



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

Dr. Ashok Kumar Ghosh,
Chairman.

To

Sri Sunil Kumar Gupta,
M/s. Gupta Stone Works,
Vill- Kirtania, Kushalpur, P.O-Mirza Chowki,
P.S.- Pirpainti, Bhagalpur-813209

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 (hereinafter referred to as 'Air Act').
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 the provisions of Section 21 of the Air (Prevention and Control and Pollution) Act, 1981 (hereinafter referred to as the 'Air Act') before establishing and operating your industrial plant.
3. **WHEREAS**, an inspection was conducted by the Board on 28.05.2019 of all the stone crushers, established/under operation in Mauza Khushalpur, Mirza Chowki, Bhagalpur.
4. **WHEREAS**, during inspection, your unit was found to be established and under operation without obtaining prior CTE and CTO from the Board.

5. **WHEREAS**, for the above mentioned facts and findings you were served with a Show Cause Notice vide Board's letter no. 796, dated 25.06.2019, wherein you were given 10 days time to reply as to why any action should not be initiated against you, to which you failed to reply.
6. **WHEREAS**, thereafter, you were served with a Proposed Direction for Closure vide Board's letter no. 2660, dated 10.07.2019.
7. **WHEREAS**, subsequently, you submitted your application for CTE and CTO dated 21.07.2019, in the Board, but since the application lacked certain documents you were asked to submit the following papers vide Board's letter no.s 1447, dated 14.10.2019 and 1567, dated 21.11.2019:
 - i. details of air pollution control measures and photographs of the same; and
 - ii. reason for late submission of application.
8. **WHEREAS**, in consequence of your failure to reply the above noted letters, your applications for CTE and CTO were refused by the Board vide letter no.181, dated 22.01.2020.
9. **WHEREAS**, from the aforesaid facts and findings, it is now amply clear that you have come under operation in violation of the provisions of Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.
10. **WHEREAS**, your recalcitrant approach towards the mandatory compliance of law and defiance of the authority of the State Board, constituted under the Water (Prevention and Control of Pollution) Act, 1974, warrants stringent and deterrent action against you in favor of environmental protection.

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

stop and close all operations of your unit with immediate effect.

AND

in default thereof, the Board will be constrained to file complaint u/s 37 of the Air (Prevention and Control of Pollution) Act, 1981 with other actions under other suitable provisions of the Environment (Protection) Act, 1986.

Sd/-

(Ashok Kumar Ghosh)

Chairman

Memo No. 09-.....

Dated. 04.01.2021

Copy to:

1. The District Magistrate, Bhagalpur, 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.
2. The R.O., BSPCB, Begusarai for information and necessary action.
3. ~~The Legal Cell for record.~~



(Ashok Kumar Ghosh)
Chairman