



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 15385 of 2021

Noise Pollution Thru Modified Silencers Suo Moto

.....Petitioner(s)

Versus

State of U.P. and Ors.

.....Respondent(s)

Along with :

1. Writ - C No. 8373 of 2008:

Uma Shanker Halwasiya S/o D.P. Halwasiya

Versus

State of U.P. Through Chief Secretary

2. Writ - C No. 11473 of 2014:

Rama Kant Jayswal

Versus

The State of U.P. Thru. Secy. Home Deptt. and 4 Ors.

3. Public Interest Litigation (pil) No. 5696 of 2006:

Gomti Nagar Jan Kalyan Maha Samiti Thru G.S.

Versus

Union of India Thru Secy. Urban Dev. and 6 Ors.

4. Public Interest Litigation (pil) No. 11268 of 2009:

Dhruv Kumar S/o Late Keshav Ram

Versus

State of U.P. Thru Prin. Secy. Transport and Ors.

5. Public Interest Litigation (pil) No. 9316 of 2012:

Moti Lal Yadav

Versus

Union of India Thr. Secy. Deptt. of Health New Delhi and others

6. Public Interest Litigation (pil) No. 2214 of 2014:

Ashish Sinha

Versus

State of U.P. Thr. Prin. Secy. Environment Civil Sectt. Lko. and Ors

7. Public Interest Litigation (pil) No. 2622 of 2015:

Dr. Surendra Kumar and 2 others

Versus

State of U.P. Thru. Prin. Secy. Environment and 6 others

8. Public Interest Litigation (pil) No. 24981 of 2017:

Moti Lal Yadav

Versus

State of U.P. Through its Chief Secy. Civil Sectt. Lko. and Ors.

Counsel for Petitioner(s) : A.k.verma, Akanksha Dubey, Amar Nath Singh, B.k. Singh, Dharmendra Gupta, Gaurav Mehrotra, In Person

Dhruv Kumar, Moti Lal Yadav In Person, Moti Lal Yadav Inperson, Raj Kumar Dwivedi, Sandeep Dixit, Suo Moto, Vijay Dixit

Counsel for Respondent(s) : A K Verma, A.k.verma, A.s.g., Ambrish Rai, Amrendra Nath Tripathi, Ashok Kumar Verma, Asit Kumar Chaturvedi, C.S.C., C.sc., Chandra Shekhar Pandey, D.s.g.i, Dipak Seth, Gaurav Mehrotra, K. Chandra, Kumar Ayush, Mahesh Chandra, N.c. Mehrotra, Neeraj Chaurasiya, Rajesh Kumar, Ratnesh Chandra, Sandeep Dixit, Shobhit Mohan Shukla, Shubham Tripathi, Sri Rahul Shukla, Sudhir Pandey, T.c.seth, Umesh Chandra Pandey, Vinayak Saxena

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE MANJIVE SHUKLA, J.

1. Heard Shri Gaurav Mehrotra, learned Senior Advocate & Amicus curie in the present, Shri Vivek Shukla, learned Additional Chief Standing Counsel for the State and Shri A.K. Verma, learned Counsel for the Pollution Control Board.

2. This petition which essentially deals with misuse of pressure horns, modified silencers and hooters has come up before this Bench today on an urgency being mentioned by learned Amicus Curie and an application being filed by him for listing of the case urgently in view of an incident which is said to have taken place on 22.09.2026 involving the death of a young girl child studying in Class-II while she was in her classroom allegedly on account of loud blaring of speakers and music system in a procession which was passing nearby the Divine Public School, City Palace Road, Bhagautiganj, District Balrampur, Uttar Pradesh-271201. The incident was widely reported in media. We have heard the matter. It would be better if a separate Public Interest Litigation is registered Suo Motu on the directions of this Bench. We are conscious of the order dated 10.01.2023 passed in W.P.I.L. No.24981 of 2017 but are of the considered opinion that as an exception a separate Public Interest Litigation is required to be registered with regard to the aforesaid incident and the larger issues which have arisen regarding noise pollution and its affect on the citizenry especially as this will involve separate departments

and it may not be feasible to array all those departments in this Public Interest Litigation. We, accordingly, direct the Registry to register a separate Suo Motu Public Interest Litigation in re; **Noise Pollution and compliance of statutory provisions in this regard by the concerned authorities.**

3. The Additional Chief Secretary/Principal Secretary, Department of Home, Government of U.P., Lucknow, Additional Chief Secretary/Principal Secretary, Department of Transport, Government of U.P., Lucknow, Additional Chief Secretary/Principal Secretary, Department of Forest and Environment, Government of U.P., Lucknow, the Director General of Police, Uttar Pradesh, Lucknow, the Commissioner of Police, Lucknow, District Magistrate, Lucknow, the Additional Chief Secretary/Principal Secretary, Department of Housing and Urban Planning, Government of U.P., Lucknow which is the administrative department and the development authority, the Additional Chief Secretary/Principal Secretary, Department of Urban Development, Government of U.P. which monitors the local bodies, Municipal Corporation, Lucknow through its Municipal Commissioner, Lucknow Development Authority, Lucknow through its Vice Chairman, Uttar Pradesh Pollution Control Board through its Member Secretary, Central Pollution Control Board, New Delhi through its Member Secretary, Divine Public School, City Palace Road, Bhagautiganj, District Balrampur, Uttar Pradesh-271201 through its Head Master regarding the incident which took place on 22.09.2026 as noticed hereinabove, the District Magistrate, Balrampur, the Superintendent of Police, Balrampur and the Chief Medical Officer, Balrampur shall be arrayed as opposite parties in the aforesaid Suo Motu proceedings, by the office.

4. Shri Vivek Shukla, learned Additional Chief Standing Counsel for the State shall seek instructions/report from the District Magistrate, Balrampur and the Superintendent of Police, Balrampur. He shall also ensure service of a copy of this order upon the Divine Public School which has been arrayed as an opposite party in the Suo Motu proceedings through the office of the District Magistrate, Balrampur so that it may also assist the Court at least with regard to the incident which took place on 22.09.2026.

5. We make it clear that we have not drawn any conclusion as to the cause of death of the child but the fact that loudspeakers or music instruments were being played at a very high pitch and immediately thereafter, the child collapsed in the classroom persuades us to take cognizance of the matter as noise pollution is now becoming a menace. In spite of this menace having been noticed and acknowledged by the Legislature under the Environment Protection Act, 1986 and the rule making authority under the Noise Pollution (Regulation and Control) Rules, 2000 but it seems to continue unabated. Everyday we find violation of the aforesaid Rules, 2000 on the streets. It is common knowledge. The question to be considered is, who is responsible for curbing and curtailing this menace and what is being done in this regard. If, in spite of the steps taken, this menace is not being curtailed, stopped or curbed, as the case may be, some mechanism needs to be put in place with regular monitoring as to the compliance of the statutory provisions in this regard. Of course, this will also entail spreading awareness among the citizens as lack of it is one of the main reasons for violation of the statutory provisions in this regard. How to do it, is the job of the Government for which we require its assistance and that of its authorities who have already been ordered to be arrayed as opposite parties in these Suo Motu proceedings. If, in spite of the measures taken, people violate the statutory provisions in this regard then they have to be made accountable. Rules, 2000 provides for penalty which could be imposed in terms of the Act, 1986. We propose to hear the matter further on 12.10.2026.

6. We hope and trust that the parents of the child and the aforesaid school authorities will not be pressurized and functioning of the School shall not be interfered unnecessarily by any person or authority of the State. We request Shri Gaurav Mehrotra, learned Senior Advocate & Amicus Curie to assist us in the Suo Motu proceedings also.

7. It is open for the opposite parties which have been arrayed in the Suo Motu proceedings to file an affidavit, if they so please, not only with regard to the incident referred above but also with regard to the measures taken and proposed to be taken hereinafter alongwith suggestions which they may have for effective implementation of the Act, 1986 read with the Rules, 2000 keeping in mind the larger public interest involved. As

regard, Public Interest Litigation bearing W.P.I.L. No.15385 of 2021 it will be listed on the date already fixed i.e. 09.10.2026.

8. List the fresh Suo Motu P.I.L proceedings referred above on **12.10.2026, as fresh.**

(Manjive Shukla,J.) (Rajan Roy,J.)

September 28, 2026

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