

Minutes of the 26th meeting of the Committee Constituted for Deciding the Consent under Orange Category, held on 24.10.2007 in the Conference Room of Chairman, DPCC.

The following persons, attended the meeting on 24.10.2007:

1. Sh. J. K Dadoo, Chairman DPCC
2. Sh. K. Mahesh, Member Secretary, DPCC
3. Sh. S.K.Gupta ,Head Chemical Engineering Deptt.,IIT Delhi
4. Sh. B. Kumar, SEE, DPCC
5. Sh. M. Dwarakanath, SSO, Deptt of Env., GNCTD
6. EEs CMC – I, II & III.
7. EE (PGRC)
8. EE (Planning)
9. AEE / ALO-I (Legal)
10. AEEs and JEE of CMC – I, II & III.
11. AEEs of PGRC

26th meeting of the Committee constituted for deciding the Consent (under orange Category) was held on 24.10.2007 and following decisions were taken in the meeting:

Agenda Item No. 1 - Toxicity in toys

The agenda note on toxicity of toys was discussed in the committee. A letter may be written to Addl. Secy. (Min. of Health), GOI, and Chairman, CPCB requesting them to set the guidelines for toxicity in toys. This will ensure that DPCC has acted pro-actively after press reports have confirmed toxicity in toys recently.

Separately the agenda note may also be sent to Pr. Sec. (Health), GNCTD to seek his advice, whether their Department can assist us in setting standards for toxicity in 155 toys manufacturers and dealer including importers.

A public notice may also be issued in the national press asking all toy manufacturers who use any Hazardous chemical(s) in the manufacturing of toys to seek consent from DPCC and authorization under HWM Rules. This matter will be taken in CMC in December, 07.

Agenda Item No. 2 - Court Cases

Six cases of Hon'ble High Court and one case of lower Court have been discussed and decided. Decisions taken are annexed as **Annexure – I**.

Agenda Item No. 3 - VIP Reference cases.

Eight cases were discussed and decided. Decisions taken are annexed as **Annexure – II**.

Agenda Item No. 4 – CBI reference cases.

13 cases were discussed and decided. Decisions taken are annexed as **Annexure – III**.

Agenda Item No. 5 - Review of ATR of decisions taken in the meeting dated 18.07.07.

Due to paucity of time, the agenda could not be discussed and it was decided to take up the same on 16.11.2007.

Agenda Item No. 6 - Review of ATR of decisions taken in the meeting dated 19.07.07.

Due to want of time, the agenda could not be discussed and it was decided to take up the same on 20.11.2007.

Agenda Item No. 7 - Review of ATR of decisions taken in the meeting dated 20.08.07.

Due to non availability of time, the agenda could not be discussed and it was decided to take up the same on 20.11.2007.

Agenda Item No. 8 - Review of ATR of decisions taken in the meeting dated 21.08.07.

Due to paucity of time, the agenda could not be discussed and it was decided to take up the same on 16.11.2007.

Agenda Item No. 9 - Categorization of activity of mfg of glue as per MPD 2021.

Committee accepts the recommendation of Planning Cell, along with installation of ETP.

Agenda Item No. 10 – Consent to establish cases of Okhla Industrial Area.
Committee has decided to take up the agenda on 20.11.07

Agenda Item No. 11 – Cases of Okhla Ind Area, wherein inspections were carried out by Sh. B. Kumar, SEE

It was decided to take up the said agenda on 16.11.07.

Meeting ended with thanks to the Chair.

S. No	Name of Industry	Address	Activity	Decision taken in the meeting on 31.05.2007	Action taken w.r.t Meeting on 31.05.07	Decision taken in meeting on 28.6.07	Action Taken Report w.r.t Meeting on 28.06.07	Decision	ATR FOR 20.8.2007	DECISION OF 20.8.2007	ATR FOR 27.9.2007	DECISION ON 27.9.07	ATR	DECISION ON 24.10.07
1	M/s New O.K. Electroplating,	K-31/S-1, Anand Parbat Industrial Area Delhi	Zn Plating (with Cr. passivation)	Authorisation under HWM Rules refused and Consent under Air & Water Act revoked. Directions u/s 33 (A) of Water Act [read with Rule 34(6) of Water Rules] and u/s 5 of EP Act [read with EP Rules 4(5)] for closure of the aforementioned unit and for disconn	Authorization refused and consent revoked. Directions issued u/s 33(A) of Water Act and u/s 5 of EP Act as decided by the Committee. Compliance report received from BSES. Represented for revocation and restoring the electricity supply & water supply as we	Representation of the unit rejected. Since the unit appears to be wilful offender, orders confirmed.	Letter issued on 4.7.07 Submitted representation dt 4.7.07. Wants to close down the Electro Plating activity. Requested for revocation of directions issued by DPCC.	Let the unit confirm its intention by taking appropriate action and file an affidavit to this effect.	Letter issued. Applied for consent to establish under green category.	Inspection be done by the same team, which carried earlier. Place the case in next CMC meeting on 18.9.07	Inspected	New OK electroplating has stopped his electroplating activity another unit M/s Sarla Engg. Works was found operating involved in cutting of steel sheets. Power connection found intact. Ask for compliance report for power disconnection both for this unit and for the substitute unit in whatever it may be.	Letter issued.	Take up on 20.11.07.
2	M/s Alipur Pipe & Steel Tubing Industries (P) Ltd.,	M- 6, Phase I, Badli Industrial Area, Delhi – 42.	Manufacturing of Copper sheets involving pickling.	Show Cause Notice for refusal of Authorisation under HWM Rules and for Consent under Air & Water Act. Show Cause Notice u/s 31 (A) of Air Act, u/s 33 (A)	SCN for refusal of Authorization and for refusal of consent issued. SCN u/s 31(A) of Air Act, u/s 33(A) of Water Act and u/s 5 of EP Act as decided by the	Firm claims that he can produce the production figures to justify his reply. Committee felt that the unit be informed to file an affidavit regarding correction /rectification of the deficiencies	As decided letter issued on 29.06.07 & delivered by hand on 30.06.07. Unit has submitted Bank Guarantee of Rs.1.50 Lacs(3 x 50,000 each) and affidavit alongwith production record	Unit submitted bank guarantee. Unit be asked to provide production figures and supporting documents as stated in the earlier submitted	Letter issued. Unit submitted details of production figures and other documents.	Inspection be done by the same team, which carried earlier. Place the case in next CMC meeting on 18.9.07	Inspected	While he has corrected his deficiencies accordng to latest inspection reports. His documents of production may be analysed to confirm his	Documents submitted by the unit verified.	Analysis be done on file. Case to be decided on 20.11.07.

				of the Water Act and u/s 5 of EP Act as to why unit should not be closed and electricity & water sup	Committee issued. Reply / Representation received w.r.t said notices and informed regarding rectifi	found during the inspection ,along with production records	of the unit.	represenattion by the unit.				claims. Put up in next month CMC.		
3	M/s Rakhi Export,	S- 76, Phase I, Badli Industrial Area, Delhi – 42.	Fabrication of M.S. engineering goods (involving cutting, shearing and welding)	Show Cause Notice for revocation of consent since no stack provided for DG Set.	SCN for revocation of consent issued. Reply to the notice received.	Since the firm has submitted photograph showing the correction of deficiencies, the committee felt that unit may be asked to submit an affidavit in this regard and unit shall also submit Bank Gaurantee of Rs. 50,000 w.r.t D.G set norms compliance. Unit be	As decided letter issued on 29.06.07. Unit has submitted Bank Guarantee of Rs, One Lacs on 05.07.07 valid upto 04.01.08 & an affidavit on 06.07.07 as sought.	Inspection by the earlier inspected team for verification of stack height.	Ispection to be carried out by same team.	Await for formal report of the inspecting team and put up this case in CMC meeting on 18.9.07		Put up in next CMC with all their applications and documents.	***	No action pending.
4	M/s Ideal Udyog,	Plot No. 102, Phase II, Badli Industrial Area, Delhi – 42.	Manufacturing of Cu and brass sheets/ circles involving annealing and pickling.	Authorisation under HWM Rules and Consent under Air & Water Act refused. Directions u/s 33 (A) of Water Act [read with Rule 34(6) of Water Rules] and u/s 5 of EP Act [read with EP Rules 4(5)] for closure of the	Authorization and consent refused. Directions issued u/s 33(A) of Water Act and u/s 5 of EP Act as decided by the Committee. Stay granted up to 02.07.2007 for filing appeal before the appellate	Legal Cell had informed that the firm had gone to Hon'ble High Court and the Court disposed of the case and allowed the firm time upto 02.07.07 to file appeal before Appellate Authority. In view of above, the Committee felt that the order	Letter issued to the unit on 29.06.07.Appellate Authority (MOEF) has not heard the matter so far.The unit had again gone to the Hon'ble High Court however case was dismissed and no further relief given by the Court to the unit. Appeal filed before	Unit was inspected by the team which have inspected earlier, on 12.7.07 and inspection report taken on record by the committee. Appellate Authority under Water Act has given	File sent to legal cell for obtaining view of standing Govt. counsel and to prepare reply for AA.	After taking view of standing counsel and affidavit as sought vide letter issued on 20.8.07, put up the case in CMC meeting on 18.9.07.	Order of Appellate Authority (Air Act) received. Order of Appellate Authority (Water) awaited.	Put up in next CMC with the Appellate Authority orders.	Appellate Authority has noted issued orders.	Wait for orders of the Appellate Authority.

				aforementioned unit and for disconnection of	authority. Appeal filed by the unit before appellate authority	of Appellate Authority	AA u	stay till 24.8.07. Appeal under Air act by MOEF is pending. DPCC may take view of						
5	M/s C.V. Mathur & M. K. Unithan/ Swastic Aluminum,	Plot No. 103, Phase II, Badli Industrial Area, Delhi – 42.	Manufacturing of aluminum sheets and circles.	Show Cause Notice for refusal of Authorisation under HWM Rules and for Consent under Air & Water Act. Show Cause Notice u/s 31 (A) of Air Act and u/s 5 of EP Act as to why unit should not be closed and electricity & water supply should not be disconnect	SCN for refusal of Authorization and for refusal of consent issued. SCN u/s 31(A) of Air Act, and u/s 5 of EP Act as decided by the Committee issued. Reply / Representation received w.r.t said notices and informed regarding rectification of deficiency	The firm has filed a letter saying he has corrected the deficiencies. The case is of the mfg of aluminium sheets & circle mfg. The unit may be asked to file affidavit and Bank Guarantee of Rs.50,000 each under Air Act & HW Rules within 7 days. It he submit	As decided letter issued on 29.06.07 & delivered by hand on 30.06.07. Unit has submitted Bank Guarantee of Ea.One Lacs (2 x50,000 each) and affidavit on 04.07.07 as sought.	Unit was inspected by the same team on 12.7.07 and report of the team considered by the committee. Let the unit submit the documentary proof with in 15 days w.r.t deficiencies corrected.	Letter issued. Unit submitted affidavit and photo graphs.	Surprise inspection by the same team which inspected earlier this unit and put up the case in CMC meeting on 18.9.07.	Inspected	Put up in next CMC for want of time.	***	Ask him to apply for consent to establish.
6	M/s Maruti Industries,	Plot No. 83, Phase II, Badli Industrial Area, Delhi – 42.	Pickling of SS sheets	No action required at this point of time. Consent and authorization be decided on merit.	Case was put up before the committee constituted for Badli Industrial Area in its meeting held on 04.06.07 and the said committee has recommended for revocation of Directions	No action at this point of time. Consent & Authorization application to be decided on merit in chronology.	***	Same as on 28.6.2007.	***	Same as decided on 28.6.07. Ask for apply for consent to establish under Air & water Acts.	Letter issued.	Not applied for consent to establish. Put up in next CMC. Applied for consent to establish on 14.9.07 with ID No. 13497	Application for consent to establish is to be decided.	Call such cases next month on 20.11.07.

					u/s 33 (A) of Water Act & u/s 31(A) of Air Act issued on 29.05.2006 & file is									
7	M/s Powercon Industries,	Plot No. 45, Phase II, Badli Industrial Area, Delhi – 42.	Annealing, re-rolling and pickling of SS sheets.	Directions u/s 33 (A) of Water Act & u/s 31(A) of Air Act issued on 29.05.2006 be enforced for closure of the aforementioned unit and for disconnection of electricity & water supply to the aforementioned units by the concerned agencies.	Letter issued for reinforcement of directions u/s 33 (A) of Water Act & u/s 31(A) of Air Act issued on 29.05.2006. Stay granted by the Hon'ble High Court. Next date of hearing is on 04.07.2007.	This firm has gone to Hon'ble High Court of Delhi which has granted stay upto 4th July 2007. Counter affidavit may be filed clearly mentioning the findings/ recommendations of Prof. Shree. Krishnan Committee, findings of team of Shri Dwarkanath & Smt. A	Counter Affidavit filed. Unit submitted Consent Application and Bank Gaurantee as asked by the Committee for Badli Indl. Area. Case was heard on 04.07.07 and next date of hearing is on 25.07.07.	Certified copy of Court order is not available on the record. Let ALO file/obtain the certified copy of the court order and case be placed in next CMC meeting on 18.7.2007.	As per High Court order dated 25.7.07, case is to be decided with in 6 weeks.	Unit be asked to apply for consent to establish within 15 days. Vedio filming of the unit's ETP, ECS to be done by the same team which inspected the unit earlier on 24.5.07 and to be screened/placed before the CMC in the meeting on 18.9.07. Use of water b	Letter Issued . And videography along with inspection has been done	Video graphy to be seen by Prof. Gupta, after reference of reasons of videography are given to him. Take up in next CMC.	CD was supplied to Prof. SK Gupta, IIT, Delhi in one of the CMC meetings.	Call such cases next month on 20.11.07.

8	M/s Jwell Electroplating,	K-31-5, Anand Parbat Industrial Area Delhi	Ni Plating (with Cr. dip) with buffing (1 machine)	Consent under Air & Water Act and Authorisation under HWM Rules refused. Directions u/s 33 (A) of Water Act [read with Rule 34(6) of Water	Authorization refused and consent refused. Directions issued u/s 33(A) of Water Act, u/s 31 (A) of Air Act and u/s 5 of EP Act as decided by the Committee. Compliance report received from BSES. Represented for revocation of closure directions	The firm has given no grounds why the order of Committee should be revoked. Therefore compliance report be taken from DJB and the order of	Letter issued on 4.7.07 Submitted representation dt 4.7.07. Wants to close down the Electro Plating activity. Requested for revocation of directions issued by DPCC.	Let the unit confirm its intention by taking appropriate action and file an affidavit to this effect.	Letter issued. Applied for consent to establish under green category.	Inspection be done by the same team, which carried earlier. Place the case in next CMC meeting on 18.9.07	Inspected	Inspection report indicates that unit has stopped the activity machinery of electroplating and buffing found removed and premises is empty. Therefore no action pending with this orange CMC.	No action pending.	No action pending.
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9	M/s Asrani Steel Industries,	A-4, Wazirpur Industrial Area	Pickling, Annealing, Re-rolling, Circle Cutting	Show Cause Notice for refusal of Authorisation under HWM Rules and for Consent under Air & Water Act. Show Cause Notice u/s 31(A) of Air Act, u/s 33(A) of Water Act and u/s 5 of EP Act as to why unit should not be closed and electricity & water supply	SCN for refusal of Authorization and for refusal of consent issued. SCN u/s 31(A) of Air Act, u/s 33(A) of Water Act and u/s 5 of EP Act as decided by the Committee issued. Reply / Representation received w.r.t said notices and informed regarding rectif	The firm has filed reply saying all deficiencies corrected. The firm may be asked to file an affidavit in this regard and Bank Guarantee of Rs.One Lakh each for Air, Water Act & HW Rules since this is highly polluting activity in Wazirpur Indl Area & such	Letter Issued on 29.06.07.Affidavit filed and Bank Gauranttee submitted by the unit. Compliance report from NDPL, DJB & MCD w.r.t M/s Brij Mohan submitted,affidavit that he is dealing in service industry e.q. courier. M/s Asrani Steel is doing S.Steel w	Inspection by the same team to check and confirm whether the contents of the affidavit are correct (both affidavts filed by M/s Asrani Steel and M/s Brij Mohan Bhandari)	Ispection to be carried out by same team.	Inspection by Sh. AN Singh, Scientist, DOE and Sh. DK Singh, EE, since Mrs. Nigam has given in writing that due to health reasons she can not do these inspection. Inspect and report in the committee on 18.9.07	Inspected	Same team to inspect and report for next month CMC.	Inspection done by the team of Sh. DK Singh, EE and Sh. AN Singh, Scientist, Dept. of Env.	Ask him to apply for consent to establish.

10	M/s Manish Industries,	A-83, Wazirpur Industrial Area	Pickling, cold rolling, Circle Cutting	Show Cause Notice for refusal of Authorisation under HWM Rules and for Consent under Air & Water Act. Show Cause Notice u/s 31(A) of Air Act, u/s 33(A) of Water Act and u/s 5 of EP Act as to why unit should not be closed and electricity & water supply	SCN for refusal of Authorization and for refusal of consent issued. SCN u/s 31(A) of Air Act, u/s 33(A) of Water Act and u/s 5 of EP Act as decided by the Committee issued. Reply / Representation received w.r.t said notices and informed regarding rectif	The firm has filed reply saying deficiencies corrected. The firm may be asked to file an affidavit in this regard and Bank Guarantee of Rs.One Lakh each for Air, Water Act & HW Rules since this is highly polluting activity in Wazirpur Indl Area and such	Letter Issued on 29.06.07.Affidavit filed and Bank Gaurantee submitted by the unit.	Inspection by the same team to check and confirm whether the contents of the affidavit are correct.	Inspection to be carried out by same team.	Inspection by Sh. AN Singh, Scientist, DOE and Sh. DK Singh, EE, since Mrs. Nigam has given in writing that due to health reasons she can not do these inspection. Inspect and report in the committee on 18.9.07	Inspected	Same team to inspect and report for next month CMC.	Inspection done by the team of Sh. DK Singh, EE and Sh. AN Singh, Scientist, Dept. of Env.	Let him correct the deficiencies and ask him to apply for consent to establish.
11	M/s Jai Paras Steel,	A-16, Wazirpur Indl. Area	Pickling,	Show Cause Notice for refusal of Authorisation under HWM Rules and for Consent under Air & Water Act. Show Cause Notice u/s 31(A) of Air Act, u/s 33(A) of Water Act and u/s 5 of EP Act as to	SCN for refusal of Authorization and for refusal of consent issued. SCN u/s 31(A) of Air Act, u/s 33(A) of Water Act and u/s 5 of EP Act as decided by the Committee issued. Reply / Representation received w.r.t said notices and informed regarding rectif	The firm has filed reply saying all deficiencies corrected. The firm may be asked to file an affidavit in this regard and Bank Guarantee of Rs.One Lakh each for Air,	Letter Issued on 29.06.07.Affidavit filed and Bank Gaurantee submitted by the unit.	Inspection by the same team to check and confirm whether the contents of the affidavit are correct.	Inspection to be carried out by same team.	Inspection by Sh. AN Singh, Scientist, DOE and Sh. DK Singh, EE, since Mrs. Nigam has given in writing that due to health reasons she can not do these inspection. Inspect and	Inspected	Same team to inspect and report for next month CMC.	Inspection done by the team of Sh. DK Singh, EE and Sh. AN Singh, Scientist, Dept. of Env.	Ask him to apply for consent to establish.

				why unit should not be closed and electricity & water supply		Water Act & HW Rules , since this is highly polluting activity in Wazirpur Indl Area & su				report in the committee on 18.9.07				
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12	M/s Ravi Steel Industries,	69 & 70 Shed, Wazirpur Indl. Area.	Pickling, Annealing, Re-rolling	Consent under Air & Water Act and Authorisation under HWM Rules refused. Directions u/s 33 (A) of Water Act [read with Rule 34(6) of Water Rules], u/s 31(A) of Air Act [read with Rule 20A(6) of Air Rules] and u/s 5 of EP Act [read with EP Rules 4(5)] for	Authorization refused and consent refused. Directions issued u/s 33(A) of Water Act, u/s 31 (A) of Air Act and u/s 5 of EP Act as decided by the Committee. Reply / Representation alongwith affidavit received w.r.t said directions and informed that pickli	The firm has replied through an affidavit saying pickling activity stopped but is silent on annealing activity & rerolling activity. He may be asked to file an affidavit confirming stoppage of pickling activity & clearly stating that he will apply for con	Letter Issued on 29.06.07. Compliance received from NDPL with remark. Not disconnected as unit with different name exist at the site. Affidavit submitted by M/s Ravi Steel Industries and informed that coldrolling & annealing activity has been stopped & h	Inspection by the same team to confirm the contents of the affidavit filed by the unit and other representation received from M/s Pawan Plastic, Shed No. 70 (1st Floor) and M/s Pawan Steel, Shed No. 69 (1st Floor), DSIDC, WIA. Inspector team also to con	Ispection to be carried out by same team. M/s Ravi Steel has applied for consent to establish for annealing and rerolling.	Inspection by Sh. AN Singh, Scientist, DOE and Sh. DK Singh, EE, since Mrs. Nigam has given in writing that due to health reasons she can not do these inspection. Inspect and report in the committee on 18.9.07	Inspected	Same team to inspect and report for next month CMC.	Inspection done by the team of Sh. DK Singh, EE and Sh. AN Singh, Scientist, Dept. of Env.	Ask him to apply for consent to establish.
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13	M/s Krishna Rolling Industries,	A-16, Wazirpur Indl. Area	As informed by other units in same premises, M/s Krishna Rolling is not existing	Consent under Air & Water Act and Authorisation under HWM Rules refused. Letter for cancellation of MCD Licence and for disconnection of electricity & water supply to the aforementioned unit by the concerned agencies.	Authorization refused and consent refused. Letter for cancellation of MCD Licence and for disconnection of electricity & water supply to the aforementioned unit received from R.Goyal and informed that M/s Krishna Rolling not existing and M/s	Confirm the Compliance of Cancellation of MCD licences and disconnection of electricity and water supply from concerned agencies.	Letter Issued on 29.06.07. Compliance received from NDPL with remark . Not disconnected as units with different name exist at the site.	Ask for the compliance report from MCD and DJB.	Letter issued to DJB and NDPL. No report received.	seek compliance report from DJB and MCD.	Letter issued	No confirmation received about power by this name. MS to write to Gen. Manager, NDPL asking for about the power disconnection in this name. Compliance of DJB and MCD also not received. MS to write to their senior officials.	Letters issued by MS, DPCC to senior officials of the concerned departments.	Put up in next CMC on 20.11.07.
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