

By Registered Post



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Plot No. NSB-02,

Patliputra Industrial Area, Patna – 800 013

E-mail-bspccb@yahoo.com, Website-http://bspccb.bih.nic.in

Ref. No.:

Patna, dated:-

From:

Ashok Kumar Ghosh,
Chairman.

To

Sri Shankar Prasad Agarwal (Proprietor)
M/s. Balaji Wire Products,
Sabalpur,
Patna – 800 009

Proposed Direction for Closure u/s 33A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981.

1. WHEREAS, your unit was established without obtaining "No Objection Certificate" under the provisions of section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 of the Air (Prevention and control of Pollution) Act, 1981.
2. WHEREAS, your unit came under operation/production without obtaining prior consent orders, as required under the provisions of section 25 of the Water (Prevention and Control of Pollution) Act, 1981 and section 21 of the Air (Prevention and Control of Pollution) Act, 1981.
3. WHEREAS, inspite of several notifications in the newspapers and holding of seminars and workshops for entrepreneurs that no industrial plant should come into existence without complying with the provisions of the aforesaid Acts, you preferred to violate the statutory provisions, as aforesaid, and continued with the violations at the cost of environment.
4. WHEREAS, this Board has received several public complaints in different forms, alleging pollution of air and water due to the indiscriminate and illegal operation of different categories of industrial plants between Didarganj and Tedhipul.
5. WHEREAS, upon such complaints and information, this Board conducted inspections from 04.07.2018 to 05.07.2018 and identified all the industrial plants under existence, which included those operating after obtaining prior Consent -to- Establish (CTE) and Consent -to- Operate (CTO) from the Board and those under existence

and operating illegally without obtaining prior CTE and CTO from the Board.

6. WHEREAS, amongst identified industries which came into existence and were operational illegally without any consent from the Board, you were also identified violating the provisions of the aforesaid Acts.

7. WHEREAS, subsequently, in view of the above, a legal notice was issued to you vide Board's Ref. No.163, dated 23.01.2019, directing you to submit online application for NOC and start operation of your plant only when you have obtained NOC and consent orders under the relevant provisions of the aforesaid Acts within 15 days from the receipt of the legal notice.

8. WHEREAS, after expiry of 15 days, you have not applied for NOC nor have obtained consent orders under the relevant provisions of the aforesaid Acts and, therefore, you are voluntarily and intentionally trying to escape the due compliance of law.

9. WHEREAS, establishment of your industrial plant and subsequently its operation without NOC and consent orders, as aforesaid, are ab-initio illegal, and therefore, attract the penal provisions of sections 41,42,43 and 44 of the Water (Prevention & Control of Pollution) Act, 1974 and sections 37 and 38 of the Air (Prevention and Control of Pollution) Act, 1981.

I, therefore, in exercise of the powers, conferred upon me by section 31A of the Air (Prevention and Control of Pollution) Act, 1981 and section 33A of the Water (Prevention and Control of Pollution) Act, 1974, serve upon you this proposed direction, giving you an opportunity to explain to the undersigned within 15 days from the receipt of this proposed direction as to why this proposed direction should not be confirmed on the ground that you have intentionally and wilfully refrained from complying with the provisions of the aforesaid Acts at the cost of environment.

Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo No...361.....

Dated...28.2.19.....

Copy to: The R.O., Patna / Legal Cell, Patna HQs for information and necessary action.


(Ashok Kumar Ghosh)
Chairman