



By Registered Post

BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Plot No. N.S.B/2,
Patliputra Industrial Area, Patna- 800 010
EPABX&0612-2261050

E-mail: bspcb@yahoo.com. Website <http://bspcb.bih.nic.in>

Ref. No.:-

Patna, dated:-

From

Dr. Ashok Kumar Ghosh,
Chairman.

To

Sri Gauri Shankar Yadav, (Proprietor)
M/s GLY Bricks Industries,
Village+ P.O:- Parvara, P.S.-Jamalpur,
Dist- Darbhanga- 846002.
(Site:- Mauza- Tarwara, P.O Tarwara, District- Darbhanga)

Direction for Closure 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 previous 'Consent- to- Establish' (hereinafter referred to as CTE) and '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 unit.
3. **WHEREAS**, in the light of a CWJC No.- 4850/2017- Shiv Shankar Yadav Vs. State of Bihar and ors. an inspection of your brick kiln was conducted by the officials of this Board on 13.09.2017 and the report was submitted on 18.09.2017 when it was found that your brick kiln was not conforming to the distance related guidelines for siting, of the Board.
4. **WHEREAS**, for the said reasons you were served with a Proposed Direction vide Board's letter No. T 5966 dated 16.11. 2017 under section 31A of the Air (Prevention and Control of

Pollution) Act,1981, granting you an opportunity to show cause within 15 days as to why your unit should not have been closed.

5. **WHEREAS**, in spite of an opportunity having been given to you, you failed to respond to the Proposed Direction as aforesaid, and therefore, another inspection was conducted by the Board on 19.02.2020 simply to find that your unit was under operation on the same location without valid Consent- To -Operate (CTO) in the utter disregard for the provisions of law.
6. **WHEREAS**, from the facts and findings as detailed above it is obvious that apart from showing disregard to the provisions of law, you are callous towards the environmental concern in general and health of the people around, in particular.
7. **WHEREAS**, operation of your plant without adopting proper air pollution control measures is detrimental to environment and such damages being caused to the environment is wilful and intentional warranting immediate action.

I, therefore, in exercise of the powers conferred by section 31A of the Air (Prevention and Control of Pollution) Act, 1981, **direct you to:**

Close your unit/plant with immediate effect,

AND

In the event of non compliance with the direction as above, this Board will have no option but to file a complaint under section 37 of the Air (Prevention and Control of Pollution) Act, 1981.

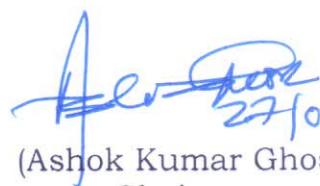
Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo No.: 1457

Patna, Dated: 27.02.20

Copy forwarded to:

1. The District Magistrate, Darbhanga, with the request to ensure physical closure of this defaulting unit and it would be in consonance with the provisions of section 31 A of the Air (Prevention and Control of Pollution) Act, 1981.
2. The Regional Officer, ~~Muzaffarpur~~ ^{30/01/20} for information and necessary action.
3. ~~Legal Cell, BSPCB, Patna, for records.~~


27/02/20
(Ashok Kumar Ghosh)
Chairman.
