

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Appeal No. 23/2026
(I.A. No. 199/2026)

M/s Sumridhi Aluminum Pvt. Ltd.

Appellant

Versus

Commission for Air Quality
Management in National Capital
Region and Adjoining Areas & Ors.

Respondent(s)

Date of hearing: 19.03.2026

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Appellant: Mr. Pinaki Misra, Senior Advocate with Mr. Sumeer Sodhi, Mr. Arjun
Nanda, Mr. Adiraj Bali & Ms. Vanshika Jhamb, Advs.

Respondents: Dr. Abhishek Atrey & Mr. Navneet Gupta, Advs. for CAQM
Mr. Rahul Khurana, Adv. for R - 2 & 4

ORDER

1. By this Appeal filed under Section 18 of the Commission for Air Quality Management (CAQM) Act, 2021, the Appellant has challenged the closure order dated 16.03.2026 issued by the CAQM under Section 12(2) (xi) of the CAQM Act, 2021.

2. Learned counsel appearing for the Appellant submits that three violations which have been noted in the impugned order have been cured and that these are only the house keeping issues which may not have such a serious consequence of closing down the Appellant's industry. He has further submitted that though the impugned order refers to the show cause notice but no such show cause notice has been served upon the Appellant.

3. Learned counsel appearing for the Respondent-CAQM on advance notice has submitted that in the inspection which was conducted on

04.02.2026 the violations were clearly observed, therefore, the impugned order has been passed.

4. Having heard the learned counsel appearing for the parties and on the perusal of the record, it is noticed that the impugned order records the following violations which were observed during the site inspection by the flying squad of the CAQM:-

*“**WHEREAS**, No stack was found attached with APCD in pulverized unit and visible leakage was observed. Further, CTO is required to amend for emission limits as per Direction No. 64.”*

5. It is submitted by the senior Counsel for the Appellant that so far as the issue of amendment of the CTO and incorporation of the emission limits as per Direction No. 64 is concerned, the fresh CTO dated 15.02.2026 has been issued to the Appellant which contains the necessary incorporation. He further submits that so far as the lapse relating to the stack is concerned, the stack was loose and later on it has been fastened. He has further submitted that the lapse relating to the visible leakage is vague and does not relate to any serious violation of environmental norms. In such circumstances, he has submitted that since the necessary compliance has been done and the unit is not violating any environmental norms, therefore, it should be allowed to operate.

6. Learned counsel appearing for the CAQM has fairly submitted that if the Appellant submits the details of compliance with the supporting material, then the CAQM will duly look into it and pass appropriate orders.

7. Though the impugned order refers to the show cause notice but there is a specific plea that a copy of the show cause notice has not been served upon the Appellant, therefore, the issue of compliance of principle of Natural Justice is also involved.

8. That apart, we also find that in the impugned order following condition for resumption have been provided:-

“6. For consideration of resumption of operations in the unit, the following needs to be complied with:

- (i) After taking due corrective and preventive measures, in respect of the non-compliances / violations as noted in the closure direction, the project proponent shall report the same to the Regional Officer Palwal, of the Haryana State Pollution Control Board, also under advise to the headquarter office of the HSPCB.*
- (ii) The Regional Officer, HSPCB shall thereafter verify the corrective and preventive measures initiated by the unit / project proponent and submit a report in this context to the HSPCB headquarter office along with a recommendation for levying of EC charges, as per extant guidelines duly taking cognizance of Standard Schedule for EC charges issued by the Commission vide order dated 01.01.2025 & 05.06.2025.*
- (iii) The HSPCB shall review the report of the Regional Officer in this context to ascertain effectiveness of actions initiated for compliance, levy appropriate EC charges on the project / unit for all categories of violations as noted in this direction and realise the same, from the proponent. A recommendation towards resumption of activities at the site/industrial unit etc, may be made to the Commission by the HQ office of the HSPCB.*
- (iv) The Project Proponent shall thereafter also report compliance of all the requisites as above to the Commission, in the form of an affidavit. The indicative procedure and guidelines for processing of the cases for resumption, including the format for the affidavit may be accessed from the Commission's website www.caqm.nic.in >> Closures/Resumptions >> GUIDELINES FOR RESUMPTION OF OPERATIONS IN CLOSED UNITS.”*

9. It has been pointed out that the similar Appeal No. 66/2025 in the matter of M/s Mother Dairy Fruit and Vegetable Pvt. Ltd. Pilkhuwa v. Commission for Air Quality Management in NCR and Adjoining Areas & Ors. was disposed of by the Tribunal with certain directions by order dated 11.11.2025 and the only difference is in that case no show cause notice was served whereas in this case the impugned order mentions about the show cause notice.

10. Hence, in the circumstances of the case and considering the order passed in Appeal No. 66/2025 and also having regard to the submission

of the counsel for the Appellant that the needful has been done and the deficiency have been cured, we permit the Appellant to file an appropriate representation/compliance report with the CAQM along with the supporting material by tomorrow. On receipt of the said compliance report the CAQM will duly verify it within period of one week and if the needful is found to be done, the CAQM will pass a necessary order.

11. So far as the procedure prescribed in clause 6 of the impugned order is concerned, in the meanwhile the said procedure will go on and the HS PCB will do the needful in terms of the said procedure but the pending proceeding before HSPCB will not come in the way of passing an appropriate order by the CAQM on the submission of the compliance by the Appellant.

12. It has been submitted by the learned counsel for the Appellant since the compliance has been done and the unit is still operating and if it is closed in the meanwhile, considerable time will be taken to start the unit.

13. Hence, we direct the parties to maintain *status-quo* existing as on today. If the unit is operating it will comply with all the applicable environmental norms in the meanwhile.

14. The Appeal is accordingly disposed of.

15. All the pending IA also stands disposed of.

Prakash Shrivastava, CP

Dr. Afroz Ahmad, EM

March 19, 2026
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