

J&K State Pollution Control Board

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Order No: **05** of SPCB 2019

Dated : **06/11/2019**

Whereas, no industrial unit can be set up or run, 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, **M/s Diamond Stone Crusher & Bitumen Concrete Mix, Vill, Dadpeth, Mulchiter, Kishtwar** is being established in flagrant violation of above said requirements of law as its owner has failed to obtain consent from the Board.

Whereas, pressing complaints against the establishment/ operation of the unit from the local residents have been received for causing pollution in the area which stand verified.

Whereas, some local residents approached the Hon'ble High Court through writ petition No. 2129/2019 for stopping the project proponent from setting up the unit and the Hon'ble Court has been pleased to direct the project proponent not to set up the unit vide its pre-emptive interim order dt 3-6-2019.

Whereas, the proponent of the unit was accordingly served with repeated notices, particularly notice dated **09-07-2019**, calling upon him there under to show reasons as to why legal action including forestallation/ closure of his unit be not taken for violation of law.

Whereas, the unit holder has failed to show any response, besides failing to meet the other requirements of laws governing environmental protection.

Whereas, the unit in question cannot be allowed to be Established/run with above status as its establishment/operation can prove detrimental for human health and environment besides it may result in commission of flagrant violation of laws governing environmental protection.

Now therefore in exercise of powers vested in the J & K State Pollution Control Board under Section 33 (A) of the Water (Prevention & Control of Pollution) Act 1974 and Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981, immediate forestallation of **M/s Diamond Stone Crusher & Bitumen Concrete Mix, Vill, Dadpeth, Mulchiter, Kishtwar** is hereby ordered and in this behalf the:-

- i. Deputy Commissioner/ District Magistrate, **Kishtwar** is directed to seal the premises of **M/s Diamond Stone Crusher & Bitumen Concrete Mix, Vill, Dadpeth, Mulchiter, Kishtwar** immediately.
- ii. Chief Engineer Electric & Maintenance (PDD) **Canal Road Jammu** is directed to snap electric supply to above said unit if connection is provided.
- iii. Chief Engineer, PHE, Jammu is directed to snap the water supply to above said unit if the supply connection is provided.
- iv. Prop. **M/s Diamond Stone Crusher & Bitumen Concrete Mix, Vill, Dadpeth, Mulchiter, Kishtwar** is directed to immediately stop the establishment/operation of the unit forthwith.

(M.M.Shah),
Legal Advisor
J&K SPCB

No:- SPCB/LSJ/249/2019/ 06-91

Dated:- 06/11/2019

Copy to the:-

- i). Deputy Commissioner/ District Magistrate Kishtwar for information and necessary action, under intimation
- ii). Regional Director, SPCB, Jammu for information and follow up action within fortnight
- iii). Chief Engg Electric Maintenance (PDD) Canal Road, Jammu for information and necessary action, under intimation.
- iv). Chief Engineer, PHE Jammu for information and necessary action under intimation.
- v). Incharge web site Pollution Control Board Jammu for uploading the closure order
- vi). Prop. **M/s Diamond Stone Crusher & Bitumen Concrete Mix, Vill, Dadpeth, Mulchiter, Kishtwar** for information.

(B. M. Sharma),
Member Secretary
J&K SPCB