



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
4TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
visit us at : <http://dpcc.delhigovt.nic.in>

F.NoDPCC/EC/2010/ 4383 - 4390

Dated: 12/08/12

OFFICE ORDER

For smooth functioning of DPCC, following guidelines are hereby ordered for immediate implementation and necessary action as per the following heads:-

(i) New Units to be established :-

CTE is to be filed indicating a tentative future date of commissioning; In case of non-commissioning within a year, renewal of CTE to be done on yearly basis failing which, the unit shall be liable to pay the CTO fee for the intervening period from the date of cessation of CTE validation.

(ii) Units which have got CTE but yet to be made operational.

All such units have to take renewal of CTE if it is not ready for operation within a year of obtaining the CTE. Failing to take renewal of CTE after a date (say 1st Jan 2013) shall make the unit liable to pay the CTO fee for the intervening period from the date of cessation of CTE validity. This need to be given wide publicity through industrial association and public notice.

(iii) Units already commissioned without obtaining CTE.

The matter was discussed at length keeping in view the structure of the fees applicable at present and in the past. It was brought to the notice of the Member Secretary, DPCC that such cases are encountered mainly when the units are found during the inspection, operating without CTE/CTO. It was concluded that in such cases condonation fee shall be charged w.e.f 1991 as tentative calculation shows that most of these units have a capital below Rs. 50 Lakhs and they will bear a penalty upto Rs 80,000/- under orange category and upto Rs 40,000/- under green category. Committee felt that penalty to be imposed on current fee structure is reasonable and such deterrent is necessary to discourage such units from operating without obtaining statutory permissions. However, if the unit submits its claim regarding its establishment after 1991 it shall submit at least any of the following two documents to show its establishment from the date claimed along with an affidavit towards this claim.

1. MCD license indicating proof of date of establishment.
2. Power and Water sanction letter to the unit.
3. In case of rented premises, notarized affidavit from the landlord indicating date of first lease to the unit with a copy of the lease agreement.
4. Registration with SSI/VAT/CST or with any other Govt. / Statutory authority showing the year of establishment.

(iv) Unit coming for CTE after refusal/revocation/infringement of CTE

No condonation fee is to be charged for CTE as the condonation fee is charged only from the operating units.

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22/08/12

(v) Unit obtained CTE/CTO/CTOR under Green category and found operating under an orange category activity :

- (a) Closure of the unit if the unit is causing pollution or
- (b) Prosecuting the unit for operating without taking valid permission.
- (c) Unit in such cases shall submit fresh CTE/CTO along with condonation fee as per fee structure applicable under orange category for CTO from date of establishment in CTE under Green Category.

(vi) Unit obtained CTE/CTO/CTOR under Orange category and later on wants to reduce its polluting activity leading change categorization into the green category:

Category shall be changed and fee shall be charged as prescribed under Green category.

(vii) In case of hotel projects there is ambiguity regarding applicability of the consent fee under the head of industries or under the head of infrastructure project. In future, consent fee for hotel projects shall be charged as applicable under the head of industries.



(Sandeep Mishra)
Member Secretary

Copy to :-

- 758/Lab
12-5-12 ✓
- 1. PA to Chairman DPCC : for information to Chairman, DPCC.
 - 2. Addl. Director, DPCC.
 - 3. All Sr. Env. Engineer, DPCC.
 - 4. All Env. Engineer, DPCC.
 - 5. Scientist-D, DPCC.
 - 6. Incharge, IT Cell: to upload the minutes on the website and make necessary amendments in the software.
 - 7. Administrative Officer, DPCC.
 - 8. Sr. Account Officer, DPCC.
 - 9. Master File.



(Sandeep Mishra)
Member Secretary