

We want action within one week, SC tells Govt

HT Correspondent
New Delhi, December 6

THE SUPREME Court today said it wanted action within a week by the Delhi Government and other agencies against polluting units in the Capital.

"The government may believe that wealth is health. But it is not so. We want action within a week," a division bench headed by Justice B N Kirpal said.

The bench made it clear that under no circumstances would the polluting units be allowed to carry on their business.

The bench noted with disgust that the Delhi Government, the Municipal Corporation of Delhi (MCD) and the Delhi Development Authority (DDA) have failed to provide information about the number of polluting industries operating from the Capital's residential areas: "Polluting industries are closed and then opened."

Referring to the government's move to regularise industri-

al units where their concentration was over 70 per cent, Justice Kirpal remarked: "Why don't you (the Government) shift the Capital?"

Asking all the government agencies to come up with a time-bound action plan for closing polluting industries, the bench said: "Either change the law or enforce it."

In response to the court's query on the number of polluting

Listing of polluting units

units, the MCD sought ten days' time to prepare the list. When asked why it did not close them since 1996, the counsel representing the MCD sought the court's directions to the Delhi Government for providing police force to launch the sealing drive.

When Justice Kirpal recalled reports of political interference for stalling action against polluting units, the MCD said

that it could complete the job within three months but only with the help of the police.

The Supreme Court was hearing contempt proceedings against Delhi Chief Secretary P.S. Bhatnagar and Municipal Corporation of Delhi Commissioner S.P. Aggarwal for non-compliance of its orders for relocation of over one lakh industries.

Representing the Union Ministry for Urban Development, Additional Solicitor General Kirit Raval said the Delhi Government has been evading its responsibility to relocate the industries in the "garb" of violence.

He alleged the government has not responded to the Ministry's request for issuing an ordinance for registration of existing industries.

Seeking an undertaking from the Delhi Government that it would co-operate with the Urban Ministry, which is the nodal agency for action against polluting units, the counsel submitted that the government be given a reasonable time to carry out the task.

SC warns polluting industries have no place in Delhi

By Our Legal Correspondent

NEW DELHI: The Supreme Court on Wednesday issued another warning that polluting industries cannot be tolerated as such units deserve no mercy.

Concerned with the people's health and well being, the court said over a lakh industries must be relocated.

"Polluting industries cannot be tolerated and we want action immediately," a Bench comprising Justice B N Kirpal, Justice Doraiswamy Raju and Justice Brijesh Kumar said while hearing contempt cases against Delhi chief secretary P S Bhatnagar and Municipal commissioner S P Aggarwal.

Despite its order to submit a list of polluting industries by today, no such list was submitted. Instead, the authorities sought an additional week or ten days to furnish the list.

Additional solicitor general Kirit N Rawal said the Centre was opposed to the Delhi government's idea that residential areas, where the concentration of industries was up to 70 per cent should be converted into industrial areas by amending the Master Plan.

Rawal said it would mean rewarding the wrongdoers at the cost of the environment and against the welfare of the residents. The Centre was not opposed to the industries, but they should not be allowed to operate at the cost of environment.

Instead, there should be a planned development of industries, he added.

Rawal, appearing for the Union urban development ministry, said

that it was childish on the part of Delhi government to say that Centre was stonewalling its efforts to relocate when they had no intention to obey the orders of the court.

Referring to the change of stand of the city government after the violence on November 20, Rawal said, "I represent a government which wants to govern led by a leadership which wants to lead and not to be misled by motivated manifestation of mobocracy."

He said "the Centre is as much aware about the plight of worker as anyone else" and added "in spite of the inaction of the government of Delhi, time should be given to the industries to implement the court orders on relocation."

The court adjourned hearing till Thursday.

Lawyer Ranjit Kumar, who is assisting the court, referred to the track record of the Delhi government in implementing court orders and said unless the authorities were put to strict time schedule nothing could be achieved.

The court ordered that the Nodal agency created in the Urban development ministry would continue to hold "the reins" in the implementation of its orders and all others should cooperate with it.

Bhatnagar's counsel K K Venugopal said his client would give an undertaking in writing that they would extend fullest cooperation to the Nodal agency and would abide by whichever time frame fixed by it for relocation of the industries from the residential and non-conforming areas of the Capital.

Junking technology, the Govt way

The Times of India, 7/12/2000
By Rahul Gupta

NEW DELHI: The world is looking at waste to energy (WTE) technologies, while Delhi is converting technology to waste. The six-month old effluent treatment plants (ETP) worth more than a lakh are being dismantled and sent to junkyards at throwaway prices. A junk dealer in west Delhi boasts of 15 such 'junked' ETPs.

Ever since the brouhaha about relocation broke across the Capital, scores of small scale unit owners who had installed ETPs have closed shop, ripped the ETPs off and dumped them in lanes and bylanes, ensuring that these are not to be seen anywhere near their unit. Or else, the government might just seal their houses too. Being in a non-conforming area, the unit owners know that not only the unit, but chances of the house also getting sealed are very high. In many cases, the unit and the residence share the same entrance and sealing would mean snapping off water and power for the residence also.

Reports of owners dismantling their ETPs have come in from all over the city. ETPs have been removed from Samaipur village in north west, Tehkhand and Govindpuri in south, Maujpur in east and Khyala in west Delhi. All these places are non-conforming areas with units which were one of the first to instal pollution control technologies. Many have sold these to scrap dealers at Rs 3 per kg, getting around Rs 1,500, which is of little consolation.

Removing ETPs has been a difficult task for owners as a few months ago they had paid Rs 70,000 to Rs 80,000 for installing a medium-sized ETP. Then they spent another Rs 25,000 in getting the technology verified from government approved consultants.

And another Rs 5,000 for getting the water tested from government approved laboratories. Finally, the owners also shelled out a bank guarantee or drafts, which left them poorer by Rs 50,000.

Waving a file, Maujpur dyeing unit owner Rajpal Sud said, "This file cost me Rs 1,50,000 and months of tension. It has the sealing orders, de-sealing orders, consultant report, lab reports, photocopies of the bank guarantee and correspondence with the DPCC. And now, I cannot work at all."

Sud said, "the government should have told me in February at the time of the first sealing itself that my unit cannot operate. After spending so much money, running around government corridors and looking for the right technology, I have to haggle with the junk dealer on the price of the ETP. Even if I do not use my unit, I cannot afford to let it remain on the premises as it will be sealed."

The unit owners say that early this year, the government also asked them to take commercial connections for their units. "Now that the unit is lying unused, I still have to pay for sanctioned load rather than the amount of power used," another unit owner lamented."



A junked effluent treatment plant.

ABSURD DRAMA

- Small scale unit owners in non-conforming areas spent Rs. 1.5 lakh to instal ETPs six months ago
- The government did not seal their units
- Today, they are haggling with junk dealers who are buying their ETPs for Rs 1,500
- If they don't, the government might just seal their houses, they fear