



REGISTERED
**BIHAR STATE POLLUTION CONTROL
BOARD**

Parivesh Bhawan, Plot No.NSB-02, Industrial Area, Patna –

EPABX-0612-2261250/2262265, Fax-0612-2261050

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

Ref. No

Patna, dated:-

From

Dr. Ashok Kumar Ghosh,
Chairman.

To

Sri Akhileshwar Prasad,
M/s. Akhileshwar Prasad,
Mauza-Manpur, At-Manpur Pehani,
P.O.+Ps.-Buniyadganj,
Dist.-Gaya-823003

Direction for Closure under section 31A 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 granted previous Emission Consent Order vide this Board's letter no.373, dated 05.03.2019 for the period upto 17.02.2024 with certain conditions.
3. WHEREAS, your unit is situated in residential area and a public complaint has been received against your unit.
4. WHEREAS, your unit was inspected on 20.02.2020 by Board's Officials and it was found that the consent conditions, which were imposed in the aforesaid consent order, were not being complied with due to which pollution is being caused. During inspection following deviations/ defects were found:-
 - a) Ambient Noise Level was found beyond the prescribed limit.
 - b) You were operating your unit with dying section for which you had not obtained permission.

5. WHEREAS, during inspection on 20.02.2020, several cracks which had developed in the walls of the complainant's house were found. While verifying the allegations by the complainant, it was admitted by you that you operated your Power-loom Plant twenty-four hours (24hrs) throughout the day and night. Apparently the reason of noise pollution affecting the complainant was continuous operation of Power-loom Plant.
6. WHEREAS, upon violation of consent conditions, found during inspection and also the additional findings with regard to cracks, which had developed in the walls of the complainant, this Board served upon you a Direction under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 vide letter no.1479, dated 28.02.2020, directing you to:
 - i). **Not operate your unit from 6:00pm to 8:00am with immediate effect,**
 - ii). **Close your dyeing section,**
 - iii). **Submit an action plan within 2 weeks to create acoustic environment/ Sound proof system so that the ambient noise level is within the prescribed limit within 2 months.**
7. WHEREAS, this Board received your reply through e-mail dated 21.03.2020, whereunder you claimed to have complied with all the directions given by the Board vide its direction dated 28.02.2020.
8. WHEREAS, the entire facts were reinspected by the Board on 27.07.2020, when you and the complainants were also present. During inspection, however, your unit was not operational due to absence of power supply. As directed by the Board, your dyeing section was not closed nor any action-plan has been submitted to create an acoustic environment/soundproof system.
9. WHEREAS, the Board, during the periods of inspection i.e. from 26.02.20 to 27.07.2020, found and observed your complete callous attitude towards compliance of the Board's directions and also the wilful violations of the provisions of the said Act.
10. WHEREAS, non-conformity with the statutory norms and also non compliance with the aforesaid provisions do not only

attract penal provisions of the Air (Prevention and Control of Pollution) Act, 1981, as well as of the Environment (Protection) Act 1986 but also inflict injury and cause damage to the environment.

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 with immediate effect,

AND

In default thereof, this Board will have no option but to file a complaint under section 37 of the Air (Prevention and Control of Pollution) Act, 1981 before the Special Magistrate, specially designated for the purpose.

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(Ashok Kumar Ghosh)
Chairman

Memo No.:- *3329*

Patna, Dated: *03-08-20*

Copy forwarded to:

- The District Magistrate, Gaya with the request to enforce closure of the unit in compliance with the aforesaid direction, which will be in consonance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981.
- The R.O Gaya, for information and necessary action.
- The Legal Cell, BSPCB, for records.

Ashok Kumar Ghosh
03/08/20
(Ashok Kumar Ghosh)

Chairman.

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Sri Sudhir
S-8-20