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Ringing the Bell :The impact of Noise Pollution

Introduction

The Environment is of paramount importance as a concern for all living things. In other words, one cannot live without a medium to survive.

Nowadays, our environment is being endangered by pollution. Various human activities lead to environmental pollution. Though this planet is not only for human beings, humans are solely responsible for air pollution, water pollution, soil contamination, and noise pollution.

This article mainly emphasizes the impacts, significance, and legal provisions of noise pollution. Can you imagine noise being a pollutant? Let's check.

What is pollution?

Pollution can be referred to as the introduction or disposition of harmful substances into the environment. In usual parlance, human activities impact environmental pollution. It includes disposing of waste into water, throwing plastic onto bare soil, the emission of chemical smog from factories, and extreme traffic noise, etc.

Pollutants are the things which constitute various forms of pollution.

Pollutants are some materials that cause adverse effects on the natural quality of any components of the environment. Based on these pollutants, pollution is mainly divided into four types, namely, Air pollution, Water Pollution, Soil pollution, and Noise pollution.

What is meant by Noise ?

The term noise has been coined from the Latin word 'Nausea,' which means a tendency to vomit, implying that noise may sometimes be unbearable for human beings. For example, honking sounds.

A sound can't be seen with the naked eye, but we can hear it. Some sounds give a soothing feeling, while others give an unpleasant feeling. Such discomforting sounds may lead to noise pollution. Noise can be measured in Decibel. Hence, the unit of noise is decibel (dB).

Noise pollution

Noise pollution is a disturbing or unpleasant noise generated by people or machines that can be annoying, distracting, intrusive, and physically harmful. According to Robert Lacey, noise pollution may be described as "of all the varieties of modern pollution, noise is the most insidious." Though sounds create pollution, not all sounds are subject to noise pollution. The World Health Organization defines noise as pollution when it ranges beyond 65 dB (decibels). It's harmful when it exceeds 72 dB and becomes painful when it reaches beyond 125 dB.

Few Noise Pollutants are listed below;

1. Traffic noise
2. Air traffic noise
3. Noise from Construction sites
4. Noise of Catering and nightlife
5. Noise of Animals

Noise is usually defined as an unwanted sound pollutant which produces undesirable physiological and psychological effects in an individual, by interfering with one's social activities like work, rest, recreation, sleep etc.

A sound might be unwanted because it is:

- Loud
- Unpleasant or annoying
- Intrusive or distracting

Usually the sound of a violin is referred to as music - is something pleasing. Depending on other factors, the sound may be perceived as noise.

Noise perception is subjective. Factors such as the magnitude, characteristics, duration, and time of occurrence may affect one's subjective impression of the noise. Noise is also considered a mixture of many different sound frequencies at high decibel levels. ⁽¹⁾

Impacts of noise pollution

Based on the recent survey, about 96.4% of the locations had higher noise levels than 70.0 dB(A), and 39.3% of the locations showed higher noise levels than 80 dB(A). This shows that noise pollution is increasing day by day.

Now we can look into the important impact of noise pollution;

- Sleeping disorder
- Increased stress
- Nervousness
- Anxiety disorder
- Increased blood pressure ⁽²⁾
- Heart attack
- Hearing impairment disability , etc..

Noise pollution vs Public nuisance

The act of noise pollution is recognised as a nuisance either under the law of Tort and Indian Penal Code 1860.

Section 268 provided as Public nuisances is offense under IPC 1869 ⁽³⁾

As per this section if a person will be punishable for public nuisance, such a person causing injury, harm, danger or annoyance to the public.

For example, if your neighbour plays a sound system at midnight very loudly, then this is a public nuisance

Punishment for Public nuisances -

Under section 290 IPC 1860 ⁽⁴⁾, The punishment is attracted by an act of public nuisance. According to it, any person guilty of committing public nuisance is to be punished with a fine which may extend up to 200 rupees.

Christie v Davey (1893) 1 Ch 316 ⁽⁵⁾

The claimant was a music teacher. She gave private lessons at her home and her family also enjoyed playing music. She lived in a semi-detached house which adjoined the defendant's property. The defendant had complained of the noise on many occasions to no avail. He took to banging on the walls and beating trays and shouting in retaliation.

It was held that the defendant's actions were motivated by malice and therefore did constitute a nuisance. An injunction was granted to restrain his actions.

Datta Mal Chiranji Lal v. L.L Prasad ⁽⁶⁾

The defendant has an electric flour mill on the premises of Bazar Locality in Mussoorie, which is adjacent to the plaintiff's house. The plaintiff alleged that this caused a lot of noise and vibration, making it difficult for the plaintiff and their family members to reside in their house. They said that this was causing inconvenience and discomfort to them.

It was held that such a mill was considered a nuisance under tort.

Noise Pollution under environment law ⁽⁷⁾

Noise pollution is considered an offense under the environmental law. For example, if the construction noise of a building is making it hard for you to live, then this is a form of noise pollution.

Punishment -

Under this law someone is liable for a noise Pollution, such a person will be subjected to imprisonment not less than 5 years and fine not less than 1 lakh rupee.

Noise pollution under Constitution of India ⁽⁸⁾

Noise pollution is recognized as a cause for infringement of fundamental rights under Article 21. Article 21 states that the right to life and personal liberty. If someone causes noise pollution, it will become the reason for the violation against this article.

Conclusion

From the above article, it can be clear that a simple noise can cause serious pollution in the environment. Apart from other pollutants that can be seen, noise pollution, although invisible, can lead to serious health problems and immediate inconvenience to people.

Noise pollution is addressed under the laws of Torts and IPC 1860. It is violative under Article 21 of the Constitution of India.

It is necessary that we shall unite together for the prevention of noise pollution.

We can limit the noise of vehicles, especially those which have high sound, e.g., Royal Enfield.

We can regularly use the public transport system rather than private vehicles. It will reduce the impact of noise pollution. We ensure that loud music systems are turned off after 10 PM because it is sleeping time for many people.

Let's come together against this sound pollution, even if it is not easy at all. We can try to minimize the ratio of noise pollution.

End note

- 1. The Noise Pollution (Regulation and Control) Rules, 2000 , Rule of parliament (India) .**
- 2. TheIndianExpresss,<https://indianexpress.com/article/health-wellness/noise-pollution-increasing-risk-of-blood-pressure-stroke-heart-attacks-8672>, (lasted visited 22/3/2024)**
- 3. Indian Penal Code, 1860 § section 268, No . 45 , Acts of parliament, 1860 (India) .**
- 4. Indian Penal Code, 1860 § section 290, No . 45 , Acts of parliament, 1860 (India) .**
- 5. Christie v Davey (1893) 1 Ch 316.**
- 6. Datta Mal Chiranji Lal v. L.L Prasad, AIR1960ALL632, AIR 1960 ALLAHABAD 632.**
- 7. Environment (Protection) Act, 1986, No. 29, Act of Parliament, 1986(India).**
- 8. INDIAN CONST . art 21.**