

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

F. No. DPCC/Committee II(b) Category/30th Meeting /2020/26759-766 Dated: 11/12/2020

Subject: Minutes of the 30th Meeting of the Committee for II(b) Category Cases constituted vide Office Order Dated 31.05.2017 & headed by Member Secretary DPCC, for deciding the Consent under the Air & Water Acts and Authorization/Registration under the relevant Rules, held on **10.12.2020** in the conference room of DPCC, 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006.

Please find enclosed herewith the Minutes of the 30th Meeting of the aforementioned Committee, held on **10.12.2020** in the conference room of DPCC, 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006.

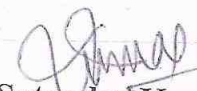
All concerned are required to take necessary action as per the decisions taken by the Committee and submit the compliance report to MS, DPCC through Incharge, CMC-V.


(Satender Kumar)
SEE CMC-V

1. Member Secretary, DPCC.
2. Incharges /SEEs (CMC I/II/III/IV/V/VI/VII).
3. EEs/AEEs (CMC I/II/III/IV/V/VI/VII).

Copy for information to:

1. PS to Chairman, DPCC, for kind information of Chairman, DPCC please.
2. SEE (WMC-II): to take necessary action w.r.t. decisions taken in the said meeting.
3. SEE (EIA Cell): to take necessary action w.r.t. decisions taken in the said meeting.
- ✓ 4. SEE (IT) Cell: to take immediate necessary action w.r.t. decisions taken in the said minutes and also upload the aforementioned minutes of the meeting of the Committee on the website of DPCC.
5. ALO, Legal Cell: to take necessary action w.r.t. decisions taken in the said meeting.


(Satender Kumar)
SEE CMC-V

Minutes of the 30th Meeting of the Committee for II(b) Category Cases
held on 10.12.2020

Attendance Sheet for meeting on 10.12.2020 is enclosed as Annexure - A.

Following are the minutes of the meeting along with the decisions taken:-

Agenda Item No 1: All Complete Cases of Consent to Establish and Consent to Operate / Renewal upto 09.12.2020.

The cases w.e.f. 03.10.2020 of this agenda were decided online. Apart from these cases, the following two cases were also considered:-

- (i) M/s Infinity Auto, A-123, Phase-II, Mangolpuri Industrial Aea, Delhi-110034 (CTE dated 20.11.2020 vide ID No 5068349 and CTO dated 29.11.2020 vide ID No 5069395) engaged in the activity of Automobile Repair and Servicing (without Washing).
- (ii) M/s Awadeshi Auto Pvt. Ltd., Shed No 1, DSIIDC, Wazirpur Industrial Area, Delhi-110052 (CTE dated 10.11.2020 vide ID No 5025025) engaged in the activity of Automobile Repair and Servicing (without Washing).

Committee decided to review the earlier decisions in these cases and shall be kept in abeyance till the comprehensive opinion from Senior Counsel of DPCC is received.

During the meeting, it was apprised to the Chairman of the Committee that in the meeting of II(a) category Committee headed by Chairman, DPCC in its meeting on 02.12.2020, it was decided to *take a comprehensive fresh opinion from Senior Counsel of DPCC covering all issues of pertaining to Consent to Establish and Consent to Operate applications in view of the order of Hon'ble National Green Tribunal dated 20.03.2020 in O.A. No. 159/2013 in the matter of All India Lokadhikar Sangathan Vs. GNCTD, in respect of Stainless Steel Pickling units i.e. "Till establishment of TSDF and up-gradation of CETP no new industry be permitted in the industrial areas".*

Sh. Pankaj Kapil, SEE, Dr. B.M.S. Reddy, SEE and Sh. Dinesh Jindal, ALO are required to frame detailed questions and seek legally tenable opinion from the senior counsel within 10 days.

In view of the decisions of II(a) category Committee, Chairman of the Committee has taken the following decisions after detailed discussion:-

- (i) Applications for Consent to Establish / Consent to Operate applied before 20.03.2020 shall be considered for appropriate decision as per chronology.
- (ii) Applications for Consent to Establish / Consent to Operate applied on or after 20.03.2020 (for the activity generating hazardous waste / generating trade effluent discharge excluding RESDH Sector) shall be kept in abeyance till the comprehensive opinion from Senior Counsel of DPCC is received.
- (iii) Applications for Consent to Establish / Consent to Operate applied by the units falling under RESDH Sector and air polluting in nature shall be considered for appropriate decision as per chronology.
- (iv) All applications for Consent to Operate (Renewal) shall be considered for issuance of consent based on the merit as per chronology.

The above criteria will be applicable for all such pending cases (generating hazardous waste / generating trade effluent discharge) till further orders.

During the meeting, the following decisions were also taken in the meeting:-

- (i) It was apprised to the Chairman of the Committee that DPCC has authorized two agencies namely M/s Ramky Enviro Engineers Ltd. and M/s Bharat Oil & Waste Management Ltd. having their plants in Uttar Pradesh to collect and transport the incinerable waste i.e. ink / paint / varnish residue etc. and recyclable waste i.e. used oil from the hazardous waste generating units to outside the Delhi till the establishment of TSDF in Delhi. It was also apprised to the Committee that M/s Ramky Enviro Engineering Ltd. is not collecting the said hazardous waste and M/s Bharat Oil & Waste Management Ltd. is taking large sums of amount initially in the name of registration and collection of hazardous waste from the tiny units. This is becoming a burden on the units especially during the ongoing Covid-19 pandemic.

In view of above, Committee has decided to call both the TSDF operators for a meeting with Member Secretary, DPCC to resolve the issue. During the meeting all CMC Incharges shall remain present and SEE, WMC-II will issue a meeting notice in this regard for the meeting during the week 14-18 Dec 2020.

- (ii) It was apprised to the Chairman of the Committee by SEE, IT Cell that number of applications are still pending in MHA portal. During the meeting, officers of CMCs have informed that there are number of problems which are being faced by them and the same needs to be addressed on priority in MHA and OCMMS portals. Committee decided to take a meeting with the officials of IT Cell on 17.12.2020 to resolve all the issues pertain to MHA and OCMMS portals.
- (iii) It was observed that the cases which have already been considered by the Committee are not appearing while the agenda was prepared. Chairman of the Committee decided to get the software amended to remove this anomaly. SEE, IT is required to take up this issue with NIC and get the same resolved on priority.
- (iv) It was apprised to the Chairman of the Committee that there are number of consent applications in which it was decided that consent be granted / rejected subject to the submission of requisite documents / inspection however such cases are still pending. All such pending cases shall be dealt/processed as per the criteria detailed above in view of the order of Hon'ble NGT in OA No. 159/2013 dated 20.3.2020. Further, it was also decided that all such remaining cases shall be placed before the Committee for further appropriate decision as per chronology accordingly.
- (v) It was also apprised to the Chairman of the Committee about the pendency of the II(b) category cases prior to his joining. After detailed discussions, it was decided to put up only complete cases (including inspection findings wherever is applicable as per orders/policies) before the Committee. If any discrepancies found in consent application, the concerned EEs/AEEs of concerned CMCs shall issue the clarification for submission of requisite documents within 03 days. If unit fails to submit the same, Show Cause Notice shall be issued giving 07 days as a final opportunity. Thereafter, case be placed before the Committee for appropriate decision.
- (vi) It is learnt that inspite of decisions taken in the meeting, all the decided cases remains pending. Chairman of the Committee has directed all CMCs engineers to implement the earlier decisions w.r.t. grant of consent on priority.
- (vii) It was apprised to the Chairman of the Committee that some of the units have applied for Consent to Establish / Consent to Operate / Consent to Operate (Renewal) after imposition of Environmental Compensation (EC). Committee deliberated the issue and it was decided that unit shall deposit Environmental

Compensation (EC) and thereafter Consent to Establish / Consent to Operate / Consent to Operate (Renewal) be issued.

- (viii) In case where Consent to Operate (Renewal) has been granted, authorization under HWM Rules be kept in abeyance in view of directions of CPCB in certain types of wastes generated.
- (ix) During the meeting, it was decided to issue registration under Plastic Waste Management Rules, 2016 after issuance of Consent to Operate/Consent to Operate (Renewal) if the documents are found in order.
- (x) It was observed that in most of the cases, checklist was not prepared properly and concerned Cell did not provide its recommendations. Chairman of the Committee directed that the concerned Cell will prepare checklist and give proper recommendations.
- (xi) All CMCs are directed to check each and every documents including required consent fee before issuing the consent to establish and consent to operate.
- (xii) All the decisions taken in the meeting shall be implemented without waiting for the minutes.

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

(Dr. K.S. Jayachandran)
Member Secretary,
DPCC

(Ms. Ajeeta Aggarwal)
SEE, CMC-II

(Dr. BMS Reddy)
SEE, CMC-IV

(Md. Arif)
SEE, III & VII

(P.S. Pankaj)
SEE, CMC-I

(Dr. Anwar Ali Khan)
SEE, CMC-VI

(Satender Kumar)
SEE, CMC-V

(M.S. Rawat)
EE, CMC-V

(Sanjay Vatts)
EE, CMC-VI

(Dr. S Gautam)
EE, CMC-I

(Amit Chaudhary)
EE, CMC-III

(Sunil Kumar)
EE, CMC-IV

(V.K. Jain)
EE, CMC-V

(K. Kumar)
EE, CMC-VII

(M.I. Siddiqui)
AEE, CMC-I