



राजस्थान राज्य प्रदूषण नियन्त्रण मण्डल

4. संस्थानिक क्षेत्र, झालाना डूंगरी, जयपुर

फोन नं.: 5101871,5101872, ईपीबीएक्स: 5159600,5159699 फैक्स: 5159694-97

REGD. A.D

F.14/Tech_ Complaint (15)/RSPCB/MUID/ 1617

Date: 01/03/2019

M/s Ganesh Garhia Construction Company (Hot Mix Plant),
near Village- Pahel, Tehsil Mundawar, Distt: Alwar.

Subject: - Directions for closure of industry under the provisions of Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.

Reference: - Inspection of the unit carried out by Board officials, RO on dated 15/06/2018.

Sir.

1. This is without prejudice to the right of the Rajasthan State Pollution Control Board (hereinafter called as 'the Board') to initiate proceeding under the provisions of the Air (Prevention & Control of Pollution) Act-1981 (hereinafter called as 'the Air Act') for violation of various provisions of the Act here-in-after shown:-
2. Whereas the Air Act came into force in the whole of the State of Rajasthan with effect from 16.6.1981.
3. And whereas the Air Act has been enacted to provide for the prevention, control and abatement of air pollution.
4. And whereas section 21 of the Air Act prohibits establishing or operating an industrial plant and discharge of air pollutants without obtaining prior consent of the State Board.
5. And whereas M/s Ganesh Garhia Construction Company is operating a Hot mix plant, WMM plant and washing plant near Village- Pahel, Tehsil: Mundawar, Distt: Alwar.. During the process industry discharges polluted air.
6. And whereas, Hon'ble National Green Tribunal, Principal Bench, New Delhi (NGT) delivered a decision on May 08,2013 in the application no. 37 of 2012; Wassan Singh V/s State of Punjab and others, and it was enjoined upon all the industrial operation and process to close down their production activity which are operating without proper consent of the State Board.
7. And whereas as a complaint has been received against unit on sampark portal.
8. And whereas the Industry was inspected by team of Board officials from RO on dated 15/06/2018 and it has been observed that the unit has been Established and made operative without obtaining prior Consent under Air Act-1981 from the State Board & without adequate pollution Control measures.
9. And whereas Show notice for intended closure directions under Section 31A of the Air Act, 1981 was issued by RO vide letter dated 20/06/2018.
10. And whereas the Industry has failed to submit any reply of Show notice for intended closure directions issued by RO vide letter dated 20/06/2018.
11. And whereas above stated non- compliance of the provisions of the Air Act have been viewed seriously by the Board.
12. And whereas keeping this in view the Board has been conferred power to take such steps as are deemed necessary for the prevention, control and abatement of air pollution.
13. And whereas the State Board in order to prevent and control air pollution being caused by the industry and stop non-compliance of the provision of the Air Act, is competent to issue any directions under section 31A of the Air Act in writing to any



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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 pollution being caused by the industry, to stop non compliance of the provisions of the Air Act and in the interest of prevention of perpetual offence being committed by the industry, the Board in exercise of the powers conferred upon it under section 31A of the Air Act, issues following directions:-

- You are directed to close down your industrial plant forthwith.
- District Collector, Alwar to ensure closure of the industry.
- SE (O & M), Jaipur Vidhyut Vitaran Nigam Limited, Alwar shall disconnect the electricity supply to the industry.
- Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Alwar is directed to seal the Diesel Generator Sets, if any and such other equipments so as to affect complete closure of the industrial plant and report that the direction as above have been complied.

Please note that the non-compliance of the above directions is punishable under section 37(1) 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.

Yours sincerely,

-sd-

(Shailja Deval)
Member Secretary

Copy to following for information & necessary action:-

- The Collector, Alwar.
- SE (O & M), Jaipur Vidhyut Vitaran Nigam Limited, Alwar,
- Regional Officer, Rajasthan State Pollution Control Board, Alwar .
- ✓ 4. Master file.


Member Secretary