

By Registered Post



**BIHAR STATE POLLUTION CONTROL BOARD**

Parivesh Bhawan, Plot No. NSB-02,

Patliputra Industrial Area, Patna – 800 010

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

Ref. No.:

Patna, dated:-

**From:**

Ashok Kumar Ghosh,  
Chairman.

**To**

Sri Navin Kumar,  
S/o Sri Sukhdeo Prasad,  
Proprietor of Ice Factory,  
Bihari Path,  
In front of Mithapur Bus Stand, Gate No.1,  
New Bigrahpur, P.O. – G.P.O.,  
P.S. – Jakkanpur,  
Patna – 800 001.

**Direction for Closure under section 31A of the Air (Prevention & Control of Pollution) Act, 1981.**

1. **WHEREAS**, the State Government has declared the entire State of Bihar "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' (CTE) and 'Consent-to-Operate' (CTO) from the State Board under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 & under section 21 of the Air (Prevention and Control of Pollution) Act, 1981, from Bihar State Pollution Control Board (hereinafter referred to as the 'Board').
3. **WHEREAS**, you have established an ice factory in Bihari Path, just in front of Mithapur Bus Stand, Gate No.1, which is at New Bigrahpur, P.O. – G.P.O., P.S. – Jakkanpur, Patna – 800 001
4. **WHEREAS**, your factory produces ice blocks at the location, detailed above, without obtaining prior Consent-to-Establish (CTE) and Consent-to-Operate (CTO) under the provisions of the aforesaid Acts.

5. **WHEREAS**, on 01.08.2020, at 06.30 p.m. (evening), this Board received information through electronic media that there was gas leakage from your plant.
6. **WHEREAS**, this Board, upon receipt of such information, rushed to the site of your plant and inspected your unit with regard to the public complaint, received through electronic media, regarding gas leakage. It was observed that step for mitigating the adverse effect of gas leakage was being taken up by the local administration like sprinkling of water around the affected area, subsequent to which the situation was brought under control by 09.30p.m.
7. **WHEREAS**, your plant was re-inspected on the following day i.e. on 02.08.2020 in the morning at 08.30 a.m. but your factory was locked and none of the employees, including yourself, were available to provide related details.
8. **WHEREAS**, the other related facts were gathered during inspection at day time on 02.08.2020, which revealed that the unit was under operation for the last 4-5 years. The plant was found located in the midst of residential area. The residents, when contacted, also informed that they heard a sharp hissing sound around 06.00 p.m. in the evening, followed by the burning irritation of eyes and bitter smell, causing difficulty in breathing. They informed that due to the realisation of an accident like gas leakage, havoc was created amongst residents, because of which they started running helter-skelter. During inspection itself, two gas cylinders inside your plant could be seen from outside. It was also gathered during inspection that the ice block fell on the hose pipe, causing leakage of ammonia gas.
9. **WHEREAS**, even though your unit belongs to the category of green industry, yet you have to locate your unit, under question, atleast 25 meters away from the habitation, as required by the Board's guidelines for siting criteria of industry.
10. **WHEREAS**, from the facts detailed above, it is clear that you have established an industrial plant without obtaining prior Consent-to-

Establish and Consent-to-Operate, under the provisions of Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Sections 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and also in the utter violation of the siting criteria, prescribed under the Board's guidelines for siting of industry.

11. **WHEREAS**, in the event of your unit having been established in violation of all the provisions, as stated above, may cause irreversible damage to the environment. Further, in view of the likelihood of the grave injury to the environment, in general, and life around, in particular, it is not expedient to provide you an opportunity to file objection/ objections, if any, against the proposed direction which the Board, otherwise, would have issued to you.

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

**close your unit/plant with immediate effect.**

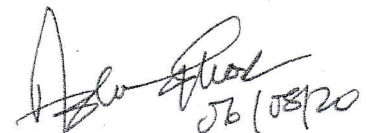
Sd/-  
(Ashok Kumar Ghosh)  
Chairman

Memo No.....3341.....

Dated...16-08-20...

**Copy to:**

- (i) The District Magistrate, Patna for information and necessary action.  
(ii) R.O., Patna, for information and necessary action.  
(iii) Legal Cell, Patna for records.

  
(Ashok Kumar Ghosh)  
Chairman

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