

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO. 285/2025

**IN THE MATTER OF:**

Shiv Kumar Dubey

... Applicant

Versus

Union of India & Ors.

... Respondents

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Filed by:



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PLACE: NEW DELHI  
FILED ON: 18.01.2026

## Miscellaneous Document 1



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. 794/ C&D

F.NO. 16014/13/2021-MERD/C&D/CLOSURE/8549-54

12<sup>th</sup> December, 2025

To,  
Construction Site of Rajdarbar Iconic Venture Ltd.  
Khasra no. 446/1/1, 461, 465, 466  
Galleria Market road, nearby Hamilton Court area,  
Sector 27, Gurugram- Haryana  
(Lat- 28.467110, Long- 77.087566)

**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 in force;

**WHEREAS**, there is a need for effective control of air pollution in wake of the deteriorating air quality scenario in NCR and compelling urgency to prevent further deterioration of air quality in the NCR;

**WHEREAS**, Construction and Demolition Waste Management Rules, 2016 were issued by the MoEFCC related to proper management of waste resulting from construction, remodeling, repair and demolition of any civil structure, by individual or organization or authority generating construction and demolition waste such as building materials, debris, rubble etc. including proper environment friendly transportation thereof;

**WHEREAS**, the CPCB in 2017 had also issued detailed guidelines for control and mitigation measures in various Construction & Demolition related activities, including handling (loading / unloading) construction material and Construction & Demolition Waste;

TJP

...2/-

17 वी मंजिल, जवाहर व्यापार भवन (एस. टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग, नई दिल्ली-110001  
दूरभाष : 011-23701213, ई-मेल : caqm.elf-moefcc@gov.in  
17<sup>th</sup> Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg, New Delhi-110001  
Tel:011-23701213, E-mail: caqm.elf-moefcc@gov.in

.2.

WHEREAS, the Commission issued a Statutory Direction to all SPCBs / DPCC in NCR directing for all current / upcoming C&D projects (on plot area equal to or greater than 500 square meters) in the National Capital Region to be mandatorily registered at the web portal of the respective SPCBs / DPCC. Such sites, as per the target laid down in comprehensive policy issued by the Commission for abatement of air pollution in NCR, were required to register on the web portal by 31.08.2022, upload self-certification as stipulated in Direction No. 11 and current provision of installation of webcam and low cost sensors to facilitate remote monitoring;

WHEREAS, the said construction / demolition project site was inspected on 19.11.2025 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 and statutory guidelines in this context;

WHEREAS, orders for invoking Stage III of the Graded Response Action Plan (GRAP) issued by the Commission on 11.11.2025 were in force at the time of inspection of the unit;

WHEREAS, it was reported after the inspection that, Plot size is more than 500 m<sup>2</sup> and the project is not registered on the Web Portal of HSPCB which is a non-conformity to the Commission's Direction dated 11.06.2021. Further, during inspection, covering of construction material was not observed at site. It has also been reported through a complaint dated 13.12.2025 that despite of enforcement of GRAP-III, highly dust generating activities like leveling of site through JCB & digging of foundation were being undertaken at site on which construction has been done as reported by Flying Squad. Furthermore, 02 DG Sets of 250 KVA each were found non-compliant and no action has been initiated which is a violation of Commission's Direction No. 76 dated 29.09.2023 (as amended). However, both DG Sets were found non-operational during site visit.

WHEREAS, the Enforcement Task Force constituted by the Commission vide Order dated 08.01.2025, based on the report submitted by the flying squad, examined the matter in detail in its meeting held on 05.12.2025;

WHEREAS, dust pollution from construction and demolition activities is a major contributor towards deterioration of air quality in the NCR and facts in this case are apparent, undisputed and explicit, it is felt that issuing show cause notice will be a mere empty formality and likely to defeat the very purpose of the action being taken;

...3/-

17 वी मंजित, जवाहर व्यापार भवन (एस. टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग, नई दिल्ली-110001  
 दूरभाष : 011-23701213 ई-मेल : [cqam.ell-moefcc@gov.in](mailto:cqam.ell-moefcc@gov.in)  
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 Tel:011-23701213, E-mail: [cqam.ell-moefcc@gov.in](mailto:cqam.ell-moefcc@gov.in)

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- (iv) The Project Proponent shall 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.nlc.in](http://www.caqm.nlc.in) >> Closures/Resumptions >> GUIDELINES FOR RESUMPTION OF OPERATIONS IN CLOSED UNITS.
- (v) 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.

JKP

(Tarun Kumar Pithode)  
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 of the project proponent
3. The Deputy Commissioner, Gurugram to ensure closure including disconnection of power and water supply etc.

Copy to:-

Sh. Ajay Kumar, Sc. 'B', CPCB

Copy for information to:-

Chairman, CPCB

*Amit Kumar*  
(Amit Kumar)  
Under Secretary

17 वी मंजिल, जवाहर व्यापार भवन (एस. टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग, नई दिल्ली-110001  
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-3-

**HEREAS**, in wake of the 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 Project Proponent shall immediately close down all activities/ operations related to construction at above said site on receipt of this Direction.
2. The Project Proponent shall immediately thereafter report the closure of the work at the project site to the Commission and Haryana State Pollution Control Board (HSPCB).
3. The Project Proponent, under no circumstances, shall resume the construction / demolition activities at the site without a prior permission and an order of resumption from the Commission.
4. The UHBVNL shall, on receipt of this closure direction shall immediately initiate action towards temporary disconnection of electrical power supply to the site / unit and report the same to the HSPCB, project proponent and the Commission, at the earliest but not later than 3 days after the issue of this Direction.
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 construction activities at the site, 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, Gurugram 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 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.

..4/-

17 वी मंजिल, जवाहर व्यापार भवन (एस. टी. सी. बिल्डिंग), टॉलस्टॉय मार्ग, नई दिल्ली-110001  
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Commission for Air Quality Management in  
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(Lat-28.467110, Long-77.087566)

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Sd/-

(Tapan Kumar Pithode)

Member-Secretary

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Copy to:

Sh. Ajay Kumar SC 'B', CPCB

Copy for information to:

Chairman, CPCB

Sd/- (Amit Kumar)

Under Secretary

//TRUE TYPED COPY//



AGARWAL MALLIKA &lt;mallika.agarwal5@gmail.com&gt;

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**Advance Service | OA No. 285 of 2025, Shiv Kumar Dubey v Union of India & Ors**

1 message

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**AGARWAL MALLIKA** <mallika.agarwal5@gmail.com>

Sun, Jan 18, 2026 at 8:13 PM

To: ccb.cpcb@nic.in, hqhspcb@hspcb.org.in, hspcbrogrn@gmail.com, hspcbrogrs@gmail.com, caqm-ncr@gov.in, cmc@mcg.gov.in, rkhranalegal@gmail.com, Abhishek atrey <abhishekatre@gmail.com>, contact.del@satramdass.com

Cc: Daksh Kadian <advdakshkadian@gmail.com>

Dear all,

Please find attached a copy of the miscellaneous document(s) that is being filed in the above-captioned matter.

Regards

Mallika Agarwal

Advocate for the Applicant

+91-8800139391

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 **Filing Version\_MD\_CAQM Notice .pdf**  
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