

MOST IMMEDIATE

OFFICE OF THE COMMISSIONER OF INDUSTRIES
GOVERNMENT OF NCT OF DELHI
'UDYOG SADAN' ,419 - FIE, PATPARGANJ INDUSTRIAL AREA, DELHI

No. CONSULTANT(DSIIDC)CI//BFC/2012/

Dated : 2nd March,2012

Sub.: Minutes of the tenth meeting of the Business Facilitation Council

Kindly find enclosed herewith minutes of the tenth meeting of the Business Facilitation Council , constituted to facilitate entrepreneurs in obtaining clearances from various departments / agencies for setting up industrial enterprises in the NCT of Delhi, held under the Chairmanship of Additional Commissioner of Industries (Policy) , Government of NCT of Delhi on 24th February, 2012 at 5.00 p.m. in the Meeting Room at DSIIDC, N-36, Bombay Life Building, Connaught Circus, New Delhi for information and further necessary action.

(J.S. SINDHU)
ADDL. COMMISSIONER OF INDS. (POLICY)

To

1. PS to Secretary & Commissioner (Industries), Government of NCT of Delhi, Udyog Sadan, 419, FIE, Patparganj Industrial Area, Delhi for information of C.I.
2. Commissioner (Excise), Government of NCT of Delhi, L – Block, Vikas Bhawan, I.P. Estate, New Delhi.
3. Commissioner (Labour), Government of NCT of Delhi, 5 – Sham Nath Marg, Delhi
4. Member Secretary, Delhi Pollution Control Committee (DPCC), 4th Floor, ISBT, Kashmere Gate, Delhi
5. Chief Fire Officer, Fire Department, Government of NCT of Delhi, Connaught Circus, New Delhi.
6. Chief Inspector of Factories, Government of NCT of Delhi, 5 – Sham Nath Marg, Delhi
7. Commissioner (Planning), Delhi Development Authority, 5th floor, Vikas Minar, I.P. Estate, New Delhi

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8. Additional Commissioner (Engg.), Municipal Corporation of Delhi, Civic Centre, Minto Road, New Delhi
9. Additional Commissioner (Factory Licensing), Municipal Corporation of Delhi, Civic Centre, Minto Road, New Delhi
10. Commissioner (Trade & Taxes), Government of NCT of Delhi, Bikrikar Bhawan, I.P. Estate, New Delhi
11. Additional District Magistrate (HQ), Office of the Divisional Commissioner, Government of NCT of Delhi, 5 – Sham Nath Marg, Delhi
12. Additional Commissioner (Food & Supplies) - Food & Supplies and Consumer Affairs Deptt., Government of NCT of Delhi, K-Block, Vikas Bhawan, I.P. Estate, New Delhi
13. Executive Director, DSIIDC, N-36, Bombay Life Building, Connaught Place, New Delhi
14. Drugs Controller, Drugs Control Deptt., Government of NCT of Delhi, F-17, 4th Floor, Karkardooma, Delhi.
15. Conservator of Forest, Forest & Wildlife Department, Government of NCT of Delhi, A-Block, Vikas Bhawan, I.P. Estate, New Delhi
16. Addl. Commissioner of Industries (Land), Government of NCT of Delhi, Udyog Sadan, 419, FIE, Patparganj Industrial Area, Delhi
17. Addl. Commissioner of Industries (PC / MSME), Government of NCT of Delhi, Udyog Sadan, 419, FIE, Patparganj Industrial Area, Delhi
18. CEO, NDPL, Hudson Lane, Kingsway Camp, Delhi
19. CEO, BSES, BSES Yamuna Power Ltd., Shakti Kiran Buldg., Karkardooma, Delhi

Representatives from Industries:

20. Shri Ranghuvansh Arora, Apex Chamber of Commerce & Industry of NCT of Delhi, A-8, Naraina Industrial Area, Phase-II, New Delhi
21. Shri R.N. Grover, President, Delhi Factory Owners' Federation , B-13, Okhla Industrial Area, Phase II, New Delhi
22. Shri Sameer Nayyar, Delhi Factory Owners Federation, 75, Sant Nagar, Back side of ground floor, East of Kailash, New Delhi-65
23. Ms.Neha Bhatia, Jt. Secretary & Secretary, Delhi & NCR Committee, PHD Chamber of Commerce and Industry, PHD House, 4/2, Shri Institutional Area, August Kranti Marg, New Delhi
24. Mr. D.K.Kapur, Representing of PHD Chamber of Commerce & Industries, Sonali B-6, Maharani Bagh, New Delhi
25. Shri Vinay Jain, President, Narela Relocation Industries Welfare Association-Regd., F-2764, DSIIDC, Narela Industrial Complex, Narela, Delhi

Special Invitee

26. Shri Badri Kumar Singh, President, Delhi Printers' Association, Flat 26-A, Shankar Market, Connaught Circus, New Delhi.- 110001

MINUTES OF THE TENTH MEETING OF THE BUSINESS FACILITATION COUNCIL (BFC) HELD ON 24TH FEBRUARY, 2012 AT 5.00 P.M.

Tenth 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 Additional Commissioner of Industries (Policy), Department of Industries, Government of National Capital Territory of Delhi, on 24th February, 2012 at 5.00 p.m. in the Conference Room at N-36, Bombay Life Building, Connaught Circus, New Delhi. The list of members / participants who attended the aforesaid meeting is enclosed as **Annexure – I**.

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

AGENDA ITEM NO. 1: Action Taken on the decisions taken in the 9th meeting of the Business Facilitation Council held on 17th August, 2011

(1) Grant of Factory Licence at all floors by MCD

Representatives of Factory Licensing and also of the Town Planning Departments of MCD had informed in the last meeting 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. The building plans earlier sanctioned for ground floor only need to be got re-sanctioned to include other floors as working hall/work rooms to enable the industries to obtain factory licence for the same.

Representatives of the association of industries, however, requested that in the meantime prosecution for carrying out manufacturing activities at floors other than ground floor should be stayed.

Representative of Factory Licensing Department of MCD informed that consequent to the meeting taken by the Chief Secretary in the 3rd week of October, 2011, the matter regarding grant of factory licence at all floors by MCD had been resolved by the Corporation in December, 2011 and a Circular regarding revised guidelines for grant of Factory Licence would be issued shortly with the approval of the Competent Authority. He further assured that no challans would be issued for carrying out manufacturing activities at floors other than ground floor from now onwards till such time the revised guidelines are issued and the entrepreneurs apply for grant of factory licence during the prescribed time frame.

Chairman desired that written communication may be sent to Additional Commissioner (Factory Licensing) on the above lines.

(2) Grant of consent to establish / operate an industrial unit

Hon'ble Minister of Industries in the last meeting had desired to hold a separate meeting with the Secretary (Environment), Government of NCT of Delhi to discuss the matter and explore the possibility of invoking the provision regarding deemed consent and inform the industries accordingly through a press note.

Representative of DPCC informed that the Chief Secretary, Government of NCT of Delhi reviewed the progress regarding grant of consent to establish / operate to industrial units in a meeting taken by him on 17th October, 2011. He further mentioned that the status regarding disposal of applications for grant of consent / establish / operate to industrial units had been communicated to the Apex Chamber of Commerce and Industry of NCT Delhi vide letter dated 16th January, 2012 (copy enclosed as **Annexure – II**). He also mentioned that the policy for grant of consent to industrial units was under review and some restructuring of work allocation in DPCC was under way which would help expedite disposal of consent cases in future. All the pending applications were likely to be cleared by 31st March, 2012 and from 1st April onwards applications for grant of consent would be received online. The Chairman and the members of the Business Facilitation Council welcomed the move and desired that the DPCC should adhere to the time frame given for disposal of pending applications.

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

It was decided in the last meeting that the matter would be examined in the Labour Department. The Association of industries were also requested to give their suggestions regarding proper implementation of the said Act. While reiterating the decisions taken in the last meeting of the Business Facilitation Council, the representative of Labour Department stated that suggestions from the Association of industries were still awaited. The Apex Chamber of Commerce and Industry of NCT Delhi stated that the desired suggestions in the matter had already been submitted to the Labour Department. It was decided that the Association of industries should send copy of their suggestions again to the Labour Department. The possibility of collecting Labour Welfare Fund through other sources with 3 – 4 options may also be suggested to the Labour Department.

(4) Overtime working in Factory

It was decided in the last meeting that the matter would be examined in the Labour Department. Association of industries were also advised to offer their suggestions in this regard.

PHD Chamber of Commerce & Industry reiterated that the Economic Survey released prior to the 2008-09 Budget in Parliament, the Government had clearly spelt out the need for the Factories Act to be amended “to increase workweek to 60 hours (from 48 hours) and daily limit to 12 hours to meet seasonal demand through overtime.” The current Factories Act recognizes the need for overtime both for seasonal demand or to meet essential requirements which is particularly important for Export oriented Industries with deadlines to meet but states that special permission is required in each case. The PHDCCI requested that the amendment for overtime working needs to be incorporated on an urgent basis.

Representative of Labour Department stated that the working hours have been restricted to 48 hours to ensure efficiency and to avoid accidents. He further

informed that any change in this regard would require amendment in the said Act and any amendment in the Act would also require approval of the Government of India being a Central Act.

Representative of PHDCCI stated that a detailed agenda notes had been sent and discussed by the members of the BFC in one of the earlier meetings. It was decided that the copy of the said agenda notes may be sent to the Office of the Labour Commissioner, Government of NCT of Delhi for examination from the legal angle for which even a small group comprising of representatives from Labour Department, Industry and the Department of Industry may be constituted to give its recommendations for consideration of Hon'ble Minister of Industries. It was also decided that the recommendations of the sub-group may be first discussed at the level of Labour Commissioner.

ADDITIONAL POINTS TAKEN UP FOR DISCUSSION IN THE 9TH MEETING OF THE BUSINESS FACILITATION COUNCIL

(1) Defunct CETP Societies

Representatives of Apex Chamber of Commerce and Industry of NCT Delhi reiterated that some CETP Societies had not held elections and were not transparent in giving accounts to their members. The representatives of industries, however, gave the following suggestions for proper functioning of the CETP societies:-

- (i) There should be transparency in running the CETP
- (ii) Time frame should be fixed for holding election by each CETP Society
- (iii) Representative from Delhi Government should be associated for the management of the CETP Societies.
- (iv) Regulation should be formulated for proper functioning of CETPs

Chairman observed that the CETP Societies are primarily governed by the provisions of the Societies Registration Act, 1860 whereas the CETP Act was enacted only with a view to enforce recoveries of outstanding dues from the defaulters. After detailed discussion, it was decided that a small group comprising of representatives from Industry, Industries Department and DPCC may be constituted to examine the issues involved including the possibility of entrusting the operation and maintenance CETPs to a separate entity namely the DSIIDC or DJB or the PPP operator of industrial area.

(2) Constitution of Special Task Force

The decisions taken in the last meeting were communicated to the Office of the Labour Commissioner and as such no further action is required to be taken in this regard.

(3) Encroachment in Okhla Industrial Area

It was informed that the DSIIDC could not start maintenance in Okhla Industrial Area and remove encroachments as the said area was yet to be handed over to DSIIDC by MCD.

AGENDA ITEM NO. 2

REPRESENTATION FROM DELHI PRINTERS' ASSOCIATION

Representative from Delhi Printers' Association informed that some of their member units have been running their units in Naveen Shahdara for more than 25 years and have been allotted alternate industrial plots in Bhorgarh under the Relocation Scheme. He further informed that these units have been served notices from Deputy Commissioner (North Zone), MCD for closure of their printing units. He requested that since the allotments have been made in Bhorgarh Industrial Area very recently, such units should not be subjected to

closure. It was decided that the Association may give a detailed representation for examination of the Industries Department.

Representative of NDPL mentioned that the MCD while recommending disconnection of power connection of unauthorised industrial units is directing NDPL to ascertain whether or not the industry was established prior to August, 1990. It was decided that MCD should give clear recommendation / directions to NDPL regarding disconnection of power connection of unauthorised industry.

AGENDA ITEM NO. 3 : MID TERM REVIEW OF MPD - 2021

It was informed that a small group comprising representatives from Industry, DSIIDC and Industries Department was proposed to be constituted to identify the issues where mid-term review of MPD – 2021 was required. Representatives from Industry were requested to nominate the names of the representative of industry for the said group.

Meeting ended with a vote of thanks to the Chair.