



REGISTERED  
**BIHAR STATE POLLUTION CONTROL BOARD**

Parivesh Bhawan, NSB-2, Patliputra Industrial Area, Patliputra, Patna - 800 010

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 Rajesh Kushwaha,  
S/o Sri Durbal Singh,  
At+Po.- Pachilakhi, Ps.- Durgawati,  
Dist.- Kaimur-821105.

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

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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 required to obtain 'Consent-to-Establish (hereinafter referred to as 'CTE') and a 'Consent-to-Operate' (hereinafter referred to as CTO) from Bihar State Pollution Control Board (hereinafter referred to as 'the 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 industrial plant/unit.
3. **WHEREAS**, a public complaint was received against your rice mill, whereafter you were asked vide Board's letter no.s. - 876, dated 23.03.2020 and 1244, dated 21.05.2020, giving 15 days' time to reply, to which you failed to take note of.
4. **WHEREAS**, subsequently an inspection of your unit was conducted on 07.07.2020 by the officials of this Board, when following observations were noted:
  - I. *you were operating a rice mill in an open space At+Po. - Pachilakhi, Ps. - Durgawati, Dist. - Kaimur-821105.*

- II.** *your unit was closed at the time of inspection but it was evident that it had been operational without obtaining previous Consent-to-Establish (CTE) and Consent-to-Operate (CTO) from the Board.*
  - III.** *Rice Husk was found stored in an open space in the north direction of the unit.*
  - IV.** *Agricultural Land of the complainant was located adjacent to your unit and in absence of any suitable arrangement for rice husk storage/disposal, it appeared quite probable that rice husk was finding its way from your unit into the complainant's agricultural land.*
- 5. WHEREAS,** for the abovementioned reasons, you were served with a Proposed Direction for Closure vide letter no. 3994, dated 18.09.2020, to which also you failed to reply.
  - 6. 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.
  - 7. 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 operations of your unit with immediate effect**

**AND**

in default thereof, the Board will be constrained to file complaint against you 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)

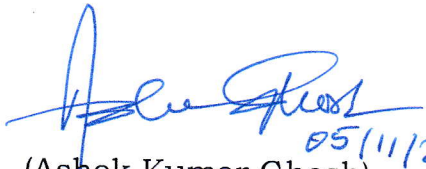
Chairman

**Memo no.:-** 4589

**Patna, Dated: -** 05/11/2020

**Copy to:**

- The District Magistrate, Kaimur, 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.
- The R.O., Patna, for information and necessary action.
- The Legal Cell for record.

  
05/11/20  
(Ashok Kumar Ghosh)  
Chairman