

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 – 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

Subject: Closure of M/s Shivalaya Construction Company Pvt. Ltd. Village Rahya Bagla, Vijaypur, District Samba.

Order No. : 127 JK PCC of 2024

Dated : 13/07/2024

Whereas, Consent to Establish (Fresh) was issued to **M/s Shivalaya Construction Company Pvt. Ltd. Village Rahya Bagla, Vijaypur, District Samba**, with validity period upto **November, 2024** with some specific conditions 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 and;

Whereas, Hot Mix Plant is categorized as **Orange Category** activity on the basis of pollution potential, for the purpose of seeking consent from the JK Pollution Control Committee and;

Whereas, complaint against the operation of Coal-Tar producing unit located at Raya Morh, Tehsil Samba have been received from the local residents for causing air pollution and health hazard to the local residents for operation of the unit without mandatory Pollution Control Devices (PCDs) thereby causing air pollution and health hazard to the local residents of the area, and;

Whereas, a Committee was constituted to verify as to whether required APCDs have been installed and PCMs adopted for control of pollution vide this office No. JKPC/PS/MS/4/3096-3100 dated 22-04-2024 and to furnish report along with reports along with specific recommendations through the Regional Director, PCC, Jammu, and;

Whereas, the report of the Committee was received through the Regional Director, PCC, Jammu vide no. PC/RDJ/C-1467/2024/560 dated 27-05-2024 reporting that unit was found non-operational at the time of inspection. *The said HMP is project specific and has valid CTO upto November 2024. Project Proponent has started the installation of additional machinery for additional HMP in the same premises without seeking CTE(F) from J&K PCC*, and;

Whereas, notices were served upon the project proponent vide (notice dated 11-05-2024 calling upon him to show cause within 15 days from its issuance as to why legal action including closure of the Hot Mix Plant (HMP) be not taken for the violation of various Environmental laws, and,

Whereas, unit holder submitted a reply to the Project Director, PMU, Channi Himmat, Jammu with a copy to the J&K PCC stating therein that there is no expansion of machinery on site rather it is replacement of new HMP in place of old one vide office no. SCCP/L/2023-24/DAK1765/1521 dated 22-05-2024 which though was considered was not satisfactory, and;

Whereas, subsequently a final notice was also issued to the unit holder to show cause as to why legal action including the environmental compensation may not be levied upon him vide this office letter No. JKPC/LSJ/2024/7475867/503-06 dated 29-05-2024, and;

Whereas, unit holder failed to respond to the notice besides failing to seek Consent to Establish (Fresh) for additional Hot Mix Plant in the same premises from the J&K Pollution Control Committee, and;

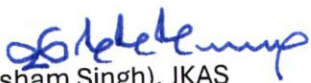
26/6/24

Whereas, the Hot Mix Plant (HMP) in question cannot be allowed to operate with the 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, **Samba** is directed to close down the Hot Mix Plant (HMP) under the name and style of **M/s Shivalaya Construction Company Pvt. Ltd. Village Rahya Bagla, Vijaypur, District Samba** immediately.
- ii. Executive Engineer, (JPDCL) Electric Division, Samba is directed to disconnect the electric supply to above said hot mix plant immediately.
- iii. Executive Engineer, **PHE Division**, Samba is directed to disconnect the water supply to the above said hot mix plant immediately.
- iv. **M/s Shivalaya Construction Company Pvt. Ltd. Village Rahya Bagla, Vijaypur, District Samba** is directed to cease the operation of the Hot Mix Plant (HMP) forthwith.

Issued with the Approval of Competent Authority.


(Ghansham Singh), JKAS
Member Secretary 13.7.24
J&K PCC

No:- JK PCB/LSJ/7475867/2024/373-81

Dated:- 13/07/2024

Copy to the:-

- i. Deputy Commissioner / District Magistrate Samba for information and necessary action.
- ii. Regional Director, PCC, **Jammu** for information and follow up action within a fortnight.
- iii. Chief Engineer, Jammu Power Distribution Corporation Ltd. (JPDCL), Canal Road, **Jammu** for information and necessary action.
- iv. Chief Engineer, PHE Jammu for information and necessary action
- v. Executive Engineer, (JPDCL) Electric Division, Samba for information and necessary action.
- vi. Executive Engineer, PHE Division Samba for information and necessary action.
- vii. Divisional Officer, Pollution Control Committee, Samba (South) for information and with the direction to follow up and get the closure order implemented through District Administration.
- viii. I/c website Pollution Control Committee **Jammu** for uploading the closure order
- ix. **M/s Shivalaya Construction Company Pvt. Ltd. Village Rahya Bagla, Vijaypur, District Samba** for compliance.