

Jammu and Kashmir Pollution Control Committee

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ORDER No.: **248** JKPCC 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.

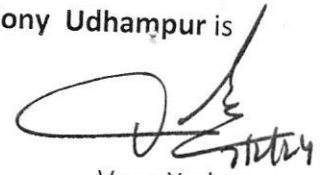
Whereas, the Banquet Hall owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

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, JPDCL, Electric Division Udhampur for information and necessary action
- 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.