

65th Meeting of the Committee for II (b) Category Cases was held on 19.04.2024 under the Chairmanship of Member Secretary, DPCC.

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Following decisions were taken:-

Agenda Item No 1: Decisions on all complete pending cases (as of 19.04.2024)

The cases on this agenda were discussed and decided online.

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

- i. In the meeting, all complete pending cases were taken up. The list of the cases considered in today's meeting is as follows:-

Sr. No	Particulars	Number
1	Consent to Establish/ Operate/Operate (Renewal/Fresh) granted.	42
2	Consent to Establish/ Operate/Operate (Renewal/Fresh) refused/rejected / infructuous as the unit has not submitted the requisite documents within the stipulated time.	18
3	Applications for Consent to Establish/ Operate/Operate (Renewal) are kept in abeyance due to water polluting/returned to the concern Cell for lacking facts/recommendations etc.	4
Total		64

- ii. MS, DPCC directed that cases once decided by this committee II (b) should not kept pending with cells. The cell-wise no. or application which were decided in previous meetings but were not disposed till date is presented below-

Sr. No.	Name of the Cell	No. of application
1	CMC-I	0
2	CMC-II	0
3	CMC-III	0
4	CMC-IV	3
5	CMC-V	1
6	CMC-VI	0
7	CMC-VII	0
8	EIA	0

- iii. Cell-wise consent applications which were kept in abeyance (w.r.t Redevelopment areas water polluting unit in respect of NGT order/Hall Marking cases till date 18.04.2024).

S. No.	Concerned cell	No. of Applications
1.	CMC-I	40
2.	CMC-II	129
3.	CMC-III	26
4.	CMC-IV	0
5.	CMC-V	111
6.	CMC-VI	92
7.	CMC-VII	08(Redevelopment Area) + 76(Hallmarking) = 84
8.	EIA	0

- iv. Pendency of Eligible 2(b) category cases (except redevelopment/water polluting unit/Hall Marking cases till 18.04.2024)

Sr. No.	Concerned cell	Untouched application	Clarification Raised	Total
1.	CMC-I	0	2	2
2.	CMC-II	0	3	3
3.	CMC-III	0	34	34
4.	CMC-IV	0	1	1
5.	CMC-V	3	14	17
6.	CMC-VI	0	5	5
7.	CMC-VII	3	23	26
8.	EIA	0	0	0

- iv. In 30th meeting of the committee II(a) category cases headed by Chairman, DPCC held on 14.12.2023, it was decided *that in compliance to the order of NGT in OA No. 159/2013 titled as "All India Lokadhikar Sangathan Vs. GNCTD passed on 20.03.2020, the CTE and CTO filled by the new units water polluting, which are not covered in DPCC office order dated 13.07.2023 may be refused.*

- v. In order to bring uniformity in action in all the cells, it is decided that CTE/CTO of all water polluting units, covered under point (iv) above, pending at II(b) level may be refused by CMC Incharges immediately. However, CTE/CTO of essential services in Delhi like service stations, food processing (except meat processing) may be kept in abeyance till final policy decision on such type of cases is taken. This is in view of Chairman, DPCC observation in File No. DPCC/(10)/(03)/(2)/L.

- vi. Incharges shall ensure that only complete applications are brought to the II(b) Committee. In cases where clarification have been raised twice, seeking required documents, and if the unit fails to submit, the application should be refused at the level of CMC incharge, without bringing it to II(b) Committee to avoid delay. In the present meeting, the same was reiterated as some Cell in-charges have brought such refusal cases to the meeting.

vii. Consent to Operate in case of the units not covered under pt. (iv) above, shall be placed before II(b) Committee only after the unit has applied for Authorization under HWM and has signed an agreement with the TSDF Operator. In case the unit fails to submit the Authorization application/ TSDF agreement even after raising clarification twice, the application for CTO also shall be placed before the Committee for refusal.

viii. In case of hazardous waste generating units, wherever Consent to Operate has been refused, Authorisation under HWM Rules also to be refused.

ix. Number of applications for authorisation under HWM Rules are pending as the same were kept in abeyance in view of the order of Hon'ble NGT in OA No 159/2013. As the TSDF has come up in Delhi at Bawana, authorisations are being issued. If the unit has submitted the complete application along with the copy of the agreement with TSDF Operator and the CTO has been issued/ valid, the authorisation shall be issued.

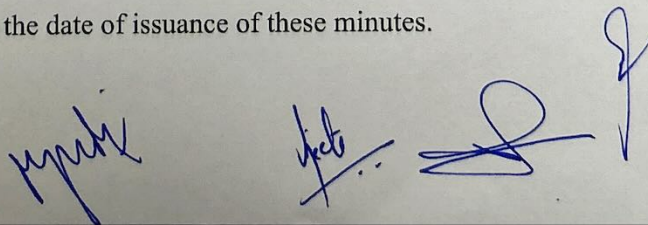
If the unit fails to submit the agreement and the requisite documents even after raising clarification on two occasions, authorisation be refused at the level of Branch Incharge without bringing before II(b) Committee. In such cases, the unit may be issued SCN for refusal of CTO (if already issued) and the case may be put up before the Committee with clear recommendations.

x. The cases of RESDH sector (MHA portal cases) had been decided in II(b) Committee. Previously, the powers to decide these cases was delegated to the SEE/ In-charge of the Cell, being time bound cases. However, in view of the recent remarks of the Chairman, DPCC on a file barring two in-charges to deal with hospitality sector, it is decided to delegate the powers further to the EE in the Cell(s) in such situation. In case only JEEs are there below the cell incharge, in that case the cases may be placed before II(b) Committee for decision. After the decision has been taken by the Committee, the consent shall be signed by the Cell incharge.

xi. The Committee has not taken up the cases of those units which were operating in redevelopment areas as per the decision taken in previous meetings. These cases may be kept in abeyance till final decision of Industries Department regarding allowing new units in redevelopment areas is obtained.

xii. All CMCs are directed to re-check each and every document including required consent fee before issuing the Consent to Establish /Consent to Operate/Consent to Operate (Renewal).

Note:- All CMCs Incharges to ensure that decisions of the Committee are conveyed/consent granted/refused to the unit within 03 days from the date of issuance of these minutes.



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



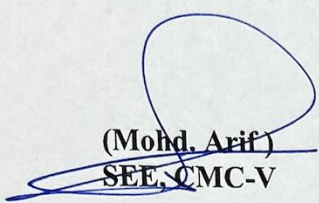
(Dr. K.S. Jayaehandran)
Member Secretary,
DPCC

(Sh. Pankaj Kapil)
Addl. Director
CMC-I, II, IV



(Ajeeta Agrawal)
Addl. Director,
CMC III, VI, VII

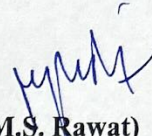
(Dr. BMS Reddy)
SEE, CMC- II



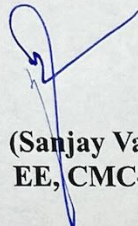
(Mohd. Arif)
SEE, CMC-V

(P.S Pankaj)
SEE, CMC-VII

(Satender Kumar)
SEE, CMC-III



(M.S. Rawat)
SEE, CMC-I



(Sanjay Vatts)
EE, CMC-IV

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