

Government of Kerala
കേരള സർക്കാർ
2002

Reg. No. KL/TV/(N)/12/2002
നിയന്ത്രണ നമ്പർ



KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRA ORDINARY

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GOVERNMENT OF KERALA

Local Self Government (G) Department

NOTIFICATION

G.O.(P) No. 64/02., Dated, Thiruvananthapuram 20th April, 2002.

S. R. O. No. 289/2002.—WHEREAS, in exercise of the powers conferred under sub-rule (2) of Rule 3 of the Noise Pollution (Regulation and Control) Rules, 2000 the Government of Kerala shall categorise the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas.

Now, THEREFORE, in exercise of the powers conferred under sub-rule(2) of rule 3 of the Noise Pollution (Regulation and Control) Rules, 2000 and in consultation with the State Pollution Control Board, the Government of Kerala hereby notify the entire State into two categories, namely:—

I. Areas covered under Town Planning Schemes

The Town Planning Schemes prepared under statutory acts and rules divide part or whole of areas under different local bodies into different land use zones. The use zones under Town Planning Schemes which can be brought under different Noise Pollution Control & Regulation Area/Zones for Enforcement of Noise Pollution (Regulation and Control) Rules, 2000 are given below in Table I:

35/1111/2002/MG.

TABLE I

| Sl. No. | Category of Area/Zone under Noise Pollution (Regulation and Control) Rules, 2000 | Land use Zones Stipulated in Town Planning Schemes which shall be brought under Noise Pollution (Regulation and Control) Rules, 2000 |
|-----------|--|--|
| (1) | (2) | (3) |
| Area Code | Area/Zone | |
| 1 | A Industrial Areas | Industrial Zone |
| 2 | B Commercial Area | Commercial Zone Transport Zone |
| 3 | C Residential Area | Residential Zone Parts & Open Spaces Agricultural Paddy Field/Dry Cultivation (Green Strip Zone Restricted Use Zones (Defence Areas/Cantonments etc.) Public and Semi-public zones and all other Use Zones not covered under the four categories mentioned here. |
| 4 | D Silence Zone | Areas comprising upto one hundred metre around the following recognised/approved Institutions and establishments irrespective of the land use zoning in the Statutory Town Planning Schemes. Hospitals, Educational Institutions and Courts as defined in the Noise Pollution (Regulation and Control) Rules, 2000 Religious places. |

II. Areas not covered under Town Planning Schemes

The areas where the following land uses predominantly exist, shall be categorised under respective categories of areas/zones prescribed in the Noise Pollution (Regulation and Control) Rules, 2000 as in Table II given below:

TABLE II

Sl. No. Category of Area/Zone under Noise Pollution (Regulation and Control) Rules, 2000 Areas with the following land uses predominantly existing which shall be brought under Noise Pollution (Regulation and Control) Rules, 2000.

| (1) | (2) | (3) |
|-----------|-------------------|---|
| Area Code | Area/Zone | |
| 1 | A Industrial Area | <p>Industrial activities where products or materials of all kinds and properties are fabricated, assembled or processed which include: Workshops, Assembly Plants, Laboratories, Dry Cleaning Plants, Power Plants, Pumping Stations, Smoke Houses, Gas Plants, Refineries, Dairies, Saw mills and other small industrial units/areas.</p> <p>Industrial Growth Centres, Industrial Development Areas, Small Scale Industrial Estates, Industrial Development Areas, Industrial Parks etc.</p> |
| 2 | B Commercial Area | <p>Areas and buildings which is used for display and sale of merchandise such as: Shops, Stores, Markets either wholesale or retail.</p> <p>Banking & Financial Institutions, Public and Private Business Houses.</p> <p>Professional establishments of Doctors, Dentists, Engineers, Architects, Lawyers, Pathological Laboratories, Tailor Shops, Audio-Video Shops, Barber Shops, Beauty Parlors, News Stands, Milk Booths, Restaurants.</p> <p>Non-nuisance types of Small Scale Industrial Establishments such as Armature Winding Shops using motor or machine capacity not exceeding 3 Hp,</p> <p>Lodges, Rooming Houses, Tourist Home, Dormitories, Hotels, Hostels.</p> <p>Buildings or parts of Buildings used exclusively for Parking of Vehicles (Parking Buildings), Parking Plazas.</p> <p>All Transportation uses.</p> |

| (1) | (2) | (3) |
|-----|---------------------|---|
| 3 | C. Residential Area | <p>Areas and buildings which is used for sleeping accommodation is provided for normal residential purposes with or without cooking or dining facilities and shall also consist of one or multi-family apartments, residential flats.</p> <p>Ancillary uses to residential activity such as small professional offices (for Advocates, Doctors, Engineers, Architects, Chartered Accountants, Beauticians, Tailors, Electrical & Electronic equipment Service Professionals Photographers, Videographers, Telephone booth operators), Creche, Day-care Centres, Children's Nursery, Reading Rooms, Libraries, Minor Educational Buildings.</p> <p>All other uses not covered under the four categories.</p> |
| 4 | D. Silence Zone | <p>Areas comprising one hundred metre around:</p> <p>Hospitals, Educational Institutions and Courts as defined in the Noise Pollution (Regulation and Control) Rules, 2000.</p> <p>Religious Places</p> <p>Reserve forests, Wild life sanctuaries</p> <p>Any other areas notified by Government of Kerala from time to time.</p> |

All Town Planning Schemes prepared or modified or revoked in future may also categorise areas into Industrial Area/Commercial Area, Residential Area or silence zone for the purpose of implementation of Noise Standards for different areas as prescribed in the Noise Pollution (Regulation and Control) Rules, 2000.

In case any dispute arises in the categorisation of areas, the matter shall be referred to the District Collector of the concerned district for appropriate decision.

By order of the Governor,

ELIAS GEORGE,
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The purpose of the Noise Pollution (Regulation and Control) Rules, 2000 notified by the Ministry of Environment and Forests, Government of India is to regulate and control noise producing and generating sources. Different noise standards are prescribed in these rules based on land uses. As per sub-rule (2) of rule 3, the State Government shall take necessary steps for identification of the zones/areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards applicable to different areas. Further the Hon'ble High Court of Kerala also, in W.A. No. 3125 of 2001 and O.P. No. 18197/2001 have directed the Government to take necessary steps to identify the zones as required by the said Rule. The Chief Town Planner, in consultation with Kerala State Pollution Control Board, has furnished proposals in this regard. Government have examined the proposal and decided to accept the same.

This notification is intended to achieve the above object.