



राजस्थान राज्य प्रदूषण नियन्त्रण मण्डल
4, संस्थानिक क्षेत्र, झालाना जूंगरी, जयपुर

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

REGD. A.D

F.14/Tech_Nagaur (104)/RSPCB/MUID/1631

Date: 05/03/2019

M/s N.R. Barala,
Khasra No. 1073, Village: Padampura (Sargoth),
Tehsil: Kuchaman & Distt.- Nagaur.

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

Reference: - (i) Board's show cause notice no. 1548-1550 dated 11.02.2019.
(ii) Board's refusal letters dated 27.02.2019.
(iii) Inspection of the unit carried out by Board officials on dated 06.02.2019 & 11.02.2019.

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 N.R. Barala, is operating a Hot mix plant at Khasra No. 1073, Village: Padampura (Sargoth), Tehsil: Kuchaman & Distt.- Nagaur. During the process industry discharges polluted air.
6. And whereas the Industry was inspected by team of Board officials from RO, Kishangarh on dated 06.02.2019 & 11.02.2019 and observed that the unit has not provided the adequate pollution control measures i.e. wet scrubber/dust collector & adequate stack height on hot mix plant.
7. And whereas Show notice for intended closure directions under Section 31A of the Air Act, 1981 was issued by Regional Office, Kishangarh vide letter dated 14.01.2019.
8. And whereas the unit has applied for consent to establish and consent to operate under Air Act vide dated 27.12.2018 & 16.02.2019, respectively.
9. And whereas the applications for consent to establish and consent to operate were examined and found that the unit has not submitted following:-
 - (i) The unit has not submitted land conversion letter for industrial purpose.
 - (ii) The unit has not submitted adequate fees i.e. 50% penalty as per Board's fee notification dated 26.05.2016.
10. And whereas Show notice for intended refusal and intended closure directions under Section 31A of the Air Act, 1981 was issued by Head Office vide letter dated 11.02.2019.
11. And whereas the Industry has failed to submit adequate reply of said Show notice's.



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12. And whereas applications for consent to establish and consent to operate were refused vide dated 27.02.2019 for the aforesaid non-compliances.
13. And whereas the unit was in operation without adequate Pollution Control measures and without prior consent of the State Board.
14. 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.
15. And whereas above stated non-compliance of the provisions of the Air Act have been viewed seriously by the Board.
16. 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.
17. And whereas the State Board, 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:-
 - a) You are directed to close down your industrial plant forthwith.
 - b) District Collector, Nagaur to ensure closure of the industry.
 - c) Superintending Engineer (O & M), Ajmer Vidhyut Vitaran Nigam Limited, Nagaur shall disconnect the electricity supply to the industry.
 - d) Regional Officer, Regional Office, Rajasthan State Pollution Control Board, Kishangarh 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:-

1. The Collector, Nagaur.
2. Superintending Engineer (O & M), Ajmer Vidhyut Vitaran Nigam Limited, Nagaur, for ensure compliance.
3. Regional Officer, Rajasthan State Pollution Control Board, Kishangarh for ensure compliance.
4. Master file.


Member Secretary