

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 601 OF 2018

IN THE MATTER OF

Mayank Manohar & Paras Singh

Reporter Times of India

....Applicant

Versus

Govt. of NCT of Delhi & Other

....Respondent

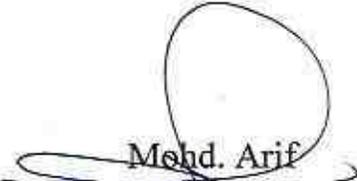
NDOH:- 02.11.2020

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Filed by

Dated:- 28/10/20
Place:- Delhi


Mohd. Arif
Sr. Env. Engineer, CMC-III

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
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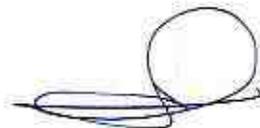
Versus

Govt. of NCT of Delhi & Other

....Respondent

Status Report on behalf of the Delhi Pollution Control Committee in terms of the order dated 20.03.2020 passed by this Hon'ble Tribunal.

1. That, it is most respectfully submitted that office of Commissioner of Industries, is coordinating the issue of closure of Industries in residential/non-conforming areas in terms of the directions of the Hon'ble Supreme Court of India in W.P.(C)No.4677/1985 titled as MC Mehta vs. Union of India and Others". Office of the Commissioner of Industries is filing the complied Action Taken Report of all the Local Bodies/Municipal Authorities for kind consideration of this Hon'ble Tribunal from time to time.
2. That, in compliance of Hon'ble NGT order dated 20.03.2020 several meetings through video conferencing were held under the Chairmanship of Chief Secretary, Delhi on 02.06.2020, 17.08.2020, 26.08.2020, 01.10.2020 and 12.10.2020. In these meetings, various decisions were taken which are to be implemented by different Agencies/Departments of Govt. of NCT of Delhi. (Copies of minutes dated 02.06.2020, 17.08.2020, 26.08.2020, 01.10.2020 and 12.10.2020 are enclosed herewith and annexed at Annexure-1(Colly)).



3. That, in compliance to the order of this Hon'ble Tribunal with regard to imposition of Environmental Damages Compensation, details of the units which were sealed in non-conforming areas in all Phases i.e. Step-1, Step-2 and Step-3 were obtained along with the date of closure and the nature of activity carried out by these units so as to categorise these units into White, Green, Orange and Red category based upon their activity.

The Industry Department/Concerned Municipal Corporation has provided list of 1072 units sealed during Step- I, 711 units sealed during Step-II and 1415 units sealed into during Step-III. Thus, 3198 units were sealed during all three phases by the concerned Municipal Corporation of Delhi. Number of units falling in various categories namely White, Green, Orange and Red are tabulated as given below:

Sr. No	Category	Number of units
1	Red	53
2	Orange	448
3	Green	799
4	White	1898
	Total	3198

4. Taking the pollution potential into consideration, Environmental Damages Compensation (EDC) of Rs. 2 Lakhs, 5 Lakhs, 20 Lakhs and 50 Lakhs have been imposed on White, Green, Orange and Red Categories respectively. Show Cause Notices were issued to all the 3198 units for imposition of EDC. After issuance of Show Cause Notices, directions for imposition of EDC were issued to all the 3198 units in July 2020 to Sept 2020. The Corporation wise and Step wise details of EDC imposed against the 3198 units are as given below:-

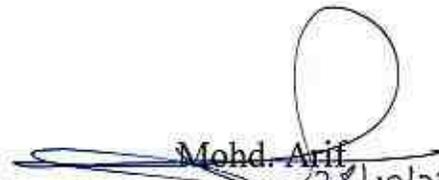
Name of Municipal Corporation	Step-I			Step-II			Step-III			Total of Step-I, Step-II & Step-III		
	No. of Units	No. of Units on which EDC is imposed	Total amount of EDC imposed (In Lacs)	No. of Units	No. of Units on which EDC is imposed	Total amount of EDC imposed (In Lacs)	No. of Units	No. of Units on which EDC is imposed	Total amount of EDC imposed (In Lacs)	Total No. of Units	No. of Units on which EDC is imposed	Total amount of EDC imposed (In Lacs)
East DMC	274	274	890	127	127	254	494	494	3394	895	895	4538
North DMC	690	690	4869	360	360	1602	617	617	4840	1667	1667	11311
South DMC	108	108	357	210	210	1020	304	304	2111	622	622	3488
Delhi Cantt Board	0	0	0	12	12	60	0	0	0	12	12	60
New Delhi MC	0	0	0	2	2	4	0	0	0	2	2	4
Grand Total	1072	1072	6116	711	711	2940	1415	1415	10345	3198	3198	19401

5. Many units had mentioned their inability or delay in depositing the EDC due to Covid- 19 Pandemic and low economic activity during last few months since March 2020. They have also mentioned that unprecedented health crisis and emergency coupled with steep downfall in the revenue earning due to lockdown which has brought down the economic activities to the lowest level. Till date, only 13 units had deposited EDC.
6. All three Municipal Corporations (i.e. EDMC, SDMC & NDMC) were requested to provide bank details etc of all units sealed in Step-I, Step-II & Step-III as these units have to file property tax etc to the concerned Municipal Corporations so that coercive action of attachment of bank account of the units may be taken in case of their failure to deposit EDC. In this regard, reminder letters to Municipal Corporations were issued on 23.10.2020 (Copies of letters dated 23.10.2020 are enclosed herewith and annexed at **Annexure-2 (Colly)**).

- 7. Recovery certificate are being issued to the Concerned Revenue Officials to recover the amount as arrears of land revenue in due course from the units which have not deposited Environmental Damages Compensation (EDC).

Dated:- 28/10/20

Place:- Delhi


Mohd. Arif
Sr. Env. Engineer, CMC-III 28/10/20

	DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 5 TH TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 visit us at : http://dpcc.delhigovt.nic.in
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F.NO. DPCC/NGT (CMC-II)/1173-83

Dated: 03/06/2020

Sub: Minutes of meeting held under chairmanship of Chief Secretary, Delhi on 02.06.2020 at 03.00 PM through video conferencing in connection with Hon'ble NGT matter OA No. 601/2018 titled "Mayank Manohar & Paras Singh Reporter Times of India Vs GNCTD & Ors .

Please find enclosed herewith minutes of meeting held under chairmanship of Chief Secretary, Delhi on 02.06.2020 at 03.00 PM through video conferencing in connection with Hon'ble NGT matter OA No. 601/2018 titled "Mayank Manohar & Paras Singh Reporter Times of India Vs GNCTD & Ors regarding Hon'ble NGT orders dated 16.03.2020.



(Dr. Chandra Prakash)
Incharge (CMC-II)

Encl: As above

To,

1. Commissioner of Industries, GNCTD, 419, FIE, Udyog Sadan, Patparganj Indl. Area, Patparganj, Delhi-110092.
2. Chief Executive Officer, Delhi Jal Board, Varunalaya, Phase-II, Karol Bagh, New Delhi-110005.
3. Commissioner, North Delhi Municipal Corporation, 17th Floor, Dr. S.P.M. Civic Centre, Minto Road, Delhi - 110002.
4. Commissioner, South Delhi Municipal Corporation, 14th Floor, Dr. S.P.M. Civic Centre, Minto Road, Delhi - 110002.
5. Commissioner, East Delhi Municipal Corporation, 419, Udyog Sadan, Patparganj Industrial Area, Delhi - 110092.
6. The Chief Executive Officer, BSES Rajdhani Power Ltd., BSES Bhawan, Nehru Place, New Delhi-110019.
7. The Chief Executive Officer, BYPL, Shakti Kiran Building, New Delhi.
8. The Chief Executive Officer, TPDDL, Hudson Lane, Kingsway Camp, Delhi.

Copy to:-

1. OSD to Chief Secretary : For information pl.
2. PA to Chairman, DPCC- For information of Chairman, pl.
3. PA to MS, DPCC- For information of MS, pl.

Minutes of the meeting chaired by the Chief Secretary through video conference held on 02.06.2020 at 03.00 pm to review issues related to the compliance of the directions of Hon'ble NGT in OA No. 601/2018 in the matter of Mayank Manohar Vs. GNCTD.

A meeting was convened under the chairmanship of Chief Secretary, GNCTD through video conference on 02.06.2020 at 3.00 pm to review issues related to the compliance of the directions of Hon'ble NGT dated 16.03.2020 (uploaded on 17.04.2020) in OA No. 601/2018 in the matter of Mayank Manohar Vs. GNCTD regarding closure of impermissible industries in non-conforming areas.

2. Background

The issue is regarding carrying out closure of industries in non-conforming areas in pursuance to order of Hon'ble Supreme Court of India dated 07.05.2004 in M.C.Mehta Vs. UOI & Ors. Periodic reports have been filed by Industries Department in the Hon'ble Supreme Court of India as well as in Hon'ble NGT as per progress made in various stages i.e. in Step-1, Step-2 and Step-3. Hon'ble NGT took up this matter and passed an order on 16.03.2020 in which it has expressed displeasure regarding incomplete action.

All the Municipal Corporations reported that closure of impermissible industries in non-conforming areas under Step-3 was in progress during which 15034 number of units have been surveyed. Out of the same, 10536 number of units closed down their operations, 1415 number of units were got sealed by disconnecting water and electricity connections and 2104 number of units had applied for license under household category.

3. After detailed deliberation, the following decisions were taken:

- i) Since, all the industrial units in non-conforming areas were closed due to enforcement of lockdown, they should not be allowed to re-open and continue with their impermissible activities unless they have a valid

municipal household factory license. This will be enforced by the respective urban local body.

- ii) Since the household category of industries are not authorized to operate above 11 KW load, the DISCOMs are required to disconnect power supply to such industrial units who are operating in a clandestine manner. Letter dated 21.05.2020 has been issued by Industries Department to all DISCOMs in this regard. Similar direction should also be issued to DJB to disconnect water supply to such units. The Chief Secretary directed that compliance report to this effect be obtained from the DISCOMs and DJB.
- iii) Since any household industries can operate only with municipal factory license, it was decided to direct the DISCOMs and DJB to disconnect electricity and water connection respectively to those units not having the municipal household industry license even though they are drawing less than 11 KW. Industries Department has asked the DISCOMs to provide the details of such units vide its letter dated 21.05.2020. Compliance report also be obtained from DISCOMs and DJB.
- iv) Since about 2104 units have applied for household license when the sealing drive was started in Step-3, these applications need to be disposed off at the earliest. In this regard, Department of Industries have already issued a letter dated 18.05.2020 to all MCDs. The Chief Secretary directed the Municipal Corporations to give a compliance report regarding disposal of the pending applications.

Video conference ended with vote of thanks to the chair.

URGENT
SUPREME COURT MATTER

OFFICE OF THE COMMISSIONER OF INDUSTRIES
Govt. of National Capital Territory of Delhi
Udyog Sadan, Plot No. - 419, FIE Patparganj Industrial Area, Delhi - 110092

No. 32/DCI/CC/Review Meeting/2019/214-225 Dated: 01 Sep, 2020

MINUTES OF MEETING

Sub: Minutes of the Meeting of the Monitoring Committee held on 17.08.2020 at 03.00 p.m regarding closure of impermissible industrial activities in residential / non-conforming areas of Delhi.

Kindly find enclosed herewith the Minutes of the Meeting of the Monitoring Committee held on 17.08.2020 at 03.00 p.m through video Conferencing under the Chairmanship of Chief Secretary, Delhi regarding closure of impermissible industrial activities in residential / non-conforming areas of Delhi in compliance of order dated 28.02.2020 passed by the Hon'ble Supreme Court in W.P. (C) No. 4677/1985 titled "M.C. Mehta V/s Union of India & Ors" and Order dated 16.03.2020 passed by Hon'ble NGT in O.A. No. 601/2018 for your kind perusal and necessary action.

Yours sincerely,

(Vinod Kumar)
Dy. Commissioner of Industries (CC)

Encl. As above:

To:-

1. The Vice Chairman, DDA, Vikas Sadan, INA, Delhi.
2. The Commissioner of Delhi Police, Delhi.
3. The Commissioner, South Delhi Municipal Corporation, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 110002.
4. The Commissioner, North Delhi Municipal Corporation, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 110002.
5. The Commissioner, East Delhi Municipal Corporation, 419, Udyog Sadan, Patparganj Industrial Area, New Delhi - 110092.
6. The Member Secretary, Delhi Pollution Control Committee, Building, 4th & 5th Floor ISBT, GT Karnal Rd, Kashmere Gate, New Delhi, Delhi 110006
7. The Chief Executive Officer, BSES Rajdhani Power Ltd., BSES Bhawan, Nehru Place, New Delhi - 110019
8. The Chief Executive Officer, BYPL, Shakti Kiran Building, New Delhi
9. The Chief Executive Officer, TPDDL, Hudson Lane, Kingsway Camp, Delhi.
10. The Chief Executive Officer, Delhi Jal Board, Varunalaya, Phase - II, Karol Bagh, New Delhi - 110005

Copy to:

1. SO to Chief Secretary, Govt. of NCT of Delhi.
2. PS to Secretary-cum-Commissioner of Industries, Govt. of NCT of Delhi.

MINUTES OF THE MEETING OF THE MONITORING COMMITTEE HELD ON 17.08.2020 at 3:00 P.M. THROUGH VIDEO CONFERENCING IN PURSUANCE OF ORDER DATED 16/03/2020 PASSED BY HON'BLE NGT IN OA NO. 601/2018 AND ORDER DATED 28.02.2020 PASSED BY HON'BLE SC IN WP(C) 4677/1985.

1. A meeting of the Monitoring Committee was held on 17th August 2020 at 3:00 P.M. Chaired by the Commissioner of South Delhi Municipal Corporation, as the Chief Secretary, Delhi was busy with a COVID19 related urgent matter. Agenda of this meeting was to discuss the progress of action taken in pursuance to order dated 16/03/2020 passed by Hon'ble NGT in OA No. 601/2018 and order dated 28/02/2020 of the Hon'ble Supreme Court in the matter of "M.C. Mehta V/s Union of India & Ors." in WP(C) 4677 of 1985.
2. At the outset, Secretary-cum-Commissioner (Industries) briefed the Members of the Monitoring Committee that on last hearing on 16/03/2020, Hon'ble NGT has directed all the Heads of MCD, Industries and DPCC to implement the orders of the Hon'ble Supreme Court and to file an action taken report before the next date of hearing. Further, Commissioner of Industries also apprised that review meetings were taken on 25.02.2020, 19.03.2020 02.06.2020 with the local bodies/concerned agencies where in they were requested to complete the action of closure, disconnection of water and electric supply through joint teams with DISCOMs & DJB.
3. Further, all the members were informed about the action taken report as received in respect of Step-3 from the local bodies as summarized here under:

Municipal Corporation	Total No. of Unit surveyed	No. of Units applied for HH license	No. of Units Close down on their own after 48 Hours notice	No. of Units sealed in Step - III
EDMC	3832	731	2607	494
SDMC	5822	1837	3610	360
NDMC	5757	531	4640	617
TOTAL	15411	3099	10857	1471

4. The SDMC and North DMC informed that the Committees have been constituted for disposal of Household applications and process of deciding the applications is under progress. Constitution of a similar Committee is under consideration in EDMC.

5. Regarding disconnection of water and electricity supply in respect of units covered in step I, II and III and which were reported as closed down after issue of 48 hrs notice by MCDs, and to re-ascertain their closure status, SDMC has informed that they have decided to re-survey these properties on random basis. For that purpose, two task forces presided over by AO (Factory Licensing) have been constituted jointly with representatives from BSES and DJB. However, no such step was reported by the North DMC and EDMC to re-ascertain closure status of such units randomly.

6. After discussing the progress report as received from the Local Bodies, the following decisions were taken in the meeting :

- a. The local bodies to dispose of the 3099 applications received by them under the Household category within a period of one month. Simultaneously action shall be taken by the Local Bodies for closure of such units of applicants that do not qualify for grant of household license under the provisions of the MPD-2021.
- b. The joint team/task force as constituted by SDMC, should also be constituted by the NDMC and EDMC for re-survey on random basis in order to ensure their closure status in respect of units covered in step I, II and III.
- c. The SDMC shall further complete the survey and closure of impermissible units in the left-out areas in Step-III within two weeks. The closure will be done jointly with DISCOMs and DJB.
- d. The decision regarding 7 IAs for de-sealing shall be taken up in the next meeting of the Monitoring Committee to be held shortly under the chairpersonship of the Chief Secretary, Delhi.

(11)

URGENT
SUPREME COURT MATTER

OFFICE OF THE COMMISSIONER OF INDUSTRIES
Govt. of National Capital Territory of Delhi
Udyog Sadan, Plot No. - 419, FIE Patparganj Industrial Area, Delhi - 110092

No. 32/DCI/CC/Review Meeting/2019/225-233 Dated: 01 Sep. 2020

MINUTES OF MEETING

Sub: Minutes of the Meeting of the Monitoring Committee held on 26.08.2020 at 03.00 p.m regarding closure of impermissible industrial activities in residential / non-conforming areas of Delhi.

Kindly find enclosed herewith the Minutes of the Meeting of the Monitoring Committee held on 26.08.2020 at 03.00 p.m through video Conferencing under the Chairmanship of Chief Secretary, Delhi regarding closure of impermissible industrial activities in residential / non-conforming areas of Delhi in compliance of order dated 28.02.2020 passed by the Hon'ble Supreme Court in W.P. (C) No. 4677/1985 titled "M.C. Mehta V/s Union of India & Ors" and Order dated 16.03.2020 passed by Hon'ble NGT in C.A. No. 601/2018 for your kind perusal and necessary action.

Yours sincerely,

(Vinod Kumar)
Dy. Commissioner of Industries (CC)

Encl. As above:

To:-

1. The Vice Chairman, DDA, Vikas Sadan, INA, Delhi.
2. The Principal Secretary, Environment, Govt. of NCT of Delhi, level-6, C-Wing, Delhi Secretariat, IP Estate New Delhi-02
3. The Commissioner of Delhi Police, Delhi.
4. The Commissioner, South Delhi Municipal Corporation, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 110002.
5. The Commissioner, North Delhi Municipal Corporation, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 110002.
6. The Commissioner, East Delhi Municipal Corporation, 419, Udyog Sadan, Patparganj Industrial Area, New Delhi - 110092.

Copy to:

1. SO to Chief Secretary, Govt. of NCT of Delhi.
2. PS to Secretary-cum-Commissioner of Industries, Govt. of NCT of Delhi.

MINUTES OF THE MEETING OF THE MONITORING COMMITTEE HELD ON 26.08.2020 at 3:00 P.M. UNDER THE CHAIRMANSHIP OF CHIEF SECRETARY, DELHI THROUGH VIDEO CONFERENCING TO DISCUSS THE COMPLIANCE REPORT IN PURSUANCE OF ORDER DATED 28.02.2020 PASSED BY HON'BLE SUPREME COURT IN WP(C) 4677/1985 AND ORDER DATED 16/03/2020 BY HON'BLE NGT IN O.A. NO.601 OF 2018.

1. A meeting of the Monitoring Committee was held on 26th August, 2020 at 3:00 P.M. under the Chairmanship of Chief Secretary, Delhi to discuss the compliance report in pursuance of order dated 28.02.2020 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 and order dated 16/03/2020 by Hon'ble NGT in O.A. No.601 of 2018.
2. Commissioner of Industries briefed the Members of the Monitoring Committee that on last hearing on 28.02.2020, Hon'ble Court had directed the Monitoring Committee to consider the pending applications for de-sealing (7 in numbers) and pass appropriate orders within 6 weeks. The Monitoring Committee in its meeting held on 19.03.2020 had directed the Industries Department to collect these applications from MCDs, examine them and place their brief facts before the Monitoring Committee for arriving at appropriate decision. Accordingly, agenda briefs in respect of six applications received by the Department of Industries was placed before the Committee for taking appropriate decision.
3. On the issue of recovery of Environmental compensation for the damage from the units sealed in Step-1, Step-2 and Step-3 in the matter of OA No.601/2018, the Member Secretary (DPCC) informed the Committee that they have imposed EDC and served notices upon these sealed units. However, recovery is yet to be done.
4. After deliberating upon the agenda, the following decisions were taken by the Monitoring Committee:
 - a. Regarding 3099 applications received by the Municipal Corporation for grant of household License and still pending with them, the Monitoring Committee decided that these applications shall be processed and disposed of by 15th September, 2020. Further, action in rejected applications/cases shall also be taken

- simultaneously in order to ensure that impermissible industrial activity is not carried out in the garb of household category.
- b. Regarding recovery of environment compensation for the damage (EDC) from the units sealed, the DPCC shall share the unit wise information of EC imposed upon within a week with the Local Bodies/MCDs. The Monitoring Committee decided that if any of the unit which was sealed in Step-1, Step-2, & Step-3, does not pay the EDC, the DPCC shall take coercive action against such units including attachment of their bank accounts in compliance of the orders dated 19/11/2019 and 16/03/2020 passed by the Hon'ble NGT in O.A. No.601/2018.
 - c. Regarding 7 IAs received for de-sealing, the Monitoring Committee decided that first they should be directed to clear the dues of EDC imposed by the DPCC in compliance of the order dated 19/11/2019 of Hon'ble NGT in OA No.601 of 2018 within a week. The Local Bodies shall also ensure that government dues are paid by the units which were sealed in all three steps.
 - d. Regarding completion of action required in Step-3, SDMC shall complete the survey and close down impermissible units in the left-out cases of Najafgarh zone in Step-3 within a time period of two weeks. The closure will be done jointly with DISCOMs and DJB. If any resistance to the survey/closure drive is still faced by the officers from the Units in left out areas, the SDMC shall record the efforts made by them in this regard so far and shall furnish status report for apprising to the Hon'ble NGT as well as the Hon'ble Supreme Court.
 - e. Further, Commissioner of each Municipal corporation shall furnish a certificate thereby certifying that there is no impermissible industrial activity is going on in the residential areas/non-conforming areas under their jurisdiction except the activities permissible in the MPD-2021 and action as required to be taken against all the defaulters have been duly taken.
 - f. The action taken report on all the above directions to be submitted for the perusal of the Monitoring Committee before its next meeting to be held shortly.

SPEED POST

DELHI STATE INDUSTRIAL & INFRASTRUCTURE DEVELOPMENT CORP. LTD.
Plot No.419, FIE, 3rd FLOOR, UDYOG SADAN PATPARGANJ, DELHI-110092
(RELOCATION DIVISION)

No: DSIIDC/RL/SO/Review Meeting/2020

Dated: 20.10.2020

To
Shri B. Ramesh,
Section Officer (CC),
Office of the Commissioner of Industries,
4th Floor, Udyog Sadan,
Patparganj, Delhi-110092.

Sub.: Bank Account details of allottees who's units sealed in step-1-reg.

Sir,

This has reference to your letter dated 19.10.2020 regarding supply of Bank A/c details in r/o allottees under Relocation Scheme who's units were sealed in step-1. In this context, the undersigned is directed to inform that as discussed in the meeting of monitoring committee held on 12.10.2020 that Relocation Division has not any information regarding bank details of allottees in the computer database provided to DSIIDC by Deptt. of Industries which is being maintained by DSIIDC as implementing agency for the Relocation Scheme. This has also been informed in the meeting.

Hence, in view of the above, it is not possible on part of the Relocation Division to provide the required information to DPCC.

Dushyant Kumar
20/10/2020
(Dushyant Kumar)
Section Officer (RL)

Copy to:

1. PS to ED, DSIIDC : for information please.
2. Reply sent through e-mail to DPCC CMC-III and VII

15

**URGENT
SUPREME COURT MATTER**

**OFFICE OF THE COMMISSIONER OF INDUSTRIES
Govt. of National Capital Territory of Delhi
Udyog Sadan, Plot No. - 419, FIE Patparganj Industrial Area, Delhi - 110092**

No. 32/DCI/CC/Review Meeting/2019/307-314

Dated: 12th Oct, 2020

(T)

MINUTES OF MEETING

Sub: Minutes of the Meeting of the Monitoring Committee held on 01.10.2020 at 03.00 p.m regarding closure of impermissible industrial activities in residential / non-conforming areas of Delhi.

Kindly find enclosed herewith the Minutes of the Meeting of the Monitoring Committee held on 01.10.2020 at 03.00 p.m through video Conferencing under the Chairmanship of Chief Secretary, Delhi regarding closure of impermissible industrial activities in residential / non-conforming areas of Delhi in compliance of order dated 28.02.2020 passed by the Hon'ble Supreme Court in W.P. (C) No. 4677/1985 titled "M.C. Mehta V/s Union of India & Ors" and Order dated 16.03.2020 passed by Hon'ble NGT in O.A. No. 601/2018 for your kind perusal and necessary action.

1542/81e
12/10/2020

[Handwritten signature]
12/10/2020

[Handwritten signature]
Secretary (CC)

Yours sincerely,

[Handwritten signature]
(Vinod Kumar)
Dy. Commissioner of Industries (CC)

Encl. As above:

To:-

01/10/2020
12/10/20

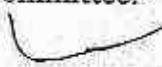
1. The Vice Chairman, DDA, Vikas Sadan, INA, Delhi.
2. The Principal Secretary, Environment, Govt. of NCT of Delhi, level-6, C-Wing, Delhi Secretariat, IP Estate New Delhi-02
3. The Commissioner of Delhi Police, Delhi.
4. The Commissioner, South Delhi Municipal Corporation, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 110002.
5. The Commissioner, North Delhi Municipal Corporation, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 110002.
6. The Commissioner, East Delhi Municipal Corporation, 419, Udyog Sadan, Patparganj Industrial Area, New Delhi - 110092.

Copy to:

1. SO to Chief Secretary, Govt. of NCT of Delhi.
2. PS to Secretary-cum-Commissioner of Industries, Govt. of NCT of Delhi.

ms/1210
12/10/2020

MINUTES OF THE MEETING OF THE MONITORING COMMITTEE HELD ON 01.10.2020 at 3:00 P.M. UNDER THE CHAIRMANSHIP OF CHIEF SECRETARY, DELHI THROUGH VIDEO CONFERENCING TO DISCUSS THE COMPLIANCE REPORT IN PURSUANCE OF ORDER DATED 28.02.2020 PASSED BY HON'BLE SUPREME COURT IN WP(C) 4677/1985 AND ORDER DATED 16/03/2020 BY HON'BLE NGT IN O.A. NO.601 OF 2018.

1. A meeting of the Monitoring Committee was held on 1st October, 2020 at 3:00 P.M. under the Chairmanship of Chief Secretary, Delhi to discuss the compliance report in pursuance of order dated 28.02.2020 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 and order dated 16/03/2020 by Hon'ble NGT in O.A. No.601 of 2018.
2. The Commissioner of Industries informed the members of the Monitoring Committee that as per judgment dated 15.12.2017 of Hon'ble Supreme Court (Referred to in the order dated 28/02/2020), the applicant is required to deposit a sum of Rs. 1.00 Lakh and an Undertaking to the Monitoring Committee to the effect that in future the premises will only be used for permitted use as per MPD-2021.
3. The Pr. Secretary (Environment) cum Chairman (DPCC) further informed that show cause notices/directions imposing EDC on the sealed units (including six I.As. for de sealing) has already been issued and details have been shared with the Municipal corporations. However, these applicants have not paid the Environmental Damage Compensation.
4. After discussing the agenda points, the following decisions were taken by the Monitoring Committee:-


- (i) That pending applications for grant of household License shall be processed and disposed off by 9th October, 2020 by the respective Municipal Corporations.
- (ii) That appropriate action in rejected applications shall also be taken simultaneously.
- (iii) That for recovery of environment compensation imposed upon sealed units, the DPCC shall work out the recovery strategy jointly with Local Bodies/MCDs as well as to initiate coercive action against defaulting units by attaching their bank accounts.
- (iv) Regarding 7 I.As for de-sealing, the Monitoring Committee decided each case as under:-
 - I. **IA No. 165401-165404 of Arun Gupta (SDMC):** As the property of Sh. Arun Gupta in respect of sealed premises at house No. 1 Block A-3, Chanakya Place, Uttam Nagar, New Delhi-110059 does not figure in the list of sealed units, this case does not come under the purview of Monitoring Committee and SDMC may decide this case on their own.
 - II. **IA No. 169985/2019 of Sharda Rani And Anr.) (NDMC):-** Although the applicant has given undertaking and deposited an amount of Rs.1 Lakh, but he has not deposited the Environmental Compensation of Rs.5.0 Lac as imposed by the DPCC upon him. Hence, the Monitoring Committee rejected this application for de-sealing.
 - III. **IA Nos. 177489 and 177490 of Sandeep Garg and Anr:-.** Although the applicant has given undertaking and deposited an amount of Rs.1 Lakh, but he has not deposited the Environmental Compensation of Rs.2.0 Lac as imposed by the DPCC upon him. Hence, the Monitoring Committee rejected this application for de-sealing.

IV. IA Nos. 198281 and 198286/2019 of Geeta Sharma):- Although the applicant M/s Trilok Chand Ram Avtar has given undertaking and deposited an amount of Rs.1.0 Lakh, but he has not deposited the Environmental Compensation of Rs.2.0 Lac as imposed by the DPCC upon him. Hence, the Monitoring Committee rejected this application for de-sealing.

V. IA Nos. 190482 and 190485/2019 of Vijay Dutt Sharma):- As the applicant failed to deposit the requisite sum of Rs.1.00 Lakh and undertaking/Affidavit, and not paid the Environmental Damage Compensation of Rs. 5.0 lakhs as imposed by DPCC upon him, the Monitoring Committee rejected this application for de-sealing.

VI. IA No. 18671/2020 of Suresh Paper Pvt. Ltd. (EDMC):- Although the applicant has given undertaking and deposited an amount of Rs.1 Lakh, but he has not deposited the Environmental Compensation of Rs.2.0 Lac as imposed by the DPCC upon him. Hence, the Monitoring Committee rejected this application for de-sealing.

VII. IA No. 18016 and 18018 of 2020 Sh. Trilok Chand:- As the petitioner did not submit any application for de-sealing before the Monitoring Committee and the applicant also failed to deposit the requisite sum of Rs. 1.00 Lacs and undertaking/ affidavit, and also did not pay the environmental damage compensation of Rs. 2.00 Lacs as imposed by DPCC upon him, the Monitoring Committee rejected this case for de-sealing.

The Monitoring Committee authorized the Commissioner of Industries to convey the above decision to the above applicants.

(v) The action taken report on all the above decisions to be placed before the Monitoring Committee in its next meeting to be held on 12.10.2020.

URGENT
SUPREME COURT MATTER

OFFICE OF THE COMMISSIONER OF INDUSTRIES
Govt. of National Capital Territory of Delhi
Udyog Sadan, Plot No. - 419, FIE Patparganj Industrial Area, Delhi - 110092

No. 32/DCI/CC/Review Meeting/2019/354-36)

Dated: 23/10/2020

MINUTES OF MEETING

Sub: Minutes of the Meeting of the Monitoring Committee held on 12.10.2020 at 03.00 p.m regarding closure of impermissible industrial activities in residential / non-conforming areas of Delhi.

Kindly find enclosed herewith the Minutes of the Meeting of the Monitoring Committee held on 12.10.2020 at 03.00 p.m through video Conferencing under the Chairmanship of Chief Secretary, Delhi regarding closure of impermissible industrial activities in residential / non-conforming areas of Delhi in compliance of order dated 28.02.2020 passed by the Hon'ble Supreme Court in W.P. (C) No. 4677/1985 titled "M.C. Mehta V/s Union of India & Ors" and Order dated 16.03.2020 passed by Hon'ble NGT in O.A. No. 601/2018 for your kind perusal and necessary action.

Yours sincerely,

(Vinod Kumar)

Dy. Commissioner of Industries (CC)
Mob.No.9811871386

Encl. As above:

To,

1. The Vice Chairman, DDA, Vikas Sadan, INA, Delhi.
2. The Principal Secretary, Environment, Govt. of NCT of Delhi, level-6, C-Wing, Delhi Secretariat, IP Estate New Delhi-02
3. The Commissioner of Delhi Police, Delhi.
4. The Commissioner, South Delhi Municipal Corporation, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 110002.
5. The Commissioner, North Delhi Municipal Corporation, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 110002.
6. The Commissioner, East Delhi Municipal Corporation, 419, Udyog Sadan, Patparganj Industrial Area, New Delhi - 110092.

Copy to:

1. SO to Chief Secretary, Govt. of NCT of Delhi.
2. PS to Secretary-cum-Commissioner of Industries, Govt. of NCT of Delhi.

MINUTES OF THE MEETING OF THE MONITORING COMMITTEE HELD ON 12.10.2020 at 3:00 P.M. UNDER THE CHAIRMANSHIP OF CHIEF SECRETARY, DELHI THROUGH VIDEO CONFERENCING TO DISCUSS THE COMPLIANCE REPORT IN PURSUANCE OF ORDER DATED 28.02.2020 PASSED BY HON'BLE SUPREME COURT IN WP(C) 4677/1985 AND ORDER DATED 16/03/2020 BY HON'BLE NGT IN O.A. NO.601 OF 2018.

1. A meeting of the Monitoring Committee was held on 12th October, 2020 at 3:00 P.M. under the Chairmanship of Chief Secretary, Delhi through video conferencing to discuss the compliance report in pursuance of order dated 28.02.2020 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 and order dated 16/03/2020 by Hon'ble NGT in O.A. No.601 of 2018.

2. The members of the Monitoring Committee were informed that as per the action taken report received from three Municipal Corporations, in Step-3, total 3099 applications for grant of household license (EDMC- 731 , NDMC-531 and SDMC-1837) were pending for disposal as on 26/08/2020. As decided in the last meeting held on 01/10/2020, these applications were to be disposed of by 09th October 2020 and further action of closure/sealing in rejected cases was to be taken and completed simultaneously. ATR on the same is awaited from all Municipal Corporations.

3. Commissioner, North Delhi Municipal Corporation, informed that out of -531 applications received in Step-3, only few applications (28 in number) are left to be disposed of which shall be disposed of within a week. He further added that submission of applications online is a continuous process and North DMC has received 50 more applications for grant of license under household category during last week which shall also be processed and disposed of shortly.

4. Commissioner, SDMC informed that out of 1837 applications for Household License received so far, most of these have been disposed off, but re-verification in about 200 cases is being undertaken.

5. Addl. Commissioner, EDMC informed that out of total 731 applications, 422 applications have been disposed off and 18 cases rejected. The remaining are in process and shall be disposed of during this week.

6. The representative of DPCC informed that as directed by the Monitoring Committee in the last meeting, a meeting with the officers of MCDs, DSIIDC was held on 08/10/2020. In that meeting MCD and DSIIDC officers were requested to share the bank details of 3209 sealed units so as to enable them to expedite the recovery of EDC from the owners of these units.

7. The MCD also acknowledged the receipt of information/details of connection holders from DISCOMS about the electric load over and above 11 kw. That these details shall be verified through the zonal offices in order to ensure that impermissible industrial activity is not carried out from these premises.

8. Regarding 7 I.As for de-sealing, Commissioner (Industries) apprised the members of the Monitoring Committee that orders have been conveyed in six cases, as decided in the last meeting. However, in one case of Mr. Sandeep Garg, the applicant has now informed that he has deposited the EDC of Rs. 2.0 lac to DPCC on 08.10.2020 before order could be issued. In view of the same, the Monitoring Committee may take a final decision on this I.A.

9. Considering all the foregoing inputs, the Monitoring Committee took following decisions:-

- a) The remaining applications for grant of household (out of total 3099 received in Step-3) shall be disposed of by 19th October 2020 and thereafter ATR be furnished to the office of the Commissioner (Industries) for filing a consolidated compliance report before the Hon'ble NGT.

- b) Simultaneously, closure/sealing action in respect of rejected applications under household category shall also be taken and completed by each MCD and ATR shall be furnished to the office of the Commissioner of Industries within a week time.
- c) SDMC to also furnish ATR of remaining areas of Najafgarh zone where action of survey and closure in Step-3 was required to be completed.
- d) The MCD and DSIIDC shall share the details of Bank Accounts with the DPCC within three days for enabling it to effect recovery of EDC from units sealed in residential areas and non-conforming areas of Delhi.
- e) Further, as being done by SDMC, North DMC and EDMC, through their Zonal offices, shall also physically verify the premises where DISCOMS energized electric connection over ar. above 11 kw and ascertain that impermissible industrial activities is not carried out from these premises.
- f) Regarding one I.A. for de-sealing of Sh. Sandeep Garg, the Monitoring Committee considered this application and allowed for permanent de-sealing and authorized the Commissioner, North MCD to issue necessary orders after ascertaining the veracity of the documents furnished and adherence of the applicant to the averments made in his affidavit submitted before the Monitoring Committee.
- g) Commissioner of each Municipal Corporation shall furnish a certificate thereby certifying that there is no impermissible industrial activity is going on in the residential areas/non-conforming areas under their jurisdiction except the activities permissible in the MPD-2021 and action as required to be taken against all the defaulters have been duly taken.

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



Annexure-2 (Copy) 23

DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
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DPCC/CMC-III/2020/30515-19

Dated: 23/10/2020

To,
The Commissioner
North Delhi Municipal Corporation
(NDMC) 4th Floor, Dr. SPM, Civic Centre,
Minto Road, Delhi-110002.

Subject:- Regarding bank details of units which were sealed during sealing drive Step-I, Step-II & Step-III in pursuance of Hon'ble Supreme Court "M.C. Mehta Vs UOI & Ors W.P.4677/1985" and in OA No. 601/2018 titled "Mayank Manohar and Paras Sigh Reporter TOI Vs. GNCTD & Ors".

Sir,

In compliance of Hon'ble NGT order dated 20.03.2020 several meeting through video conferencing were held under the chairmanship Chief Secretary of Delhi on 02.06.2020, 17.08.2020, 26.08.2020, 01.10.2020 and 12.10.2020.

The relevant portion of the minutes of meeting dated 01.10.2020 is as below:-

"That for recovery of Environment Compensation imposed upon sealed units, the DPCC shall work out the recovery strategy jointly with local bodies/MCDs as well as to initiative corrosive action against defaulting units by attaching their bank accounts".

Subsequently, a meeting was held on 08.10.2020 with EDMC, SDMC, NDMC, and Industries Department and DSIIDC Officials with regard to recovery of EDC imposed against 3198 units. All three Municipal Corporations were requested to provide bank details etc of all units sealed in Step-I, Step-II & Step-III as these units have to file property tax etc to the concern Municipal Corporations.

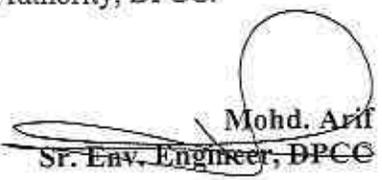
Further, it was also discussed with DSIIDC officials that DSIIDC would have details of bank account etc of units sealed during Step-I drive which were allotted alternate plot by DSIIDC. The list of units (1072) sealed in Step-I which were allotted plot by DSIIDC was also mailed to DSIIDC on 08.10.2020 so as to provide bank details as per their record.

In the meeting of Monitoring Committee held on 12.10.2020 which is Chaired by worthy Chief Secretary, it was decided that Concerned Municipal Corporations (i.e. EDMC, SDMC & NDMC) shall provide the bank details of units sealed during drives of Step-I, Step-II & Step-III to DPCC within a week so that coercive action for attachment of accounts can be initiated by DPCC.

However, no compliance report is received from any of the Municipal Corporation (i.e. EDMC, SDMC & NDMC) till date.

Therefore, you are requested to comply with the directions and provide the bank account details immediately so that Hon'ble Supreme Court and NGT orders can be complied in true letter and spirit.

This is being issued as per the approval of Competent Authority, DPCC.


Mohd. Arif
Sr. Env. Engineer, DPCC

Copy To:-

1. The Commissioner of Industries Department Of Industries, Plot No. 419 Udyog Sadan, FIE Patparganj, Delhi-110092.
2. Sh. Vinod Kumar, Dy. Commissioner, Department of industries, Plot No. 419 Udyog Sadan, FIE, Patparganj, Delhi-110092.
3. The Executive Director DSIIDC, Head Quarter, N-Block, Bombay Life Building, Cannaught Circus, New Delhi-110001.

4. Master file

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DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
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DPCC/CMC-III/2020/ 305/0-14

Dated: 23/10/2020

To,
The Commissioner (MCD),
South Delhi Municipal Corporation
9th Floor, Dr.SPM, Civic Centre,
Minto Road, Delhi - 110002.

Subject:- Regarding bank details of units which were sealed during sealing drive Step-I, Step-II & Step-III in pursuance of Hon'ble Supreme Court "M.C. Mehta Vs UOI & Ors W.P.4677/1985" and in OA No. 601/2018 titled "Mayank Manohar and Paras Singh Reporter TOI Vs. GNCTD & Ors".

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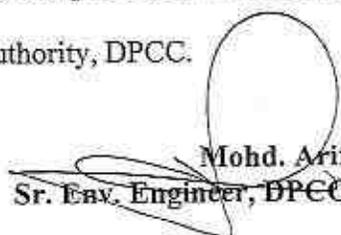
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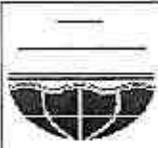

Mohd. Arif
Sr. Env. Engineer, DPCC

Copy To:-

1. The Commissioner of Industries Department Of Industries, Plot No. 419 Udyog Sadan, FIE Patparganj, Delhi-110092.
2. Sh. Vinod Kumar, Dy. Commissioner, Department of industries, Plot No. 419 Udyog Sadan, FIE, Patparganj, Delhi-110092.
3. The Executive Director DSIIDC, Head Quarter, N-Block, Bombay Life Building, Cannaught Circus, New Delhi-110001.

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DELHI POLLUTION CONTROL COMMITTEE
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DPCC/CMC-III/2020/ 30505-09

Dated: 23/10/2020

To,

The Commissioner (MCD)
East Delhi Municipal Corporation,
Plot No.419, Udyog Sadan, FIE,
Patprganj, Delhi-110092.

Subject:- Regarding bank details of units which were sealed during sealing drive Step-I, Step-II & Step-III in pursuance of Hon'ble Supreme Court "M.C. Mehta Vs UOI & Ors W.P.4677/1985" and in OA No. 601/2018 titled " Mayank Manohar and Paras Sigh Reporter TOI Vs. GNCTD & Ors".

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Further, it was also discussed with DSIIDC officials that DSIIDC would have details of bank account etc of units sealed during Step-I drive which were allotted alternate plot by DSIIDC. The list of units (1072) sealed in Step-I which were allotted plot by DSIIDC was also mailed to DSIIDC on 08.10.2020 so as to provide bank details as per their record.

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However, no compliance report is received from any of the Municipal Corporation (i.e. EDMC, SDMC & NDMC) till date.

Therefore, you are requested to comply with the directions and provide the bank account details immediately so that Hon'ble Supreme Court and NGT orders can be complied in true letter and spirit.

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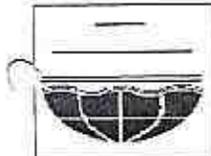

Mohd. Arif
Sr. Env. Engineer, DPCC

Copy To:-

1. The Commissioner of Industries Department Of Industries, Plot No. 419 Udyog Sadan, FIE Patparganj, Delhi-110092.
2. Sh. Vinod Kumar, Dy. Commissioner, Department of industries, Plot No. 419 Udyog Sadan, FIE, Patparganj, Delhi-110092.
3. The Executive Director DSIIDC, Head Quarter, N-Block, Bombay Life Building, Cannaught Circus, New Delhi-110001.

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DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
 visit us at : <http://dpcc.delhigovt.nic.in>

DPCC/CMC-III/2020/30498-30504

Dated: 23/10/2020

To,

The Commissioner of Industries
 Department Of Industries, Plot No. 419
 Udyog Sadan, FIE Patparganj,
 Delhi-110092

Subject:- Regarding bank details of units which were sealed during sealing drive Step-I, Step-II & Step-III in pursuance of Hon'ble Supreme Court "M.C. Mehta Vs UOI & Ors W.P. 4677/1985" and in OA No. 601/2018 titled " Mayank Manohar and Paras Sigh Reporter TOI Vs. GNCTD & Ors".

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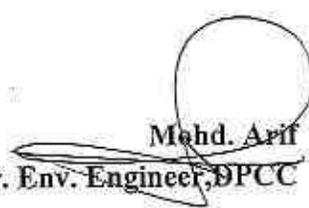
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Further, it was also discussed with DSIIDC officials that DSIIDC would have details of bank account etc of units sealed during Step-I, drive which were allotted alternate plot by DSIIDC. The list of units (1072) sealed in Step-I which were allotted plot by DSIIDC was also mailed to DSIIDC on 08.10.2020 so as to provide bank details as per their record.

Therefore, you are requested to direct the all concern Municipal Corporation ((i.e. EDMC, SDMC & NDMC) and DSIIDC to provide the bank details of units sealed in Step-I, Step-II & Step-III immediately to DPCC so that Hon'ble Supreme Court and NGT orders can be complied in true letter and spirit.

This is being issued as per the approval of Competent Authority, DPCC.


 Mohd. Arif
 Sr. Env. Engineer, DPCC

To:-

1. Sh. Vinod Kumar, Dy. Commissioner, Department of industries, Plot No. 419 Udyog Sadan, FIE, Patparganj, Delhi-110092.
2. The Commissioner (MCD) (South), 9th Floor, Dr.SPM, Civic Centre, Minto Road, Delhi - 110002- for necessary action please.
3. The Commissioner (MCD) East Delhi Municipal Corporation, Plot No.419, Udyog Sadan, FIE, Patprganj, Delhi-110092- for necessary action please.
4. The Commissioner North Municipal Corporation (NDMC) 4th Floor, Dr. SPM, Civic Centre, Minto Road, Delhi-110002 - for necessary action please.
5. The Executive Director DSIIDC, Head Quarter, N-Block, Bombay Life Building, Cannaught Circus, New Delhi-110001.

6. master file

a/c