministry of

the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force.

It is further submitted that the RSPCB has written letters to SHO of concerning area for implementation of the Noise Rules, 2000 and directions passed by the Hon'ble Tribunal. The photo copy of the letters is annexed. (Copy enclosed as annexure-XII)

"Light Pollution" matter not related to RSPCB and study to be conducted by MoEF & CC and Ministry of Science and Technology, Government of India.

	Science and Technology, Government of India to take up requisite study on the issue of 'light pollution' and take appropriate action to regulate such pollution in the context of Indian conditions and if necessary different provisions may be made for different areas depending on nature of flora, fauna and other relevant factors available in those areas.	
10.	CCTV cameras be installed all around the periphery of Fatehsagar Lake and in the eco sensitive zone at strategic places.	For compliance of this point letter has been issued by DCF, Wildlife, Udaipur to Commissioner, UIT, Udaipur and Commissioner, Municipal Council, Udaipur on 26.10.2023. Copy of letter enclosed as annexure-XIII.


 (Sharad Saksena)
 Regional Officer,
 RSPCB, Udaipur

Regional office
Rajasthan State Pollution Control Board
Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Legal- 77/ 227

Date:- 12/05/23

Regional Director
Central Pollution Control Board
Regional Directorate (Central)
Parivesh Bhawan, Paryavaran Parisar
E-5, Arera Colony, Bhopal - 462016
(Email- cpcb.bhopal@gov.in)

Sub:- Regarding compliance of Joint Committee report submitted in O.A. No.102/2022, Anil Mehta V/s State of Rajasthan & Ors. (Available on Hon'ble NGT website at <https://greentribunal.gov.in/news-update>).

Ref:- (i) Direction of Hon'ble National Green Tribunal, Central Zone, Bhopal in the matter of Anil Mehta V/s State of Rajasthan & Ors., O.A. No. 102/2022 issued vide order sheet dated 06.04.2023. (Copy enclosed as annexure-I)

Sir,

With reference to above an application was filed by Anil Mehta in Central Zone Bench, Bhopal and same was accepted By NGT O.A. No. 102/2022. Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee. The joint committee had submitted factual and action taken report & same was considered by Hon'ble NGT in hearing dated 06.04.2023; interalia reproduced as follows:-

"We have gone through the contents of the Joint Committee report submitted by five senior expert officers. A copy of the report be provided to the Collector / Municipal Corporation with a direction to enforce the recommendations of the committee upto the strength of the applicability and if there is any grievances Collector & Municipal Corporation have to file their replies/response on those points".

1. And as per the recommendation no. 1 of joint committee report *"So it is evident that he CPCB has itself mentioned that the limitation of noise rules with respect to loud speakers and it is the need of the hour that specific guidelines be framed for same specifically mentioning the duration of noise pollution monitoring to be carried out in such circumstances. It is also submitted that operation of loudspeakers, bursting of fire-crackers, blowing of horns etc all are having noise level much more than the prescribed limit in day period and therefore, the ambient noise standard are bound to increase in such circumstances and CPCB should develop a special protocol for dealing with complaints of bursting of fire-crackers, barat processions, horns and loudspeakers which shall be mandatory to follow and shall be followed. CPCB should also take up a study of a model city which is free from noise pollution and recommend measures to be incorporated here too and should also give the comment regarding measurement of noise pollution from a point source eliminating other such sources."* and further in recommendation no. 2 *"Public grievance lodging App to control the menace of pollution due to Noise in the country may be prepared by CPCB with the provisions of following steps:-*

- (i) Complaint lodging facility with uploading facility of video/GPS tagged photographs for the general complainant.
- (ii) The complaint to be automatically transferred to concerning area SHO.
- (iii) SHO mark complaint to concerning Beat Constable.
- (iv) Beat constable equipped with Noise Level Meter approach the location and measure the Noise.
- (v) If complaint found correct on site fine based on CPCB report scale of compensation for violation of Noise Rules as mentioned (Copy enclosed) in Original Application No. 681/2018 may be imposed with challan and uploaded on the same app marking disposal of complaint.
- (vi) The complainant may also receive copy of challan and complaint will be closed.

Therefore, it is requested to take action as above as per joint committee recommendation no. 1 & 2 or forward the matter to concerning official. So that compliance in this matter shall be submitted to Hon'ble NGT as envisaged.

Encl:- As above

Yours Faithfully,

(Sharad Saxena)

Regional Officer &
Nodal Officer of case

Copy to:-

1. The District Collector, Udaipur for information please.

Regional Officer



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB ROU/Legal- 77/1446

Date:- 06/11/23

Reminder (Most urgent NGT Matter)

Regional Director

Central Pollution Control Board

Regional Directorate (Central)

Parivesh Bhawan, Paryavaran Parisar

E-5, Arera Colony, Bhopal - 462016

(Email- cpcb.bhopal@gov.in)

Sub:- Regarding compliance of Joint Committee report submitted in O.A. No.102/2022, Anil Mehta V/s State of Rajasthan & Ors. (Available on Hon'ble NGT website at <https://greentribunal.gov.in/news-update>).

Ref:- (i) Direction of Hon'ble National Green Tribunal, Central Zone, Bhopal in the matter of Anil Mehta V/s State of Rajasthan & Ors., O.A. No. 102/2022 issued vide order sheet dated 06.04.2023 & 31.07.2023.

(ii) This office letter no. RPCB/ROU/Legal-77/227 dated 12.05.2023.

Sir,

With reference to above an application was filed by Anil Mehta in Central Zone Bench, Bhopal and same was accepted By NGT O.A. No. 102/2022. Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee. The joint committee had submitted factual and action taken report & same was considered by Hon'ble NGT in hearing dated 06.04.2023; interalia reproduced as follows:-

"We have gone through the contents of the Joint Committee report submitted by five senior expert officers. A copy of the report be provided to the Collector / Municipal Corporation with a direction to enforce the recommendations of the committee upto the strength of the applicability and if there is any grievances Collector & Municipal Corporation have to file their replies/response on those points".

2. And as per the recommendation no. 1 of joint committee report *"So it is evident that he CPCB has itself mentioned that the limitation of noise rules with respect to loud speakers and it is the need of the hour that specific guidelines be framed for same specifically mentioning the duration of noise pollution monitoring to be carried out in such circumstances. It is also submitted that operation of loudspeakers, bursting of fire-crackers, blowing of horns etc all are having noise level much more than the prescribed limit in day period and therefore, the ambient noise standard are bound to increase in such circumstances and CPCB should develop a special protocol for dealing with complaints of bursting of fire-crackers, barat processions, horns and loudspeakers which shall be mandatory to follow and shall be followed. CPCB should also take up a study of a model city which is free from noise pollution and recommend measures to be incorporated here too and should also give the comment regarding measurement of noise pollution from a point source eliminating other such sources."* and further in recommendation no. 2

"Public grievance lodging App to control the menace of pollution due to Noise in the country may be prepared by CPCB with the provisions of following steps:-

(vii) Complaint lodging facility with uploading facility of video/GPS tagged photographs for the general complainant.

(viii) The complaint to be automatically transferred to concerning area SHO.

(ix) SHO mark complaint to concerning Beat Constable.

(x) Beat constable equipped with Noise Level Meter approach the location and measure the Noise.

(xi) If complaint found correct on site fine based on CPCB report scale of compensation for violation of Noise Rules as mentioned (Copy enclosed) in Original Application No. 681/2018 may be imposed with challan and uploaded on the same app marking disposal of complaint.

(xii) The complainant may also receive copy of challan and complaint will be closed.

Therefore, it is requested to submit action taken report before 15.11.2023 as per joint committee recommendation no. 1 & 2 directly to Hon'ble NGT, Bhopal Bench and inform this office.

Encl.:- As above

Yours Faithfully,

(Sharad Saksena)

Regional Officer

g/c

For creating awareness on the issue of Noise Pollution a noise level meter has been installed at the boundary of Hotel Lalit Laxmi Vilas Palace it is installed at a point where there is rush of traffic near Fatehsagar lake and results as are follows:-



Report As per

Hon'ble National Green Tribunal

(Order dated 06 January 2023)

IN THE MATTER OF

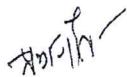
Anil Mehta V/s State of Rajasthan & Ors.

In Original Application

No. 102/2022

Date of Visit- 09 February 2023

Location- Udaipur (Rajasthan)



➤ **Background:-**

An application was filed by Shri Anil Mehta in Principal Bench, New Delhi and same was accepted By NGT O.A. No. 102/2022.

Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee consisting of:-

1. One representative from MOEF & CC.
2. One representative from Secretary, Environment, Rajasthan.
3. Collector, Udaipur, Rajasthan.
4. One representative from Rajasthan State Wetland Authority.
5. One representative from Udaipur Municipal Corporation.
6. One representative from Rajasthan State Pollution Control Board.

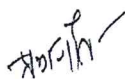
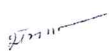
The Committee was directed to visit the place and submit the factual and action taken report within four weeks.

In compliance of the same committee comprising of undersigned officials visited the area on 09.02.2023.

➤ **Existing Rules and Decisions in this matter:-**

1. As per Rule No. 4 (2) of Noise Pollution (Regulation and Control) Amendments Rules, 2017. The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise and definition of authority:-

"Authority" means and includes any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force.



2. Also Hon'ble National Green Tribunal, Principal Bench, Delhi in the Original Application No. 681/2018 (CZ) titled as News item published in "The Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15" passed an order on dated 15.03.2019; interalia reproduced as follows:-

"The State PCBs may undertake noise level monitoring in conjunction with the Police Department and take remedial action. The Police Departments of all the States/UTs may obtain the noise monitoring devices within a period of three months. The Police Department of all the State/UTs may also train their staff regarding the use of such devices and develop a robust protocol for taking appropriate action against the defaulters".

3. **Criteria for making Noise Complaints as described under Noise Rules:-** Copy of The Noise Pollution (Regulation and Control) Rules 2000 (As amended till 10.08.2017 vide S.O. 2555 (E) annexed as **Annexure-1**

As per Rule No. 7 of Noise Pollution (Regulation and Control) Rules, 2000. Complaints to be made to the authority. —

- (1) A person may, if the noise level exceeds the ambient noise standards by 10 db (A) or more given in the corresponding columns against any area/zone [or, if there is a violation of any provision of these rules regarding restrictions imposed during night time], make a complaint to the authority.
- (2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

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

Criteria to make a complaint to the authority:-

Area Code	Category of Area/ Zone	Complaint criteria in dB(A) Leq * exceeding 10 dB of standard	
		Day Time	Night Time
(A)	Industrial area	85	80
(B)	Commercial area	75	65
(C)	Residential area	65	55
(D)	Silence Zone	60	50

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. 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.

**Action at a glance taken by Rajasthan State Pollution Control Board
w.r.t. Noise Complaints:-**

1. On receiving complaints received from various sources RSPCB had conducted Noise Monitoring in the month of February- 2022 at the following points and the brief details are as under:-

S. No.	Point of Collection	Date of Monitoring	Leq dB(A)
1.	Top of Ambavgarh on road	11/2/2022	86.2 (day)
2.	PP Singhal Marg near to Fatehsagar	11/2/2022	94.3 (night)
3.	At the end of Alkapuri Road	11/2/2022	94.8 (day)

Copy of analysis reports annexed as **Annexure-2**.

2/2/2022

W

Harish

2/2/2022

2/2/2022

2. As the results exceeded the permissible limits of any area/ zone RSPCB contacted the Hotel association and conveyed to the members to strictly follow Noise pollution control rules and desist from playing music after 10.00 PM. Also RSPCB had issued 29 notices to the hotels located around the lakes informing them about the Noise Pollution (Regulation and Control) Rules. Before the beginning of religious festivals/ marriages and as a result of this action the ambient quality noise monitoring results were significantly reduced. It may also be noted that the honking of horns also cause momentary increase in noise pollution load and continues honking on every road significantly increase noise pollution.

S. No.	Point of Collection	Date of Monitoring	Leq dB(A)
1.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel	09/09/22	57.4 (day) 53.6 (night)
2.	Ambient noise monitoring at entrance gate of hotel Hilltop	09/09/22	62.4 (day) 55.5 (night)
3.	Ambient noise monitoring in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E	12/09/22	63.1 (day) 56.1 (night)
4.	Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454 E	12/09/22	62.0 (day) 52.1 (night)
5.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel	12/09/22	63.4 (day) 59.6 (night)
6.	Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel	12/09/22	75.4 (day) 69.4 (night)
7.	Ambient noise monitoring near to hotel Hilltop	12/09/22	66.9 (day) 61.2 (night)
8.	Ambient noise monitoring near to hotel Lakend	12/09/22	68.8 (day) 62.8 (night)
9.	Ambient noise monitoring	15/09/22	65.9 (day)

	in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E		52.1 (night)
10.	Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454 E	15/09/22	66.4 (day) 53.1 (night)
11.	Ambient noise monitoring near to hotel Lakend	15/09/22	69.8 (day) 57.3 (night)
12.	Ambient noise monitoring near to hotel Hilltop	15/09/22	71.9 (day) 56.9 (night)
13.	Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel	15/09/22	72.1 (day) 70.3 (night)
14.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel	15/09/22	66.9 (day) 54.4 (night)
15.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel	14/11/22	52.8 (night)
16.	Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel	14/11/22	72.4 (night)
17.	Ambient noise monitoring near to hotel Hilltop	14/11/22	59.2 (night)
18.	Ambient noise monitoring near to hotel Lakend	14/11/22	56.2 (night)
19.	Ambient noise monitoring in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E	14/11/22	57.2 (night)
20.	Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454 E	14/11/22	53.4 (night)
21.	Ambient noise monitoring near to hotel Hilltop	06/01/2023	54.2 (day)
22.	Ambient noise monitoring near to hotel Lakend	06/01/2023	56.2 (day)
23.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel	06/01/2023	52.0 (day)

24.	Ambient noise monitoring near to Hotel Hilltop	25/01/2023	74.3 (day) 66.8 (night)
25.	Ambient noise monitoring near to Lake end.	25/01/2023	69.3 (day) 56.8 (night)
26.	Ambient noise monitoring in ESZ zone at location Latitude- 24.590885 N, Longitude- 73.652454 E	25/01/2023	68.6 (day) 59.6 (night)
27.	Ambient noise monitoring near to The Lalit Laxmi Vilas hotel	26/01/2023	64.8 (day) 58.3 (night)
28.	Ambient noise monitoring in ESZ zone at location Latitude- 24.590882 N, Longitude- 73.652454 E	26/01/2023	64.3 (day) 56.7 (night)
29.	Ambient noise monitoring in ESZ zone at location Latitude- 24.588644 N, Longitude- 73.651751 E	26/01/2023	69.2 (day) 58.9 (night)
30.	Ambient noise monitoring at PHED pump house.	06/02/2023	70.1 (day)
31.	Ambient noise monitoring near main gate of the hotel lakend.	06/02/2023	58.4 (day)

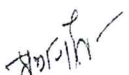
Copy of analysis reports annexed as **Annexure-3**.

4. It is pertinent to mention here that in Noise monitoring of point source carried out by Noise Level Meter there is contribution of noise of activities going on in nearby area viz. Horn Honking by vehicles/ engine voices, noise of vehicle silencers, music playing in vehicles etc. and there is no mechanism to measure noise pollution caused by point source only.

Study conducted by Regional Office, RSPCB, Udaipur:-

- Earlier RSPCB also conducted a study on noise level by honking of horn from two wheelers, from four wheelers (4 seater) and four wheeler (8 seater) from three consecutive distance (5 Meter, 10 Meter & 15 Meter from the source) because the monitoring conducted as depicted in the above table were in the vicinity of busy traffic roads. Observation are depicted below:-

1. Two wheeler-

S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	89.9	85.4	77.3
2.	LA max dB	96.5	90.9	82.2
3.	LA min dB	60.3	57.7	58.5

2. Four wheeler (4- seater)-

S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	97.1	91.6	83.4
2.	LA max dB	100.6	94.4	87.2
3.	LA min dB	67.1	63.5	60.2

3. Four wheeler (8- seater)-

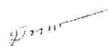
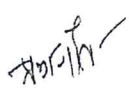
S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	97.4	94.4	90.4
2.	LA max dB	99.0	98.1	94.6
3.	LA min dB	58.3	57.3	56.1

In continuation to the above study, noise monitoring was also carried out of DJ/ Sound system at consecutive distance of 50 meter, 100 meter and 150 meter. Observations are depicted below:-

S. No.	Parameter	50 meter from noise source	100 meter from noise source	150 meter from noise source
1.	LA eq dB	65.6	58.2	55.7
2.	LA max dB	73.3	69.3	65.7
3.	LA min dB	51.7	47.4	59.3

However the volume was at optimum level (average) and not maximum. Copy of analysis reports annexed as Annexure-4.

In compliance of Hon'ble NGT order dated 06.01.2023 above said committee visited the places namely Fatehsagar, P.P. Singhal Marg (Alkapuri) and Eco sensitive zone of Sajjangarh Wild Life Sanctuary and observation's/ findings of Joint committee is as under :-

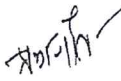
    

1. It may be concluded from the study conducted by RSPCB that the noise level in area for example Alkapuri, Ambavgarh, Fatchsagar road can exceed the prescribed standards of residential/ commercial area even when there was no noise from loud speaker or music system but due to plying of vehicles
2. Moreover, as per the criteria for making complaint when the noise level exceed by 10 dB, complaint has to be made in any zone.
3. Out of 25 monitoring conducted during day time and 26 monitoring conducted during night time *w.r.t.* noise complaints near hotels in day time 24 and in night time 23 time have not exceeded complaint permissible limits i.e. more than 10 dB w.r.t. to commercial zone in day/ night time. However they have exceeded the noise level standard for residential area + 10 dB beyond which complaint can be made. The residential/commercial/silence zones have not been notified as yet by the Municipal Council Udaipur.
4. Committee visited the Lake Fatchsagar at morning time between 11:30 AM to 12:30 PM and during evening time between 8:30 to 9:30 PM Noise Monitoring was also conducted by Rajasthan State Pollution Control Board in presence of joint committee and monitoring results are as under:-

Parameter	between 11:30 AM to 12:30 PM	Between 8:30 to 9:30 PM
LA eq dB	62.3	68.5
LA max dB	89.0	91.0
LA min dB	46.6	54.8

Copy of analysis reports annexed as **Annexure-5**.

Comment:- Although during visit in morning/ evening time no music was plying but in evening time in half hour 165 times honking of horn was heard at site and results were more than morning. Hence, indicating contribution of plying vehicles in the noise pollution. The results did not exceed 10 dB of permissible standards above

which complain can be made as prescribed under Noise Rules for commercial area.

5. After that committee was visited the P.P. Singhal Marg (Hotel Lakend Area) Noise Monitoring was also conducted by Rajasthan State Pollution Control Board and monitoring results are as under:-

Parameter	Day time
LA eq dB	69.9
LA max dB	100.3
LA min dB	57.7

Copy of analysis reports annexed as **Annexure-6**.

Comment:- During visit in morning time no music was playing The results did not exceed 10 dB of permissible standards above which complain can be made as prescribed under Noise Rules for commercial area.

6. The committee also visited the Eco sensitive area of Sajjangarh Wild Life Sanctuary between 11:30 AM to 12:30 PM Noise Monitoring was also conducted by Rajasthan State Pollution Control Board and monitoring results are as under:-

Parameter	Day time
LA eq dB	60.7
LA max dB	39.4
LA min dB	94.4

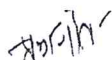
Copy of analysis reports annexed as **Annexure-7**.

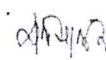
Comment:- During visit in morning time no music was playing The results did not exceed 10 dB of permissible standards above which complain can be made as prescribed under Noise Rules for commercial area.

7. During the visit it was found that there is chopati/food stalls operational at the bank of Lake Fatehsagar. There was no littering











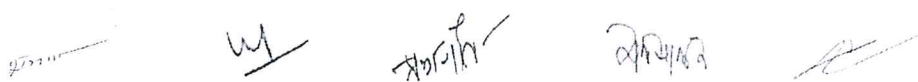
observed at the bank of lake Fatehsagar. Regular cleaning/ road sweeping and garbage collection is done by Nagar Nigam and bins are installed there for collection of solid waste generated and the waste collection tipper regularly collects the same and disposes at the designated site. Representative of Nagar Nigam informed that in compliance of Hon'ble High Court order, Jodhpur a Lake Patrol Team has been constituted in city and they are carry out regular monitoring near the lakes and if anybody found throwing garbage or any waste material in lake on site challan/penalty imposed on them. No Bio Medical Waste disposal was found in any of the above area visited by the team.

8. As per information provided by the Forest Department at present Fatehsagar Lake is not a notified wetland and is also not included in the list of district wise wetland identified for notification and development by the State Government of Rajasthan. Hence, Wetland Rules 2017 will not be applicable.

Recommendations of the committee:-

1. It may be noted that the noise standards for fire-crackers were notified by the Environment (Protection) (Second Amendment) Rules, 1999 vide G.S.R.682(E), dated the 5th October, 1999 and inserted as serial no. 89 of Schedule I of the Environment (Protection) Rules, 1986. Subsequently these Rules were amended by the Environment (Protection) Second Amendment Rules, 2006 vide G.S.R. 640(E), dated the 16th October, 2006, under the Environment (Protection) Act, 1986) *"The manufacture, sale or use of fire-crackers generating noise levels exceeding 125 dB(A) or 145 dB(C) pk at 4 m distance from the point of bursting shall be prohibited."* For individual fire-crackers constituting the series (joined Fire Crackers), the above-mentioned limit may be reduced by $5 \log_{10}(N)$ dB, where N is the number of crackers joined together. It indicates that the use of the same is allowed if the noise pollution is less than 125 dB.

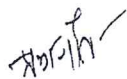
It can be easily visualized that the fire-crackers are used in residential as well as commercial areas then the ambient noise quality



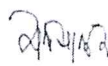
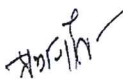
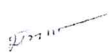
permissible limits are bound to be non-complied. Moreover, the effect of the same shall persist for a long distance thus violating the noise standards at a faraway place too.

In the same matter regarding the use of loudspeakers, in the report of CPCB on *"Scale of compensation to be recovered for violation of noise pollution (Regulation and control) rules, 2000"* submitted in compliance to Hon'ble National Green Tribunal order dated 15.03.2019 and 06.08.2019 in the matter of O.A. No. 681/2018 titled "Time of India" authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15", in section no. 4(ii) it has been specifically mentioned under **"Limitation of noise rules with respect to loudspeaker"** that "In order to verify compliance, ambient noise monitoring is to be carried out for 16 hours (day time) and violation by specific source of noise cannot be identified due to background noise. Further, as impact of the noise source, duration of which mostly varies from a few seconds to few seconds to few minutes gets leveled when monitoring for long duration (16 hours) is carried out."

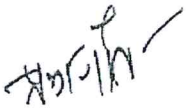
So it is evident that the CPCB has itself mentioned that the limitation of noise rules with respect to loud speakers and it is the need of the hour that specific guidelines be framed for same specifically mentioning the duration of noise pollution monitoring to be carried out in such circumstances. It is also submitted that operation of loudspeakers, bursting of fire-crackers, blowing of horns etc all are having noise level much more than the prescribed limit in day period and therefore, the ambient noise standard are bound to increase in such circumstances and CPCB should develop a special protocol for dealing with complaints of bursting of fire-crackers, barat processions, horns and loudspeakers which shall be mandatory to follow and shall be followed. CPCB should also take up a study of a model city which is free from noise pollution and recommend measures to be incorporated here too and should also give the comment regarding measurement of noise pollution from a point source eliminating other such sources.



2. Public grievance lodging App to control the menace of pollution due to Noise in the country may be prepared by CPCB with the provisions of following steps:-
 - (i) Complaint lodging facility with uploading facility of video/GPS tagged photographs for the general complainant.
 - (ii) The complaint to be automatically transferred to concerning area SHO.
 - (iii) SHO mark complaint to concerning Beat Constable.
 - (iv) Beat constable equipped with Noise Level Meter approach the location and measure the Noise.
 - (v) If complaint found correct on site fine based on CPCB report scale of compensation for violation of Noise Rules as mentioned (Copy enclosed) in Original Application No. 681/2018 may be imposed with challan and uploaded on the same app marking disposal of complaint.
 - (vi) The complainant may also receive copy of challan and complaint will be closed.
3. All the lake side hotels at Fatchsagar/Ambavgarh should be install a continuous ambient noise level meter with the consultation of RSPCB connected by online CCTV to the above app so that the information of noise level is in the public domain and the authority can check the levels as mentioned in the app at point no. 1 above.
4. All the hotels should install a display board depicting the ill effect of noise pollution and certifying that they do not increase the sound levels beyond permissible standards at their main gate.
5. The Municipal authorities/ UIT should install display boards in their areas indicating ill effect of noise pollution near Lakes of Udaipur in ESZ.
6. The Municipal authorities should complete the work of notifying area into commercial residential and silence zone so that applicability of noise level standards can be ensured. In this regard, the Municipal Commissioner Udaipur has asked the Director ULB to appoint a technical consultant through the process of tender and the work is under process.



7. Every Police Thana shall be equipped with Noise Level Meter. It need be mentioned here that it was found by joint committee towards noise level meter reading and the officials carrying out monitoring should also take into account the above fact as the noise level meter measures a sum total noise present at any location from all sources.
8. Mobile DJ music systems/operating on four wheelers vehicles with Barat procession/religious procession to be banned and the ban to be enforced by Police/ RTO.
9. In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited:-
- (a.) Prohibition for DJ sound system in marriage procession.
 - (b.) Bursting of fire crackers.
 - (c.) Hotels/ not allowed to play music in open area i.e. Garden. They shall ensure play music in sound proof/ acoustic halls.
 - (d.) Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/ marriage gardens in open.
 - (e.) Use of Laser light/ Spot light.
 - (f.) Marriage gardens with halls shall be allowed if music is played in enclosed halls. If there is no facility of hall then the same be closed.
10. CCTV cameras be installed all around the periphery of Fatchsagar Lake and in the eco sensitive zone at strategic places.


(Prabha Gautam)
ADM (City), Udaipur


(Rakesh Mathur)
Director DOE & Wetland
authority


(Mahesh Dutt Purohit)
Joint Director/
Scientist-D,
MoEF & CC, Jaipur


(Sharad Saksena)
Regional Officer
RSPCB, Udaipur


(Mukesh Chandra Pujari)
SE, Municipal Corporation,
Udaipur



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com Phone no : 0294-2491269

No.: RPCB/RO U/UDR/ Hotel- 353/126/1-29

Dated : 21.04.2023

Incharge,
All Hotels,
Udaipur.

Sub:- Regarding implementation of the recommendations of the committee formed in the case of
OA No. 102/2022(CZ) Anil Mehta V/s State of Rajasthan & Others.
Ref:- Order of NGT in the above case dated 06-04-2023.

Sir.

With reference to above referred order, NGT directed to enforce the recommendations of the committee formed in the case of OA No. 102/2022(CZ) Anil Mehta V/s State of Rajasthan & Others. The recommendations of the committee are as follows:-

1. All the lake side hotels at Fatehsagar/Ambavgarh should install a continuous ambient noise level meter with the consultation of RSPCB connected by online CCTV.
2. All the hotels should install a display board depicting the ill effect of noise pollution and certifying that they do not increase the sound levels beyond permissible standards at their main gate.
3. Mobile DJ music systems/operating on four wheelers vehicles with Barat procession/ religious procession are banned and for any found in hotel premises, the hotel shall be liable for action.
4. In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited:-
 - a) Prohibition for DJ sound system in marriage procession.
 - b) Bursting of fire crackers.
 - c) Hotels not allowed to play music in open area i.e. garden. They shall ensure play music in sound proof/ acoustic halls.
 - d) Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/marriage gardens in open.
 - e) Use of Laser light/spot light.
 - f) Marriage gardens with halls shall be allowed if music is played in enclosed halls. If there is no facility of hall then the same be closed.

Therefore, you are directed to implement these directions in your units and send compliance report within 15 Days so that compliance can be submitted in Hon'ble NGT.


(Sharad Saksena)
Regional Officer

S. No.	File No.	Name	Address	Dispatch no.
1	248	Lemon Tree Premier (Fleur) Aurika Udaipur	Plot No. 1, Khasra No. 979 to 981, Kala Rohi, Sisarma, Udaipur	126/1
2	258	The Lalit Laxmi Vilas Palace Hotel	Opposite Fatehsagar Lake, Udaipur	126/2
3	274	Moon Buildestate Pvt. Ltd.,	Hawala Khurd, N/V Badi, Udaipur	126/3
4	366	Shilp Gramodyog Sales Complex	Plot no. 1797-1798 Opp. Leaf Restarurant Verdia Farms Near Sajjangarh Main gate, Udaipur	126/4
5	396	Verdia hotels P. Ltd(Bambosa)	Kh.no. 1499/1500, Sisarma	126/5
6	187	Hotel Mewargarh Palace	Sajjangarh Road, Girwa, Udaipur	126/6
7	59	Hotel Lakend	Alkapuri, Fatehsagar, Udaipur	126/7
8	107	Hotel Hill Top Palace	5, Ambavgarh, Fatehsagar, Udaipur	126/8
9	230	Hotel Inder Prakash	Rani Road, Near Fateh Sagar Lake, Udaipur	126/9
10	303	Hotel Panna Vilas Palace	Rani Road, , Udaipur	126/10
11	377	Hotel The Royal Retreat	Hawala Road, Badi, Udaipur	126/11
12	226	Rockwood Hotels & Resorts Ltd.(Hotel Radisson)	B-1, Amba Mata Scheme, Udaipur	126/12
13	358	Hotel Amantra Shilpi Village Resort (Hotel Village Resort)	Shilpgarm Rani Road, Udaipur	126/13
14	360	Shourya Garh resort & Spa(A unit of Blue Wings Tours & Travels Pvt.Ltd)	Near Shilpgram off Rani Road Fateh Sagar, Hawala Khurd, Nr. Shilpgram, Udaipur	126/14
15	267	Monsoon Palace Resorts P ltd (Ramada)	Rampura Choraya, Kodyaat Road, Udaipur	126/15
16	51	M/s Hotel Leela Venture Limited	88,Naga nagri, Out side Chandpole, Udaipur	126/16
17	39	Hotel Oberoi Udaivilas	Haridasji ki magri, Udaipur	126/17
18	40	Trident Hotel	Haridasji ki magri, Mulla Talai, Udaipur	126/18
19	116	Shiv Niwas Palace	City Palace, , Udaipur	126/19
20	256	Taj Lake Palace	Lake Pichola, , Udaipur	126/20
21	257	Jagmandir Palace (A unit of the Lake Palace hotels & Motels Ltd)	Lake Pichola, City Palace, Udaipur	126/21
22	47	Fateh Prakash Palace (A Unit of Lake Palace Hotels & Motels (P) Ltd.)	City Palace, Udaipur	126/22
23	28	Taj Aravali Spa & Resort, Connoisseur Club & Spa Resort (Unit of M/s Crown Club & Hotels P. Ltd.)	Village- Bhujda, Kodyiat, Udaipur	126/23
24	55	Ananta Hotel & Resorts (A Unit of Goyal Fashions P. Ltd.)	Bhoojda, Kodyiat Road, Udaipur	126/24
25	319	Hotel Rampratap (Fatehgarh Palace) (A unit of Rampratap Devlopers P Ltd.)	5-B, Alkapuri,Fateh Sagar, Udaipur	126/25
26	278	Fatehgarh (Rampratap Developers Pvt. Ltd). (Motel Fateh Niwas)	Sisarma Road, Udaipur	126/26
27	315	Rajdarshan Hotel	Pannadhai marg, hatthipole, Udaipur	126/27
28	14	Hotel Amet Haveli & Ambrai Restaurant	Panchdevri Marg, outside chandpole, Udaipur	126/28
29	353	Hotel Swaroop Vilas	Swaroop Sagar Lake, Udaipur	126/29



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/Legal-77/1049/1-1049/30

Date:- 13.09.23

Most urgent

General Manager,

All Hotels (List enclosed),

Udaipur

Sub:- Regarding compliance of order of Hon'ble NGT directions in O.A. No. 102/2022 dated 31.07.2023.

Ref:- Hon'ble National Green Tribunal, Central Zone Bench, Bhopal order dated 31.07.2023 in O.A. no. 102/2022 Anil Mehta & Rajasthan Government & Ors. (Copy of order dated 31.07.2023 is enclosed).

Sir,

With reference to above, as the compliance in the matter referred above has to be reported within 03 months of order, therefore you are directed to submit the compliance report regarding implementation of recommendations of the joint committee report as directed vide earlier letter of this office dated 21.04.2023. It may also be noted that the recommendations of the joint committee report has been accepted by the Hon'ble NGT and as per the same: -

Mobile DJ music systems/operating on four wheelers vehicles with Barat procession /religious procession to be banned and the ban to be enforced by Police / RTO.

In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited: -

- a) Prohibition for DJ sound system in marriage procession.*
- b) Bursting of fire crackers.*
- c) Hotels/ not allowed to play music in open area i.e. Garden. They shall ensure play music in sound proof / acoustic halls.*

d) *Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/ marriage gardens in open.*

e) *Use of Laser light / Spot light.*

f) *Marriage gardens with halls shall be allowed if music is played in enclosed halls. If there is no facility of hall then the same be closed.*

It is pertinent to note that the Hon'ble NGT in para no. 23 of the above order mentioned "*Irrespective of the fact whether Eco Sensitive Zone of Sajjangarh Wildlife Sanctuary covers entire Fatehsagar lake area or its 'Zone of Influence', we are satisfied that area falls within notified area of Eco Sensitive Zone shall attract restrictions and prohibitions applicable to Eco Sensitive Zone and the same will have to be applied and implemented*" and these restrictions apply to all Fatehsagar Lake presently.

Regrettably, it has come to our attention that, despite our previous communication and the stipulated timeframe for compliance, regular complaints are being received in this office. Such blatant non-compliance cannot be tolerated any longer and letter has already been issued to the concerned SHO to take action accordingly.

You are therefore directed to ensure that no such complaint is repeated in view of the Hon'ble NGT directions and compliance is completely ensured and submitted within 15 days on the above especially on the issue of installation of continuous ambient noise level meter with the consultation of RSPCB connected by online CCTV and that all the hotels should install a display board depicting the ill effect of noise pollution and certifying that they do not increase the sound levels beyond permissible standard at their main gate.

Treat this as **MOST URGENT**.

Encl.:- As above

Yours Faithfully,

(Sharad Saksena)

Regional Officer

Copy to: - The Member Secretary, RSPCB, Jaipur for information please.

Regional Officer

S. No.	Name	Address	Dispatch no.
1	Lemon Tree Premier (Fleur) Aurika Udaipur	Plot No. 1, Khasra No. 979 to 981, Kala Rohi, Sisarma, Udaipur	1049/1
2	The Lalit Laxmi Vilas Palace Hotel	Opposite Fatehsagar Lake, Udaipur	1049/2
3	Moon Buildestate Pvt. Ltd.,	Hawala Khurd, N/V Badi, Udaipur	1049/3
4	Shilp Gramodyog Sales Complex	Plot no. 1797-1798 Opp. Leaf Restarurant Verdia Farms Near Sajjangarh Main gate,, Udaipur	1049/4
5	Verdia hotels P. Ltd(Bambosa)	Kh.no. 1499/1500, Sisarma	1049/5
6	Hotel Mewargarh Palace	Sajjangarh Road, Girwa, Udaipur	1049/6
7	Hotel Lakend	Alkapuri, Fatehsagar, Udaipur	1049/7
8	Hotel Hill Top Palace	5, Ambavgarh, Fatehsagar, Udaipur	1049/8
9	Hotel Inder Prakash	Rani Road, Near Fateh Sagar Lake, Udaipur	1049/9
10	Hotel Panna Vilas Palace	Rani Road, ,, Udaipur	1049/10
11	Hotel The Royal Retreat	Hawala Road, Badi, Udaipur	1049/11
12	Rockwood Hotels & Resorts Ltd.(Hotel Radisson)	B-1, Amba Mata Scheme, Udaipur	1049/12
13	Hotel Amantra Shilpi Village Resort (Hotel Village Resort)	Shilpgarm Rani Road, Udaipur	1049/13
14	Shourya Garh resort & Spa(A unit of Blue Wings Tours & Travels Pvt.Ltd)	Near Shilpgram off Rani Road Fateh Sagar, Hawala Khurd, Nr. Shilpgram, Udaipur	1049/14
15	Monsoon Palace Resorts P ltd (Ramada)	Rampura Choraya, Kodyaat Road, Udaipur	1049/15
16	M/s Hotel Leela Venture Limited	88,Naga nagri, Out side Chandpole, Udaipur	1049/16
17	Hotel Oberoi Udaivilas	Haridasji ki magri, Udaipur	1049/17
18	Trident Hotel	Haridasji ki magri, Mulla Talai, Udaipur	1049/18
19	Shiv Niwas Palace	City Palace, , Udaipur	1049/19
20	Taj Lake Palace	Lake Pichola, , Udaipur	1049/20
21	Jagmandir Palace (A unit of the Lake Palace hotels & Motels Ltd)	Lake Pichola, City Palace, Udaipur	1049/21
22	Fateh Prakash Palace (A Unit of Lake Palace Hotels & Motels (P) Ltd.)	City Palace, Udaipur	1049/22
23	Taj Aravali Spa & Resort, Connoisseur Club & Spa Resort (Unit of M/s Crown Club & Hotels P. Ltd.)	Village- Bhujda, Kodyat, Udaipur	1049/23
24	Ananta Hotel & Resorts (A Unit of Goyal Fashions P.	Bhoojda, Kodyat Road, Udaipur	1049/24
25	Hotel Rampratap (Fatehgarh Palace) (A unit of Rampratap Devlopers P Ltd.)	5-B, Alkapuri,Fateh Sagar, Udaipur	1049/25
26	Fatehgarh (Rampratap Developers Pvt. Ltd). (Motel Fateh Niwas)	Sisarma Road, Udaipur	1049/26
27	Rajdarshan Hotel	Pannadhai marg, hatthipole, Udaipur	1049/27
28	Hotel Amet Haveli & Ambrai Restaurant	Panchdevri Marg, outside chandpole, Udaipur	1049/28
29	Hotel Swaroop Vilas	Swaroop Sagar Lake, Udaipur	1049/29
30	Everest International Hotel	766, Rani Road, Udaipur	1049/30

Annexure - V

Noise Monitoring in Compliance of NGT, Bhopal OA No. 102/2022 (CZ) (L.A No. 25/2023) Anil Mehta V/s State of Rajasthan & Ors.

Sr. No.	Date of monitoring	P.P. singhal marg, alkapuri, fateh sagar lake latitude- 24.591006 N, longitude- 73.652657 E		ESZ point -1, sajiangarh latitude- 24.591273 N, longitude- 73.652657 E		ESZ point -2, sajiangarh latitude- 24.588566 N, longitude- 73.651716 E		Bombaya bazar, fateh sagar lake latitude- 24.59957 N, longitude- 73.678642 E		Fateh sagar pal, the sun aquarium latitude- 24.602523 N, longitude- 73.679587 E		Rajeev gandhi garden, rani road latitude- 24.602523 N, longitude- 73.679587 E	
		Leq dB(A) Day	Leq dB(A) Night	Leq dB(A) Day	Leq dB(A) Night	Leq dB(A) Day	Leq dB(A) Night	Leq dB(A) Day	Leq dB(A) Night	Leq dB(A) Day	Leq dB(A) Night	Leq dB(A) Day	Leq dB(A) Night
1	8/11/2023	67	59.4	56.8	47.3	61.3	48.1	68.8	59.3	65.7	55.1	58.4	56.7
2	8/28/2023	71.4	56.3	51.8	48.6	50.2	46.2	71	68.3	69.8	57.3	64.3	62.6
3	9/15/2023	72.1	57.3	52.2	46.6	52.2	45.2	73.5	67.3	71.1	58.3	68	61.7
4	9/29/2023	73.1	58.9	52.1	45.9	51.9	45.6	72.8	68.1	70.2	59.2	72.3	62.7
5	10/17/2023	74.8	59.7	56.2	47.3	52.3	49.8	73.1	69.7	69.2	66.4	71.8	63.5
6	10/31/2023	73.2	60	58.4	46.2	56.2	49.2	74.1	67.3	72.3	61.4	72.6	64.4

पाठक
प्रयोगशाला प्रमोरी
राजस्थान राज्य प्रदूषण नियंत्रण मण्डल
उदयपुर (राज.)

Item No.01

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONAL BENCH, BHOPAL**

(By Virtual Mode)

Original Application
No.102/2022(CZ)
(I.A.No.25/2023)

Anil Mehta Application(s)

Versus

State of Rajasthan & Ors. Respondent(s)

Date of hearing: 31.07.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s) : Mr. Maitreya Prithwiraj Ghorpade, Adv.
For Respondent(s) : Mr. Dharamvir Sharma, Adv. for MoEF&CC
Mr. Nishant Kesharwani, Adv. for Mr. Shoeb
Khan, Adv. for R-1
Mr. Sandeep Singh Baghel, Adv. for R-2 & 4
Mr. Om Prakash Srivastava, Adv for R-3

ORDER

1. This Original Application (herein after referred to as 'OA') under Section 14, 15 and 20 of National Green Tribunal Act, 2010 (herein after referred to as '**NGT Act, 2010**') has been preferred by one Mr. Anil Mehta, resident of 2 Kharan Kuwa, New Bhopal Pura, Udaipur, State of Rajasthan, alleging that there is a water body/wetland i.e. Fatehsagar Lake at Udaipur, ecology whereof is being damaged on account of noise pollution in violation of Noise (Regulation and Control) Rules, 2000 (herein after referred to as '**Noise Pollution Rules 2000**') as amended from time to time; due to unauthorised encroachment; by developing residential complexes in close proximity of the said wetland and also on account of light pollution by use of high intensity light in vicinity of wetland at various commercial complexes like hotels etc. It is also said that there is a notified wildlife sanctuary i.e. Sajjangarh Wildlife

Sanctuary, in respect whereof an Eco-Sensitive Zone has also been notified and partially part of Fatehsagar Lake wetland falls in the Eco-Sensitive Zone of Sajjangarh Wildlife Sanctuary, and activities prohibited in Eco Sensitive Zone cannot be allowed in such area.

2. This Tribunal noticed the complaint raised by applicant in its order dated 06.01.2023 and found it appropriate to obtain a factual report by constituting a Joint Committee comprising:

- i. One Representative from MoEF&CC
- ii. One representative from Secretary, Environment, Rajasthan
- iii. Collector, Udaipur, Rajasthan
- iv. One representative from Rajasthan State Wetland Authority
- v. One representative from Udaipur Municipal Corporation
- vi. One representative from Rajasthan State Pollution Control Board

3. The committee has submitted report, (uploaded on 28.03.2023) after visiting site on 09.02.2023. It has discussed various provisions of Noise Pollution Rules 2000, as amended from time to time, and in particular amendment notification dated 10.08.2017 and has noted down the criteria to make a complaint to authority in respect of noise pollution, action taken by Rajasthan State Pollution Control Board (hereinafter referred to as 'RSPCB') with regard to noise complaints and also its own recommendations. The relevant extract of Committee's report reads as under:

"Existing Rules and Decisions in this matter:-

1. As per Rule No. 4 (2) of Noise Pollution (Regulation and Control Amendments Rules, 2017. The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise and definition of authority:-

"Authority" means and includes any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of

the ambient air quality standards in respect of noise under any law for the time being in force.

2. Also Hon'ble National Green Tribunal, Principal Bench, Delhi in the Original Application No. 681/2018 (CZ) titled as News item published in "The Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15" passed an order on dated 15.03.2019; interalia reproduced as follows:-

"The State PCBs may undertake noise level monitoring in conjunction with the Police Department and take remedial action. The Police Departments of all the States/UTs may obtain the noise monitoring devices within a period of three months.

The Police Department of all the State/UTs may also train their staff regarding the use of such devices and develop a robust protocol for taking appropriate action against the defaulters".

3. Criteria for making Noise Complaints as described under Noise Rules:- Copy of The Noise Pollution (Regulation and Control) Rules

2000 (As amended till 10.08.2017 vide \$.O. 2555 (E) annexed as Annexure-1

As per Rule No. 7 of Noise Pollution (Regulation and Control) Rules, 2000. Complaints to be made to the authority. -

(1) A person may, if the noise level exceeds the ambient noise standards by 10 db (A) or more given in the corresponding columns against any area/zone [or, if there is a violation of any provision of these rules regarding restrictions imposed during night time], make a complaint to the authority.

(2)The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

Ambient Air Quality Standards in respect of Noise:-

Area Code	Category Area/Zone of	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

Criteria to make a complaint to the authority:-

Area Code	Category Area/Zone of	Complaint criteria in dB(A) Leq* exceeding 10 dB of standard	
		Day Time	Night Time
(A)	Industrial area	85	80
(B)	Commercial area	75	65
(C)	Residential area	65	55
(D)	Silence Zone	60	50

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. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

8dB(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.

Action at a glance taken by Rajasthan State Pollution Control Board w.r.t. Noise Complaints:-

1. On receiving complaints received from various sources RSPCB had conducted Noise Monitoring in the month of February-2022 at the following points and the brief details are as under:-

S. No.	Point of Collection	Date of Monitoring	Leq dB(A)
1.	Top of Ambavgarh road	11/2/2022	86.2(day)
2.	PP Singhal Marg near to Fatehsagar	11/2/2022	94.3 (night)
3.	At the end of Alkapuri Road	11/2/2022	94.8(day)

Copy of analysis reports annexed as Annexure-2.

2. As the results exceeded the permissible limits of any area/ zone RSPCB contacted the Hotel association and conveyed to the members to strictly follow Noise pollution control rules and desist from playing music after 10.00 PM. Also RSPCB had issued 29 notices to the hotels located around the lakes informing them about the Noise Pollution (Regulation and Control) Rules. Before the beginning of religious festivals/ marriages and as a result of this action the ambient quality noise monitoring results were significantly reduced. It may also be noted that the honking of horns also cause momentary increase in noise pollution load and continues honking on every road significantly increase noise pollution.

S. No.	Point of Collection	Date of Monitoring	Leq dB(A)
1.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel	09/09/22	57.4(day) 53.6(night)
2.	Ambient noise monitoring at entrance gate of hotel Hilltop	09/09/22	62.4(day) 55.5(night)
3.	Ambient noise monitoring in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E	12/09/22	63.1(day) 56.1(night)
4.	Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454 E	12/09/22	62.0(day) 52.1(night)
5.	Ambient noise monitoring	12/09/22	63.4(day)

	<i>near to Lalit Laxmi Vilas hotel</i>		<i>59.6(night)</i>
6.	<i>Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel</i>	<i>12/09/22</i>	<i>75.4(day) 69.4(night)</i>
7.	<i>Ambient noise monitoring near to hotel Hilltop</i>	<i>12/09/22</i>	<i>66.9(day) 61.2(night)</i>
8.	<i>Ambient noise monitoring near to hotel Lakend</i>	<i>12/09/22</i>	<i>68.8(day) 62.8(night)</i>
9.	<i>Ambient noise monitoring in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E</i>	<i>15/09/22</i>	<i>65.9(day) 52.1(night)</i>
10.	<i>Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454 E</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
11.	<i>Ambient noise monitoring near to hotel lakend</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
12.	<i>Ambient noise monitoring near to hotel Hilltop</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
13.	<i>Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
14.	<i>Ambient noise monitoring near to Lalit Laxmi Vilas hotel</i>	<i>15/09/22</i>	<i>62.0(day) 52.1(night)</i>
15.	<i>Ambient noise monitoring near to Lalit Laxmi Vilas hotel</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
16.	<i>Ambient noise monitoring at main road P P Singhal Marg in front of 1559 hotel</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
17.	<i>Ambient noise monitoring near to hotel Hilltop</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
18.	<i>Ambient noise monitoring near to hotel Lakend</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
19.	<i>Ambient noise monitoring in ESZ zone at location latitude 24.588644 N, longitude 73.651751 E</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
20.	<i>Ambient noise monitoring in ESZ zone at location latitude 24.590882 N longitude 73.652454 E</i>	<i>14/11/22</i>	<i>62.0(day) 52.1(night)</i>
21.	<i>Ambient noise monitoring near to hotel Hilltop</i>	<i>06/01/2023</i>	<i>62.0(day) 52.1(night)</i>
22.	<i>Ambient noise monitoring near to hotel Lakend</i>	<i>06/01/2023</i>	<i>62.0(day) 52.1(night)</i>

23.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel wook	06/01/2023	62.0(day) 52.1(night)
24.	Ambient noise monitoring near to hotel Hilltop	25/01/2023	62.0(day) 52.1(night)
25.	Ambient noise monitoring near to hotel Lakend	25/01/2023	62.0(day) 52.1(night)
26.	Ambient noise monitoring in ESZ zone at location latitude 24.590885 N, longitude 73.652454E	25/01/2023	62.0(day) 52.1(night)
27.	Ambient noise monitoring near to Lalit Laxmi Vilas hotel wook	26/01/2023	62.0(day) 52.1(night)
28.	Ambient noise monitoring in ESZ zone at location latitude 24.590882 N, longitude 73.652454E	26/01/2023	62.0(day) 52.1(night)
29.	Ambient noise monitoring in ESZ zone at location latitude-24.588644 N, Longitude-73.651751 E	26/01/2023	62.0(day) 52.1(night)
30.	Ambient noise monitoring at PHED pump house.	06/02/2023	62.0(day) 52.1(night)
31.	Ambient noise monitoring near main gate of the hotel lakend.	06/02/2023	62.0(day) 52.1(night)

Copy of analysis reports annexed as Annexure-3.

4. It is pertinent to mention here that in **Noise monitoring of point source carried out by Noise Level Meter there is contribution of noise of activities going on in nearby area viz. Horn Honking by vehicles/ engine voices, noise of vehicle silencers, music playing in vehicles etc. and there is no mechanism to measure noise pollution caused by point source only.**

Study conducted by Regional Office, RSPCB, Udaipur:-

• Earlier RSPCB also conducted a study on noise level by honking of horn from two wheelers, from four wheelers (4 seater) and four wheeler (8 seater) from three consecutive distance (5 Meter, 10 Meter & 15 Meter from the source) because the monitoring conducted as depicted in the above table were in the vicinity of busy traffic roads.

Observation are depicted below:-

1. Two wheeler-

S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	89.9	85.4	77.3

2.	LA max dB	96.5	90.9	82.2
3.	LA min dB	60.3	57.7	58.5

2. Four Wheeler (4-seater)-

S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	97.1	91.6	83.4
2.	LA max dB	100.6	94.4	87.2
3.	LA min dB	67.1	63.5	60.2

3. Four Wheeler (8-seater)-

S. No.	Parameter	5 meter from noise source	10 meter from noise source	15 meter from noise source
1.	LA eq dB	97.4	94.4	90.4
2.	LA max dB	99.0	98.1	94.6
3.	LA min dB	58.3	57.3	56.1

In continuation to the above study, noise monitoring was also carried out of DJ/Sound system at consecutive distance of 50 meter, 100 meter and 150 meter. Observation are depicted below:-

S. No.	Parameter	50 meter from noise source	100 meter from noise source	150 meter from noise source
1.	LA eq dB	65.6	58.2	55.7
2.	LA max dB	73.3	69.3	65.7
3.	LA min dB	51.7	47.4	59.3

However the **volume was at optimum level (average) and not maximum**. Copy of analysis reports annexed as Annexure-4.

In compliance of Hon'ble NGT order dated 06.01.2023 above said committee visited the places namely Fatehsagar, P.P. Singhal Marg (Alkapuri) and Eco sensitive zone of Sajjangarh Wild Life Sanctuary and observation's/ findings of Joint committee is as under :-

1. It may be concluded from the study conducted by RSPCB that the **noise level in area for example Alkapuri, Ambavgarh, Fatehsagar road can exceed the prescribed standards of residential/ commercial area even when there was no noise from loud speaker or music system but due to plying of vehicles.**
2. Moreover, as per the criteria for making complaint when the **noise level exceed by 10 dB, complaint has to be made in any zone.**
3. Out of 25 monitoring conducted during day time and 26 monitoring conducted during night time w.r.t. noise complaints near hotels in day time 24 and in night time 23 time have not exceeded complaint permissible limits i.e. more than 10 dB w.r.t. to commercial zone in day/ night time. However they have exceeded the noise level standard for residential area + 10 dB beyond which complaint can be made. **The residential / commercial / silence zones have not been notified as**

yet by the Municipal Council Udaipur.

4. Committee visited the Lake Fatehsagar at morning time between 11:30 AM to 12:30 PM and during evening time between 8:30 to 9:30 PM Noise Monitoring was also conducted by Rajasthan State Pollution Control Board in presence of joint committee and monitoring results are as under:-

Parameter	Between 11:30 AM to 12:30 PM	Between 8:30 to 9:30
LA eq dB	62.3	68.5
LA max dB	89.0	91.0
LA min dB	46.6	54.8

Copy of analysis reports annexed as Annexure-5.

Comment:- Although during visit in morning/ evening time no music was plying but in evening time in half hour 165 times honking of horn was heard at site and results were more than morning. Hence, **indicating contribution of plying vehicles in the noise pollution. The results did not exceed 10 dB of permissible standards above which complain can be made as prescribed under Noise Rules for commercial area.**

5. After that committee was visited the P.P. Singhal Marg)Hotel Lakend Area) Noise Monitoring was also conducted by Rajasthan State Pollution Control Board and monitoring results are as under:-

Parameter	Day time
LA eq dB	69.9
LA max dB	100.3
LA min dB	57.7

Copy of analysis reports annexed as Annexure-6.

Comments:- During visit in morning time no music was playing **The results did not exceed 10 dB of permissible standards above which complain can be made as prescribed under Noise Rules for commercial area.**

6. The committee also visited the Eco sensitive area of Sajjangarh Wild Life Sanctuary between 11:30 AM to 12:30 PM Noise Monitoring was also conducted by Rajasthan State Pollution Control Board and monitoring results are as under:-

Parameter	Day time
LA eq dB	60.7
LA max dB	39.4
LA min dB	94.4

Comments:- During visit in morning time no music was playing The results did not exceed 10 dB of permissible standards above which complain can be made as prescribed under Noise Rules for commercial area.

7. **During the visit it was found that there is chopati/food stalls operational at the bank of Lake Fatehsagar. There was no littering observed at the bank of lake Fatehsagar.** Regular cleaning/ road sweeping and garbage collection is done by Nagar Nigam and bins are installed there for collection of solid waste generated and the waste collection tipper regularly collects the same and disposes at the designated site. Representative of Nagar Nigam informed that in compliance of Hon ble High Court order, Jodhpur a Lake Patrol Team has been constituted in city and they are carry out regular monitoring near the lakes and if anybody found throwing garbage or any waste material in lake on site challan / penalty imposed on them. **No Bio Medical Waste disposal was found in any of the above area visited by the team.**

8. As per information provided by the Forest Department at present **Fatehsagar Lake is not a notified wetland and is also not included in the list of district wise wetland identified for notification and development by the State Government of Rajasthan. Hence, Wetland Rules 2017 will not be applicable.**

Recommendations of the committee:-

1. It may be noted that the noise standards for fire-crackers were notified by the Environment (Protection) (Second Amendment) Rules, 1999 vide G.S.R.682(E), dated the 5th October, 1999 and inserted as serial no. 89 of Schedule I of the Environment (Protection) Rules, 1986. Subsequently these Rules were amended by the Environment (Protection) Second Amendment Rules, 2006 vide G.S.R. 640(E), dated the 16th October, 2006, under the Environment (Protection) Act, 1986) **"The manufacture, sale or use of fire-crackers generating noise levels exceeding 125 dB(AI) or 145 dB(C) pk at 4 m distance from the point of bursting shall be prohibited."** For individual fire-crackers constituting the series joined Fire Crackers), the above-mentioned limit may be reduced by $5 \log_{10}(N)$ dB, where N is the number of crackers joined together. **It indicates that the use of the same is allowed if the noise pollution is less than 125 dB.**

It can be easily visualized that the fire-crackers are used in residential as well as commercial areas then the ambient noise quality permissible limits are bound to be non-complied. Moreover, the effect of the same shall persist for a long distance thus violating the noise standards at a faraway place too.

In the same matter regarding the use of loudspeakers, in the report of CPCB on "Scale of compensation to be recovered for violation of noise pollution (Regulation and control) rules, 2000" submitted in compliance to Hon'ble National Green Tribunal order dated 15.03.2019 and 06.08.2019 in the matter of O.A.

No. 681/2018 titled "Time of India" authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15", in section no. 4(ii) it has been specifically mentioned under **"Limitation of noise rules with respect to loudspeaker"** that "In order to verify compliance, ambient noise monitoring is to be carried out for 16 hours (day time) and violation by specific source of noise cannot be identified due to background noise. Further, as impact of the noise source, duration of which mostly varies from a few seconds to few seconds to few minutes gets leveled when monitoring for long duration (16 hours) is carried out."

So it is evident that the CPCB has itself mentioned that the limitation of noise rules with respect to loud speakers and it is the need of the hour that specific guidelines be framed for same specifically mentioning the duration of noise pollution monitoring to be carried out in such circumstances. **It is also submitted that operation of loudspeakers, bursting of fire-crackers, blowing of horns etc all are having noise level much more than the prescribed limit in day period and therefore, the ambient noise standard are bound to increase in such circumstances and CPCB should develop a special protocol for dealing with complaints of bursting of fire-crackers, barat processions, horns and loudspeakers which shall be mandatory to follow and shall be followed. CPCB should also take up a study of a model city which is free from noise pollution and recommend measures to be incorporated here too and should also give the comment regarding measurement of noise pollution from a point source eliminating other such sources.**

2. Public grievance lodging App to control the menace of pollution due to Noise in the country may be prepared by CPCB with the provisions of following steps:-

- (i) Complaint lodging facility with uploading facility of video/GPS tagged photographs for the general complainant.
- (ii) The complaint to be automatically transferred to concerning area SHO.
- (iii) SHO mark complaint to concerning Beat Constable.
- (iv) Beat constable equipped with Noise Level Meter approach the location and measure the Noise.
- (v) If complaint found correct on site fine based on CPCB report scale of compensation for violation of Noise Rules as mentioned (Copy enclosed) in Original Application No. 681/2018 may be imposed with challan and uploaded on the same app marking disposal of complaint.
- (vi) The complainant may also receive copy of challan and complaint will be closed.

3. All the **lake side hotels at Fatehsagar / Ambaugarh should be install a continuous ambient noise level meter with the consultation of RSPCB connected by online CCTV to the above app so that the information of noise level is in the public domain and the authority can check the levels as mentioned in the app at point no. 1 above.**

4. All the hotels should install a display board depicting the ill

effect of noise pollution and certifying that they do not increase the sound levels beyond permissible standards at their main gate.

5. The Municipal authorities/ UIT should install display boards in their areas indicating ill effect of noise pollution near Lakes of Udaipur in ESZ.

6. The **Municipal authorities should complete the work of notifying area into commercial, residential and silence zone so that applicability of noise level standards can be ensured.** In this regard, the Municipal Commissioner Udaipur has asked the Director ULB to appoint a technical consultant through the process of tender and the work is under process.

7. Every Police Thana shall be equipped with Noise Level Meter. It need be mentioned here that it was found by joint committee towards noise level meter reading and the officials carrying out monitoring should also take into account the above fact as the noise level meter measures a sum total noise present at any location from all sources.

8. **Mobile DJ music systems/operating on four wheelers vehicles with Barat procession /religious procession to be banned and the ban to be enforced by Police / RTO.**

9. **In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited:-**

a) **Prohibition for DJ sound system in marriage procession.**

b) **Bursting of fire crackers.**

c) **Hotels/ not allowed to play music in open area i.e. Garden.** They shall ensure play music in sound proof / acoustic halls.

d) **Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/ marriage gardens in open.**

e) **Use of Laser light / Spot light.**

f) **Marriage gardens with halls shall be allowed if music is played in enclosed halls.** If there is no facility of hall then the same be closed.

10. CCTV cameras be installed all around the periphery of Fatehsagar Lake and in the eco sensitive zone at strategic places.

4. Applicant, in the meantime, also filed I.A. 04 of 2023 with the request to modify order dated 06.01.2023 by permitting his inclusion as member of Joint Committee constituted by Tribunal. This application was rejected by Tribunal vide order dated 06.04.2023.

5. In the meantime some of respondents also filed their reply.

6. Reply dated 20.03.2023 has been filed by respondent 3 i.e. Municipal Corporation Udaipur (hereinafter referred to as '**MCU**') stating that lake Fatehsagar is an artificial lake constructed by Maharaja Jai

Singh in year 1578 AD. Later on, it was reconstructed in the reign of Maaharana Fatah Singh. The lake is surrounded by hills, green zone, commercial and residential properties. Since long back, Fatehsagar lake and other water bodies in Udaipur have been main drinking water resource, hence placed under supervision and monitoring of Water Resources Department, Government of Rajasthan. By order dated 12.05.2017, passed by Water Resources Department, lake Fatehsagar was handed over to Urban Improvement Trust, Udaipur (hereinafter referred to as '**UIT**') for further maintenance and care. With regard to noise pollution, it is said that RSPCB is the authority who must take action, necessary in the matter. With regard to light pollution, it is said that MCU is responsible for maintenance of street lights which is a statutory duty. Street lights installed by MCU are eco-friendly and not glaring. It is in public interest that street lights have been upgraded by using LED version and there is no high intensity lights placed by MCU on streets. With regard to Fatehsagar lake, it is being managed by UIT since 2017 under the order of Water Resources Department and MCU only cleans and brooms it in public interest, manually and in mechanized way, and garbage is collected on private site.

7. Ministry of Environment Forest and Climate Change (hereinafter referred to as '**MoEF&CC**') i.e. respondent 6 has filed its reply dated 13.01.2023 stating that it has notified Noise Pollution Rules 2000 under provisions of Environment (Protection) Act, 1986 (hereinafter referred to as '**EP Act, 1986**') to regulate and control increasing ambient noise level in public places from various sources *inter alia* industrial activity, construction activity, generator sets, speakers, public address systems, music systems, vehicular horns and other mechanical devices. Separate ambient levels are fixed for industrial, commercial, residential areas and silence zones. There is a restriction of use of loud speakers or a public

address system which can be used only after obtaining written permission from the competent authority and shall not be used between 10.00 p.m. to 6.00 a.m. except in closed premises for communication, for example, auditorium, conference rooms, community halls and banquet halls. Under Rule 2(c) the authority empowered to take action is such as authorized by Central Government or State Government, as the case may be, and includes District Magistrate, Police Commissioner or any other officer not below the rank of Deputy Superintendent of Police, designated for maintenance of ambient air quality standards in respect of noise, under any law for the time being in force.

8. Central Pollution Control Board (hereinafter referred to as '**CPCB**') has published list of authorities for implementation of Noise Rules, 2000 and in respect to Rajasthan, Sub Divisional Magistrates of respective Sub Divisions are concerned authorities responsible for implementation of Noise Rules, 2000. Under Schedule Note 3 of Noise Pollution Rules, 2000, power is given to Competent Authority to declare an area as silent zone which falls within a distance of not less than 100 meters from concerned Hospital, Educational institution or Court. The amendment notification dated 10.08.2017 of Noise Pollution Rules, 2000 declares by adding a proviso to Rules 3 (5) that unless and until an area is notified/declared a 'silence zone' by State Government, no area shall fall in the category of 'silence zone/area'.

9. Applicant has filed a detailed objection to Joint Committee report uploaded on 28.03.2023 stating that Committee has failed to undertake monitoring of noise for substantial duration; during night time proper monitoring has not been done and other issues raised by applicant like bursting of firecrackers, impact of helicopter ride on noise pollution, light pollution in and around wetland, conservation of wetland and effect of bass have not been examined and committee has also not correctly

interpreted or understood the provision of Noise Pollution Rules, 2000.

10. Applicant has filed I.A. 25 of 2023 placing on record some additional facts regarding persisting and unfettered violations of Noise Pollution Rules, 2000 near Fatehsagar lake and also identification of Fatehsagar lake as ‘wetland’ under National Wetland Inventory and Assessment (NWIA) Project by the MoEF&CC and in the light of Supreme Court’s order dated 08.02.2017 in *M.K. Balakrishnan & Ors. Vs. Union of India & Ors., Writ Petition (Civil) No.230 of 2001*.

11. Tribunal considered Joint Committee report on 06.04.2023 and directed to provide copy of report to Collector/Municipal Corporation/MCU with direction to enforce recommendations of Committee upto the strength of applicability and if there is any grievance, they (Collector and MCU), may file their response on those points. They were also directed to submit Action Taken Report.

12. Pursuant to the order dated 06.04.2013, an Action Taken Report has been submitted by District Collector, Udaipur (Respondent No. 5) in the form of a chart and relevant extract of report is reproduced as under:

<i>Recom mendat ion no. of Joint Commit tee report dated 09.02.2 023</i>	<i>Joint committee recommendation</i>	<i>Action taken by RSPCB</i>
1.	<i>So it is evident that he CPCB has itself mentioned that the limitation of noise rules with respect to loud speakers and it is the need of the hour that specific guidelines be framed for same specifically mentioning the duration of noise pollution monitoring to be carried out in such circumstances. It is also submitted that operation of loudspeakers, bursting of fire-crackers, blowing of horns etc. all</i>	No action required at District Level. <i>Action may be taken at CPCB Level. Therefore, Regional Officer RSPCB, Udaipur was directed to issued a request letter to Regional Director, Central Pollution Control</i>

	are having noise level much more than the prescribed limit in day period and therefore, the ambient noise standard are bound to increase in such circumstances and CPCB should develop a special protocol for dealing with complaints of bursting of fire-crackers, barat processions, horns and loudspeakers which shall be mandatory to follow and shall be followed. CPCB should also take up a study of a model city which is free from noise pollution and recommend measures to be incorporated here too and should also give the comment regarding measurement of noise pollution from a point source eliminating other such sources.	Board, Bhopal vide letter no. 227 dated 12.05.2023(Copy enclosed as annexure-I)
2.	Public grievance lodging App to control the menace of pollution due to Noise in the country may be prepared by CPCB with the provisions of following steps:- (i) Complaint lodging facility with uploading facility of video/GPS tagged photographs for the general complainant. (ii) The complaint to be automatically transferred to concerning area SHO. (iii) SHO mark complaint to concerning Beat Constable. (iv) Beat constable equipped with Noise Level Meter approach the location and measure the Noise. (v) If complaint found correct on site fine based on CPCB report scale of compensation for violation of Noise Rules as mentioned (Copy enclosed) in Original Application No. 681/2018 may be imposed with challan and uploaded on the same app marking disposal of complaint. (vi) The complainant may also	No action required at District Level. Action may be taken at CPCB Level. Therefore, Regional Officer RSPCB, Udaipur was directed to issued a request letter to Regional Director, Central Pollution Control Board, Bhopal vide letter no. 227 dated 12.05.2023(Copy enclosed as annexure-I)

	receive copy of challan and complaint will be closed	
3.	All the lake side hotels at Fatehsagar/Ambavgarh should be install a continuous ambient noise level meter with the consultation of RSPCB connected by online CCTV to the above app so that the information of noise level is in the public domain and the authority can check the levels as mentioned in the app at point no. 1 above.	Regional Officer RSPCB, Udaipur was directed to issue necessary directions to Hotels situated near lakes. In compliance of direction RSPCB has issued letters to 31 Hotels situated near lakes regarding compliance vide this office letter no.RPCB/ROU/UDR/Hotel-353/126/1-29 dated 21.04.2023 (Copy of letter and list of hotels enclosed as annexure-II).
4.	All the hotels should install a display board depicting the ill effect of noise pollution and certifying that they do not increase the sound levels beyond permissible standards at their main gate.	Regional Officer RSPCB, Udaipur was directed to issue necessary directions to Hotels situated near lakes. In compliance of direction RSPCB has issued letters to 31 Hotels situated near lakes regarding compliance vide this office letter no.RPCB/ROU/UDR/Hotel-353/126/1-29 dated 21.04.2023 (Copy of letter and list of hotels enclosed as annexure-II).
5.	The Municipal authorities/ UIT should install display boards in their areas indicating ill effect of noise pollution near Lakes of Udaipur in ESZ.	Regional Officer RSPCB, Udaipur was directed to issue letter to Municipal

		Commissioner regarding compliance. In compliance letter has been issued to Municipal Commissioner regarding compliance. (Copy enclosed as annexure-III)
6.	The Municipal authorities should complete the work of notifying area into commercial residential and silence zone so that applicability of noise level standards can be ensured. In this regard, the Municipal Commissioner Udaipur has asked the Director ULB to appoint a technical consultant through the process of tender and the work is under process.	Regional Officer RSPCB, Udaipur was directed to issue letter to Superintendent of Police. In compliance letter has been issued to Superintendent of Police regarding compliance vide this office letter no. RPCB/ROU/Legal-77/222 dated 11.05.2023 (Copy enclosed as annexure-IV)
7.	Every Police Thana shall be equipped with Noise Level Meter. It need be mentioned here that it was found by joint committee towards noise level meter reading and the officials carrying out monitoring should also take into account the above fact as the noise level meter measures a sum total noise present at any location from all sources.	Superintendent of Police. In compliance letter has been issued to Superintendent of Police regarding compliance vide this office letter no. RPCB/ROU/Legal-77/222 dated 11.05.2023. (Copy enclosed as annexure-IV)
8.	Mobile DJ music systems/operating on four wheelers vehicles with Barat procession/religious procession to be banned and the ban to be enforced by Police/ RTO.	RSPCB has identified two vehicles those operating Mobile DJ music system on four wheelers and letter has been issued vide this office letter no. RPCB/ROU/

		Legal-77/ 196 dated 04.05.2023 to Regional Transport officer for cancelation of registration and seizure of these two vehicles and all such vehicles equipped with mobile DI music system/ operating on four wheelers. (Copy enclosed as annexure-V)
9.	In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited:- (a.) Prohibition for DJ sound system in marriage procession. (b.) Bursting of fire crackers. (c.) Hotels/ not allowed to play music in open area i.e. Garden. They shall ensure play music in sound proof acoustic halls. (d.) Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/ marriage gardens in open. (e.) Use of Laser light/ Spot light. (f.) Marriage gardens with halls shall be allowed if music is played in enclosed halls. If there is no facility of hall then the same be closed.	Necessary directions issued to RSPCB and RSPCB has issued directions to 31 Hotels situated near lakes regarding compliance vide this office letter no. RPCB/ROU/UDR /Hotel-353/126/1-29 dated 21.04.2023. (Copy of letter and list of hotels enclosed as annexure-1). After issuance of letter United Hoteliers of Udaipur (Society) has submitted a representation (Copy enclosed as annexure-VI) and some key features is as under: - 1. They shall not allow the use of mobile DJ music system operating on

		<i>four wheelers vehicle with Barat or religious processions within hotel premises.</i> <i>2. They will install display boards at the main gate outlining the ill effect of noise pollution and certifying that sound level do not exceed permissible standards.</i> <i>3. They committed to install continuous ambient noise level meters within our premises and ensuring regular monitoring of noise levels.</i> <i>4. They committed to play sound within prescribed limits as per law.</i> <i>5. For the Sajjangarh ESZ area, we request a reconsideration of the prohibition on Dhol, Nagada and Tum-tum. We suggest these traditional instruments should be allowed, provided the sound</i>
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		generated is within prescribed limits. These instruments are an integral part of our cultural heritage and traditions, and their responsible use should be permitted. As this also provides livelihood to the underprivileged artists, performers and their families. 6. Also, that some leverage be given in the enforcement these regulations, considering the ambient sound levels around their properties. Vehicular traffic, human movement, and other factors beyond our control contribute to increase in noise levels. We kindly request that these external factors be taken into account while assessing their compliance with the noise regulations. 7. In light of recent
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		<i>Honorable Supreme Court decision on Writ Petition (Civil) No. 202 of 1995 in Godavarman Thirumulpad vs Union of India on 26th April 2023 (para no. 57). We request that specific ESZ regulations should not be imposed until new ESZ regulations are redefined by the Ministry of Environment, Forest and Climate Change (MoEF).</i>
8.	<i>CCTV cameras be installed all around the periphery of Fatehsagar Lake and in the eco sensitive zone at strategic places.</i>	Necessary direction are being issued to Municipal/UIT authorities at the earliest.

13. On most of the points, District Collector, Udaipur has said that the function has to be discharged by RSPCB or other but with regard to recommendations to control noise pollution in Eco-Sensitive Zone of Sajjangarh Wildlife Sanctuary falling in wildlife sanctuary, Collector has said that these directions are basically in respect of 31 hotels situated near lake and it is said have been acted upon by directing concerned hotels to comply. In respect of some other matters, Collector has recommended reconsideration.

14. MCU i.e. respondent 3 has filed another reply dated 20.06.2023 but it is similar to reply dated 20.03.2023 filed by respondent 3.

15. Respondent 2 i.e. RSPCB has filed a separate reply giving parawise reply to averments made in OA. In para 14 it is however said that Fatehsagar lake is not a 'notified wetland' and not included in the list of District wise wetland identified for notification and development by State Government of Rajasthan, hence, Wetlands (Conservation and Management Rules) 2017 are not applicable; in the last one year, RSPCB has consistently monitored noise complaints. Out of 25 monitoring during day time 24 were found in permissible limits of commercial zone but exceeded in residential area. Similarly out of 26 monitored complaints during night time, 23 were found in permissible limit of commercial zone but exceeding in residential area; residential, commercial silence zones have not been notified by MCU; with regard to implementation of Noise Rules, 2000 as amended in 2017 it is stated that authorities competent to take action are District Magistrate or Police authorities hence, compliants were sent to concerned Station House Office of police to ensure compliance. With regard to light pollution it is said that Joint Committee in its report has recommended prohibition of laser lights/spot light in Eco Sensitive Zone of Sajjangarh Wildlife Sanctuary area.

16. Reply, similar to what has been submitted by respondent 2 has been filed on behalf of respondent 1 and 4 also, hence is not being repeated.

17. Applicant, has filed an objection/rejoinder to action taken report vide rejoinder dated 27.07.2023 and it is said that Collector, Udaipur has wrongly tried to wriggle out of his responsibility though he is the authority competent to take appropriate action preventing noise pollution, light pollution etc. but he has not taken effective steps or action in the matter.

18. We have heard learned counsel for parties and perused record.

19. First question up for consideration is “whether Fatehsagar lake is a wetland to which Rule 4 of Wetland Rule 2017, is applicable”. It is not denied by respondents that ‘Fatehsagar lake’ is included in National Wetland Inventory and Assessment project by MoEF&CC whereby it has identified 201503 wetlands Supreme Court in the order dated 08.02.2017 in *M.K. Balakrishnan & Ors. Vs. Union of India & Ors., Writ Petition (Civil) No.230 of 2001* has said:

“Accordingly, we direct the application of the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010 to these 2,01,503 wetlands that have been mapped by the Union of India. The Union of India wil identify and inventorize all these 2,01,503 wetlands with the assistance of the State Governments and will also communicate our order to the State Governments which will also bind the State Governments to the effect that these identified 2,01,503 wetlands are subject to the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010.”

20. In view of Supreme Court’s above direction even if ‘Fatehsagar lake’ is not a ‘notified wetland’, it has to be protected by application of Rule 4 of Wetland Rules of 2017. Rule 4 of Wetland Rules 2017 say as under:

“4. Restrictions of activities in wetlands.—(1) The wetlands shall be conserved and managed in accordance with the principle of 'wise use' as determined by the Wetlands Authority.

*(2) The following **activities shall be prohibited within the wetlands, namely,-***

(i) conversion for non-wetland uses including encroachment of any kind;

(ii) setting up of any industry and expansion of existing industries;

(iii) manufacture or handling or storage or disposal of construction and demolition waste covered under the Construction and Demolition Waste Management Rules, 2016; hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms Genetically engineered organisms or cells, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008; electronic waste covered under the E-Waste (Management) Rules, 2016;

(iv) solid waste dumping;

(v) discharge of untreated wastes and effluents from industries, cities, towns, villages and other human settlements;

(vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of commencement of these rules; and,

(vii) poaching.

Provided that the Central Government may consider proposals from the State Government or Union Territory Administration for omitting any of the activities on the recommendation of the Authority.”

21. The restrictions of activities in wetlands and protection provided in Rule 4 has to be extended to 'Fatehsagar lake' and its 'Zone of Influence' area. It is the responsibility of Rajasthan State Wetland Authority i.e. respondent 4 to take appropriate action in the matter and do the needful. First question is answered accordingly.

22. The second question is, "whether partially 'Zone of Influence' of Fatehsagar lake including lake area falls within the notified area of Eco Sensitive Zone of Sajjangarh of wildlife sanctuary", and if so "whether prohibition applicable to Eco Sensitive Zones have to be applied to said area or not".

23. Irrespective of the fact whether Eco Sensitive Zone of Sajjangarh Wildlife Sanctuary covers entire Fatehsagar lake area or its 'Zone of Influence', we are satisfied that area falls within notified area of Eco Sensitive Zone shall attract restrictions and prohibitions applicable to Eco Sensitive Zone and the same will have to be applied and implemented. On this aspect, we have no manner of doubt and also do not find any otherwise pleading or material on record to take a different view of the matter. In view of the matter, State of Rajasthan through Principal Secretary, Environment and Climate Change as also Principal Chief Conservator of Forest, Wildlife and all its assisting authorities are responsible to take appropriate action and enforce restrictions, prohibitions and regulations applicable to Eco Sensitive Zone of notified Wildlife Sanctuary to the area which falls within 'Fatehsagar lake' or its 'Zone of Influence' and take appropriate action to implement the same without any further delay.

24. Third question is regarding "noise pollution in area of Fatehsagar

lake”. It is not disputed by learned counsel of the applicant that no specific standards have been prescribed in respect of wetland regarding noise level or standard of noise. In absence of such standards having not been prescribed, it is difficult to assume that there is violation of Noise Pollution Rules, 2000 which refers to 4 categories of area i.e. Industrial, Commercial, Residential and Silence Zone. With regard to mixed area, Rules permit that such area can be declared by concerned authority but in the present case it is also not the case of applicant or respondent, that any such mixed area in the area of Fatehsagar lake or its ‘Zone of Influence’ has been declared. In absence of any such declaration, we find it difficult to issue any specific direction to take action by concerned authorities, particularly when neither any person is impleaded in OA who is allegedly violating Noise Pollution Rules 2000 nor in absence of any such person a general vague direction can be issued to authorities concerned to comply with law when no specific violation of law against any individual is demonstrated or shown by applicant.

25. Joint Committee report has found that in some areas, particularly in night time, noise standards even of highest level i.e. prescribed for industrial area or commercial area are being breached on account of the activities of marriage procession etc. undertaken in various hotels campus, inside and outside, which are located in the area of ‘Fatehsagar lake’ and its ‘Zone of Influence’ and recommendations have been made for taking several steps to mitigate such violation of noise pollution by directing hotels not to permit certain activities within area of ‘Zone of Influence’ of Fatehsagar lake or Eco Sensitive Zone of Sajjangarh Wildlife Forest which includes within its ambit the area of Fatehsagar lake. No serious objection has been raised by respondents with regard to the recommendations made by Joint Committee. Applicant though has filed objection to Joint Committee report but during course of the arguments

stated that those recommendations be directed to be acted upon and should be implemented.

26. We are also of the view that by taking out processions like marriage processions etc. and by beating the drums or using bands, noise pollution levels cannot be breached particularly during night hours. At least these activities cannot be permitted to go on in area falling within 'Zone of Influence' of Sajjangarh Wildlife Sanctuary. Therefore to that extent respondents shall ensure and impose complete prohibition on such activities. Concerned hotels etc. shall be notified of this prohibition so that they may not allow such activities to go on.

27. Fourth question is regarding "light pollution". Learned counsel for applicant drew our attention to annexure 23 and 24 to OA which are some articles published in different journals on the aspect of 'light pollution'. However, it is not disputed that till date no authenticated investigation or research with regard to light pollution has been conducted in the context of Indian conditions and at least none has been placed on record. It cannot be doubted that in certain circumstances high Intensity Lights may be detrimental to wildlife and other species of different categories and also to nature as such. But this aspect requires a detailed study on the matter, and if necessary, appropriate guidelines/regulations need be framed. On this aspect we find it appropriate to direct MoEF&CC, respondent 6, and Ministry of Science and Technology, Government of India to take up requisite study on the issue of 'light pollution' and take appropriate action to regulate such pollution in the context of Indian conditions and if necessary different provisions may be made for different areas depending on nature of flora, fauna and other relevant factors available in those areas.

28. In view of above discussion, we find it appropriate to accept report of Joint Committee to the extent it is consistent with the view taken

above and, direct respondents to implement recommendations made therein which are consistent to our findings above, in words and spirit, without any further delay and in any case within a period of 3 months from today.

29. MoEF&CC, District Collector, RSPCB, MCU and Rajasthan State Wetland Authority shall file compliance reports with Registrar of Central Zone Bhopal Bench by 15.11.2023. If Registrar finds that any further order is necessary, he may place the matter before the Bench.

30. Subject to above directions, OA is disposed of. No costs.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

July 31, 2023
Original Application
No.102/2022(CZ)
(I.A.No.25/2023)
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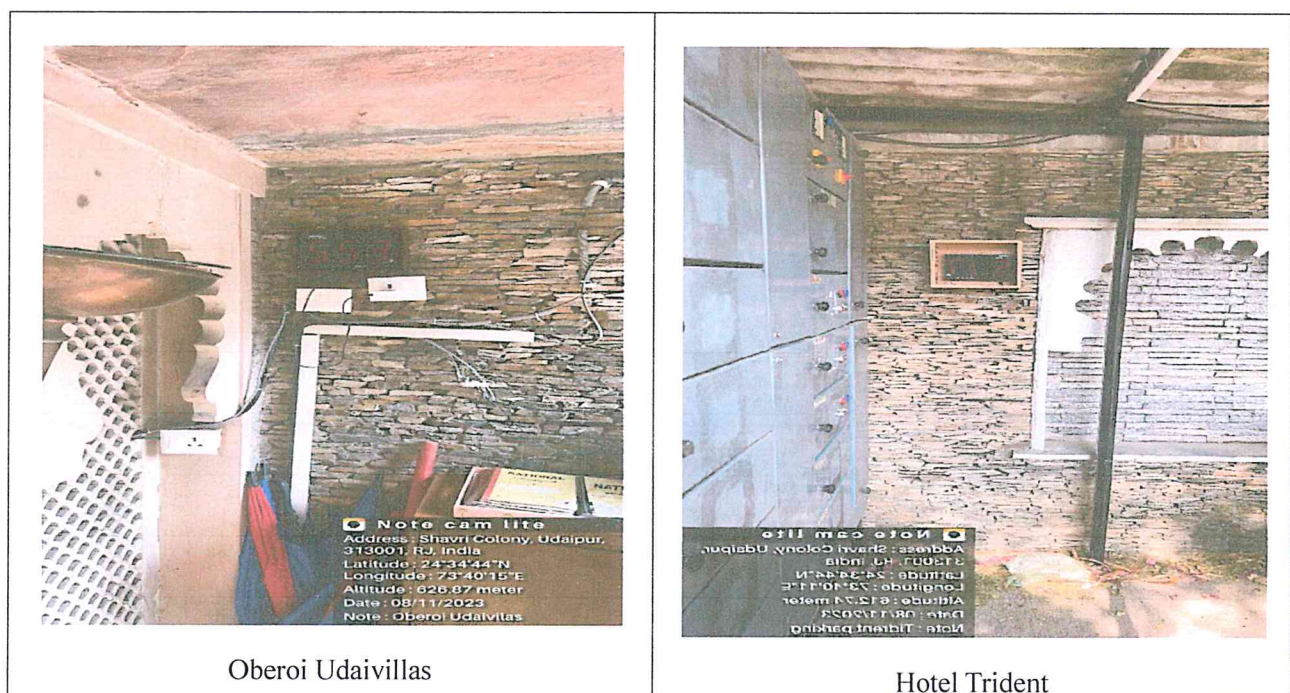
Compliance Report As per Hon'ble National Green Tribunal (Order dated 31 July 2023) IN THE MATTER OF Anil Mehta V/s State of Rajasthan & Ors. In Original Application No. 102/2022

In reference to the compliance of order of Hon'ble NGT directions in OA no. 102/2022 dated 31.07.2023, RO Udaipur has issued a letter vide letter no. RPCB/ROU/Legal-77/1049/1-1049/30 dated 13.09.2023. The compliances done by units have been verified on dated 08.11.2023 by the undersigned board officials and compliances are as under:

S. No.	Name	Address	Area	Status /noise meter installed
1	The Lalit Laxmi Vilas Palace Hotel	Opposite Fatehsagar Lake, Udaipur	Fatehsagar	Yes
2	Hotel Lakend	Alkapuri, Fatehsagar, Udaipur	Fatehsagar	Yes
3	Hotel Hill Top Palace	5, Ambavgarh, Fatehsagar, Udaipur	Fatehsagar	Yes
4	Hotel Inder Prakash	Rani Road, Near Fateh Sagar Lake, Udaipur	Fatehsagar	In process
5	Hotel Panna Vilas Palace	Rani Road, Udaipur	Fatehsagar	Ordered, yet to be delivered
6	Rockwood Hotels & Resorts Ltd.(Hotel Radisson)	B-1, Amba Mata Scheme, Udaipur	Fatehsagar	yes
7	Everest International Hotel	766, Rani Road, Udaipur	Fatehsagar	Ordered, yet to be delivered
8	Hotel Rampratap (Fatehgarh Palace) (A unit of Rampratap Developers P Ltd.)	5-B, Alkapuri, Fateh Sagar, Udaipur	Fatehsagar	Will install within 15 days
9	Moon Buildestate Pvt. Ltd.,	Hawala Khurd, N/V Badi, Udaipur	Inside ESZ	Yes
10	Shilp Gramodyog Sales Complex	Plot no. 1797-1798 Opp. Leaf Restarurant Verdia Farms Near Sajjangarh Main gate,, Udaipur	Inside ESZ	Will install within 10 days
11	Verdia hotels P. Ltd (Bambosa)	Kh.no. 1499/1500, Sisarma	Inside ESZ	Yes

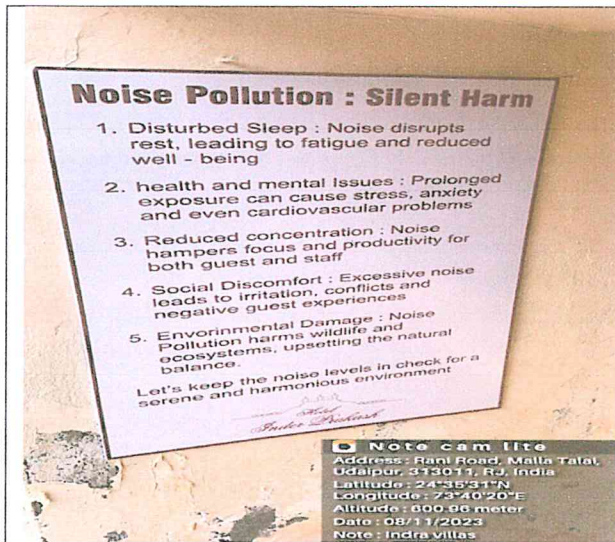
12	Hotel The Royal Retreat	Hawala Road, Badi, Udaipur	Inside ESZ	Yes
13	Hotel Amantra Shilpi Village Resort (Hotel Village Resort)	Shilpgarm Rani Road, Udaipur	Inside ESZ	Yes
14	Shourya Garh resort & Spa (A unit of Blue Wings Tours & Travels Pvt.Ltd)	Near Shilpgram off Rani Road Fateh Sagar, Hawala Khurd, Nr. Shilpgram, Udaipur	Inside ESZ	Yes
15	Monsoon Palace Resorts P ltd (Ramada)	Rampura Choraya, Kodiyaat Road, Udaipur	Inside ESZ	Ordered, yet to be delivered
16	Hotel Mewargarh Palace	Sajjagarh Road, Girwa, Udaipur	Inside ESZ	Ordered, yet to be delivered
17	Lemon Tree Premier (Fleur) Aurika Udaipur	Plot No. 1, Khasra No. 979 to 981, Kala Rohi, Sisarma, Udaipur	Near ESZ	Yes
18	Taj Aravali Spa & Resort, Connoisseur Club & Spa Resort (Unit of M/s Crown Club & Hotels P. Ltd.)	Village- Bhujda, Kodiyaat, Udaipur	Near ESZ	Ordered, yet to be delivered
19	Ananta Hotel & Resorts (A Unit of Goyal Fashions P. Ltd.)	Bhoojda, Kodiyaat Road, Udaipur	Near ESZ	Will be installed by 25.11.2023
20	Fatehgarh (Rampratap Developers Pvt. Ltd). (Motel Fateh Niwas)	Sisarma Road, Udaipur	Near ESZ	Will install within 15 days
21	M/s Hotel Leela Venture Limited	88,Naga nagri, Out side Chandpole, Udaipur	Pichhola	Ordered, yet to be delivered
22	Hotel Oberoi Udaivilas	Haridasji ki magri, Udaipur	Pichhola	Yes
23	Trident Hotel	Haridasji ki magri, Mulla Talai, Udaipur	Pichhola	Yes
24	Shiv Niwas Palace	City Palace, Udaipur	Pichhola	Yes
25	Taj Lake Palace	Lake Pichhola, , Udaipur	Pichhola	Ordered, yet to be delivered
26	Jagmandir Palace (A unit of the Lake Palace hotels & Motels Ltd)	Lake Pichhola, City Palace, Udaipur	Pichhola	Ordered, yet to be delivered (end of this month)

27	Fateh Prakash Palace (A Unit of Lake Palace Hotels & Motels (P) Ltd.)	City Palace, Udaipur	Pichhola	Ordered, yet to be delivered
28	Rajdarshan Hotel	Pannadhai marg, hatthipole, Udaipur	Pichhola	Ordered, yet to be delivered
29	Hotel Amet Haveli & Ambrai Restaurant	Panchdevri Marg, outside chandpole, Udaipur	Pichhola	Ordered, yet to be delivered
30	Hotel Swaroop Vilas	Swaroop Sagar Lake, Udaipur	Pichhola	Yes

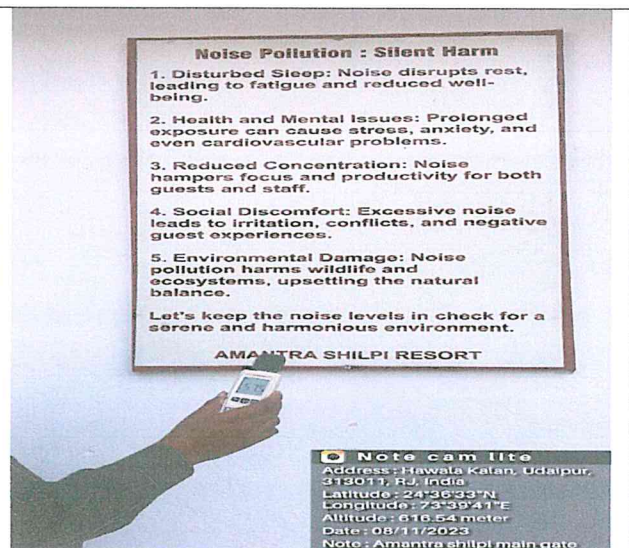


Oberoi Udaivillas

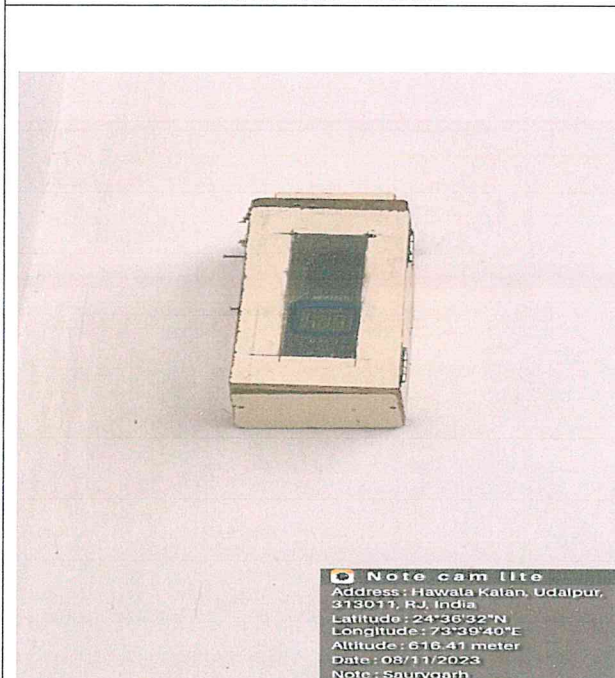
Hotel Trident



Hotel Inder Prakash



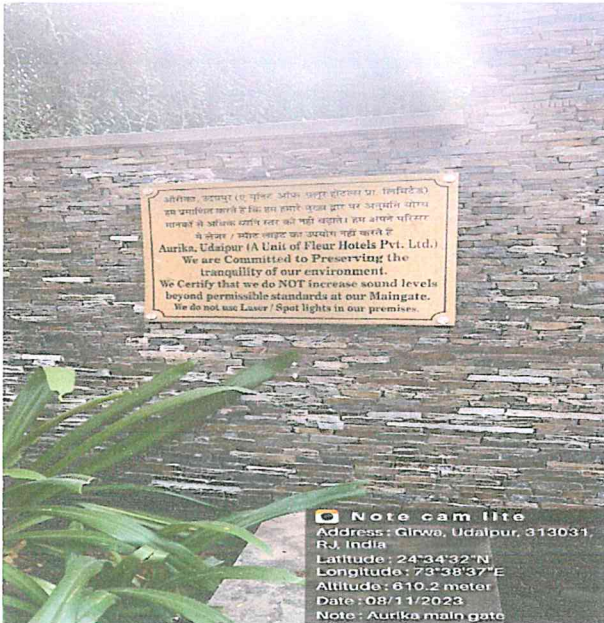
Hotel Amantra Shilpi Village Resort



Shourya Garh resort & Spa



Shourya Garh resort & Spa



Lemon Tree Premier (Fleur) Aurika Udaipur



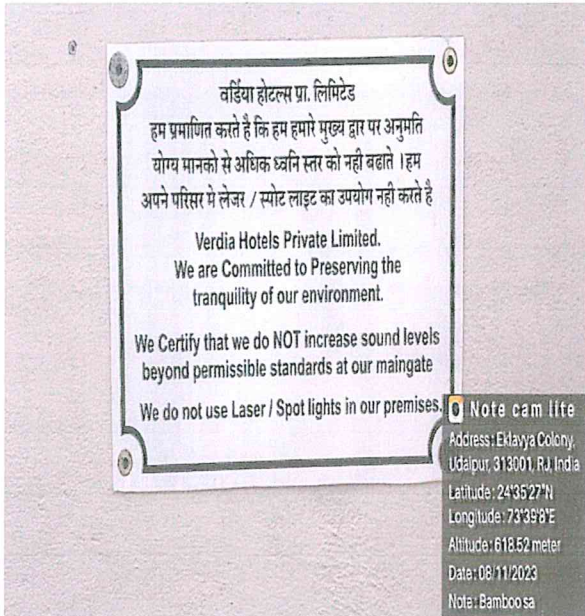
Lemon Tree Premier (Fleur) Aurika Udaipur



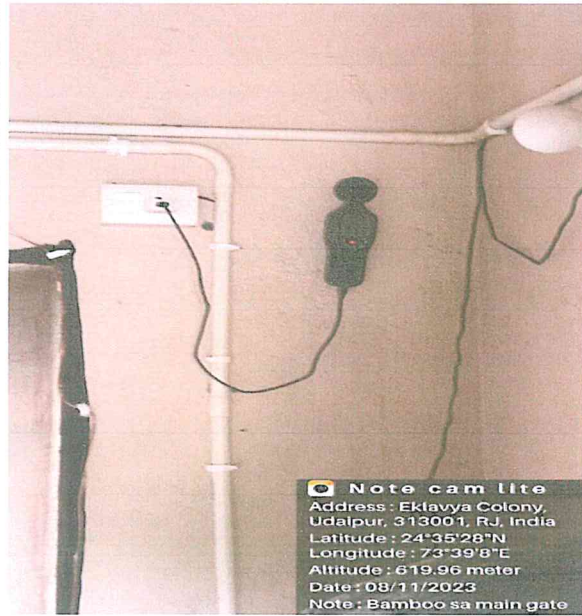
The Lalit Laxmivilas



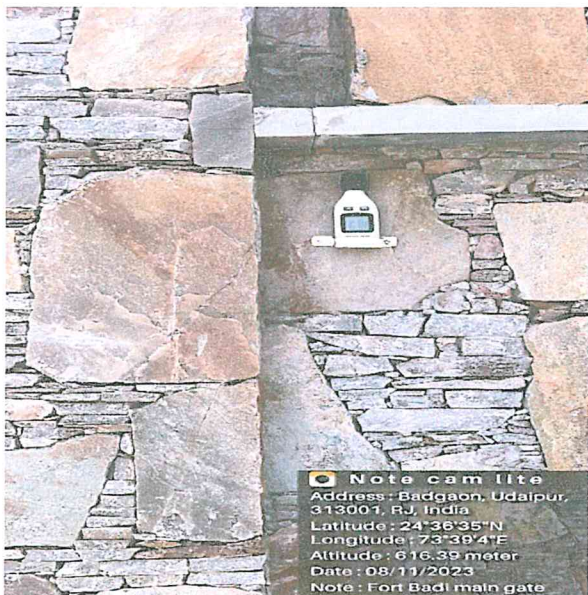
Shiv Niwas



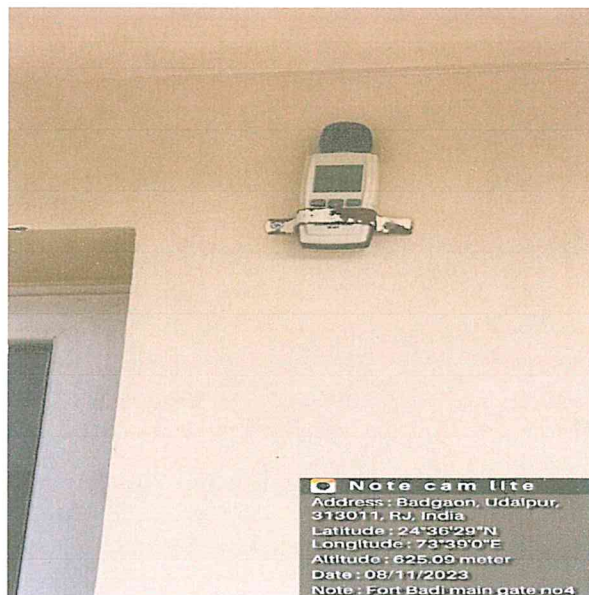
Verdia hotels P. Ltd (Bambosa)



Verdia hotels P. Ltd (Bambosa)



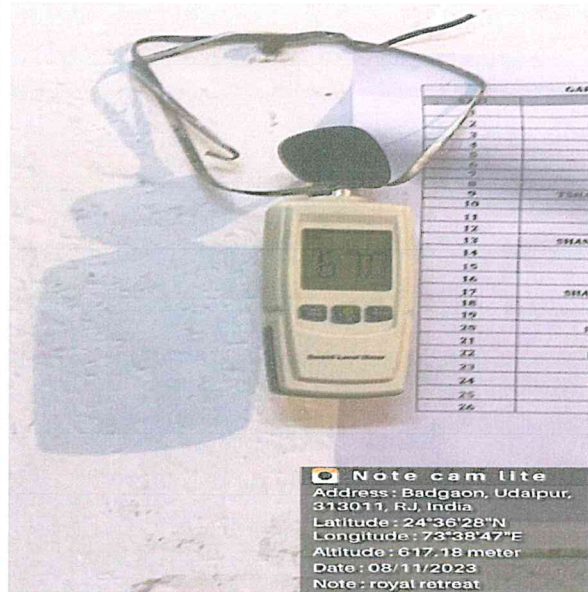
Moon Buildestate Pvt. Ltd. (Fort Badi Main Gate)



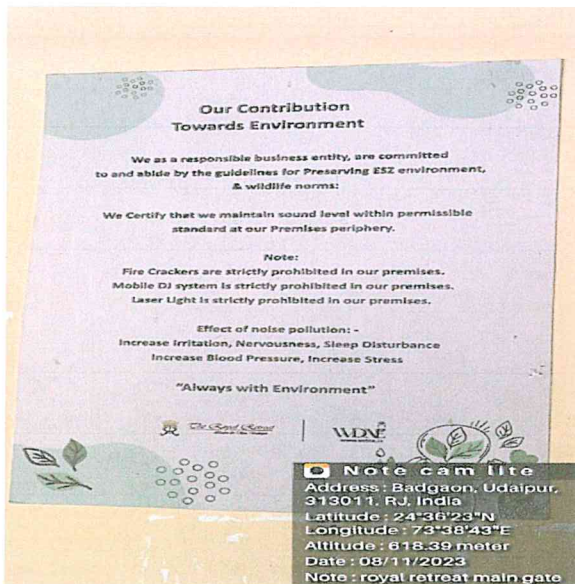
Moon Buildestate Pvt. Ltd. (Fort Badi Main Gate)



Hotel Royal Retreat



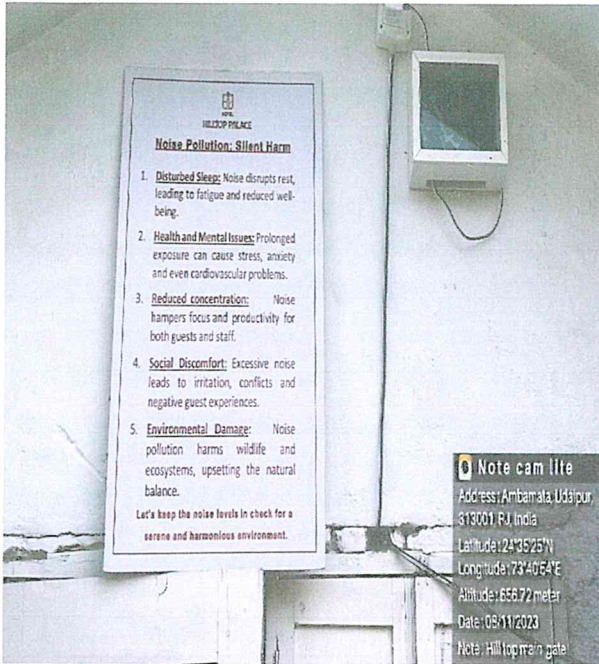
Hotel Royal Retreat



Hotel Royal Retreat



Hotel Swaroop Vilas



Hill Top



Hotel Lakend



Rockwood Hotels & Resorts Ltd.(Hotel Radisson)



Rockwood Hotels & Resorts Ltd.(Hotel Radisson)



Regional office
Rajasthan State Pollution Control Board
Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Legal- 77/ 220 - 221

Date:- 11/05/23

Commissioner,

Municipal Council,

Townhall, Bapu Bazar, Udaipur- 313001

(Email-commudr@gmail.com)

Sub.- Regarding compliance of Joint Committee report submitted in O.A. No.102/2022, Anil Mehta V/s State Of Rajasthan & Ors (Available on Hon'ble NGT website at <https://greentribunal.gov.in/news-update>) & District Collector D.O. letter no. 8059 dated 02.12.2022. (Copy enclosed as annexure-I)

Ref.:- (i) Direction of Hon'ble National Green Tribunal, Central Zone, Bhopal in the matter of Anil Mehta V/s State Of Rajasthan & Ors., O.A. No. 102/2022 issued vide order sheet dated 06.04.2023. (Copy enclosed as annexure-II)

Sir,

With reference to above an application was filed by Anil Mehta in Central Zone Bench, Bhopal and same was accepted By NGT O.A. No. 102/2022. Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee. The joint committee had submitted factual and action taken report & same was considered by Hon'ble NGT in hearing dated 06.04.2023; interalia reproduced as follows:-

"We have gone through the contents of the Joint Committee report submitted by five senior expert officers. A copy of the report be provided to the Collector / Municipal Corporation with a direction to enforce the recommendations of the committee upto the strength of the applicability and if there is any grievances Collector & Municipal Corporation have to file their replies/response on those points".

And as per the recommendation no. 5 of joint committee report *"The Municipal Authorities/ UIT should install display boards in their areas indicating ill effect of noise pollution near Lakes of Udaipur in ESZ"* and further in recommendation no. 6 *"The Municipal authorities should complete the work of notifying area into commercial residential and silence zone so that applicability of noise level standards can be ensured"*.

Therefore, it is requested to take action as above as per joint committee recommendation no. 5 & 6. So that compliance in this matter shall be submitted to Hon'ble NGT.

Yours Faithfully,

Encl.:- As above

(Sharad Saksena)

Regional Officer

Copy to:-

1. The District Collector, Udaipur with the request to direct the Commissioner Municipal Council at your level to ensure compliance of Hon'ble NGT direction.

Regional Officer

(12)

12



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Legal- 77/ 1434 - 1437

Date:- 06/11/23

Reminder (Most urgent NGT Matter)

Commissioner,
Municipal Council,
Townhall, Bapu Bazar, Udaipur- 313001
(Email-commudr@gmail.com)

Sub.- Regarding compliance of Joint Committee report submitted in O.A. No.102/2022, Anil Mehta V/s State of Rajasthan & Ors (Available on Hon'ble NGT website at <https://greentribunal.gov.in/news-update>) & District Collector D.O. letter no. 8059 dated 02.12.2022.

Ref.: - (i) Direction of Hon'ble National Green Tribunal, Central Zone, Bhopal in the matter of Anil Mehta V/s State of Rajasthan & Ors., O.A. No. 102/2022 issued vide order sheet dated 06.04.2023 & 31.07.2023.

(ii) This office letter no. RPCB/ROU/Legal-77/222-223 dated 11.05.2023.

Sir,

With reference to above an application was filed by Anil Mehta in Central Zone Bench, Bhopal and same was accepted By NGT O.A. No. 102/2022. Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee. The joint committee had submitted factual and action taken report & same was considered by Hon'ble NGT in hearing dated 06.04.2023 & 31.07.2023; interalia reproduced as follows: -

Order sheet dated 06.04.2023 *"We have gone through the contents of the Joint Committee report submitted by five senior expert officers. A copy of the report be provided to the Collector / Municipal Corporation with a direction to enforce the recommendations of the committee upto the strength of the applicability and if there is any grievances Collector & Municipal Corporation have to file their replies/response on those points".*

Order Sheet dated 31.07.2023 *"In view of above discussion, we find it appropriate to accept report of Joint Committee to the extent it is consistent with the view taken above, and direct to implement recommendations made therein which are consistent to our finding above, in words and spirit, without any further delay and in any case within a period of 3 months from today".*

And as per the recommendation no. 5 of joint committee report *"The Municipal Authorities/ UTT should install display boards in their areas indicating ill effect of noise pollution near Lakes of Udaipur in ESZ"* and further in recommendation no. 6 *"The Municipal authorities should complete the work of notifying area into commercial residential and silence zone so that applicability of noise level standards can be ensured".*

Therefore, it is requested to submit action taken report before 15.11.2023 directly to DCF (Wild Life), Udaipur with copy to this office on recommendation no. 5 & 6. So that compliance in this matter shall be submitted to Hon'ble NGT.

Encl:- As above

Yours Faithfully,

(Sharad Saksena)

Regional Officer

Copy to:-

1. The Member Secretary, Rajasthan State Pollution Control Board, Jaipur.
2. The District Collector, Udaipur with the request to direct the Commissioner Municipal Council at your level to ensure compliance of Hon'ble NGT direction.
3. District Conservator of Forest, Wild Life, Udaipur.

Regional Officer



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Legal- 77/ 222-223

Date:- 11/05/23

Superintendent of Police

Udaipur

Sub:- Regarding availability/ procurement status of Noise Level Meters as per Hon'ble National Green Tribunal Order dated 06.04.2023 in O.A. No. 102/2022, Anil Mehta V/s State Of Rajasthan & Ors. (Copy enclosed as annexure-I)

Ref:- Compliance of Hon'ble NGT order dated 15.03.2019 in O.A. No. 681/2018, Principal Bench, New Delhi (Copy enclosed as annexure-II).

Sir,

With reference to above an application was filed by Anil Mehta in Central Zone Bench, Bhopal and same was accepted By NGT O.A. No. 102/2022. Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee. The joint committee had submitted factual and action taken report & same was considered by Hon'ble NGT in hearing dated 06.04.2023; interalia reproduced as follows:-

"We have gone through the contents of the Joint Committee report submitted by five senior expert officers. A copy of the report be provided to the Collector / Municipal Corporation with a direction to enforce the recommendations of the committee upto the strength of the applicability and if there is any grievances Collector & Municipal Corporation have to file their replies/response on those points".

And as per the recommendation no. 7 of joint committee report *"Every Police Thana shall be equipped with Noise Level Meter"*. Also, it is pertinent to mention here that on 15.03.2019 in O.A. No. 681/2018, Hon'ble NGT, Principal bench, New Delhi passed an order and directed *"The all Police Departments of all the State/ UTs may obtain the noise monitoring devices within three months"*.

Therefore, it is requested to take action as above as per joint committee recommendation no. 7. So that compliance in this matter shall be submitted to Hon'ble NGT.

Yours Faithfully,

Encl:- As above

(Sharad Saksena)

Regional Officer

Copy to:-

1. The District Collector, Udaipur with the request to direct the Superintendent of Police at your level to ensure compliance of Hon'ble NGT direction.

Regional Officer

(20)



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Legal- 77/ 1442 - 1445

Date:- 06/11/23

Reminder (Most urgent NGT Matter)

Superintendent of Police

Udaipur

Sub:- Regarding availability/ procurement status of Noise Level Meters as per Hon'ble National Green Tribunal Order dated 06.04.2023 & 31.07.2023 in O.A. No. 102/2022, Anil Mehta V/s State of Rajasthan & Ors.

Ref:- (i) Compliance of Hon'ble NGT order dated 15.03.2019 in O.A. No. 681/2018, Principal Bench, New Delhi.

(ii) This office letter no. RPCB/ROU/Legal-77/222-223 dated 11.05.2023.

Sir,

With reference to above an application was filed by Anil Mehta in Central Zone Bench, Bhopal and same was accepted By NGT O.A. No. 102/2022. Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee. The joint committee had submitted factual and action taken report & same was considered by Hon'ble NGT in hearing dated 06.04.2023 & 31.07.2023 and as per the recommendation no. 7 of joint committee report *"Every Police Thana shall be equipped with Noise Level Meter"*. Also, it is pertinent to mention here that on 15.03.2019 in O.A. No. 681/2018, Hon'ble NGT, Principal bench, New Delhi passed an order and directed *"The all Police Departments of all the State/ UTs may obtain the noise monitoring devices within three months" and that "The Police Department of all the State/Uts may also train their staff regarding the use of such devices and develop a robust protocol for taking appropriate action against the defaulters"*.

Therefore, it is requested to take action as above as per joint committee recommendation no. 7 and submit compliance in this matter before 15.11.2023 directly to DCF (Wild Life), Udaipur with copy to this office, so same shall be submitted to Hon'ble NGT.

Yours Faithfully,

Encl:- As above

(Sharad Saksena)
Regional Officer

Copy to:-

1. The Member Secretary, Rajasthan State Pollution Control Board, Jaipur.
2. The District Collector, Udaipur with the request to remind the Superintendent of Police at your level to ensure compliance of Hon'ble NGT direction.
3. District Conservator of Forest, Wild Life, Udaipur.

Regional Officer



Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Legal- 77/196 - 198

Date:- 04/05/23

Regional Transport Officer

Udaipur

Sub.- Regarding cancelation of registration and seizing of vehicles equipped with DJ music systems/operating on four wheeler vehicles along with marriage/ religious processions.

Ref:- Hon'ble National Green Tribunal Order dated 17.05.2023 in O.A. No. 102/2022, Anil Mehta V/s State Of Rajasthan & Ors.

Sir,

With reference to above an application was filed by Anil Mehta in Central Zone Bench, Bhopal and same was accepted By NGT O.A. No. 102/2022. Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee. The joint committee had submitted factual and action taken report & same was considered by Hon'ble NGT in hearing dated 06.04.2023; interalia reproduced as follows:-

"We have gone through the contents of the Joint Committee report submitted by five senior expert officers. A copy of the report be provided to the Collector / Municipal Corporation with a direction to enforce the recommendations of the committee upto the strength of the applicability and if there is any grievances Collector & Municipal Corporation have to file their replies/response on those points".

And as per the recommendation no. 8 of joint committee report Mobile DJ music systems/operating on four wheelers vehicles with Barat procession/religious procession to be banned and the ban to be enforced by Police/ RTO.

Therefore, it is requested that vehicle with registration no. RJ 27 GD 8451 and RJ 22 GA 7868 be seized and their registration be cancelled as they are operating Mobile DJ music systems and further cancel all such registration of vehicles equipped with Mobile DJ music systems/operating on four wheelers.

Yours Faithfully,

(Sharad Saksena)

Regional Officer

Copy to:-

1. The Member Secretary, Rajasthan State Pollution Control Board, Jaipur.
2. The District Collector, Udaipur with the request to direct the RTO/ Deputy Superintendent of Police Traffic at your level to ensure compliance of Hon'ble NGT direction.

Regional Officer

(21)

Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/ Legal- 77/ 1438 - 1441

Date:- 06.11.23

Reminder (Most urgent NGT Matter)

Regional Transport Officer
Udaipur

Sub.- Regarding cancelation of registration and seizing of vehicles equipped with DJ music systems/operating on four wheeler vehicles along with marriage/ religious processions.

Ref.- (i) Hon'ble National Green Tribunal Order dated 31.07.2023 in O.A. No. 102/2022, Anil Mehta V/s State of Rajasthan & Ors.

(ii) This office letter no. RPCB/ROU/Legal-77/196-198 dated 04.05.2023.

Sir,

With reference to above an application was filed by Anil Mehta in Central Zone Bench, Bhopal and same was accepted By NGT O.A. No. 102/2022. Hon'ble NGT passed an order on 06.01.2023 and constituted as Joint Committee. The joint committee had submitted factual and action taken report & same was considered by Hon'ble NGT in hearing dated 06.04.2023 & 31.07.2023; interalia reproduced as follows: -

Order sheet dated 06.04.2023 "*We have gone through the contents of the Joint Committee report submitted by five senior expert officers. A copy of the report be provided to the Collector / Municipal Corporation with a direction to enforce the recommendations of the committee upto the strength of the applicability and if there is any grievances Collector & Municipal Corporation have to file their replies/response on those points*".

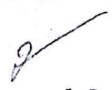
Order Sheet dated 31.07.2023 "*In view of above discussion, we find it appropriate to accept report of Joint Committee to the extent it is consistent with the view taken above, and direct to implement recommendations made therein which are consistent to our finding above, in words and spirit, without any further delay and in any case within a period of 3 months from today*".

And as per the recommendation no. 8 of joint committee report Mobile DJ music systems/operating on four wheelers vehicles with Barat procession/religious procession to be banned and the ban to be enforced by Police/ RTO.

Therefore, it is again requested that inform about action taken on vehicle with registration no. RJ 27 GD 8451 and RJ 22 GA 7868 as they were operating Mobile DJ music systems and further cancel all such registration of vehicles equipped with Mobile DJ music

systems/operating on four wheelers. Submit action taken report before 15.11.2023 directly to DCF (Wild Life), Udaipur with copy to this office, so same shall be submitted in Hon'ble NGT.

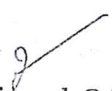
Yours Faithfully,


(Sharad Saksena)

Regional Officer

Copy to:-

1. The Member Secretary, Rajasthan State Pollution Control Board, Jaipur.
2. The District Collector, Udaipur with the request to direct the RTO/ Deputy Superintendent of Police Traffic at your level to ensure compliance of Hon'ble NGT directions.
3. District Conservator of Forest, Wild Life, Udaipur.


Regional Officer





Regional office

Rajasthan State Pollution Control Board

Address: F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com

No. RPCB/ROU/Legal-77/1013-1018

Date:-29.08.23

Most urgent

Station House Officer,
Police Station Ambamata,
Udaipur

Sub:- Regarding regular noise complaints in the area in reference of Hon'ble NGT directions in O.A. No. 102/2022.

Ref:- (i) Complaints of Bhagya Shree Pancholi received on e-mail.

(ii) Hon'ble National Green Tribunal, Central Zone Bench, Bhopal order dated 31.07.2023 in O.A. no. 102/2022 Anil Mehta & Rajasthan Government & Ors. (Copy of order dated 31.07.2023 enclosed as annexure-I)

Sir,

With reference to above, it is submitted that regular complaints are being received in this office regarding blasting of fire crackers after 10:00 PM of area Fatehsagar, Hotel Hill Top Road and Ambavgarh. Also, it has come to knowledge of this office that the certain people celebrate birthdays frequently at 12:00 AM on Fatehsagar Rani Road and a patrolling vehicle at this area should be deployed which will help in elimination of such noise nuisance activities.

Moreover, the complaint has pointed out that in the Mahakal Temple some activities take place which are commercial and irrelevant to the premises, noisy and disturbing her. The patrolling team should also visit the above-mentioned areas and other religious places in the areas.

Please treat this as urgent as the compliance in the matter has to be reported within 03 months of order. It may also be noted that the recommendations of the joint committee report has been accepted by the Hon'ble NGT and as per the same: -

Mobile DJ music systems/operating on four wheelers vehicles with Barat procession /religious procession to be banned and the ban to be enforced by Police / RTO.

In Eco sensitive zone of Sajjangarh Wild Life Sanctuary as wild animals are living there following activities shall be strictly prohibited: -

- a) *Prohibition for DJ sound system in marriage procession.*
- b) *Bursting of fire crackers.*
- c) *Hotels/ not allowed to play music in open area i.e. Garden. They shall ensure play music in sound proof/ acoustic halls.*
- d) *Dhol, Nagadas, tum-tum etc. should also be prohibited in hotels/ marriage gardens in open.*
- e) *Use of Laser light / Spot light.*
- f) *Marriage gardens with halls shall be allowed if music is played in enclosed halls. If*

there is no facility of hall then the same be closed.

It is pertinent to note that the Hon'ble NGT in para no. 23 of the above order mentioned *"Irrespective of the fact whether Eco Sensitive Zone of Sajjangarh Wildlife Sanctuary covers entire Fatehsagar lake area or its 'Zone of Influence', we are satisfied that area falls within notified area of Eco Sensitive Zone shall attract restrictions and prohibitions applicable to Eco Sensitive Zone and the same will have to be applied and implemented"* and these restrictions apply to all Fatehsagar Lake presently.

You are therefore requested to ensure that no such complaint repeated in view of the Hon'ble NGT directions and compliance is completely ensured.

Yours Faithfully,

(Sharad Saksena)
Regional Officer

Encl.:- As above

Copy to: -

1. District Collector, Udaipur for information please.
2. Superintendent of Police, Udaipur for information and further necessary action please with the request to issue an office order regarding the above to all SHO concerned w.r.t. this office earlier letter no. RPCB/ROU/Legal-77/ 222 dated 11.05.2023. (Copy enclosed as annexure-II)
3. Commissioner, Municipal Council, Udaipur w.r.t. this office earlier letter no. RPCB/ROU/Legal-77/ 220 dated 11.05.2023. (Copy enclosed as annexure-IV)
4. Regional Transport Officer, Udaipur w.r.t. this office earlier letter no. RPCB/ROU/Legal-77/ 196 dated 11.05.2023. (Copy enclosed as annexure-III)
5. Bhagya Shree Pancholi on her email pancholybhagyashree@gmail.com for information.

Regional Officer



क्षेत्रीय कार्यालय

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल

एफ: 470, यू.सी.सी.आई. भवन के पास, मेवाड़ औद्योगिक क्षेत्र, मादडी, उदयपुर (राज.)

ई-मेल : rorpcbudaipur@gmail.com फोन नं. : 0294-2491269

No.: RPCB/RO U/UDR/ 1429-1431

Dated : 28/11/22

थानाधिकारी,
पुलिस थाना अम्बामाता,
उदयपुर

विषय:- ध्वनि प्रदूषण के सम्बन्ध में लगातार रूप से आ रही शिकायतों के संबंध में।

सन्दर्भ:- भाग्यश्री पंचोली द्वारा प्राप्त शिकायत दिनांक 27.11.2022।

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि फतहसागर, स्वरूप सागर, पी.पी. सिंगल मार्ग के आसपास (अम्भावगढ़) आबादी क्षेत्र रानी रोड़ स्थित होटलों में रात्रि 10 बजे के पश्चात् डीजे चलाने की तथा पटाखे चलाने की शिकायतें लगातार प्राप्त हो रही हैं।

अतः रात्रि 10 बजे के पश्चात् पुलिस गश्त को और बेहतर तथा बीट कान्सटेबल को आवश्यक रूप से पाबंद करे की उक्त ध्वनि प्रदूषणों के स्रोतों पर निगरानी रखे तथा ध्वनि प्रदूषण नियमों के उल्लंघन पर त्वरित कार्यवाही करे।

भवदीय

(शरद सक्सेना)
क्षेत्रीय अधिकारी

प्रतिलिपि :-

1. जिला कलेक्टर महोदय, उदयपुर को सूचनार्थ प्रेषित है।
2. पुलिस अधीक्षक महोदय, उदयपुर को सूचनार्थ और आवश्यक कार्यवाही के लिए प्रेषित है।

क्षेत्रीय अधिकारी

"Say No To Single Use Plastic"

REGIONAL OFFICER
Rajasthan State Pollution Control Board
UDAIPUR

(15)



क्षेत्रीय कार्यालय

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल

एफ: 470, यू.सी.सी.आई. भवन के पास, मेवाड़ औद्योगिक क्षेत्र, भादली, उदयपुर (राज.)

ई-मेल : rorpcbudaipur@gmail.com फोन नं. : 0294-2491269

No.: RPCB/RO U/UDR/ 1432 - 1434

Dated : 28/11/22

थानाधिकारी,
पुलिस थाना सुखेर,
उदयपुर

विषय:—ध्वनि प्रदूषण के सम्बन्ध में लगातार रूप से आ रही शिकायतों के संबंध में।

सन्दर्भ:— श्री अभय सूद, निवासी आर्वी पेरेडाइस द्वारा की गई ई-मेल पर प्राप्त शिकायतें।

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि 100 फीट रोड, शोभागपुरा एवं डीपीएस रोड, महिला पुलिस थाने के पास, श्याम नगर, पहाडा, उदयपुर आबादी क्षेत्र में रात्रि 10 बजे के पश्चात् होटल एवं मैरिज गार्डन में डीजे चलाने की तथा पटाखे चलाने की शिकायतें लगातार प्राप्त हो रही हैं। (Occasion garden, Solitair Hotel)

अतः रात्रि 10 बजे के पश्चात् पुलिस गश्त को और बेहतर तथा बीट कान्सटेबल को आवश्यक रूप से पाबंद करे की उक्त ध्वनि प्रदूषणों के स्रोतों पर निगरानी रखे तथा ध्वनि प्रदूषण नियमों के उल्लंघन पर त्वरित कार्यवाही करे।

भवदीय

(शरद सक्सेना)
क्षेत्रीय अधिकारी

प्रतिलिपि :-

1. जिला कलेक्टर महोदय, उदयपुर को सूचनार्थ प्रेषित है।
2. पुलिस अधीक्षक महोदय, उदयपुर को सूचनार्थ और आवश्यक कार्यवाही के लिए प्रेषित है।

क्षेत्रीय अधिकारी

REGIONAL OFFICER
Rajasthan State Pollution Control Board
UDAIPUR

"Say No To Single Use Plastic"



क्षेत्रीय कार्यालय

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल

एक: 470, यू.सी.सी.आई. भवन के पास, मेवाड़ औद्योगिक क्षेत्र, नादडी, उदयपुर (राज.)

ई-मेल : rorpcbudaipur@gmail.com फोन नं. : 0294-2491269

No.: RPCB/RO U/UDR/ 1206-1208

Dated : 14.10.22

थानाधिकारी,

पुलिस थाना अम्बावगढ़,

उदयपुर

विषय:- ध्वनि प्रदूषण के सम्बन्ध में लगातार रूप से आ रही शिकायतों के संबंध में।

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि फतहसागर के आसपास (अम्बावगढ़) आबादी क्षेत्र में रात्रि 10 बजे के पश्चात् डीजे चलाने की तथा पटाखे चलाने की शिकायतें प्राप्त होती हैं इसके अतिरिक्त फतहसागर के आसपास स्थित धार्मिक स्थलों से भी उक्त शिकायत आती रहती है।

अतः रात्रि 10 बजे के पश्चात् पुलिस गश्त को और बेहतर तथा बीट कान्सटेबल को आवश्यक रूप से पाबंद करे की उक्त ध्वनि प्रदूषणों के स्रोतों पर निगरानी रखे तथा ध्वनि प्रदूषण नियमों के उल्लंघन पर त्वरित कार्यवाही करे। इस पत्र के साथ जिला कलेक्टर महोदय तथा पुलिस अधीक्षक महोदय को लिखे पत्रों की प्रति संलग्न की जा रही है।

भवदीय

(शरद सक्सेना)
क्षेत्रीय अधिकारी

प्रतिलिपि :-

1. जिला कलेक्टर महोदय, उदयपुर को सूचनार्थ प्रेषित है।
2. पुलिस अधीक्षक महोदय, उदयपुर को सूचनार्थ और आवश्यक कार्यवाही के लिए प्रेषित है।

क्षेत्रीय अधिकारी

REGIONAL OFFICER
Rajasthan State Pollution Control Board
UDAIPUR

"Say No To Single Use Plastic"



क्षेत्रीय कार्यालय

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल

एफ: 470, यू.सी.सी.आई. भवन के पास, मेवाड़ औद्योगिक क्षेत्र, मादडी, उदयपुर (राज.)

ई-मेल : rorpcbudaipur@gmail.com फोन नं. : 0294-2491269

No.: RPCB/RO U/UDR/1468-1470

Dated : 06.12.22

थानाधिकारी,

पुलिस थाना सुखेर,

उदयपुर

विषय:- ध्वनि प्रदूषण के सम्बन्ध में लगातार रूप से आ रही शिकायतों के संबंध में।

सन्दर्भ:- श्री अभय सूद, निवासी आर्ची पेरेडाइस द्वारा की गई ई-मेल पर प्राप्त शिकायतें।

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि 100 फीट रोड, शोभागपुरा एवं डीपीएस रोड, महिला पुलिस थाने के पास, श्याम नगर, पहाड़ा, उदयपुर आबादी क्षेत्र में रात्रि 10 बजे के पश्चात् होटल एवं मैरिज गार्डन में डीजे चलाने की तथा पटाखे चलाने की शिकायतें लगातार प्राप्त हो रही हैं। इसी क्रम में हाल ही में मैसर्स ऑपेरा गार्डन एण्ड बेन्चवूट हॉल, शोभागपुरा, उदयपुर की शिकायत प्राप्त हुई है।

अतः आपसे अनुरोध है कि रात्रि 10 बजे के पश्चात् पुलिस गश्त को और बेहतर तथा बीट कान्सटेबल को आवश्यक रूप से पाबंद करे की उक्त ध्वनि प्रदूषणों के स्रोतों पर निगरानी रखे तथा ध्वनि प्रदूषण नियमों के उल्लंघन पर त्वरित कार्यवाही करे।

भवदीय

(शरद सक्सेना)
क्षेत्रीय अधिकारी

प्रतिलिपि :-

1. जिला कलेक्टर महोदय, उदयपुर को सूचनार्थ प्रेषित है।
2. पुलिस अधीक्षक महोदय, उदयपुर को सूचनार्थ और आवश्यक कार्यवाही के लिए प्रेषित है।

क्षेत्रीय अधिकारी

REGIONAL OFFICER
Rajasthan State Pollution Control Board
UDAIPUR

Say No To Single Use Plastic

10



क्षेत्रीय कार्यालय

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल

एफ: 470, यू.सी.सी.आई. भवन के पास, गेवाड़ औद्योगिक क्षेत्र, भादडी, उदयपुर (राज.)

ई-मेल : rorpcbudaipur@gmail.com फोन नं. : 0294-2491269

No.: RPCB/RO U/UDR/ 1429-1431

Dated : 28/11/22

थानाधिकारी,

पुलिस थाना अम्बामाता,

उदयपुर

विषय:- ध्वनि प्रदूषण के सम्बन्ध में लगातार रूप से आ रही शिकायतों के संबंध में।

सन्दर्भ:- भाग्यश्री पंचोली द्वारा प्राप्त शिकायत दिनांक 27.11.2022।

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि फतहसागर, स्वरूप सागर, पी.पी. सिंगल मार्ग के आसपास (अम्बावगढ़) आबादी क्षेत्र रानी रोड़ स्थित होटलों में रात्रि 10 बजे के पश्चात् डीजे चलाने की तथा पटाखे चलाने की शिकायतें लगातार प्राप्त हो रही हैं।

अतः रात्रि 10 बजे के पश्चात् पुलिस गश्त को और बेहतर तथा बीट कान्सटेबल को आवश्यक रूप से पाबंद करे की उक्त ध्वनि प्रदूषणों के स्रोतों पर निगरानी रखे तथा ध्वनि प्रदूषण नियमों के उल्लंघन पर त्वरित कार्यवाही करे।

भवदीय

(शरद सक्सेना)
क्षेत्रीय अधिकारी

प्रतिलिपि :-

1. जिला कलेक्टर महोदय, उदयपुर को सूचनार्थ प्रेषित है।
2. पुलिस अधीक्षक महोदय, उदयपुर को सूचनार्थ और आवश्यक कार्यवाही के लिए प्रेषित है।

क्षेत्रीय अधिकारी

REGIONAL OFFICER
Rajasthan State Pollution Control Board
UDAIPUR

Say No To Single Use Plastic

(12)



क्षेत्रीय कार्यालय

राजस्थान राज्य प्रदूषण नियंत्रण मण्डल

एफ: 470, यू.सी.सी.आई. भवन के पास, मेवाड़ औद्योगिक क्षेत्र, मादडी, उदयपुर (राज.)

ई-मेल : rorpcbudaipur@gmail.com फोन नं. : 0294-2491269

No.: RPCB/RO U/UDR/ 1432 - 1434

Dated : 28/11/22

थानाधिकारी,

पुलिस थाना सुखेर,

उदयपुर

विषय:—ध्वनि प्रदूषण के सम्बन्ध में लगातार रूप से आ रही शिकायतों के संबंध में।

सन्दर्भ:— श्री अभय सूद, निवासी आर्ची पेरेडाइस द्वारा की गई ई-मेल पर प्राप्त शिकायतें।

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि 100 फीट रोड, शोभागपुरा एवं डीपीएस रोड, महिला पुलिस थाने के पास, श्याम नगर, पहाडा, उदयपुर आबादी क्षेत्र में रात्रि 10 बजे के पश्चात् होटल एवं मैरिज गार्डन में डीजे चलाने की तथा पटाखे चलाने की शिकायतें लगातार प्राप्त हो रही हैं। (Occasion garden, Solitair Hotel)

अतः रात्रि 10 बजे के पश्चात् पुलिस गश्त को और बेहतर तथा बीट कान्सटेबल को आवश्यक रूप से पाबंद करे की उक्त ध्वनि प्रदूषणों के स्रोतों पर निगरानी रखे तथा ध्वनि प्रदूषण नियमों के उल्लंघन पर त्वरित कार्यवाही करे।

भवदीय

(शरद सक्सेना)
क्षेत्रीय अधिकारी

प्रतिलिपि :-

1. जिला कलेक्टर महोदय, उदयपुर को सूचनार्थ प्रेषित है।
2. पुलिस अधीक्षक महोदय, उदयपुर को सूचनार्थ और आवश्यक कार्यवाही के लिए प्रेषित है।

क्षेत्रीय अधिकारी

REGIONAL OFFICER
Rajasthan State Pollution Control Board
UDAIPUR

Say No To Single Use Plastic



Regional office

Rajasthan State Pollution Control Board

Address : F-470, Near UCCI Building, M.I.A, Udaipur (Raj.)

Email : rorpcbudaipur@gmail.com, Phone no : 0294-2491269

No.: RPCB/ROU/UDR/ Gen. 26/1427-1428

Dated : 28/11/22

The District Collector,

Udaipur

Sub: - Regarding violation of Noise Pollution (Regulation and Control) Rules, 2000 near Fateh Sagar Lake, Alkapuri, P.P. Singhal Marg and Ambavgarh area, Udaipur allegedly caused by Hotels namely Lakend, Hilltop, Lalit Laxmi Vilas and Hotels/ Marriage Gardens Namely Hotel Yois, Hotel Solitaire and Occasion Garden.

Ref:- Complaint's received from Bhagyashree Pancholy dated 27.11.2022 (Copy enclosed) & from Abhay Sood (Copy enclosed).

Sir,

With reference to above, Complaint's regarding noise pollution due to playing of music and bursting of firecrackers have been received which is violation of the said rules. Looking to the wedding season, you are requested to get a standing order issued to all police station/ Chowki's from the Superintendent of Police to immediately take action as and when a complaint of noise pollution is received in accordance to the Hon'ble NGT directions in O.A. 681/2018 dated 15.03.2019 and 16.08.2019, where in the CPCB has floated guidelines regarding Environmental Compensation which can be imposed by the Authorities mentioned in clause 2 (c) of Pollution (Regulation and Control) Rules, 2000 which includes Police Officials. In this regard a letter was earlier sent from this office vide letter no. 798 dated 18.08.2022 (Copy enclosed) and for the decision in reference to G-20 (Sherpa) Meeting wherein high/ VIP officials of these countries shall be present and image of Udaipur should not be compromise.

Yours Sincerely

(Sharad Saksena)
Regional Officer
RSPCB, Udaipur

Copy to:-

1. Superintendent of Police, Udaipur with the request to issue a standing order to all police stations/ Choki's in Udaipur not to allow the operation of music system/ DJ systems and fireworks as per the details given in the above letter, looking to the wedding season and the array of complaints of noise pollution received.

REGIONAL OFFICER
Rajasthan State Pollution Control Board
UDAIPUR

Regional Officer

कार्यालय उप वन संरक्षक, वन्यजीव उदयपुर (राज0)

बडीरोड़, देवाली उदयपुर, Post Box No. 161, Phone 0294 2453686

Email id - dcfwludz@gmail.com

क्रमांक: एफ ()विधि/उवसं/वजी/उदय/2023-24/9036

दिनांक: 26/10/2023

निमित्त :-

क्षेत्रीय अधिकारी,
राजस्थान राज्य प्रदूषण नियंत्रण मंडल,
उदयपुर।

विषय :- माननीय राष्ट्रीय हरित अधिकरण, बेंच भोपाल ऑरिजनल एप्लीकेशन नम्बर 102/2022 (आई.ए. नम्बर 25/2023) अनिल मेहता बनाम स्टेट ऑफ राजस्थान व अन्य में पारित आदेश दिनांक 31.07.2023 की अनुपालना के संबंध में।

संदर्भ :- इस कार्यालय का पत्रांक 7101 दिनांक 04.09.2023।

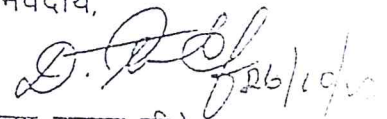
महोदय,

इस कार्यालय के पूर्व पत्रांक 7101 दिनांक 04.09.2023 द्वारा माननीय राष्ट्रीय हरित अधिकरण, बेंच भोपाल ऑरिजनल एप्लीकेशन नम्बर 102/2022 (आई.ए. नम्बर 25/2023) में पारित निर्णय दिनांक 31.07.2023 की प्रति आपको प्रेषित कर अनुपालना किये जाने हेतु निवेदन किया गया था।

इस क्रम में पुनः निवेदन है, कि माननीय न्यायालय के निर्णय में आपके विभाग से संबंधित बिन्दुओं के संदर्भ में अग्रिम व आवश्यक कार्यवाही करते हुये अनुपालना रिपोर्ट से दिनांक 15.11.2023 से पूर्व इस कार्यालय को अवगत कराने का कष्ट करावें, ताकि रिपोर्ट दिनांक 15.11.2023 को माननीय न्यायालय में पेश की जा सके।

संलग्न :- आदेश की प्रति।

भवदीय,



(अरुण कुमार जी.) IFS

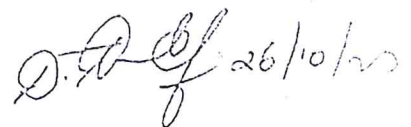
उप वन संरक्षक,

वन्यजीव, उदयपुर।

क्रमांक: एफ ()विधि/उवसं/वजी/उदय/2023-24/9037-38 दिनांक: 26/10/2023

प्रतिलिपि निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. श्रीमान् अतिरिक्त प्रधान मुख्य वन संरक्षक (श्रम एवं विधि), राजस्थान, जयपुर।
2. श्रीमान् मुख्य वन संरक्षक, वन्यजीव, उदयपुर।



उप वन संरक्षक,

वन्यजीव, उदयपुर।