

DELHI POLLUTION CONTROL COMMITTEE
4th & 5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
 (visit us at : <http://dpcc.delhigovt.nic.in>)

F. No. DPCC/ Committee (2c) /14th Meeting / 2016/ 4/00-4/08 Dated: 13/4/16

Subject: Minutes of the 14th Meeting [2 (c) Category] under Chairman, DPCC, held on **15.03.2016** in the conference room of Chairman, DPCC, at Delhi Secretariat.

Please find enclosed herewith the Minutes of the 14th Meeting of the aforementioned Committee, held in the conference room of Chairman, DPCC, at Delhi Secretariat on **15.03.2016** w.r.t cases of Mahipalpur Area. Concerned Cell is required to take necessary action as per the decisions taken by the Committee.

D.K. Singh
 (D.K. Singh)

Sr. Env. Engineer(CDC)
Consent Management Cell- II

1. Member Secretary, DPCC.
2. Prof. S.K.Gupta, Chemical Engg. Deptt, IIT, Hauz Khas, Delhi -16.
3. Dr. A.K.Nema, Professor, Civil Engg. Deptt., IIT, Hauz Khas, Delhi -16.
4. Dr. Anil Kumar, Director, Environment Deptt., Govt. of NCT of Delhi.
5. SEE (CMC IV).
6. Concerned Environmental Engineer of CMC IV.

Copy for information to:

1. PS to Chairman, DPCC, for the kind information of Chairman, DPCC please.
- ✓ 2. In-charge, Enquiry Counter & IT Cell, for placing the aforementioned minutes of the meeting of the Committee on the website of DPCC.
3. Accounts officer, DPCC.

D.K. Singh
 (D.K. Singh)

Sr. Env. Engineer(CDC)
Consent Management Cell- II

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Minutes of the 14th meeting [2(c) category] under Chairman, DPCC held on 15.03.2016 in the conference room of Chairman, DPCC at Delhi Secretariat

Attendance Sheet is enclosed as Annexure-1.

During the meeting following issues were discussed and accordingly decisions were taken.

1. Hotels/Restaurants/Eating Houses/Hospitals are such utilities which are a necessity for urban area, particularly for metros. It is possible to bring goods and certain services from outside Delhi but not the services provided by hotels / eateries. Regulatory system should not therefore unnecessarily hinder this sector.
2. The present practice in DPCC of insisting submission of MCD (health) and Delhi Police License is not mandated by any law relating to pollution – Air Act, 1981 / Water Act, 1974 / EP Act, 1986. In fact, envisaging such requirements forces applicant sometimes to become a shuttle cock between offices. For taking decision, one office demands clearance(s) from other office and vice versa. This is against the Ease of Doing Business, too. These licenses from MCD / Delhi Police shall therefore be not a precondition for processing grant of consent/renewal of consent. While considering grant of consent the focus of DPCC should be control of pollution. Of course, it will be appropriate that DPCC function in sync with land use laws. Therefore, applicant must produce a proof for conformity of land use. The conformity of land use can be proved by producing sanction of building plans or any official record/law relating to land use planning showing land use conformity. In granting consent, the communication must clarify that the applicant concern shall have to comply with all other laws and near grant of consent will not absolve him from such duty and the consequences in the event of violation of other laws.
3. Likewise, the present practice of insisting submission adequacy report has become just a redtape. The agencies just prepare it in a mechanical manner and charge a substantial amount for preparation of such reports. An important element in preparing adequacy report is to know the flow pattern and characteristics of effluents. The collection of hard data to this effect is generally missing. For DPCC, what is relevant is satisfactory treatment of effluent/emission so that prescribed norms are met. The best way to test the efficacy of a pollution control device is not by way of generating adequacy report but by taking proper samples and testing them. The present system of adequacy report is not serving the requisite purpose. In view of this adequacy reports will no longer be required. Instead, DPCC shall place in public domain model adequacy reports/design criteria of the design of pollution control devices for as many flow patterns for various types of units as possible. This can then used by applicants for properly designing their pollution control devices. The mandate of DPCC is to control pollution, which can be achieved only by lifting samples properly and testing them and then taking action against those violating the norms. The DPCC engineers conducting inspection will lift samples and get them tested from DPCC lab by coding it so that the lab personnel involved in testing do not know the identity of unit or unit owner. Third party audit also needs to be put in practice.
4. It was also noted that the extraction of ground water is presently regulated by notification / directions issued under the Environment (Protection) Act, 1986. In place like Delhi, the regulatory framework should be conducive to service sector. Unlike the industries, services provided by eateries/hotels in Delhi cannot be outsourced to units located outside Delhi. Hence, in the context of service sector, Restaurant/Dhabha/Hotels, etc., DPCC should factor in the implications of the extraction of ground water – permission / policy of the competent authority/DJB, prescribed in the notification. As such, the cases in which Unit confirming with land use has voluntarily disclosed extraction of ground water or is paying charges to DJB for supply of water by tankers should also be brought before the committee for consideration if it has applied for consent.

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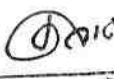
5. All the units having permission for extraction of ground water must install water meters and pay water charges determined by DJB. This is essential to assess the scale of water extraction.
6. This format as per Annexure-A which briefly captures the information relevant for decision has been designed for processing the consent cases. The software may be modified suitably so that this format is automatically generated in future for use and decision online, too.
7. The Senior Environment Engineer furnished the report in Annexure-A duly signed. After discussion, the following decisions were taken:
 - a. 18 Units which fulfill eligibility conditions under the laws administered by DPCC, including possessing the permission to extract ground water/ have DJB water connection bill, are granted the consent to establish and consent to operate. The list of these 18 units is annexed as **Annexure-I**. 02 units which, apart from fulfilling other eligibility conditions, have deposited requisite amount for regular water connection with Delhi Jal Board are granted the provisional consent for 6 months with the condition that unit will either submit the permission for extraction of ground water from Central Ground Water Authority or valid bill of water connection from Delhi Jal Board, failing which necessary action shall be taken including closure of unit. DJB may meanwhile be also requested to communicate decision on the permission for extraction of ground water so applied for. The list of these units is annexed as **Annexure-II**.
 - b. 14 Units have been reported closed. A re-verification may be done and their present activity should be ascertained. The list of 14 units is annexed as **Annexure-III**.
 - c. The other remaining units (46 nos.) which have not submitted the requisite documents may be advised to do so failing which necessary action will be taken against them under the law. These unit owners may be given a joint personal hearing to give them an opportunity to have their say before action is initiated. In addition the three units out of these remaining units have not even submitted the compensation in terms of the order of Hon'ble NGT be directed to comply within a week, failing which they be closed. In case of **M/s. Hotel Airport Breeze, NH-8, Rangpuri, Mahipalpur, New Delhi- 110 037**, which has changed hands, the present owner be asked to comply the directions of NGT. The list of all these units is annexed as **Annexure-IV**.
8. It was decided that if required, Hon'ble NGT may be apprised about the policy approach of the DPCC as enumerated in para 1 to 4 above.

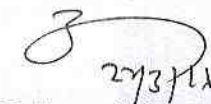
The meeting ended with a vote of thanks to the chair.


(K. Kumar)
EE, CMC-IV


(Satender Kumar)
SEE, CMC-IV


(Dr. Anil Kumar)
Director (Env.)


(Kulanand Joshi)
Member Secretary, DPCC


(Ashwani Kumar)
Chairman, DPCC