

File No.: 18016/01/2025-MERD

राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबंधन आयोग

Commission for Air Quality Management in NCR and Adjoining Areas

17th Floor, Jawahar Vyapar Bhawan, Tolstoy Marg, New Delhi-110001

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

Dated: 21.10.2026

NOTICE

Sub.: Non-compliance / contravention of the direction(s) / order(s) issued by the Commission regarding prevention and control of air pollution under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021

1. WHEREAS, Ministry of Environment, Forest and Climate Change, Government of India, in exercise of the powers conferred under Section 3 of the Commission for Air Quality Management in National Capital Region and Adjoining Area Act, 2021 (hereinafter referred to as the Act), has constituted the Commission for Air Quality Management in National Capital Region and Adjoining Areas (hereinafter referred to as the Commission);

2. WHEREAS, under section 12(1) of the Act, the Commission has powers to take all such measures, issue directions etc., as it deems necessary or expedient for the purpose of protecting and improving the quality of the air in the National Capital Region (NCR) and Adjoining Areas;

3. WHEREAS, Section 12(2)(xi) of the Act, empowers the Commission to issue directions in writing to any person, officer, or any authority and such person, officer or authority shall be bound to comply with such directions;

4. WHEREAS, dust from roads and open areas is one of the major contributing sources of air pollution in Delhi-NCR and the Commission has also issued various directions, orders and advisories towards mitigation of dust from the roads and open areas;

5. WHEREAS, road dust contributes to the generation and release of PM10 and PM2.5 particulates posing a major challenge in tackling and abating air pollution in the region, and it also has serious adverse consequences on air quality and associated health hazards. Non-adherence to the road dust mitigation measures, leads to situation where the dust, from the roads construction/ maintenance works and unpaved roads/ Right of Way, disperses in the air and mixes with the vehicular and industrial polluting particles, thus making the air more polluted;

6. WHEREAS, the problem of road dust resulting from various activities is regularly reviewed by the Commission and necessary instructions and directives are given to the concerned implementing agencies and towards this, the Commission issued Direction No. 22 dated 11.06.2021 to the Govt. of Haryana to setup Dust Control Management Cells (DCMCs) with the specific mandates of effective monitoring and implementation of road dust control measures in respect of roads maintained/ owned and road related projects being implemented/ undertaken by them, in the NCR;

7. WHEREAS, to assess the presence of visible dust on roads and to evaluate the effectiveness of road cleaning and sweeping operations, inspections of roads under the jurisdiction of Municipal Corporation of Gurugram (MCG) was conducted on 26.12.2025, wherein out of the 125 road stretches inspected, 34 stretches were found having high visible dust, 58 having moderate, 29 having low dust, and 4 having no visible dust. The summary report of the inspection dated 26.12.2025 and reports of road stretches/ areas having visible dust were endorsed to MCG:

8. WHEREAS, vide letter dated 05.01.2026, the Commission instructed MCG to ensure strict implementation of dust control measures on priority basis;

9. WHEREAS, the Commission was in receipt of a complaint on 04.02.2026 regarding road dust pollution and accumulation of MSW and C&D waste at various locations (Sectors 49,57,70,73,74, and 75) in Gurugram. Accordingly, a special drive of inspection was conducted on 05.02.2026 to investigate the sites. During inspection, the heaps of loose soil and C&D waste lying unattended along the roadside were found;

10. WHEREAS, vide communication dated 13.02.2026, the Commission issued notices to the Chief Engineer, MCG, and Head Infra-I & Electrical Wings/ Superintending Engineer Infra-II, GMDA. ATRs in this regard were received from MCG and GMDA;

11. WHEREAS, vide letter dated 18.03.2026, the Commission directed MCG and GMDA to initiate action against the concerned officers responsible for keeping the roads dust-free and to expedite redevelopment of the roads as per the CAQM framework;

12. WHEREAS, further to assess the presence of visible road dust and to evaluate the effectiveness of road cleaning and sweeping operations, inspections of roads in Gurugram were conducted on 07.04.2026, wherein issues of high visible road dust and accumulation of C&D waste were found. Accordingly, notice vide dated 17.04.2026 was issued to the Commissioner, MCG, calling for personal hearing on 27.04.2026. During the hearing, MCG informed that corrective measures, including manual and mechanical sweeping and deployment of sanitation workers for road

cleaning have been taken in the areas, where issues were identified. Accumulated C&D waste has been removed and secondary collection points have been established. As punitive action, a Committee has been constituted to fix responsibility. Further, one Senior Sanitary Inspector has been suspended, and disciplinary action has been initiated against two Assistant Sanitary Inspectors. MCG also reported that around 90 km of roads in Gurugram have been made dust free. During the hearing, relevant ATRs were submitted by MCG;

13. WHEREAS, vide letter dated 11.05.2026, all Dust Control and Management Cells (DCMCs) in Haryana, including MCG and GMDA, were directed to initiate a special campaign for the identification, removal, and scientific disposal of legacy dust from roads, roadsides, medians, footpaths, and other associated areas under their respective jurisdictions, both before and after the monsoon season;

14. WHEREAS, vide letter dated 27.05.2026, the Commission advised MCG that strict implementation of dust control measures should be ensured and a special campaign must be undertaken for identification, removal, and scientific disposal of legacy dust from roads, roadsides, medians, footpaths, and other associated areas under the jurisdiction of MCG;

15. WHEREAS, to further ascertain the dust mitigation measures, 52 road stretches covering approximately 104 km (MCG: 56 km and GMDA: 48 km) were inspected on 14.10.2026. During the inspection, 258 violations, including high visible dust on roads, accumulation of C&D waste on roads/ roadsides, damaged footpath, and potholes (MCG: 174; and GMDA: 84) were found. These violations cause dust pollution resulting in deterioration of the air quality in the NCR;

16. WHEREAS, public complaints regarding dust pollution in Gurugram have also been received through Social-Media. As on 13.10.2026, total of 1135 complaints related to MCG and 183 complaints related to GMDA have been received;

17. WHEREAS, despite specific statutory directions of the Commission, and regular follow-ups reviews, MCG and GMDA have failed to comply with the binding Direction(s) / Order(s) issued by the Commission from time to time;

18. WHEREAS, Section 14(1) of the Act stipulates that any non-compliance or contravention of any provisions of the Act, Rules made thereunder or any order or direction issued by the Commission, shall be an offence punishable with imprisonment for a term which may extend up to five years or with fine which may extend up to one crore rupees or with both;

19. WHEREAS, Section 14(2) of the Act provides that the offence under the Act shall be non-cognizable and triable by the Jurisdictional Judicial Magistrate of the First Class, who shall not take cognizance of the offence except upon a complaint

made by the Commission or any officer authorised by the Commission in this behalf;

20. WHEREAS, Section 14(5) of the Act stipulates that if any offence has been committed by any Department of the Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly, subject to the proviso thereto;

21. WHEREAS, Section 14(6) of the Act further provides that, notwithstanding anything contained in Section 14(5), where an offence under the Act has been committed by a Department of the Government and it is proved that such offence was committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer other than the Head of the Department, such officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly;

22. WHEREAS, it is evident that despite aforesaid Direction(s) / Order(s) issued by the Commission, MCG and GMDA have not taken adequate actions to ensure complete mitigation of dust from roads and open areas;

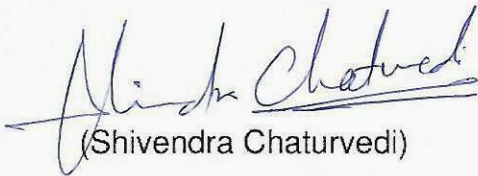
23. WHEREAS, such inaction amounts to willful non-compliance on the part of MCG and GMDA, being the designated authorities responsible for the enforcement of the Commission's Order(s)/Direction(s), thereby constituting a violation of the binding Orders issued under the provisions of the Act;

24. NOW, THEREFORE, in view of the foregoing facts and the material presently available on record, you are hereby directed to show cause as to why a complaint under Section 14 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 should not be filed before the jurisdictional Judicial Magistrate of the First Class for the aforesaid non-compliance/ contravention of Direction No. 22 dated 11.06.2021. You are accordingly required to explain the circumstances leading to the delay/ non-compliance, the steps taken by the Department and by you, in your capacity as Head of the Department, towards ensuring compliance with the aforesaid Directions, and any other relevant facts or circumstances which you may wish to place before the Commission. For consideration of your explanation and for affording an opportunity of personal hearing before taking a decision in the matter, the Chairperson of the Commission has fixed a **personal hearing on 03.11.2026 at 11:00 AM at Marut Conference Hall of the Commission.**

25. You are accordingly required to appear in person before the Commission on the aforesaid date and time. You shall also ensure the presence of the officer(s) directly concerned with and conversant with the implementation of Direction No. 22

dated 11.06.2021, particularly those concerned with the implementation of the road dust control measures under your jurisdiction, to assist the Commission in ascertaining the factual position, the reasons for the delay/ non-compliance and the steps taken towards compliance with the aforesaid Direction.

2 6 . TAKE FURTHER NOTICE that failure to submit the requisite explanation/ status report and to appear before the Commission on the scheduled date and time, without sufficient cause, shall be viewed seriously. In such an event, the Commission shall be at liberty to proceed in the matter based on the material available on record and take an appropriate decision, in accordance with law, without affording any further opportunity of hearing in the matter.


(Shivendra Chaturvedi)
Director

To:

- 1 . Sh. P C Meena, IAS, Chief Executive Officer, Gurugram Metropolitan Development Authority (GMDA)
2. Sh. Pradeep Dahiya, IAS, Commissioner, Municipal Corporation of Gurugram (MCG)

Copy to:

1. Chief Secretary, Government of Haryana
2. Additional Chief Secretary, Environment and Climate Change Department, Govt. of Haryana
3. Chairperson, Haryana State Pollution Control Board (HSPCB)


(Shivendra Chaturvedi)
Director