

Noise pollution: Whose responsibility?

Many letters to the Press from public spirited persons have focused the attention of the Authorities on the health hazard posed by blaring vehicle horns. The authorities vested with power on this matter are, the Police under the Police Ordinance and the Local Authorities, under the Municipal Councils Ordinance, and the Urban Councils Ordinance. The Latin phrase goes "*SALUS POPULI SUPREMA LEX*", the safety of the people is the supreme law. Regard to the public welfare is the highest law. The main end of every government should be the well being of the people; the establishment of law and order and safety and the diffusion of social happiness."

It is pertinent to state that ever since the POLICE ORDINANCE, NUISANCE ORDINANCE and the MUNICIPAL

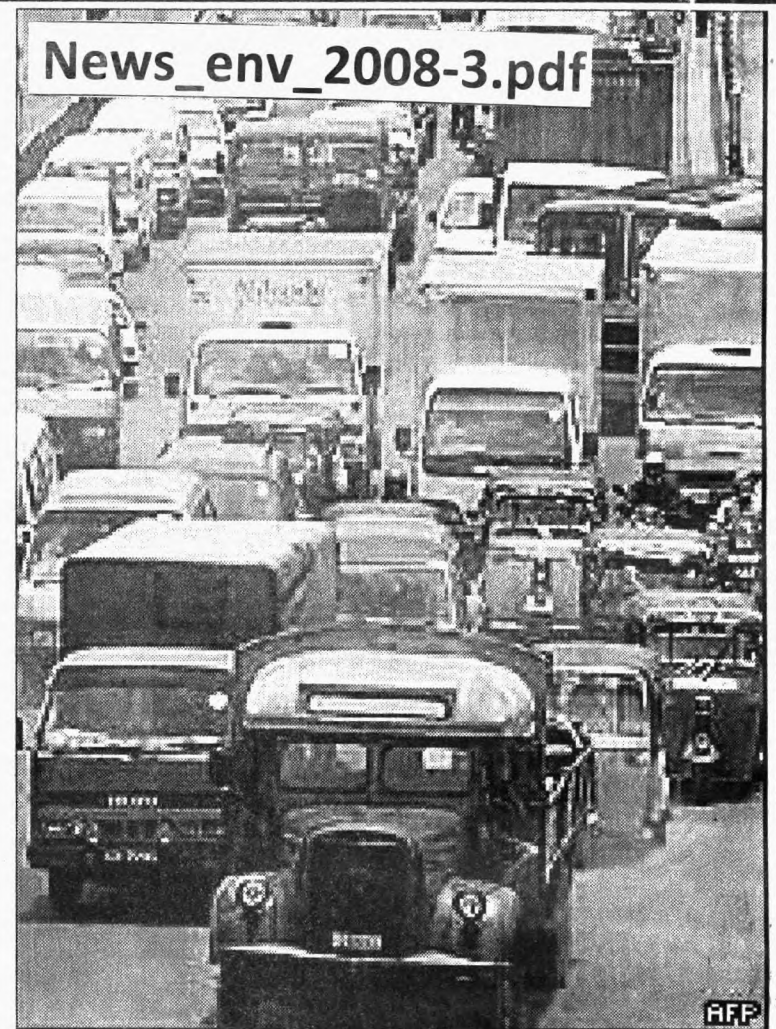
COUNCILS ORDINANCE (1862-1862) powers over nuisance abatement and prohibition are vested in the respective authorities. Local authorities have been slow in the implementation of their powers and indifferent to the health hazards that affect the health of the people through noise pollution.

Professor Dr. C. G. Weeramantry, the eminent jurist of International fame, in his ESSAY on THREATENED PERIPHERIES stated that in the application of the laws in the law books to matters in the field, there are glaring discrepancies.

The Kandy Municipal Council was the first Local Authority to enact by-laws in 1941 during the Second World War prohibiting the use of loud instruments on vehicles during certain times of the day and night. These by laws were

published in the Government Gazette on 19th December 1941. In 1950 under the Motor Car Ordinance, regulations were framed prohibiting the use of vehicles with loud instruments on certain roads and streets in Kandy. A special officer called 'Nuisance Detection Officer' was detailed to every street and road in the Kandy Municipality limits and made to report to the Municipal Commissioner daily. The Central Environmental Authority should get the assistance of the Municipal Councils and the Urban Councils with their Public Health Inspectors for the effective implementation of the Regulations to activate the law in the books.

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Traffic in Colombo

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