



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 Panchanad Upadhyay,
M/s. Saroj Enterprises,
At- Hanuman Nagar, Kailashpuri, Road no.-03,
Nagina Apartment Road, Kankarbagh,
Dist- Patna - 800020.

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 before establishing and operating your industrial plant.
3. **WHEREAS**, upon receiving a public complaint alleging air pollution caused by your unit located at Hanuman Nagar, an inspection was conducted on 12.08.2020 by the officials of this Board, in your presence along with Mamta Kumari (complainant) and Sri Abhinath Kumar (neighbour).

4. **WHEREAS**, during inspection of your unit following observations were made:-
- i) *Your unit was found to be operational without obtaining CTE and CTO from the Board;*
 - ii) *Your unit was being operated in thickly populated area without pollution control arrangements;*
 - iii) *Even after several insistence of the officials of this Board, to render assistance in the measurement of ambient air noise level, the measurement could not be done due to non- cooperation from your part, and*
 - iv) *Your unit did not meet the siting criteria.*
5. **WHEREAS**, your unit is a plastic bottle manufacturing unit, which comes under green category of industries for which a distance of 25 meter from habitation, is required before establishment.
6. **WHEREAS**, for the aforesaid reasons you were served with a Proposed Direction for Closure vide the Board's letter no. 3677, dated 07.09.2020 to which you failed to reply.
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**, 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..... 4807

Dated..... 09-12-20 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.


09/12/20
(Ashok Kumar Ghosh)
Chairman