IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUO MOTO PUBLIC INTEREST LITIGATION NO. 1 OF 2026

Re Noise and Environmental Pollution Public Nuisance ...Petitioner
Versus
State Of Maharashtra
Through The Commissioner Of Police, Traffic ...Respondent

WITH
INTERIM APPLICATION (ST) NO. 35677 OF 2026
IN
SUO MOTO PUBLIC INTEREST LITIGATION NO. 1 OF 2026

Mumbai And Thane District Fireworks
Dealers Welfare Association ...Petitioner
Versus
In Re Noise And Environmental Pollution Public Nuisance ...Respondent

WITH
INTERIM APPLICATION NO. 2946 OF 2022
IN
PUBLIC INTEREST LITIGATION NO. 85 OF 2007

Awaaz Foundation & Anr. ...Applicants
Versus
The State Of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 3041 OF 2022
IN
PUBLIC INTEREST LITIGATION NO. 85 OF 2007

Awaaz Foundation & Anr. ...Applicants
Versus
The State Of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 5287 OF 2022
IN
PUBLIC INTEREST LITIGATION NO. 85 OF 2007

Awaaz Foundation & Anr. ...Applicants
Versus
The State Of Maharashtra
Thru The Principal Secretary & Ors. ...Respondents

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Mr.Aspi Chinoy, Sr Adv. a/w Anand Pai as Amicus with Ms. Lavanya Panicker.
Mr. Rajendra Desai a/w Mr. Krishna D. Ratnaparkhi, Mr. Akshay Pawar, Mr. Vasim Siddiqui for
Applicant/Intervenor in SMP/1/2026 in IA(L)/35677/2026.
Mr. Rohaan Cama, a/w Mr. Shanay Shah a/w Mr. Ishwar Nankani a.w Ms. Vrushali Pokharna and M. Vishwa Shah i/b Ms. Nankani & Associates for Applicant in IA/2946/2022, IA/3041/2022 and IA/5287/2022 in PIL/85/2007.
Smt. Anjali Helekar, G. P. With Smt. Jyoti Chavan, Addl. G. P. For State for M.P.C.B.
Ms. Oorja Dhond for B. M. C.
Mr. Vilas Deshmane a/w Mr. Ajay Deshmane for Petitioner in PIL/1/2009 and for Intervenor.
Ms. Jaya Bagve A/W Manthan Toil for MPCB in SMP/1/2026
Mr. Vishwanath M. Vhanna -Head constable Traffic Office, Worli
Mr. Anant Jalkar- Police Sub Inspector Traffic Office, Worli Present Officer.
Mr. Joel Carlos i/b Komal R. Punjabi for Respondent No.4 B.M.C. in SMP/1/2026.
Mr. N. R. Prajapati a/w Mr. Sachidanand for Respondent No.6.
Mr. Atif Noor Hasan Shaikh, Law Officer For Mumbai Police Commissionerate, Present.

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

DATE: 26th OCTOBER 2026

P.C.

1. The proceedings are listed today in view of the specific directions in our order dated 21st October 2026. In such order, we categorically observed that, despite the directions issued in the orders dated 22nd September 2026 and 15th October 2026, the concerned authorities' official machinery appeared to be moving too slowly to comply even with the basic requirements of this Court's directions. In these circumstances, for the reason that the Police Department, the Maharashtra Pollution Control Board and the Municipal Corporation having not taken effective steps to regulate the acts of citizens, who were granted permissions

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to use music speakers in the procession, as also that firecrackers continued to be burst on public streets, violating the prescribed decibel levels and pollution control norms, we issued the following directions requiring the authorities to place affidavits on record in that regard:

> "4. We accordingly direct the Commissioner of Police, Mumbai, to convene a meeting with all officers-in-charge of Police Stations and bring to their notice the orders passed by this Court. An SOP needs to be prepared on actions to be taken in regard to the violations. The officers shall be specifically instructed to ensure meticulous implementation of the directions prohibiting processions in which sound systems are used without the appropriate licence being displayed, as ordered by us in the order dated 22 September 2026. The officers shall also be apprised of the total ban imposed on the bursting of firecrackers during festivities on public streets, roads, etc. as directed in the order dated 15 October 2026 (supra).
> 5. An affidavit be placed on record by the Commissioner of Police, confirming that all officers in-charge of police stations and the relevant police machinery have been adequately apprised of the orders passed by this Court and that the said orders shall be implemented in letter and spirit. Such direction has become necessary for the reason that the concerned police officers are either unaware of, or have not been adequately informed of, the orders passed by this Court. Unless the officers are duly apprised of the orders passed by this Court, effective implementation of the orders cannot take place, thereby causing severe annoyance and disturbance to the public at large, apart from breach of their legal rights as observed by us.
> 6. We have also observed in our earlier orders that, whenever a breach of the provisions of law occurs, appropriate action is required to be taken as the law would mandate, including the imposition of penalties as also initiating prosecution. Any dereliction on the part of the police machinery in this regard, adversely affecting the rights of citizens guaranteed under Articles 14 and 21 of the Constitution of India, shall be viewed seriously in the concerned police officials to be held accountable, if appropriate action is not taken against the erring persons.
> 7. We accept the statement as made by Ms. Chavan, learned AGP along with Ms. Bagwe, learned counsel appearing on behalf of Maharashtra Pollution Control Board, that awareness notices are being finalized and shall be published. We accordingly direct the authorities to publish the said notices and take steps to disseminate them on social media platforms no later than Saturday, 24 October 2026.
> 8. Let affidavits be accordingly placed on record by the Municipal Commissioner as also the Police Commissioner on or before the returnable date, so that compliance with the directions issued by this Court may be verified and recorded."

2. In pursuance of the aforesaid directions, today, Ms Bagwe, learned counsel for the Maharashtra Pollution Control Board, has placed on record an affidavit of

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Shri Satish Padwal, Superintendent Engineer (Air Pollution Control), Maharashtra Pollution Control Board; Mr Carlos, learned counsel for the Municipal Corporation, has tendered an affidavit of Ms Ashwini Bhide, IAS, Municipal Commissioner of the Brihanmumbai Municipal Corporation, and an affidavit has also been filed by Mr Deven Bharti, Commissioner of Police, Brihanmumbai. These affidavits affirmed the steps taken by these authorities in compliance with this Court's orders. These steps include advertisements in newspapers; public awareness campaigns through television advertisements and in cinemas; display of billboards at railway stations and on highways; and awareness campaigns on different FM radio channels regarding the norms required to be followed, as directed by this Court.

3. We first refer to the affidavit filed on behalf of the MPCB, which is annexing public notices issued in various newspapers in Mumbai and across the State of Maharashtra, as well as details of television advertisements, newspaper publications and billboards referring to the orders passed by this Court and the ill effects of noise and air pollution caused by the burning of firecrackers. The affidavit also annexes details of advertisements displayed at various railway stations in the State of Maharashtra, as well as at bus depots and bus stops.

4. The affidavit further refers to a communication from the Member Secretary, MPCB to the Director General of Police on the subject of noise and environmental pollution, in which the Court's concern that the Municipal Corporation, the Pollution Control Board and the Police Department shall create a comprehensive mechanism for receiving complaints by providing dedicated telephone numbers

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and ward-wise email addresses has also been highlighted.

5. There is also a letter from the Central Pollution Control Board addressed to the Member Secretaries of all the State Pollution Control Boards, which reiterates the need to comply with the orders passed by the Supreme Court in the proceedings of Writ Petition (Civil) No. 728 of 2015 to conduct special monitoring of ambient air and noise levels during the Deepavali festival of 2026. The protocol for ambient noise-level monitoring has also been issued, and a copy is annexed to the affidavits. The manual containing the flow chart for ambient noise monitoring, along with the data sheet for such monitoring, has also been placed on record for the Court's appraisal, so as to facilitate the monitoring of noise pollution levels during the festivities.

6. The MPCB has also addressed a letter dated 22nd October 2026 to the Principal Secretary, School Education Department, Government of Maharashtra, Mantralaya, Mumbai, requesting directives to implement sensitisation programmes in all schools in the State of Maharashtra. The letter also highlights the steps that students would be required to take in this regard, as set out on page 117 of the affidavit.

7. The Commissioner of Police, Shri Deven Bharti, in his affidavit, has set out all the steps he has taken by issuing various directives to police officials in the South, Central, East and West Mumbai regions, informing them of the orders passed by this Court and the implementation required of the police officials in their respective jurisdictions/zones.

8. There is also Notice No. 020 dated 24th September 2026, which refers to

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the orders passed by this Court and informs the police noise machinery that these orders must be effectively implemented by taking appropriate action. There is also Notice No. 0255 dated 23rd October 2026 regarding noise pollution and the steps required to be taken as per the orders passed by this Court.

9. In the affidavit filed by the Municipal Commissioner, Ms. Ashwini Bhide, she has set out in detail the various steps taken, including holding review meetings, and the need to adopt a structured, well-thought-out and well-planned approach to address the issues as brought about in the orders passed by this Court.

10. The affidavit states that the issues were discussed with the Additional Municipal Commissioners (Eastern Suburbs), who would take stock in regard to the compliance of the orders passed by this Court, and that steps being taken in terms of the orders were accordingly initiated. She stated that the Additional Municipal Commissioner convened a meeting on 19th October 2026, at which specific directions were given to the concerned departments to implement the said orders. The affidavit also refers to a meeting held on 19th October 2026, at which the BMC took the following steps, as set out in paragraphs 6(a) to 6(j):

> "6. …
>
> a. The BMC has appointed Mr. Ajay Rane, Deputy Chief Engineer (Environment & Climate Change) from the Department of Environment and Climate Change as the Nodal Officer for the purposes of this Petition.
>
> b. The Public Relations Department of the BMC has been instructed to prepare visual creatives for awareness regarding the directions issued by this Hon'ble Court and also to add about harmful effects of pollution especially firecrackers. Hereto annexed and marked **Exhibit R-1** is the copy of the said visual creative.
>
> c. The creative material have been sent to the License department of the BMC and the Superintendent of the License department has been tasked to display the same across the city. Accordingly, the steps are taken to display the digital & static hoardings and the copies of the hoardings displayed at sites are annexed herewith as

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Exhibit 'R-2'.

d. The BMC has already prepared the material for the newspapers publications for awareness on the issue as directed by this Hon'ble Court and accordingly published on 22.10.2026 in the newspapers ie. Loksatta and Indian Express. Hereto annexed and marked as **EXHIBIT R-3** are the copies of the newspaper publications. Also, Television Commercials (TVCs) have been made and are being broadcasted on channels from 25.10.2026.

e. The Deputy Municipal Commissioner (Education) of the BMC has been tasked with conducting awareness programmes in all municipal and private schools and from 22.10.2026 steps are directed to be taken in that direction. For example, the Deputy Municipal Commissioner has suggested holding poster competition in schools on this subject and accordingly, the BMC has supported this idea. DMC (Education) has issued a circular on 22.10.2026 and given instructions to concerned schools for compliance of the order of this Hon'ble Court. Hereto annexed and marked **Exhibit 'R-4' and 'R-5'** are the copies of the photos of the awareness programme held in the schools and the Circular dated 22.10.2026 issued by DMC (Education) respectively.

f. BEST which has the bus stop hoardings under its jurisdiction was also consulted and has assured that they would also provide some of their display for the awareness as stated above from 30.10.2026.

g. It was also decided that the awareness would also be carried out on the BMC's online portals and platform which are accessed by several citizens. The IT department has already started display of the same from 23.10.2026. Hereto annexed and marked as **EXHIBIT R-6** is a copy of the visual displays on the BMC portals.

h. The BMC has its dedicated helpline of 1916 and Disaster Management Department has been instructed that noise pollution complaints shall be received on this number and shall be forwarded to the Police Control Room / to the concerned local police station immediately for redressal and necessary actions.

i. The BMC is also working on roping in celebrities and influencers to make this campaign more effective.

j. All the Asst. Commissioners of BMC are being directed by a circular dated 23.10.2026 to ensure that all permissions for public gatherings and festivals are processed in terms of the order of this Hon'ble Court. Hereto annexed and marked as **EXHIBIT 'R-7'** is a copy of the circular dated 23.10.2026 issued to the Assistant Commissioners, BMC."

11. We appreciate the efforts taken by the Municipal Commissioner as stated by her in paragraph 7 of her affidavit. She has affirmed that she is fully sensitive to the issue before the Court and that, as the Municipal Commissioner of the Corporation, pollution is a serious concern to her. She stated that she has been

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monitoring the implementation of the measures set in motion by her and narrated in the affidavit and is regularly receiving updates from the Additional Municipal Commissioner (Eastern Suburbs). She further stated that she held a meeting of the concerned officers in her chambers on 27th October 2026 to review the measures taken so far and take further steps in that regard. She assured that all necessary measures, as mandated by law, will be implemented in letter and spirit to address noise pollution.

12. The affidavit of the Municipal Commissioner is accompanied with annexures demonstrating the steps taken in this regard, including public awareness notices, newspaper publications, notices displayed on billboards along various roads in Mumbai, and initiatives to sensitise children in municipal schools, who were encouraged to take a pledge to protect the environment. The circular dated 23rd October 2026, issued by the Municipal Corporation regarding the implementation of this Court's orders, is also annexed to the affidavit.

13. We appreciate the proactive steps taken by Commissioner of Police, the Municipal Commissioner and the Maharashtra Pollution Control Board, that within such a short time, i.e. from the adjournment of the proceedings on the earlier occasion till today.

14. The measures introduced by the authorities, surely would be a step to improve the environment and help maintain the city's Ambient Air Quality levels. It is indisputable that air quality is likely to worsen if the toxicity of firecrackers used during the festivities is not controlled, as observed by us.

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15. We would, however, emphasise that this should not be the end of the road. The awareness campaign and the redress mechanism employed by the authorities are commendable. However, these measures and efforts need to be continuous and sustained to achieve a clean environment. We agree that sustaining the campaign and keeping the mechanism operational will be challenging, and only time will tell how effective these steps would prove. The effect of these efforts today will result in a better, more breathable tomorrow for the lakhs of citizens.

16. In the course of hearing Mr Chinoy and Mr Pai, learned Amici have raised concerns in regard to the need for a citizen-friendly complaint mechanism to be activated.

17. In this regard, Ms Chavan, the learned Additional Government Pleader, has submitted that the usual Police Department complaint numbers, namely 100 and 112, are functional and that immediate action would be taken by police officials on receipt of complaints from citizens. As regards the Municipal Corporation, it has been stated on affidavit that complaints can be made on the dedicated number 1916 and that such complaints would also be forwarded to the police department. It is stated that there would be coordination between the municipal machinery and the police officials.

18. Necessarily, such coordination must be established, and in that regard, those who are actually concerned with the receiving of such complaints, on such telephone numbers, also need to be trained and sensitised to effectively handle such complaints during the festivities.

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19. We are informed that the directions passed by this Court in PIL No. 85 of 2007, in paragraph 94, include the provision of a dedicated number for noise pollution complaints, namely 1292. We are told by Mr Carlos that the said number is no longer functional, as a newly created helpline number has been mentioned hereinabove.

20. Another matter of concern is how to control the noise and air pollution generated in slum areas. This requires more attention, as Mr Carlos informs us that more than 50% of the areas in Mumbai are slums. Therefore, it is essential that the relevant official machinery take effective steps to raise awareness among slum dwellers about the ill effects of burning firecrackers, the emission of toxic fumes and smoke, and the environmental damage caused by the noise and air pollution generated therefrom.

21. In this context, we have already observed that it would be imperative to involve the Municipal Councillors from the respective wards where the slums are situated. They can devise a mechanism to contact prominent members of the slums who have effective influence over slum dwellers and use their representation to reach out to the community and disseminate information regarding the harmful effects of bursting high-decibel firecrackers. These slum representatives, through the Councillors, can be roped in so as to spread awareness and undertake a campaign to implement necessary measures for citizens living in slum areas and to maintain a pollution-free environment on both the counts.

22. In this regard, we direct that the Municipal Commissioner, the Pollution Control Board, and the Police Department meet to have a meeting with the Chief

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Executive Officer of the Slum Rehabilitation Authority, who can also provide assistance in association with the Municipal Councillors of the respective wards, so that the directions issued by this Court are implemented in letter and in spirit.

23. In our previous order, we had suggested that the concerned authorities involve celebrities in the awareness campaign. We are surprised to note from Ms Chavan that the authorities found it difficult to involve celebrities, as they generally quote a high price for their services. Certainly, when we made the above suggestion, we did not expect the authorities to incur expenditure from the public exchequer to hire celebrities for this cause. In fact, we expected that celebrities such as movie stars or sportsmen would have no qualms about being involved in such a public interest campaign, as the air we breathe and the environment we enjoy are shared natural resources. We would expect that celebrities also have a sense of belonging to the city and the state, and expect that they will come forward voluntarily and extend their services to spread environmental awareness in the manner set out in our order. We reiterate that we would not expect the State Government or local bodies to incur expenditure from the public exchequer on this count. We, however, are quite certain that celebrities themselves would be forthcoming and willing to assist the shared cause in fulfillment of their societal obligation. We accordingly request the Police Commissioner to take effective steps in this regard.

24. Having recorded our satisfaction with the steps taken by the authorities concerned in setting in motion an awareness campaign in a short time and in demonstrating their ability and willingness to provide the citizens of this city with a

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clean and ambient environment, we hasten to caution the authorities that this needs to be a sustained effort, campaign and endeavour, until a clean and ambient environment is achieved to be the norm and that festivals regain and retain their status as celebrations of the human spirit without being detrimental to the human body.

25. With the aforesaid observations and for further effective steps to be taken by the concerned officials, for the present, we adjourn the proceedings to **19th November 2026 at 3:00 p.m.,** which is the scheduled date of hearing.

(DR. NEELA GOKHALE, J) (G. S. KULKARNI, J.)

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