

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

OA No. 81/2025

IN THE MATTER OF:-

Satish Kumar Goyal

.....Applicant(s)

VERSUS

State of Haryana & Ors.

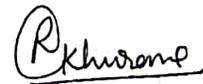
.....Respondent

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Dated: 14-08-2025

Filed By



Rahul Khurana, Advocate
09811894060
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**Reply on behalf of Respondent No-3 i.e. Haryana State
Pollution Control Board through Regional Officer,
Gurugram Region South**

MOST RESPECTFULLY SHOWETH:-

1. That appellant has alleged that the project proponent, Respondent No. 6 M/s Trehan Promoters & Builders Pvt., Ltd., has started construction at plot GH 3B & 3C at Sector-80, Residential Estate, Manesar, District Gurugram, Haryana in violation of Environmental Impact Assessment (EIA) Notification 2006, without obtaining environmental clearance(EC) though the total land area of the project is 20558.36sqm and proposed built up area is 168060.56sqm.
2. That present reply is being filed by Sh. Krishan Kumar, Regional Officer, Haryana State Pollution Control Board,

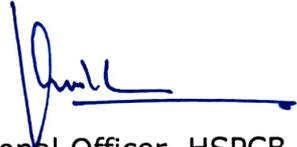
Gurugram South Region who is authorised and competent to file the same on behalf of answering respondent.

3. M/s Trehan Promoters & Builders Pvt., Ltd., at plot GH 3B & 3C at Sector-80, Residential Estate, Manesar, District Gurugram was inspected on 21.05.2025 by the team member of 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; and found in gross violation of the directions of Commission of Air Quality Management in National Capital Region And Adjoining Area.
4. Further, Commission of Air Quality Management in National Capital Region and Adjoining Area issue closure direction vide no.703/C&D letter no. F.no.16014/13/2021-MERD/C&D/Closure/5488-93 dated 13.06.2025. Copy of Closure direction is attached as **Annexure R-1**.
5. Compliance of the closure order done on 26.06.2025 by sealing 1 no DG set-250 KVA in the presence of Sh. Vinod, DGM project, representative of the unit and information was sent to Head Office vide letter no .HSPCB/GRS/2025/830 Dated 30.06.02025 (**Annexure R-2**). As per the photographs taken by the concerned filed

officer while executing the closure order temporary porta cabin, boundary wall & Excavated site were found established. Photographs are attached as (**Annexure R-3**).

6. Further M/s Trehan Promoters & Builders Pvt., Ltd., at plot GH 3B & 3C at Sector-80, Residential Estate, Manesar, District Gurugram not obtained CTE (Consent to Establish)/CTO (Consent to Operate) from Haryana State Pollution Control Board for this project.

In view of the submissions made herein above, present Reply may kindly be considered and taken on record by the Hon'ble National Green Tribunal.



Regional Officer, HSPCB
Gurugram Region (S)

Haryana State Pollution Control Board
Gurgaon Region (South)
HSIIDC Complex, IIIrd Floor,
IMT Manesar, Gurgaon

Place: Gurugram
Dated: 14-08-2025

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OA No. 81/2025

IN THE MATTER OF:-

Satish Kumar Goyal

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AFFIDAVIT

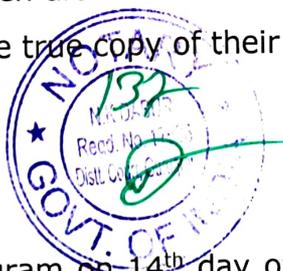
I, Krishan Kumar, Regional Officer, Haryana State Pollution Control Board, Gurugram (South) aged about 54 years do hereby solemnly affirm and state as under:-

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 reply which has been drafted under my instructions.
3. That Annexures are true copy of their originals.

NOTARY PUBLIC 132

Date 14-08-2025

Verification:



Verified at Gurugram on 14th day of August, 2025 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.

ATTESTED

N.K DABUR Regd. No. 17596
Advocate & Notary
Distt: Gurugram, Haryana

Deponent

Regional Officer
Haryana State Pollution Control Board
Gurgaon Region (South)
HSIIC Complex, 11th Floor,
IMT Manesar, Gurgaon

Deponent

Regional Officer
Haryana State Pollution Control Board
Gurgaon Region (South)
HSIIC Complex, 11th Floor,
IMT Manesar, Gurgaon

14 AUG 2025



सत्यमेव जयते

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

Annexure R-1

6



Closure Direction No. 703 / C&D

F.NO. 16014/13/2021-MERD/C&D/CLOSURE/5488-93

13th June, 2025

To,

M/s Trehan Iris

GH 3B & 3C, Sector – 80, Residential Estate,

Manesar, District-Gurugram, Haryana - 122101

Mobile: 7982912005

Email : vinod.kumar@trehaniris.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 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, re-modeling, 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;

Jamir

...2/-

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

दूरभाष : 011-23701213, ई-मेल : caqm-ncr@gov.in

17th Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg, New Delhi-110001

Tel:011-23701213, E-mail: caqm-ncr@gov.in

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;

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 Commission further issued a Statutory Direction No. 69 dated 02.11.2022 directing for all C&D projects in the NCR to deploy and ensure frequent and effective use of adequate nos. of anti-smog guns, in proportion to the total area of construction project as per yardsticks laid down in the Direction;

WHEREAS, the said construction /demolition project site was inspected on 21.05.2025 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, it was reported after the inspection that only (01) no. anti-smog gun was found deployed at site against a mandatory requirement of (03) nos. Also, construction material and loose soil was found uncovered at site, in gross violation of the directions of the Commission and extant statutes;

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 27.05.2025;

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;

WHEREAS, 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 construction site for strict compliance:

3and

...3/-

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

दूरभाष : 011-23701213, ई-मेल : caqm-ncr@gov.in

17th Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg, New Delhi-110001

Tel:011-23701213, E-mail: caqm-ncr@gov.in

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 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.
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.
 - (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. 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.

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...4/-

- (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.
- (v) In exercise of powers of the Commission under Section 14 of the Act, the Member Secretary, HSPCB or an officer nominated by him is authorised to and 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.


(Arvind Nautiyal)
Member Secretary

Copy for information and ensuring immediate compliance to:

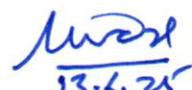
1. The Member Secretary, HSPCB
2. The Managing Director, DHBVNL for immediate disconnection of power supply of the project proponent
3. The Deputy Commissioner, Gurugram to ensure closure including disconnection of power and water supply etc.

Copy to:-

Sh. Danish Meena, Sc. 'C'. CPCB

Copy for information to:-

Chairman, CPCB


23.6.25
(Gyanendra Yadav)
Under Secretary

337
 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

No. HSPCB/GRS/2025/ **830**

Dated: **30/06/2025**

To

The Member Secretary
 Haryana State Pollution Control Board
 Panchkula

Sub: Compliance Report of Closure order issued against M/s Trehan Iris GH 3B & 3C, Sector-80, residential Esatte Manesar Gurugram.

Ref.: Closure Direction No. 703/C&D/ F no.
 16014/13/2021/MERD/C&D/Closure/5488-93 dated 13-06-2025.

With reference to the subject cited above, it is submitted that the unit was visited by concerned field officer of this office on 26-06-2025 and during visit closure order has been implemented on 1 nos. 250 KVA DG set and same has been delivered to the representative. Compliance report of the closure order is enclosed.

Submitted for your kind information & further necessary action please.

DA/ as above


Regional Officer
Gurugram Region (S)

Endst no. HSPCB/GRS/2025

dated

A copy of above is forwarded to the Member Secretary, Commission for Air Quality Management in National Capital Region and Adjoining Areas, 17 th Floor, Jawahar Vyapar Bhawan, (STC Building), Tolstoy Marg, New Delhi - 110001


Regional Officer
Gurugram Region (S)

COMPLIANCE REPORT OF CLOSURE ORDER

In compliance of ~~Head Office~~ order No. CAQM Closure Direction No. 103/C9D dated 13/06/2025 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 Trehan Iris GH-3B & 3C Sector-80, Residential Estate, Manesar, Gurugram is hereby closed on 26/06/25 by sealing the plant & machinery as mentioned below.

Sr. No.

1. Closure orders delivered at site & construction stopped.
2. DG - 250 KVA x 01 No.
- 3.
- 4.

Sh. Vinod, DGM Projects 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.

Vinod

Signature of Rep.
of the unit



Seal Impression

[Signature]
Signature of Officers
of the Board
Sidharth AEE
GRS, HSPCB



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EMERGENCY STOP



FUEL INLET

GPS Map Camera

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Gurugram, Haryana, India

Sector 5 Road, Sector 80, Gurugram, Haryana
122004, India

Lat 28.365456, Long 76.961944

06/26/2025 06:00 PM GMT+05:30

Note : Captured by GPS Map Camera





GPS Map Camera



Gurugram, Haryana, India
Sector 5 Road, Sector 80, Gurugram, Haryana
122004, India
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Note : Captured by GPS Map Camera



Gurugram, Haryana, India
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122004, India
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Note : Captured by GPS Map Camera

GPS Map Camera



 GPS Map Camera



Gurugram, Haryana, India

Sector 5 Road, Sector 80, Gurugram, Haryana
122004, India

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Note : Captured by GPS Map Camera



 GPS Map Camera



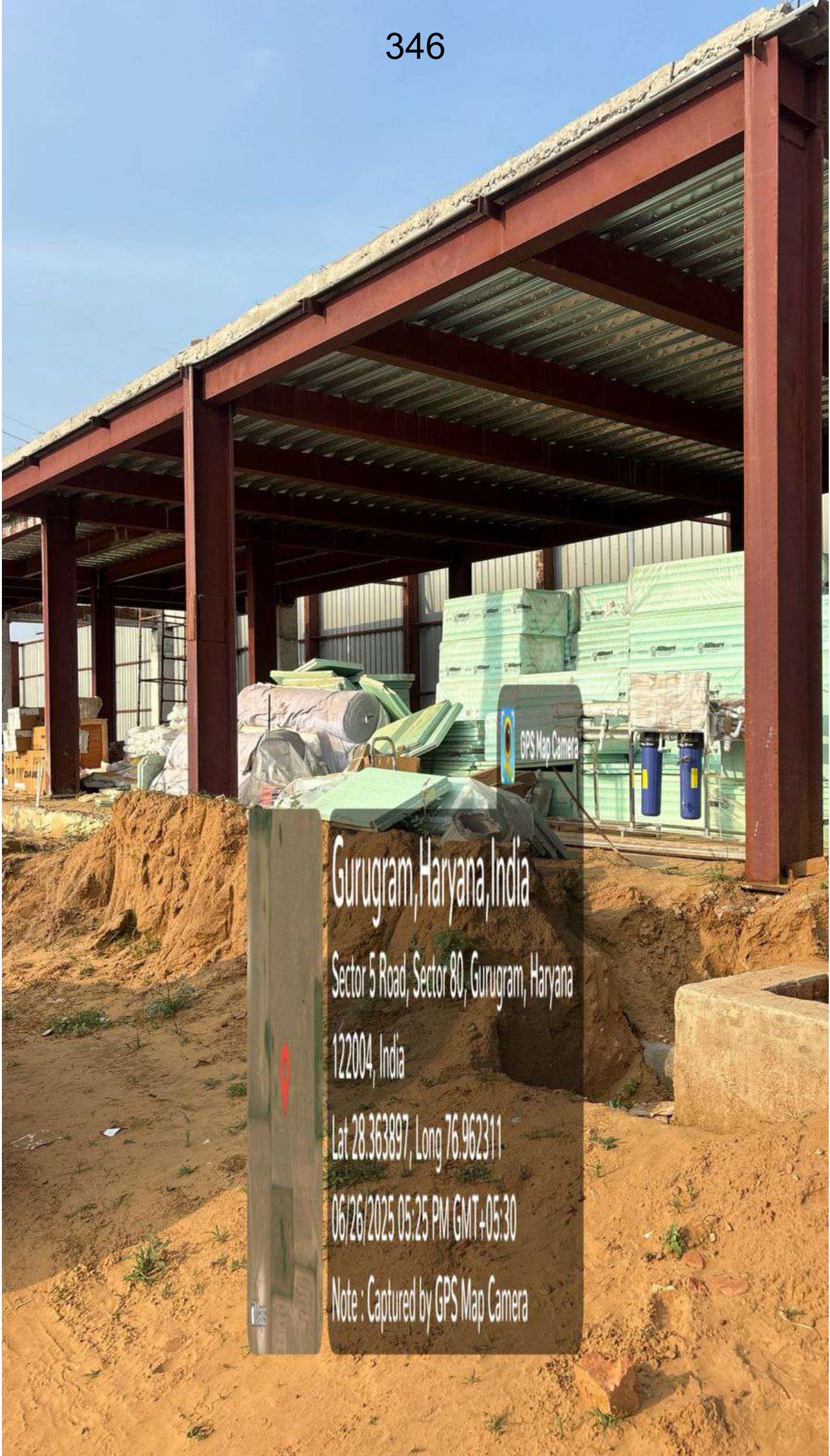
Gurugram, Haryana, India

Sector 5 Road, Sector 80, Gurugram, Haryana
122004, India

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Note : Captured by GPS Map Camera



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Note : Captured by GPS Map Camera



 GPS Map Camera



Gurugram, Haryana, India
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Note : Captured by GPS Map Camera



 GPS Map Camera



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122004, India

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