

BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION, THIRUVANANTHAPURAM

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 19th June, 2009.

H.R.M.P.No546/2009

Petitioner : Prashanth,
"Sadanandha Villa",
P.O. Nettur, Kannur.,

Respondents :

ORDER

The complaint of the petitioner is that a public addressing system at hospital premises at Thalassery is causing heavy noise pollution resulting in harassment to the residents and in spite of several complaints no action was taken.

A report was called for from the Superintendent of Police, Kannur. In the report submitted by the Superintendent of Police it is stated that permission was granted to the hospital as per the directions given by the Court (it is not mentioned which Court) to use a public addressing system. It is further assured in the report that in future permission will be granted to persons seeking to use public addressing system only after the scrutiny of the applications from them.

The petitioner and Mr.U. Preman, Circle Inspector of Police, Thallessery, represented by the Superintendent of Police, Kannur, are present. The complainant reiterates his allegations. The Circle Inspector of Police produced a report which is on the same line sent earlier and also produces the license granted to Ajayakumar, General Convenor of the Flower Show. In the said license several conditions are mentioned and one of the condition is that no public addressing system should be installed within 100

meters of a hospital or an educational institution. The complaint of the petitioner is that hospital authorities conducted a flower show within the hospital premises is arranged by Ajayakumar who is the General Convener which fact, of course, is denied by the Circle Inspector of Police. Therefore there is a dispute as to wherer the flower show was conducted; but that is the main issue which is the subject matter of this complaint. The main grievance of the petitioner is that the public addressing system at the hospital is causing noise pollution. The license granted to Ajayakumar who is the General Convener of flower show shows that several conditions were imposed for using a public addressing system. In the above background it is for the Police authorities to verify by giving surprise inspections at places where public addressing systems are arranged to see that no condition stipulated in the permission is violated.

The petitioner's complaint is that the nuisance of public addressing system at the hospital still persist I therefore direct the Superintendent of Police, Kannur, to nominate officers to make surprise inspections of the places where public addressing systems are allowed to be used to verify whether the conditions stipulated in the license are strictly complied with or not.

The petition is closed with the above directions.

Justice N.Dhinakar,
Chairperson.