

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

IN

O.A.No. 601 of 2018

IN THE MATTER OF

Mayank Manohar & Paras Singh,
Reporter Times of India

... Applicant(s)

Vs.

Govt. of NCT of Delhi & Ors.

... Respondent(s)

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JYOTI MENDIRATTA

Standing Counsel for GNCT of Delhi

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Status Report on behalf of the Govt of NCT of Delhi in terms of order dated 19.11.2019 passed by this Hon'ble Tribunal

1. That the Government of NCT of Delhi, had apprised this Hon'ble Tribunal about the status on closure of illegal industries operating in residential / non-conforming areas on the last date of hearing by filing a report, whereby directions of this Hon'ble Tribunal were complied with.
2. That, this Hon'ble Tribunal was informed of the following status of the progress of survey and closure of illegal industries operating in residential / non-conforming areas, as part of Step-3, and as per information/ action taken report furnished by the three Municipal corporations as on 13.11.2019.

Name of Corporation	Units surveyed In Step-3	SCN Issued	Closed on 48 Hrs Notice	Units Sealed
EDMC	3321	657	147	101
SDMC	4204	1586	192	47
NDMC	4447	2531	438	326
TOTAL	11972	4774	777	474

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3. That, pursuant to the order dated 19.11.2019, passed by this Hon'ble Tribunal, Chief Secretary, Govt. of NCT of Delhi, had held a meeting with the officers of the Local Bodies/ Municipal Corporations, DISCOMS, Delhi Pollution Control Committee [DPCC], on 29th November, 2019 and reviewed the progress relating to closure of non-permissible industrial activities in Residential and non conforming areas of Delhi. All the concerned agencies were directed to comply with the directions of this Hon'ble Tribunal. Minutes of the meeting dated 29.11.2019 are attached as **ANNEXURE-1**.

4. That, in compliance of the said order passed by this Hon'ble Tribunal, action taken reports have been received from the Local Bodies/ concerned agencies. The East Delhi Municipal Corporation (EDMC) has informed the Government in writing that as per survey carried out in residential and non conforming areas under their jurisdiction, in total 3832 units were found operating. That out of these 3832 units, 2607 units closed/shut down their operations on their own after issue of 48 hrs notice, and 494 units were sealed by the Corporation. That the remaining 731 units applied online for License under house hold category of MPD-2021 on the portal of the Corporation which are pending for further action.

5. That the South Delhi Municipal Corporation (SDMC) has informed that as per survey carried out in residential and non conforming areas under their jurisdiction, in total 5445 units were found operating. That out of 5445 Units, 3289 units closed/shut down their operations on their own after issue of 48 hrs notice, 580 units are located in the redevelopment

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area under MPD 2021, one unit is on agriculture land, 41 units have permissible trade storage license, and 388 units are located in Basai Darapur where a stay against closure/sealing is granted upto 28.01.2020 by Hon'ble High Court of Delhi in a writ petition. That 304 impermissible units have been sealed by the Corporation in Step-3. That the remaining 842 units have applied online for License under house hold category of MPD-2021 on the portal of the Corporation which are pending for further action. The SDMC further informed that local residents of village Matiyala and Kakrola of Najafgarh Zone created hindrance to Survey/closure team and not allowed them to take action against impermissible industrial activity. Therefore, the Hon'ble Tribunal is requested to give more time after Delhi Assembly Election.

6. That the North Delhi Municipal Corporation (NDMC) has informed that after the survey carried out in residential and non conforming areas under their jurisdiction, they found 5757 units operating, out of which 4640 units closed/shut down their operations on their own after issue of 48 hrs notice, and 617 units have been sealed by the Corporation. That the remaining 531 units have applied online for License under house hold category of MPD-2021 on the portal of the Corporation which are pending for further action.

7. That further New Delhi Municipal Council (NDMC) has informed that there is no impermissible activity/industry found in the survey conducted in residential and non conforming areas under their jurisdiction in Step-3.



8. That on the basis of action taken report received from the Local Bodies /Municipal corporations, the final status of survey and closure/sealing of illegal industries in residential / non-conforming areas of Delhi is compiled hereunder:-

Name of Corporation	Total Nos. of Units surveyed	Nos. of Units applied for House Hold license	Nos. of Units Closed on their own after 48 Hrs Notice	Number of Units Sealed in Step-3
EDMC	3832	731	2607	494
SDMC	5445	842	3289	304
NDMC	5757	531	4640	617
Total	15034	2104	10536	1415

9. That for the purpose of calculating the quantum of compensation to be levied and to be recovered from polluting units, details have been provided to the Delhi Pollution Control Committee by the respective Municipal Corporations and DISCOMS in respect of areas where closure/sealing action completed.

10. That regarding further directions passed by this Hon'ble Tribunal on 19.11.2019 to complete the pending work of such survey of all 29,877 units and action to be taken before 31.12.2019, this is to submit that 29, 877 units had already been covered in Step-2, and all illegal units found operating had been closed down/sealed as per averments made in para 18 of the Status Report filed on 02.08.2019 before this Tribunal. Thus the required action has been completed and directions of this Hon'ble Tribunal have been complied with by the concerned agencies.


 15.01.2020
(T. P. SINGH)
 Dy. Commissioner of Industries
 Govt. of NCT of Delhi,
 Udyog Sadan, Patparganj, Delhi.

C/682

**OFFICE OF THE COMMISSIONER OF INDUSTRIES
GOVT. OF NCT OF DELHI : UDYOG SADAN
419, FIE, PATPARGANJ INDUSTRIAL AREA, DELHI-110092**

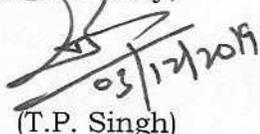
No.F. 24/ DCI/CI/CC /2016-17/2583-2596

dated: 03/12/2019

SUB: MINUTES OF THE MEETING HELD ON 29TH November, 2019 at 11:30 A.M.UNDER THE CHAIRMANSHIP OF CHIEF SECRETARY, DELHI IN THE CONFERENCE ROOM AT 5TH LEVEL DELHI SECRETARIAT, DELHI TO DISCUSS THE ACTION PLAN IN COMPLIANCE OF ORDER DATED 19/11/2019 OF HON'BLE NGT (IN OA NO.601/2018) AND HON'BLE SUPREME COURT ORDER DATED 25/11/2019 IN WP(C) 4677/1985.

Kindly find enclosed herewith Minutes of the Meeting held on 29th November, 2019 at 11:30 a.m. under the Chairmanship of Chief Secretary, Delhi regarding progress/action taken in compliance of order dated 19/11/2019 of Hon'ble NGT (IN OA NO.601/2018) and order dated 25/11/2019 of the Hon'ble Supreme Court IN WP(C) 4677/1985) for your kind perusal and necessary action.

Yours sincerely,



(T.P. Singh)

Dy Commissioner of Industries (CC)

Encl: As above.

To

1. Pr. Secretary (Environment), Department of Environment, Delhi Secretariat, Delhi.
2. Vice Chairman, DDA, Vikas Sadan, INA, New Delhi.
3. Commissioner, East Delhi Municipal Corporation, 419, FIE, Patparganj Industrial Area, Delhi-110092.
4. Commissioner, North Delhi Municipal Corporation, 4th Floor, Dr. Shyama Prasad Mukherjee, Civic Centre, Minto Road, New Delhi
5. Commissioner, South Delhi Municipal Corporation, 9th Floor, Dr. Shyama Prasad Mukherjee, Civic Centre, Minto Road, New Delhi
6. Chief Executive Officer, Delhi Jal Board, Varunalaya, Phase-II, Karol Bagh, New Delhi.
7. Chief Executive Officer, BRPL, BSES Bhawan, Nehru Place, New Delhi
8. Chief Executive Officer, BYPL, Shakri Kiran Building, New Delhi.
9. Chief Executive Officer, TPDDL, Hadsun Lane, Kingsway Camp, Delhi.
10. Chief Executive Officer, O/o the Delhi Cantonment Board, Sadar Bazar, Delhi Cantt. - 110010.
11. Chairman, New Delhi Municipal Council, Parliament Street, New Delhi.
12. The Member Secretary, DPCC, 4th & 5th Floor, ISBT Building, Kashmere Gate, Delhi-110006. Mail i.d.:msdpcc@nic.in.

Copy to :-

1. SO to Chief Secretary, Delhi, Delhi Secretariat, N.Delhi.
2. PS to Secretary, Industries, Govt. of NCT of Delhi.

MINUTES OF THE MEETING HELD ON 29TH November, 2019 at 11:30 A.M. UNDER THE CHAIRMANSHIP OF CHIEF SECRETARY, DELHI IN THE CONFERENCE ROOM AT 5TH LEVEL DELHI SECRETARIAT, DELHI TO DISCUSS THE ACTION PLAN IN COMPLIANCE OF ORDER DATED 19/11/2019 OF HON'BLE NGT (IN OA NO.601/2018) AND HON'BLE SUPREME COURT ORDER DATED 25/11/2019 IN WP(C) 4677/1985.

A meeting was held on 29th November, 2019 at 11:30 A.M. under the Chairmanship of Chief Secretary, Delhi to discuss the status of action taken/to be taken in compliance of the order dated 19/11/2019 passed by Hon'ble NGT (IN OA NO.601/2018) titled Mayank Manohar & Paras Singh Vs. GNCTD and order dated 25/11/2019 passed by Hon'ble Supreme Court in the matter of "M.C. Mehta V/s Union of India & Ors." in WP(C) 4677 of 1985.

A list of officers who attended the meeting is enclosed as "Annexure-I".

1. At the outset, Secretary-cum-Commissioner (Industries) briefed about the direction dated 19/11/2019 issued by Hon'ble NGT in O.A. No. 601/2018 of "Mayank Manohar & Paras Singh, Reporter Times of India Vs. Govt. of NCT of Delhi & Ors". It was informed that the Tribunal has directed the Govt. of NCT of Delhi to close down all such units which have been illegally started forthwith and action be completed before 31/12/2019. Further, it was also directed that coercive measures in terms of recovery of compensation for illegal operation of such units be taken, apart from initiation of prosecution.
2. Regarding the directions dated 25/11/2019 passed by Hon'ble Supreme Court in the matter of "M.C. Mehta V/s Union of India & Ors." in WP(C) 4677 of 1985, Secretary-cum-Commissioner (Industries) informed that Govt. of NCT of Delhi is to disclose as to what kind of industries running in Delhi at present. In this connection, Secretary (Industries) further informed that there are 33 approved industrial areas, and 23 industrial clusters notified for re-development wherein "consent to establish & operate" is granted by DPCC to industrial units and the respective municipal corporation gives municipal license. It was further informed that the information in respect of industrial units located in developmental areas under the jurisdiction of DDA, and in residential and non-conforming areas under the jurisdiction of Municipal Corporation should be provided by the respective authorities
3. The Delhi Municipal Corporations informed that survey work in respect of Step-3 is still going on in some wards. The action taken report as informed in the meeting held on 29.11.2019 in respect of closure of non-permissible industries in residential and non-conforming areas of Delhi is compiled as under:-

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Name of Corporation	Units surveyed	Wards completed	Remaining wards	SCN Issued	Closed on 48 Hrs Notice	Units Sealed
EDMC	3451	56	08	1870	183	130
SDMC	5218	98	06	3047	408	47
NDMC	4550	92	12	3192	1156	388
TOTAL	13219	246	26	8109	1747	565

After having discussed the matter, the following decisions were taken:

1. The information about the kind of industries running in 33 approved industrial areas and 23 industrial clusters (notified for re-development) shall be provided by the DPCC to the Industries Department by 10.12.2019 for the purpose of filing status report in compliance of order dated 25/11/2019 of the Hon'ble Supreme Court.
2. The information about the kind of industries running in residential and non-conforming areas is to be provided by the respective MCD and by DDA in respect of developmental areas of the DDA, by 10.12.2019 for the purpose of filing status report in compliance of order dated 25/11/2019 of the Hon'ble Supreme Court.
3. The final action of closure / sealing, disconnection of water and electricity supply of the non-permissible units in residential and non-conforming areas, to be done simultaneously by the joint team of MCD, DISCOMS and DJB, and it should be completed by or before 31st December, 2019 in compliance of order dated 19/11/2019 of the Hon'ble NGT.
4. That Municipal Corporations will furnish the list of units closed/sealed with details of Mfg. activity, date of closure /sealing, directly to the DPCC for calculating the quantum of compensation to be levied for illegal operation of such units. On receipt of the list of closed/sealed units, DISCOMS shall also provide the 'date of installation' of electric connection of capacity above 5 KW to such units in residential and non-conforming areas in order to enable the DPCC to determine and to recover the environmental compensation in compliance of order dated 19/11/2019 of the Hon'ble NGT.

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

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ANNEXURE-I

Attendance Sheet

Dated:-29/11/2019

Time 11.30 AM

Sub.: - Meeting regarding compliance of order dated 19/11/2019 passed by Hon'ble NGT in O.A. No. 601 of 2018 titled as Mayank Manohar & Paras Singh, Reporter Times of India vs. GNCTD & Ors.

And order dated 25/11/2019 passed by Hon'ble Supreme Court in WP (C) 4677/1985 of M.C.Mehta Vs. UOI & Ors.

Sl. No.	Name of officer & designation	Department	Phone No. & E-mail	Signature
1.	Brent Singh BYPL	North East Circle	9350130399 brent.kh.singh@relianceada.com	
2.	P.K. Diwakar BYPL	Head (NO)	9555992541 pranod.diwakar@relianceada.com (M)	
3.	S. K. Bhardwaj CEE	DJB	9650290718 ee.east.djb@gmail.com	
4.	Anil Sharma HOD Govt. Affairs	Vata Power DDL	anil.k.sharma@vta.power.co.in	
5.	Nikhil Kumar	CEO - DJB	8800902488	
6.	Gyanesh Bhatt	Commissioner		
7.	Dr Dilraj Kaur	SDMC Commissioner EDMC.		
8.	Arun Mishra	MS, DPIC		
9.	Ramesh Verma	Add. Comm SDMC	9929026742	
10.	Shankh Sharma	DC (West-) SDMC	7046302111	
11.	K.D. Verma	ADC, EDMC	9810702500	
12.	AMAL SINHA	BRPL (CEO)	9336060141 39990838	
13.	RAJESH BANSAI	BSES Rajdhani	39999425 9350761602	
14.	VARSHA JOSHI	Comm North Med		
15.	Ravideep Singh	Director (and) DDA	9717787033	

Contd-2

Attendance Sheet

Dated:-29/11/2019

Time 11.30 AM

Sub.: - Meeting regarding compliance of order dated 19/11/2019 passed by Hon'ble NGT in O.A. No. 601 of 2018 titled as Mayank Manohar & Paras Singh, Reporter Times of India vs. GNCTD & Ors.

And order dated 25/11/2019 passed by Hon'ble Supreme Court in WP (C) 4677/1985 of M.C.Mehta Vs. UOI & Ors.

Sl. No.	Name of officer & designation	Department	Phone No. & E-mail	Signature
16	Ashwini Kulkarni / Ashwini Kulkarni Director (IT&CC)	DJB	96500 98921 dtge.djb@gmail.com	<i>[Signature]</i>
17	Anurag Bhatnagar Head Gpp. Legal	TPDDL	9971393919 anurag.bhatnagar@power-dda.com	<i>[Signature]</i>
18	Ramesh Koul HOD - Billipala Region	TPDDL	9818100584 ramesh.koul@power-dda.com	<i>[Signature]</i>
19	Sandip Jaiswal	North DMC Addl. Comm.		<i>[Signature]</i>
20	A. C. Prakash	DCE	97175 93508	<i>[Signature]</i>
21	Dr Buss Reddy	DCE	9819592543 REDDY DCE@power-dda.com	<i>[Signature]</i>
22	CHARAN SINGH JAIN	DDA CB (DB&EN)	9910056107	<i>[Signature]</i>
23	SIVA KUMAR	SO/PL, EDRX	9871550299	<i>[Signature]</i>
24	Vikas Anand	Commr (Ind.)	9650967213	<i>[Signature]</i>
25	T. B. SINGH, Dy. Commr (cc) Industries		9999219107	<i>[Signature]</i>
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