



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SUO MOTU PUBLIC INTEREST LITIGATION NO. 1 OF 2026

Re: Noise and Environmental Pollution; Public Nuisance caused by unregulated use of Music Systems with Amplifiers and Firecrackers on Public Streets During Festivals.

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| 1. State of Maharashtra through the |) | |
| Commissioner of Police (Traffic), |) | |
| 2. The Secretary, Urban Development |) | |
| Department, State of Maharashtra, |) | |
| 3. Maharashtra Pollution Control Board (MPCB), |) | |
| under the administrative control of the |) | |
| Environment and Climate Change Department, |) | |
| Government of Maharashtra, |) | |
| 4. The Commissioner, Municipal Corporation |) | |
| for Greater Mumbai. |) | ...Respondents |

Dr. Milind Sathe, Advocate General, with Mrs. P. N. Diwan, AGP for State/
Respondents.

**CORAM: G. S. KULKARNI &
DR. NEELA GOKHALE, JJ.**

DATE: 21st SEPTEMBER 2026

P.C.

1. In the present *suo motu* proceedings, a question of seminal importance has arisen in regard to the high level of noise pollution being generated during the festivities in the city, presently the Ganapati Festival. During such festivities, music is played loudly, using loudspeakers and amplifiers, as also firecrackers are burst on public streets, adding to the severe levels of noise and air pollution.
2. There are already decisions of this Court, concerning noise pollution and the requirement of maintaining the permissible decibel levels. There is a robust

statutory framework, which would prohibit high levels of noise pollution. However, from the ground realities, it appears that the rules are not being implemented in the manner the law would mandate, causing serious prejudice to the citizens at large.

3. There cannot be any objection to the festivities/processions being held, however, they need to be held in a manner, which is conducive and cognizant of the rights of the citizens at large, qua the adverse impact created by the high decibel noise pollution. Also the time lines within which, such activities could be undertaken, and/or when during the hours there would be a restraint, on such noise pollution being generated are being breached. It is also evident that the collective decibel levels by simultaneous playing of loud music in such processions, accompanied with firecrackers being burst, has worsened the situation; apart from the prescribed norms being violated at such time.

4. As noted herein above, the celebrations certainly need to take place, but they cannot be at the cost of breach of the legal rights of thousands of citizens, who are seriously and adversely impacted, and who are left to suffer silently, on account of such high levels of noise pollution. These may include senior citizens who are ailing/sick, students preparing for examinations and children who cannot sustain the impact of such high level of noise pollution to say the least. Such innocent persons cannot be made to suffer at the behest of few, who create such objectionable noise pollution.

5. Most significantly, we are at a loss to understand, as to why firecrackers generating smoke and adding to the deterioration of air quality at alarming levels,

are permitted to be burst/burnt during such festivities, which would add not only to the severe environmental/air pollution in the city, which is already facing such environmental challenges affecting the health of the public at large. Such bursting of firecrackers and the noise generated therefrom also adds to the noise pollution already being generated by the loudspeakers and amplifiers. In addition to this, there is an eminent danger of accidents taking place on account of cars, two wheelers and pedestrians who are affected by sudden noise and explosion caused by bursting of firecrackers on public roads.

6. We also do not find any logic in granting permission to play such loud music in these processions up to midnight, i.e., 12:00 a.m., when otherwise, we are informed that the permission for such processions along with the use of musical instruments, loudspeakers and amplifiers would be only up to 10:00 p.m.

7. In regard to the high levels of air pollution generated in the city of Mumbai, already this Court has taken *suo motu* cognizance in Suo-motu PIL No. 3 of 2023 and various orders are passed from time to time so as to control air pollution. The Municipal Corporation and other authorities are struggling to reduce such high levels of smoke and pollution, and more particularly, being caused from the months September-October (post monsoon), whereby persistent haze is noticed. Considering the indisputable severity of the air pollution in Mumbai, *prima facie* it is high time that firecrackers causing noise and air pollution leading to the toxicity of the air are banned, so as to nurture healthy environment by reducing the severe ill effects caused by such pollution. No responsible citizen can be permitted to pollute atmosphere, including to create

noise pollution by burning firecrackers, which certainly enhances the toxicity of the air causing severe air pollution.

8. We, accordingly, take *suo motu* cognizance of such issues by issuing notices to:

- (i) State of Maharashtra through the Commissioner of Police (Traffic),
- (ii) The Secretary, Urban Development Department, State of Maharashtra,
- (iii) Maharashtra Pollution Control Board (MPCB), under the administrative control of the Environment and Climate Change Department, Government of Maharashtra,
- (iv) The Commissioner, Municipal Corporation for Greater Mumbai.

9. The learned Advocate General has accepted notice on behalf of the State/respondent.

10. We would intend to hear the respondents on the aforesaid issues to consider the requirements of law and the norms being required to be implemented.

11. The respondents are at liberty to file a reply affidavit to the *suo motu* proceedings at the interim stage.

12. Stand over to 22nd September 2026 at 11:00 a.m.

13. We have requested Mr. Aspi Chinoy, learned Senior Counsel, alongwith Mr. Anand Pai, learned Advocate, as Amici, to assist the Court in the present proceedings. Let the Registry furnish a copy of the relevant papers as also this order to the learned Amici.

(DR. NEELA GOKHALE, J)

(G. S. KULKARNI, J.)