

67th Meeting of the Committee for II (b) Category Cases was held on 13.05.2024 under the Chairmanship of Member Secretary, DPCC.

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The following decisions were taken:-

**Agenda Item No 1: Decisions on all complete pending cases (as of 13.05.2024)**

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 the meeting is as follows:-

| S. No | Particulars                                                                                                                                                                      | No. of cases |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 1     | Consent to Establish/ Operate/Operate (Renewal/Fresh) granted.                                                                                                                   | 37           |
| 2     | Consent to Establish/Operate (Renewal/Fresh) refused/rejected / infructuous as the unit has not submitted the requisite documents within the stipulated time.                    | 5            |
| 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. | 0            |
| Total |                                                                                                                                                                                  | 42           |

- ii. MS, DPCC directed that cases once decided by this committee II (b) should not kept pending with cells. The cell-wise no. of applications that were decided in previous meetings but were not issued till date as submitted by cell-in-charges is presented below-

| Sr. No. | Name of the Cell | No. of application |
|---------|------------------|--------------------|
| 1.      | CMC-I            | 0                  |
| 2.      | CMC-II           | 1                  |
| 3.      | CMC-III          | 0                  |
| 4.      | CMC-IV           | 0                  |
| 5.      | CMC-V            | 0                  |
| 6.      | CMC-VI           | 0                  |
| 7.      | CMC-VII          | 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 24.05.2024) as submitted by cell-in-charges is as follows:

| Sr. No. | Concerned Cell | No of Applications                                                                 |                |                    |                                                                                      |       |
|---------|----------------|------------------------------------------------------------------------------------|----------------|--------------------|--------------------------------------------------------------------------------------|-------|
|         |                | NGT Order                                                                          | Hallmark Cases | Redevelopment Area | Others                                                                               | Total |
| 1.      | CMC-I          | 21                                                                                 | 9              | 13                 | 0                                                                                    | 43    |
| 2.      | CMC-II         | 57                                                                                 | 16             | 65                 | 23                                                                                   | 161   |
| 3.      | CMC-III        | 20 (Pending due to Water Polluting activity and unit has applied after 20.03.2020) | 2              | 7                  | 19 ( Pending due to EDC)                                                             | 48    |
| 4.      | CMC-IV         | 29                                                                                 | 1              | 0                  | 14 (07 green + 07 red (06-consent for 6 months granted and 1 to be made infructuous) | 44    |
| 5.      | CMC-V          | 90                                                                                 | 0              | 18                 | 49                                                                                   | 157   |
| 6.      | CMC-VI         | 20                                                                                 | 0              | 51                 | 0                                                                                    | 71    |
| 7.      | CMC-VII        | 0                                                                                  | 93             | 9                  | 4 (Railway Station)                                                                  | 106   |
| 8.      | EIA            | 0                                                                                  | 0              | 0                  | 0                                                                                    | 0     |
| Total   |                | 237                                                                                | 121            | 163                | 109                                                                                  | 630   |

Policy issues related to Redevelopment, water polluting units in respect of NGT order and hall marking cases shall be expedited by cell-in-charges of CMC-VI and CMC-VII respectively. With regard to water polluting units in respect of NGT order, Bakery & Service stations may be proposed to be exempted from the Hon'ble NGT order on the same lines of RESDH sector. For hall-marking cases the Hon'ble court may be appraised about DPCC's stand in non-confirming areas, while consents may be given in industrial areas. Files in this regard shall be moved by CMC-VI and CMC-III for approval of competent authority.

- iv. Pendency of Eligible 2(b) category cases (except wrt redevelopment areas/ water polluting units in service sector and food items /Hall Marking cases) till 13.05.2024 as submitted by cell- in-charges is as follows:

| S. No. | Concerned cell | Untouched application | Clarification Raised | Total |
|--------|----------------|-----------------------|----------------------|-------|
| 1.     | CMC-I          | 0                     | 2                    | 2     |
| 2.     | CMC-II         | 0                     | 6                    | 6     |
| 3.     | CMC-III        | 0                     | 3                    | 22*   |
| 4.     | CMC-IV         | 0                     | 1                    | 1     |
| 5.     | CMC-V          | 0                     | 12                   | 12    |
| 6.     | CMC-VI         | 0                     | 5                    | 5     |
| 7.     | CMC-VII        | 10                    | 17                   | 27    |
| 8.     | EIA            | 0                     | 2                    | 2     |

\*(Out of 22 cases 19 are pending due to SCN/for directions of imposition of EDC issued to these units). Concerned cell-incharges were directed to expedite and clear the pendency.

- v. In the 30th meeting of the committee II(a) category cases headed by the Chairman, DPCC held on 14.12.2023, it was decided *that in compliance with the order of NGT in OA No. 159/2013 titled "All India Lokadhikar Sangathan Vs. GNCTD passed on 20.03.2020, and 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.*
- vi. In order to bring uniformity in action in all the cells, it is decided that the CTE/CTO of all water polluting units pending at II(b) level may be refused by CMC Incharges immediately. However, CTE/CTO of essential services in Delhi like service stations and food processing (except meat processing) may be kept in abeyance till a final policy decision on such type of cases is taken. This is in view of the Chairman, DPCC observation in File No. DPCC/(10)/(03)/(2)/L. This policy shall be expedited by AD CMC- VI.
- vii. Incharges shall ensure that only complete applications are brought to the II(b) Committee. In cases where clarification has 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.

viii. Consent to Operate in case of the units mentioned at pt. (v) 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,

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

x. The Hon'ble National Green Tribunal in OA No. 159/2013 titled as "All India Lokadhikar Sangathan vs GNCTD" on 20.03.2020 has directed DPCC that till the establishment of TSDF and upgradation of CETP no new water polluting and hazardous waste generating industry should be permitted in industrial areas in the absence of TSDF in NCT of Delhi. DPCC in compliance to the NGT order has not been issuing consent to Industries generating hazardous waste and water polluting units where issue of CETP upgradation was involved. After the commissioning of TSDF in Delhi it was decided that non-water polluting units which are generating hazardous waste may be considered to operate in all approved industrial areas due to lesser pollution potential involved subject to the condition that these units shall have a valid agreement with TSDF for treatment of hazardous waste. An office order dated 13.07.2023 has been issued on this account.

xi. If the unit fails to submit the agreement and the requisite documents even after raising clarification on two occasions, authorization be refused at the level of Branch Incharge without bringing before II(b) Committee.

xii. 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. However, it was decided that the total no. of such cases be bifurcated into polluting and non-polluting categories, and the former be given a time to shift to other activities while the latter may be proposed to be given permission.

xiii. 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. Jayachandran)  
Member Secretary,  
DPCC



(Sh. Pankaj Kapil)  
Addl. Director



(Ajeeta Agrawal)  
Addl. Director



(Dr. BMS Reddy)  
SEE, CMC- II



(Mohd. Arif)  
SEE, CMC-V



(P.S. Panka)  
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