

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.482 of 2017

- Laxmi Prasad Yadav S/o Late Bhudhu @ Bhudh Ram, Aged About 75 Years R/o Infront Of Jawahar Bhawan Raipur Raod, Tahsil & Thana Sarangarh, District Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Collector Raigarh, Collectorate Raigarh, District Raigarh (Chhattisgarh)
2. The Pollution Control Officer District Pollution Control Board Raigarh, Tahsil & Thana Raigarh District Raigarh (Chhattisgarh)
3. The Chief Municipal Officer, Municipality Of Sarangarh, Tahsil & District Raigarh (Chhattisgarh)
4. Nisha Steel Furniture Works Sarangarh, Proprietor Harilal Yadav Aged About 60 Years, R/o Infront Of Jawahar Bhawan Raipur Road, Tahsil & Thana Sarangarh, District Raigarh (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri N. K. Malviya, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, PL
For Respondent No.3	:	Shri R. S. Patel, Advocate, on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/05/2017

Heard.

2. Grievance of the petitioner is that the activities being carried out by the respondent No.4 is causing air and noise pollution violating the norms and standards prescribed under the Noise Pollution (Regulation & Control) Rules, 2000 and Air (Prevention and Control of Pollution) Act, 1981. The petitioner has submitted a representation before the authorities of Pollution Conservation Board, but the representation has not been paid any heed to.

3. Without commenting upon the merits of the case, it is observed that once the petitioner had submitted a representation, the authorities are enjoined with the duty of protection of environment and obliged under the law to entertain the complaint and take appropriate steps, if the activity of the respondent No.4 is contrary to the rules and regulation regulating/controlling noise and air pollution. Respondent No.2 shall hold an enquiry. Proper opportunity of hearing shall be afforded to the petitioner as well as to the respondent No.4 under a written notice giving at least 30 days time. After receipt of reply, the respondent No.2 shall examine the complaint in the light of applicable provisions of law relating to air and noise pollution and take a decision as early as possible, in any case, within a period of 90 days from the date of submission of reply by the respondent No.4.

4. With the aforesaid observation/direction, this petition is finally disposed off.

SD/-
(**Manindra Mohan Shrivastava**)
Judge