

LET'S KEEP ASIDE THE VAIN SOUND AND LIVE IN HARMONY IN INDIA AN ANALYSIS

I.Muralitharan¹, M.A., M.L., Ph.d In Law(Pursuing),

¹Assistant professor of law, government law college, vellore -06.

Abstract: In this era growing of science and technology, we are all exposed through Radio, T.V, ceiling fan, generator, Electric grinder, Vacuum cleaner, hand pump, sound system, and commercial area most pout door noise transportation, air craft, motor vehicle, train and an industrial area through machineries, construction, saw mills, lathes, punch presses, drills and public places through marriage ceremonies, temple festivals, political party meetings, election, dewali festivals also by busting of fire crackers, using four wheelers, horn banned any corn radio, micset, and driving two wheelers on the by changing silencer in order to create a lot of sounds instead of the two wheeler protection is causing widespread problem in India due to which all of us are suffering physically, mentally, physiologically and we are being forced in to situation where it is impossible for human life to live peacefully by giving lot of trouble to the environment. Apart from this each of us should use only noise level prescribed by law to eliminate unnecessary noise and live in harmony in order to achieve that noise pollution its causes and effects to prevent and control noise pollution by law and file the legal actions taken against individuals who produce excessive noise pollution and to know what we need to do eliminate the noise pollution and to know about statistics of noise pollution cases registered in India and noisiest cities in the world through this article youth, women, public, politician, workers, and business man are urged to get RID of noise pollution.

Keywords :Noise deadly virus, Vain sound, Environmental threats, Man made sound, Decibel, Public nuisance, Freedom from noise pollution, Acoustic environment, Forced audience to noise, Silence zone.

INTRODUCTION:

Noise pollution not only serious threats to environment but also invisible deadly virus in society. So we all cannot live on earth without sound. To uphold everone's right to live in peace, we must use only the decibel level of sound that is determined by law in our lives any sound waves and noise by vibrantly molecules through a medium makes a sound that is high in frequency or inaudible to humans. Ultrasonic sound has a very low frequency humans cannot even sounds. They are referred to as "Michiru kela infra sonic sound level considered to be the loudest sound 0.01 watt but this is deafening sound strength is measured in decibels. A decibels is a deck is capable of exerting a pressure of 0.00024 on a square meter of surface area A tenth of a bell is large volume of sound i.e, 1 bell- 10 decibels. 2bells = 10 x 10 =100 decibells and sound is 344 meters per second. Decibel is equal to twice the speed of travel, or 760 moles per hour. Sound travels at a mode. A wall that can withstand winds of between 600 and 800 mph is referred to as a sound barrier. Two-wheelers maintain their expertise In rush hour, noise from trains, two-wheelers, and other vehicles above heavy vehicles is produced by two-wheeler drivers who do not have a silencer installed in their car. They are hammering and creating a lot of noise pollution. They are also building new structures, digging loud wells, and making a lot of noise when they mix things up and demolish buildings. These things affect machinery, tools, performance, etc., and occasionally they even cause tremors. A residence where plates are cut and grind repair up mechanic workshop of saw mill, wood saw mills in areas. They are a major source of noise pollution.

CONCEPT OF NOISE POLLUTION:

- Noise pollution is unheard sound of ears and It is excessively prescriptive decibel by law
- The Noise pollution¹ defines noise above 65 decibels as noise pollution².

OBJECTIVES:

1. To sensitizing the general public, woman, youth, politicians, workers, businessmen everyone must use the prescribed level of decibel sound according to law.
2. To study the concept, causes and effects of noise pollution
3. To find out different degree of hearing loss through noise pollution
4. To comprehend the ways in which loud noises might harm our hearing

¹ World Health Organization(WHO)

² Iberdrola.com/sustainability

5. To study about what decibel is dangerous for human
6. To provide legal remedies against noise pollution in India
7. To study about noisest cities ranking in india in the world in the year of 2022.
8. To suggestions the ways, means to prevention and control of use pollution in India.

RESEARCH METHODOLOGY:

The descriptive analytical approach was used in the study for this article. Secondary data were used in the completion of this research report. This secondary data was gathered from publicly available sources such as books, journals, newspaper official websites, judgements, etc.

REVIEW OF LITERATURE:

1. According to World Health Organization, It is one of the most dangerous environmental threats to Health³
2. According to European Environmental agency noise is responsible for 12,000/- Premature death and 48,000/- new cases of ischaemic heart diseases every year
3. The National Institute on Deafness and Other Communication Disorders states that sound levels 75 dB and lower are healthy for human ears, whereas sound levels 85 dB and more are harmful.⁴
4. To reduce occupational noise-induced hearing loss, the National Institute for Occupational Safety and Health (NIOSH) has advised that all worker exposure to noise be regulated below a level comparable to 85 dB for eight hours.⁵
5. Law of Torts provides that no person has an absolute right to make noise on his hand the detriment of another person's comfort court have declared in unequivocal terms that the interference with the comfort of a person should be substantial.
6. Mathiya Pradesh high court in Dhannalal vs Chittar singh laid down the law relating to noise is very clear term.
7. MEASURING SOUND LEVELS: Any sound that is produced is a stimulus, and sound pressure is a measurement of that stimulus. The logarithmic representation of the ratio between the observed sound pressure and a standard pressure serves as the basis for expressing the sound pressure range, which spans from 20 μ Pa to 200 Pa. Sound Pressure, $L = \text{Log}_{10} \frac{P}{P_0}$ (dB) P= Sound pressure, sound power, or sound intensity as measured. P_0 =The standard reference value for sound pressure, power, or intensity (20 x 10⁻⁶ Pa). L= Bels Sound Level (B) Though it turns out that the unit bels (B) is a rather large component, decibels (dB), a smaller unit, is more frequently employed. $L = 10 \cdot \text{Log}_{10} \frac{P}{P_0} * 1\text{dB} = 10 \text{ B}$ Loudness Pressure Level, $L_p = 20 \cdot \text{Log}_{10} \left(\frac{P}{P_0} \right)$ (Lp= 20 μ Pa.m.s) According to the logarithmic unit of measurement, 80 dB is ten times louder than 79 dB, for instance.
8. NOISE RATING SYSTEM⁶ : Leq: Leq is the statistical measure of sound pressure level, equivalent to any noise level variation. A fluctuating noise level, for example, will result from a sound of 40 dB lasting for five minutes, followed by an 85 dB sound for ten minutes, and a 100 dB sound for the final five minutes. This indicates that the effect will be produced throughout the full 20 minutes (5+10+5= 20 minutes) in dB. Equivalent continuous equal energy level, or Leq, is the name given to this value. $Leq = 10 \log \sum_{i=1}^n (10^{L_i/10} \cdot t_i)$ $10 \times t_i$ $t_i = n$ $i=1$ n =number of sound samples, L_i = each sample's noise level, t_i = each sample's duration, and t = the event's entire time period. Another way to think of 8 Leq is as the constant noise level, which expands energy in the same way as fluctuating levels do over a certain period of time. A sound level meter that exhibits a "flat" response when measuring sound pressure level will highlight low frequency noises equally with higher frequency sounds. The human ear reacts to sounds at different frequencies differently; it is less effective at processing low- and high-frequency sounds than it is at processing medium-range sounds. Frequency weighting filters are used to produce sound levels that cover a wide frequency range and roughly match the response of the human ear. Aweighted sound is the final sound level that is produced. Consequently, Leq dB(A) is how we quantify sound intensity. Ln: The sound pressure level that will be exceeded for N% of the measuring time is represented by the value of Ln. during example, L60's overall sound level is 70 dB, meaning that during 60% of the measurement time, the sound level will be higher than 70 dB. Ln is only the percentile value for the duration of the measurement.

³ Iberdrola.com/sustainability

⁴ Iberdrola.com/sustainability

⁵ Scarthet.Tech.com/knowhow

⁶ National ambient noise monitoring network: NANMN/02/2015-16.

In the year 2000 for the central govt to prevent noise pollution reduce levels of noise pollution and physical discomfort to the public enacted with a view to eliminating psychological harm accordingly under rule 3(1) and 4 (1). The level of sound is determined as follows: Criteria for ambient air quality concerning noise under the 2000 Noise Pollution Regulation and Control Rules.

Area code	Type of Zone	Day time (dB(A))/Leg	Night time (dB(A))/Leg
A	Industrial area	75	70
B	Commercial area	65	55
C	Residential area	55	45
D	Silent area	50	40

As stated in the list created by anyone in accordance with these guidelines, noise pollution occurs when the level is 10 dB above the permitted limits. Reading and blowing are prohibited in the peace zone, and he is the one who performed it with the drum and tom-tom thumping instrument.

CAUSE OF NOISE POLLUTION:

Natural causes:

- Water falls, forest, sunset, Thunderstorm, Volcanoes & avalanches
- Rain wind, flowing streams.

Manmade causes:

- Taking, singing, laughing, human voices, crying screaming, elections

Industrial causes:

- Machineries, construction and vehicles sawmills, lathes, punch, presses

Commercial causes:

- Vehicles, helicopters, aircrafts, motor vehicles roads, Train

Customary cause:

- Kovil festivals, Dewali new year, pongal, Marriage ceremonies, All Religious worship activities.

EFFECTS OF ACOUSTIC DISTORTION ON THE ACOUSTIC ENVIRONMENT:

- If you hear pollution very much worse noise of man standard of living affected. Thus young children and elderly for noise pollution are affected. More than 100db continuously schools, there is a high chance of hearing loss during exposure here places like hospitals, libraries, court etc., are quite places maximum volume is only 50db. Only existence is possible. Additionally, animals and humans are impacted by excessive internal noise. People are particularly susceptible psychologically to noise levels between 120 and 150 dB, such as those produced by airplanes flying overhead. Research indicates that noise pollution increases the risk of miscarriage in women.
- The hair cells in the cochlea perish when exposed to excessive loudness. The consequence of this is that hearing can be irreversibly impaired. There are many people who work in factories and airports who may be affected by these consequences. Occasionally, hearing loss can occur when a loud noise is heard repeatedly to the point that it becomes unintelligible.
- Noise pollution causes depression nervousness and blood pressure in humans diseases such as heart attack, heart diseases and deafness occur.
- Noise interferes with our activities and affect our nerves and emotions. We do not even know our behavior and determinate us very easily vulnerable noise can affect our performance. In our prayer intrudes into the dark corners of the mind and cause fear.

- People who work in noise environments are cruel and domineering, insecure, unreliable and particularly found to be changing repeat the continuous humming noise to keep the breath away. At times it causes laxity to man's self will instead judgment can be made.
- High volume the elderly they bleed when infected fat deposits buildup with tubes and narrow the blood vessels leading to a heart attack. Dilation can lead to infection and death. Man at high volume color blindness occurs during life 15 minutes of loud music per hour causes color blindness. This can cause permanent color blindness control audio distortion.

How may noise impair our ability to hear?⁷

We must comprehend how our ears work in order to comprehend how loud noises can harm them. A sequence of processes converts airborne sound waves into electrical signals, which are necessary for hearing. These impulses are subsequently transmitted to the brain via our auditory nerve via an intricate network of pathways.

1. Acoustic waves go in the exterior ear and trip through small passage called an ear canal to the auditory canal.
2. Three little bones in the middle ear receive the vibrations that the eardrum produces as a result of the sound waves entering the ear. The malleus, incus, and stapes are the names of these bones.
3. The cochlea, an organ of the inner ear that has a snail-like form and is filled with fluid, receives sound waves from the atmosphere through a couple of joints in the middle ear. From the beginning to the conclusion, an elastic partition divides the cochlea into an upper and lower section. The ground floor, or base, of this partition is known as the basilar membrane because it is the location of important hearing structures.
4. A traveling wave develops along the basilar membrane when the vibrations induce the fluid inside the cochlea to ripple. The wave is passed by hair cells, which are sensory cells located above the basilar membrane.
5. Tiny projections that resemble hair and rest on top of hair cells, called stereocilia, bump into and bend in response to an overlying structure as the hair cells move up and down. Pore-like channels near the tips of the stereocilia open up when the cell is bent. Chemicals flood the cell at that point, causing an electrical current to flow.
6. The eardrum conducts this electrometer to the brain, where it is converted into a sound that we recognize and value.

Level of Decibel is dangerous for human⁸:

Above 70 dB over prolonged period of time may start damage your hearing. Loud noise above 120 dB can cause immediate harm to your ears.

Common Noises and Sounds	Decibels are used to quantify average sound level(measured in decibels)	Common Reaction (after routine or repeated exposure)
The quietest sound imaginable	0	Usually, noises at this decibel levels don't harm ears. .
regular breathing	10	
A ticking clock	20	
Gently murmur	30	
Hum from the refrigerator	40	

⁷Source: NIH/NIDCD/ <https://www.nidcd.nih.gov/health/noise-induced-hearing-loss>

⁸ <https://www.ncoa.org/adviser/hearing-aids/decibel-levels/>

Typical dialogue, air conditioner	60	
Dishwasher and washing machine	70	You might find the loudness bothersome.
City traffic from within the vehicle	80–85	You might be quite irritated.
Lawnmowers and leaf blowers with gas engines	80-85	After two hours of exposure, hearing damage could occur.
motorbike	95	Hearing impairment could occur after roughly 50 minutes of exposure.

DIFFERENT DEGREE OF HEARING LOSS⁹:

S.No	Level of Decibles dBs	Hearing loss	Symptoms
------	-----------------------	--------------	----------

⁹ <https://www.asha.org/public/hearing/degree-of-hearing-loss/>

The sound of an oncoming subway train, an automobile horn at a distance of 16 feet (5 meters), and athletic events (such football games and hockey playoffs)	100	After fifteen minutes, hearing loss may occur.
The loudest volume that should be used for personal listening devices, loud radios, stereos, or televisions, as well as noisy public spaces like bars and clubs and rock concerts	105–110	Within five minutes, hearing loss could occur.
Barking or yelling in your ear	110	In less than two minutes, hearing loss could occur.
positioned next to or close to sirens	120	An ear injury and pain
Cannons	140–150	An ear injury and pain

1.	10	Normal hearing ability	Normal
2.	16-25	Slightly hearing loss	Difficult to understand very soft speech from a distance.
3.	26-40	Mild hearing loss	Difficulty understanding soft speech , especially noisy environment
4.	41-55	Moderate hearing loss	Difficulty understanding normal speech,

			especially noisy environment
5.	56-70	Moderately severe hearing loss	Need speech to be loud difficulty with background noise and in groups
6.	71-90	Severe hearing loss	Cannot hear normal speech and sometimes difficulty with loud speech
7.	Above 91	Profound hearing loss	Difficulty with very loud speech and sometimes cannot hear sound speech at all.

Noise pollution cases registered in india:

According to the most recent National criminal records bureau (NCRB) annual report, Rajasthan accounted for 98.9% of the total 7378 cases reported under the noise pollution act in 2022, while Uttar Pradesh registered one case and Delhi zero instances. The 2022 edition of TTTled Crime in India is based on information gathered from 36 states, union territories, and federal authorities. It was first published in 2021 as part of a report. In 2022, a total of 7217 instances were registered under the Noise Pollution Act, maintaining a mere 2% marginal rise from the previous year's total of 7217 incidents.

The ranking of noisest cities in the world¹⁰:

S.No	State	City	Decibels (dB)	Ranking
1.	Bangladesh	Tharka	119	1
2.	India	Morabad	114	2
3.	Pakistan	Islamabad	105	3
4.	Vietnam	Ho-chiminh city	103	4
5.	Bangladesh	Rajashani	103	4
6.	Nigeria	Ibadan	101	5
7.	Agelia	Algiers	100	6
8.	Nepal	Kupondote	100	6
9.	Tailandia	Bangkok	99	7
10.	Canada	Toronto	95	8

LEGAL REMEDIES UNDER THE LAW FOR NOISE POLLUTION

- The Chennai Metropolitan Police Act forbids the use of cone-shaped loudspeakers. Section 71a of the Act prohibits anyone from using loudspeakers without permission or from using them for an unauthorized period of time. At that time, specified police are subject to the provisions of the law, excluding areas where chief constables are qualified to serve on police commissions or under their orders. If a police officer not below the rank modifies the order, they may also be subject to a fine of up to three months' imprisonment.
- Police prohibits horn types of loudspeakers under section 18 of the police act and police department may take action.
- A public nuisance offense may result in criminal prosecution under section 268 of the IPC, which deals with noise pollution.
- The district magistrate has the authority to order the individual creating the nuisance to stop it, subject to the provisions of Crpc 133.
- Section 3(1) of the Environmental Protection Act of 1986, which uses board authority to regulate pollutions and take action against those who cause noise pollution in order to legally prohibit noise pollution.

¹⁰ <https://www.iac-australia.com.au/news/the-noisiest-cities-in-the-world/>

- The Motor Vehicle Act of 1988's section 190(2) states that anyone who drives, causes to be driven, or permits to be driven a motor vehicle in a public place in violation of the standards set forth for road safety, noise control, and air pollution will be fined Rs. 1000 for the first offense and Rs. 2000 for any subsequent offenses.
- Writs for the removal of noise pollution filed in high courts pursuant to Art. 226 of the Indian Constitution.
- Section 15 of the Environmental Protection Act of 1986 states that anyone who violates any of the rules made under the Environmental Problem Act or the regulations thereunder will be subject to punishment, which may include up to five years in prison, a fine of up to Rs. one lakh, or both.

The Commissioner of Police in the City of Madras and the Special Police Officer in each district shall adhere to Rule 403 of the Motor Vehicles Rules of Tennessee and ensure that Rule 119 of the Central Motor Vehicle Rules is strictly followed when it comes to the usage of air horns. said authority will give notice of the impending action. Any person may bring any violation of the aforementioned rules to the attention of the relevant police official, and upon receipt of such information, the concerned police officials are required to take appropriate action against the violators in accordance with rules 119 of the Central Motor Vehicle Act and rule 402 of the Motor Vehicles Rules in Tennessee.

COURT VERDICTS:

The supreme court in its judgement in *Re noise pollution vs Unknown*¹¹ delivered on 18 July 2005 ordered the following guidelines:

The noise level at the boundary of the public place where loudspeaker or public address system or any other noise source is being used shall not exceed 10db above the ambient noise standard for the area or 75db whichever is lower.

When using a public address system, loudspeakers, or any other noise source, the noise level at the place's perimeter cannot be more than 10 dB over the local ambient noise standard, or 75 dB, whichever is lower.

- With the exception of situations involving public emergency, nobody is allowed to use a sound amplifier, beat a drum or tom tom, blow a trumpet, or play any other instrument between 10 p.m. and 6 a.m.
- At the edge of the private place, the peripheral noise level of a privately owned sound system cannot be more than 5 dB over the ambient air quality limit for that region.
- Except in some rare cases, no car horn should be allowed to be used between 10 p.m. and 6 a.m. in residential neighborhoods. The state will establish procedures for the certification and confiscation of loudspeakers, amplifiers, and other devices that are deemed to be producing noise that is overly loud.

According to the ruling in *Church of God (Full Gospel) in India v. K.K.R Majestic colony welfare Association*, the supreme court has the authority to order the control of noise pollution, even in cases where the noise is directly related to and results from religious activity. In a civilized society, it is not permissible to carry out religious activities that disturb elderly or uniform people, students, children sleeping in the early hours of the day, or other people going about their daily business. The court held that no religion prescribes that prayers should be performed by upsetting the peace of others or that they should be performed through voice amplifiers or drum beatings.

Every citizen is entitled to a world free from pollution: In addition to many other associated rights, Article 21 of the Indian Constitution guarantees every citizen the right to a respectable environment in which they can live in peace, have free time, and sleep soundly at night. Therefore, everyone has a right to be shielded from noise if they want to live in comfort, quiet, and serenity within their home.¹²

By virtue of an order dated 07/04/2015 passed in O.A. No.21/2014, Vardhaman Kaushik and Ors. Vs. Union of India has banned all vehicles older than 15 years from operating in the National Capital Region (NCR). Additionally, the order directs that all diesel vehicles, both heavy and light, older than 10 years will not be allowed to operate on NCR Delhi's roads, and that all gasoline vehicles older than 15 years will not be allowed to operate in the NCR flow The foregoing case was duly upheld in accordance with the conditions of the Supreme Court's order of October 29, 2008 in

¹¹ 2005 (5)scc733

¹² Free legal aid cells sughan chand aggarwal vs state of delhi 2001 scc online delhi 713

W.P. No. 13029/1985 in the matter of M.C. Metha vs. State of T.N., as per the Hon'ble National Green Tribunal Order dt. 26/11/2014.¹³

Appa rao vs. Govt of TN¹⁴

The first writ petition asks for the issuance of a writ of mandamus, ordering the state government to impose stringent requirements before granting licenses for the use of amplifiers and loudspeakers, as well as directing the Director General of Police to issue an order and prohibit the use of air horns, horn-type loudspeakers, and amplifiers in cars.

The limits fixed by Item 89 of schedule I to the environment protection act 1986¹⁵ for noise from fire crackers were held good and that they must be followed and implemented properly by the concern authorities. But the court made it clear that maximum limit of 125dB (AI) must be adhered to and that every manufacturer should mention the details its chemical contents on each box, in case of failure the manufacturer shall be liable for criminal prosecution.

In *Shobana Ramasubramaniyan vs chennai metropolitan development authority*¹⁶, the tamil nadu high court declared that the noise pollution produced by use of heavy machineries and heavy iron weights was more than 76 dB and in exam any standard and was this disturbing the peace of the neighbourhood therefore, the court ordered for the closure of the works immediately the court declared environmental rights as "Third generation right".

The indian supreme court made a very significant pronouncement in noise pollution, the case mainly deals with the law for restraining noise from loudspeakers and fire crackers. Firstly, the court made it clear that "nobody can be compelled to listen, and nobody can claim that he has a right to make his voice trespass into the ears or mind of others nobody can indulge into actual aggression" such as amount to violation of rights of others to peaceful, comfortable and pollution free life guaranteed by Art.21.

INSTRUCTION FOR CONTROLLING THE ACOUSTIC GATE:

1. Relevant laws and regulations driver vibration control acoustic rooms are powered by machines with sound absorbing materials must do.
2. Pasumbul basings in cities squares became parks. They control and absorb noise as well as clean the air specifically they attract and absorb sounds of higher frequency plants are air plants grown out the noise they make. Hence the airports it is necessary to have a lot of plants around.
3. A part of festivals, weddings, worships, stages etc, using reversed cone loudspeaker. It has been banned in most places. Cone shaped sound about users of amplifiers immediately you report to the nearest police station.
4. Every district should have a separate police wing for offences related to noise pollution. So that cases of noise pollutions can be registered and legal action should be taken expeditiously.
5. An All India level has been organized in each district to receive complaints regarding noise pollution from the public a common helpline number should be provided so that appropriate legal action can be taken.
6. The Road transport Authority will take legal action against those using loudhorns and silencers as opposed to the company model system that manufacturer any two or four wheelers vehicles cancelling the driving license and requiring the class is the vehicles to be replaced.
7. The censor board should ban the cassette tapes that rely on music instrument in the cinema industry and not show the cinema shoots with too much noise in the cinema theaters.
8. Political convention, meetings of political parties, elections, events, if they use loudspeakers to make excessive noise in a public place, remove the recognition of those parties, candidates who campaign with loud noise during election time should be banned from standing and if nominated, that candidate should be labeled declared as disqualifying.
9. The Indian penal code should be amended and enforced to impose a minimum of 7 years grievous imprisonment and a maximum of life imprisonment for those who use mobile phones with excessive noise in public places and in bus and train transport and cause excessive noise pollution.
10. In the road transport department, private and government buses are playing loud movie songs, movies. The transport authority should block the noise and cancel the license of the buses and take immediately action.

¹³ Supreme court order dated 29/10/2008 in W.P.No.13029/1985

¹⁴ 1995 02 Mad court puducherry 002 Madras high court Case No. W.P 12615/1985, 12629/1985 and 20444 of 1992 dt of decision 15/2/1995.

¹⁵ Noise level fixed from crackers is 125dB or 145 dB © at 4 meter distance from the point of bursting

¹⁶ AIR 2002 Mad 125

11. Two wheelers four wheelers, radio, taped record sound system, firecrackers manufacturing industries have the power to ban the production and sale of loud products in violation of sound level prescribed by rules. The act of noise pollution prevention and control should be enacted separately.

CONCLUSION:

Every one of us should realize that it is our responsibility and fundamental duty to follow the sound level set by the law and to live without noise pollution. Every child that can be born on earth should be raised by parents to raise the awareness of the sound pollution disorder and its effects, the deafness of our ears, and use it with sound level.