



Ref. No.:-

Patna, dated:-

**From**

Dr. Ashok Kumar Ghosh,  
Chairman.

**To**

Sri Pramod Kumar,  
M/s Shivani Food Products,  
Dhanauti, Ishupur, Opps. Hajipur Industrial area, Vaishali,  
Dist.-Vaishali -844102

**Direction for Closure under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, and under Section 31 A of the Air (Prevention and control of Pollution) Act, 1981.**

- 1) **WHEREAS**, the State Govt. has declared the entire State of Bihar as "Air-Pollution-Control-Area" under the provisions of section 19 of the Air (Prevention and Control of Pollution) Act, 1981.
- 2) **WHEREAS**, you were required to obtain a previous Consent- to- Establish (hereinafter referred to as 'CTE') and a 'Consent- to- Operate' (hereinafter referred to as 'CTO') from Bihar State Pollution Control Board (hereinafter referred to as 'the Board') under section 21 of the Air (Prevention and control of Pollution) Act, 1981 (hereinafter referred to as 'Air Act') before establishing and operating your industrial plant/unit.
- 3) **WHEREAS**, your unit was inspected by the officials of the Board, wherein it was noted and gathered that your unit was being operated without obtaining the requisite CTE and CTO, which is a violation of the provisions of the Air Act and the Water Act respectively.
- 4) **WHEREAS**, for the aforesaid reasons, you were served with a Direction for Proposed Closure by this Board, wherein you were given an opportunity to file your objections, if any, to the same within 15 days from the receipt of the Direction, failing which, action was to be confirmed against you without any further notice.
- 5) **WHEREAS**, you have failed to file any reply to the Proposed Direction for Closure that was served upon you.

6) **WHEREAS**, the Board through legal notice in local dailies on 15.01.2020 again directed you to apply for CTE/CTO through Online Consent Management & Monitoring System and inform to the Board regarding compliance within 5 days from the date of Publication of the legal notice also informing that failing this, closure direction may be issued and complaint case may be filed in the competent court.

7) **WHEREAS**, till date no reply has been received from your end.

8) **WHEREAS**, operation of your unit, in its present state, is detrimental to environment and further non-conformity with the statutory norms attracts penal provisions under the Air Act, 1981, and the Water Act, 1974.

I, therefore, in exercise of the powers conferred by section 33A of the Water Act, 1974 and section 31 A of the Air Act, 1981 direct you to:

**Close your industrial plant/unit with immediate effect;**

AND

In the event of non-compliance with the direction as above, the Board will have no option but to file a complaint against you under the appropriate provisions of the said Act before a competent court of Law.

Sd/-

(Ashok Kumar Ghosh)  
Chairman

Memo no.:- 765

Patna, Dated: - 23.01.2020

Copy:

- 1) To the District Magistrate, Vaishali, requesting him to enforce the compliance of the direction, which will be in consonance with the provisions of the Air Act, 1981, and the Water Act, 1974.
- 2) To the R.O., Patna, for information and necessary action.
- 3) To the Legal Cell, BSPCB, for records.

  
23.01.20

(Ashok Kumar Ghosh)  
Chairman

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