

263
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

OA No. 21/2025

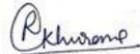
In the matter of:

News Item titled "Toxic kilns pollution Aravallis; wildlife and locals suffer" appearing in the Tribune dated 28.12.2024

INDEX

Sr. No.	Particular	Page No.
1	Additional Reply on behalf of Respondent No.1 i.e. Haryana State Pollution Control Board	1-3
2	Annexure R/1: Closure Orders dated 28.07.2025	4-5
3	Annexure R/2: Closure Compliance Report dated 14.08.2025	6-7
4	Annexure R/3: Interim Environmental Compensation assessment letter dated 06.03.2026	8-14

Filed by:



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Date: 10.03.2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

Original Application No. 21/2025

In the matter of:

News Item titled "Toxic kilns pollution Aravallis; wildlife and locals suffer"
appearing in the Tribune dated 28.12.2024

**ADDITIONAL REPLY ON BEHALF OF RESPONDENT No.1 i.e.
HARYANA STATE POLLUTION CONTROL BOARD**

1. That the present Original Application has been registered suo moto on the basis of news item titled "Toxic Kilns pollution Aravallis; wildlife and locals suffer" appearing in the Tribune dated 28.12.2024.
2. That present additional reply is being filed through Sh. Ramniwas Sharma, Regional Officer, Haryana State Pollution Control Board, Nuh who is authorized and competent to file the present additional reply on behalf of answering respondent.
3. That it is respectfully submitted that the matter relates to operation of portable kilns, engaged in burning of vehicle scrap and other plastic, rubber waste openly in large cauldrons causing air pollution in Village- Nurpur, Tehsil Tauru, District- Nuh adjacent to the Rajasthan border.
4. The site of Village- Nurpur was visited on 30.12.2024 and during visit no such activity of open burning in illegal kiln were found within the area of village- Nurpur. However, many illegal kilns activity with raw material and processed sheets were observed on land falling in Village- Udhanwas, District- Alwar, Rajasthan adjacent to Village Nurpur in Haryana.
5. That inspections are being carried out in Tauru area by Regional Office Nuh in coordination with the SDM Tauru, Police officials and other concerned department. One such site has been found during inspection on 24.04.2025, where the activity of openly burning of waste plastic, rubber to make flattened sheets in Village- Milakpur, Tehsil- Tauru, District- Nuh was observed. No person found on site. The details of the land owners were procured from the revenue department and show cause notice

265

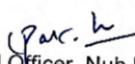
vide No. HSPCB/NUH/2025/135-139 dated 25.04.2025 was issued to the concerned persons for violation under Air Act, 1981. The unit has been closed by Board on 12.08.2025 in compliance of the Closure Orders issued by the Competent Authority vide No. HSPCB/NUH/2025/INS/109471339CONCO001-005 dated 28.07.2025 (Annexure - R1) and compliance report has been sent to HQ vide letter No. HSPCB/NUH/2025/680 dated 14.08.2025 (Annexure - R2). Further, interim Environmental Compensation of Rs 6,93,750/- has been assessed and sent to HQ for finalization vide letter No. HSPCB/NUH/2025/1823 dated 06.03.2026 (Annexure - R3).

6. It is further, humbly submitted that regular survey is being carried out by the Regional Office, Nuh in coordination with the administration and other departments to identify any such activity in the jurisdiction of Haryana and action as per policy is initiated against the violators.

The present additional reply may kindly be taken on record. It is undertaken to comply with the directions passed by the Hon'ble Tribunal.

Respondent No. 1

THROUGH


(Regional Officer, Nuh Region)
Haryana State Pollution Control Board

Date: 10.3.2026
Place: Nuh

Regional Officer
Haryana State Pollution Control Board
Nuh

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

Original Application No. 21/2025

In the matter of:

News Item titled "Toxic kilns pollution Aravallis; wildlife and locals suffer"
appearing in the Tribune dated 28.12.2024

AFFIDAVIT

I, Ramniwas Sharma, Regional Officer, Haryana State Pollution Control Board,
Nuh do hereby solemnly affirm and state as under:-

1. That in the aforesaid official capacity, I am well conversant with the facts and circumstances of the case, therefore, I am competent to swear this affidavit.
 2. That I have gone through the contents of accompanying additional reply which has been drafted under my instructions.
- That Annexures are true copy of their originals.

S2716/158
27/10/26



Verification:

Verified at Nuh on 10th day of March 2026, that the contents of affidavit are true and correct to my knowledge and on the basis of information derived from the official record which I believe to be true and no material fact has been concealed therein.

Ramniwas
Deponent

ATTESTED
M. P. 10/03/26
MOHD. IRFAN
NOTARY PUBLIC
GOVT. OF INDIA
DISTT COURTS, NUH

Ramniwas
Deponent

267

**Haryana State Pollution Control Board**

C-11, SECTOR-6, PANCHKULA

PHONE:-0172-2577870-73,FAX-NO-2581201

E-mail:-Hqhspcb@hspcb.org.in

Website:-HSPCB.ORG.IN, HROCMMMS.NIC.IN

CLOSURE ORDER

Whereas, M/s Unnamed Plastic/Rubber Waste Processing Unit, at Khata/Khewat No. 40//34, 44 Village Milakpur, Tehsil Tauru Distt Nuh has established and operating a unit engage in processing of waste plastic including PVC at at Khata/Khewat No. 40//34, 44 Village Milakpur, Tehsil Tauru Distt Nuh which is polluting in nature;

Whereas, the above said unit was visited by the field officer of the Board on 24-Apr-2025 and reported the following violations made by the unit under Water (Prevention & Control of Pollution) Act, 1974 / Air (Prevention & Control of Pollution) Act, 1981:-

1. Unit found established without obtaining CTE/CTO from the Board.
2. Unit has not installed APCM.

Whereas, show Cause Notice for closure was issued to the above said unit by Regional Officer Nuh vide his letter 135 dated 25/04/2025 but the unit has not submitted the reply;

Whereas, Regional Officer, Nuh vide his recommendation letter number HSPCB/NUH/2025/RO/INS/109471339CONCR001 dated 28-Jun-2025 has recommended for taking closure action against the unit under section 31A of Air (Prevention & Control of Pollution) Act, 1981 and 33-A of Water (Prevention & Control of Pollution) Act, 1974, which has been examined and it has been found that the unit has violated the provisions of Air (Prevention & Control of Pollution) Act, 1981, and Water (Prevention & Control of Pollution) Act, 1974, as mentioned above;

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 33-A of Water (Prevention & Control of Pollution) Act, 1974, and 31-A of Air (Prevention & Control of Pollution) Act, 1981, it is hereby ordered to close down the operation of the above said unit, M/s M/s Unnamed Plastic/Rubber Waste Processing Unit at Khata/Khewat No. 40//34, 44 Village Milakpur, Tehsil Tauru Distt Nuh by sealing its plant / machinery and DG sets(if any) alongwith disconnection of the electric supply and/or water supply of the above said unit, with immediate effect.

In addition to above it is also intimated that non compliance to directions issued under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 and 33-A of Water (Prevention & Control of Pollution) Act, 1974, is an offence.

Dated Panchkula, the
26-Jul-2025

Vincent Garg IAS
Chairman

Endst.
No.:HSPCB/NUH/2025/INS/109471339CONCO001-005

Dated:28-Jul-2025

A copy of the above is forwarded to the following for information and necessary action:-

1. The Deputy Commissioner, MEWAT
2. Executive Engineer, DHBVN Operation Division, MEWAT. He is directed to disconnect the electric supply of the above said project of the unit immediately and submit compliance report within 03 days positively.
3. The Regional Officer, Nuh. He is asked to ensure the compliance of closure order immediately and to submit compliance report in this regard within 03 days positively. He will also initiate legal action against the unit for filing prosecution case for the above said violations and will submit the proper and complete case with reasoned recommendation for the same to Head Office immediately.
4. M/s Unnamed Plastic/Rubber Waste Processing Unit at Khata/Khewat No. 40//34, 44 Village Milakpur, Tehsil Tauru Distt Nuh
5. Executive Engineer, (water supply division) Municipal Corporation Division, MEWAT. He is directed to disconnect the water supply of the above said project of the unit immediately and submit compliance report within 03 days positively.

SATINDER
ER PAL

Digitally signed
by SATINDER
PAL
Date: 2025.07.28
16:54:14 +05'30'

Satinder Pal, Sr Environment Engineer
Branch Incharge (HQ)
For Chairman



Regional Office, Nuh Region
Haryana State Pollution Control Board
Shed No. 1, Roz Ka Rao Industrial Estate,
District- Nuh(Mewat)-122103
Website - www.hspcb.org.in E-Mail - hspcbnuh@gmail.com

Annexure R/2



No. HSPCB/NUH/2025/680

Dated: 14/8/2025

To

The Chairman,
Haryana State Pollution Control Board,
Panchkula

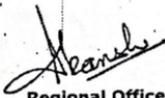
Sub: Compliance report of Closure order of M/s Unnamed Plastic /Rubber Waste Processing Unit, at Khata/Khewat No. 10//34,44, Village Milakpur, tehsil Tauru, District Nuh.

Ref: E-Office File No. - No. HSPCB /NUH/ 2025/ INS/ 109471339CONCO001-005 Dated:28-Jul-2025.

In this connection, It is submitted that in compliance of closure order against above said unit received vide under reference to this office, the unit visited by the field officer on 12/08/2025. Copy of closure order has been handed over to the representative of the unit at site. No specific machinery available at site & DG set available at site for sealing, only cauldrons/crucible available at site. The site photographs are attached herewith.

Submitted for-kind information and further necessary action please.

- DA/1. Compliance performa
2. Photographs of the unit


Regional Officer
Nuh Region

COMPLIANCE REPORT OF CLOSURE ORDER

270

In compliances of the orders passed by Chairman, Haryana State Pollution Control Board, Panchkula vide head office letter No. HSPCB/WHB/025/MG/10947/339/CNCO 001-205 dt. 29/07/2025 under section 31A of Air (Prevention & Control of Pollution) Act, 1981 & 33 A Water (Prevention & Control of Pollution) Act, 1974 against the unit.

M/s Unnamed plastic/water cassette processing unit at Khawal/Khala No 40/3444, has Vill. Mildapur, been visited on dated 12/08/2025 to close down the above said unit by Tareen, Nish. sealing the plant & machinery alongwith D.G sets as per detail given below:-

1. No specific machinery available at site for sealing,
2. only cauldrons available & no DG set available at site.
3. Copy of closure dissections has been handed over to the representative present at site, Shokeen on 12/08/2025.
- 4.
- 5.
- 6.



Seal Impression

The representative/owner of the unit Sh. Shokeen (owner)
9813333402

Who is present in person has been intimated about the said orders and copy of the closure order has been handed over to him. After giving due time for the completion of running process the unit has been closed on dated _____ the representative of the unit who was present at the time of sealing process of the unit has not show any stay orders of any court of law in this regard. However the industry shall remains in possession of its owner. They will be themselves responsible for watch & ward of the industry.

Signature of representative of unit

219
 श्री/की/न

(Signature)
 PEE

Signature Of Officer of Board
 Alongwith Name & Designation



Regional Office, Nuh Region
Haryana State Pollution Control Board
 Shed No. 1, Roz Kh. Mo Industrial Estate,
 District- Nuh (Mewat)-122103
 Website - www.hspcb.org.in E-Mail - hspcb Bronuh@gmail.com



HSPCB/NUH/2025/1823
 To,

Dated: 06/03/2026

The Senior Environmental Engineer, (Coord Cell),
 Haryana State Pollution Control Board,
 Panchkula.

Sub: Imposition of Environmental Compensation of unit M/s Unnamed Plastic/Rubber Waste Processing Unit at Khata/Khewat No. 40//34, 44, Village- Milakpur, Tehsil Tauru, District Nuh.

Kindly refer to the subject noted above, please find enclosed herewith Performa for recommendation for interim Environmental Compensation of M/s Unnamed Plastic/Rubber Waste Processing Unit at Khata/Khewat No. 40//34, 44, Village- Milakpur, Tehsil Tauru, District Nuh (Mewat).

In view of above, it is requested that interim Environmental Compensation may be examined & finalized by the committee of officers and orders for EC may be issued accordingly.

Submitted for kind information and further necessary action please.

DA/Copy of EC assessment

[Signature]
 Regional Officer
 Nuh Region

Performa for recommendation for **272** environmental compensation.

1.	Name & address of the unit	M/s Unnamed Plastic Rubber Waste Processing Unit at Khewat/Khata No. 40//34, 44, Village- Milakpur, Tehsil- Tauru, District- Nuh.			
2.	Name and designation of the officer(s) inspected the unit	Sh. Manish Yadav, AEE			
3.	Product(s) and bio-products	Waste Plastic & rubber lumps, blocks, flattened sheets			
4.	Manufacturing process	Unit is engaged in reprocessing of plastic, rubber waste for manufacturing of plastic lumps/blocks/flattened sheets in open bhatti/furnaces and cauldron (Kadhai)			
5.	Status of CTE	Not obtained			
6.	Status of CTO	Not obtained			
7.	Date of inspection of the unit	24.04.2025			
8.	Date of commissioning	No specific records available.			
9.	Detail of violation observed during inspection:	Unit was inspected by the field officer of this office on 24.04.2025 and during the inspection following deficiencies has been observed :- <ol style="list-style-type: none"> 1. Unit is running illegally without CTE/CTO from Board. 2. Unit is engaged in reprocessing of plastic, rubber waste for manufacturing of plastic lumps/blocks/flattened sheets in open bhatti/furnaces and cauldron (Kadhai) at the above mentioned address without providing proper pollution control devices for air emissions. 			
10.	Category of the unit	Orange			
11.	Complaint / Court case, if any.	NA			
12.	Detail of sampling and analysis of effluent/air emission exceeding the norms.	Type of sample	A/R no. & date	Parameter	Results
		NA	NA	NA	
13.	Reasons for not collection of samples, if not collected.	During inspection, it was found that no stack/sampling arrangement/facility has been provided by the unit.			
14.	Detail of Show Cause Notice for EC issued with date.	Show Cause Notice issued vide No. HSPCB/NUH/2025/135dated 25/04/2025.			
15.	Reply of Show Cause Notice, if any received.	Show Cause Notice was issued to the land owners (based on the details procured from the Revenue department) vide No. HSPCB/NUH/2025/135dated 25/04/2025. However, no reply was received from the unit/responsible persons within the stipulated time period and closure directions were issued against the unit vide order dated 28.07.2025 and closure compliance sent to HO on dated 14.08.2025. Thereafter, the concerned persons were directed to			

	appear in this office for providing the details with respect to the illegal activity being carried out at their site on 25.11.2025 and it has been submitted by them that husband (Sh. Raibhan) of one of the land owner Smt Akbari is involved in this activity on the land and they have no concern with it.
16. No. and date of closure order issued by the Board	HSPCB/NUH/2025/INS/109471339CONCO001-005 dated 28.07.2025
17. Compliance of closure order if applicable.	Yes, closure complied on 12.08.2025 and compliance of closure orders sent to HO vide letter No. HSPCB/NUH/2025/680 dated 14.08.2025
18. Present status of compliance made by the unit, if any after issue of show cause notice.	Non Complying
19. Cases for levying environmental compensation:- a) Units discharging the environmental pollutants in excess of the standards prescribed under EP Rules, 1986 and as prescribed in the consent granted to such units under Water Act, 1974/Air Act, 1981. b) Non-compliance of the any directions issued by the State Board under the provisions of Water Act, 1974, Air Act, 1981 and EP Act, 1986. c) Non-adherence to the action plans submitted by unit to the Board for making compliances. d) Failure to install Online Continuous Emission/ Effluent Monitoring system, intentional avoidance of data submission or data manipulation by tampering OCEMS e) Accidental discharges lasting for short durations resulting into damage to the environment. f) Intentional discharges of effluent and/or emissions to the environment including bypassing the pollution control devices on land, water and air, which results damages to the environment. g) Injection of	j) Established/Operating without obtaining prior consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and/or Air (Prevention and Control of Pollution Act, 1981. k) Not installed proper pollution control devices for process emission.

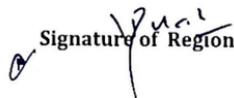
- treated/partially treated/
untreated effluent to
ground water.
- h) Discharge of untreated/partial treated Sewage by STP and/or CETP
 - i) Failure of preventing the pollutants being discharged in water bodies.
 - j) Operating without obtaining prior consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 and/or Air (Prevention and Control of Pollution Act, 1981.
 - k) Operating without installation pollution control devices of water and/or emission.
 - l) Failure to implement responsibilities assigned /stipulated for CBWTF and Health care facilities covered under provisions of Bio Medical Waste Management Rules 2016 (as amended).
 - m) Failure to implement responsibilities assigned /stipulated for industrial sectors/units/CHWDF under provisions of Hazardous Waste Management Rules 2016 (as amended).
 - n) Failure to implement responsibilities assigned /stipulated for industrial sectors/units/CHWDF under provisions of Solid Waste Management Rules 2016 (as amended)
 - o) Failure to implement other Waste Management Rules.
 - p) All violations of Graded Response Action Plan (GRAP) in Haryana NCR area.
 - q) Any other violation of Environmental act/rule/policy not covered above. In such cases

	concerned regional officer shall forward the case to ECAC mentioning all details of violation and grounds on which EC is recommended to be levied.	
20.	Justification of imposing environmental compensation for last five year	NA
21.	Final recommendations if any	<p>Unit was inspected by the field officer of this office on 24.04.2025 and during the inspection following deficiencies has been observed :-</p> <ol style="list-style-type: none"> 1. Unit is established/operating illegally without CTE/CTO from Board. 2. Unit is engaged in reprocessing of plastic, rubber waste for manufacturing of plastic lumps/blocks/flattened sheets in open bhatti/furnaces and cauldron (Kadhai) at the above mentioned address. <p>Show Cause Notice was issued to the land owners (based on the details procured from the Revenue department) vide No. HSPCB/NUH/2025/135 dated 25/04/2025. However, no reply was received from the unit/responsible persons within the stipulated time period and closure directions were issued against the unit vide order dated 28.07.2025 and closure compliance sent to HO on dated 14.08.2025. Thereafter, the concerned persons were directed to appear in this office for providing the details with respect to the illegal activity being carried out at their site on 25.11.2025 and it has been submitted by them that husband (Sh. Raibhan) of one of the land owner Smt Akbari is involved in this activity on the land and they have no concern with it.</p> <p>In view of above, Environmental Compensation is being assessed from the date of inspection to the date of compliance of closure.</p>
22.	Final compensation or Interim	Interim (from the date of violation to the date of closure)
Environment Compensation to be levied on Industrial Units		
23.	PI - Pollution Index (Red : 80, Orange : 50 and Green : 30)	50
24.	N - No of days of violation	24/04/2025 to 12/08/2025 (111 days)
25.	R - Factor in Rupees	250
26.	S - Factor for scale of operation (0.5 for micro or small, 1.0 for medium and 1.5 for large unit)	0.5
27.	LF - Location Factor (as per census)	1
28.	EC= PI x N x R x S x LF	EC = 50x111x250x0.5x1
29.	Total Amount calculated	EC = Rs 6,93,750/-

**Environmental Compensation to be levied on all violations of
Graded Response Action Plan (GRAP) in NCR.**

	Activity	State of Air Quality	Environmental Compensation (Rs.)	Recommended by RO
30.	Industrial Emissions	Severe +/Emergency	Rs. 1.0 Crore	NA
		Severe	Rs. 50 Lakh	NA
		Very Poor	Rs. 25 Lakh	NA
		Moderate to Poor	Rs. 10 Lakh	NA
31.	Vapour Recovery System (VRS) at Outlets of Oil Companies			
	i. Not Installed	Target Date	Rs. 1.0 Crore	NA
	ii. Non-Functional	Very poor to Severe+	Rs. 50 Lakh	NA
		Moderate to Poor	Rs. 25 Lakh	NA
32.	Construction sites (Offending plot more than 20,000 Sq.m.)	Severe +/Emergency	Rs. 1.0 Crore	NA
		Severe	Rs. 50 Lakh	NA
		Very Poor	Rs. 25 Lakh	NA
		Moderate to Poor	Rs. 10 Lakh	NA
33.	Solid Waste/garbage dumping in Industrial Estates	Very poor to Severe +	Rs. 25.0 Lakh	NA
		Moderate to Poor	Rs. 10 Lakh	NA
34.	Failure to water sprinkling on unpaved roads			
	a) Hot-spots	Very poor to Severe +	Rs. 25.0 Lakh	NA
	b) Other than Hot-spots	Very poor to Severe +	Rs. 10.0 Lakh	NA
OR				
35.	Environmental Compensation to be levied in case of failure of preventing the pollutants being discharged in water bodies and failure to implement waste management rules			Recommendation of RO
	$EC = \text{Capital Cost Factor} \times [\text{Marginal Average Capital Cost for Treatment Facility} \times (\text{Total Generation-Installed Capacity}) + \text{Marginal Average Capital Cost for Conveyance Facility} \times (\text{Total Generation -Operational Capacity})] + \text{O\&M Cost Factor} \times \text{Marginal Average O\&M Cost} \times (\text{Total Generation- Operational Capacity}) \times \text{No. of Days for which facility was not available} + \text{Environmental Externality} \times \text{No. of Days for which facility was not available}$ Alternatively;			NA
OR				
36.	Environment Compensation to be Levied on Concerned Individual/Authority for Improper Solid Waste Management:			Recommendation of RO

<p style="text-align: center;">277</p> <p>EC = Capital Cost Factor x Marginal Average Cost for Waste Management x (Per day waste generation-Per day waste disposed as per the Rules) + O&M Cost Factor x Marginal Average O&M Cost x (Per day waste generation-Per day waste disposed as per the Rules) x Number of days violation took place + Environmental Externality x N</p> <p>Where;</p> <p style="padding-left: 40px;">Waste Quantity in tons per day (TPD) N= Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority</p> <p>Simplifying;</p> <p>EC (Lacs Rs.) = 2.4 (Waste Generation - Waste Disposed as per the Rules) +0.02 (Waste Generation - Waste Disposed as per the Rules) x N + Marginal Cost of Environmental Externality x (Waste Generation - Waste Disposed as per the Rules) x N</p>	NA
OR	
<p>Determination of Environmental Compensation to be recovered for violation of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016</p>	Recommendation of RO
NA	NA


 Signature of Regional Officer