



*Direction for CLOSURE*

**REGISTERED**

**BIHAR STATE POLLUTION CONTROL BOARD**

Parivesh Bhawan, N.S-B/2, Industrial Area, Patliputra, Patna- 800 010

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

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

Ref. No.:-

Patna, dated:-

**From**

Ashok Kumar Ghosh,  
Chairman.

**To**

Md. Hasanuzzaman, S/o. Md. Ramjan Ali Gazi,  
M/S A.T.P. Bricks  
At+Po.-Tamkulha (Mahulia), Ps.-Jadia,  
Anchal-Triveniganj, District-Supaul-852214

**Direction 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 (Protection 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 this State 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 brick-kiln.
- 3) WHEREAS, Hon'ble Patna High Court, Patna also, vide their order dated 04.12.2018, passed in CWJC No. 15962 of 2018, directed all the pre-existing units, uniformly without any distinction, to change to cleaner technology latest by 31.08.2019.
- 4) WHEREAS, it has come to the knowledge of the Board that you are still operating your kiln in the same old polluting way without converting to cleaner technology.
- 5) WHEREAS, you were asked to reply vide Board's letter no.-265, dated 23.3.2020 as to why your brick kiln should not be closed and legal action be initiated against illegal operation of the kiln without CTE and CTO.
- 6) WHEREAS, you stated in your reply dated 04.07.2020 received in the office on 04.08.2020, that you have purchased old brick kiln and your are in the process of converting the kiln into cleaner technology and will be operated only after having valid CTO.

- 7) WHEREAS, from the aforesaid facts and findings, it is amply clear that you have come under operation in violation of the Board's direction and also ignored the direction/observation of the Hon'ble Court.
- 8) WHEREAS, in view of the already very poor air quality in State, there is every likelihood that operation of your kiln will further aggravate the situation, causing grave injury to the environment, in general, and life around, in particular.
- 9) WHEREAS, operation of brick-kiln without CTE and CTO of the Board is illegal and also adversely affects the environment.

AND THEREFORE, taking into consideration all material facts including environmental concerns, in exercise of power vested under Section 31 A of the Air (Prevention and Control of Pollution) Act, 1981, **I direct to close your unit till you have converted your kiln into Cleaner Technology and obtained CTE and CTO from the Board.**

Sd/-  
(Ashok Kumar Ghosh)  
Chairman

Memo no.

Dated:

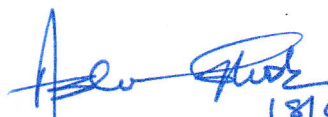
Copy to: The District Magistrate, Supaul, requesting him to enforce the compliance of the Direction, which will be in consonance with the provisions of section 31A of the Air (Prevention and Control of Pollution) Act, 1981.

Sd/-  
(Ashok Kumar Ghosh)  
Chairman

Memo no.

Dated:

Copy to: Legal cell / RO, Purnea for information and necessary action.

  
18/09/20  
(Ashok Kumar Ghosh)  
Chairman