



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

Md. Shamshad (Proprietor),
M/s. Khushi Enterprises,
Daud Bigha, Bhootnath Road,
P.S- Agamkuan, Patna.

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'), 1981.
2. **WHEREAS**, you were required to obtain previous "Consent-to-Establish" (CTE) and "Consent-to-Operate" (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 'Air Act') before establishing and operating your industrial plant.
3. **WHEREAS**, your unit was inspected on 14.12.2019 by the officials of the State Board and it was found that you were operating a 'three wheeler body manufacturing unit' without the consent of the Board.

4. **WHEREAS**, it was also found that noise emanating from mechanical processes, involved in body making of three-wheeler vehicles, were beyond the prescribed standards as provided in the schedule of the noise pollution (Regulation and Control) Rules, 2000 and further, spray paint was also being used to paint the body of three-wheeler vehicles due to which air pollution was being caused.
5. **WHEREAS**, for the abovementioned reasons you were served with a Proposed Direction for Closure vide Board's letter no. 896, dated 12.02.2020.
6. **WHEREAS**, no reply was received from you in response to the above Proposed Direction for Closure.
7. **WHEREAS**, from the aforesaid facts and findings, it is 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.
8. **WHEREAS**, the above mentioned facts and findings clearly show your wilful negligence and intractable approach towards adherence to the law.
9. **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 industrial plant
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.

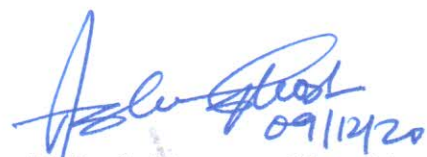
Sd/-
(Ashok Kumar Ghosh)
Chairman .

Memo No.....4808.....

Dated.....09/12/20.....

Copy to:

1. The District Magistrate, Patna, 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, Patna for information and necessary action.
- ✓ 3. The Legal Cell for record.


(Ashok Kumar Ghosh)
Chairman