

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/28th Meeting /2020/18260-264 Dated: 05/10/2020

Subject: Minutes of the 28th 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 **03.10.2020** in the conference room of DPCC, 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006.

Please find enclosed herewith the Minutes of the **28th Meeting** of the aforementioned Committee, held on **03.10.2020** in the conference room of DPCC, 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006.

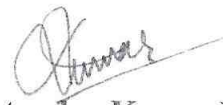
All concerned are required to take necessary action as per the decisions taken by the Committee and submit the compliance report to MS, DPCC through Incharge, CMC-V.


(Satender Kumar)
SEE CMC-V

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

Copy for information to:

1. PS to Chairman, DPCC, for kind information of Chairman, DPCC please.
- ✓ 2. 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.


(Satender Kumar)
SEE CMC-V


09/10/2020

SEE-IT

Minutes of the 28th Meeting of the Committee for II(b) Category Cases

held on 03.10.2020

Attendance Sheet for meeting on 03.10.2020 is enclosed as Annexure - A.

Following are the Minutes of the Meetings:-

Agenda Item No 1: All Pending cases of Consent to Establish and Consent to Operate / Renewal upto 02.10.2020.

The cases of this agenda were decided online. During the meeting, it was observed that some of the cases were not reflected in the agenda. The Committee arrived at the following criteria listed in the table below to be applied in all the pending cases received till 02.10.2020.

Sl. No	Consent to Establish / Consent to Operate/ Consent to Operate (Renewal)			Decision on 03.10.2020
1	(a) Consent to Establish	Non Hazardous Waste Generating Units	Documents including fee found in order	Consent to Establish is granted.
			Documents including fee not found in order	Ask the unit to submit requisite documents within 15 days by raising clarification online. If unit submits the requisite documents and is complying with the norms, Consent to Establish be granted. If unit does not submit the requisite documents, Consent to Establish be refused.

	(b) Consent to Establish applied before 20.03.2020	Hazardous Waste Generating Units (Incinerable / Recyclable / Land fillable)	Documents including fee found in order	Consent to Establish is granted with the condition that (a) Unit shall make an agreement with agencies authorized by DPCC for the incinerable / recyclable hazardous waste. (b) Unit shall properly store hazardous waste i.e. ETP Sludge (Land fillable) in the premises as per HWM Rules, 2016 and also comply with the outcome of the opinion of DPCC counsel.
			Documents including fee not found in order	Ask the unit to submit requisite documents within 15 days by raising clarification online. If unit submits the requisite documents and is complying with the norms, Consent to Establish be granted with the condition that (a) Unit shall make an agreement with agencies authorized by DPCC for the incinerable / recyclable hazardous waste (b) Unit shall properly store hazardous waste i.e. ETP Sludge (Land fillable) in the premises as per HWM Rules, 2016 and also comply with the outcome of the opinion of DPCC counsel. If unit does not submit the requisite documents, Consent to Establish be refused.
	(c) Consent to Establish applied on or after 20.03.2020	Hazardous Waste Generating Units (Incinerable / Recyclable / Land fillable)	Documents including fee found in order	Hazardous Waste Generating (Incinerable / Recyclable) Units Consent to Establish is granted with the condition that unit shall make an agreement with the agencies authorized by DPCC for incinerable / recyclable hazardous waste. Hazardous Waste Generating (Land fillable) Units Issue show cause notice for refusal of consent and show cause notice for closure of the unit as no new hazardous waste generating (Land fillable) will be

				permitted till establishment of TSDF as per Hon'ble NGT order dated 20.03.2020.
			Documents including fee not found in order	Hazardous Waste Generating (Incinerable / Recyclable) Units Ask the unit to submit requisite documents within 15 days by raising clarification online. If unit submits the requisite documents and is complying with the norms, Consent to Establish be granted with the condition that unit shall make an agreement with the agencies authorized by DPCC for incinerable / recyclable hazardous waste. If unit does not submit the requisite documents, Consent to Establish be refused. Hazardous Waste Generating (Land fillable) Units Issue show cause notice for refusal of consent and show cause notice for closure of the unit as no new hazardous waste generating (Land fillable) will be permitted till establishment of TSDF as per Hon'ble NGT order dated 20.03.2020. In case, unit has applied for Consent to Establish mentioning date of commencement on or before 20.03.2020, issue show cause notice for refusal of consent(s) and show cause notice for closure of the unit seeking documentary evidence w.r.t. date of commencement / existence of the unit on or before 20.03.2020, If unit submits the same and found satisfactory, Consent to Establish be issued. If unit does not submit the same, Consent to Establish and consent to operate (if applied) be refused and directions for closure be issued.

2	(a) Consent to Operate	Non Hazardous Waste Generating Units	Documents including fee found in order	Consent to Operate is granted.
			Documents including fee not found in order	Ask the unit to submit requisite documents within 15 days by way of raising clarification online. If unit submits the requisite documents and is complying with the norms, Consent to Operate be granted. If unit does not submit the requisite documents, Consent to Operate be refused.
	(b) Consent to Operate (where Consent to Establish is applied before 20.03.2020)	Hazardous Waste Generating Units (Incinerable / Recyclable / Land fillable)	Documents including fee / Inspection findings found in order	Consent to Operate is granted subject to the condition that (a) Unit shall submit an agreement with the agencies authorized by DPCC and hand over incinerable / recyclable hazardous waste to them. (b) Unit shall properly store hazardous waste i.e. ETP Sludge (Land fillable) in the premises as per HWM Rules, 2016 and also comply with the outcome of the opinion of DPCC counsel.
			Documents including fee / inspection findings not found in order	Ask the unit to submit requisite documents including an agreement with the agencies authorized by DPCC for incinerable / recyclable hazardous waste within 15 days by raising clarification online. If unit submits the requisite documents / findings of inspection is found in order and is complying with the norms, Consent to Operate be granted with the condition that (a) Unit shall hand over incinerable / recyclable waste to authorized agencies of DPCC. (b) Unit shall properly store hazardous waste i.e. ETP Sludge (Land fillable) in the premises as per HWM Rules, 2016 and also comply with the outcome of the

All CMCs/EIA Cell are required to comply with the above said criteria / guidelines in all pending cases (including cases where decisions were taken individually) and dispose all the consent applications (old software as well as new software upto 02.10.2020) by 31.10.2020 and submit a compliance report to MS, DPCC through Incharge, CMC-V positively.

During the meeting, it was observed that the decisions of the committee specially granting of consent have not been implemented by the CMCs. Chairman of the Committee has taken a serious view and directed all the CMCs to implement the decisions in time bound manner, failing which, necessary action will be initiated against the concerned officer.

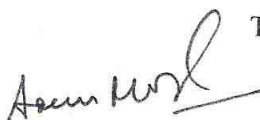
During the meeting, following general decisions were taken:-

- (i) Chairman of the Committee has decided that for the cases who have applied for Consent to Establish/Operate/Renewal on MHA portal, and found the application complete in all respect, Consent to Establish/Operate/Renewal be granted. Further, in case of incomplete documents, unit be asked to submit the requisite documents within 72 hours and if unit submits the same and found satisfactory, Consent to Establish/Operate/Renewal be granted. In case, unit fails to submit the same, Consent to Establish/Operate/Renewal be refused without any further approval. This decision be followed in all such cases in future.
- (ii) It was apprised to 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.
- (iii) It was observed that there is ambiguity to obtain MCD/Delhi Police/Fire licenses for considering the cases fall under RESDH Sector. To maintain the uniformity, Chairman of the Committee has decided to grant consent to establish and consent to operate and renewal without obtaining MCD/Delhi Police/Fire licenses however the consent to operate will be granted with the condition that unit shall submit valid MCD/Delhi Police/Fire licenses within 03 months from the date of issuance of consent. In case, unit fails to submit the same, consent to operate will be revoked automatically.
- (iv) It was decided by the Committee that in case of incomplete application, concerned Cell shall raise a clarification to the unit giving 07 days time and if unit has failed to

submit / upload its reply in response to clarification raised by DPCC within stipulated period. Incharge of concerned cell shall issue show cause notice for refusal of consent immediately by giving 15 days time without prior permission of the Committee.

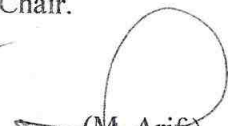
- (v) It was observed that there was no provision in the new online software of DPCC developed by NIC to take print out the agenda and minutes of the meeting. IT Cell was directed to make a provision to obtain print out the agenda and minutes of the Committee. It was also observed that new online software developed by NIC is lacking in respect of many fields and thus many difficulties are being faced by CMC officials in deciding the cases and the same were apprised to the representative of NIC during meeting and asked to rectify on urgent basis. IT Cell to take up the matter on priority.
- (vi) In case where Consent to Operate / Consent to Operate (Renewal) has granted, authorization under HWM Rules be kept in abeyance in view of directions of CPCB.
- (vii) It was observed that in most of the cases, checklist was not prepared properly and concerned Cell did not provide its recommendations. Hence, it was directed by Chairman of the Committee that the concerned Cell will prepare checklist and give proper recommendations.
- (viii) All CMCs are directed to check each and every documents including required consent fee before issuing the consent to establish and consent to operate.

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

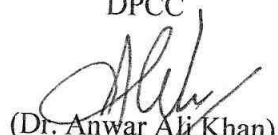

(Arun Mishra)
Member Secretary,
DPCC


(Pankaj Kapil)
SEE, EIA Cell


(Dr. BMS Reddy)
SEE, CMC- IV


(M. Arif)
SEE, CMC- II,
III & VII


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

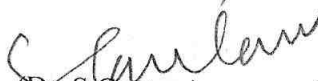

(Dr. Anwar Ali Khan)
SEE, CMC-VI


(Satender Kumar)
SEE, CMC-V


(N.K. Joshi)
EE, CMC-II


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


(Sanjay Vatts)
EE, CMC-VI

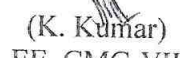

(Dr. S Gautam)
EE, CMC- I


(Amit Chaudhary)
EE, CMC-III


(S.K. Goyal)
EE, EIA Cell


(Sunil Kumar)
EE, CMC-IV


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


(K. Kumar)
EE, CMC-VII