



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
4TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
visit us at : <http://dpcc.delhigovt.nic.in>

F.No.:DPCC/IT CELL /2016 / 693-701

Dated: 18/05/2016

Sub: Minutes of meeting dated 16.5.2016 in order to facilitate Ease of Doing Business.

Please find enclosed herewith the minutes of meeting dated 16.5.2016 chaired by Member Secretary-cum-Chairman, DPCC in the conference room of Department of Environment GNCTD at 6th level, C Wing, Delhi Secretariat, New Delhi with regard to issues related to Ease of Doing Business and other issues related to the web based software of DPCC, levying of fee etc. All the concerned are required to take immediate necessary action as per the decisions of the said meeting.

Yours sincerely,

(Kulanand Joshi)

Member Secretary- cum-Chairman

Copy to :-

1. All Sr. Env. Engineers, DPCC.
2. IT Cell is required to incorporate the above mentioned policy decisions in DPCC software.
3. Scientist-D, DPCC.
4. All Env. Engineers, DPCC.
5. Sr. Scientist, DPCC
6. Law Officers, DPCC
7. Administrative Officer, DPCC.
8. Sr. Account Officer, DPCC.
9. Master File.

Minutes of the meeting taken by Member Secretary cum Chairman, DPCC held on 16.05.2016 regarding issues to improve the 'Ease of Doing Business'.

Chief Secretary, GNCTD reviewed the status of Ease of Doing Business in a meeting convened by him on 11.5.2016. He has directed that all the points pertaining to each of the department is to be addressed and to be made yes so as to improve ease of doing business in India and overall ranking.

With the issuance of office order dated 12.4.2016, 34 points out of 43 have been converted to "Yes". Remaining 9 issues also needs to be addressed now.

Member Secretary – cum – Chairman, DPCC has taken a meeting on 16.5.2016 at 12.30 PM in the Conference Room of Department of Environment at Delhi Secretariat, IP Estate, New Delhi-2 to discuss the said issue.

Record of Attendance is placed at **Annexure-I**.

Following decisions were taken in the meeting:-

1. Exempt select green industries from pollution control board clearances

CMCs shall examine the directions u/s 18(1)(b) of Water Act and Air Act issued by CPCB regarding Harmonization of Classification of Industrial Sectors under Red /Orange /Green / White Categories and finalize the list by 25.05.2016, keeping in view of provisions of MPD-2021 and other statutory provisions applicable to NCT of Delhi.

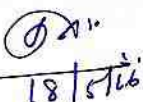
2. Allow for auto-renewal of Consent to Establish (under Water Act, 1974 and Air Act, 1981) based on self-certification/third party certification.

It was decided that category I & II (b) as per office order dated 12.04.2016 shall be granted auto-renewal of Consent to Establish provided there is no change in process and categorisation of the unit. IT Cell is required to take necessary action so as to enable the computer generated auto-renewal of Consent to Establish.

3. Allow for auto-renewal of Consent to Operate (under Water Act, 1974 and Air Act, 1981) based on self-certification/third party certification

It was decided that category I & II(b) as per office order dated 12.04.2016 shall be granted computer generated auto-renewal of Consent to Operate, wherever Effluent/Emission/Noise report is not required, provided, there is no change in process and categorisation of the unit. However, in cases wherever Effluent/Emission/Noise report is required, necessary amendments in the software be made by IT Cell to facilitate auto renewal in these cases also. Auto-renewal of authorization under HWM Rules, authorization under BMW Rules, authorization under e-waste Rule and registration under Plastic Waste Rules shall also be implemented on similar lines.

4. Design and implement a system for identifying establishments that need to be inspected based on computerized risk assessment


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As per the office order dated 12.04.2016, all the units falling under category II(a) are required to be inspected prior to deciding the consent application by the Committee headed by Chairman, DPCC. In case of units falling under category I & II (b), 5 % of the granted consent or 5 units whichever is higher shall be inspected by each Cell in a month. However, in case of II (a) category units, 5 % cases of granted consent shall be inspected by the each Cell in a month. The said list of the units shall be generated by the computer software on random basis. IT Cell is required to take necessary action accordingly.

5. Design and implement a system for computerized allocation of inspectors

Looking at scarce manpower and infrastructure available in DPCC, it was decided to address the said issue at later stage.

6. Mandate that the same inspector will not inspect the same establishment twice consecutively.

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7. e-Office (purchase of computers, digital signatures etc)

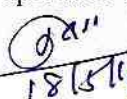
The Admn. Officer, DPCC has already been informed by IT Cell to procure the infrastructure suggested by Department of IT, Govt. of NCT of Delhi so as to implement e-Office platform in DPCC. The issue of procuring digital signature is pending since long and it was further decided that digital signatures of all the staff of DPCC including Trainees /DEOs be obtained without further delay by Admn. Branch. All the officers/officials are directed to fill the application forms and submit the same to Care Taker to avoid further delay.

8. Usage of software by all the Cells

Provision has been made in the software to generate letters, SCNs, closure directions, refusals, updating the status of water cess payment etc. All the Cells shall start using the software with immediate effect. Accounts section needs to use the software regarding water cess for updation of water cess payment. Software needs to be amended to remind the units, through emails, starting from 4 months prior to the expiry of consent/authorisation/registration etc on monthly basis. The same provision needs to be made in software after expiry of consent/authorisation/registration etc. Also, the applicant(s) shall be sent emails at periodical intervals informing about the status of their application including the decisions by the Competent Authority and issuance of consent/authorisation/registration etc. However, the decision to issue closure directions will not be informed to the applicant(s). Software needs amendment accordingly. IT Cell shall take up the issue with software developer to have provisions for the same.

9. Uploading inspection reports

Provision has been made in the software to upload the inspection report of the unit subsequent to the inspection. All the officers or trainees are directed that whenever an inspection is carried out, the same needs to be uploaded onto the website within 24 hours.


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The said inspection is to be made visible to the unit in its login area and also visible to general public area.

10. Uploading of signed scanned consents/authorisation/registration etc till digital signatures are ready

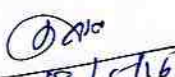
Provision has been made in the software to upload the scanned copy of the consent/authorisation/registration. All the concerned officers are required to upload the signed document without any delay, till the provision of digital signature is made in the existing software so that it is visible to the unit in their login area and also general public as well.

11. Issues related to office order dated 19.6.2013 regarding redevelopment areas were discussed and the following decisions were taken:-

- i. One of the documents as a proof of unit's date of establishment prior to the notification of MPD-2021 i.e. 7th February, 2007 is "Power bill in the name of unit". It was decided that the power bill either in the name of the unit or in the name of proprietor or partner shall be considered.
- ii. Any unit falling under Green category and operating on or after 07.02.2007 is required to apply for Consent to Establish & Consent to Operate. The condonation fee and supporting documents from these units shall also be charged in the same manner as per office order dated 17.04.2013 subject to the maximum fee from 07.02.2007.
- iii. The present policy of seeking consent & authorization under HWM Rules for one year shall be continued.

12. Issues related to office order dated 17.04.2013 were discussed and the following decisions were taken:-

- i. One of the documents as a proof of unit respective date of establishment is "Power sanction letter/ bill to the unit indicating energization date". It was decided that the power sanction letter/ bill either in the name of the unit or in the name of proprietor or partner shall be considered.
- ii. In case of Renewal/Extension of Consent to Establish, condonation fee shall be charged as per the fee structure applicable for Consent to Establish. However, in case of Consent to Operate / Renewal, condonation fee shall be charged as per the fee structure applicable for Consent to Operate.
- iii. It has been observed in some of the cases that units are coming with Consent to Establish and / or Consent to Operate application in DPCC for changed activity, the condonation fee shall be charged for intervening period as per CTO fee structure from the date of expiry of earlier consent/fee for present category being applied.
- iv. In case, any unit applies for Consent under the changed category due to categorization of DPCC or due to subtraction/addition of the process(s) in the previous activities then, the unit is required to apply for Consent to Establish afresh and / or Consent to Operate with condonation fee for intervening period as per CTO fee structure from the date of expiry of earlier consent/fee for present category being applied.


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13. Issues related to fee w.r.t. Authorization under HWM Rules:-

The present practice of levying condonation fee in case of applications for renewal of authorization under HWM Rules shall continue. No condonation fee shall be levied on first application for authorization under HWM Rules.

14. Issues related to fee w.r.t. Authorization under BMW Rules:-

- (i) The condonation fee in case of application for authorization under BMW Rules shall be levied w.e.f. date of promulgation of Bio-Medical Waste (Management & Handling) Rules, 1998 i.e. 20.07.1998. In case, HCE submits any of the proof mentioned at (v) of Sl. No 18 then the condonation fee shall be charged from the date of existence of the HCE.
- (ii) In case of renewal of authorization under BMW Rules, the condonation fee shall be charged for intervening period from the date of expiry of earlier authorization/fee for present bed strength.
- (iii) The application for authorization under BMW Rules needs to be amended to incorporate the details about date of establishment/existence, bed strength, existence of laundry facility, connection to the sewerage network etc.

15. Issues related to fee w.r.t. Consent under Air & Water Acts pertains to BMW Cell:-

- (i) Consent is applicable to Health Care Establishments (HCEs) having bed strength above 50.
- (ii) Consent is applicable to Health Care Establishments (HCEs) wherever the area is not connected to sewerage network even if bed strength is upto 50.
- (iii) Consent is applicable to Health Care Establishments (HCEs) if the HCE is having laundry facility and connected to sewage network even if bed strength is up to 50.
- (iv) The applicability of condonation fee w.r.t. consent under Air & Water Act shall be same as the authorization under BMW Rules as specified above.

16. Issue related to non uploading of earlier consent application in DPCC software.

IT Cell has informed that number of consent applications are coming to the Enquiry Counter with a request that they have obtained consent already but the same is not updated in the DPCC software which is depriving the unit to apply for the consent and resulting in wrong fee calculation by DPCC software. Whenever, the physical record is sought from the concerned Cell to enter such files in DPCC software, the same are reported to be untraceable/weeded out. The software developer M/s Srijan Webmatics Pvt. Ltd. informed that the only solution of this problem is to create dummy file of the old record to facilitate the entry of new file and to take care of the issues. Once the data is entered and its current application is entered then dummy data must be deactivated.

17. Extension of approval of empanelled laboratories.


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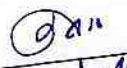
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As per office order dated 09.09.2015 regarding empanelment of laboratories by DPCC, the validity of empanelment laboratories is upto 31.03.2016. The concerned Lab Incharge shall issue an office order in this regard positively so as to avoid inconvenience to the end user/general public.

18. Issues related to levying of fee :-

- (i) In the past, the printed application forms for consent/authorization etc. used to be supplied to the applicant for which demand draft of Rs. 100/- (Rupees One Hundred) used to be charged. However, subsequent to the development of web-based software, a provision to download the relevant application forms has been made. The said fee of Rs. 100/- has been continued to be levied on the applicant. It has been decided to do away with the requirement of said fee of Rs. 100/- in all application forms.
- (ii) Wherever, condonation fee is applicable, the same shall be levied on six monthly basis in all cases.
- (iii) Only Health Care Establishments (HCEs) run by Govt. shall be charged Rs. 100/- per year in case of consent under Air & Water Acts and authorization application. This fee relaxation shall not be applicable to any other entity. Fee structure shall be amended and be placed website accordingly.
- (iv) No fee shall be charged while accepting the application for Registration/ Authorization under Plastic Rules, E-Waste Rules, Battery Waste Rules & MSW Rules.
- (v) The following documents / proof shall be considered as a proof of existence in all type of cases. Any one of the following documents shall be required:-
 - (a) Registration in the name of applicant / HCE from Directorate of Health Services (DHS), Govt. of NCT of Delhi.
 - (b) License from Health Wing of Local Authorities.
 - (c) License issued by MCD/NDMC/Delhi Cantonment Board/Local Bodies in the name of unit.
 - (d) Sale Tax/VAT/TIN Registration in the name of unit.
 - (e) Income Tax Return of the industry.
 - (f) Land Line Telephone Bill in the name of unit.
 - (g) Power sanction letter/bill in the name of applicant/HCE.
 - (h) Water Sanction letter / bill in the name of applicant/HCE.
 - (i) Sanction Building Plan from Local Bodies / Land Owning Agencies in the name of unit.
 - (j) Completion Certificate from Local Bodies / Land Owning Agencies in the name of unit.
 - (k) In case of rented premises, an undertaking from the landlord indicating date of first lease/rent agreement to the unit with a copy of the lease/rent agreement.
 - (l) Any other document/license/notice/letter issued by the Statutory Authority.

The meeting ended with a vote of thanks to chair.


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