

341

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkpcb@gmail.com

The Consultant (Judicial)
Hon'ble National Green Tribunal (P.B)
New Delhi

No:- JKPCC/NGT/OA ~~176~~/138/517-18

Date:- 11-03-2024

Subject:- Compliance of Hon'ble National Green Tribunal Order dated 12-01-2024 in the matter of OA No. 176/2023 titled "Rohit Padha Vs UT of J&K."

Sir,

In compliance to Hon'ble National Green Tribunal Order dated **12-01-2024** in OA No. **176/2023** titled "**Rohit Padha Vs UT of J&K**", kindly find enclosed the Compliance Report of Jammu and Kashmir Pollution Control Committee.

It is requested that the compliance report may kindly be taken on record and place before the Hon'ble NGT for consideration.

Yours faithfully,

Encl:- As above.



(J.N. Sharma)

Environmental Engineer

Copy to the:-

1. Sh. G. M. Kawoosa, Additional Standing Counsel for J&K Govt. in Hon'ble NGT matters in New Delhi, for information and necessary action. This is in reference to Govt. of J&K Order No. 8495-JK(LD) of 2022 dated 12-10-2022.

**Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi**

Original Application No. **176 of 2023**

IN THE MATTER OF

“Rohit Padha Vs UT of J&K”

Compliance Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal Order dated 12-01-2024 passed in OA No. 176 of 2023 titled “Rohit Padha Vs UT of J&K”.

Background:

That the Hon'ble National Green Tribunal vide Order dated **12-01-2024** in **OA No. 176 of 2023** directed as follows :-

- “ i) *We find from the report that nallahs are still carrying plastic and solid waste, encroachments are yet to be regulated as per flood plain zoning, desludging / dredging is yet to be carried out, there is non - commissioning of STPs and non-remediation of legacy waste from the two sites. The next report of J&K PCC should disclose the status in quantified terms on sewage generation, treatment, disposal, generation of solid waste, daily processing and remediation of 5500 and 10000 MT of legacy waste. The report should also disclose the quality of water of Devika River at upstream and downstream in terms of Fecal Coliform and flood plain zone management.*
- ii) *J&K PCC is also required to place on record the final orders which have been passed in the proceedings initiated against the defaulting units.*
- iii) *Let a fresh report along with concerned orders be filed atleast one week before the next date of hearing”.*

Compliance Report:

That in compliance to the Hon'ble National Green Tribunal vide Order dated 12-01-2024 in OA No. 176 of 2023, the compliance report of the J&K Pollution Control Committee is as follows:

Quality of water of Devika River :

That J&K Pollution Control Committee has carried out the analysis of water samples from Devika River at upstream and downstream in terms of Fecal Coliform and other physical parameters. Sampling was done on three days i.e 12-02-2024, 21-02-2024 and 27-02-2024 and fecal coliform has been detected in the samples and the reports are appended as

Annexure 'A'

That J&K Pollution Control Committee has issued directions for closure of the following **Banquet Halls, Hotels** and **Car Washing Stations** located in the vicinity of River Devika at Udhampur. The detailed list is provided here as under, for kind perusal of the Hon'ble Tribunal :

#	Name	Closure Order No. and date
Banquet Halls		
1)	Sangam Banquet Hall National Highway 1A, Chopra Shop Udhampur	193-JKPCC of 2023 dated 14-03-2023
2)	Riwayat Banquet Hall, Udhampur	246 – JKPC of 2024 dated 7-02-2024
3)	Raghunath Palace, Udhampur	247 – JKPC of 2024 dated 7-02-2024
4)	Thapa Palace, Udhampur	248 – JKPC of 2024 dated 7-02-2024
Hotels		
1)	Hotel Singh Axix, Udhampur	128-JKPCC of 20221 dated 06-01-2021
2)	Hotel Singh Shine, Udhampur	243 – JKPC of 2024 dated 7-02-2024

3)	Devika Hotel, Udhampur	244 – JKPC of 2024 dated 7-02-2024
4)	Hotel K.B. Apartments, Udhampur	245 – JKPC of 2024 dated 7-02-2024
Service Stations		
1)	Khajuria Service Station	328–JKPC of 2024 dated 22-02-2024
2)	Sangam Automobiles Service Station	329–JKPC of 2024 dated 22-02-2024
3)	Vidhata Honda Service Station	330–JKPC of 2024 dated 22-02-2024
4)	Vivek Motors Service Station	331–JKPC of 2024 dated 22-02-2024
5)	A 1 Motors	332–JKPC of 2024 dated 22-02-2024
6)	B.L Engineering Car Washing	333–JKPC of 2024 dated 22-02-2024
7)	New Gupta Service Station	334–JKPC of 2024 dated 22-02-2024
8)	Veera Repair and Spare	335–JKPC of 2024 dated 22-02-2024
9)	Mahavir Service Station	336–JKPC of 2024 dated 22-02-2024
10)	Gupta Service Station	336A–JKPC of 2024 dated 22-02- 2024
11)	Sanson Auto Mobile	337–JKPC of 2024 dated 22-02-2024
12)	Move India Service Station	338–JKPC of 2024 dated 22-02-2024

The copies of closure orders are appended as **Annexure 'B'**, for kind perusal of the Hon'ble Tribunal.

That the following owners of the Banquet Hall and Hotels have taken remedial steps in pursuance of the directions and are connected with the Common Sewage Treatment Plant (CSTP). They have applied for Consent from J&K Pollution Control Committee. Accordingly, J&K Pollution Control Committee has granted Consent to the following Banquet Hall / Hotels and the closure orders have been withdrawn.

#	Name	Consent dated
1)	Riwayat Banquet Hall	27-02-2024
2)	Hotel Singh Shine	02-03-2024
3)	Devika Hotel, Udhampur	02-03-2024
4)	Raghunath Palace	04-03-2024
5)	Hotel Singh Axix , Udhampur	04-03-2024
6)	Thapa Palace, Udhampur	06-03-2024
7)	Hotel K. B Apartment, Udhampur	06-03-2024

Status of 03 Hospitals :

- I) 01-bedded hospital operating with CTO / Authorization of J&K Pollution Control Committee.
- II) 01-non-bedded Health Care Facility operating with Authorization of J&K Pollution Control Committee.
- III) 01-Army Command Hospital not under the jurisdiction of J&K Pollution Control Committee.

Status of Sewage Treatment Plants (STPs) :

That the Consent to Operate (Fresh) to the Sewage Treatment Plants (STPs) with the capacities mentioned below have been granted by J&K Pollution Control Committee.

- i) STP – 1.6 MLD at Pittan Barh (21-02-2024)
- ii) STP – 4 MLD at Omara (21-02-2024)
- iii) STP - 8 MLD at Mian Bagh (09-02-2024)

Quality Test Report :

That J&K Pollution Control Committee has carried out the sampling of the STPs mentioned above on 15-02-2024 and the test reports are appended as **Annexure 'C'**

Environmental Compensation:

- i) That the Environmental Compensation has been imposed on the Municipal Council Udhampur vide Order No. 25-SPCB of 2019 dated 21-11-2019 regarding unscientific dumping and disposal of solid waste on the hill slopes alongside National Highway. However, the amount has not yet been deposited.
- ii) That the process for levying of Environmental Compensation on Chief Executive Officer, Municipal Council Udhampur for illegal, unscientific handling and disposal of solid waste at Maand Tikri, Udhampur has been initiated. A show cause notice dated 29-02-2024 has been issued for response within 10 days, vide **Annexure 'D'**.

That on the issues identified with regard to Solid Waste, Legacy Waste, Plastic Waste and Liquid Waste, the following actions have been taken by J&K Pollution Control Committee :-

1) *Encroachments are yet to be regulated as per flood plain zoning :-*

Directions have been issued to District Magistrate, Udhampur and Chief Executive Officer, Municipal Council Udhampur to submit the present status on 73 identified encroachments on the banks of River Devika (Gangera Hill to Nain- su) along with the action

plan for eviction of the said encroachments vide **Annexure 'E'** and **Annexure 'F'**. However, information in the matter is still awaited.

2) Desludging / dredging is yet to be carried out:

Directions have been issued to Chief Engineer, Urban Environmental Engineering Department, Chief Executive Officer, Municipal Council Udhampur and Chief Engineer, Jal Shakti (Irrigation & Flood Control) for submitting action plan along with time line for removing sludge and dredging of Devika River and Devika Ghat vide **Annexure 'G'**, **Annexure 'F'** and **Annexure 'H'**. Information received from Urban Environmental Engineering Department, J&K mentions that the matter does not pertain to UEED. However, information in the matter is still awaited.

3) Non-remediation of Legacy waste from the two sites:

Directions have been issued to Chief Executive Officer, Municipal Council Udhampur for furnishing the action plan and time line regarding processing of remaining 5500 MT legacy waste lying at Sui Chakkar as well as to furnish the action plan for processing of 10000 MT Municipal Solid Waste vide **Annexure 'F'**. However, information in the matter is still awaited.

4) Status in quantified terms on sewage generation, treatment, disposal:

Directions have been issued to Chief Engineer, Urban Environmental Engineering Department for furnishing the Quantity of sewage generated, treated and disposal thereof in Udhampur Municipal Council Jurisdiction vide **Annexure 'G'**.

Response received from UEED, J&K on 29-02-2024 and the details are as under:

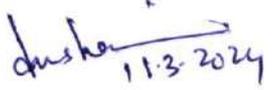
- i) Sewage generated in Udhampur Municipal Council jurisdiction is 5.9 MLD,
- ii) Installed capacity is 13.6 MLD
- iii) The quantity received and treated is 4.5 MLD.

5) Generation of Solid Waste :

Directions have been issued to Chief Executive Officer, Municipal Council Udhampur for furnishing the quantity of solid waste generated in Udhampur Municipal Council Jurisdiction vide **Annexure 'F'**. However, information in the matter is still awaited.

Prayer:

In the premises, it is therefore respectfully prayed that the compliance report may kindly be taken on record and placed before the Hon'ble National Green Tribunal for consideration.


(J.N. Sharma)
Environmental Engineer
J&K PCC

Monitoring of Water Quality of Devika River Upstream and Downstream in terms of Faecal Coliform at three locations							
Location	Date 12-02-2024	Date 21-02-2024			Date 27-02-2024		Average
	Total Coliform	Faecal Coliform	Total Coliform	Faecal Coliform	Total Coliform	Faecal Coliform	
Location 4063	-	35	-	180	-	180	108
Location 2754	-	54	-	180	-	180	117
Location 4062	-	28	-	180	-	180	104

Samples Are Analysed by Govt. Medical College Laboratory, Jammu

AS
 (Dr. Anju Gola)
 JLC Lab - Lab.
 JK PCE, Smt.

350

Jammu & Kashmir Pollution Control Committee, Jammu
 Parivesh Bhawan, Gladni, Transport Nagar, Narwal, Jammu
 Water Laboratory
 ISO 90012015 Certified
 OHSAS 18001:2007
 ISO45001:2018

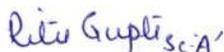
Report No. 42(w)
 Dt: 4/3/2024

Status of River Devak Udhampur (February, 2024)(12/02/2024)

S.No.	Parameters	River Devak Near Shiv Temple (NWMP St.Code:2754)	River Devak 2 Km d/s Shiv Temple(NWMP Station Code :4062)	River Devak (10 Km d/s Shiv Temple) (NWMP Station Code: 4063)	Standard Permissible limits as per CPCB Classification of streams (for 'B' Class of rivers)
1.	Temperature	16	16	16	
2.	Dissolved Oxygen	2.3	6.8	7.0	>5.0 mg/l
3.	pH	8.40	8.46	8.38	6.5-8.5
4.	Conductivity(μ S/cm)	559	473	450	
5.	Biological Oxygen Demand	4.2	2.0	1.2	<3.0 mg/l
6.	Turbidity	64	18	16	
7.	TDS	326	276	262	
8.	Chemical Oxygen Demand	30.5	17.0	9.0	
9.	P-Alkalinity	16	16	12	
10.	Total Alkalinity as CaCO ₃	200	196	188	
11.	Hardness as CaCO ₃	210	230	240	
12.	Calcium as CaCO ₃	166	150	176	
13.	Magnesium as CaCO ₃	44	80	64	
14.	Chloride	62	30	28	

Note: 1.All the concentrations are expressed in mg/l except Temperature($^{\circ}$ C) pH,Conductivity (μ S/cm),Turbidity(NTU)


 Analyst


 Analyst & I/c Water Lab

Jammu & Kashmir Pollution Control Committee, Jammu
Parivesh Bhawan, Gladni, Transport Nagar, Narwal, Jammu
Water Laboratory
ISO 90012015 Certified
OHSAS 18001:2007
ISO45001:2018

Report No. 43(w)
Dt: 5/3/24

Status of River Devak Udampur (February(27/2/2024),

S.No.	Parameters	River Devak Near Shiv Temple (NWMP St.Code:2754)	River Devak 2 Km d/s Shiv Temple(NWMP Station Code :4062)	River Devak (10 Km d/s Shiv Temple) (NWMP Station Code: 4063)	Standard Permissible limits as per CPCB Classification of streams (for 'B' Class of rivers)
1.	Temperature	18	18	18	
2.	Dissolved Oxygen	3.4	7.3	7.0	>5.0 mg/l
3.	pH	8.56	8.26	8.00	6.5-8.5
4.	Conductivity(μ S/cm)	542	460	434	
5.	Biological Oxygen Demand	3.5	<1.0	1.1	<3.0 mg/l
6.	Turbidity	42	26	24	
7.	TDS	316	268	254	
8.	Chemical Oxygen Demand	24.5	7.5	8.0	
9.	P-Alkalinity	16	16	0.0	
10.	Total Alkalinity as CaCO ₃	240	212	196	
11.	Hardness as CaCO ₃	232	200	212	
12.	Calcium as CaCO ₃	194	136	160	
13.	Magnesium as CaCO ₃	38	64	52	
14.	Chloride	56	34	24	

Note: 1.All the concentrations are expressed in mg/l except Temperature($^{\circ}$ C) pH,Conductivity (μ S/cm),Turbidity(NTU)


Analyst


Analyst & I/c Water Lab



Order No. : 193 JK PCC of 2023
Dated : 14 /03/2023

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under *Section 25/26* and *Section 21* of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, banquet halls are required to meet the effluent/sewage standards prescribed under Environment Protection Act by having STP of required capacity in place in the Banquet Hall.

Whereas, a banquet hall under name and style of **M/s Sangam Banquet Hall, NH-1A, near Chopra Shop Market, Udhampur** is operational in flagrant violation of above said requirements of law as its owner has failed to obtain consent from the JK Pollution Control Committee, besides failing in having STP of required capacity in place and functional.

Whereas, the owner of the Banquet Hall was accordingly served with notices latest on **14-02-2022**, calling upon him there under to show reasons as to why legal action including closure of his banquet hall be not taken for violation of law.

Whereas, the Banquet Hall owner has failed to show any response, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, the Hon'ble NGT vide its order dt. 17-12-2019 in O.A. No. 400/2017 has directed that no Banquet Hall be allowed to operate without meeting environmental norms and having consent from the Pollution Control Committee.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Samba on **20-02-2023**, reported that the status of the Banquet Hall remain unchanged, besides also reported that complaint against the operation of Banquet Hall received from the nearby residents, which has been verified at site as genuine.

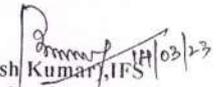
Whereas, Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/22/Compt/5221-22** dt. **27-02-2023** confirm the report of the Divisional Officer, PCC Samba and accordingly recommended for closure order.

Whereas, the Banquet Hall in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now, therefore, in exercise of powers vested in the J & K Pollution Control Committee under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, read with **Environment (Protection) Act 1986**, immediate closure of Banquet Hall of Shri Balak Ram under the name and style of **M/s Sangam Banquet Hall, NH-1A, near Chopra Shop Market, Udhampur** is hereby ordered and in this behalf, the:-

- Deputy Commissioner/ District Magistrate, **Udhampur** is directed to get the **Banquet Hall** of Shri Balak Ram under the name and style of **M/s Sangam, Banquet Hall, NH-1A, near Chopra Shop Market, Udhampur** closed immediately.
- Chief Engineer, Power Development Corporation Ltd.(PDCL) Canal Road, **Jammu** is directed to disconnect the electric supply to the above said Banquet Hall.
- Chief Engineer, **PHE Jammu** is directed to disconnect the water supply to the above said Banquet Hall.
- Shri Balak Ram Prop. **M/s Sangam Banquet Hall, NH-1A, near Chopra Shop Market, Udhampur** is directed to cease the operation of the Banquet Hall forthwith.

By Order of the Competent Authority.


(K. Ramesh Kumar, IFS)
Member Secretary,
JK PCC Jammu.

No: JK PCC/LSJ/7140601/2023/1094-1099
Dt.: 14 /03/2023

Copy to the:-

- Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- Regional Director, PCC, **Jammu** for information and follow up action within a fortnight and has reference to his letter No. **PCC/RDJ/Consent-O/22/Compt/5221-22** dt. **27-02-2023**.
- Chief Engineer, Power Development Corporation Ltd.(PDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- Chief Engineer, **PHE Jammu** for information and necessary action under intimation.
- I/c web site Pollution Control Committee **Jammu** for uploading the closure order.
- Sh. Balak Ram Prop. **M/s Sangam Banquet Hall, NH-1A, near Chopra Shop Market, Udhampur** for information.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No.: 246 JKPCC of 2024
Dated : 07 /02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under *Section 25/26* and *Section 21* of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, banquet halls are required to meet the effluent/sewage standards prescribed under Environment Protection Act by having STP of required capacity in place in the Banquet Hall.

Whereas, the Hon'ble NGT vide its order dt. 17-12-2019 in O.A. No. 400/2017 has directed that no Banquet Hall be allowed to operate without meeting environmental norms and having consent from the Pollution Control Committee.

Whereas, Municipal Council Udhampur has set up and put in operation a banquet hall under name and style of **M/s Riwayat Banquet Hall, N.H. Road, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee, that too bereft of pollution control devices such as Sewage Treatment Plant (STP) and operation of the Banquet Hall in its present status can prove detrimental to human health and environment

Whereas, the owner of the Banquet Hall was accordingly served with repeated notices, (last Notice on **16-11-2021**), calling upon him to show cause as to why legal action including closure of his banquet hall be not taken for violation of environmental laws.

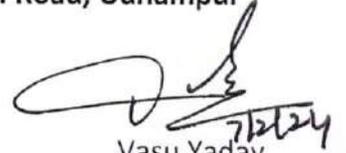
Whereas, the Banquet Hall owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **04-01-2024**, revealing that the status of the Banquet Hall remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/SA/NGT/3386-87** dated **11-01-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Banquet Hall in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i). Deputy Commissioner/ District Magistrate, **Udhampur** is directed to get the **Banquet Hall** operated by Municipal Council Udhampur under the name and style of **M/s Riwayat Banquet Hall, N.H. Road, Udhampur** closed immediately.
- ii). Executive Engineer, Power Development Corporation Ltd.(PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said Banquet Hall.
- iii). Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said Banquet Hall.
- iv) Municipal Council Udhampur, Prop. **M/s Riwayat Banquet Hall, N.H. Road, Udhampur** is directed to cease the operation of the Banquet Hall forthwith.


 Vasu Yadav
 Chairman

No: JK PCC/LSJ/7389725/2024 | 1413-1421

Dt.: 07 /02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to his letter No. **PCC/RDJ/SA/NGT/3386-87** dated 11-01-2024.
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, Jammu PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c web site Pollution Control Committee **Jammu** for uploading the closure order
- ix. Municipal Council Udhampur, Prop. **M/s Riwayat Banquet Hall, N.H. Road, Udhampur** for information.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No.: 247JKPCC of 2024

Dated : 07/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under *Section 25/26* and *Section 21* of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, banquet halls are required to meet the effluent/sewage standards prescribed under Environment Protection Act by having STP of required capacity in place in the Banquet Hall.

Whereas, the Hon'ble NGT vide its order dt. 17-12-2019 in O.A. No. 400/2017 has directed that no Banquet Hall be allowed to operate without meeting environmental norms and having consent from the Pollution Control Committee.

Whereas, Shri Anil Kumar Badyal has set up and put in operation a banquet hall under name and style of **M/s Raghunath Palace, NH-1A near Devika Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee, that too bereft of pollution control devices such as Sewage Treatment Plant (STP) and operation of the Banquet Hall in its present status can prove detrimental to human health and environment

Whereas, the owner of the Banquet Hall was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his banquet hall be not taken for violation of environmental laws.

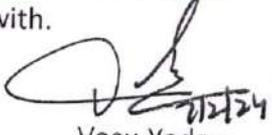
Whereas, the Banquet Hall owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **04-01-2024**, revealing that the status of the Banquet Hall remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/SA/NGT/3386-87** dated **11-01-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Banquet Hall in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** is directed to get the **Banquet Hall** operated by **Sh. Anil Kumar Badyal** under the name and style of **M/s Raghunath Palace, NH-1A near Devika Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd.(PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said Banquet Hall.
- iii. Chief Engineer, **PHE Jammu** is directed to disconnect the water supply to the above said Banquet Hall.
- iv. **Shri Shri Anil Kumar Badyal Prop. M/s Raghunath Palace, NH-1A near Devika Udhampur** is directed to cease the operation of the Banquet Hall forthwith.


Vasu Yadav
& Chairman

No: JK PCC/LSJ/7389725/2024 /1422-1430

Dt.: 07/02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to his letter No. **PCC/RDJ/SA/NGT/3386-87** dated 11-01-2024.
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, Jammu PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c web site Pollution Control Committee **Jammu** for uploading the closure order
- ix. **Shri Anil Kumar Badyal Prop. M/s Raghunath Palace, NH-1A near Devika Udhampur**

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No.: 248 JKPC od 2024
Dated : 07/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under *Section 25/26* and *Section 21* of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, banquet halls are required to meet the effluent/sewage standards prescribed under Environment Protection Act by having STP of required capacity in place in the Banquet Hall.

Whereas, the Hon'ble NGT vide its order dt. 17-12-2019 in O.A. No. 400/2017 has directed that no Banquet Hall be allowed to operate without meeting environmental norms and having consent from the Pollution Control Committee.

Whereas, Shri Ajay Kumar Thapa has set up and put in operation a banquet hall under name and style of **M/s Thapa Palace, Phase-II, Housing Colony Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee, that too bereft of pollution control devices such as Sewage Treatment Plant (STP) and operation of the Banquet Hall in its present status can prove detrimental to human health and environment.

Whereas, the owner of the Banquet Hall was accordingly served with repeated notices, (last Notice on **16-11-2021**), calling upon him to show cause as to why legal action including closure of his banquet hall be not taken for violation of environmental laws.

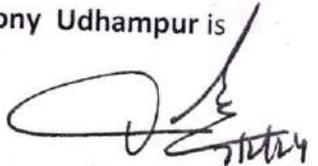
Whereas, the Banquet Hall owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **04-01-2024**, revealing that the status of the Banquet Hall remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/SA/NGT/3386-87** dated **11-01-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Banquet Hall in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i). Deputy Commissioner/ District Magistrate, **Udhampur** is directed to get the **Banquet Hall** operated by **Sh. Ajay Kumar Thapa** under the name and style of **M/s Thapa Palace, Phase-II, Housing Colony Udhampur** closed immediately.
- ii). Executive Engineer, Power Development Corporation Ltd.(PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said Banquet Hall.
- iii). Executive Engineer, **PHE Udhampur** is directed to disconnect the water supply to the above said Banquet Hall.
- iv) **Shri Ajay Kumar Thapa Prop. M/s Thapa Palace, Phase-II, Housing Colony Udhampur** is directed to cease the operation of the Banquet Hall forthwith.


Vasu Yadav
Chairman

No: JK PCC/LSJ/7389741/2024 /1431-1439

Dt.: 07/02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight in reference to his letter No. **PCC/RDJ/SA/NGT/3386-87 dated 11-01-2024**.
- iii. Chief Engineer Power Development Corporation Ltd.(PDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, **PHE Jammu** for information and necessary action under intimation.
- v. Executive Engineer, JPDC, Electric Division Udhampur for information and necessary
- vi. Executive Engineer, **PHE Udhampur** for information and necessary action
- vii. Divisional Officer, PCC Udhampur for information, with the direction to follow up and get the closure order implemented through District Administration in letter and spirit.
- viii. I/c web site Pollution Control Committee **Jammu** for uploading the closure order.
- ix. **Shri Ajay Kumar Thapa Prop. M/s Thapa Palace, Phase-II, Housing Colony Udhampur** for information.

Government of Jammu and Kashmir
JK POLLUTION CONTROL BOARD



Winter Office: November-April
Arvish Bhawan, Glandi
Transport Nagar, Narwal,
Jammu (J&K) 180008
Tel/Fax: 0191-2476925

Summer Office: May - October
Sheikh Ul Alam Campus
Behind Govt. Silk Factory,
Rajbagh Srinagar (J&K) 190008
Tel/Fax: 0194-2311105

Email: memberssecretaryjpcb@gmail.com

Order No. : 128 JK PCB of 2021
Dated : 06/01/2021

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Board, as warranted under **Section 25/26** and **Section 21** of the **Water (Prevention and Control of Pollution) Act 1974** and **Air (Prevention and Control of Pollution) Act, 1981** respectively.

Whereas, for meeting the prescribed standards for sewerage generated by **Hotels/Guest Houses**, with above **19 rooms**, the facility of STP/ETP is mandatory as per Pollution Control Board guidelines.

Whereas, **M/s Hotel Singh Axis, MH Morh, NH-1A Udhampur** is operational in flagrant violation of above said requirements of law and necessary pollution control devices/pollution control measures are not in place and continued operation of the Hotel can prove detrimental to human health and environment.

Whereas, repeated notices were served upon the hotelier, particularly notice dated **25-08-2020** calling upon him there under to show reasons as to why legal action including closure of his hotel be not taken for violation of law.

Whereas, the owner of the hotel has failed to show any response, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, the hotel in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now therefore in exercise of powers vested in the J & K Pollution Control Board under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, read with **Environment (Protection) Act, 1986** immediate closure of Hotel of Sh. Daljit Singh under the name and style of **M/s Hotel Singh Axis, MH Morh, NH-1A Udhampur** is hereby ordered and in this behalf the:-

- Deputy Commissioner/ District Magistrate, **Udhampur** is directed to close down **M/s Hotel Singh Axis, MH Morh, NH-1A Udhampur** immediately.
- Chief Engineer Electric & Maintenance (PDD), canal road **Jammu** is directed to snap electric supply to above said hotel immediately.
- Director Tourism **Jammu** is directed to deregister the hotel.
- Sh. Daljit Singh (Prop.) **M/s Hotel Singh Axis, MH Morh, NH-1A Udhampur** is directed to cease the operation of the hotel forthwith.

As approved by the Competent Authority.

(M.M. Shah)
Legal Advisor
JK PCB Jammu

No:- JK PCB/LSJ/978/021 / 714-19
Dated:- 06/01/2021

Copy to the:-

- Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- Regional Director, PCB, **Jammu** for information and follow up action within a fortnight and has reference to his letter No.PCB/RDJ/O/20/5686-87 dt. 28-12-2020.
- Chief Engineer Electric & Maintenance (PDD) Canal Road, **Jammu** for information and necessary action under intimation.
- Director Tourism **Jammu** for information and necessary action under intimation.
- I/c web site Pollution Control Board **Jammu** for uploading the closure order
- Sh. Daljit Singh Prop. **Hotel Singh Axis, MH Morh, NH-1A Udhampur** for information.

(B.M. Sharma), IFS
Member Secretary
JK PCB Jammu

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Order No. : 243 JK PCC of 2024
Dated : 07 /02 /2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the J&K Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water (Prevention and Control of Pollution) Act 1974** and **Air (Prevention and Control of Pollution) Act, 1981** respectively.

Whereas, for meeting the prescribed standards for sewerage generated by **Hotels/Guest Houses**, with more than **19 rooms**, the facility of Sewage Treatment Plant (STP) is mandatory as per the guidelines of Pollution Control Committee.

Whereas, the Hon'ble NGT vide its order dt.14-12-2021 in O.A. No. 338/2021 has directed that no pollution due to discharge of effluents and dumping of garbage be allowed to operate without meeting environmental norms and having consent from the Pollution Control Committee.

Whereas, Sd. Mohinder Kour has set up and put in operation a hotel under the name and style of **M/s Hotel Singh Shine, Near Happy Home Model Hr. Sec. School-Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee, that too bereft of pollution control devices such as Sewage Treatment Plant (STP) and operation of the Hotel in its present status can prove detrimental to human health and environment.

Whereas, repeated notices were served upon the hotelier, (latest on **07-08-2023**) calling upon him to show cause as to why legal action including closure of his hotel be not taken for violation of environmental laws.

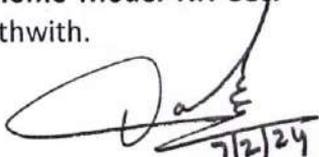
Whereas, the owner of the hotel has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **04-01-2024**, revealing that the status of the hotel remained unchanged. Regional Director, Pollution Control Committee Jammu vide letter No. **PCC/RDJ/SA/NGT/3386-87** dated **11-01-2024** confirmed the inspection report of Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the hotel in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now therefore in exercise of powers vested with J & K Pollution Control Board under **Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** is directed to close down the hotel of **Sd. Mohinder Kour** under the name and style of **M/s Hotel Singh Shine, Near Happy Home Model Hr. Sec. School-Udhampur** immediately.
- ii. Director Tourism **Jammu** is directed to deregister the hotel, if registered.
- iii. Executive Engineer, (JPDCL) Electric Division, Udhampur is directed to disconnect the electric supply to above said hotel immediately.
- iv. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to above said hotel immediately
- v. **Sd. Mohinder Kour (Prop.) M/s Hotel Singh Shine, Near Happy Home Model Hr. Sec. School-Udhampur** is directed to cease the operation of the hotel forthwith.


 7/2/24
 Vasu Yadav
 Chairman

No:- JK PCB/LSJ/7389713 /2024 /1324-93
 Dated:- 07/02/2024
 Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to his letter No. **PCC/RDJ/SA/NGT/3386-87** dated 11-01-2024.
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE Jammu for information and necessary action under intimation
- v. Director Tourism **Jammu** for information and necessary action.
- vi. Executive Engineer, (JPDCL) Electric Division, Udhampur for information and necessary action.
- vii. Executive Engineer, PHE, Udhampur for information and necessary action.
- viii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- ix. I/c web site Pollution Control Committee **Jammu** for uploading the closure order
- x. **Sd. Mohinder Kour Prop. M/s Hotel Singh Shine, Near Happy Home Model Hr. Sec. School- Udhampur** for information

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
 Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
 Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Order No. : 244 JK PCC of 2024
 Dated : 07 /02 /2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the J&K Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water (Prevention and Control of Pollution) Act 1974** and **Air (Prevention and Control of Pollution) Act, 1981** respectively.

Whereas, for meeting the prescribed standards for sewerage generated by Hotels/Guest Houses, with more than 19 rooms, the facility of Sewage Treatment Plant (STP) is mandatory as per the guidelines of Pollution Control Committee.

Whereas, the Hon'ble NGT vide its order dt.14-12-2021 in O.A. No. 338/2021 has directed that no pollution due to discharge of effluents and dumping of garbage be allowed to operate without meeting environmental norms and having consent from the Pollution Control Committee.

Whereas, Smt. Veenu Singh has set up and put in operation a hotel under the name and style of M/s **Devika Hotel Shiv Nagar, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee, that too bereft of pollution control devices such as Sewage Treatment Plant (STP) and operation of the Hotel in its present status can prove detrimental to human health and environment.

Whereas, repeated notices were served upon the hotelier, (**latest on 04-08-2023**) calling upon him to show cause as to why legal action including closure of his hotel be not taken for violation of environmental laws.

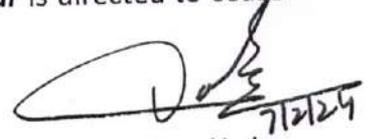
Whereas, the owner of the hotel has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **04-01-2024**, revealing that the status of the hotel remained unchanged. Regional Director, Pollution Control Committee Jammu vide letter No. PCC/RDJ/SA/NGT/3386-87 dated 11-01-2024 confirmed the inspection report of Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the hotel in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now therefore in exercise of powers vested with J & K Pollution Control Board under Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974 and Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981, the following directions are hereby issued:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** is directed to close down the hotel of Smt. Veenu Singh under the name and style of M/s Devika Hotel Shiv Nagar, Udhampur immediately.
- ii. Director Tourism **Jammu** is directed to deregister the hotel, if registered
- iii. Executive Engineer, (JPDCL) Electric Division, Udhampur is directed to disconnect the electric supply to above said hotel immediately.
- iv. Executive Engineer, **PHE** Udhampur is directed to disconnect the water supply to the above said Banquet Hall.
- v. Smt. Veenu Singh (Prop.) **M/s Devika Hotel Shiv Nagar, Udhampur** is directed to cease the operation of the hotel forthwith.


7/2/24
Vasu Yadav
Chairman

No:- JK PCB/LSJ/7389707/2024 /1394-1402
Dated:- 07/02/2024
Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to his letter No. **PCC/RDJ/SA/NGT/3386-87** dated 11-01-2024.
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE Jammu for information and necessary action under intimation
- v. Director Tourism **Jammu** for information and necessary action.
- vi. Executive Engineer, (JPDCL) Electric Division, Udhampur for information and necessary action.
- vii. Executive Engineer, PHE, Udhampur for information and necessary action.
- viii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- ix. I/c web site Pollution Control Committee **Jammu** for uploading the closure order
- x. **Smt. Veenu Singh** Prop. M/s **Devika Hotel Shiv Nagar, Udhampur** for information.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Order No. : 245 JK PCC of 2024

Dated : 07/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the J&K Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water (Prevention and Control of Pollution) Act 1974** and **Air (Prevention and Control of Pollution) Act, 1981** respectively.

Whereas, for meeting the prescribed standards for sewerage generated by **Hotels/Guest Houses**, with more than **19 rooms**, the facility of Sewage Treatment Plant (STP) is mandatory as per the guidelines of Pollution Control Committee.

Whereas, the Hon'ble NGT vide its order dt.14-12-2021 in O.A. No. 338/2021 has directed that no pollution due to discharge of effluents and dumping of garbage be allowed to operate without meeting environmental norms and having consent from the Pollution Control Committee.

Whereas, Sh. Daljeet Singh has set up and put in operation a hotel under the name and style of **M/s Hotel K.B. Apartments, Near MH Chowk, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee, that too bereft of pollution control devices such as Sewage Treatment Plant (STP) and operation of the Hotel in its present status can prove detrimental to human health and environment.

Whereas, repeated notices were served upon the hotelier, (latest on **07-08-2023**) calling upon him to show cause as to why legal action including closure of his hotel be not taken for violation of environmental laws.

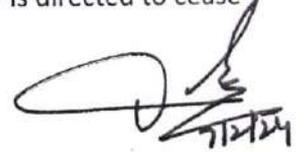
Whereas, the owner of the hotel has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **04-01-2024**, revealing that the status of the hotel remained unchanged. Regional Director, Pollution Control Committee Jammu vide letter No. **PCC/RDJ/SA/NGT/3386-87** dated **11-01-2024** confirmed the inspection report of Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the hotel in question cannot be allowed to operate with above status as the operation can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now therefore in exercise of powers vested with J & K Pollution Control Board under **Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** is directed to close down the hotel of **Sh. Daljeet Singh** under the name and style of **M/s Hotel K.B. Apartments, Near MH Chowk, Udhampur** immediately.
- ii. Director Tourism **Jammu** is directed to deregister the hotel, if registered.
- iii. Executive Engineer, (JPDCL) Electric Division, Udhampur is directed to disconnect the electric supply to above said hotel immediately.
- iv. Executive Engineer, PHE Udhampur is directed to disconnect the water supply to the above said Banquet Hall.
- v. **Sh. Daljeet Singh (Prop.) M/s Hotel K.B. Apartments, Near MH Chowk, Udhampur** is directed to cease the operation of the hotel forthwith.



Vasu Yadav
Chairman

No:- JK PCB/LSJ/7389719/2024

Dated: 07/02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to his letter No. **PCC/RDJ/SA/NGT/3386-87** dated 11-01-2024.
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, Jammu PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Director Tourism **Jammu** for information and necessary action.
- viii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- ix. I/c web site Pollution Control Committee **Jammu** for uploading the closure order
- x. **Sh. Daljeet Singh Prop. M/s Hotel K.B. Apartments, Near MH Chowk, Udhampur** for information

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No.: 328 JKPCC of 2024

Dated : 22 /02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under *Section 25/26* and *Section 21* of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, **Shri Ram Parkash** has set up and put in operation a service station under name and style of **M/s Khajuria Service Station, Ward No.11, Shiv Nagar, Near SSP Office, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee, and operation of the service station with present status can prove detrimental to human health and environment

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14 dated 15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

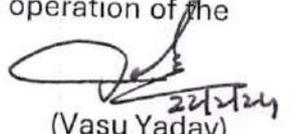
Whereas, the service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

JK

Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water** (Prevention and Control of Pollution) **Act, 1974** and **Section 31 (A)** of the **Air** (Prevention and Control of Pollution) **Act, 1981**, the following directions are hereby issued:-

- i) Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the **service station** operated by Shri Ram Parkash under the name and style of **M/s Khajuria Service Station, Ward No.11, Shiv Nagar, Near SSP Office, Udhampur** closed immediately.
- ii) Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii) Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv) **Shri Ram Parkash, Prop. M/s Khajuria Service Station, Ward No.11, Shiv Nagar, Near SSP Office, Udhampur** is directed to cease the operation of the service station forthwith.

ans L.


(Vasu Yadav)
Chairman

No: JK PCC/LSJ/ 7407574 /2024/ 2169-2170

Date: 22/02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to his letter No. **PCC/RDJ/Consent-O/24/3813-14 dated 15-02-2024.**
- iii. Chief Engineer, Power Development Corporation Ltd. Jammu (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division, Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/C Nodal Officer, NGT JK PCC for information and necessary action.
- ix. I/C Web site J&K Pollution Control Committee **Jammu** for uploading the closure order
- x. **Shri Ram Parkash, Prop. M/s Khajuria Service Station, Ward No.11, Shiv Nagar, Near SSP Office, Udhampur** for compliance.

368
Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - memberssecretaryjkspcb@gmail.com

ORDER No. 329 JKPC of 2024

Dated : 22/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under *Section 25/26* and *Section 21* of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, **Shri Navesh Kumar** has set up and put in operation a service station under name and style of **M/s Sangam Automobile, Service Station, Ward No.11, Shiv Nagar, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee, and operation of the service station with present status can prove detrimental to human health and environment

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

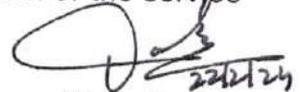
Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.



Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i) Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the service station operated by **Shri Navesh Kumar** under the name and style of **M/s Sangam Automobile, Service Station, Ward No.11, Shiv Nagar, Udhampur** closed immediately.
- ii) Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii) Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv) **Shri Navesh Kumar, Prop. M/s Sangam Automobile, Service Station, Ward No.11, Shiv Nagar, Udhampur** is directed to cease the operation of the service station forthwith.


(Vasu Yadav)
Chairman

No: JK PCC/LSJ/7407574/2024 2179-2180

Dt.: 22/02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC/RDJ/Consent-O/24/3813-14 dated 15-02-2024**.
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, Jammu for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT JK PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order
- x. **Shri Navesh Kumar, Prop. M/s Sangam Automobile, Service Station, Ward No.11, Shiv Nagar, Udhampur** for compliance.

370

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 330 JKPC of 2024

Dated : 22/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under *Section 25/26* and *Section 21* of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, **Shri Sanjay Gupta** has set up and put in operation a service station under name and style of **M/s Vidhata Honda, Service Station, Ward No.11, Shiv Nagar, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

JK

Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water** (Prevention and Control of Pollution) **Act, 1974** and **Section 31 (A)** of the **Air** (Prevention and Control of Pollution) **Act, 1981**, the following directions are hereby issued :-

- i) Deputy Commissioner/ District Magistrate, **Udhampur** is directed to get the service station operated by **Shri Sanjay Gupta** under the name and style of **M/s Vidhata Honda, Service Station, Ward No.11, Shiv Nagar, Udhampur** closed immediately.
- ii) Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii) Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv) **Shri Sanjay Gupta, Prop. M/s Vidhata Honda, Service Station, Ward No.11, Shiv Nagar, Udhampur** is directed to cease the operation of the service station forthwith.

dw


(Vasu Yadav)
Chairman

No: JK PCC/LSJ/ 7407574 /2024/ 2189-2199

Dt.: 22/02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC/RDJ/consent-O/24/3813-14** dated **15-02-2024**.
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT JK PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order
- x. **Shri Sanjay Gupta, Prop. M/s Vidhata Honda, Service Station, Ward No.11, Shiv Nagar, Udhampur** for compliance.

372

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No.: 331 JKPC of 2024

Dated : 22/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, **Shri Sumesh Magotra** has set up and put in operation a service station under name and style of **M/s Vivek Motors, Service Station, Ward No.11, Shiv Nagar, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

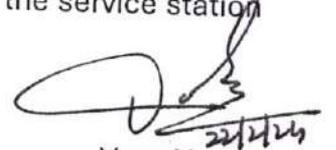
Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.



Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i). Deputy Commissioner/ District Magistrate, **Udhampur** is directed to get the service station operated by **Shri Sumesh Magotra** under the name and style of **M/s Vivek Motors, Service Station, Ward No.11, Shiv Nagar, Udhampur** closed immediately.
- ii). Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii). Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv) **Shri Sumesh Magotra, Prop. M/s Vivek Motors, Service Station, Ward No.11, Shiv Nagar, Udhampur** is directed to cease the operation of the service station forthwith.


22/02/2024
Vasu Yadav
Chairman

No: JK PCC/LSJ/7407574 /2024/ 2200-2210
Dt.: 22/02/2024

Copy to the:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC/RDJ/Consent-O/24/3813-14 dated 15-02-2024**
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, Jammu PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT JK PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order
- x. **Shri Sumesh Magotra, Prop. M/s Vivek Motors, Service Station, Ward No.11, Shiv Nagar, Udhampur** for information.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 332 JKPCC of 2024

Dated : 02/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, **Shri Suresh** has set up and put in operation a service station under name and style of **M/s A-I Motors, Near Sky Lark Hotel, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

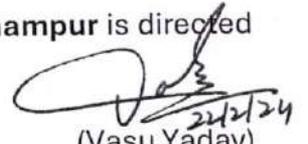
Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.



Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the service station operated by **Shri Suresh** under the name and style of **M/s A-I Motors, Near Sky Lark Hotel, Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv. **Shri Suresh, Prop. M/s A-I Motors, Near Sky Lark Hotel, Udhampur** is directed to cease the operation of the service station forthwith.


 (Vasu Yadav)
 Chairman

No: JK PCC/LSJ/7407574 /2024 | 2211-2221

Dt.: 02/02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC /RDJ /Consent-O /24/3813-14** dated **15-02-2024**
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT J&K PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order.
- x. **Shri Suresh, Prop. M/s A-I Motors, Near Sky Lark Hotel, Udhampur** for information.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 333 JKPCC of 2024

Dated : 02/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, **M/s B L Engineering Car Washing, Opposite Hanuman Mandir, Udhampur** in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

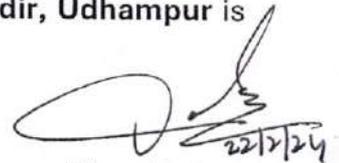
Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14 dated 15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.



Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the service station operated by under the name and style of **M/s B L Engineering Car Washing, Opposite Hanuman Mandir, Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv. **M/s B L Engineering Car Washing, Opposite Hanuman Mandir, Udhampur** is directed to cease the operation of the service station forthwith.


 (Vasu Yadav)
 Chairman

No: JK PCC/LSJ/7407574 /2024/2222-2232

Dt.: 02/02/2024

Copy to the:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC /RDJ /Consent-O /24/3813-14** dated **15-02-2024**
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order.
- ix. I/c Nodal Officer, NGT J&K PCC for information and necessary action.
- x. **M/s B L Engineering Car Washing, Opposite Hanuman Mandir, Udhampur** for information and compliance.

378

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 334 JKPCC of 2024

Dated : 02/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, **M/s New Gupta Service Station, Opposite Hanuman Mandir, Udhampur** is in operation in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14 dated 15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.



Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A) of Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the service station operated under the name and style of **M/s New Gupta Service Station, Opposite Hanuman Mandir, Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv. **M/s New Gupta Service Station, Opposite Hanuman Mandir, Udhampur** is directed to cease the operation of the service station forthwith.


 (Vasu Yadav)
 Chairman

No: JK PCC/LSJ/7407574 /2024/ 2233-2243

Dt.: 02/02/2024

Copy to the:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC /RDJ /Consent-O /24/3813-14** dated **15-02-2024**.
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT J&K PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order
- x. Prop. **M/s New Gupta Service Station, Opposite Hanuman Mandir, Udhampur**.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 335 JKPC of 2024

Dated : 22/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallhas and drains leading to the River*".

Whereas, **M/s Veera Repair & Spare, Opposite Hanuman Mandir, Udhampur** is in operation in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.



Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** is directed to get the service station operated under the name and style of **M/s Veera Repair & Spare, Opposite Hanuman Mandir, Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd.(PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv. Prop. **M/s Veera Repair & Spare, Opposite Hanuman Mandir, Udhampur** is directed to cease the operation of the service station forthwith.




(Vasu Yadav)
Chairman

No: JK PCC/LSJ/7407574 /2024 | 2244-2245

Dt.: 22/02/2024

Copy to the:-

- i. Deputy Commissioner/ District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC /RDJ /Consent-O /24/3813-14** dated **15-02-2024**
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDC), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDC Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT J&K PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order.
- x. Prop. **M/s Veera Repair & Spare, Opposite Hanuman Mandir, Udhampur** for information and compliance.

382

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 336 JKPC of 2024

Dated : 02 /02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the general discharge standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallha and drains leading to the River*".

Whereas, **M/s Mahavir Service Station, Opposite Move India Motors, NH-1A Udhampur** is in operation in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment.

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

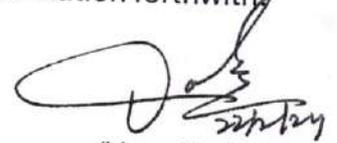
Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.



Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the service station operated under the name and style of **M/s Mahavir Service Station, Opposite Move India Motors, NH-1A Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv. Prop. **M/s Mahavir Service Station, Opposite Move India Motors, NH-1A Udhampur** is directed to cease the operation of the service station forthwith




(Vasu Yadav)
Chairman

No: JK PCC/LSJ/7407574 /2024/2246-2256
Dt.: 22/02/2024

Copy to the:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC /RDJ /Consent-O /24/3813-14** dated **15-02-2024**
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT J&K PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order.
- x. Prop. **M/s Mahavir Service Station, Opposite Move India Motors, NH-1A Udhampur** for information and compliance.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 336-A JKPC of 2024

Dated : 02/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, **M/s Gupta Service Station, Opposite Move India Domail, NH-1A Udhampur** is in operation in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment.

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

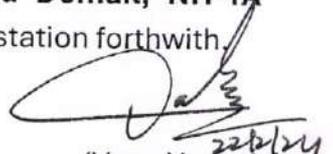
Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water** (Prevention and Control of Pollution) **Act, 1974** and **Section 31 (A)** of the **Air** (Prevention and Control of Pollution) **Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the service station operated under the name and style of **M/s Gupta Service Station, Opposite Move India Domail, NH-1A Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv. Prop. **M/s Gupta Service Station, Opposite Move India Domail, NH-1A Udhampur** is directed to cease the operation of the service station forthwith.


(Vasu Yadav)
Chairman

No: JK PCC/LSJ/7407574 /2024 /2257-2266

Dt.: 02/02/2024

Copy to the:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC /RDJ /Consent-O /24/3813-14** dated **15-02-2024**
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT J&K PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order.
- x. Prop. **M/s Gupta Service Station, Opposite Move India Domail, NH-1A Udhampur** for information and compliance.

386

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 337 JKPCC of 2024
Dated : 22/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, Shri Rajinder Sanson has set up and put in operation a service station under the name and style of **M/s Sanson Automobile, Domail Near Petrol Pump Udhampur** is in operation in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment.

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

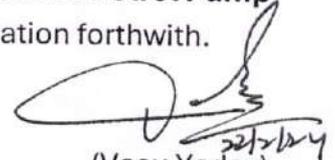
Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.

QW

Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the service station operated under the name and style of **M/s Sanson Automobile, Domail Near Petrol Pump Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv. Shri Rajinder Sanson, Prop. **M/s Sanson Automobile, Domail Near Petrol Pump Udhampur** is directed to cease the operation of the service station forthwith.


(Vasu Yadav)
Chairman

No: JK PCC/LSJ/7407574 /2024 /2267-2276

Dt.: 22/02/2024

Copy to the:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC /RDJ /Consent-O /24/3813-14** dated **15-02-2024**
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, Jammu PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT J&K PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order.
- x. Shri Rajinder Sanson Prop. **M/s Sanson Automobile, Domail Near Petrol Pump Udhampur** for information and compliance.

388

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

ORDER No. : 338 JKPCC of 2024

Dated : 22/02/2024

Whereas, no activity having bearing on environment can be taken in hand, without prior consent of the Pollution Control Committee, as warranted under **Section 25/26** and **Section 21** of the **Water** (Prevention and Control of Pollution) **Act 1974** and **Air** (Prevention and Control of Pollution) **Act, 1981** respectively.

Whereas, service stations are required to meet the General Discharge Standards of effluents/sewage prescribed under Environment (Protection) Act, 1986 by having small Effluent Treatment Plant (ETP) of required capacity in place in the service station.

Whereas, the Hon'ble NGT vide its order dt. 12-02-2024 in O.A. No. 176/2023 has directed "*to restrict the discharge of sewage and municipal solid waste as well as plastic waste which was flowing through nallahs and drains leading to the River*".

Whereas, Shri Sanjeev Dubey has set up and put in operation a service station under the name and style of **M/s Move India Service Station, Domail, NH 1A, Udhampur** is in operation in flagrant violation of above said requirements of law and without obtaining mandatory consent from the J&K Pollution Control Committee and operation of the service station with present status can prove detrimental to human health and environment.

Whereas, the owner of the service station was accordingly served with repeated notices, (last Notice on **04-08-2023**), calling upon him to show cause as to why legal action including closure of his service station be not taken for violation of environmental laws.

Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

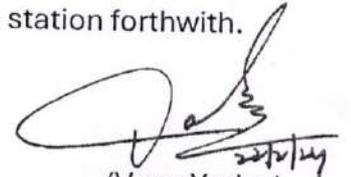
Whereas, fresh inspection was carried out by the Divisional Officer, Pollution Control Committee Udhampur on **10-02-2024**, revealing that the status of the service station remained unchanged. Regional Director Pollution Control Committee, Jammu vide letter No. **PCC/RDJ/Consent-O/24/3813-14** dated **15-02-2024** confirmed the inspection report of the Divisional Officer, PCC Udhampur and accordingly recommended it for closure.

Whereas, the Service station in question cannot be allowed to operate with above status as the operation of the same can prove detrimental for human health and environment besides being in flagrant violation of laws governing environmental protection.



Now, therefore, in exercise of powers vested with J & K Pollution Control Committee under **Section 33 (A)** of **Water (Prevention and Control of Pollution) Act, 1974** and **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981**, the following directions are hereby issued:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** is directed to get the service station of Shri Sanjeev Dubey under the name and style of **M/s Move India Service Station, Domail, NH 1A, Udhampur** closed immediately.
- ii. Executive Engineer, Power Development Corporation Ltd. (PDCL), Electric Division, Udhampur is directed to disconnect the electric supply to the above said service station.
- iii. Executive Engineer, PHE, Udhampur is directed to disconnect the water supply to the above said service station.
- iv. **Shri Sanjeev Dubey, Prop. M/s Move India Service Station, Domail, NH 1A, Udhampur** is directed to cease the operation of the service station forthwith.


(Vasu Yadav)
Chairman

No: JK PCC/LSJ/7407574/2024 | 2277-2286
Dt.: 22/02/2024

Copy to the:-

- i. Deputy Commissioner / District Magistrate, **Udhampur** for information and necessary action under intimation.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight, in reference to her letter No. **PCC /RDJ /Consent-O /24/3813-14** dated **15-02-2024**
- iii. Chief Engineer, Jammu Power Development Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action under intimation.
- iv. Chief Engineer, Jammu PHE, **Jammu** for information and necessary action under intimation
- v. Executive Engineer, JPDCL Electric Division Udhampur for information and necessary action.
- vi. Executive Engineer, PHE Udhampur for information and necessary action please.
- vii. Divisional Officer, PCC Udhampur for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c Nodal Officer, NGT J&K PCC for information and necessary action.
- ix. I/c Web site J&K Pollution Control Committee **Jammu** for uploading the closure order.
- x. **Shri Sanjeev Dubey, Prop. M/s Move India Service Station, Domail, NH 1A, Udhampur** for information and compliance.

J & K POLLUTION CONTROL COMMITTEE
PARIVESH BHAVAN GLADNI, (NARWAL)
JAMMU
ANALYSIS TEST REPORT (Water Laboratory)

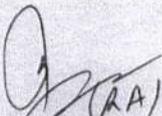
Report No: 41 (WW)
 Dated : 4/3/2024

1. Name of Industry : STP (1.6 MLD) Pittan Barh ,Udhampur
2. Type of Industry : Sewage Treatment Plant
3. Source of Sample : Inlet & Outlet of STP
4. Sample Collected by : District Officer ,Udhampur
5. Date of Sample Registration : 15-02-2024
6. Sample Registration No : S-454 (Inlet) & S-455(Outlet)
7. Date of Sample analysis : 19-02-2024

Analysis Results

S.No.	Parameter	Results		Standards permissible limit
		S-454	S-455	
1.	pH	7.87	7.34	6.5-8.5
2.	Suspended Solids	140	42	100
3.	Chemical Oxygen Demand	440	88	250
4.	Biological Oxygen Demand	132	25	30

- Note: -
1. All the concentrations are expressed in mg/l except pH.
 2. The report may not be published/ reported in full/ part without prior permission in writing from PCC
 3. The analysis Test Report pertains to sample tested only.


 Analyst


 Analyst & I/c Water Lab

o/c
 Ritu
 Ja Asstt
 4/3/24

**J & K POLLUTION CONTROL COMMITTEE
PARIVESH BHAVAN GLADNI, (NARWAL)
JAMMU
ANALYSIS TEST REPORT (Water Laboratory)**

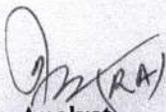
Report No: 39(CWW)
Dated : 4/3/2024

1. Name of Industry : STP (8.0 MLD) Omara Morh ,Udhampur
2. Type of Industry : Sewage Treatment Plant
3. Source of Sample : Inlet & Outlet of STP
4. Sample Collected by : District Officer ,Udhampur
5. Date of Sample Registration : 15-02-2024
6. Sample Registration No : S-450 (Inlet) & S-451(Outlet)
7. Date of Sample analysis : 19-02-2024

Analysis Results

S.No.	Parameter	Results		Standards permissible limit
		S-450	S-451	
1.	pH	8.75	7.92	6.5-8.5
2.	Suspended Solids	230	44	100
4.	Chemical Oxygen Demand	760	210	250
5.	Biological Oxygen Demand	220	56	30

- Note: -
1. All the concentrations are expressed in mg/l except pH.
2. The report may not be published/ reported in full/ part without prior permission in writing from PCC
3. The analysis Test Report pertains to sample tested only.


Analyst

Ritu Gupta scA
Analyst & I/c Water Lab

o/c
lets
for Assst
4/3/24

J & K POLLUTION CONTROL COMMITTEE
PARIVESH BHAVAN GLADNI, (NARWAL)
JAMMU
ANALYSIS TEST REPORT (Water Laboratory)

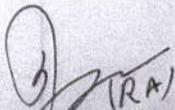
Report No: 40(CWW)
Dated : 4/3/2024

1. Name of Industry : STP (4.0 MLD) Omara Morh ,Udhampur
2. Type of Industry : Sewage Treatment Plant
3. Source of Sample : Inlet & Outlet of STP
4. Sample Collected by : District Officer ,Udhampur
5. Date of Sample Registration : 15-02-2024
6. Sample Registration No : S-452(Inlet) & S-453)
7. Date of Sample analysis : 19-02-2024

Analysis Results

S.No.	Parameter	Results		Standards permissible limit
		S-452	S-453	
1.	pH	8.95	7.24	6.5-8.5
2.	Suspended Solids	130	38	100
4.	Chemical Oxygen Demand	580	190	250
5.	Biological Oxygen Demand	165	52	30

- Note: -
1. All the concentrations are expressed in mg/l except pH.
 2. The report may not be published/ reported in full/ part without prior permission in writing from PCC
 3. The analysis Test Report pertains to sample tested only.


Analyst


Analyst & I/c Water Lab

otc
Bets
J-08588
4/3/24

Annexure - D

393
Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Chief Executive Officer
Municipal Council
Udhampur

No:- JKPCC/LSJ/ 24/461-66

Date:- 29 -02-2024.

Sub:- Show Cause notice for levy Environmental Compensation under environmental laws.

Whereas, report about unscientific handling and disposal of solid waste by the Municipal Council Udhampur at Maand Tikri, in violations of the Solid Waste Management Rules 2016 was received on 10-08-2022 by the field officers of the J&K Pollution Control Committee along with photographs.

Whereas, unsegregated waste continues to be transported in open carriers and thrown on hill slopes and then set to fire, resulting in air pollution.

Whereas, it was reported by the Divisional Officer, PCC Udhampur on 30-01-2024 that the practice of unscientific and illegal dumping of Solid Waste is going in the area for the last many months and municipal waste is set to fire in violation of law and in directions of Hon'ble National Green Tribunal.

Whereas, it has further been reported by the Divisional Officer Udhampur on 19-02-2024 that the practice of unscientific illegal dumping of solid waste is continuing on alongside the roadside in a stretch of 1.3 kms at Maand and heaps of garbage is dumped in violation of Solid Waste Management Rules.

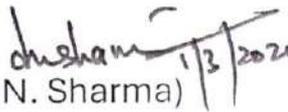
Whereas, the matter was earlier also brought to authorities of Municipal Council Udhampur but instead of putting the illegal practice to halt, pace of unscientific and unlawful way of handling and disposal of the municipal waste has been going an unabated in a unlawful manner.

Whereas, the Municipal Council Udhampur has also failed to reduce the volume of waste by segregating it at source and utilizing only insert waste for dumping, that too at approved dump site.

Whereas, above position makes it a strong case for prosecution under law besides other legal actions as warranted.

Now therefore, take this notice and show cause within 10 days from its issuance as to why action proposed for levying of Environmental Compensation be not taken against Chief Executive Officer, Municipal Council Udhampur.

Issued with the approval of the Competent Authority.


(J.N. Sharma)

Environmental Engineer

Copy to the:-

- 1) Deputy Commissioner / District Magistrate Udhampur for information and necessary action.
- 2) Regional Director, Pollution Control Committee, Jammu for information and necessary action.
- 3) Director, Urban Local Bodies, Jammu for information and necessary action.
- 4) Divisional Officer, Pollution Control Committee, Udhampur for information and necessary action.
- 5) PA to Chairman J&K PCC for information of the Chairman.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

**The Deputy Commissioner / District Magistrate
District Udhampur**

No: JKPC/NGT/138/320-29.

Dt: 07 Feb 2024

Subject: Violation of Solid Waste Management Rules, 2016 by Municipal Council Udhampur.

Reference: OA No. 176 of 2023 titled Rohit Padha Vs UT of J&K before the Hon'ble National Green Tribunal.

Madam,

Disposal of Municipal Solid Waste is primarily regulated under the following Rules / Act:

- a. Solid Waste Management Rules, 2016
- b. Plastic Waste Management Rules, 2016
- c. J&K Non-biodegradable Material (Management, Handling and Disposal) Act, 2007

The said Rules/Act provides a regulatory framework for proper collection, handling, processing and disposal of Solid Waste and Plastic Waste. These rules also prescribe, *inter alia*, duties and responsibilities of District Magistrate, Local Authorities, and the Pollution Control Committee.

However, the Municipal Council, Udhampur has been in continuous breach of Waste Management Rules/ Act referred to above. A list of correspondence / notices and directions issued to Municipal Council, Udhampur in this regard is enclosed for your reference and record.

This issue is being heard by Hon'ble NGT in OA 176 2023 titled Rohit Padha Vs UT of J&K & Ors, and the orders passed on 12.01.2024 in the matter are enclosed.

J&K State Pollution Control Board (now J&K Pollution Control Committee) vide Order no 25 SPCB of 2019 Dt. 21.11.2019 had imposed Environmental Compensation amounting to Rs. 1.39 Crores (One Crore and Thirty-Nine Lacs) for

violation of Solid Waste Management Rules on Executive Officer, Municipal Committee, Udhampur. However, the said amount has also not been deposited so far.

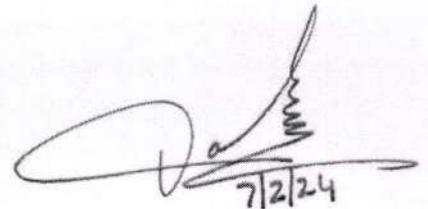
Contravention of provisions of the Environmental Protection Act, 1986, rules, orders and directions issued thereunder is punishable under the said Act and this includes contraventions by Government Departments as well.

In view of the above, and in exercise of powers under Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and 31-A of Air (Prevention & Control of Pollution) Act, 1981, the following directions are hereby issued:

The District Magistrate, Udhampur District shall -

- i. submit a list of officials of Udhampur Municipal Council, who are responsible for continuous violation of Solid Waste Management Rules from 2019 onwards for their prosecution under the Environmental Protection Act, 1986; and,
- ii. submit the present status of 73 identified encroachments on the banks of River Devika (Gangera Hills to Nain-su) along with the action plan for eviction of the said encroachments.

Encls: 17 leaves



(Vasu Yadav)
Chairman

Copy to:

1. Financial Commissioner (Addl. Chief Secretary), Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
2. Commissioner/ Secretary to Govt; Housing and Urban Development Department, Civil Secretariat, Jammu / Srinagar.
3. Divisional Commissioner, Jammu.
4. Regional Director, J&K PCC, Jammu.
5. Director, Urban Local Bodies, Jammu.
6. Chief Executive Officer, Municipal Council, Udhampur.
7. Divisional Officer, PCC, Udhampur.
8. Scientist 'A' In charge MSW / E-Waste, J&K PCC

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
 Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

The Chief Executive Officer
 Municipal Council
 Udhampur

No: JKPCC/NGT/138/346-54

Dt: 10 Feb 2024

Subject: Violation of Solid Waste Management Rules, 2016 by Municipal Council Udhampur.

Reference: OA No. 176 of 2023 titled Rohit Padha Vs UT of J&K before the Hon'ble National Green Tribunal.

1. **Whereas** disposal of Solid Waste is primarily regulated under the following Rules / Act:

- a. Solid Waste Management Rules, 2016
- b. Plastic Waste Management Rules, 2016
- c. J&K Non-biodegradable Material (Management, Handling and Disposal) Act, 2007

2. **Whereas** rule 15 of the Solid Waste Management Rules, 2016 prescribes the duties and responsibilities of the local authorities and village Panchayats of census towns and urban agglomerations which are reproduced below:

15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations. - The local authorities and Panchayats shall,-

- (a) *prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;*
- (b) *arrange for door-to-door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;*
- (c) *establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;*
- (d) *facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;*
- (e) *frame byelaws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;*
- (f) *prescribe from time-to-time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;*
- (g) *direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or*

bury waste on streets, open public spaces, drains, water bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;

(li) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed blue and those for storage of other wastes shall be printed black;

(i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometres or part thereof and notify the timings of receiving domestic hazardous waste at such centres;

(j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;

(k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;

(l) provide training on solid waste management to waste-pickers and waste collectors;

(m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;

(n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;

(o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;

(p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;

(q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for onsite processing of such waste;

(r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;

(s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016;

(t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility;

(ii) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.

(v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste, adopting suitable technology including the following technologies and adhering to the guidelines issued by the

Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-

- i) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - ii) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste-based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tonnes per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;
- (za) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- (zc) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;
- (ze) ensure that provisions for setting up of centres for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and
- (zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-
- (i) not to litter;
 - (ii) minimise generation of waste;
 - (iii) reuse the waste to the extent possible;
 - (iv) practice segregation of waste into bio-degradable, non-biodegradable recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
 - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;

- (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
- (vii) storage of segregated waste at source in different bins;
- (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
- (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.

(zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over;

(zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;

(zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;

(zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

(zl) collect and transport biodegradable, non-biodegradable, and domestic hazardous waste from households including slums and informal settlements, commercial, institutional and other non-residential premises, multi-story buildings, large commercial complexes, malls, housing complexes and the like in compartmentalised and covered vehicle to the respective processing facility.

3. Whereas rule 22 of the Solid Waste Management Rules, 2016 prescribes the time frame for implementation of the said rules which is reproduced below:

22. *Time frame for implementation.- Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:*

#	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	Identification of suitable sites for setting up solid waste processing facilities	1 year
2.	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or standalone sanitary landfill facilities by all local authorities having a population of 0.5 million or more	1 year

QW

3.	Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	Enforcing waste generators to practice segregation of biodegradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source	2 years
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities	2 years
6.	Ensure separate storage, collection and transportation of construction and demolition wastes	2 years
7.	Setting up solid waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population	3 years
9.	Setting up common or standalone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years
10.	Setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3 years
11.	Bioremediation or capping of old and abandoned dump sites	5 years

4. **Whereas** section 9 of the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007 provides as follows:

Section 9 - Prohibition to throw biodegradable and non-biodegradable garbage in public drains, natural or manmade lakes, wetlands.- (1) No person, by himself or through another, shall knowingly or otherwise, throw or cause to be thrown, in any drain, ventilation, shaft, pipe and fittings, connected with the private or public drainage works, natural or manmade lakes, wetlands any non-biodegradable garbage or construction debris or any biodegradable garbage by placing in a non-biodegradable bag or container likely to-

- i. *injure the drainage and sewage system;*
- ii. *interfere with the free flow or affect the treatment and disposal of drainage and sewage contents;*
- iii. *be dangerous or cause nuisance or be prejudicial to the public health; and*
- iv. *damage the lakes, rivers or wetlands.*

(2) No person shall, knowingly or otherwise, place or permit to be placed, except in accordance with such procedure and after complying with such safeguards as may be prescribed, any biodegradable or non-biodegradable garbage in any public place open to public view unless-

(a) the garbage is placed in any receptacle; or

(b) the garbage is deposited in a location designated by local authority having jurisdiction in the area for the disposal of such garbage.

9/2

5. **Whereas**, the Municipal Council, Udhampur has been in continuous breach of Waste Management Rules/ Act referred to above. A list of correspondence / notices and directions issued to Municipal Council, Udhampur in this regard is enclosed.

6. **Whereas** the matter of pollution in river Devika is also being heard by Hon'ble NGT in OA 176 2023 titled Rohit Padha Vs UT of J&K & Ors, and the orders passed on 12.01.2024 in the matter are enclosed.

7. **Whereas** J&K State Pollution Control Board (now J&K Pollution Control Committee) vide Order no 25 SPCB of 2019 Dt. 21.11.2019 had imposed Environmental Compensation amounting to Rs. 1.39 Crores (One Crore and Thirty-Nine Lacs) for violation of Solid Waste Management Rules 2016, on Municipal Council, Udhampur. However, the said amount has also not been deposited so far.

8. **Whereas** contravention of provisions of the Environmental Protection Act, 1986, rules, orders and directions issued thereunder is punishable under the said Act and this includes contraventions by Government Departments as well.

Now therefore, in view of the above position of law, the deficiencies that persist in the implementation of the Solid Waste Management Rules 2016 and in exercise of powers under Section 5 of the Environment (Protection) Act 1986, Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and 31-A of Air (Prevention & Control of Pollution) Act, 1981, the following directions are hereby issued:

The Chief Executive Officer, Municipal Council Udhampur shall:-

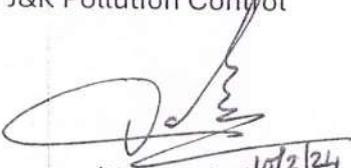
- i. Ensure that solid waste is collected, processed, treated and disposed of in accordance with the Solid Waste Management Rules 2016, Plastic Waste Management Rules 2016 and the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
- ii. Ensure that no waste, whether bio-degradable or non-biodegradable, from domestic or commercial establishments on either side of river Devika finds way into the Devika River in violation of the Water (Prevention and Control of Pollution) Act, 1974 and section 9 of the Jammu and Kashmir Non-biodegradable Material (Management, Handling and Disposal) Act, 2007.
- iii. Notify the waste collection schedule and method of collection for segregated bio-degradable and non-biodegradable waste and collect waste in accordance with the schedule and method so notified.
- iv. Enforce performance of duties by the waste generators as prescribed under rule 4 of the Solid Waste Management Rules, 2016.
- v. Direct waste generators not to litter i.e throw or dispose of any waste such as paper, bottles, cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, water bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised waste pickers or waste collectors authorised by the local body.
- vi. Deposit the Environmental Compensation imposed on the Municipal Council Udhampur, vide Order no 25 SPCB of 2019 Dt. 21.11.2019.

Q
21

- vii. Submit a list of officials of Udhampur Municipal Council, who are responsible for continuous violation of Solid Waste Management Rules from 2019 onwards for their prosecution under the Environmental Protection Act, 1986.
- viii. Submit the present status of 73 identified encroachments on the banks of River Devika (Gangera Hills to Nain-su) along with the action plan for eviction of the said encroachments.
- ix. Submit the present status of Solid Waste & Plastic Waste observed in Nallahs meeting Devika River.
- x. Submit action plan along with timeline for removing sludge and dredging of Devika River at Devika Ghat.
- xi. Furnish quantity of solid waste generated in Udhampur Municipal Council Jurisdiction.
- xii. Furnish the quantity of solid waste processed daily in Udhampur Municipal Council Jurisdiction and disposal thereof.
- xiii. Furnish the action plan and timeline regarding processing of remaining 5500 MT legacy waste lying at Sui-Chakher site.
- xiv. Furnish the status of obtaining necessary clearances/permissions for the proposed integrated MSW processing site at Maand, where the dumping of MSW has already been started by Municipal Council Udhampur.
- xv. Furnish the action plan for processing of 10000 MT Municipal Solid Waste.

The response of Municipal Council Udhampur must reach J&K Pollution Control Committee by or before 20 February 2024.

Encl: 17 leaves.


(Vasu Yadav) 10/2/24
Chairman

Copy to:

1. Financial Commissioner (Addl. Chief Secretary), Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
2. Commissioner/Secretary to Govt; Housing and Urban Development Department, Civil Secretariat, Jammu / Srinagar.
3. Divisional Commissioner, Jammu.
4. Deputy Commissioner/District Magistrate, Udhampur
5. Regional Director, J&K PCC, Jammu.
6. Director, Urban Local Bodies, Jammu.
7. Divisional Officer, PCC, Udhampur.
8. Scientist 'A' In charge MSW / E-Waste, J&K PCC

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

The Chief Engineer, UEED,
Transport Nagar,
Jammu

No: JKPCC/NGT/138/24/331-340

Dt: 09 Feb 2024

Subject: Violation of Solid Waste Management Rules, 2016.

Reference: OA No. 176 of 2023 titled Rohit Padha Vs UT of J&K before the Hon'ble National Green Tribunal.

Sir,

Disposal of Municipal Solid Waste is primarily regulated under the following Rules / Act:

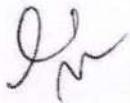
- a. Solid Waste Management Rules, 2016
- b. Plastic Waste Management Rules, 2016
- c. J&K Non-biodegradable Material (Management, Handling and Disposal) Act, 2007

The said Rules/Act provides a regulatory framework for proper collection, handling, processing and disposal of Solid Waste and Plastic Waste. These rules also prescribe, *inter alia*, duties and responsibilities of Housing and Urban Development Department, District Magistrate, Local Authorities, and the Pollution Control Committee.

This issue is being heard by Hon'ble NGT in OA 176 2023 titled Rohit Padha Vs UT of J&K & Ors, and the orders passed on 12.01.2024 in the matter are enclosed.

Contravention of provisions of the Environmental Protection Act, 1986, rules, orders and directions issued there under is punishable under the said Act and this includes contraventions by Government Departments as well.

In view of the above, and in exercise of powers under Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and 31-A of Air (Prevention & Control of Pollution) Act, 1981, the following directions are hereby issued:

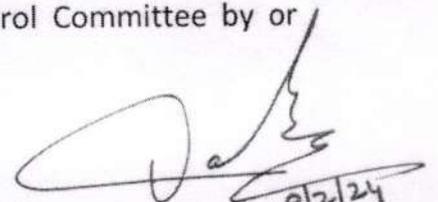


The Chief Engineer, UEED shall:-

- i. Submit the present status of Solid Waste & Plastic Waste observed in Nallahs meeting Devika River.
- ii. Action Plan along with time line for removing sludge and dredging of Devika River at Devika Ghat.
- iii. Quantity of sewage generated in Udhampur Municipal Council Jurisdiction.
- iv. Quantity of sewage treated in Udhampur Municipal Council Jurisdiction and disposal thereof.
- v. Status with regard to commissioning of STPs.
- vi. Status of Consent to Operate from J&K PCC.
- vii. Status of On-line Continuous Effluent Monitoring System (OCEMS) for real-time monitoring, Digital meters, sludge handling system, SCADA system and associated components for operating the STPs in auto mode.

The response should reach J&K Pollution Control Committee by or before 20/02/2024.

Encls: 14 leaves


 (Vasu Yadav)
 Chairman

Copy to:

1. Financial Commissioner (Addl. Chief Secretary), Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
2. Commissioner/Secretary to Govt; Housing and Urban Development Department, Civil Secretariat, Jammu / Srinagar.
3. Divisional Commissioner, Jammu.
4. Deputy Commissioner/District Magistrate, Udhampur
5. Regional Director, J&K PCC, Jammu.
6. Director, Urban Local Bodies, Jammu.
7. Chief Executive Officer, Municipal Council, Udhampur.
8. Divisional Officer, PCC, Udhampur.
9. Scientist 'A' In charge MSW / E-Waste, J&K PCC

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

**The Chief Engineer,
Jai Shakti (I&FC) Deptt,
Jammu**

No: JKPCC/NGT/138/24/355-85

Dt: 13 Feb 2024

Subject: Violation of Solid Waste Management Rules, 2016.

Reference: OA No. 176 of 2023 titled Rohit Padha Vs UT of J&K before the Hon'ble National Green Tribunal.

Sir,

Disposal of Municipal Solid Waste is primarily regulated under the following Rules / Act:

- a. Solid Waste Management Rules, 2016
- b. Plastic Waste Management Rules, 2016
- c. J&K Non-biodegradable Material (Management, Handling and Disposal) Act, 2007

The said Rules/Act provides a regulatory framework for proper collection, handling, processing and disposal of Solid Waste and Plastic Waste. These rules also prescribe, *inter alia*, duties and responsibilities of Housing and Urban Development Department, District Magistrate, Local Authorities, and the Pollution Control Committee.

This issue is being heard by Hon'ble NGT in OA 176 2023 titled Rohit Padha Vs UT of J&K & Ors, and the orders passed on 12.01.2024 in the matter are enclosed.

Contravention of provisions of the Environmental Protection Act, 1986, rules, orders and directions issued there under is punishable under the said Act and this includes contraventions by Government Departments as well.

In view of the above, and in exercise of powers under Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and 31-A of Air (Prevention & Control of Pollution) Act, 1981, the following directions are hereby issued:

The Chief Engineer, Jal Shakti shall:-

- i. Submit the action plan regarding flood plain zonation.
- ii. Action Plan along with time line for removing sludge and dredging of Devika River at Devika Ghat.

The response should reach J&K Pollution Control Committee by or before 20/02/2024.

Encls:14 leaves



13/2/24
(Vasu Yadav)
Chairman

Copy to:

1. Financial Commissioner (Addl. Chief Secretary), Jal Shakti Department, Civil Secretariat, Jammu / Srinagar.
2. Financial Commissioner (Addl. Chief Secretary), Forests, Ecology and Environment Department, Civil Secretariat, Jammu / Srinagar.
3. Commissioner/Secretary to Govt; Housing and Urban Development Department, Civil Secretariat, Jammu / Srinagar.
4. Divisional Commissioner, Jammu.
5. Deputy Commissioner/District Magistrate, Udhampur
6. Regional Director, J&K PCC, Jammu.
7. Director, Urban Local Bodies, Jammu.
8. Chief Executive Officer, Municipal Council, Udhampur.
9. Divisional Officer, PCC, Udhampur.
10. Scientist 'A' In charge MSW / E-Waste, J&K PCC