



SPEED POST

File No.: CM-13011/201/2024-LAW-HO-CPCB-HO/

October 03, 2024

To,

The Member Secretary
Delhi Pollution Control Committee
Government of N.C.T. Delhi,
4th Floor, ISBT Building, Kashmere Gate,
Delhi-110006

Directions 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 in compliance of the Hon'ble National Green Tribunal, Principal Bench order dated 01.08.2024 in Original Application No. 228/2024 in the matter of Ashok Kumar Nirbhay Versus Govt. of NCT of Delhi - reg.

WHEREAS, amongst others, under section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB)/Pollution Control Committee (PCC), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams and wells located in the State/UT and to secure the execution thereof; and

WHEREAS, under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974, no person shall without the previous consent of the State Pollution Control Board establish or take any steps to establish any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land; and

WHEREAS, as per CPCB categorization, 2016, "Leather footwear" is categorized under "Green Category" of industrial sector and required to obtain Consent to Establish (CTE) and Consent to Operate (CTO) from concerned SPCB/PCC; and

WHEREAS, the Department of Industries, Government of NCT of Delhi issued a list of household/service industries as per Master Plan 2021 including "leather footwear" notified vide S.O. 141 (E) dated 7th February, 2007 by Ministry of Urban Development (Delhi Division). The following are the major conditions:

**‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.
Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.**

दूरभाष /Tel : 43102030, 22305792, वेबसाइट /Website: www.cpcb.nic.in

- a. Household industrial units with maximum 5 workers and 5 kilowatt power may be allowed to continue in residential areas and new industrial units of this type could be permitted in residential areas subject to the condition that no polluting industrial Unit shall be permitted as household industry.
- b. Separate industrial electric connection (single phase) and Municipal License, would be necessary to set up a household industry.
- c. No effluent/emissions shall be allowed to be generated by the units and these shall adhere to the noise standards as stipulated by Ministry of Environment and Forests, Government of India.
- d. No inflammable or hazardous substance is permitted to be stored.

WHEREAS, the complainant Shri Ashok Kumar Nirbhay, General Secretary, Resident Welfare Association, Madipur Gaon, New Delhi, vide e-mails dated 31.08.2023, 15.09.2023 and 12.10.2023 forwarded the complaints to Chairman, Delhi Pollution Control Committee (DPCC). The complaint is regarding operation of some shoe manufacturing units using groundwater and spreading pollution in the residential area without obtaining necessary factory license from Delhi Municipal Corporation and No Objection Certificate from the Fire Department of Delhi. Due to pollution caused by these industries, the residents are suffering from serious diseases.

WHEREAS, the above mentioned complaints were forwarded to DPCC by CPCB for taking appropriate action on the complaint vide e-mails dated 31.08.2023, 15.09.2023 and 17.10.2023.

WHEREAS, the Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi registered Original Application (OA) No. 228/2024 on the basis of the letter petition of Shri Ashok Kumar Nirbhay, General Secretary of Resident Welfare Association, Madipur Gaon, New Delhi. The allegation of the applicant is that in the residential area some shoe manufacturing units are operating and they are using ground water and spreading pollution in the residential area without license from Delhi Municipal Corporation. The Hon'ble NGT while disposing of the said matter passed the following directions:

“3.... the factual position at the ground level can be ascertained by the Chairman, CPCB and if any substance is found in the complaint then appropriate remedial action be taken; and

4. Hence, we dispose of the OA expecting the Chairman, CPCB to do the needful in terms of the observations made above expeditiously...”

NOW, THEREFORE, in view of above and in exercise of the 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 Delhi Pollution Control Committee (DPCC) is hereby directed to ascertain the factual position at ground level and take appropriate action against the alleged units in compliance of the Hon'ble NGT order dated 01.08.2024 in OA No. 228/2024 in the matter of Ashok Kumar Nirbhay Versus Govt. of NCT of Delhi and ensure that only such Units are operational which are compliant to the aforesaid Master Plan 2021 including "leather footwear" ensuring the following:

1. Having valid Consent to Operate (CTO).
2. Having necessary permission/License from Municipal Corporation of Delhi.
3. Having separate industrial electrical connection.
4. Having located in residential area, units shall not generate any effluent/emissions and no inflammable or hazardous substance is permitted to be stored.
5. Having permission for groundwater abstraction from Central Ground Water Authority/Delhi Jal Board.

The action taken report shall be sent by DPCC to CPCB within 30 days from the date of receipt of these directions. DPCC shall also acknowledge the receipt of this direction to CPCB within 15 days from the date of the receipt should keep strict follow-up of the Units to ensure complete compliance of the direction.


(BHARAT KUMAR SHARMA)
MEMBER SECRETARY

Copy to:

- 1 **The Chairman,** :For information and necessary
Delhi Pollution Control Committee, action, please
Government of N.C.T. Delhi,
4th Floor, ISBT Building,
Kashmere Gate,
Delhi-110006

- 2 **The Director (CP Division),** : For information, please
Ministry of Environment, Forest & CC,
Prithvi Block,
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110003
- 3 **The Regional Directorate** : For follow-up and ensuring
Central Pollution Control Board, compliance, please
BSNL Tel Exchange,
2nd Floor, Sector 49 C,
Chandigarh, Pin 160047
- 4 **The Divisional Head,** : For uploading on CPCB website,
IT Division, CPCB, Delhi please

(BHARAT KUMAR SHARMA)
MEMBER SECRETARY

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