

പതിമൂന്നാം കേരള നിയമസഭ  
പതിനാലാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നമിടാത്ത

നിയമസഭാ ചോദ്യം നമ്പർ : 227

08.06.2015-ൽ മറുപടിക്കു്.

ഉച്ചഭാഷിണി ഉപയോഗം

ചോദ്യം

ഉത്തരം

ശ്രീ. എം.ഉമ്മർ

ശ്രീ. രമേശ് ചെന്നിത്തല  
(ആഭ്യന്തരവും വിജിലൻസും വകുപ്പുമന്ത്രി)

(എ) സംസ്ഥാനത്ത് ഉച്ചഭാഷിണി ഉപയോഗം സംബന്ധിച്ച് സർക്കുലർ പുറപ്പെടുവിച്ചിട്ടുണ്ടോ; പകർപ്പ് ലഭ്യമാക്കാമോ;

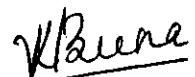
: (എ) ഉച്ചഭാഷിണി ഉപയോഗം സംബന്ധിച്ച് പാലിക്കേണ്ട നിബന്ധനകൾ അടങ്ങുന്ന വിജ്ഞാപനം, എക്സിക്യൂട്ടീവ് ഓർഡർ, സർക്കുലർ എന്നിവ പുറപ്പെടുവിച്ചിട്ടുണ്ട്. പകർപ്പ് ഉള്ളടക്കം ചെയ്യുന്നു.

(ബി) എങ്കിൽ ഈ സർക്കാർ അധികാരത്തിൽ വന്നശേഷം പ്രസ്തുത സർക്കുലറിലെ വ്യവസ്ഥകൾ പാലിക്കുന്നുണ്ടെന്ന് ഉറപ്പുവരുത്താൻ എന്തെല്ലാം നടപടികളാണ് സ്വീകരിച്ചിരിക്കുന്നത്; വിശദമാക്കാമോ;

: (ബി) ഉച്ചഭാഷിണി ഉപയോഗിക്കുമ്പോൾ നിലവിലുള്ള വ്യവസ്ഥകൾ പാലിക്കുന്നുണ്ട് എന്ന് ഉറപ്പുവരുത്തുവാൻ അതാത് ജില്ലാ പോലീസ് മേധാവിമാർക്ക് കർശന നിർദ്ദേശം നൽകിയിട്ടുണ്ട്. പ്രസ്തുത നിയമവ്യവസ്ഥകൾ കർശനമായി പാലിച്ചുകൊണ്ടാണ് ഉച്ചഭാഷിണി ഉപയോഗിക്കുവാനുള്ള അനുവാദം നൽകുന്നതെന്ന് ഉറപ്പ് വരുത്തുന്നുമുണ്ട്.

(സി) പ്രസ്തുത വ്യവസ്ഥകളിൽ നിന്നും ആരെങ്കിലും ഒഴിവാക്കിയിട്ടുണ്ടോയെന്ന് വ്യക്തമാക്കാമോ?

: (സി) ഉച്ചഭാഷിണി ഉപയോഗിക്കുന്നതിനുള്ള അനുവാദം നൽകുന്നത് നിലവിലുള്ള നിയമ വ്യവസ്ഥകൾ അനുസരിച്ചാണ്. ഇതിൽ നിന്നും ആരെയും ഒഴിവാക്കിയിട്ടില്ല.



സെക്ഷൻ ഓഫീസർ

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Nb. U6-30380/2002  
POLICE HEADQUARTERS,  
KERALA, THIRUVANANTHAPURAM.  
DATED 28.11.2002.

CONDITIONS FOR ISSUE OF LOUDSPEAKER LICENCE

NOTIFICATION

Whereas in view of the issuance of the Noise Pollution (Regulation and Control) Rules, 2000 under the Environment (Protection) Act, 1986 by the Government of India and in accordance with the regulatory functions under sections 19 and 20 of the Kerala Police Act, 1960, it has become necessary to revise the conditions for granting licences for use of loudspeakers, in exercise of the powers conferred under section 16 of the Kerala Police Act, the following regulations regarding grant of licences for use of loudspeakers are issued.

1. The competent authority in the Police Department for issue of licence for use of loudspeaker will be the Sub Divisional Police Officer or the Superintendent of Police / Commissioner of Police having local jurisdiction.
2. Application for licence will be submitted to the competent authority, 7 days in advance.
3. Fees as prescribed by the Govt from time to time will be levied from the applicants.
4. The application for use of loudspeaker should be specific with regard to the date, place, time and purpose for which it has been sought.
5. License will be issued in the form prescribed for the purpose, mentioning various conditions attached. General permit will not be issued as it amounts to violation of the provisions of Noise Pollution (Regulation and Control) Rules, 2000.

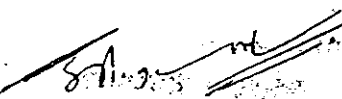
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6. Use of loudspeaker between 10 PM and 6 AM is prohibited except in closed premises like auditoria, conference rooms, community halls and banquet halls for communication within as defined in Rule 5 of the Noise Pollution (Regulation and Control) Rules.
7. Licence for use of loudspeakers will be issued taking into account the zone as notified by the Government of Kerala vide SRO No. 289/2002 and the permissible ambient air quality standards prescribed for each zone as follows:

Area Code	Category of Area / Zone	Level of sound in decibels	
		Day Time	Night Time
(A)	Industrial Area	75	70
(B)	Commercial Area	65	55
(C)	Residential Area	55	45

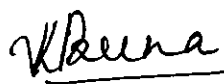
8. No licence shall be issued for use of loudspeakers within the silence zone (area comprising 100 metres around hospitals, educational institutions, courts, religious places, reserve forests and wildlife sanctuaries).
9. No licence shall be issued for use of loudspeaker within 100 metres around public offices.
10. Use of loudspeaker on a vehicle in motion is prohibited.
11. No loudspeaker will be allowed to be used on public roads or near busy junctions which is likely to cause public nuisance and hindrance to the smooth flow of traffic.
12. Loudspeakers will not be installed beyond 300 metres from the location of the mike and amplifier.
13. Licence will be issued only for box type loudspeakers, each box containing not more than two speakers.
14. The number of such boxes which can be fitted to a vehicle will be limited to two.

15. Licences for use of loudspeakers in other than vehicles v. specify the number of boxes allowed to be installed.
16. (a) Licencee shall stop the operation of loudspeaker at the direction of a police officer not below the rank of a Sub Inspector of Police on grounds of public nuisance or in the interest of maintenance of law and order.
- (b) A licensee violating the conditions of the licence and / or failing to comply with the direction of a police officer not below the rank of SI of Police shall be dealt with under the provisions of KP Act, 1960.
- (c) The competent authority (SDPO / SP / CP) may, where necessary, take steps to prosecute the violators as provided in section 15 of the Environment (Protection) Act, 1986 (which provides for a penalty of imprisonment upto five years or with maximum fine of Rupees One lakh or with both).



K J JOSEPH

Director General of Police.



Section Officer

(45) (12)

No.1/CAMP/DGP/2004  
POLICE HEADQUARTERS  
THIRUV ANANTHAPURAM  
DATED: 21/12/2004

**EXECUTIVE DIRECTIVE No. 25/2004**

Sub:- Loud speakers and public address system - restriction in use-instructions - issued

Ref:- PHQ Circular No.17 /2002.

Please refer to the Circular cited. Instructions were issued regarding the licensing of loud speakers and public address system in the Circular.

This is the festival season. The office bearers of the religious institutions and individuals perform religious functions all over the State. In these functions loud speaker's and public address systems are used indiscriminately without restricting the time and type of instruments as laid down in the statutes. This causes a lot of inconvenience to the public especially the sick and infirm by way of noise pollution. This is also the time of examination. The students preparing for their examinations both State and all India level are seriously affected by sound pollution. A number of complaints have been received in this matter. Therefore, the following instructions are issued.

1. Notice will be given to all the religious institutions that loud speakers and public address systems shall not be used between 22.00 hrs to 06.00 hrs except in closed premises.
2. It shall be ensured that loud speakers and public address systems are used only with the permission of the concerned authority.
3. It shall also be ensured that a silent zone of 100 meters is kept around hospitals, educational institutions and Courts,

P.K.H. THARAKAN IPS  
Director General of Police

To  
All SPs/CPs of Districts  
Range DIGs/Zonal IGPs/ ADGP (Tnt)/ ADGP (Ops)  
Copy to File No.U6/30380/2003,

*W. R. R. R.*  
Section officer

(459) (27)

No. U6-30380/2002  
Police Headquarters,  
Thiruvananthapuram,  
Dated: 05-12-2002.

**CIRCULAR NO. 17/2002**

Sub: - Public order – use of Loud Speakers – Revision of system of granting licence – instructions issued.

Ref: - 1. PHQ Circular Nos. 26/1974, 7/1980 and 28/1995.

Under the provisions of the Environment (Protection) Act 1986) the Government of India had issued Noise Pollution (Regulation and Control) Rules 2000. The objective of the Rules read with the Provisions of the Act is to reduce the level of sound pollution caused by unrestricted use of loud speakers.

In the light of the Act and Rules and in accordance with the regulatory functions under the Kerala Police Act 1960, a Notification dated 28-11-2002 has been issued by the Director General of Police prescribing regulations regarding grant of licences for use of loud speakers. (Annexure-1). A specimen of the form prescribed vide item 5 of the Notification is given in Annexure -2.

Therefore in super session of the PHQ Circulars referred above, the following instructions are issued for achieving uniformity in implementation of the Notification.

1. The Competent authority for issue of the licence is prescribed as either the SDPO or SP/CP. Since the competent Officer is required to have adequate knowledge of the classification of Zones and the permitted level of sound (in decibels), applications for licence will not be entertained by Range DIGs, Zonal IGPs and PHQrs.
2. The sanctioning authority shall ensure that all the particulars required in Column 1 to 4 are furnished in the prescribed form, while issuing the licence.
3. No licence shall be granted to an applicant for use of loud speakers for more than 10 days under one application.

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4. It will be the personal responsibility of the competent authority to ensure that the licence is issued strictly in accordance with the conditions laid down in the Notification.

5. Before the grant of licence the competent authority should be aware of the classification of the various zones in his jurisdiction and the level of the sound (in decibels) allowed in each zone.

It is clarified that with the issuance of this Notification, the restrictions ordered by the Hon'ble High Court of Kerala in WA No. 3125 of 2001 are no more operative.

It is expected that with proper application of mind by SDPOs/SPs/CPs, the provisions of the Notification will be enforced effectively and the objectives of the Environment (Protection) Act 1960 and the Noise Pollution (Regulation and Control) Rules 2000 achieved.

K.J. JOSEPH  
DIRECTOR GENERAL OF POLICE.

To

All List 'B' Officers & All SDPOs.  
Stock File/Circulation File.

V. Beena

Section Officer