



**WEST BENGAL POLLUTION CONTROL BOARD**  
**(Department of Environment, Government of West Bengal)**

*Paribesh Bhawan, 10A, Block – LA, Sector III, Bidhannagar*

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Memo No: 2954-ANA&T/GEN/67/2019

Date: 11.10.2022

## **ORDER**

WHEREAS the West Bengal Pollution Control Board (hereinafter for the sake of brevity and convenience referred to as the ‘State Board’), is executing different Environmental Laws within the territorial jurisdiction of the State of West Bengal for prevention and control of water pollution, air pollution, noise pollution and other pollution hazards;

AND WHEREAS the State Board is monitoring the noise level during the festive seasons since 1992 and it is observed that due to use of microphones/loudspeakers in high pitched volume, generation of noise affects the health of the surrounding people;

AND WHEREAS the State Board issued directions, from time to time, to control noise pollution generated from the microphones and also fixed up permissible noise limits in different zones as prescribed under Environment (Protection) Act, 1986 and Rules made thereunder;

AND WHEREAS State Board vide Order No. 1853-4K-5/2004 dated 27.08.2004 mandated all the users of microphones within the State of West Bengal to use sound limiter at the time of using microphones in the open area so as to govern the noise and bring it under permissible limit as fixed up under the aforementioned Act and Rules;

AND WHEREAS Department of Environment, Government of West Bengal vide its notification number EN/3346/T-IV-6/001/2007 (P.II) dated 29.12.2009 has assigned specific responsibility to the different Government departments for adopting proactive program for implementation of the statutory provisions as laid down under the aforementioned Act and Rules;

AND WHEREAS the Hon’ble National Green Tribunal vide its order dated 13.11.2019 on Original Application No.158/2016(EZ) has directed to explore as to whether manufacturers can be directed to produce audio systems fitted with noise control device;

AND WHEREAS Department of Environment, Government of West Bengal vide its Notification Nos. EN/238/3C-65/2019(Part-1) & EN/507/3C-65/2019(Part-1) dated 03/02/2020 & 04/03/2020 directed manufacturers and traders of audio systems/microphones to use audio systems/microphones fitted with sound limiting device;

AND WHEREAS the State Board, in consultation with the *M/s West Bengal Electronics Industry Development Corporation Ltd., P-1, Taratala Road, Kolkata-700 088* and *M/s Webel Technology Limited Plot-5, Block BP, Sector-V, Salt Lake City, Kolkata 700 091*, developed sound limiters, which can be fitted to audio systems/ microphones to govern the noise and bring the same under permissible limit as fixed up in the aforementioned Act and Rules made thereunder;

HENCE, in exercise of the powers conferred under the Environment (Protection) Act, 1986, read with Noise (Regulation & Control), Rules, 2000, as amended, all the users of audio systems/ microphones within the State of West Bengal are hereby directed to use sound limiters at the time of using microphones in the open area positively to avoid penal action as warranted under the aforementioned Act and Rules made thereunder.

It is further requested that at the time of giving permission for use of microphones/loudspeakers by the Police Authorities or the District Authorities, condition should be laid down to the effect that without fixation of sound limiters, audio systems/ microphones should not be used in open air, because it is already established that sound limiter is the proper device to control noise pollution generated from the microphones.

THEREFORE, the Commissioner of Police, District Magistrates, Superintendents of Police of all the Districts are also requested to circulate this order to all concerned (up to the rank of Dy. Superintendent of Police, Assistant Commissioner of Police, Officer in Charge of the concerned police stations, Sub-Divisional Officers, Block Development Officers and Deputy Magistrates) who are generally authorized to give permission for the use of microphones in different areas within the State of West Bengal.

All Media, like Press, Electronic Media, TV and Radio are also requested to publish, broadcast or telecast, as the case may be, the text of this order, in the interest of the public.

By Order,

Sd-/

(Dr. Rajesh Kumar)

Member Secretary

West Bengal Pollution Control Board