

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH NEW DELHI

Original Application No. 18 of 2026

IN THE MATTER OF:

Dharampal & Anr.

...Petitioner

Versus

State of Haryana & Ors.

...Respondents

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Date: 13.07.2026

Filed Through -



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

Original Application No. 18 of 2026

IN THE MATTER OF:

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**AFFIDAVIT OF YOGESH KUMAR, IAS, MEMBER
SECRETARY, HARYANA STATE POLLUTION CONTROL
BOARD ON BEHALF OF RESPONDENT No.5**

MOST RESPECTFULLY SHOWETH:

I, deponent, in the aforesaid official capacity states as under:

1. That the present Original Application has been filed by the appellant with an allegation of violation of environmental norms by the Ready-Mix Concrete (RMC) plant run by the Respondent No. 6 - KSY Buildcon.
2. That, before proceeding further, to recapitulate the matter, it is appropriate to submit here that, in the present matter, a reply dated 30.06.2026 was filed before this Hon'ble National Green Tribunal on behalf of the Haryana State Pollution Control Board (HSPCB). After considering the material on record and submissions of the parties, this Hon'ble Tribunal was pleased to pass an order dated 01.07.2026. The relevant Para No. 5 and 7 of said order are reproduced below:



13 JUL 2026 "5. The reply of Respondent No. 5 - HSPCB noted above reflects that there is a lapse on the part of the Respondent No. 5 in taking the requisite action. Once the Respondent No. 5 finds that the authorisation is required by the unit under the HOWM Rules and the said authorisation has not been taken then the immediate action is required to be taken which is lacking in this case.

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7. In view of the above, the Respondent No. 5 is granted further one week time to file the affidavit disclosing how Respondent No. 6 is operating without the authorisation under the HoWM Rules, when the said rules are undisputedly applicable. If the affidavit is not filed within time, the Respondent No. 5 will remain virtually present on the next date of hearing.

8. List on 14.07.2026."

3. That, at this juncture, it is appropriate to submit that HSPCB is determined to prevent and control pollution and to fulfil the object of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 and other environmental laws. However, in the present matter, before making submissions on the factual matrix, the deponent expresses regret for delay in taking the action against the Respondent No. 6.

4. That it is worthwhile to mention that the unit was visited by the team of officers of HSPCB on 05.03.2026. At the time of the visit, the RMC plant involved in the present matter was found non-operational. However, despite its non-operation, an inspection was carried out and certain non-compliances were observed. Keeping in view of the non-compliances observed during inspection, Show Cause Notice (SCN) for Closure and revocation of Consent to Operate was issued. It is also necessary to mention that, during the inspection, the cement storage shed was found empty, and it was observed that the unit had not obtained authorisation under the HoWM Rules, despite the fact that such authorisation was/is required for the DG set kept by the unit for electricity backup.

5. That it is worthwhile to submit that, in response to the SCN, a reply was submitted on behalf of the occupier of the unit. However, it is apt to mention that the averments made in the reply could only be verified during the operation of the unit. Keeping in view the reply, the RMC plant involved in the present matter was again inspected by concerned field officer



13 JUL 2026

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on 29.06.2026 and during inspection, found that metalled road was covered with dust/construction material, plantations were inadequate & the unit had not obtained authorization under the HOWM Rules, which is required for the operation of the DG set installed at the unit.

6. That it is respectfully submitted that thereafter, keeping in view of the violations, recommendations regarding Closure order were sent by Regional Officer to Head office. However, to avoid any technical objection regarding natural justice, a final Show Cause Notice dated 04.07.2026 (**Annexure R-1**) was issued by Regional Office, Gurugram South, HSPCB and a reply dated 07.07.2026 was submitted by the occupier of the unit in response to the SCN. After considering the facts, circumstances and reply of the Unit, a speaking order dated 07.07.2026 (**Annexure R-2**) regarding deficiencies of the unit was passed by the Regional Office, HSPCB, Gurugram South, followed by recommendation of closure order.
7. That it is worthwhile to mention that, after evaluating all the facts, circumstances, violation found during inspection, reply and the recommendation of the Regional officer, the closure order was approved by Competent Authority of the Board on 08.07.2026 and compliance of the closure order was done on 09.07.2026 by sealing the 1 No. of DG Set, 2 Nos. of Compressor & 02 Nos. of Conveyer belt in the presence of Sh. Panna Lal, Plant in-charge being representative of the unit. Copies of Closure order & Compliance report are attached as **Annexure R-3 & R-4**.
8. That keeping in view of the above-mentioned submission, It is submitted that the present affidavit may be taken on record for kind consideration of this Hon'ble Tribunal.



13 JUL 2026


Dependent Member Secretary
HSPCB

VERIFICATION

Verified at Panchkula on 13th day of July, 2026 that the contents of the para no. 1 to 8 of the affidavit are true and correct to the best of my knowledge and on the basis of the information derived from the official records which I believe to be true and no material fact has been concealed therein.



13 JUL 2026




Deponent
Yogesh Kumar, IAS
Member Secretary
HSPCB



HARYANA STATE POLLUTION CONTROL BOARD
Haryana State Pollution Control Board, 3rd Floor, HSIIDC Office Complex,
IMT Manesar, Gurugram Email:- hspcbogrs@gmail.com

No: HSPCB/GUR/2026/INS/106116831SCNCC002

Dated: 04-07-2026

To
KARTAR SINGH CONTRACTOR (KSY Buildcon)
Tauru Road, Naurangpur, Gurugram

Sub: Show cause notice for closure 31-A of Air (Prevention & Control of Pollution) Act, 1981/ 33-A of Water (Prevention & Control of Pollution) Act, 1974

Whereas your unit has been inspected on 29-06-2026 regarding Verify the compliance and during the inspection following deficiencies has been observed as per provisions of section 31 A of Air (Prevention & Control of Pollution) Act, 1981/ 33 A of Water (Prevention & Control of Pollution) Act, 1974) :

1. The unit was visited by the team of Sh. Vipin Kumar, Environment Engineer & Sh. Sandeep Kumar, Assistant Environment Engineer on 05.03.2026 and during visit the said RMC was found non-operational. 1. No ACPM provided on cement storage shed. No Sprinkling system provided. 2. No metallised concrete floor provided for control of dust. 3. No effluent was found at site during visit. 4. Not provided the adequate height of boundary wall/ S.S Sheet to control dust emission. 5. Not provided the tree plantation at boundary wall of RMC. 6. Not obtained authorization under HOWM Rules.

2. The Show Cause Notice was issued to the unit vide No. HSPCB/GUR/2026/INS/106116831SCNCR001 dated 14.04.2026 for various deficiencies observed during inspection. Although the unit submitted its reply on 28.04.2026, the verification inspection conducted on 29.06.2026 revealed that the deficiencies still persist. The metallised road was found covered with dust/construction material, plantation was inadequate, and the unit has not obtained Authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules. Since the unit has failed to rectify the deficiencies and comply with the statutory requirements despite being afforded adequate opportunity through the Show Cause Notice

In view of the above, you are hereby directed to show cause within 15 days as to why closure action against your unit may not be taken under section 31 A of Air (Prevention & Control of Pollution) Act, 1981/ 33 A of Water (Prevention & Control of Pollution) Act, 1974), for non compliance of the above mentioned observations/ deficiencies

In case you fail to comply with the observations/ deficiencies mentioned above within the above mentioned stipulated time period, it will be presumed that you have nothing to say in this regard and accept the status as above, which will warrant action under section / 31-A of Air (Prevention & Control of Pollution) Act, 1981/ 33-A of Water (Prevention & Control of Pollution) Act, 1974

Inspection no. : 106116831
HROCMMMS ID : 22GUSO42812

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

**** Note:-**

1. Reply of SCN submitted to concerned RO offices shall only be considered and in case unit submitted their reply to other offices of the Board , the same is not liable for consideration on any legal forum.
2. Representatives of the units may also come in person at the concerned Regional office to represent against the proposed action communicated through show cause notice, within the stipulated time period mentioned in show cause notice.

SIDHARTH
BHARGAVA

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Sidharth Bhargava , Regional Officer

Regional Office Gurgaon South

HARYANA STATE

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**Regional Office, Gurugram (S)
Haryana State Pollution Control Board**

3rd Floor, HSIIDC Complex, IMT Manesar, Gurugram

Website - www.hspcb.gov.in E-Mail - hspcbrogrs@gmail.com

Tele No. 0124-2290207, 0124-2290208

HSPCB/GRS/2026/985-986

dated: 07-07-2026

SPEAKING ORDER

Sub. Show Cause Notice M/s Kartar Singh Contractor (Ksy Buildcon), Tauru Road, Naurangpur, Gurugram for Closure under section 31-A of Air (Prevention & Control of Pollution) Act, 1981/ 33-A of Water (Prevention & Control of Pollution) Act, 1974.

Whereas, the unit M/s Kartar Singh Contractor (Ksy Buildcon), Tauru Road, Naurangpur, Gurugram engaged in process of manufacturing Ready mix Concrete Plant and covered under Green category.

The unit was inspected on 29-06-2026 to verify the compliance made by the unit after issue of Show Cause notice issued to the unit vide previous visit dated 05.03.2026 and during the inspection following deficiencies were observed as per provisions of section 31 A of Air (Prevention & Control of Pollution) Act, 1981/ 33 A of Water (Prevention & Control of Pollution) Act, 1974) :

1. The unit was visited by the team of Sh. Vipin Kumar, Environment Engineer & Sh. Sandeep Kumar, Assistant Environment Engineer on 05.03.2026 and during visit the said RMC was found non-operational. No ACPM provided on cement storage shed. No Sprinkling system provided.
2. No metallised concrete floor provided for control of dust.
3. No effluent was found at site during visit.
4. Not provided the adequate height of boundary wall/ S.S Sheet to control dust emission.
5. Not provided the tree plantation at boundary wall of RMC.
6. Not obtained authorization under HOWM Rules.

Therefore, the Show Cause Notice was issued to the unit vide No. HSPCB/GUR/2026/INS/106116831SCNCR001 dated 14.04.2026 for various deficiencies observed during inspection. Although the unit submitted its reply on 28.04.2026, the verification inspection conducted on 29.06.2026 revealed that the deficiencies still persisted. Final Show Cause Notice dated 04.07.2026 was issued to the unit to which the unit submitted reply dated 07.07.2026 wherein following deficiencies still persist:- The metallised road was found covered with dust/construction material (no photographic proof submitted for counter claim), plantation was inadequate (no photographic proof submitted for counter claim), and the unit has not obtained Authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules (unit has applied application for the grant of authorisation under HOWM Rules but is liable for Environmental compensation for past violation). Since the unit has failed to rectify the deficiencies and comply with the statutory requirements despite being afforded adequate opportunity through the Show Cause Notice.

Since the unit has failed to rectify the deficiencies despite being afforded adequate opportunity.

Therefore, it is clearly evident that the unit violated the provisions of the Water (Prevention and control of Pollution) Act, 1974 & Air (Prevention and control of Pollution) Act, 1981 and HOWM Rules.

SIDHARTH BHARGAVA
Regional Officer
Gurugram Region (S)

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SIDHARTH BHARGAVA
Date: 2025.09.27
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Endst no. HSPCB/GR5/2026/

dated

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

1. The Chairman, HSPCB, Panchkula
2. M/s Kartar Singh Contractor (Ksy Buildcon), Tauru Road, Naurangpur, Gurugram

SIDHARTH BHARGAVA
Regional Officer
Gurugram Region (S)

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SIDHARTH BHARGAVA
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 Inspection no. : 106116831
 HROCMMS ID : 22GUSO42812

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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, HROCMMS.NIC.IN

CLOSURE ORDER

Whereas, M/s KARTAR SINGH CONTRACTOR (KSY Buildcon), Tauru Road, Naurangpur, Gurugram has established and operating a RMC plant at Tauru Road, Naurangpur, Gurugram which is polluting in nature;

Whereas, the above said unit was visited by the field officer of the Board on 29-Jun-2026 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. A complaint was received against the unit on twitter portal and NGT Case Appeal no 18/2025, the unit was re-inspected for ensuring compliance submitted by the unit vide letter dated 28.04.2026.
2. During inspection the metallad road was found covered with dust/construction material.
3. The plantation was found inadequate.
4. The unit has not obtained authorization under HWM Rules, 2016.

Whereas, show Cause Notice for closure was issued to the above said unit by Regional Officer Gurgaon South vide his letter no. HSPCB/GUR/2026/TNS/106116831SCNCR001 dated 14.04.2026 and no. HSPCB/GUR/2026/TNS/106116831SCNCC002 dated 04/07/2026 The reply submitted by the unit vide letter dated 07-Jul-2026 was not find satisfactory as per detail given below:

1. The metallad road was found covered with dust/construction material.
2. The plantation was inadequate.
3. The unit has not obtained authorization under HWM Rules, 2016.

Whereas, Regional Officer, Gurgaon South vide his recommendation letter number HSPCB/GUR/2026/RO/TNS/106116831CONCR002 dated 07-Jul-2026 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 KARTAR SINGH CONTRACTOR (KSY Buildcon) Tauru Road, Naurangpur, Gurugram by sealing its plant /

*** This is system generated certificate ***

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
08-Jul-2026

Vinay Pratap Singh IAS
Chairman

Enclst.
No.:HSPCB/GUR/2026/INS/106116831/CONCO001-006

Dated:09-Jul-2026

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

1. The Deputy Commissioner, GURGAON SOUTH
2. Executive Engineer, DHBVN Operation Division, GURGAON SOUTH. 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, Gurgaon South. 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. KARTAR SINGH CONTRACTOR (KSY Buildcon) Tauru Road, Naurangpur, Gurugram
5. Executive Engineer, Municipal Corporation Division, Manesar. 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.
5. Regional Officer, Gurugram (S) to ensure that the order for electricity disconnection be delivered to the concerned officer and also take the compliance report in this regard from the concerned officer of DHBVN Department.


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

COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of Head Office order No. Enclt. No. HSPCB/CUR/2026/INS/106/1682/CONC0001 dated 08-07-2026

issued by the Haryana State Pollution Control Board, Panchkula under Section 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31A of Air (Prevention & Control of Pollution) Act, 1981 the unit M/s Kartar Singh Contractor (KSY Buildcon), Tansa Road Naurangpur, Gurgaon is hereby closed on 08/07/2026 by sealing the plant & machinery as mentioned below.

Sr. No.

1. DG Set (01 no.)
2. Compressor (02 no.)
3. Conveyor belt (02 no.)
4. —

Sh. Panna Lal (Plant Engineer) Representative of the unit present at the time of sealing of Plant & Machinery of the unit, has not shown any stay orders of any courts against the above mention Closure Orders. The unit will be itself responsible for watch & Ward of the unit.

For KSY BUILDCON

Signature of Rep.
of the unit



Seal Impression

Signature of Officers
of the Board
SANDEEP KUMAR, AEO
HSPCB
GURGRAM (South)