

MINUTES OF THE EIGHTH MEETING OF THE BUSINESS FACILITATION COUNCIL (BFC) HELD ON 17TH JUNE, 2011 AT 3.00 p.m.

Eighth meeting of the Business Facilitation Council (BFC), constituted to facilitate entrepreneurs in obtaining clearances from various departments / agencies for setting up industrial enterprises in the NCT of Delhi, was held under the Chairmanship of Executive Director, DSIIDC on 17th June, 2011 at 3.00 p.m. in the Committee Room of Chairman-cum-Managing Director --DSIIDC at N-36, Bombay Life Building, Connaught Place, New Delhi. The list of members/participants who attended the aforementioned meeting is placed at **Annexure**

- 1.

At the outset, the Chairman welcomed the members and other participants to the eighth meeting of the Business Facilitation Council. Thereafter, agenda points were discussed as per details given below:-

Agenda Item No.1: Review of action taken on the decisions taken in the 7th meeting of the Business Facilitation Council (BFC)

(1) MCD related issues:

(1) Grant of Factory Licence at all floors and basement

The representative of MCD informed that the matter regarding grant of factory licence at all floors and basement had been examined in the Building Department of MCD. He further stated that as per opinion given by the Building Department of MCD, Factory Licence can be granted only on the floor specifically mentioned as working hall / work room in the sanctioned building plan of industrial buildings. He also stated that building plans earlier sanctioned for ground floor only need to be got re-sanctioned to include other floors as working halls / work rooms to enable the industries to obtain factory licence for the same. Representatives from associations of industries reiterated that in the

meantime, prosecution for carrying out manufacturing activities at floors other than ground floor should be stayed.

After detailed discussion, it was decided that issue would be discussed again in the next meeting of the Business Facilitation Council which may be organized under the chairmanship of Hon'ble Minister of Industry.

(2) **Approval of building plans in respect of DSIIDC built sheds**

Representative of DDA informed that since DDA has notified development control norms for redevelopment of existing planned industrial sheds and as such MCD should sanction redevelopment plans in respect of DSIIDC built sheds accordingly. The representative of PHDCCI suggested that the matter should be taken up again with DDA because the development control norms for redevelopment of existing planned industrial sheds are incompatible with the norms notified by the DSIIDC, vide circular dated 26.3.1993, with the approval of the Town Planner. However, after detailed discussion the representatives of associations of industries expressed satisfaction over the redevelopment control norms notified by the DDA for existing planned industrial sheds.

(3) **Misuse notices issued by the MCD**

The matter regarding issue of misuse notices by MCD for activities such as development of IT hardware and software, computer repairing, cyber information centre, data processing, desk top publication etc. which had been categorized as industrial activities and are permissible under industrial use was also discussed again in this meeting. It was informed that the matter stood sorted out by the MCD with the approval of Hon'ble Lt. Governor.

(4) **Conversion charges from industrial to commercial:**

The Chairman informed that the suggestions given by the Delhi Factory owners' Federation on conversion of properties from industrial to commercial use had been sent to MCD and DDA requesting them to send their views / comments. It was further informed that reply from DDA had been received but requisite reply from MCD was still awaited. It was decided that matter would be discussed after reply from MCD is received.

II **DDA related issues:**

Redevelopment of planned / unplanned industrial areas in Delhi:

Chairman informed that DDA has notified Regulations and Guidelines for redevelopment of existing planned industrial areas. He further informed that the guidelines for redevelopment of unplanned industrial areas were yet to be notified by the DDA as the same are still under consideration of Ministry of Urban Development, Government of India.

III **DPCC related issues:**

Consent to establish / operate an industrial unit:

Representative of DPCC placed the status regarding disposal of applications for grant of consent received prior to August, 2009 as per copy placed at **Annexure II**. Representatives of industries associations observed that progress of disposal of the applications was slow. After detailed discussion, it was decided that the matter would be discussed in the next meeting of the Business Facilitation Council which may be organized under the chairmanship of Hon'ble Minister of Industry.

IV Industrial Associations related issues:

- (1) **Review of prohibited / negative list of industries ; (ii) parameters governing establishment of household industries; and (iii) maximum no. of workers allowed in industrial areas:**

Vice President – Apex Chamber of Commerce & Industry NCT of Delhi again informed that a Group consisting of representatives from Delhi Factory Owners' Federation, PHD Chamber of Commerce and Industry, Apex Chamber of Commerce and Industry of NCT OF Delhi and Badli Industrial Estate Association had been constituted for preparing list of issues where review of MPD – 2021 was required both on regular basis and on emergent basis. He further informed that the aforementioned Group could not finalize its report as the matter was being heard by Hon'ble High Court. Next date of hearing is in July, 2011 when DDA is expected to file its reply in the Hon'ble High Court.

- (2) **Measures to improve ranking of NCT of Delhi as business destination in India:**

Members took note of the measures taken to improve ranking of NCT of Delhi as business destination in India. Members were again requested to suggest measures to further improve the ranking.

Agenda Item No. 2 : To discuss issues / points received from PHD Chamber of Commerce & Industry

- (1) **Lack of infrastructure in Industrial Areas:**

Chairman appraised the members about the status regarding implementation of Delhi Industrial Development, Operation and Maintenance Act, 2010 as under:-

- (a) That the Delhi Industrial Development, Operation and Maintenance Act, 2010 has been notified.
- (b) That the Delhi Industrial Development, Operation and Maintenance Rules, 2011 have been formulated and submitted for approval of the Government.

(c) That the DDA has agreed to hand over industrial estates for lease management to DSIIDC after the said rules are notified.

(d) The four industrial estates namely Narela, Bawana, Patparganj and Okhla Indl. Estates are proposed to be maintained under PPP Mode.

(e) That Hon'ble Chief Minister has taken up the matter with Hon'ble Union Home Minister for taking over maintenance of industrial estates presently being maintained by the MCD.

(2) **Conversion of industrial land from leasehold to freehold**

Chairman informed that the process of conversion of industrial land from leasehold to freehold has already been expedited and efforts would be made to further streamline the process.

(3) **Functioning of CETPs**

Representatives of industries association mentioned that some of the CETP Societies which are not authorized to collect capital cost & O&M cost from the industries are collecting the same. Chairman informed that the matter would be discussed with the concerned Addl Commissioner of Industries and appropriate action would be taken in this regard.

(4) **Refund of VAT**

Representatives of industries associations suggested that the refund of VAT should be automatically credited to the bank account of the assessee. He further mentioned that the entrepreneurs have to obtain the 'C' Form for claiming refund of VAT. Representative from VAT Department clarified that 'C' Form was not required to be submitted afresh, if the same had been enclosed with the return by the dealer.

(5) **Repeal of Bombay Welfare Fund Act, 1953 as extended to Delhi**

The representative of PHDCCI suggested that since employers are making contributions for welfare of their workers under various laws e.g. ESI Act, EPF Act, and Payment of Gratuity Act etc., they should not be required to contribute under the Labour Welfare Fund Act, 1953 as applicable to the NCT of Delhi. He, therefore, suggested that the Bombay Welfare Fund Act, 1953 as extended to the NCT of Delhi should be repealed. After detailed discussion, it was decided that the matter would be discussed in

the meeting of the Business Facilitation Council which may be organized under the Chairmanship of Hon'ble Minister of Industry.

(6) **Availability of Power in Industrial Estates**

Representative of PHDCCI suggested that since the power supply position in the NCT of Delhi was comfortable, the DISCOMS should supply power on a 24/7 basis in industrial estates. Representatives of DISCOMS informed that no power cuts were being imposed in industrial estates but the possibility of power failure due to local problems could not be ruled out.

(7) **Availability of water from Delhi Jal Board in Industrial Estates**

The issue regarding non-availability of water from Delhi Jal Board in industrial estates was raised the representative of PHDCCI. However, the matter could not be discussed because no body from Delhi Jal Board was present in the meeting.

(8) **Overtime working in Factory**

The representative of PHDCCI suggested the Factories Act should be amended to increase work week from 48 hrs to 60 hrs.

Chairman observed that matter would be discussed in the next meeting of the Business Facilitation Council proposed to be organized under the Chairmanship of Hon'ble Minister of Industry.

The other issues suggested by PHDCCI namely industrial activity on all floors, regulations governing household industries, grant of consent of DPCC, Regulations and Guidelines for redevelopment of existing planned industrial areas have been discussed under Agenda Item No. 11.

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

**Business Facilitation Meeting on 17th June, 2011 at 3.00 PM in the
Conference Room of CMD, DSIIDC**




ATTENDANCE SHEET

S No.	Name & Designation	Department	Phone Number	Signatures
1.	D. K. KAPUR	PSD Chamber of Common & Industry	9810512826	[Signature]
2.	R. Anona	Apex Chamber	9810029290	[Signature]
3.	GOPAL KRISHAN DHALL	Apex Chamber	9810080236	[Signature]
4.	SAMEER NAYAN	Handy Sect. DFOF	9810135426	[Signature]
5.	ILA GUPTA	AMDC Chamber of Commerce and Industry	9810655280	[Signature]
6.	Ram Phal	Asst. Factory Licence MCD	9818520600	[Signature]
7.	Rakesh Kumar	Asst. V.P. (O&M) C-I, BSES	9350261605	[Signature]
8.	Rajinder Arwal	Delli Fire Service	9818481075	[Signature]
9.	S.K. NIGAM S.D.M. (HQ)	Revenue	23965184	[Signature] 17.06.2011
10.	R. S. SINGH Dy. Chief Insp. Factories	Labour Deptt.	9891313604	[Signature] 12/6/11
11.	Tri Lok Chand EE, DPCC DSST.	Dell. Pollution Cont. Committee	9717593528	[Signature]
12.	VIKRAM BISHT VATO (ECS)	Traffic Tax Deptt.	9818010979	[Signature]

P.T.O

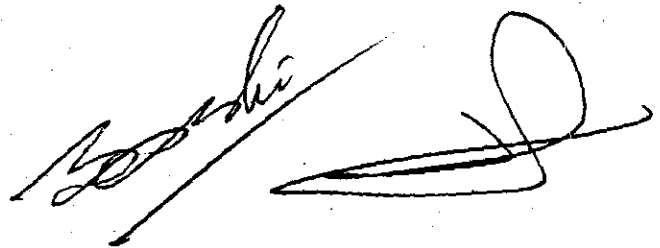
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S No.	Name & Designation	Department	Phone Number	Signatures
13.	Varun Sharma, Mgr.	NDPL	9971353807	
14	M. Saxena DCF (P&M)	Parks & Wildlife	9968312090	
15.	KAKOLI MAITI	DDA	23378288	 15/06/2011

Subject: Clarification on Consent disposal of applications record prior to 14.08.2009.

1. There is no pendency in the cases of Green Category, all the cases as per the chronology have been put up before Consent Management Committee (Green).
2. As far as pendency prior to 01.08.2009 is concerned,
 - a) The cases of orange (Establish) have been already processed by putting these cases before CMC (O).
 - b) All the cases of orange (Operate and Renewal) from Non- Conforming area has also been processed by putting up before CMC (O).
 - c) The remaining cases of CTO & CTO (R) are being processed and put up in the reverse chronology before CMC (O). Cases from 11.08.2009 to 19.07.2009 has been already processed and put up before CMC(O).
 - d) Thus, only about 1600 cases of Consent to Operate and renewal are pending which are received from 16.06.2008 to 16.07.2009.

A handwritten signature in black ink, appearing to be 'S. P. Singh', written in a cursive style. The signature is positioned below the main text and is underlined.