



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/31st Meeting /2021/21770-775 Dated: 19/01/2021

Subject: Minutes of the 31st 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 **18.01.2021** in the conference room of DPCC, 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006.

Please find enclosed herewith the Minutes of the **31st Meeting** of the aforementioned Committee, held on **18.01.2021** 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).
3. EEs/AEEs (CMC I/II/III/IV/V/VI/VII).

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.
3. ALO, Legal Cell: to take necessary action w.r.t. decisions taken in the said meeting.


(Satender Kumar)
SEE CMC-V

Minutes of the 31st Meeting of the Committee for II(b) Category Cases
held on 18.01.2021

Attendance Sheet for meeting on 18.01.2021 is enclosed as Annexure - A.

Following are the minutes of the meeting along with the decisions taken:-

Agenda Item No 1: All Complete pending cases from 02.11.2018 to 31.03.2019

The agenda could not be taken up by the Committee as IT Cell has not made a provision in order to get the agenda item of all cases which have already been considered by the Committee in earlier meeting. Chairman of the Committee decided to get the software amended to remove this anomaly. SEE, IT is required to take up this issue with NIC and get the same resolved on priority so that such type of cases will be considered in next II(b) Committee.

Agenda Item No 2: All Complete pending cases from 01.10.2020 to 10.01.2021

The cases of this agenda were decided online. If any Consent to Establish / Consent to Operate application (s) (for the activity generating hazardous waste / generating trade effluent discharge) has been granted by the Committee inadvertently, the said decision is reviewed and the consent application shall be kept in abeyance till the comprehensive opinion from Senior Counsel of DPCC is received.

During the meeting, it was apprised to the Chairman of the Committee that in the meeting of II(a) category Committee headed by Chairman, DPCC in its meeting on 02.12.2020, it was decided to *take a comprehensive fresh opinion from Senior Counsel of DPCC covering all issues of pertaining to Consent to Establish and Consent to Operate applications in view of the order of Hon'ble National Green Tribunal dated 20.03.2020 in O.A. No. 159/2013 in the matter of All India Lokadhikar Sangathan Vs. GNCTD, in respect of Stainless Steel Pickling units i.e. "Till establishment of TSDF and up-gradation of CETP no new industry be permitted in the industrial areas".*

Sh. Pankaj Kapil, SEE, Dr. B.M.S. Reddy, SEE and Sh. Dinesh Jindal, ALO are required to frame detailed questions and seek legally tenable opinion from the senior counsel within 10 days.

The above said issue was also discussed in the earlier II(b) category meeting dated 03.10.2020 and it was informed to the Committee that no legal opinion has been sought till now. It was decided to expedite the said issue on urgent basis so that all such type of cases will be considered in the next II(b) meeting.

In view of the above, Chairman of the Committee has taken the following decisions after detailed discussion:-

- (i) Applications for Consent to Establish / Consent to Operate applied before 20.03.2020 shall be considered for appropriate decision as per chronology.
- (ii) Applications for Consent to Establish / Consent to Operate applied on or after 20.03.2020 (for the activity generating hazardous waste / generating trade effluent discharge excluding RESDH Sector) shall be kept in abeyance till the comprehensive opinion from Senior Counsel of DPCC is received.
- (iii) Applications for Consent to Establish / Consent to Operate applied by the units falling under RESDH Sector and air polluting in nature shall be considered for appropriate decision as per chronology.
- (iv) All applications for Consent to Operate (Renewal) shall be considered for issuance of consent based on the merit as per chronology.

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

- (i) It was also apprised to the Chairman of the Committee about the pendency of the II(b) category cases prior to his joining. After detailed discussions, it was decided to put up only complete cases (including inspection findings wherever is applicable as per orders/policies) before the Committee. If any discrepancies found in consent application, the concerned EEs/AEEs of concerned CMCs shall issue the clarification for submission of requisite documents within 03 days. If unit fails to submit the same, Show Cause Notice shall be issued giving 07 days as a final opportunity. Thereafter, case be placed before the Committee for appropriate decision.

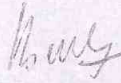
- (ii) It is learnt that inspite of decisions taken in the meeting, all the decided cases remains pending. Chairman of the Committee has directed all CMCs engineers to implement the decisions of the Committee w.r.t. grant of consent without waiting for the minutes and the same will be issued within 03 days.
- (iii) It was apprised to the Chairman of the Committee that some RMCs cases have been issued Consent to Establish / Consent to Operate inspite of directions for closure and show cause notice for Environmental Compensation (EC) were issued. Committee deliberated the issue and it was decided that Consent to Establish / Consent to Operate / Consent to Operate (Renewal) be issued after finalization of earlier decision taken w.r.t. directions for closure / show cause notice including show cause notice for Environmental Compensation(EC).
- (iv) In case where Consent to Operate (Renewal) has been granted, authorization under HWM Rules be kept in abeyance in view of directions of CPCB in certain types of wastes generated.
- (v) During the meeting, it was decided to issue registration under Plastic Waste Management Rules, 2016 after issuance of Consent to Operate/Consent to Operate (Renewal) if the documents are found in order.
- (vi) It was observed that in most of the cases, checklist was not prepared properly and concerned Cell did not provide its recommendations. Chairman of the Committee directed that the concerned Cell will prepare checklist and give proper recommendations.
- (vii) All CMCs are directed to check each and every documents including required consent fee before issuing the consent to establish and consent to operate.

- (viii) All the decisions taken in the meeting shall be implemented without waiting for the minutes.

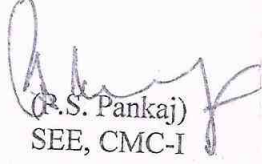
The meeting ended with a vote of thanks to the Chair.

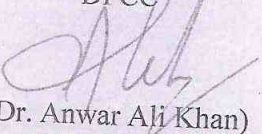

(Dr. K.S. Jayachandran)
Member Secretary,
DPCC


(Ms. Ajceta Aggarwal)
SEE, CMC-II

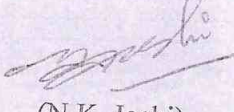

(Dr. BMS Reddy)
SEE, CMC-IV

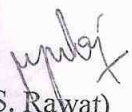

(Md. Arif)
SEE, III & VII


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

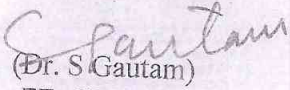

(Dr. Anwar Ali Khan)
SEE, CMC-VI

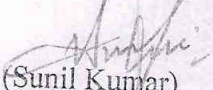

(Satender Kumar)
SEE, CMC-V


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


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

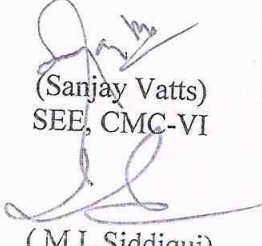

(Sanjay Vatts)
SEE, CMC-VI


(Dr. S. Gautam)
EE, CMC-I


(Sunil Kumar)
EE, CMC-IV


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


(K. Kumar)
EE, CMC-VII


(M.I. Siddiqui)
AEE, CMC-I