

Jammu and Kashmir Pollution Control Committee

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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.

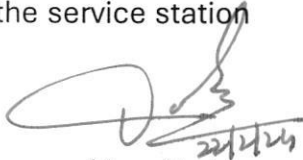
Whereas, the service station owner has failed to respond to the notices, besides failing to take measures to meet the requirements of laws governing environmental protection.

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.


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. (JPDCCL), 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, 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 Sumesh Magotra, Prop. M/s Vivek Motors, Service Station, Ward No.11, Shiv Nagar, Udhampur** for information.