

**BEFORE THE PRINCIPAL BENCH,
NATIONAL GREEN TRIBUNAL, NEW DELHI
ORIGINAL APPLICATION No. 827/2019**

IN THE MATTER OF:

Simran Gupta, Bachao (NGO)

... Applicant

VERSUS

Govt. of NCT of Delhi

... Respondents

NDOH:- 20.01.2020

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Filed by

(Mohd. Arif)
Sr. Env. Engineer
(Delhi Pollution Control Committee)

New Delhi:
Dated: 16.01.2020

**BEFORE THE PRINCIPAL BENCH,
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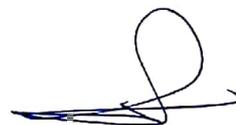
**STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL
COMMITTEE IN TERMS OF THE ORDER DATED 20.09.2019**

IT IS MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took up the above referred matter on 20.09.2019 and pleased to issue following directions:

".....Grievance in this application is against the operation of illegal industrial activity at Wazirpur industrial area without environment norms....."

2. That, copy of the complaint as filed in this Hon'ble Tribunal was received in DPCC only on 10.01.2020.
3. That, complaint is about operation of pickling activity in odd hours in the Wazirpur Industrial area and particularly in A-91 (Group) and A-93/4 (Group) Wazirpur Industrial area.



4. That the mentioned premises were inspected twice during day and night hours by DPCC officials in compliance of the orders passed by this Hon'ble Tribunal and the observation of the inspection are as follows:

(a) A-91 (Group) Wazirpur Industrial area: During inspection on 13.01.2020 it was observed that no pickling activity is carried out at A-91 (Group). In fact, pickling activity had never existed at this address as per DPCC records.

Copy of the inspection reports are enclosed herewith as Annexure-1.

(b) A-93/4 (Group) Wazirpur Industrial area: The unit was earlier engaged in pickling activity and same was sealed by SDM (Saraswati Vihar) and electricity connection was disconnected. During inspection on 13.01.2020 and 14.01.2020, it was observed that unit is lying sealed and no pickling activity is carried out.

Copy of the inspection reports are enclosed herewith as Annexure-2.

5. That the Hon'ble NGT order dated 20.09.2019 along with the complaint has also been forwarded on 13.01.2020 to the concerned DCP and SDM for taking necessary action and keep a regular vigil against the sealed units operating clandestinely during the odd hours. Copy of Direction dated 13.01.2020 is enclosed herewith as Annexure-3.

6. That, it is most respectfully submitted that. The Hon'ble Tribunal vide order dated 16.10.2018 in E. A. NO. 11/2017 in O.A. NO. 159/2013 titled as, " All India LokadhikarSangathanVs.Govt. of NCT Delhi & others" had directed the closure of pickling industries in Delhi.

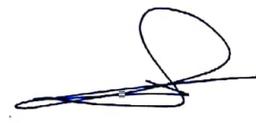


7. That in terms of the above order dated 16.10.2018, DPCC has passed the closure directions dated 7.12.2018 in respect of 75 pickling Units in Wazirpur Industrial Area. In furtherance to the above closure directions, Tata Power (Power Distribution Company) and Delhi Jal Board have been directed to disconnect the electricity and water supply of pickling units. SDM of the concerned areas has been directed to ensure the effective closure of the pickling units. Subsequently, SDM has sealed/closed all 75 (Seventy five) units and submitted compliance report in this regard.

8. That, directions have been issued on 08.12.2018 to concerned SDM, Tata Power, Delhi Jal Board and Delhi Police for constant vigil on sealed premises of stainless steel pickling industries. Further, if any new unit noticed/ starts operation on new address illegally in violation of the orders passed by This Hon`ble Tribunal dated 16.10.2018, action shall be taken for effective closure of the unit viz-a viz disconnection of electricity and water supply by the concerned agencies under intimation to DPCC. Copy of the Directions dated 08.12.2018 is enclosed herewith as Annexure- 4 (colly).

9. That it is most respectfully submitted that, This Hon`ble Tribunal vide its order dated 18.07.2019 in OA number 159/2013 titled as, “. All India LokadhikarSangathanVs. Govt. of NCT Delhi & others pleased to direct as follows:

“ The oversight committee constituted by this Tribunal vide order dated 24.01.2019 headed by Justice Pratibha Rani, former judge of Delhi High Court may furnish its final report setting out its



recommendations cumulatively at one place in a tabular form on or before 31.10.2019."

A

The above mentioned Committee filed its report before this Hon`ble Tribunal, which was considered by the Hon`ble Tribunal in its order dated 19.11.2019. The Committee confirms that no pickling activity is going on in Wazirpur Industrial Area.

The above report may kindly be taken on record. DPCC is bound by the orders of This Hon`ble Tribunal in the matter.

(Mohd. Arif)

Sr. Environmental Engineer

Date: 16/11/20

Place: Delhi

Annexure - 1

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

Unique Computer Generated ID :

1. Name & Address of the Unit : M/s Sunglow Textile
A-91 (Group)
Hazipur Industrial Area
Delhi-52
2. Owner/Partner's Name : Sh. Ajay Kalra
3. Contact Details (Phone & Email) : # 9811075140
4. Date of inspection : 13.01.2020
5. Time of inspection: a) Start of Inspection : 10:00 AM
 b) End of Inspection : 10:30 AM
6. Name & Designation of the Persons contacted at the industry: Ashok Verma (Manager)
9990720790
7. Kind of Industry : Yarn Twisting
8. Product & Capacity : Not known/maintained
9. Main Raw Materials : Yarn
10. Water Polluting : Yes/No ETP Installed : Yes/No
11. Air Pollution : Yes/No ECS Installed : Yes/No
12. Details of Stack Height : (Above G.L.).....(Above R.L.).....
 (Furnace/ Boilers/Others)
13. Type of Fuel Used :
14. Effluent Discharged (a) Domestic/Trade Effluent
 (b) Unit Connected to Conveyance System: Yes/No
 (c) Discharging in to
15. Status of Consent (If Any) :
16. D.G. Set (s) (If Any) : No.....Capacity.....KVA.....Acoustic: Yes/No
 : Stack Height.....(Above G.L.).....(Above R.L.).....
17. Plot Area :
18. Labour : 10
19. Machinery : Twisting M/cs - 04
20. Power Connection : C.A:-.....KW:-.....
21. Source of water :
22. Whether Unit Found in Operation : Yes/No

- 23. Whether Generating HW : Yes/No
- 24. (a) Status of Authorization (IF Any):
- (b) Display Board Provided: Yes/No
- (c) Whether HW is stored in Leak proof Container: Yes/No
- (d) Whether container marked With specified label: Yes/No
- (e) Whether Container stored Kept in an isolated area: Yes/No
- (f) Whether HW is being stored on pucca floor & in covered area: Yes/No
- (g) Whether date on which Storage began indicated on each Container: Yes/No
- (h) Whether daily record of HW Maintained in HW-3: Yes/No

N.A

Details about Hazardous Waste

S.No.	Category of Hazardous Waste as per the Schedules I, II and III of these rules	Authorized mode of disposal or recycling or utilization or co-processing etc.	Quantity (Ton/annum)

Remarks, If Any:

- # M/s Sunglow Textile is operating at FF 4 SF and engaged in the activity of twisting of yarn and falls under
- # Unit is operating without consent from DPCC.
- # At ground floor one office and one software office exist.
- # Renovation work is going on at ground floor.

Refund to sign

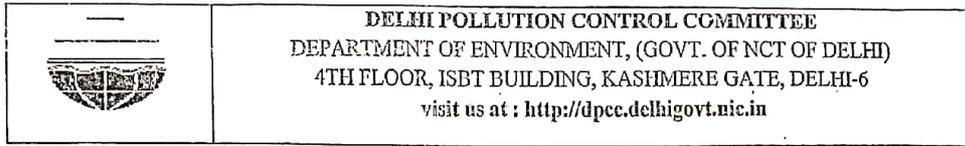
Signature, Name & Designation of Inspecting Officials:

1

2

Amit
 13/01/2020
 (Amit Chauhan)
 CE, DPCC

3



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>

INSPECTION REPORT

Unique Computer Generated ID :

1. Name & Address of the Unit : M/s Abish Steel Industries
A-93/4 (Group)
Mazarpur Industrial Area
Delhi-52
2. Owner/Partner's Name :
3. Contact Details (Phone & Email) :
4. Date of inspection : 13.01.2020
5. Time of inspection: a) Start of Inspection : 8:00 AM
 b) End of Inspection : 0:30 AM
6. Name & Designation of the Persons contacted at the industry:
7. Kind of Industry :
8. Product & Capacity :
9. Main Raw Materials :
10. Water Polluting : Yes/No ETP Installed : Yes/No
11. Air Pollution : Yes/No ECS Installed : Yes/No
12. Details of Stack Height : Unit
 (Furnace/ Boilers/Others) : (Above G.L.).....(Above R.L.).....
13. Type of Fuel Used :
14. Effluent Discharged : (a) Domestic/Trade Effluent
 (b) Unit Connected to Conveyance System: Yes/No
 (c) Discharging in to
15. Status of Consent (If Any) :
16. D.G. Set (s) (If Any) : No.....Capacity.....KVA.....Acoustic: Yes/No
 : Stack Height.....(Above G.L.).....(Above R.L.).....
17. Plot Area :
18. Labour :
19. Machinery :
20. Power Connection : C.A:-.....KW:-.....
21. Source of water :
22. Whether Unit Found in Operation : Yes/No

- 23. Whether Generating HW : Yes/No
- 24. (a) Status of Authorization (If Any):
- (b) Display Board Provided: Yes/No
- (c) Whether HW is stored in Leak proof Container: Yes/No
- (d) Whether container marked With specified label: Yes/No
- (e) Whether Container stored Kept in an isolated area: Yes/No
- (f) Whether HW is being stored on pucca floor & in covered area: Yes/No
- (g) Whether date on which Storage began indicated on each Container: Yes/No
- (h) Whether daily record of HW Maintained in HW-3: Yes/No

Details about Hazardous Waste

S.No.	Category of Hazardous Waste as per the Schedules I, II and III of these rules	Authorized mode of disposal or recycling or utilization or co-processing etc.	Quantity (Ton/annum)

Remarks, If Any:

unit found leaked from outside.

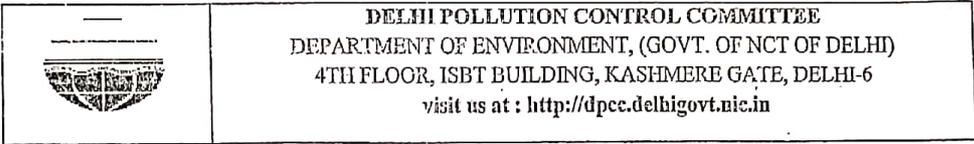
Amit
 13/01/2020
 (Amit Chauhan)
 EE, DPCC

Signature, Name & Designation of Inspecting Officials:

1

2

3



INSPECTION REPORT

Unique Computer Generated ID :

1. Name & Address of the Unit : M/s. Ashish Steel Industries
A-93/4 (Group)
Mazhpur Ind. Area
Delhi-52

2. Owner/Partner's Name :

3. Contact Details (Phone & Email) :

4. Date of inspection : 14.01.2020

5. Time of inspection: a) Start of Inspection : 9:00 PM

b) End of Inspection : 9:30 PM

6. Name & Designation of the Persons contacted at the industry:

7. Kind of Industry :

8. Product & Capacity :

9. Main Raw Materials :

10. Water Polluting : Yes/No ETP Installed : Yes/No

11. Air Pollution : Yes/No DECS Installed : Yes/No

12. Details of Stack Height : (Above G.L.) (Above R.L.)

13. Type of Fuel Used :

14. Effluent Discharged : (a) Domestic/Trade Effluent

(b) Unit Connected to Conveyance System: Yes/No

(c) Discharging in to

15. Status of Consent (If Any) :

16. D.G. Set (s) (If Any) : No..... Capacity.....KVA.....Acoustic: Yes/No

: Stack Height.....(Above G.L.).....(Above R.L.).....

17. Plot Area :

18. Labour :

19. Machinery :

20. Power Connection : C.A:-.....KW:-.....

21. Source of water :

22. Whether Unit Found in Operation : Yes/No

- 23. Whether Generating HW : Yes/No
- 24. (a) Status of Authorization (If Any):
 - (b) Display Board Provided: Yes/No
 - (c) Whether HW is stored in Leak proof Container: Yes/No
 - (d) Whether container marked With specified label: Yes/No
 - (e) Whether Container stored Kept in an isolated area: Yes/No
 - (f) Whether HW is being stored on pucca floor & in covered area: Yes/No
 - (g) Whether date on which Storage began indicated on each Container: Yes/No
 - (h) Whether daily record of HW Maintained in HW-3: Yes/No

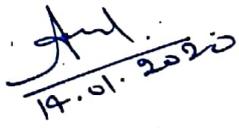
Details about Hazardous Waste

S.No.	Category of Hazardous Waste as per the Schedules I, II and III of these rules	Authorized mode of disposal or recycling or utilization or co-processing etc.	Quantity (Ton/annum)

Remarks, If Any:

Unit found locked.


 (Mohd. Anif)
 Sr. Inspr, DPCC


 19.01.2020
 (Amit Chaudhary)
 Sr. Inspr, DPCC

Signature, Name & Designation of Inspecting Officer

1

2

3

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 4th, 5th & 6th FLOOR, ISBT BUILDING, KASHMERE GATE,</p> <p>F. No. DPCC/CMC-III/ 7744-48</p>
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Dated: 13/01/2020

To,

1. The Deputy Commissioner of Police (North West District)
Pocket-B, B/3-4, Deep Cinema Road,
Phase-2, Ashok Vihar,
Delhi - 11052
2. The SDM (Saraswati Vihar),
Old Middle School Building,
Rampura Lawrence Road,
Delhi - 110035

Subject: Complaint against Pickling Units in NGT Matter in Original Application No. 820/2019 by Shri Simran Gupta, Bachao (NGO) Versus Govt. Of NCT of Delhi"

Activity: Operation of illegal industrial activity of S.S. Pickling in Wazirpur industrial area with support of Delhi Police and SDM office.

Please find attached herewith copy of complaint along with NGT order which was obtained from Registry of the NGT on 10.01.2020 for further necessary action please. It was alleged by the complainant that the pickling units are operating clandestinely during night hours from 9 P.M to 4 A.M. They have mentioned specific addresses A -91 (group), A-93/4 (group) in their complaint.

You are, requested to take necessary action immediately, so that action taken report may be apprised to Hon'ble NGT in the aforesaid matter.

The matter is now listed on 20.01.2020.

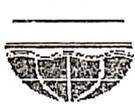

(Mohd. Arif)
Sr. Env. Engineer

Copy to:

1. The Commissioner Police, MSO, Building I.P. Estate, New Delhi 110002 – for further necessary action please.
2. The Station House Officer, Pocket b, B 3-4, Deep Cinema Road, Ashok Vihar-II Wazirpur, Phase-2 , Ashok Vihar, Delhi 11052 - for further necessary action please.
3. The Chowki In - Charge, Police Station, Wazirpur industrial area Delhi 11052 - for further necessary action please.


(Amit Chaudhary)
Env. Engineer

o/c

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 visit us at : http://dpcc.delhigovt.nic.in</p>
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DPCC/CMC-III/Wazirpur/2018/2767-2777

Dated: 08/12/18

To

1. The Member (Water Supply),
Delhi Jal Board, Varunalaya, Bhawan,
Phase-II, Jhandewalan, Delhi-110055.
2. The Sub-Divisional Magistrate (SaraswatiVihar),
Old Middle School Building,
Rampura, LawrenceRoad, Delhi-110035
3. The Station House Officer(SHO),
Wazirpur Police Chowki,
Delhi - 110 052
4. The General Manager, Commercial,
Tata Power Delhi Distribution Limited,
Cencare Building, Opposite C-2, Block,
Keshav Puram, Delhi - 110 035

Annexure - 4

Subject : DIRECTIONS IN COMPLIANCE OF ORDER OF NATIONAL GREEN TRIBUNAL DATED 16.10.2018 IN THE MATTER OF ALL INDIA LOKADHIKAR SANGTHAN VS GOVT. OF NCT OF DELHI & OTHERS FOR STOPPING OPERATIONS OF STAINLESS STEEL PICKLING INDUSTRIES.

Whereas, Central Pollution Control Board is the State Board for all the union Territories to exercise powers and performs functions under the Water (Prevention & Control of Pollution) Act, 1974.

And whereas, Central Pollution Control Board has delegated all its powers and functions under Air (Prevention & Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974, that no person without the previous consent of DPCC, shall establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent in to a stream or on land.

And whereas, it is mandatory under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981, that no person without the previous consent of the DPCC shall establish or operate any industrial plant in air pollution control area.

And whereas, DDA has notified the Master Plan of Delhi-2021 on 07.02.2007 and as per MPD-2021, industries listed under Prohibited/ Negative category {Annexure - 7.0 (III)} shall be prohibited within NCT of Delhi. The activity of stainless steel pickling is listed at serial no. 88 in the Annexure -7.0(III). The existing industrial units under prohibited category need to relocate themselves outside Delhi, within a period of three years.

And whereas, under the Master Plan of Delhi 2021, activity of Stainless Steel Pickling has been placed in the Negative/prohibited list with a condition to close down all the activities within a period of three years i.e. upto 06.02.2010.

13 (100)

16

And whereas, the Hon'ble Delhi High Court of Delhi vide its order dated 27th August 2012 quashed the issue of placing Stainless Steel Pickling under negative list as per MPD 2021, as DDA had not followed proper procedure as laid down under the statute.

And whereas, the Ministry of Urban Development, Govt. of India vide Notification, S.O. 2890(E) dated 23rd September 2013 has placed the activity of Stainless Steel Pickling in the Prohibited/Negative list of industries. However, Environment department, GNCTD in consultation with Industries Deptt, GNCTD shall take the final decision to ascertain a particular activity/ industry/ factory to fall under the said list as per the parameters/ norms set by the CPCB and adopted by the DPCC.

And whereas, the Hon'ble National Green Tribunal vide its order dated 16.10.2018 passed in Case Nos. EA No. 11/2017 in OA 159/ 2013 titled as, "All India Lokadhikar Sanghathan Vs. Govt. of NCT of Delhi and Others" and O.A. No. 77/2016 titled as, "Ashok Vihar Mitra Mandal Vs. Govt. of NCT of Delhi and Others" has directed to stop operations of Stainless Steel Pickling Industries.

And whereas an Appeal has been filed in the Hon'ble Supreme Court against the above order dated 16.10.2018. The hearing on appeal is yet to take place. Any further directions, if required, will be issued after the hearing of the above appeal in the Hon'ble Supreme Court.

Now therefore, the competent Authority in Delhi Pollution Control Committee, in terms of direction of Hon'ble NGT dated 16.10.2018 in the matter of All India Lokadhikar Sanghathan Vs Govt. of NCT of Delhi & Others has decided to issue the following directions:-

That SDM (Saraswati Vihar)/ Officer concerned of TPDDL/ Officer concerned of DJB/ Delhi Police shall take a constant vigil on sealed premises of Stainless Steel Pickling Industries. Further, if any new unit noticed / starts operation on new address illegally in violation of order passed by Hon'ble NGT dated 16.10.2018, as mentioned above, action shall be taken for effective closure of the unit vis-à-vis disconnection of electricity and water supply by the concerned agencies under intimation to DPCC.


(B.L Chawla)
Sr. Env. Engineer

Copy To :-

1. The Commissioner, Delhi Police, MSO Building, I.P. Estate, New Delhi- 110002
2. The Divisional Commissioner, 5, Sham Nath Marg, Delhi – 110 054
3. The Chief Executive officer, Delhi Jal Board, Varunalaya, Phase-II, Jhandewalan, Delhi- 110055-
4. The Deputy Commissioner(North West), Revenue Department, Kanjhawala, Delhi - 110 081
5. The Deputy Commissioner of Police, North -West District, Ashok Vihar, Phase-I, Near Deep Market, Delhi - 52
6. The Chief Executive Officer, Tata Power House, Grid Sub Station Building, Hudson Lane, Kingsway Camp, Delhi – 110 009
7. Master File