

The Rajasthan Noise Control Act, 1963

(Act No. 12 of 1963)

(Published in Rajasthan Gazette part IV-A Extra ordinary dated 19-04-1963.)

CONTENTS

1. Short title, extent, commencement and application.
2. Definitions.
3. Declaration and prohibition of nocturnal noise.
4. Restriction against use and play of loud-speakers.
5. Power to prevent noises at any time and at any place.
6. Penalties.
7. Procedure.
8. Power of police to arrest.
9. Power to make rules.
10. Repeal.

THE RAJASTHAN NOISES CONTROL ACT, 1963

(Act No. 12 of 1963)

(Received the assent of the Governor on the 29th day of April, 1963)

AN ACT TO PROVIDE FOR THE CONTROL OF NOISES IN THE STATE OF RAJASTHAN

Be it enacted by the Rajasthan State Legislature in the Fourteenth Year of the Republic of India as follows:-

1. Short title, extent, commencement and application. - (1) This Act may be called the Rajasthan Noises Control Act, 1963.
{2} It extends to the whole of the State of Rajasthan.
{3} This Section and Sections 2 and 9 shall come into force at once.
{4} The remaining provisions of this Act shall come into force on such date* and in such areas as the State Government may notify in the *Official Gazette*, and different dates and different areas in the State may be so notified in respect of different Sections.

*Sections 3 to 8 and 10 came into force, w.e.f. 16-1-1976 in the Municipal Area of Sojat, Sadri Bari, sumerpur, Nimbaj, Takhatgarh and Jattaran towns of pall District vide Notification No. S. O. 258/F 11(4)Home-5/75, dated 16-01-1976, published in Rajasthan Gazette, part IV-C (II), Extra ordinary, dated 16-01-1976.

*Sections 3 to 8 and 10 of this act came into force in the towns Dungargah and Taranagar of Churu District w.e.f. 26-03-1976, vide Notification No. S. O. 308/F. 1.(13)(1)Home/Gr.5/76, dated 26-03-1976, published in Rajasthan Gazette, part IV-C(II), Extra ordinary, dated 26-03-1976.

प्रमाणित
12/4
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2. **Definitions :-** In this Act, unless the subject or context otherwise requires, -
- (i) "loud-speaker" or "sound amplifier" means an instrument whereby soft sounds, whether vocal, instrumental or recorded, are augmented.
 - (ii) "Public place" means a place (including a road, street or way, whether a thoroughfare or not, and a landing place) to which the public have access or have a right to resort or over which the public have a right to pass.
3. **Declaration and prohibition of nocturnal noise.** - (1) In any area to which this Section may be applied under sub-section (4) of Section I, the District Magistrate or any other officer empowered by the State Government in this behalf may, by notice given in such manner as may be prescribed and in such other manner as he thinks fit, declare any noises produced during such hours of the night as may be specified in the notice, whether vocally or by a loud-speaker or a sound amplifier or otherwise, which in his opinion, is likely to cause annoyance or serious inconvenience to the public, to be nocturnal noise.
- (2) Nocturnal noise shall be prohibited by notice given by the District Magistrate or by any other officer empowered by the State Government in this behalf in such manner as may be prescribed and in such other manner as he thinks fit.
4. **Restriction against use and play of loud-speakers.** - No person shall use or plays a loud-speaker or a sound amplifier for broadcasting any speech, sermon, music or radio programme or shall attach the same to any wireless receiving set or gramophone-

(a) Within such distance as may be prescribed--

- (i) From a hospital or from a building in which there is a telephone exchange, or
- (ii) From any educational institution managed, maintained, recognized or controlled by the State Government or a University established under any law for this time being in force or a local authority. During the hours of working of such institution, or
- (iii) From any hostel maintained or recognised by the State Government or a University or a local authority when such hostel is in the use of students, or
- (iv) From a building in which a court or Government office is held during the hours of working of such court or office, or

(b) Between the hours of 11 p.m. and 5 a. m. without the permission in writing of the prescribed authority:

Provided that nothing in this Section shall apply to the use in a place, other than a public place, of a sound amplifier which is a component part of a wireless apparatus duly licensed under any law for the time being in force.

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5. **Power to prevent noise at any time and at any place:-** The District Magistrate or any other person authorized by the State Government in this behalf may, on being satisfied that in his opinion it is necessary in the public interest so to do, by an order in writing recording reasons therefore, prohibit noise of any kind whatsoever, including the amplification thereof, in any place and at any time.
6. **Penalties :-** Whoever contravenes or attempts to contravene or abets the contravention of the provisions of this Act or acts contrary to any order lawfully made under this Act shall, on first conviction, be punished with fine which may extend to two hundred and fifty rupees and on second or subsequent conviction be punished with imprisonment of either description which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both.
7. **Procedure: -** An offence under this Act shall be cognizable, bailable and triable by a magistrate of the first class.
8. **Power of police to arrest:-** It shall be lawful for a police officer not below the rank of a Sub-Inspector to require any person acting contrary to the provisions of this Act or any order lawfully made there-under to abstain from so doing, and in case of refusal or disobedience, to arrest such person as if he has committed a cognizable offence.
9. **Power to make Rules.** (1) The State Government may, subject to the condition of previous publication, make rules generally for carrying out the purposes of this Act and in particular, for providing for matters which, under any provision of this Act, may be, or are required to be, prescribed or for which, under such provision, rules may be or are required to be made.
- (2) All rules finally made under this Act shall be laid, as soon as may be after they are so made, before the House of this State Legislature while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and, if, before the expiry of the session in which they are so laid or of the session immediately following, the house of the State legislature makes any modification in any of such rules or resolves that any such rule should not be made, such rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done there under.
10. **Repeal: -** The Ajmer (Sound Amplifiers Control) Act, 1952 (Ajmer Act 3 of 1952) and other corresponding laws in force in any part of the State are hereby repealed.

प्रमाणित

124
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आयुक्त, जयपुर

THE RAJASTHAN NOISES CONTROL ACT, 1963

(Raj. 12 of 1963)

NOTIFICATIONS

{Notification No. F. 17(24)Home(A Gr. 1)58, August 14, 1964, Published in Raj. Gaz. Ex. 4 (c) date 26-08-1964 p. 375.} In exercise of the powers conferred by sub-section(4) of Section 1 of the Raj. Noises control Act, 196 (Raj. Act 12 of 1963) the State Government hereby appoints the First day of Sept., 1964, as the date on which the provisions of Section 3 to 10 of the said Act shall come into force within the municipal limits of the following towns, namely :-

Ajmer,	Alwar,			
Beawar	Bikaner	Ganganagar		
Jiapur	Jodhpur	Kota	Sikar	Udaipur

{Notification No. F. 16(9)Home(A Gr. 1)/66, dated July 26, 1967, Published in Raj. Gaz. Ex. 4 (Ga) date 03-08-1967 p. 556.} In exercise of the powers conferred by sub-section (4) of Section 1 of the Rajasthan Noises Control Act, 1963 (Rajasthan Act 12 of 1963), the State Government hereby appoints the 15th day of August, 1967 as the dated on which the provisions of Section 3 to 8 and 10 of the said Act shall come into force within the municipal limits of the following cities or towns, namely:-

1. Ladnu
2. Fatehpur
3. Hanumangarh

{Notification No. 59, dated June 2, 1973, Published in Raj. Gaz. part 4 c(II) dt. 05-07-1973, p. 53.}

In exercise of the powers conferred by sub-section (4) of Section 1 of the Rajasthan Noises Control Act, 1963 (Raj. Act 12 of 1963) of State Government hereby appoints the 31st Day of May, 1973 as the date on which the provisions of Section 8 and 10 of the said Act shall come into force within the Municipal limits of the following towns of the district Bharatpur, namely :-

1. Dholpur
2. Bayana
3. Deeg

{Notification No. F. 23(3)Home(AGr. V)/73, dated August 27, 1973, Published in Raj. Gaz. IV date 11-10-1973 }

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In exercise of the powers conferred by sub-section (4) of Section 1 of the Rajasthan Noises Control Act, 1963 (Raj. Act 12 of 1963), the State Government hereby appoints the 5th September, 1973 as the date on which the provisions of Section 3 to 8 and 10 of the said Act shall come into force within the Municipal limits of the following towns of the district Sawai Madhopur,, namely :-

1. Hindaun
2. Gangapur
3. Karouli

{Notification No. S. O. 66. dated 03-07-1986 Pub. in R.G. Gaz. pt. IV (ga)Ext.,
dated 03-07-1986 p. 159 }

In exercise of the powers conferred by sub-section (4) of Section 1, the State Government in supersession of all notifications issued on the subject hereby notifies that the provisions of section 3 to 8 and 10 of the above Act, shall come into force in all the regions of the State of Rajasthan from the date of publication of this notification.

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अनुशासनाधिकारी
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