



# Rajasthan State Pollution Control Board

4, Institutional Area, Jhalana Doongri, Jaipur-302004

Ph: 5159600 Fax: 5159697

## Registered A/D

No. SCMG& DS/(Marble -1)/RPCB/

DATE:

M/s. Agraon Minerals,  
Krishna Vihar – I,  
Akera Doongar, Near VKIA,  
Jaipur,  
District-Jaipur(Raj.).

**Sub:-** Directions for closure of the industry, under section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 for your industry at **Krishna Vihar – I, Akera Doongar, Near VKIA, Jaipur, District- Jaipur(Raj.)**.

**Ref:** (i) Regional Office, Jaipur (N) letter dated 24/08/2018 for confirmation. of Closure Directions.

(ii) Show Cause notice for intended directions issued by the State Board vide letter no. RPCB/ROJP(N)/Comp.- 37/268 dated 25/05/2018.

(iii) Inspection of the industry by the officials of the Board dated 25/01/2018.

Sir,

1. Whereas, the Air (Prevention and Control of Pollution) Act, 1981(hereinafter referred to as the "Air Act"), has come into force in whole of the country with effect from 16/05/1981.
2. And whereas, the Air Act has been enacted to provide for the prevention, control and abatement of air pollution.
3. And whereas, under the provisions of section 21 of the Air Act, no person shall without the previous consent of the State Board, establish or operate any industrial plant in an air pollution control area. Industrial plant, under the Air Act, has been defined to mean any plant used for any industrial or trade purposes and emitting any air pollutant into the atmosphere.
4. And whereas, the State Board in performance of its functions has power to issue directions under section 31A of the Air Act, in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.
5. And whereas, non-compliance or contravention of the aforesaid provisions of the Air Act is punishable under the provisions of section 37 of the Act, with imprisonment for a term which shall not be less than one year and six months and with fine.
6. And whereas, M/s. **Agraon Minerals** located at **Krishna Vihar – I, Akera Doongar, Near VKIA, Jaipur, District- Jaipur (Rajasthan)** and during its operations cause emission of air pollutants.
7. And whereas, various complaints were received against the unit through Sampark Portal regarding pollution from establishment and operation of industries in non-confirming / residential areas(i.e. Badharna , Laxminaryanpura, Akera Doongar, Krishna Vihar etc.).



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8. And whereas, the industry was inspected by the officials of the Board on 25/01/2018 and following observation were made:-
  - a. Unit was inspected and observed operating a mineral dust screening and mixing unit in non-confirming / residential areas.
  - b. Unit was observed operating without providing adequate pollution control measures.
  - c. Unit was observed operating without providing adequate pollution control measures.
  - d. Unit was observed operating without obtaining prior Consent to Establish and Consent to Operate from the State Board.
  - e. No air pollution control measures were provided on the process.
  - f. Industry was found operational without valid consent to operate from Board.
9. And whereas, a show cause notice for intended direction of closure was issued by the Board vide letter no. RPCB/ROJP(N)/Comp-37/268 dated 25/05/2018 for the reasons mentioned therein the notice and, the industry has failed to submit any reply to the show cause notice dated 25/05/2018 to the State Board, so far.
10. And whereas, National Green Tribunal (NGT) delivered a decision on May 08, 2013 in the application no. 37 of 2012; Wassan Singh V/s. State of Punjab – regarding , and it was enjoined upon all the industrial operations and process to close down their production activity which are operating without proper consent of the State Board. State Pollution Control Board has also been directed to seal such defaulter units.
11. And whereas, the industry is at present operating without valid consent to operate as required under the provisions of the Air Act, 1981. And whereas, thus it is clearly evident that industry has failed to comply with the provisions of the Air Act, 1981
12. And whereas, above stated violations of the provisions of the Air Act have been viewed seriously by the State Board.
13. And whereas, the State Board in order to prevent and control of Air pollution being caused by the industry, is competent to issue any direction under section 31 A of the Air Act in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.

Therefore, in order to prevent and control of water & air pollution being caused by the industry and in interest of prevention of perpetual offence being committed by the industry, the State Board, in exercise of the powers conferred upon it, under the provisions of section 31A the Air Act, issues following directions:-

- A. You are directed to close down your industrial plant forthwith.
- B. District Collector, Jaipur to ensure closure of the industry.
- C. Executive Engineer, JVVNL, Jaipur shall disconnect the electricity supply to the industry.
- D. Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Jaipur (N) is directed to seal the Diesel Generator Sets, if any and report that the direction as above have been complied.



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Please note that the non-compliance of the above directions is punishable under section 37 of the Air Act with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

- sd -  
(K.C.A. Arun Prasad)  
Member Secretary

No. SCMG& DS/(Marble -1)/RPCB/ 999

DATE: 7-1-19

Copy to following for information & necessary action:-

1. The District Collector, Jaipur.
2. Executive Engineer, Jaipur Vidhyut Vitaran Nigam Limited, Jaipur, for immediate compliance of the direction.
3. Regional Officer, Rajasthan State Pollution Control Board, Jaipur (N) for immediate compliance of the direction.
4. Master file.

Member Secretary