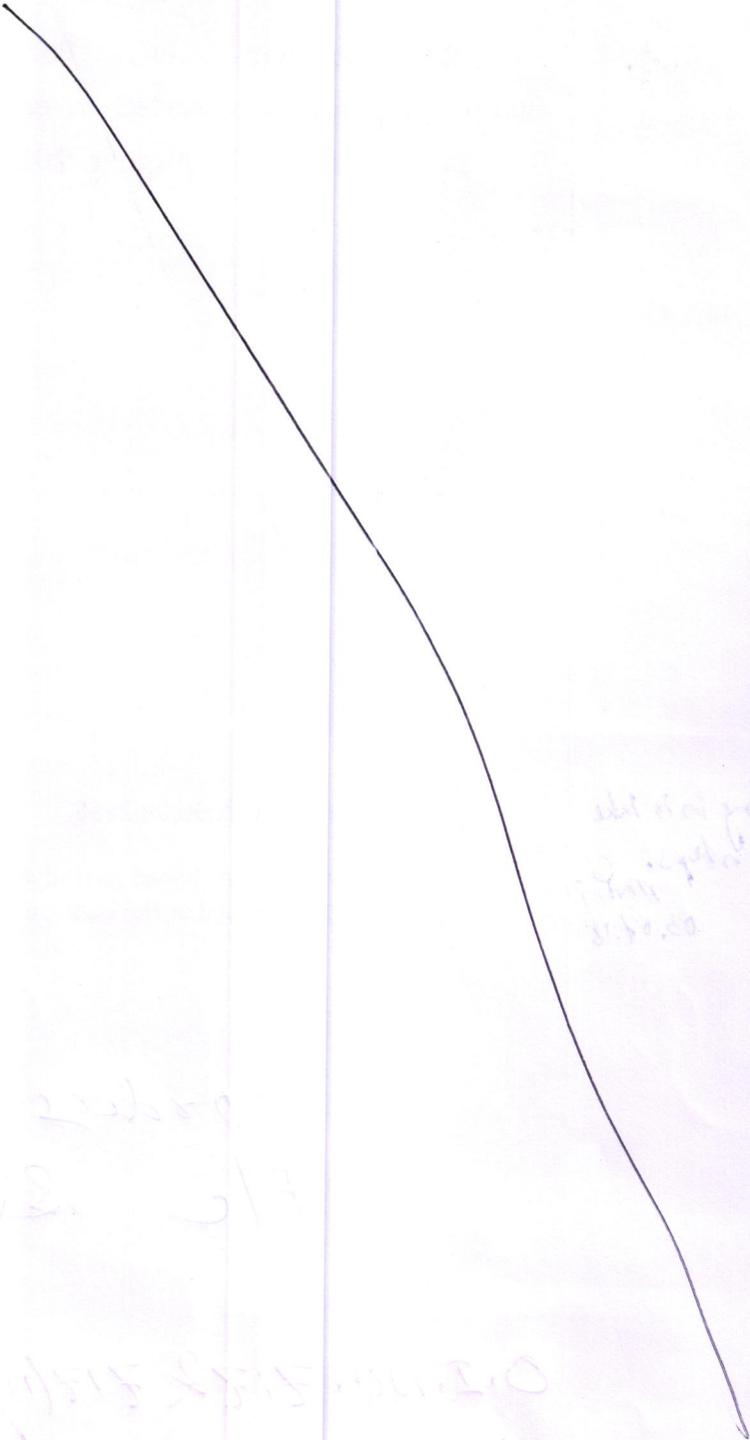


Memo No. 1969/CP/BDNFC/CA Dated 27/10/18 from
Deputy Commissioner of Police, (HQ) Bidhanagar Police
Commissionerate, Bidhanagar.

V. Dasgupta
19/12/18

~~AS~~
14/11/18

~~Rgr~~



[Faint, illegible text, possibly bleed-through from the reverse side of the page]

(3)

On 30.06.18 a news was published in the "Ananda Bazar Patrika", a Bengali daily with regard to improper usage of horns ~~at~~ at Kolkata and its suburbs and ~~an~~ an incident of such improper usage of horn at Dum Dum Underpass has been referred in the said news.

The Honble Commission took cognizance and a report was called for from C.P., Bidhannagar.

Such report was forwarded on 25.09.18 but the same was ~~tagged~~ with the file only on 19.12.18.

It is reported that Dum Dum station does not fall under the jurisdiction of Bidhannagar Police Commissionerate and as far as this Commissionerate is concerned, the Asstt. Commissioner of Police (Traffic) of this Commissionerate has issued a general instruction to all ~~the~~ ^{concerned} ~~to~~ take strict action against such menace of horns and a copy of such letter containing ~~the~~ ^{such} ~~the~~ instruction has been enclosed with the report.

Submitted.

Pr. Secy / Under
Chairperson

S.B.

PKP
Registrar
31.12.18

Len
11/19

Let it be noted for discussion.

AS

Matter was discussed in Full bench of
Council. Ld. Registrar High Court / bench of
by Honble Calcutta High Court / orders passed
Board regarding restrictions / ban on use
of Air Horns / Silence Zones. Matter be submitted
to Commissioner 26/7/2019

Ld. Registrar

14/6/19
14/6/2019

(4)

The undersigned was directed to ascertain orders passed by the Hon'ble High Court at Calcutta or by the Pollution Control Board regarding restrictions/ban on use of Air Horns in Silence Zones.

It appears that there are two leading decisions of the Hon'ble High Court at Calcutta with regard to sound level in Environment. The judgment passed by the Hon'ble Division Bench in the matter of Burrabazar Fire Works Dealers Association & ors. -vs.- The Commissioner of Police & ors, is related to fixing the sound level of fireworks in the State of West Bengal. On the other hand the judgement passed by the Hon'ble Division Bench in the matter of Moulana Mufti Syed Md. Noorun Rahman Barkati & ors. - vs. - State of West Bengal & ors., is related to restrictions on the use of microphone..

Downloaded copies of the aforesaid judgements are submitted as Annexure 'A' and 'B' respectively (relevant portions are highlighted).

After thorough study with regard to specific decisions of the Hon'ble High Court it is ascertained that the judgement passed in the matter of Rabin Mukherjee - vs. - State of West Bengal (reported in AIR 1985 Cal 222) is the appropriate decision wherein the Authorities concerned were directed to enforce restrictions against the use of such electric and other loud and shrill horns including air horn by ^{operation} ~~operation~~ of the vehicles.

Downloaded copy of the aforesaid decision is submitted as Annexure - 'C' (The relevant portions are highlighted).

On further study it is ascertained that there is a notification dated 29th December, 2009 issued by the Govt. of West Bengal, Deptt. of Environment imposing restriction/ban of any vehicular horn in silence zone.

Downloaded copy of the aforesaid notification is submitted as Annexure - 'D'.

Submitted.

~~Hon'ble Member (A)~~
Hon'ble Chairperson.
S.B.

~~Registrar~~
Registrar
30.07.19

~~Ld Registrar~~

Pls put up file to Hon'ble Chairperson.

~~Hon'ble Chairperson~~

AIS

Let the matter be now listed for discussion at an early date.

30/7/19
31/7/19

31/7/19

NSP-
 matter discussed in Full bench of
 Commission. CP Bidhanagar Commissionerate
 to take action against use of Air
 horn in terms of WP 8146 (W) of 1997
 Moulana reft. Sp. Md. Noorur Rehman Barbati
 vs State of WB; WB, 2725/1996
 Burrabazar Fireworks dealers Association vs
 CP, Kolkata Police, Rabin Mukherjee & others
 vs State of WB. AIR 1985 Cal 222, 89 CWN 573
 re Govt of WB Notification dt 29/12/2007 (EN/336/T-N-6/001/2007)
 Ld. Registrar to Comment to CP (H.D.)
 ADMPC alongwith papers cutting & his report
 to Commission. He will upload it
 on our website.

By 5/8/19

Monday 5/8/2019

Ld. Registrar

O.I. NO. 1177/WBARC/SMC/82/18

Dt. 06.08.19

along with enclosures
 The aforesaid letter has been received upon CP, Bidhanagar
 by hand. The copy of letter (along with enclosures) showing receiving
 seal and initial is tagged with the file. Asst. Secy (L & R Wing)
 is directed to necessary steps for uploading.

PKR
 07.08.19,

AS