

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

Original Application No. 340 of 2025

IN THE MATTER OF:

Raj Kumar and others

Applicant

Versus

State of Haryana & Ors.

Respondent

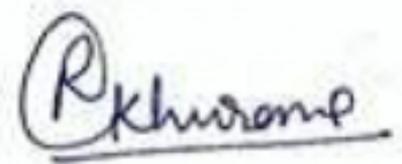
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Date: - 03.09.2025

Filed

Through



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

OA No. 340 of 2025

IN THE MATTER OF:

Raj Kumar & Others ... Applicant

Versus

State of Haryana ... Respondent

**ACTION TAKEN REPORT OF JOINT COMMITTEE IN ORIGINAL
APPLICATION NO. 340 OF 2025 TITLED AS RAJ KUMAR AND OTHERS
& STATE OF HARYANA.**

Hon'ble NGT in its order dated 24.07.2025 in OA No. 340/2025 titled as Raj Kumar and others & State of Haryana passed the following directions: -

- "1.** *The applicant- Raj Kumar and other residents of village Patuhera, Block Bawal, District Rewari, Haryana have sent to this Tribunal the present undated letter petition by post which was received on 25.04.2025.*
- 2.** *The above said letter petition has been treated and registered as Original Application No. 340/2025 for exercise of suo motu jurisdiction.*
- 3.** *The applicants have raised the grievance that M/s. SBA Recycling Pvt. Ltd. Plot No. 30-31, Phase-II, Sector-14, IMT Bawal District Rewari, Haryana is causing air pollution in the area posing serious health hazards to the residents of the locality. The applicants have submitted that oral complaints were made to the management but no action was taken on the same.*
- 4.** *Prima facie the averments made in the application raise substantial questions relating to environment arising out of the implementation of the Air (Prevention and Control of Pollution) Act, 1981.*

5. *However, the applicants have directly approached this Tribunal without first making any complaint to the Haryana Pollution Control Board.*
6. *In these facts and circumstances of the case the matter needs to be looked into by the Joint Committee comprising of Regional Officer, Rewari, HSPCB and the District Magistrate, Rewari for verifying the factual position and taking appropriate remedial action in accordance with law and the Joint Committee is directed to visit the site within one week, verify the factual position and take appropriate remedial action within one month in accordance with law by associating the applicant and giving opportunity of being heard to the Project Proponent and file action taken report by 05.09.2025 before Ld. Registrar General of this Tribunal who may place the matter before the Bench on 10.09.2025 if further orders are considered to be necessary.*
7. *In case of non-compliance with the order Regional Officer, Rewari, HSPCB and the District Magistrate, Rewari shall appear before this Tribunal on 10.09.2025 physically to explain the circumstances for such non-compliance*
8. *The District Magistrate, Rewari will be the nodal agency for coordination and compliance*
9. *The present original application is disposed of with the directions as mentioned above”.*

Status of the unit M/s SBA Recycling Pvt. Ltd Plot No. 30-31, Sector-14, HSIIDC, IMT, Bawal Distt-Rewari:

The said unit engaged in the manufacturing of aluminium alloys using aluminium scrap as raw material and has obtained consent to operate (CTO) from the Board vide No. 313119823REWCTO31981610 dated 30.01.2023 for the period 01/04/2023 - 31/03/2028 (**Annexure-1**). Order dated 24.07.2025 was received vide email dated 02.08.2025 and copy of complaint was received on 12.08.2025 on request made on behalf of HSPCB.

However, Unit was already visited by the flying squad constituted by Commission of Air Quality Management (CAQM) on dated 02.08.2025. During their inspection, it was found that the unit operates one rotary furnace of 4 Ton capacity and 2 melting furnaces of 7 Ton of capacity each; however, the Consent to Operate (CTO) mentions only one skelner furnace of 7-ton capacity. CAQM has issued closure direction against the unit vide Direction No. 705/IP, F. No. 16014/14/2021/MERD/IP/Closure/16982-87 dated 20.08.2025 (**Annexure-2**). Thereafter, the said unit has been sealed/closed by HSPCB, Rewari Region on dated 22.08.2025. Copy of compliance report is attached as **Annexure-3**).

Conclusion:

The said unit M/s SBA Recycling Pvt. Ltd. Plot No. 30-31, Phase-II, Sector-14, IMT Bawal District Rewari has already sealed/closed by HSPCB/CAQM on dated 22.08.2025 as the unit was operating one rotary furnace of 4 Ton capacity and 2 melting furnaces of 7 Ton of capacity each; however, the Consent to Operate (CTO) mentions only one skelner furnace of 7-ton capacity. Further, the unit will be allowed to operate only after obtaining CTO of the additional furnaces with installation of the adequate air pollution control devices.

It is humbly submitted that the above report may be considered and taken on record by the Hon'ble National Green Tribunal.


**Regional Officer
Rewari Region**


**District Magistrate
Rewari**



HARYANA STATE POLLUTION CONTROL BOARD

Lala Nemi Chand Singhal Enc.Sohna Road, Near Hanuman Mandir,Dharuhera Ph. 01274-244440-

41(O) Email:- hspcbrodr@gmail.com

E-mail: hspcb@hry.nic.in



No. HSPCB/Consent/ : 313119823REWCTO31981610

Dated:30/01/2023

To.

M/s :SBA Recycling Pvt Ltd

Plot No. 30-31,Sec.-14, HSIIDC, IMT, Bawal Distt-Rewari

Subject: Grant of consent to operate to M/s SBA Recycling Pvt Ltd.

Please refer to your application no. 31981610 received on dated 2022-12-23 in regional office Dharuhera. With reference to your above application for consent to operate, M/s SBA Recycling Pvt Ltd is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	01/04/2023 - 31/03/2028
Industry Type	Ferrous and Non - ferrous metal extraction involving different furnaces through melting, refining, -processing, casting and alloy re making -
Category	ORANGE
Investment(In Lakh)	709.16168
Total Land Area(Sq. meter)	3600.0
Total Builtup Area(Sq. meter)	1826.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	1.5 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	SEWER
2. Trade	
Domestic Effluent Parameters	
1. NA	
Trade Effluent Parameters	
1. NA	
Number of stacks	1
Height of stack	
1. ATTACHED TO METLING FURNACE	30 meter
Emission parameters	
1. SPM	150 mg/m3

Product Details	
1. ALUMINIUM ALLOYS	30 Metric Tonnes/day
Capacity of boiler	
1. na	0 Ton/hr
Type of Furnace	
1. SCAKLER FURNACE	7 ton
Type of Fuel	
1. LSHS	3 3 TON/DAY
Raw Material Details	
ALUMINIUM SCRAP	30 Metric Tonnes/Day

*Regional Officer, Dharuhera
Haryana State Pollution Control Board.*

Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of

change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.

12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.

13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.

14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.

15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.

16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

Specific Conditions :

1. The unit will make agreement with authorized TSDF/Recycler for disposal of hazardous waste i.e. used oil of DG set and will submit the Annual Report under HWM Rules, 2016 by 30th June every year. 2. That the unit shall keep all the parameters within the prescribed limits and shall comply with all the Norms and Rules as prescribed in the Act. 3. That the unit will not discharge any untreated effluent inside and outside its premises. 4. Unit will deposit balance consent fee if any found due at any stage. 5. That the unit will not add any air polluting process/ machinery and also not to add any process which increases the water pollution load. 6. Unit will apply for renewal of consent/Authorization at least 90 days before expiry date of the consent/Authorization. 7. This CTO is without prejudice to any action under the provisions of applicable laws / acts / notification / courts order to be taken in respect of any violation at any stage without any claim of the unit. If the unit fails to comply the provisions/conditions of CTO, various applicable provisions of concerned departments / agencies / authorities / any relevant decision of court, the consent to operate so granted shall be revoked automatically without giving any notice. 8. Unit will comply all the prescribed effluent/ air emission standards and will installed /upgrade/ maintained necessary Pollution control measures to control air emission/ to treat trade/ domestic effluent if required under the Provisions of Water Act, 1974/Air Act, 1981 and Environment (Protection) Act, 1986 amended from time to time. 9. Unit will comply all the prescribed discharged effluent/ air emission standards and the directions of any Court/Authority related to this proposed project amended from time to time

*Regional Officer, Dharuhera
Haryana State Pollution Control Board.*



राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्र
वायु गुणवत्ता प्रबंधन आयोग
Commission for Air Quality Management in
National Capital Region and
Adjoining Areas



Closure Direction No. 705/ IP

F. No. 16014/14/2021/MERD/IP/CLOSURE/6982-6987

20th August, 2025

To,

M/s SBA Recycling Pvt. Ltd.
Plot No. – 30-31, Sec-14, HSIDC,
IMT, Bawal, Dist-Rewari
Haryana - 123501
(Kind attention: Sh. Rakesh Bhardwaj)
Mobile: 9810228255
Email: accountsho@sbapl.com

DIRECTION FOR CLOSURE UNDER SECTION 12 (2) (xi) OF THE COMMISSION FOR AIR QUALITY MANAGEMENT IN NATIONAL CAPITAL REGION AND ADJOINING AREAS ACT, 2021

WHEREAS, the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 empowers the Commission to take all such measures and issue directions as it deems necessary or expedient for the purpose of protecting and improving the quality of the air in the National Capital Region and Adjoining Areas;

WHEREAS, the Commission, from time to time, has issued directions in respect of measures to abate air pollution in the National Capital Region including directions for strict compliance of air pollution control laws, rules and regulations in force;

WHEREAS, there is a need for effective control of air pollution in NCR and a compelling urgency to prevent deterioration;

WHEREAS, the said unit was inspected on 02.08.2025 by a Flying Squad constituted by the Commission, to verify the compliance of Directions / Orders issued by the Commission from time to time and relevant rules / regulations;

(Handwritten signature)

...2/-

WHEREAS, it was reported after the inspection that the unit operates one rotary furnace of 4-ton capacity and 2 melting furnaces of 7-ton capacity each; however, the Consent to Operate (CTO) mentions only one skelner furnace of 7-ton capacity. Furthermore, no stack emission monitoring report has been submitted.

WHEREAS, the Enforcement Task Force constituted by the Commission vide Order dated 08.01.2025, based on the report submitted by the flying squad, has examined the matter in its meeting held on 13.08.2025;

WHEREAS, Industrial pollution is a major contributing sector towards deterioration of air quality in the NCR and the facts in this case are apparent and explicit, it is felt that issuing a show cause notice will be a mere empty formality and is likely to defeat the very purpose of the action being taken to control air pollution in the region;

WHEREAS, in wake of concerns on Air Quality in the NCR, immediate preventive & corrective actions are essential in such cases to prevent deterioration of air quality in the larger public interest and therefore the Enforcement Task Force decided to order closure of the unit, till further orders and take legal action;

NOW, THEREFORE, in view of the above and in exercise of the powers of the Commission by the Enforcement Task Force, under Section 12(2)(xi) of the Act, read with explanation, the following directions are issued to the said unit for strict compliance:

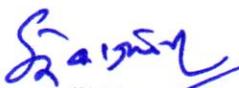
1. The unit shall immediately close down all its industrial operations / activities on receipt of this Direction;
2. The unit shall immediately thereafter report the closure of the unit to the Commission and Haryana State Pollution Control Board (HSPCB);
3. The unit, under no circumstances, shall resume operations without prior permission and an order of resumption from the Commission;
4. The DHBVNL shall, on receipt of this closure direction shall immediately initiate action towards disconnection of electrical power supply to the site / unit and report the same to the HSPCB and the Commission, at the earliest but not later than 3 days after the issue of this Direction.

....3/-

5. In case of failure in compliance with the above directions, the Commission will be constrained to initiate appropriate action, in accordance with provisions under the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 and other relevant laws.
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 Rewari 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.
 - (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. Thereafter, 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.**

...4/-

- (vi) In exercise of powers of the Commission under Section 14 of the Act, the Member Secretary, HSPCB shall also initiate action for prosecution under section 14 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 against the said unit.

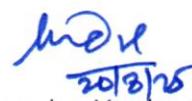

(Dr. Sujit Kumar Bajpayee)
Member-Secretary

Copy for information and ensuring immediate compliance to:

1. The Member Secretary, HSPCB
2. The Managing Director, DHBVNL, for immediate disconnection of power supply to the unit
3. The Deputy Commissioner, Rewari to ensure closure of operations in the unit.

Copy to:-
Shri. Manoj Kumar, Sc. 'B', CPCB

Copy for information to:-
Chairman, CPCB


(Gyanendra Yadav)
Under Secretary



21
Haryana State Pollution Control Board
Regional Office, Rewari at SCO-D6 &D-7,
Suncity Commercial Complex, Sector-6, A-Block Rewari
Tele Fax: 01274-244241, E-Mail: hspcbrodr@gmail.com



No. HSPCB/RWR/2025/...4637.

Dated:- 25/08/2025

To

The Chairman
Haryana State Pollution Control Board
Panchkula

Sub.- Compliance report of closure order of M/s SBA Recycling Pvt. Ltd Plot No. 30-31, Sec.- 14, HSIIDC, IMT, Bawal Distt-Rewari

Ref.- CAQM Closure Direction No. 705/IP, F. No. 16014/14/2021/MERD/IP/Closure/16982-87 dated 20.08.2025.

In this connection, it is intimated that the above said unit has been closed & sealed on 22.08.2025 in compliance of CAQM closure direction No. 705/IP. Copy of compliance report of closure order alongwith photographs are enclosed herewith for your kind information and further necessary action please.

DA:- As above


25/8
Regional Officer
Rewari Region
 Dated 25/08/2025

Endst. No. HSPCB/RWR/2025/4638

A copy of the above is forwarded to the Executive Engineer, DHBVNL, Operational Division (OP), Bawal, District- Rewari (E-mail:- sdooPBawal@dhbvn.org.in) for disconnecting the electric supply of the above said unit at the earliest in compliance of directions issued and send the compliance report to this office.

DA: Copy of closure order


25/8
Regional Officer
Rewari Region


COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of the order passed by the Commission for Air Quality Management in National Capital Region and adjoining areas vide closure direction No F.9.5/1.P..... dated. 20-08-2025. under section 12 (2) (xi) of the CAQM Against M/B SBA Recycling, Pvt. Ltd. Plant No. 30-31, Sector - A, Bawana has been visited to close down the above said unit on dt. 20-08-2025..... by the following officer/officials:

- 1 Deepak Verma, AEE
- 2 Deepak, JEE
- 3 Pritam, FA

The representative of the unit Sh. Rakesh Bhardwaj owners of M/s. SBA Recycling Pvt. Ltd. Plant No. 30-31, Sector - A, Bawana who is present in person has been intimated of the said orders and copy of the closure order has been delivered to him.

After giving due time for the completion of running process of the unit has been closed by sealing its plant and machinery and DG sets as per details given below;

- 1 Furnace charger
- 2 Casting conveyor - Fan Belt (5) DS set of 125 FVA
- 3 - Casting conveyor Belt
- 4 - ID Fan motor Belt

Sh. Rakesh Bhardwaj the representative of the units who was present at the time of sealing and closing of the unit has not shown any stay orders of any Hon'ble court of law in this regard. However, the industry remain in possession of its owners. They will be themselves responsible for watch and ward of the industry.



(IMPRESSION OF SEAL USED)

[Handwritten Signature]
22/08/2025

Signature of the representative of the unit

[Handwritten Signature]

Signature of officer of the Board

