

**SPEED POST**

CPCB/ IPC-V/Directions/DPCC/WP-31/2019 9638

November 29, 2019

To  
The Chairman  
Delhi Pollution Control Committee  
4th & 5th Floor, ISBT Building,  
Kashmere Gate  
Delhi -110006

**Directions under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981- regarding illegal and polluting industries running in residential areas, located at Delhi, in the matter of Writ Petition No. 31/2018, Mohd. Rafiq Vs Central Pollution Control Board & Ors before the Hon'ble High Court of Delhi, at New Delhi.**

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the Pollution Control Boards/Committees, constituted under Water (Prevention & Control of Pollution) Act, 1974, is to plan a comprehensive programme for the prevention, control or abatement of water pollution in the concerned State/Union Territory and to secure the execution thereof; and

WHEREAS, amongst others, under Section 17 of the Air (Prevention and Control of Pollution) Act, 1981, one of the functions of the Pollution Control Boards/Committees, constituted under Water (Prevention & Control of Pollution) Act, 1974, is to plan a comprehensive programme for the prevention, control or abatement of water pollution in the concerned State/Union Territory and to secure the execution thereof; and

WHEREAS, the petitioner has filed the PIL vide W.P.(Civil) No-31of 2018 about unauthorized/illegal factories operating in the residential areas /non-conforming areas of Delhi and causing air and water pollution that adversely affecting the surroundings and people residing in the area.

WHEREAS, the applicant prayed to direct the Respondent Authorities to take necessary action against such illegal and polluting factories.

WHEREAS, the Hon'ble High Court of Delhi, Division Bench vide its order dated 20.08.2019 (copy enclosed), in the above matter directed as below:

"..... We direct the respondents that if any sealed industry is functioning, the same be closed down immediately. Further, if any manufacturing process referred to in

the memo of the writ petition are conducted by the property owners, actions under criminal law shall be initiated by the respondents before the appropriate forum. If any industry is being run in the area at which such industrial process cannot be operated, appropriate action will be also taken by the respondents in accordance with law....."

**NOW, THEREFORE,** in exercise of powers conferred under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981, the DPCC is hereby directed to ensure the compliance of the directions as issued by the Hon'ble High Court of Delhi vide its order dated 20.8.2019, in the matter of Writ Petition No-31/2018 and submit the compliance status within a month.

(S.P. Singh Parihar)  
Chairman

Encl: as above

Copy to:

1. The Joint Secretary (CP Division) : for information please.  
Ministry of Environment, Forest and Climate Change  
Prithvi Wing, 2nd Floor, Room No. 216  
Indira Paryavaran Bhawan  
Aliganj, Jor Bagh Road  
New Delhi -110003.
2. DH- IT Division, CPCB, Delhi : for uploading on CPCB  
website please.

*Prashant* 6/12/19  
f (Prashant Gargava)  
Member Secretary