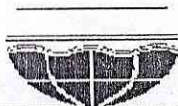


MOST URGENT

NATIONAL GREEN TRIBUNAL MATTER

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	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
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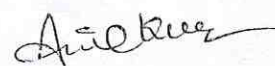
F.No. DPCC/NGT/ (10)(10)(41)/2014/84D

Dated: 4/11/15

MINUTES OF THE MEETING

Please find enclosed herewith a copy of the Minutes of the Sixth Meeting of State Level Committee, held under the Chairmanship of Secretary (Environment), GNCTD on 08.10.2015 for necessary action.

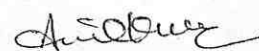
It will be appreciated if Action Taken Report is sent to us within stipulated time.



(Dr. Anil Kumar)
Special Secretary (Env)- cum-
Member Secretary DPCC

Copy to:

1. Secretary, MoEF& CC, GOI, Indira Paryavaran Bhawan, JorBagh Road, New Delhi-3
2. Secretary (Env), GNCTD, 6th Level, Delhi sect., I.P.Estae, New Delhi.
3. CEO, Delhi Jal Board, Varunalaya Phase-II, Jhandewalan, Karol Bagh, New Delhi-05.
4. Commissioner, North Delhi Municipal Corporation, 4th Floor, Dr. S.P.M. Civic Center, JLN Marg, New Delhi-2,
5. Commissioner, South Delhi Municipal Corporation, 9th Floor, Dr. S.P.M. Civic Center, JLN Marg, New Delhi-2,
6. Commissioner, East Delhi Municipal Corporation, 419, Udyog Sadan. Patparganj Industrial area, Delhi-92
7. Chairman, NDMC, Palika Kendra, New Delhi.
8. Prof. A.K. Nema, Civil Engg. Department, HausKhas, IIT Delhi.
9. Director (Environment), GNCTD, 6th Level, Delhi sect., I.P.Estae, New Delhi
10. Sh. Sanjeev Ralli, advocate for GNCTD and DPCC, 391, Lawyers Chamber, Block-II, Delhi High Court, New Delhi-2.
11. Sh. TP Singh, Dy. Commissioner (Industries), GNCTD, 419, Udyog Sadan, Patparganj Industrial area, Delhi-92. (tp.singh49@gmail.com)
12. Office Copy



(Dr. Anil Kumar)
Special Secretary (Env)- cum-
Member Secretary DPCC

Minutes of Sixth Meeting of State Level Committee (SLC) held on 08.10.2015

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The Sixth meeting of the Committee was held on 08.10.2015 under the Chairmanship of Secretary (Env.), GNCTD. A list of participants is enclosed herewith as **Annexure-1**.

The following are the records of discussions:

1. As per the direction of "Principle Committee" location of the SPI's industries on map of the Delhi in the ratio of 1:50000 has to be forwarded to the Committee. This may be done within 2 weeks and the action taken report submitted in the next SLC meeting. DPCC should also prepare a GIS system for polluting industries i.e., details of industries tagged to their location plotted on the map.
2. The installation of online monitoring systems (OLMS) on the inlet and outlet of STPs is required to be expedited by DJB for monitoring the performance of their STPs. The OLMS on drains is also essential for proper and regular monitoring of the discharge. Locations on major drains are to be identified by DJB/DPCC for establishing OLMS, which should be completed in a time bound manner.
3. (a) In its 5th meeting dated 29.04.2015 regarding SPIs, the State Level Committee constituted by the Hon'ble Tribunal in OA No. 196 of 2014 taken inter alia recorded in the minutes as under.

"It was discussed that only those SPI industries are permitted to operate in Delhi, whose discharge is connected to CETP's, or those who has installed on-line monitoring system in place till 30.06.2015."

- (b) Further, the Hon'ble NGT vide the order dated 5th August 2015 in OA No. 06 of 2012 and 300 of 2013 passed following order:

"All the Authorities, Corporations, DJB, DSIIDC, DPCC and all other concerned Authorities shall hold a meeting today itself and report to the Tribunal as to the status of the 11 industrial clusters which are stated not to be connected to any CETP and are discharging the effluents into the drain. Let the complete details be furnished in regard to all these 11 industrial estates stating the name of the industrial estate, nature of industrial activity, CETP/STP to which it is connected, number of industries which are having their own ETP and whether such ETPs are operational and are releasing the effluents that is as per the prescribed parameters or not. The status report shall also project the proposed plan of the concerned Department to prevent and control the pollution. The complete details should also refer to the service stations which are apparently dealing/releasing hazardous waste. Whether they have the permission to deal with the hazardous waste or not and do they have in place sufficient anti-pollution devices that would handle even such hazardous waste, Grease, oil etc. in to a non pollutant."

That in pursuance of the above order, meetings were held with the representatives of the various departments namely Delhi Jal Board, DSIIDC, Municipal Bodies, DDA, Commissioner of Industries and DPCC on 05.08.2015, 06.08.2015 & 10.08.2015 and vide minutes dated 10.08.2015 it was decided as follows:

"Seriously Polluting Industries (SPIs) in these 11 industrial areas shall be closed within four weeks by DPCC. If any SPIs are found operating by any Government agency, the same shall be informed to DPCC for its closure."

Amal K...

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The minutes of the meeting as referred to above were filed in the Hon'ble NGT on 11.08.2015 along with affidavit of Member Secretary of DPCC. The above decision was again appraised to the NGT in the subsequent joint report filed in it.

(c) With respect to above, DPCC issued closure directions to 39 SPIs in the 11 industrial area, which was not connected to CETP. Out of 39 SPIs, 7 SPIs have approached the Hon'ble National Green Tribunal vide their separate appeals. The appeals were disposed of with the direction, dated 29.09.2015 "we direct that the order dated 16th September, 2015 be kept in abeyance and the same shall be treated as show cause notice in addition to the show cause notice dated 18th August, 2015. Liberty is granted to the Applicants to file additional documents within three days from today. The DPCC shall pass a fresh order".

4. SPIs units are now representing with following submissions:

- The units engaged in manufacturing are having electroplating, copper plating, anodizing and Power coating process as a very small part of the entire production process. The chemicals used are very precious and only rinse water is discharged, that too after duly treated before discharge and in very less quantity.
- The units are running with functioning ETPs.
- The closure order was passed for non-installation of CETP but installation of CETP in these areas is responsibility of the Government.
- In some of the areas IIT Delhi has carried out a study for the purpose of installation of CETP. The IIT report has been accepted by the Government, due to characteristics of effluents at the end point.
- Any other State has not closed down any SPI unit for the sole reason that CETP has not been installed.
- The discharge of electroplating is very less in quantity in comparison to other Seriously Polluting Industry (SPI) units.
- The decision of SLC dt. 29.04.15 was due to the fact that picking activity is mentioned in negative list of Master Plan Delhi 2021. The discharge of picking units is large in quantity and very acidic in nature due to use of concentrated acids in huge quantities but as far as electroplating discharge is concerned it is very small and that too only rinsing water. Rinsing water means almost negligible quantity/very less concentration of precious metals and other chemicals.

The following prayers have been made by the Industry Associations:

- These units of electroplating, copper plating, anodizing and Power coating process may be allowed to operate till the final decision of the Government for the installation of CETP.
- Alternatively, as per CPCB norms the SPI units will transport their treated effluent for final treatment to nearby CETP and are also ready to install webcam on the storage tank and also ready to install flow meter at the discharge point as suggested by CPCB. This will also help to utilize the underutilized capacity of CETPs.
- The units, which are ready and willing to install online monitoring system on their discharge point as suggested by SLC, should be given some time for installation and should be allowed to operate.
- Electroplating activity may not be treated at par with picking activity against the provision of Master Plan-2021 and in view of difference in nature and quality of discharge.
- The activity of electroplating, Copper plating and powder coating should be exempted from the list of SPI Industries.
- The closure directions should be revoked as all these units are running as per norms setup by DPCC and CPCB.

Amal Kumar

Castel-

5. As regards the above representations, the following facts were also brought to the notice of the Committee.
- There are 28 industrial estates in GNCTD, 17 out of which are connected to 13 CETPs. The remaining 11 industrial areas do not have CETP. As per survey of DPCC, out of total 3602 number of industries in these 11 industrial areas not having CETPs, there are 40 Seriously Polluting Industries (SPIs). As per records, 12 units out of 40 units are not complying with the provisions of Hazardous Waste Management (HWM) Rules. In 9 units out of 40 units, ETPs were found in defunct /non functioning condition. In 12 units, out of the 40 units, Log book of ETP/Hazardous Waste not found maintained. In 18 units, out of the 40 units, Bore wells exist without having permission from DJB/CGWA.
 - Regarding feasibility of installing CETPs at Patparganj Industrial Estate, Anand Parbat Industrial area, Mohan Co-operative Industrial area, Najaf Garh Road Industrial area (including Kirti Nagar and Moti Nagar) and Okhla Industrial Estate, a study was conducted by IIT Delhi in the year 2014. Feasibility report was discussed in the meeting held on 06.06.2014 with IIT Delhi, DSIIDC, COI & DPCC and association of the concerned industrial areas. As per minutes of the meeting dated 06.06.2014, there is no need to install new CETP in these areas in view of the few polluting industry and availability of unused capacity of existing CETPs. In the joint report filed by GNCTD in the Hon'ble NGT on 16.9.2015, it was submitted to NGT that the Govt. will come out with the specific proposal on need for installation of CETPs once the survey/data is available.
 - Effluent Treatment Plant (ETP) were generating Hazardous Waste but Delhi does not have any TSDF. Subsequent to closure of SPIs generating hazardous waste, possibility for conversion of CETPs into STPs could be explored.
 - The closure directions were issued to all 39 SPIs as per records of DPCC in non CETP industrial areas after giving individual show cause notices. The SCN were issued on the ground that units were running in non CETP area.
6. Sr. Scientist (Water), DPCC informed the Committee that the flow in drains near the 11 industrial areas, which do not have CETP, was assessed by her. As per her assessment, the characteristics of effluent in the drains is similar to that of domestic sewerage. She added that test of soil sample from Najafgarh drain was also conducted.

9. Officer present on behalf of the Industry Department informed that, guidelines of CPCB w.r.t OLMS is under challenge before the Tribunal.

10. The polluting industries in Delhi are essentially small units. They do not generally have sensitivity enough to invest in pollution control devices. Their technology for production is also quite manual. As such, many of them have tendency either to not install pollution control devices-ETP etc. or to not operate them properly. This is also supported by the survey of DPCC. In fact, the ETPs installed by units are generally operated in batch process mode. The effluent is first collected/accumulated and then passed through ETP for treatment. In this scenario, field inspection of unit does not prove to be effective because at the time of visit, the unit may not be found operating ETP taking plea that it is still collecting effluent. Even if it operates ETP, it may perhaps be only as a show off to the inspection team for the moment. Operation of an ETP also involves additional cost. CETP makes supervision of the pollution control exercise more effective. But the number of seriously polluting industries in the 11 industrial area, which are without CETPs, are few. This raises question over the need to install CETP. As character of industries may change over time, it is nevertheless essential to monitor effluent by installing OLMS at the common end points to which all industrial effluents of such industrial areas converge. If the OLMS suggests the effluents to be not meeting the norms, then installation of CETP may be made mandatory and also accountability of industrial units causing pollution fixed. This is the reason that the decision on whether or not to mandate installation of CETP on the 11 non CETP areas needs to be kept open. However, if any industry association of these 11 industrial area itself comes forth to install CETP of appropriate capacity to treat the industrial effluent, it should be encouraged. Treatment of industrial effluent through CETP will be easy to monitor. However, if an industrial area does not have CETP, installation of OLMS on individual ETPs of the SPIs should be mandatory so that supervision becomes easier as well as effective. Further, Bank Guarantee @ 5 lacs should be mandated from each SPI unit in non-CETP areas. Bank Guarantee should be forfeited if the SPI unit is found to be violating the effluent norms/pollution laws/direction of DPCC/CPCB.

Further, it is not logical to argue that CETP is not required in a non-CETP industrial area just on the ground that the flow in the neighbouring drains meets the standards prescribed or is primarily domestic sewage in character. No matter how polluted and toxic effluent is, it may ultimately turn out to be meeting norms at certain point downstream on account of dilution. But the water, soil & air in the area adjacent to polluting industries will be polluted and unworthy for flora and fauna.

As per Master Plan-2021, pickling comes under negative list and is not permissible in Delhi with effect from 22.09.2015. The existing pickling units are mandated to close down by September, 2016 as per master Plan-2021, as amended. However, the other 32 seriously polluting activities namely electroplating, powder coating, etc. are not listed in the negative list in the Master Plan. It is noted that the categorization as SPIs, identified by Principle Committee, is for strict compliance and monitoring with regard to effluent norms and not for blanket closure. Pickling activity as well as other activities such as electroplating disturb pH and lace the effluent with metals but quantity of polluting effluent from pickling process is significant. It may not be proper, therefore, to make such latter activities i.e., 32 SPIs as non-permissible on the lines of pickling activity. But units with such 32 seriously polluting activities in non CETP industrial areas must however install ETP with OLMS. There should be Bank Guarantee of Rs. 5 lacs to enforce compliance effluent control norms/ Hazardous Waste Rules. In fact, 32 Seriously Polluting Industries must convert themselves into zero discharge units. SPI units which are complying the norms for effluent /laws and have OLMS need not be closed down via blanket closure as if they are not permissible in Delhi. If banned, such activities may underground in residential areas, making it difficult to regulate and control them. It appears other states have also not put a blanket ban on the Seriously Polluting Industries. Clearly, SPIs shall remain restricted to the 28 designated industrial areas only.

As per

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The Industry Associations of the Industrial areas sometimes make representations on behalf of their members. But when it comes to compliance by their members or compliance with respect to certain collective activity such as installation of CETP or OLMS at CETP/common end point, they do not take responsibility. So it is essential that DPCC takes Bank Guarantee of Rs. 5 lacs from the Industrial Associations of the industrial areas so that they become responsible towards compliance of pollution laws and policy directions thereunder.

In view of the above, following decisions are taken:-

- Anurag*
- (i) 11 Non-CETP industrial areas shall install OLMS ~~on their ETPs~~ within 3 months at the common end points where effluents of the area converge. The decision on whether or not to mandate installation of CETP will be taken up at appropriate time as the data may warrant.
 - (ii) All the seriously polluting units in the 11 non-CETP industrial areas, which do not have CETP, shall install OLMS on the ETP. As per law, they shall have to comply with policy directions/emission-effluent norms/pollution control laws, including Hazardous Waste Rules. Pickling activity shall close by September 2016 as per Master Plan. SPIs unit shall deposit Bank Guarantee of Rs 5 lakhs to enforce compliance on their part.
 - (iii) Seriously polluting industries shall convert into zero discharge unit within a definite time frame work not exceeding 6 months.
 - (iv) The data received from OLMS will be uploaded onto DPCC server on real time basis. The OLMS should try to capture the parameters prescribed for effluents under pollution control laws.
 - (v) Industry Association may be advised to deposit Bank Guarantee of Rs 5 lakhs to enable their participation in the enforcement of law/directions against their members and make them accountable.
 - (vi) The SPI units of non-CETP areas who were issued direction in pursuance to the SLC decision dated 29.04.2015 will be examined and dealt with as per Hon'ble NGT Order/policy decision herein above.
 - (vii) In order to encourage Ease of doing business, the consent to establish (CTE) and consent to operate (CTO) to green industries in the industrial areas should be considered on self declaration basis wherever the green industry will apply online, make payment and download the consent.

Meeting ended with vote of thanks to the Chair.

Anurag

RECORD OF ATTENDANCE

Date: 08th Oct 2015

Time: 4:00 PM

6TH Meeting of STATE LEVEL COMMITTEE (SLC).

S.NO.	Name of Officer	Designation & Organization	Phone No.	Signature
1	Dr Anil Kumar	Director Dept of Environment GACT D	9717593525	Acce
2	Dr C. Prakesh	DPCC	9717593508	(2)
3	Satender Kumar	SEE, DPCC	9717593519	Sumee
4	A. K. MADAN	Dy. CommisSimr	9868807439	AK
5	T. R. Meena	SEL NIMC	9810681155	En
6	RAKESH JAHNI	SE, DDB	9650212000	Rak
7	Brig Mohan Verma	S.E. DEMS/NDMC	9717788029	Br
8	Md. Anif	SEE, DPCC	9717593516	An
9	B. L. CHAWLA	SEE, DPCC	9717593516	B. L. Chawla
10	ATAY MITTAL	CE, DSIIDC	9910100989	Atay
11	ARUN KISHRA	ED, DSIIDC	99110309287	Arun
12	Kulamand Joshi	Member Secy, DPCC / Spl Secy (Rm)	9717593501	Kul
13	Pankaj Kapil	SEE (CO), DPCC	9717593514	Pankaj
14	Jagdish Lal	AO/FL (North DMC)	7042293901	Jagdish
15	Rijay Singh	O.I./FL North DMC	9015544441	Rijay
16	R. K. Bhargava	F.I./SDMC	7827344668	R. K. Bhargava
17	SANTAY SHARMA	ADC (FLD)/SDMC	9711705000	Santay
18	Dinesh Jindal	L.O., DPCC	9717593515	Dinesh
19	Dr Nandita Mishra			N. Mishra
20				
21				
22				
23				
24				