

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**CENTRAL ZONE BENCH, BHOPAL,**  
**ORIGINAL APPLICATION NO. 239/2024**

**IN THE MATTER OF:**

**NITIN SAXENA**

**STATE OF MP & ORS**

**VERSUS**

**APPLICANT(S)**

**RESPONDENT(S)**

**INDEX**

<b>SR.</b>	<b>PARTICULARS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
1.	Reply of Madhya Pradesh Pollution Control Board in Original Application no. 239/2024 of Nitin Saxena V/s State of Madhya Pradesh & Ors.		3-9
2.	The photographs of the visit and air monitoring results.	<b>Annexure-1</b>	10-18
3.	Copy of notice from MPPCB dated 24.04.2025.	<b>Annexure-2</b>	19
4.	Copy of letter from MPPCB dated 22.05.2025.	<b>Annexure-3</b>	20
5.	Copy of letter from BMC dated 17.06.2025.	<b>Annexure-4</b>	21-22
6.	Copy of the order dated 31.07.2023 of Hon'ble NGT in OA 18/2023.	<b>Annexure-5</b>	23-37
7.	Copy of the order dated 09.07.2024 of Hon'ble NGT in OA 18/2023.	<b>Annexure-6</b>	38-39
8.	Copy of the report submitted by NEERI before Hon'ble Supreme Court of India.	<b>Annexure-7</b>	40-92

9.	Copy of the order dated 16.05.2025 by Hon'ble Supreme Court of India in Civil Appeal 6174/2023.	<b>Annexure-8</b>	93-95
10.	Copy of the letter from CPCB dated 10.06.2025.	<b>Annexure-9</b>	96-99
11.	Vakalatnama		100

12. PROOF OF SERVICE

101

Date: 04.07.2025

**Submitted by MPPCB: -**

Place: Bhopal

**through Counsel**



**Adv. Parul Bhadoria**

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**Email: parul.bhadoria04@gmail.com**

**ACTION TAKEN REPORT OF MADHYA PRADESH POLLUTION CONTROL BOARD IN ORIGINAL APPLICATION NO. 239/2024 OF NITIN SAXENA V/S STATE OF MADHYA PRADESH & ORS.**

1. That, Hon'ble NGT issued following instructions on dated 19.05.2025 in the matter of OA 992/2024 (PB) & OA 239/2024 (CZ) Nitin Saxena V/s State of Madhya Pradesh: -

*“6. The manner in which the solid waste is being disposed by the BMC at Adampur Khanti is not known to the Solid Waste Management Rules, 2016 and is in violation of environmental rules, adversely affecting the human health and causing air pollution. Action taken report by the State PCB be filed within three weeks. Respondents are directed to submit their reply within three weeks.”*

2. That, in compliance to the order of Hon'ble NGT, a visit to Adampur Khanti landfill site was carried out by MPPCB officials on dated 10.06.2025 and ambient air monitoring was done from 10.06.2025 to 11.06.2025 of the Adampur Khanti landfill site. The visual observations recorded are as under:
  - 2.1. The municipal solid waste from the transfer stations of Bhopal city are transported through water tight capsules mounted on trucks and brought to the site for disposal.
  - 2.2. At MSW site the work of segregation and further processing of the wet and dry waste was in found in progress. Approx. 800 MT waste reaches the site.
  - 2.3. The size wise segregation of dry waste is being done using 14 Trommel Screens each capacity 20TPH.
  - 2.4. The wet waste after segregation is being converted into organic manure through windrow process.

- 2.5. The representative of the BMC present at the time of inspection informed that the inert material left after disposal processing of the waste is dumped in the scientific landfill site.
- 2.6. During the inspection, no fire was observed at any place within the dumping site, fire engines of BMC were found present in case of emergency and legacy waste was found present within the dumping site.
3. That, the monitoring of ambient air quality was carried out by RO, MPPCB, Bhopal at two locations near Adampur Khanti disposal site, namely near Admin Office and near Rendering Plant. The samples were collected during ambient air quality measurement for air quality analysis. The photographs of the visit and the analysis result of ambient air monitoring are enclosed as **Annexure-1**. As per the results of the ambient air monitoring, the parameters PM<sub>2.5</sub>, SO<sub>2</sub>, NO<sub>2</sub> were found within the standards set for national ambient air quality for weighted average of 24-hour monitoring. The monitoring result of PM<sub>10</sub> are found more than the prescribed standards of PM<sub>10</sub> of 100 microgram/ m<sup>3</sup>.
4. That, a notice was issued under Air (Prevention and Control of Pollution) Act, 1981 to BMC vide letter no. 1290 dated 24.04.2025 by MPPCB regarding fire incident that occurred on 22.04.2024. The copy of the letter dated 24.04.2025 is enclosed as **Annexure-2**.
5. That, in references to the order of Hon'ble NGT dated 19.05.2025, information was sought from the Municipal Corporation Bhopal vide letter no. 1912 dated 22.05.2025 regarding management, disposal of solid waste, quantity of legacy waste and details of firefighting arrangements. The copy of letter is enclosed as **Annexure-3**. BMC vide letter no. 180 dated 17.06.2025 has provided the information. The copy of letter is enclosed as **Annexure-4**.  
The main points are mentioned as under: -

- 5.1. According to BMC, currently about 4.5 Lakhs Metric Tons of legacy waste is present at the site.
- 5.2. It is also mentioned that there is a Civil Appeal 6174/2023 pending before Supreme Court of India in relation to the fire incident at Adampur Khanti landfill site, Bhopal.
- 5.3. The details of arrangements of firefighting at Adampur Khanti is as under: -
  - a) The provision of underground water tank having capacity of 3,50,000 liters whose water is supplied from Ghodapachad Dam by a 25 HP pump and provision of 02 borewells has also been made.
  - b) There are 04 hydrant points installed for filling fire vehicles and water tankers which are connected by 30 HP pumps. Apart from this, 04 dewatering pumps (5 HP) have been installed at Irshad Farm House through which water is supplied to fire vehicles.
  - c) In summer season, fire vehicles i.e, 03 foam type tenders (capacity 300 liters of foam and 3000 liters of water) and 02 water type tenders (capacity 4000 liters) along with their teams have been deployed at the landfill site.
  - d) For refilling of fire vehicles, 01 water browser (capacity 16000 liters) and 04 water tankers (capacity 5000 liters) have been deployed.
  - e) Mock drill is organized every 03 months at the said place, the latest mock drill was organized on 03.04.2025.
6. That, it is most humbly submitted by MPPCB that there is a matter pending before Hon'ble Supreme Court of India having Civil Appeal No. 6174/2023 (Bhopal Municipal Corporation Vs. Dr. Subhash C Pandey & Ors.) regarding fire incident at MSW dump site at Adampur Khanti landfill site. The last

hearing of the case was on 16.05.2025 where Hon'ble Supreme Court of India issued following instructions: -

*“The first respondent, who was the applicant before the National Green Tribunal, has filed this application 1 for bringing it to the notice of this Court that there was a huge fire at the dumping site of the appellant Corporation where solid waste is being dumped without treating the same. Photographs have been annexed. It appears that at least for 4 to 5 days, the fire continued. It is pointed out that this is 9th incident of fire at the same place. All this is due to the failure of the appellant to follow and implement the Solid Waste Management Rules, 2016.*

*We direct the appellant-Corporation to implead the Central Pollution Control Board as party respondent No.5. Amended memo of appeal shall be filed within three days. Issue notice to the added respondent.*

*We direct the added respondent to depute appropriate senior officers to the site of the fire and ascertain the causes of fire. The officers of the added respondent shall place on record a report containing immediate measures which are required to be taken to avoid repetition of such incidents.*

*We grant time of six weeks to the added respondent to file a report in this Court.*

*In the meanwhile, we direct the appellant to take all possible steps firstly to extinguish the fire, if it is already not extinguished and to ensure that such incidents are not repeated.*

*For considering the report of the Central Pollution Control Board, list on 25th July, 2025. Issue notice on the application.*

*We direct the Secretary of the District Legal Services Authority, Bhopal, Madhya Pradesh to take help of para-legal volunteers with a view to ascertain whether the health of the citizens was affected due to this fire who were staying in the locality of the dumping site. If it is found that the health is affected, the Legal Services Authority shall coordinate with the Government hospitals in the city and ensure that appropriate treatment is extended to the residents.”*

**7. DETAILS OF PROCEEDINGS IN OA 18/2023 (CZ)& CIVIL APPEAL**

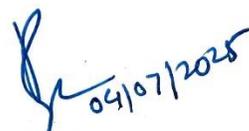
**6174/2023:** A brief summary of the proceedings undertaken regarding landfill site Adampur Khanti before the Hon’ble NGT and Hon'ble Supreme Court of India is as follows:

- 7.1. The Hon'ble Tribunal in another OA 18/2023 (Subhash C Pandey v Bhopal Municipal Corporation & Ors.) had taken cognizance of earlier newspaper report that Municipal Solid Waste (hereinafter referred to as ‘MSW’) dumping site at Adampur Khanti had caught fire on 24.02.2023. This case was registered on dated 27.02.2023 before Hon’ble NGT.
- 7.2. The Hon’ble NGT vide order dated 02.03.2023 constituted a joint committee of representatives from Central Pollution Control Board, Madhya Pradesh Pollution Control Board, Bhopal Municipal Corporation, Maulana Azad National Institute of Technology and Central Government Health Services, Bhopal. The action taken report was submitted before Hon’ble NGT by the joint committee after visiting the site and the Environmental Compensation of Rs. 1.50 Crore was calculated by the joint committee.
- 7.3. The OA 18/2023 was disposed of by the Hon’ble NGT on dated 31.07.2023 with directions to Bhopal Municipal Corporation in regards

with the deposition of Environmental Compensation of Rs. 1.80 Crore with the MPPCB within two months. The copy of the order dated 31.07.2023 is enclosed as **Annexure-5**.

- 7.4. The above order was challenged by BMC before the Hon'ble Supreme Court of India in Civil Appeal No. 6174/2023 (Bhopal Municipal Corporation Vs. Dr. Subhash C Pandey & Ors.) in reference to the direction for the payment of Environmental Compensation. The appeal was registered before Hon'ble Supreme Court of India on dated 25.09.2023.
- 7.5. The Hon'ble Supreme Court of India vide order dated 09.07.2024 instructed National Environmental Engineering Research Institute (NEERI) to submit a report about compliances made by BMC of the provisions of Solid Waste Management Rules, 2016. In compliance of the order dated 09.07.2024, NEERI submitted the report before Hon'ble Supreme Court of India in January, 2025. The copy of the order dated 09.07.2024 and copy of the report submitted by NEERI is enclosed as **Annexure-6** and **Annexure-7** respectively.
- 7.6. The Hon'ble Supreme Court of India vide order dated 16.05.2025 instructed CPCB to visit the site of the fire incident and ascertain the causes of fire. The Civil Appeal 6174/2023 is next listed on 25.07.2025. The copy of the order dated 16.05.2025 is enclosed as **Annexure-8**.
- 7.7. CPCB vide letter dated 10.06.2025 informed MPPCB regarding conduction of the site inspection of Adampur Khanti and requested an official from MPPCB to be present at the time of inspection. The site was inspected by CPCB along with an official of MPPCB on dated 12.06.2025. The copy of the letter is enclosed as **Annexure-9**.

8. That, it is humbly submitted before the Hon'ble NGT, that the same matter regarding the violation of environmental rules and Solid Waste Management Rules, 2016 within the Adampur Khanti landfill site is pending before the Hon'ble Supreme Court of India.
9. That, the Hon'ble Tribunal may kindly be pleased to take the present reply on record.

Handwritten signature in blue ink, followed by the date 04/07/2025.

**Brajesh Sharma**  
Regional Officer,  
RO, MPPCB,  
Bhopal

**Inspection / Monitoring Photographs  
Dated 10.06.2025 and 11.06.2025**



**Ambient Air Quality Monitoring near Rendering Plant**



RO MPPCB  
11.06.2025 06:44  
23.26430, 77.55596  
Unnamed Road 462022



Latitude: 23.265303  
Longitude: 77.562074  
Elevation: 473.90±3.49 m  
Accuracy: 4.65 m  
Time: 10-06-2025 16:22:05

NoteCam @ iOS



Ambient Air Quality Monitoring near Admin Office







12.06.2025 10:07  
23.26536, 77.56109 ( $\pm 6m$ )  
Altitude: 417m  
7H86+6X, Bhopal 462022



12.06.2025 09:59  
23.26447, 77.56030 ( $\pm 4m$ )  
Altitude: 411m  
7H86+6X, Bhopal 462022





MPPCB RO  
11.06.2025 14:45  
23.26415, 77.56031  
7H86+6X, Bhopal 462022



12.06.2025 09:49  
23.26399, 77.55707 (±3m)  
Altitude: 408m  
Unnamed Road 462022





MPPCB RO  
11.06.2025 15:09  
23.26386, 77.55732  
Unnamed Road 462022



MPPCB RO  
11.06.2025 14:58  
23.26413, 77.55599  
Unnamed Road 462022



Central Laboratory  
M.P. Pollution Control Board, Bhopal [M.P.]

E/5, Arera Colony, Paryawaran Parisar, Bhopal – 462016  
Ph. NO. 0755-2466191, email: cl\_mppcb@rediffmail.com



TC-8568

**Test Report**

Issue No. 143

Issue Date: 25/06/2025

Report Number:- 17/1-6

Sample From:- Regional office M.P. Pollution Control Board, Bhopal.	Sample Description:- 1. Ambient Air Monitoring at BMC MSW Disposal Site near Admin Office Building Village Adampur Chhawani Bhopal. 2. Ambient Air Monitoring at BMC MSW Disposal Site near Rendering Plant Village Adampur Chhawani Bhopal.
Reference No. 2070 Dated 11/06/2025	Sampling By:- Regional office M.P. Pollution Control Board, Bhopal.
Date of Sampling:- 10/06/2025 & 11/06/2025	Date of Receipt:- 11/06/2025
Analysis Start Date:- 11/06/2025 Analysis End Date:- 12/06/2025	Sampler UID:- Not Applicable
Environmental Condition :- Not Mentioned	Sample Condition:- As per protocol

S. No	Parameter's	Unit	Sampling Protocol and Test Method	1			2		
				A	B	C	A	B	C
1.	Respirable Suspended Particulate Matter (PM 10)	µg /m <sup>3</sup>	IS- 5182(Part 23) : 2006 Reaffirmed 2022	150.53	99.02	135.88	164.20	96.69	156.46
2.	Respirable Suspended Particulate Matter (PM 2.5)	µg /m <sup>3</sup>	IS- 5182(Part 23) : 2006 Reaffirmed 2022	42.68			50.27		
2.	Oxides of Nitrogen (as NO <sub>2</sub> )	µg /m <sup>3</sup>	IS-5182 (Part 6) : 2006 Reaffirmed 2022	23.91	16.27	21.16	31.44	22.42	28.18
3.	Sulphur-di-Oxide (as SO <sub>2</sub> )	µg /m <sup>3</sup>	IS-5182 (Part 2) : 2001 Reaffirmed 2017	12.33	7.85	9.21	15.44	12.16	13.29

**Remark** 1. No statutory liability accepted for samples not collected by M.P.P.C.B.

2. The results relate only to the items tested

3. The report shall not be reproduced except in full without permission of Incharge Central Laboratory, MP, Pollution Control Board, Bhopal

Authorized Signatory

Central Laboratory MPPCB Bhopal

Page 1 of 1

End of report



क्षेत्रीय कार्यालय

मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड

पर्यावरण परिसर, ई-5, अरेरा कॉलोनी, भोपाल



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क्रमांक 1290 /क्षेका/प्रनिबो/2025

भोपाल, दिनांक 24/04 /2025

प्रति,

आयुक्त,  
नगर निगम,  
कुशाभाऊ ठाकरे,  
आई.एस.बी.टी. परिसर,  
भोपाल, (म.प्र.)-462023

विषय:- आदमपुर छावनी स्थित नगरीय ठोस अपशिष्ट में दिनांक 22.04.2025 को आगजनी के कारण वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1981 के प्रावधानों के उलंघन के संबंध में।

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उपरोक्त विषयान्तर्गत लेख है कि भोपाल शहर में नगरीय ठोस अपशिष्ट हेतु नगर-निगम भोपाल द्वारा संचालित आदमपुर छावनी स्थित नगरीय ठोस अपशिष्ट डिस्पोजल फैसिलिटी में भंडारित ठोस अपशिष्ट में दिनांक 22.04.2025 को आग लगने के कारण क्षेत्र में अत्याधिक मात्रा में धुआँ विस्तारित हुआ है, जिससे कि आसपास के क्षेत्र की वायु गुणवत्ता प्रभावित हुई है। इस दौरान परिवेशीय वायु गुणवत्ता मापन करने पर वायु गुणवत्ता निर्धारित मानकों से अधिक पाई गई थी, जो कि वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 के प्रावधानों का उलंघन है।

इस प्रकार की आगजनी की दुर्घटना के रोकथाम हेतु उपरोक्त नगरीय ठोस अपशिष्ट फैसिलिटी में आवश्यक अग्निरोधक व्यवस्था स्थापित एवं उपयुक्त रूप से संचालित करना आवश्यक है ताकि आगजनी की घटना पर तुरंत नियंत्रण किया जा सके एवं क्षेत्र में वायु प्रदूषण की स्थिति निर्मित होने से रोकी जा सके। साथ ही लेख है कि उपरोक्त फैसिलिटी में भंडारित लैंग्रेसी वेस्ट की मात्रा अतिशीघ्र खत्म की जावे एवं प्रसंस्करण करने की क्षमता तथा उपयुक्त डिस्पोजल व्यवस्था स्थापित कर संचालित की जावे। कृपया उपरोक्त के संबंध में कार्यवाही कर की गई कार्यवाही से 15 दिवस में जानकारी प्रस्तुत करें।

लेख है कि फैसिलिटी में आगजनी की घटना को रोकने हेतु उपयुक्त व्यवस्था न होने तथा आगजनी से क्षेत्र में वायु प्रदूषण होने की स्थिति में बोर्ड वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 के प्रावधानों के अनुसार वैधानिक कार्यवाही करने हेतु बाध्य होगा।

क्षेत्रीय अधिकारी

भोपाल, दिनांक 24/04 /2025

पृ. क्रमांक 1291 /क्षेका/प्रनिबो/  
प्रतिलिपि:-

1. सदस्य सचिव, म.प्र. प्रदूषण नियंत्रण बोर्ड, भोपाल की ओर सूचनार्थ प्रेषित।

क्षेत्रीय अधिकारी



क्षेत्रीय कार्यालय

मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड



पर्यावरण परिसर, ई-5, अरेरा कॉलोनी, भोपाल

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क्रमांक 1912 / क्षेत्रा / प्रनिबो / 2025  
प्रति,

भोपाल, दिनांक 22/05 / 2025

आयुक्त,  
नगर निगम,  
कुशाभाऊ ठाकरे,  
आई.एस.बी.टी. केम्पस,  
भोपाल, (म.प्र.)-462023

विषय:- माननीय एन.जी.टी. के प्रकरण क्रमांक ओ.ए. 239/2024 (CZ) (नितिन सक्सेना विरुद्ध म.प्र. शासन व अन्य) में पारित आदेश दिनांक 19.05.2025 के संबंध में।

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उपरोक्त विषयान्तर्गत लेख है कि माननीय राष्ट्रीय हरित अधिकरण में प्रकरण क्रमांक 239/2024 (नितिन सक्सेना विरुद्ध म.प्र. शासन व अन्य) में पारित आदेश दिनांक 19.05.2025 का अवलोकन हो, जो कि आदमपुर छावनी में लगी आग से संबंधित हैं। कृपया प्रकरण में उल्लेखित आदमपुर छावनी डम्पिंग साईट के संबंध में निम्नानुसार जानकारी प्रदान करने का कष्ट करें:-

1. ठोस अपशिष्ट प्रबंधन कर रही संस्था की जानकारी।
2. प्रदत्त पर्यावरण स्वीकृति की स्थिति की जानकारी।
3. ठोस अपशिष्ट के प्रसंस्करण एवं डिस्पोजल की व्यवस्था।
4. वर्तमान में लेगेसी वेस्ट की जानकारी (मात्रा सहित)।
5. अग्निशमन की व्यवस्था का विवरण।

कृपया उपरोक्तानुसार बिन्दुवार जानकारी 7 दिवस के भीतर प्रदान करने का कष्ट करें। प्रकरण की आगामी सुनवाई दिनांक 07.07.2025 को नियत है।

संलग्न:- उपरोक्तानुसार।

  
क्षेत्रीय अधिकारी

91

# कार्यालय नगर पालिक निगम, भोपाल



स्वच्छ भारत मिशन

ए-बिंग, द्वितीय तल, कुशाभाऊ ठाकरे इन्टरस्टेट बस टर्मिनल (आईएसबीटी) परिसर, चेतक  
ब्रिज के पास, भोपाल (म.प्र.) -462024



क्रमांक... 180/BMC/SBM/2025 /

भोपाल, दिनांक 19/05/25

प्रति,

✓ क्षेत्रीय अधिकारी,  
म.प्र. प्रदूषण नियंत्रण बोर्ड,  
भोपाल



विषय:- मान. एनजीटी के प्रकरण ओ.ए. क्रं. 239/2024 (CZ) नितिन सक्सेना विरुद्ध म.प्र. शासन व अन्य में पारित आदेश दिनांक 19/05/2025 के संबंध में।

संदर्भ:- आपका पत्र क्रं. 1912/क्षेका./प्रतिबो/2025 दिनांक 22/05/2025

उपरोक्त विषयांतर्गत लेख है कि संदर्भित पत्र अनुसार आपके द्वारा मान.एनजीटी में दर्ज प्रकरण ओ.ए. क्रं. 239/2024 (CZ) नितिन सक्सेना विरुद्ध म.प्र. शासन व अन्य के संबंध में पारित आदेश दिनांक 19/05/2025 जो कि आदमपुर छावनी में लगी आग से संबंधित है। प्रकरण में उल्लेखित आदमपुर छावनी डम्पिंग साईट के संबंध में निम्नानुसार जानकारी चाही गई है :-

1. ठोस अपशिष्ट प्रबंधन कर रही संस्था की जानकारी।
2. प्रदत्त पर्यावरण स्वीकृति की स्थिति की जानकारी।
3. ठोस अपशिष्ट के प्रसंस्करण एवं डिस्पोज़ल की व्यवस्था।
4. वर्तमान में लेगेसी वेस्ट की जानकारी (मात्रा सहित)।
5. अग्निशमन की व्यवस्था का विवरण।

अतः उपरोक्तानुसार बिन्दु क्रं. 1,2,3 एवं 5 की जानकारी संलग्न कर आपकी ओर प्रेषित है एवं बिन्दु क्रं. 4 के संबंध में लेख है कि वर्तमान में ठोस अपशिष्ट प्रबंधन प्लांट पर लगभग 4.5 लाख मे.टन लेगेसी वेस्ट एकत्रित है। यह भी उल्लेखनीय है कि आदमपुर स्थित ठोस अपशिष्ट प्रबंधन प्लांट में हुई आगजनी की घटना के संबंध में प्रकरण क्रं. सी. ए. क्रं. 6174/2023 मान. उच्चतम न्यायालय में प्रचलित है।

संलग्न:- उपरोक्तानुसार

  
कार्यपालन यंत्री  
स्वच्छ भारत मिशन

नगर पालिक निगम, भोपाल

भोपाल, दिनांक

पृष्ठां क्रं...../BMC/SBM/2025 /

प्रतिलिपि :-

1. अपर आयुक्त, स्वच्छ भारत मिशन, नगर निगम, भोपाल की ओर सूचनार्थ प्रेषित।
2. अधीक्षण यंत्री, स्वच्छ भारत मिशन, नगर निगम, भोपाल की ओर सूचनार्थ प्रेषित।

  
कार्यपालन यंत्री

स्वच्छ भारत मिशन

नगर पालिक निगम, भोपाल

AE(17)  
  
20/05/25



कार्यालय नगर पालिक निगम, भोपाल  
(फायर ब्रिगेड)

श्यामला हिल्स, भोपाल

जनवरी 2023 से अप्रैल 2025 तक की अवधि में आदमपुर खंती  
में लगी आग का प्रतिवेदन

आदमपुर कचरा खंती में विगत जनवरी 2023 से अप्रैल 2025 तक की अवधि  
में हुई अग्नि काण्ड की विस्तृत जानकारी निम्नानुसार है:-

क्र.	वर्ष	अग्निकाण्ड की तिथि	अग्निकाण्ड का स्थान	आग का स्वरूप
01	2023	18.05.2023 से 20.05.2023 तक	प्रीसोटिंग एरिया	लगभग 2 एकड़
02	2024	24.04.2024 से 25.04.2024 तक	ऊपर की तरफ मध्य एरिया	लगभग 0.5 एकड़
03	2025	04.02.2025	गेट नम्बर 03 के पास कांटे के सामने	लगभग 0.25 एकड़
04	2025	22.04.2025 से 24.04.2025 तक	ऊपर की तरफ	लगभग 3 एकड़

आदमपुर कचरा खंती पर की गई अग्निशमन व्यवस्था

- 3,50,000 लीटर क्षमता के अण्डर ग्राउंड वाटर टैंक की व्यवस्था जिसके पानी की पूर्ति घोड़पछाड डेम से 25 एच.पी. के पम्प द्वारा की जाती है एवं 02 नग बोरवेल का भी प्रोव्हीजन किया गया है।
- फायर वाहन एवं पानी के टैंकर भरने के लिए 04 नग हाईडेंट पाइन्ट स्थापित किये गये हैं जो कि 30 एच.पी. के पम्प द्वारा जोड़े गये हैं इसके अतिरिक्त 04 नग डीवाटरिंग पंप (5 एच.पी.) इरशाद फार्म हाउस पर स्थापित किये गये हैं जिससे की फायर वाहनों में पानी की पूर्ति की जाती है।
- ग्रीष्म ऋतु में उक्त स्थल पर फायर वाहने 03 फॉम टाईप टेण्डर (क्षमता 300 लीटर फॉम एवं 3000 लीटर पानी) एवं 02 वाटर टाईप टेण्डर (क्षमता 4000 लीटर) मय दल के तैनात की गई है।
- फायर वाहनों की रिफिलिंग के लिए 01 नग वाटर ब्राउजर (क्षमता 16000 लीटर) एवं 04 नग वाटर टैंकर (क्षमता 5000 लीटर) तैनात किये गये हैं।
- उक्त स्थल पर प्रत्येक 03 माह में मोकड्रिल का आयोजन किया जाता है पूर्व में माह अप्रैल दिनांक 03.04.2025 को मोकड्रिल का अयोजन किया गया था।

Item No.02

**BEFORE THE NATIONAL GREEN TRIBUNAL  
CENTRAL ZONAL BENCH, BHOPAL**

(By Virtual Mode)

Original Application No.18/2023(CZ)

Dr. Subhash C. Pandey Applicant(s)

Versus

Bhopal Municipal Corporation & Ors. Respondent(s)

Date of hearing: 31.07.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s) : Dr. Subhash C. Pandey, applicant in person  
For Respondent(s) : Mr. Sachin K. Verma, Advocate for State of MP  
Ms. Parul Bhadoria, Advocate for MPPCB  
Mr. Brajesh Sharma, RO, MPPCB, Bhopal

**ORDER**

1. Heard parties and respective Counsels.
2. The complaint made before us by the means of present Original Application (hereinafter referred to as '**OA**') filed under Sections 14, 15, 17 read with Section 18 of National Green Tribunal Act, 2010, (hereinafter referred to as '**NGT Act, 2010**') is that there was a newspaper report that Municipal Solid Waste (hereinafter referred to as '**MSW**') dumping site at Adampur Chhavani has caught fire on 24.02.2023 again. The fire had caused huge emission of smoke resulting in severe air pollution and could not be controlled despite deployment of 2 dozens of fire fighters till late night. In fact, as per subsequent newspaper reports, fire continued for a few days. Fire was extended to 2 acres of legacy waste spread at the site in the last 5 years having a total quantity of about 7 lakhs tonnes of legacy waste. This is the fifth time when Adampur dumped site caught fire. There was complete negligence on the

part of Bhopal Municipal Corporation (hereinafter referred to as '**BMC**') in protecting the site from catching fire in as much as no fire-fighting treatment, no fire-fighting equipments, no high drains, no functioning of bore well were installed at the site.

3. The complaint was considered by Tribunal on 02.03.2023 and it found appropriate to obtain a Factual Report, for the purpose whereof, it constituted a Joint Committee comprising one representative from Central Pollution Control Board (hereinafter referred to as '**CPCB**'), one representative from Madhya Pradesh Pollution Control Board (hereinafter referred to as '**MPPCB**'), one expert from Indore Municipal Corporation looking after waste disposal and one expert Professor from MANIT, Bhopal nominated by its Director.

4. Joint Committee visited the site on 10.04.2023 and submitted report stating that about 1.5 lakhs cubic meters of old legacy waste was found at MSW site which was brought from Bhanpur Khanti; some steps for processing of waste were taken; a scientific sanitary landfill with a capacity of 380000 cubic meter with High Density Polyethylene (HDPE) geo-membrane 1.5 mm site was developed at MSW site for disposal of inert waste material remaining after processing of solid dry waste and wet waste; ETP plant of 50 KLD capacity was set up for the treatment of leachate generated from the landfill site.

5. Committee also found during inspection that solid waste stored at the site was up to a height of about 20-25 feet on the raw land. Accumulation of leachate/seepage was observed in the drains located in the premises. The leachate/seepage was collected in the rain pit of the stored solid waste. Garland drains/leachate collection drains developed around the waste collection site were found broken at many places due to

movement of heavy machinery and lack of proper repairs. As per analysis results of village Padariya and Chhawani, Pathat Naka tubewells samples, value of iron was found above prescribed limit.

6. With respect of the status of fire, Committee found that there was no active fire smoke at the time of inspection but ash generated from the fire incident was found at several places. Dump Site Management informed Committee that fire occurred on 24.02.2023 and 01.04.2023 on some portions of segregated dry waste stored in the dump site premises.

7. There was no active emergency response plan found with the operator for fire, which is clear violation of directions dated 26.05.2022 issued by CPCB which are as under:

***“NOW THEREFORE,*** in view of above and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are issued for compliance;

- i. Provide updated information w.r.t Directions dated 27.1.21 regarding biomining issued to SPCBs/PCCs. It is to be ensured that updated information w.r.t at least all Metro cities is provided in accordance with NGT Directions.*
- ii. Direct State UDDs to conduct comprehensive risk assessment studies and accordingly prepare detailed On-site Emergency Plan for each dumpsite located in their jurisdiction addressing the following issues:*
  - a. The onsite emergency plan to cover potential risks/emergencies due to fire, obnoxious/flammable emissions, odour, vector borne diseases rodents, bird nuisance, seasonal affects i.e. summer/winter/monsoon (rainy season) and all other potential risks at the dumpsites.*
  - b. The onsite emergency plans to address the worst possible case scenarios preferably using appropriate risk assessment softwares covering any or all of the potential emergency issues / scenarios cited above.*
  - c. The on-site emergency management plan to cover likely affected geographical area including population, flora & fauna in and around the dumpsites.*
  - d. The on-site emergency plan to contain detailed remedial measures both hardware and software based for*

*mitigating various emergency situations, which should finally be available with respective control rooms and on-site emergency notice boards.*

- iii. *To direct District Collector or District Emergency Authority designated by the State Government for integrating such (dumpsites) On-site Emergency Plans with the existing Off-site District Disaster Management Plans in their respective Districts, prepared by the Local Authorities in compliance with Rule 14 of The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989.*
- iv. *The State/UT Authorities to prepare the on-site & off-site (or update off-site) emergency management plans preferably through an expert agency on the subject.*
- v. *The following interim measures to be implemented on priority till the time On-site/Off-site Emergency Plans are prepared and implemented.*
  - a. **Disposal of Waste:** *Fresh waste not to be disposed at the dumpsite where bio-remediation is being undertaken. Organic waste from slaughter house, fish market etc., industrial waste not to be disposed at the dumpsite. It is to be further ensured that industrial waste/E-waste/lithium battery is not dumped at the site. Waste that is being unloaded at the site should be examined visually for potential fire sources fire sources when located, should be neutralized with cover material immediately. Emergency tipping area to be provided to set aside from the immediate working area where incoming loads of material known to be on fire or suspected of being so can be deposited, inspected and dealt with. Adequate compacting of waste to be done to minimize formation of air or methane pockets which can lead to subsurface fire at site.*
  - b. **Monitoring at dumpsites:** *Methane Gas Detectors (on downwind side) to be installed at site so that area with high methane concentration can be identified and preventive actions be undertaken. Further temperature at windrows to be monitored with non-contact infrared thermometer (as used for monitoring human body temperature under COVID circumstances) and records be maintained for any major deviations. The temperature is to be in the range of 35°C to 59°C. Treated leachate/water to be sprayed on the waste when rise in temperature is observed at the bioremediation site. Suitable mechanism to be in place. Installation of CCTV cameras at the site and provision of fencing & frequent patrolling to be done for checking unauthorized entry at dumpsite.*
  - c. **Arrangements for Fire Extinguishing:** *Arrangements for adequate storage of sand/chemical fire extinguishing medias such as foam or powder at site to be made to douse fire in case a fire incident is reported. Usage of water for dousing fire to be avoided. Isolation and allowing rapid natural burnout or smothering with soil to be done for*

*dousing dumpsite fires. Dedicated fire tenders (preferably chemical extinguishing media) and adequate fire safety measures are to be deputed, specifically during summer season when dumpsites fire is more likely to take place. All mobile equipment or vehicles should be fitted with fire extinguisher and spark arrester.*

*d. **Health & Safety of Workers:** Fire protection measures and safety equipment to be provided to all workers at the site and checked before entry to the dumpsite. Workers to be trained for detection of fire and necessary action to be taken in case of fire. Periodic training of workers be conducted in Safe handling of Waste, PPE's, Health & Safety issues etc.*

*e. **Mock Drills & safety audits:** Periodic mock drills to be conducted to prevent fire accidents at dumpsites. Quarterly, Fire Safety and Hazardous Emissions Audits to be conducted."*

8. Committee also found that 5000 trees have been planted by BMC in north direction, adjacent to the MSW site, but no plantation on south side and west side.

9. Committee recommended environmental compensation from 15.12.2021 to the date of inspection i.e., 10.04.2023. Compensation was calculated at the rate of Rs. 10 lakhs per month in the light of this Tribunal's order dated 14.12.2020 passed in **OA 606/2018, In re: Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues** and it had recommended environmental compensation of Rs. 1.50 Crores.

10. Beside, Committee also made several recommendations. Relevant extract of Committee's Report is reproduced as under:

*"The following are the observations made by the committee:*

***Description of the Site:-***

*1. The Municipal Solid Waste Disposal Site is located at Village Koluakhurd, Bhopal at Latitude and Longitude viz 23.2662N & 77.56111E. It is 15 km away from Bhopal on Bhopal-Raisen Road.*

*2. Adampur Chawani, Haripur, Arjun Nagar, Koluakhurda, Padariya*

*Kachhi and Bilkhiriya are the villages situated nearby among which the nearest villages Koluakhurda and Padariya Kachhi are situated at a distance of Approx. 650 meters and 750 meters respectively from this site.*

3. *Ajnal River and Ajnal Dam are located at a distance of about 2.20 km in downstream of MSW site*
4. *Rahwasi Village and Raisen Road SH 146, situated at a distance of about 1.26 kms. The google map showing the about places is as per Annexure-1.*

**Status of Environmental Clearance:-**

5. *A 21 MW power plant with integrated MSW facility was proposed at this site by Municipal Corporation Bhopal. Whose public hearing was completed on 04.07.2018. Thereafter, the environmental clearance of this project was received in the name of M/s Bhopal Municipal Solid Waste Private Limited on 11.01.2019, whose copy is as per Annexure-2.*
6. *Environmental clearance was obtained by M/s Bhopal Municipal Solid Waste Private Limited for 21 MW capacity Municipal Solid Waste based power plant. As per point no 16 of environmental clearance issued by MoEF a secured landfill at an area of 22.63 hact is mentioned in this point. This 21 MW capacity Municipal Solid Waste based power plant was not established.*
7. *Presently M/s Green Resource Solid Waste Management Pvt. Ltd. Bhopal applied for public hearing for obtaining Environmental clearance under EIA Notification 2006 for the establishment of integrated solid waste management facility consisting of processing plant of 850 TPD capacity and secure land fill site of 380000 cubic meter capacity.*
8. *The Public hearing of the case was held on dated 09/01/2023 and the proceedings of the public hearing are sent to MPSEIAA. The matter is under process. Copy is as per Annexure-3.*
9. *Establishment/production consent has not been obtained from the board for carrying out this activity which is in violation of environmental regulations.*

**The status of municipal solids waste facility:-**

10. *The MSW at Adampur site is currently being managed by M/s Green Resource Solid Waste Management Pvt Ltd. without any valid EC/ CTE/ CTO/ Authorization.*
11. *Processing units of dry and wet urban waste have been established at Adampur Chawani. Plastic and recyclable materials are separated from the dry waste by rag pickers at the initial stage. After that, RDF is separated by Mechanical Traummel screening machines depending upon size of waste.*
12. *Currently there are 14 Mechanical Traummel screening machines working at the site where each machine is having the capacity of 20 TPH. The working hours are 8-9 hours daily.*

13. *Approx 150-200 tons/day RDF is sent for co-processing in waste to energy plant, Jabalpur and A.C.C Cement, Katni.*
14. *An organic compost plant of 200 tonnes per day capacity has also been set up at the MSW site for processing of wet waste, in which the wet waste is mixed with compost decomposer for 30 days and kept in the wind-row for decomposing. After that the compost is packed in bags and sold directly to farmers or to various institutes through Government Agency.*
15. *A dump of about 1.5 lakh cubic meters of old legacy waste was found at the MSW site during inspection, which was brought from Bhanpur Khanti. According to the information provided by the representative of M/s Green Resource Solid Waste Management Pvt Ltd., bioremediation of the old legacy waste dump is in progress. About 600- 700 tonnes/day of waste is processed and the segregated RDF is provided to cement plants for co-processing.*
16. *A scientific sanitary landfill with a capacity of 380000 cubic meter with High density polyethylene (HDPE) geo-membrane 1.5 mm site has been developed at the MSW site for disposal of inert waste material remaining after processing of solid dry waste and wet waste. ETP plant of 50 KLD capacity has been set up for the treatment of leachate generated from the landfill site. Copy of executive summery is enclosed as Annexure - 4*
17. *During inspection, it was found that the solid waste at the MSW site has been stored up to a height of about 20-25 feet on the raw land. Accumulation of leachate/seepage was observed in the drains located in the premises. The above leachate/seepage is collected in the rain pit of the stored solid waste. The sample of leachate has been collected for analysis and the results will be submitted as soon as received from the laboratory division.*
18. *Garland drains/leachate collection drains developed around the waste collection site were found broken at many places due to movement of heavy machinery and lack of proper repairs. Leachate collection pit, in which the leachate is collected, was also found damaged. Leachate/seepage flow was also observed in some pits outside the premises near MSW site.*
19. *Analysis of the ground water at village Padariya, at plantation site adampur chhawani, village Kolua, Chhawani Pathar Naka are being done by MPPCB. The analysis data is attached at Annexure-5*
20. *As per the analysis results of village Padariya & Chhawani Pathar Naka tubewells water samples, the values of Iron are found above prescribed limit.*
21. *Large amount of sheet spread was observed inside the MSW site and also outside the boundary wall to some extent. Therefore, it is necessary to install a wired-mesh/chain link mesh screen of sufficient height above the boundary wall to prevent polythene bags from spreading around in summer and in case of strong*

wind.

**The status of fire in the municipal solids waste dump:-**

22. During the inspection of the dump site joint committee observed no active fire and smoke from the MSW dump at Adampur Chawani dump site, But ash generated from the fire incident was found at several places.
23. The dump site management informed the committee that the fire was occurred on dated 24/02/2023 and on 01/04/2023 on some portions of segregated dry waste stored in the dump site premises, which was control by the deployment of fire brigades.
24. There is no active Emergency Response Plan found with the operator for fire, which is clear violation of Guidelines issued by CPCB.
25. The ambient air quality sample monitoring was conducted by RO, MPPCB, Bhopal at two stations adjacent to the MSW site during fire incident reported on 24/02/2023 and on 01/04/2023. As per analysis report of the samples collected, the results of PM10 are found 271.7  $\mu\text{g}/\text{m}^3$  & 366.0  $\mu\text{g}/\text{m}^3$  and 383.9  $\mu\text{g}/\text{m}^3$  & 288.9  $\mu\text{g}/\text{m}^3$ . The results are found more than the prescribed standards of PM10 of 100  $\mu\text{g}/\text{m}^3$ . The analysis data is attached at Annexure-6.

**Plantation:-**

26. About 5000 trees have been planted by the Municipal Corporation in the north direction adjacent to the MSW site.
27. Plantation on south side and west side is not done. Environmental

**Compensation for the legacy waste:-**

As per the observation and information provided by the MSW dump site management there is a stock of 1.50 lacs tons of legacy waste accumulated at the site. In this regard the environmental compensation is calculated as per the order of Hon'ble NGT (PB) in OA No. 606/2018 dated 14.12.2020. Details are under:-

- As per point no. 4 of the order for the cities having population more than 10 lakhs may be levied a compensation of Rs. 10 lacs per month basis.
- The calculation is as under:-

Particulars	Number of months	Rate of Compensation	Compensation (in Rs.)	Remarks
Months of violation	15 months	Rs. 10 lacs per month	1.50 Cr.	The violation months are calculated from MPPCB inspection dated 15.12.2021

				upto 10.04.2023
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**Recommendations:-**

1. *The integrated municipal solid waste management facility working at village Adampur Chawani should obtain environmental clearance under EIA notification 2006 and consents (CTE/CTO) under Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act 1981.*
2. *To prevent the surface runoff generated due to rains, garland drains should be provided around the dump site and maintained regularly.*
3. *Pacca (RCC) platform should be provided for the storage of municipal solid waste to prevent seepage of liquid in the ground.*
4. *For the prevention of accidental fire, municipal solid waste should be stocked in small heaps of area 20x30 feets each and each heap should be separated by a gap of at least 1.5 meters.*
5. *The site should be equipped with fire hydrates at suitable places to prevent any fire misshape along with proper protective gears for the workers.*
6. *The site should install a wired-mesh/chain link mesh screen of sufficient height above the boundary wall to prevent polythene bags from spreading around in summer and in case of strong wind.*
7. *The site should be cover with a boundary wall around the site with wire mesh railing of at least 20 feet high.*
8. *The legacy waste stored at the site should be processed and disposed of on priority.*
9. *Green belt should be provided all around the premises.*
10. *All the important records of waste management must be kept in the Campus. Designated official be made responsible to sit in the office for supervising the work and the maintenance of records.*
11. *The Routine Health Check up (annually/half yearly) for the workers as well as well as the near by Residents to prevent the workers from Occupational Health Hazards and the Residents from (a). Dermatitis, (b). Respiratory Diseases right from Allergic Bronchitis to Malignancy, (c) Gastro enteritis, (d) Eye Diseases etc.*
12. *Proper SOP to be put at the site of the working of Installed Machine.*
13. *Annual Maintenance Contract to be initiated and required to be done routinely to overcome the accidents and proper prevention of Occupation Health Hazards.*

*14. The workers to be kept for short term because those exposed to the machine and other work for longer period will develop the Health Problems.*

*15. A supply of safe drinking water be made to the nearby residents.*

*16. Insurance for the workers must be initiated.”*

11. Applicant has filed reply dated 09.05.2023 to the inspection report filed by MPPCB. Commenting on Joint Committee Report, it is said that route cause of the problem has not been given stressed in the report; existing processing plant has only 850 TPD capacity which run for 8-9 hours daily wherein daily waste generation in Bhopal city is nearly 1500 TPD; there is a vast gap between generation and processing of municipal solid waste resulting in conversion almost 650 TPD legacy waste on daily basis; this is in addition to the old legacy waste of more than 2 lakh tons and that's why the problem persists; no comment has been made on the ETP treated waste analysis; an organic compost plant for processing of wet waste is functioning at the dump site and after mixing decomposer for 30 days, compost is placed in bags and sold directly to farmers and other stakeholders without scientific testing as to whether the said compost is fit for agriculture purposes or not; this is a gross violation on the part of BMC in compliance of Solid Waste Management Rules, 2016; and in absence of proper testing of said compost, there is every possibility that it may have heavy metals, hazardous organic and inorganic chemicals etc., which may have negative impact and cause damage to soil and plants.

12. Respondent 1 i.e., BMC has filed a short reply cum action taken report dated 15.04.2023, stating that BMC executed an agreement with NTPC on 12.10.2021 to set up a MSW Torrefied Charcoal Plant Facility for the purpose of management, treatment, processing and disposal of municipal solid waste; 400 tonnes of dry Municipal Solid Waste will be

processed and torrefied charcoal will be produced which will be further used as fuel in NTPC Thermal power plants; NTPC will invest 100 Crores on the said project; further, a concession agreement was executed between BMC and M/s. Bhopal RNG Limited on 12.10.2021 for designing, building, financing, operating and transferring of Bio-CNG plant for treatment of 200 tonnes per day biodegradable Municipal Solid Waste at Adampur Chhavani, Bhopal on PPP Model; and since there was an increase in supply of bio-degradable waste, a supplementary agreement was executed between BMC and M/s. Bhopal RNG limited on 21.03.2022 for augmentation of processing capacity of bio CNG plant at Adampur Chhavani, Bhopal from 200 tonnes per day to an integrated 400 tonnes per day facility. M/s. Bhopal RNG Limited will set up a plant by investing about Rs.120 Crores. On the question of fire extinguishing arrangements, reply of BMC said as under:

- (i) 9 fire tenders having foam media are available in BMC to control any fire incidents,
- (ii) 3 dedicated fire tenders are available at site for fire extinguishing. Order in this regard was issued on 06.02.2023, copy whereof is filed as annexure R-1 to its reply,
- (iii) Site has 2 borewell and one fire hydrant recently installed at site for immediate refilling of fire tenders, and
- (iv) Adequate storage of sand/solid is kept at site in case of emergency fire happening at site.

13. From the above discussion, it is clear that factum of fire on two occasions is not in dispute. The fire control took days together is also not in dispute. The steps to be taken or already taken talk of future but presently, it is evident that toxic smoke was emitted with potential for air borne diseases.

14. Legacy waste dump site are like time bombs since they constantly generate explosive gases like Methane which may escape through vertical and lateral ways, posing a constant threat of explosion and that may be a reason of repeated fire of the solid waste at dumped site.

15. BMC is under Statutory obligation to manage dump site in a scientific manner but it is evident that its functioning is far from satisfaction and various environmental laws have been violated in one or the other manner.

16. In absence of any substantive reason or objections, we find it justified to accept Joint committee Report to the effect of establishing deleterious effect of operating land fill site in a crude manner and no remediation done for legacy waste management.

17. We are also of the view that recommendations made by Joint Committee in its report be complied with by respondents. Further, appropriate environmental compensation should also be imposed on BMC on the principle of 'Polluter Pays' for having caused damage to air as also for contaminating ground water due to seepage of leachate at the dump site.

18. Committee has recommended compensation from 15.12.2021 to 10.04.2023 at the rate of Rs.10 lakhs per month and total compensation of Rs. 1.5 Crore. Since we are at the end of July 2023, therefore, we add 3 months' more compensation i.e., upto 10.07.2023 and impose environmental compensation at the rate recommended by joint committee by computing compensation as per this Tribunal's order dated 14.12.2020 passed in **OA 606/2018, In re: Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues** to Rs.1.80 Crores.

19. The amount of environmental compensation shall be deposited by respondent 1 i.e., BMC with MPPCB within 2 months.

20. We also direct that in pursuance to Tribunal's order dated 10.11.2022 passed in OA 606/2018 (*supra*) (in respect of State of Madhya Pradesh), wherein waste processing facilities are to be established of adequate capacity and no legacy waste is added and current land fill site(s) be remediated and land be recovered for plantation and establishing waste processing facility, the directions issued in the said order be also complied with by respondents. Relevant part of order dated 10.11.2022 reads as under:

***“Use of reclaimed land occupied by legacy waste sites***

*32. As already mentioned earlier, legacy waste dump sites have resulted in huge damage to the environment and population in the vicinity of such dump sites who have suffered in safety, health and comfort. For compensating them for such damage, one third of land occupied by legacy dump sites (on reclamation) needs to be reserved for dense forest and in the process of afforestation, Campa Funds can be utilized in accordance with the provisions of Compensatory Afforestation Fund Management and Planning Authority Act, 2016 (CAMPA Act). One third of reclaimed land out of the said dump site needs to be reserved for integrated waste management facilities. Remaining one third can be used for any other purpose, consistent with the above purposes, including a part of it being utilized for monetizing, if funding is required for tackling the legacy waste. Legacy waste clearance has to be in minimum further time as laid down statutory timelines have already expired and serious damage is taking place. It may be noted that remediation of legacy sites may be one time affair and such situations should not arise in future. User of land, to be reclaimed, needs to be declared in advance so that further steps can be taken in that direction. This is in line with order of this Tribunal dated 11.10.2022 in OA No. 300/2022, In re: News item published in News 18 dated 26.04.2022 titled “Delhi: Massive Fire at Bhalswa Dump Yard, Fourth This Year; 13 Fire Tenders on Spot”. Relevant part thereof is quoted below:-*

*“xxx .....xxx.....xxx*

*37. Restoration measures will include scientific disposal of the accumulated garbage as per statutory Rules and environmental norms, fire control and mitigation measures, construction of boundary wall/biofencing by trees and shrubs/ afforestation, plantation, leachate treatment facility. Course of action planned and executed at other places<sup>8</sup> where legacy waste dumpsites are reported to have been remediated may also be studied.*

*Ground Water Authority may examine the extent of leachate flow into the ground water on which remedial action may be taken.*

*38. It is to be ensured that current waste is not added to legacy waste dumpsites. After collection, the same be taken to the destination such as Integrated Waste Management Facility or stand alone Waste Management Facilities such as Composting Centres, C&D Waste Centres and RDF Units, Waste to Energy Units, Cement Factories, Road Construction and filling up identified low lying areas, as per norms. This requires careful planning and execution with the involvement of senior level officers instead of leaving the task to junior officers as appears to be currently happening. Precautions in light of report of the Committee headed by Justice S.P. Garg, retired Judge, Delhi High Court need to be taken forthwith. To control foul smell and improve aesthetics, turfing of landfill sites must be done forthwith either in the form of a boundary walls with necessary entry and exit gates or fencing by plantations of at least three rows of native fast growing and tall native trees requiring minimum water in the periphery of landfill sites as well as complying with other criteria for development of facilities at such sites following the provisions under the Schedule I of MSW Rules, 2016. A clear action plan with defined course of action needs to be drawn up after brain storming and studying the remediation processes adopted at other places. Consequences of overshooting timeline against identified officers/service providers may be specified and enforced. The Committee may consider undertaking visits to appropriate sites.*

*39. One of the crucial links in management of remediation work based on bio-mining and bio-remediation is the utilization and disposal of rejects like inert, RDF, stabilized bio-earth. Segregated fractions and components which are in high quantity be safely utilized and disposed. Bulk users of RDF, three waste to energy projects should utilize the RDF and if required enhance their capacity without compromising environmental norms and public safety.*

*40. To compensate the affected citizens of the area, the authorities are under obligation to develop dense forest in at least on one third of the land occupied by the dumpsite, after the sites are cleared. One third can be utilized for setting up Integrated Waste Management Facilities or other like infrastructure. The remaining one-third can be utilized for any other purpose, including raising of funds consistent with environment concerns without affecting the use of the two-third, as earlier mentioned. The authorities may explore setting up a tourism and recreational centre with the involvement of an appropriate agency on PPP or Hybrid Annuity Model or other mechanism so that investment is made which is allowed to be recovered from the tourists visiting such centres. Creation of an appropriate water body may be considered as part of such recreational centre. Possibility of setting up an Interpretation Centres at all the three sites to facilitate study for creating awareness for the citizens may also be considered.*

*41. Community involvement including the Welfare Associations, Educational Institutions, Volunteers, corporates, charitable and other social organisations and individuals may be explored. Such involvement may be explored for plantation drives also. There is also need to strengthen the Control Room and set up Grievance Redressal Mechanism accessible to the citizens to extend immediate help in emergencies within a month.”*

21. The amount of environmental compensation directed above shall be utilized for remediation and restoration of damaged environment in accordance with the plan which shall be prepared by Joint Committee comprising MPPCB, CPCB and District Collector, Bhopal and Divisional Forest Officer, Bhopal who shall prepare the plan within 2 months from today and, thereafter, the plan shall be executed within 3 months thereafter. MPPCB shall be the nodal agency for co-ordination and compliance of this order.

22. BMC is also directed to comply with all the recommendations made in the Committee Report. A compliance/progress report shall be filed by BMC and MPPCB by 15.11.2023 before Registrar, Central Zonal Bench, Bhopal by e-mail at [ngtczbbho-mp@gov.in](mailto:ngtczbbho-mp@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF, who shall, if find necessary, place the matter before the Bench for further order.

23. Subject to above direction, Original Application is disposed of.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

July 31, 2023  
Original Application No.18/2023(CZ)  
R

ITEM NO.39

COURT NO.6

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.6174/2023

BHOPAL MUNICIPAL CORPORATION

Appellant(s)

VERSUS

DR SUBHASH C. PANDEY &amp; ORS.

Respondent(s)

(IA No.198051/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.198050/2023-STAY APPLICATION)

Date : 09-07-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Appellant(s) Mr. Nidesh Gupta, Sr. Adv.  
Mr. Vinod Kumar Shukla, Adv.  
Mr. Sugam Mishra, Adv.  
Mr. B C Bhatt, Adv.  
Mr. Subham Pundhir, Adv.  
Mr. Kishor Kumar Mishra, Adv.  
Mr. Aditya Mishra, Adv.  
Mr. Syed Miran Ahmad, Adv.  
Mrs. Barnali Basak, Adv.  
Mr. Satish Kumar, AOR

For Respondent(s) Respondent-in-person

Mr. Abhimanyu Singh, Adv.  
Mr. Pashupathi Nath Razdan, AOR  
Mr. Abhinav Shrivastav, Adv.  
Mr. Mirza Kayesh Begg, Adv.  
Ms. Maitreyee Jagat Joshi,, Adv.  
Mr. Astik Gupta, Adv.  
Ms. Akanksha Tomar,, Adv.  
Mr. Argha Roy, Adv.  
Ms. Ojaswini Gupta,, Adv.  
Ms. Ruby, Adv.  
Mr. Deepak Raj, Adv.

Mr. Raghav Sharma, Adv.  
Mr. Salvador Santosh Rebello, AOR  
Mr. Jaskirat Pal Singh, Adv.  
Mr. Pranjal Pandey, Adv.  
Mr. Puja Gill, Adv.

Signature Not Verified

Digitally signed by  
KAVITA PANDYA  
Date: 2024.07.09  
16:38:15 IST  
Reason:

UPON hearing the counsel the Court made the following

O R D E R

As indicated in order dated 1<sup>st</sup> December, 2023, we appoint National Environmental Engineering Research Institute (NEERI), Nehru Marg, Nagpur as the agency to verify whether the petitioner has made substantial compliance with the provisions of the Municipal Solid Waste Management Rules, 2016 (for short, '2016 Rules').

A copy of this order shall be forwarded to NEERI. Appropriate Scientist/Technical Officer shall be appointed by NEERI to do the work of coordination with the appellant. As soon as a Scientist/Technical Officer is appointed by NEERI, he will issue communication to the appellant. The appellant will provide not only the copies of affidavits filed in this Court but also other relevant material showing compliance of the provisions of 2016 Rules to the Officer appointed by NEERI.

We grant time of three months to NEERI to submit a detailed report about compliance made by the appellant of the provisions of 2016 Rules.

Needless to add the appellant will have to pay requisite charges to NEERI.

For the time being, we adjourn this appeal till 21<sup>st</sup> October, 2024.

NEERI to submit a report before the next date and supply soft copies thereof to the Advocate for the parties.

(KAVITA PAHUJA)  
AR-cum-PS

(AVGV RAMU)  
COURT MASTER (NSH)



**REPORT**

on

**“Assessment of Status of MSW Management at Bhopal City in Compliance to  
the SWM Rules, 2016”**

**by Bhopal Municipal Corporation (BMC), Bhopal, MP**

CIVIL APPEAL No. 6174 OF 2023

(From the Judgment and Order dated 31st July, 2023 of the NATIONAL GREEN  
TRIBUNAL CENTRAL ZONAL BENCH, Bhopal, in OA No. 18 of 2023)

**D. No. 39110/2023/SEC-XVII**

**HON'BLE SUPREME COURT OF INDIA,  
NEW DELHI, 30th November, 2024**

by



**CSIR-National Environmental Engineering Research Institute  
(NEERI), Nagpur, Maharashtra**

**January 2025**

**REPORT**

on

**“Assessment of Status of MSW Management at Bhopal City in Compliance to the SWM Rules, 2016”**

**by Bhopal Municipal Corporation (BMC), Bhopal, MP**

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**Sub:** CIVIL APPEAL No. 6174 OF 2023 (From the Judgment and Order dated [31st July, 2023](#) of the NATIONAL GREEN TRIBUNAL CENTRAL ZONAL BENCH, Bhopal, in OA No. 18 of 2023)

**Ref:** D. No. 39110/2023/SEC-XVII SUPREME COURT OF INDIA, NEW DELHI, [30th November, 2024](#)

**To,**

The Assistant Registrar,  
Supreme Court of India, New Delhi.

The Registrar,  
National Green Tribunal,  
Central Zone Bench,  
B-35, Area Hills, Bhopal  
Madhya Pradesh 462011,  
District: Bhopal, Madhya Pradesh.

Branch Officer  
Section XVII  
Supreme Court of India

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## 1. Preamble

The effective management of municipal solid waste (MSW) is crucial for ensuring sustainable development, environmental protection, and public health. Municipal solid waste comprises various materials, including household waste, industrial waste, commercial refuse, and construction debris. As urban populations grow, so does the complexity and volume of waste generated. The city of Bhopal, the capital of Madhya Pradesh, is witnessing rapid urbanization, economic growth, and population increase, leading to a surge in waste production. This presents critical challenges for municipal authorities, especially in terms of collection, segregation, transportation, treatment, and disposal of waste.

Open dumping practices dominate the MSW management landscape in India in general. While this method provides a low-cost solution for waste disposal, it introduces significant environmental, social, and public health risks. Dumping sites contribute to land pollution through the accumulation of non-biodegradable materials and the contamination of soil and groundwater through leachate seepage. The burning of waste at these sites releases toxic gases and greenhouse gases, including methane and carbon dioxide, contributing to air pollution and climate change. Furthermore, the presence of unmanaged waste attracts pests and disease vectors, raising public health concerns such as the spread of diseases.

Despite the implementation of **Solid Waste Management Rules, 2016**, which mandates waste segregation, scientific waste processing, and the minimization of landfill usage, compliance gaps persist at BMC dumping sites. A detailed assessment of the current system is essential to identify these gaps and provide actionable solutions to optimize waste handling, promote recycling and composting, and develop sustainable disposal practices. There is also a need to explore waste-to-energy initiatives, given the increasing interest in reducing landfill dependency while generating renewable energy.

Total quantity of waste generated in Bhopal at present:

- Total Waste generated - ~ 850 TPD
- Dry waste- 400 TPD

- Wet waste- 443.5 TPD
- Domestic Hazardous waste- 1.50 TPD
- Domestic Sanitary waste- 5 TPD
- Legacy waste Quantity –At present the exact amount of the legacy waste is unavailable. The project of quantification, characterization and composition of legacy waste in the process of finalization. Additional Proposal for this study has been invited by BMC from NEERI. The work may be awarded to NEERI Nagpur in near future.

### **The Fire Incidence**

In April 2023, a massive fire broke out at the Adampur landfill site managed by the Bhopal Municipal Corporation (BMC). The blaze, reportedly observed by locals, spread over a 7 km area, raising serious environmental and health concerns. In response to the incident, the Supreme Court directed the BMC to conduct comprehensive studies on the condition and management of the landfill to prevent such occurrences in the future (TOI News of 04 April, 2023).

Therefore, the Supreme court order Civil Appeal No 6174 of 2023 and Civil Appeal No. 6174/2023 from the judgement and order 31 July 2023 of the National Green Tribunal. Central Zonal Bench Bhopal in OA No 18 of 2023, indicated an order dated 1<sup>st</sup> December 2023 and appointed CSIR-NEERI as the agency to verify whether BMC is in compliance with the provisions of the Municipal Solid Waste management Rules 2016 notified by MoEFCC.

Recognizing the urgency of improving waste management practices and aligning with national waste management policies, BMC approached CSIR-NEERI (National Environmental Engineering Research Institute) to conduct a detailed study of the Municipal Solid Waste Management at Bhopal's dumping sites. This project is essential for identifying gaps in the current MSW management system and developing sustainable solutions to mitigate the environmental, social, and public health impacts associated with these practices.

## 2. Aim of Study

The aim of the study is to carry out Assessment of present status of MSW Management facilities at Bhopal Municipal Corporation in compliance to the Solid Waste Management Rules (SWM) Rules, 2016 and to give recommendations to meet the compliance.

## 3. Preliminary Assessment Report

A proposal was prepared by CSIR-NEERI, Nagpur and submitted to BMC titled “Assessment of Status of MSW Management at Bhopal City in Compliance to the SWM Rules, 2016”. **The BMC has accepted the proposal and paid the prescribed fee as per the terms of the payment to NEERI for carrying out the scientific study. NEERI has made a team of scientists for studying the matter.** It is pertinent to bring to notice that NEERI has deputed a Nodal Person from NEERI to study the site and the fire accident. These facts were informed by email and a Letter to the Hon’ble Court.

The incidence of fire at BMC dumpsite was discussed and the requirement of the relevant documents was given. The appellant was requested to submit the copies of the affidavits filed in the court alongwith relevant documents showing compliance to the SWM Rules, 2016. Accordingly all the details and copies have been received from BMC in time.

The appellant has been informed about the requirement of carrying out the detail study of the waste processing facilities and their technical adequacies so that the reasons of fire could be found and such incidences could be prevented in future.

Compliance with the Municipal Solid Waste Management Rules, 2016, notified by the Ministry of Environment, Forest and Climate Change (MOEFCC), primarily involves the proper segregation of waste at the source by generators, along with the separate collection of various waste streams (biodegradable, non-biodegradable, hazardous). Waste should be handed over to authorized collectors, and the processing and disposal must be carried out through methods such as composting, recycling, or

landfilling in accordance with the rules. This framework places the responsibility for waste management on both the waste generators and local authorities.

Key responsibilities under the rules are as follows:

- **Waste Generators:** Individuals, households, commercial establishments, and industries are responsible for segregating their waste at the source and handing it over to authorized collectors designated by Urban Local Bodies (ULBs).
- **Urban Local Bodies (ULBs):** ULBs are tasked with waste collection, transportation, processing, and disposal within their jurisdictions.
- **State Pollution Control Boards (SPCBs):** SPCBs are responsible for monitoring compliance with the rules and enforcing penalties for any violations.

The likelihood of fire incidents at a Municipal Solid Waste (MSW) site is influenced by various risk factors, such as waste composition, pile size, environmental conditions, site management practices, chemical reaction and others. These factors contribute to both the likelihood and the potential impact of a fire incident.

- **Likelihood (Probability):**
  - **Waste Composition:** Combustible materials (high likelihood of fire)
  - **Pile Size:** Large waste piles (increases likelihood)
  - **Site Management:** Poor segregation practices (high likelihood of fire)
  - **Weather Conditions:** Hot and dry conditions (high likelihood of fire)
- **Consequence (Impact):**
  - **Site Size:** Large site area (increases the scale of impact)
  - **Proximity to Sensitive Areas:** Close to residential or sensitive zones (heightened risk to people and properties)
  - **Pollution/Health Impact:** Harmful emissions (negative health consequences and environmental degradation)

Several categories of waste contribute to fire incidents at Municipal Solid Waste (MSW) sites. These include:

**Combustible Waste (Organic and Non-organic):**

**Paper and Cardboard:** Highly flammable and commonly found in large quantities at MSW sites. When exposed to heat or dry conditions, they can easily ignite.

**Plastics:** Many types of plastic, especially those with low ignition points (e.g., polyethylene), are highly combustible. They can catch fire quickly and burn intensely, releasing toxic fumes.

**Textiles and Fabric:** Clothes, rags, and fabric waste are also very flammable, and improperly discarded textiles (e.g., oil-soaked rags) can pose a significant fire risk.

**Wood and Wooden Products:** These materials can easily ignite and contribute to the spread of fire, especially in dry conditions.

**Hazardous Waste:**

**Oil-soaked Materials:** Items like oil-soaked rags or other waste contaminated with petroleum products are highly prone to spontaneous combustion. This is especially true when improperly stored or discarded in bulk.

**Chemical Waste:** Certain industrial chemicals, solvents, or waste containing reactive substances can undergo exothermic reactions (generating heat), leading to a fire or explosion. This is particularly dangerous if incompatible waste types are mixed together.

**Batteries:** Some types of batteries, especially lithium-ion batteries, are known to catch fire or even explode if damaged or improperly disposed of.

**Electronics Waste (E-Waste):**

**Electrical and Electronic Waste:** Items such as old appliances, cables, and electronic devices often contain combustible materials like plastics, metals, and even hazardous

substances like lead or mercury. Improper handling or disposal of e-waste can cause fires due to overheating components or short circuits.

#### Food Waste (Organic Waste):

Although food waste is not generally considered a fire hazard by itself, when it is mixed with other combustible materials in large, unsegregated piles, it can contribute to microbial decomposition. The heat generated by this process, especially in large piles, can sometimes lead to spontaneous combustion.

#### Tires and Rubber Waste:

Rubber: Used tires and other rubber waste are extremely flammable and difficult to extinguish once set on fire. They often contribute to large-scale, long-lasting fires at MSW sites.

#### Construction and Demolition Debris:

Wood, Plastics, and Insulation Materials: Debris from construction or demolition sites often contains a mix of flammable materials such as treated wood, plastics, and insulation. When not properly managed, they can easily catch fire.

#### Improperly Discarded Cigarettes or Matches:

Small Waste Items: Items such as cigarette butts, matches, or hot ash are often discarded inappropriately by people. These items can smolder and lead to a fire, particularly when left in waste piles of paper, fabric, or other combustible materials.

To prevent fires, it's essential to properly segregate waste at the source, ensure safe disposal practices for hazardous materials, and implement regular monitoring and management of waste sites. Special care should be taken with combustible and hazardous waste, particularly when exposed to high heat or dry weather conditions.

### 3.1 The Status of the MSW Processing Facility

- THE MSW Adampur Processing site have valid EC and CTE
- Processing units of dry and wet urban waste have been established at AdampurChawni. Plastic and recyclable materials are separated from the dry Waste by rag pickers at the initial stage . After that, RDF is separated by Mechanical Trammel screening machines depending upon size of waste .
- Currently there are 14 Mechanical Trommel screening machines working at the site where each machine is having the capacity of 20 TPH. The working hours are 8 - 9 hours daily.
- Approx 150-200 tons/ day RDF is sent for co-processing in waste to energy plant, Jabalpur and A. C. C Cement, Katni.
- An organic compost plant of 200 tonnes per day capacity has also been set up at the MSW site for processing of waste in which the wet Waste is mixed with compost decomposer for 30 days and kept in the windrows for decomposing. After that the compost is packed in bags and sold directly to farmers or to various institutes through Government Agency.
- A dump of about 1.5 lakh cum. of old legacy waste was found at the MSW site during inspection, which was brought from BhanpurKhanti. According to the information provided by the representative of M/ s Green Resource Solid Waste Management Pvt Ltd., bioremediation of the old legacy waste dump is in progress. About 600- 700 tonnes/ day of waste is processed and the segregated RDF is provided to cement plants for coprocessing.
- A scientific sanitary landfill (SLF) with a capacity of 380000 cum. site has been developed at the MSW site for disposal of inert waste after processing of solid dry and wet waste. ETP plant of 50 KLD capacity has been set up for the treatment of leachate generated from the landfill site.

- During inspection, it has been found that the solid waste at the MSW site has been stored up to a height of about 20-25 feet. Accumulation of leachate/seepage has been observed in the drains. The samples of leachate have been taken for laboratory analysis.

### **3.2 Inspection by NEERI Team: Preliminary Observations**

In compliance with the Honorable Supreme Court's order, the NEERI team inspected all individual MSW processing units from January 5-8, 2025. The following preliminary observations regarding the fire accident at the Adampur MSW dumpsite (near Bhopal) have been made:

- The Adampur dumpsite, an unregulated waste disposal site, showed no active fire or smoke during the inspection; however, ash from the previous fire incident was visible.
- The waste at the site is a mixture of plastic, textiles, glass, construction & demolition (C&D) waste, biodegradable materials, and inert substances.
- The large 22-acre site, with such a diverse waste mix, could generate methane (CH<sub>4</sub>) under anaerobic conditions. Methane is a highly flammable and explosive gas.
- Various physical, chemical, and microbiological reactions in unregulated dumpsites generate heat, which becomes trapped due to the compacted nature of the waste.
- It is likely that the buildup of CH<sub>4</sub> gas, combined with trapped heat, contributed to the fire incident.
- However, the temperature during the fire incidence in February 2024, ranging from 12°C to 18°C, would typically suppress CH<sub>4</sub> formation and reduce overall dump heat, raising the possibility of other interference rather than a natural cause.
- During the visit to BMC Bhopal, NEERI communicated the need for documents detailing activities at the Adampur dumpsite/processing unit to BMC officers.

- 
- NEERI also requested affidavits submitted by BMC to the Honorable SC and NGT.
  - BMC has accepted NEERI's recommendation for a comprehensive study of both the legacy waste and daily waste (800 TPD) collected from Bhopal city.
  - Current practices for managing fresh waste at the BMC processing site are in compliance with SWM Rules, 2016.
  - However, the legacy waste at the Adampur site must be managed and disposed of promptly to prevent further hazardous incidents.
  - National Thermal Power Corporation (NTPC) has been contracted to process Refuse Derived Fuel (RDF) into charcoal. The installation of the NTPC processing plant, with a capacity of 400 TPD, is expected to be completed by March 2025.
  - M/S Bhopal RNG Pvt. Ltd. has been contracted to process biodegradable waste into methane (CH<sub>4</sub>) using bio-methanation. The plant, with a capacity of 400 TPD, is under construction, with an expected completion date of June 2025.

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**Table 1 illustrates the Compliance by BMC to SWM Rules 2016 Clause No.15:Duties of ULBs**

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#### 4. Conclusion:

Based on the on-site observations, the following conclusions can be drawn:

1. During the site visit, prima facie it is observed that the process of MSW management is in compliance however the conditions during fire incidences remains unknown. The existing municipal waste management system seems to be compliance with the Solid Waste Management Rules, 2016, as notified by the Ministry of Environment, Forest and Climate Change (MoEFCC).
2. However during incidences
3. The legacy waste, spread over 22 acres and estimated at approximately 800 tonnes, remains in a mixed condition. A scientific approach for legacy waste management is essential to ensure safe disposal and prevent future accidents.
4. The BMC should implement projects focused on converting RDF (Refuse Derived Fuel) to energy and biodegradable waste to compost or biogas, promoting the conservation of natural resources.
5. CCTV cameras have been installed by BMC for effective surveillance of the dumpsite activities.
6. A sump well with an adequate capacity of 3.5 lakh liters has been constructed, and a water line from Ghoda Pachad Dam has been laid to address fire-related emergencies, if required.
7. A leachate treatment plant with a capacity of 50 KLD has been installed. However, further improvements are needed in the collection and storage of leachate around the dumpsite.
8. RDF is being scientifically segregated and regularly sent to cement industries for further use.
9. The BMC has obtained the necessary Environmental Clearance (EC) and Consent to Operate (CTO) for the processing site.
10. A Construction and Demolition (C&D) waste processing plant with a capacity of 100 TPD has been established by the BMC.
11. A Rendering Unit has been set up by the BMC for the processing and disposal of slaughterhouse and fish market waste.
12. A Material Recovery Facility (MRF) with adequate capacity has been established to handle the collection, storage, and disposal of recyclables.



## 5. Recommendations

Following recommendations were given to BMC for scientific management of waste and avoid future fire hazards:

1. The fire incidence occurred at legacy waste dumpsite. To avoid such type of fire hazard, the legacy waste management project should be undertaken by BMC, and the complete old waste should be scientifically disposed of.
2. The rag pickers and others who are not on the roll of BMC should not be allowed in the premises of the processing site.
3. The smoking should be completely banned in the premises. Which is also one of the common reasons of fire accidents in the dumpsites.
4. Hot loads-such as wastes that catch fire, smoulders, combustible, fuel, tyres or household activities that catch fire easily and spontaneously-must be removed from the waste.
5. The drains should be constructed around the dumping site (old waste) so that during rainy season, the leachate will be properly collected and brought to LTP for treatment.
6. The BMC has already taken actions on this by installation of RDF processing plant to charcoal by hiring NTPC.
7. The wet fraction (biodegradables) at present is being treated by the Windrow composting method. However, biomethanation of wet waste may be a cost-effective solution for BMC and hence may be adopted.
8. Any inert (soil) should be landfilled in SLF (secured landfill), and no other waste should be allowed in SLF. The SLF design should be checked for its adequacy.
9. If these recommendations are accepted, the waste will be converted to wealth (to some extent, if not totally), and scientific disposal of the waste in compliance to Solid Waste Management Rules, 2016 will be totally adhered to, as enquired by the Honourable Supreme Court.
10. For the prevention of accidental fire, municipal solid waste should be stocked in small heaps of area 20x30 fts each and each heap should be separated by a gap of at least 1.5 meters.
11. The site should be equipped with fire hydrates at suitable places to prevent any fire misshape along with proper protective gears for the workers.

12. The legacy waste stored at the site should be processed and disposed of on priority.
13. The onsite emergency plan to cover potential risks/ emergencies due to fire, obnoxious/ flammable emissions, odour, vector borne diseases rodents, bird nuisance, seasonal affects i.e. summer/ winter/ monsoon (rainy season) and all other potential risks at the dumpsites.
14. Fresh waste not to be disposed at the dumpsite where bio-remediation is being undertaken
15. It is to be further ensured that industrial waste/ E-waste/ lithium battery is not dumped at the site.
16. Waste that is being unloaded at the site should be examined visually for potential fire sources fire sources when located, should be neutralized with cover material immediately.
17. Adequate compacting of waste to be done to minimize formation of air or methane pockets which can lead to subsurface fire at site.
18. Monitoring at dumpsites: Methane Gas Detectors (on downwind side) to be installed at site so that a rea with high methane concentration can be identified and preventive actions be undertaken.
19. Treated leachate/ water to be sprayed on the waste when rise in temperature is observed at the bioremediation site.
20. Arrangements for Fire Extinguishing: Arrangements for adequate storage of sand/ chemical fire extinguishing medias such as foam or powder at site to be made to douse fire in case a fire incident is reported. Dedicated fire tenders (preferably chemical extinguishing media) and adequate fire safety measures are to be deputed, specifically during summer season when dumpsites fire is more likely to take place.

**6. Further work**

1. The samples of MSW leachate and treated leachate have been collected and brought to the NEERI laboratory for analysis.
2. The samples of compost of wet waste have been brought to NEERI for its laboratory analysis.
3. The samples of solid waste (legacy) and fresh waste have been collected and brought to NEERI laboratory for analysis.
4. During the meeting with the commissioner, BMC, this matter was discussed; during the discussions with concerned officials at BMC, the important points such as quantification of legacy waste, composition, and its characterization, were brought to their notice. These points are important from the view point of scientific disposal of waste.
5. Accordingly, the BMC has issued a request to NEERI, Nagpur, for a comprehensive study of the legacy waste. The study would facilitate BMC to set a proper mechanism necessary for scientific disposal of legacy waste. The preparation of a Project Proposal by NEERI is in progress.

**Table 1: Compliance by BMC to SWM Rules 2016 Clause No.15:  
Duties of ULBs**

S N.	Duties of Local authorities	Compliance by BMC
1.	Prepare a solid waste management plan as per state policy and strategy on solid waste management	BMC has prepared a solid waste management plan as per the state policy.
2.	Arrange for door-to-door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises	Yes, there is 100% door-to-door segregated solid waste from house-holds collection by BMC, including slums and informal settlements, commercial, institutional, and other non-residential premises through their 455 nos. of tipping vehicles. All door-to-door vehicles have partitions for dry & wet waste. The facility for door to door collection of waste is shown in <b>Exhibit 1</b> .
3.	Establish a system to recognize organizations of waste pickers or informal waste collectors	It was informed by BMC that BMC helps and promotes many agencies to recognize organizations of waste pickers or informal waste collectors.
4.	Facilitate formation of Self-Help Groups, provide identity cards and thereafter encourage integration in solid waste management	It was informed by BMC that BMC helps in the formation of Self-help groups and also encourages integration in Solid waste management.

5.	Frame bye-laws incorporating the provisions of these rules	It was informed by BMC that BMC has already framed bye-laws in line with SWM Rules 2016.
6.	Prescribe from time-to-time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency	It was informed that BMC collects user fee from the waste generator.
7.	Direct waste generators not to litter i.e. throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules	BMC has placed 100 liter triple-bin (Dry waste: Blue colour, Wet waste: Green colour & Sanitary waste: Yellow colour) bins in all market areas and tourist places and collects waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., and collected the waste in a segregated manner. The facility of 100 liter triple bin is depicted in <b>Exhibit 2</b> .
8.	Setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for	BMC has established decentralized MRF (Material Recovery Facility) centres at its 12 Garbage transfer stations with a covered shed of sufficient space for sorting & segregating recyclable materials such as paper, plastic, metal, glass, textile, etc. Image of decentralized MRF (Material Recovery Facility) centres is shown in <b>Exhibit 3</b> .

	collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities	
9.	Establish waste deposition centres for domestic hazardous waste	BMC has already established centres for the deposition of domestic hazardous waste at Garbage transfer stations. Photographs of centres for the deposition of domestic hazardous waste at garbage transfer stations are shown in <b>Exhibit 4</b> .
10.	Ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility	BMC has a tie-up with the domestic hazardous waste operator for the disposal of domestic hazardous waste. The agency transports domestic hazardous waste in a closed vehicle up to the facility. Images of Hazardous waste collection by M/s Hazargo Industries are shown in <b>Exhibit 5</b> .
11.	Direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors	BMC collects dry leaves from the street by the sweepers and hands them over to their dedicated vehicles to transport it to the compost plant. BMC has also installed 101 compost pits for processing dry leaves. Photographs of compost pits are shown in <b>Exhibit 6</b> .
12.	Provide training on solid waste management to waste-pickers and waste collectors.	It was informed that BMC provides training on solid waste management to their waste collectors at regular intervals.

		Photographs showing training being given to waste collectors are shown in <b>Exhibit 7.</b>
13.	Collect waste from vegetable, fruit, flower, meat, poultry and fish market on day-to-day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;	BMC has established a 5 TPD bio-methanation plant at Bittan market to process vegetable, fruit, flower, meat, poultry, and fish market waste. Photographs of Bio methanation plant at Bittan market to process vegetable, fruit, flower, meat, poultry, and fish market waste are shown in <b>Exhibit 8.</b>
14.	Collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;	BMC has 4625 KM of streets, lanes, and by-lanes in the city and sweeps all the streets on a daily basis manually as well as through 4 mechanised sweeping machines.  Also, BMC is procuring 06 Nos. more mechanised sweeping machines.  The image of sweeping machine of BMC is depicted in <b>Exhibit 9.</b>
15.	Set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected	BMC has dedicated vehicles for the collection of street sweepings and silt removed from surface drains and disposed of at regular intervals. Photographs of dedicated vehicles for the collection of street sweepings and silt removed from surface drains are shown in <b>Exhibit 10.</b>

	shall be collected and disposed of at regular intervals as decided by the local body	
16.	Collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible	BMC has installed compost pits in gardens for processing dry leaves, horticulture, parks, and garden waste.
17.	Transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility.	<p>BMC collects the waste in a segregated manner and transports segregated bio-degradable waste to the processing facility at AdampurChawani compost plant. The image of 450 TPD capacity compost processing plant is shown in <b>Exhibit 11</b>.</p> <p>Also, BMC is working on a 400 TPD bio-methanation plant on PPP mode &amp; the project work is under progress. The image of proposed 3D model of 400 TPD bio-methanation plant by M/s Bhopal RNG Private Limited at AdampurChawani, Bhopal is shown in <b>Exhibit 12</b>.</p>
18.	Transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility y;	<p>BMC collects the waste in a segregated manner and transports segregated non-bio-degradable waste to the processing facility at AdampurChawani MRF cum RDF (Refuse Derived Fuel) plant.</p> <p>Further, BMC is working on a 400 TPD torrefied charcoal plant with NTPC on PPP mode &amp; the project work is under progress. The images of ongoing</p>

		construction of 400 TPD Charcoal Plant by NTPC at Adampur Chawni, Bhopal, are shown in <b>Exhibit 13</b> .
19.	Transport construction and demolition waste as per the provisions of the Construction and Demolition Waste management Rules, 2016	BMC has established a 100 TPD construction and demolition waste processing facility at Kolar. BMC collects and transports construction and demolition waste to the facility for processing. Also, BMC has established 05 Nos. collection centres for the same  Photographs showing establishment of 100 TPD construction and demolition waste processing facility at Kolar are shown in <b>Exhibit 14</b> .
20.	Involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility;	It was informed that BMC has engaged NGOs to promote and involve communities in Waste Management and the promotion of home composting. Approximately 18 TPD of wet waste is processed through home composting.
21.	Phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction.	It was informed that BMC uses compost instead of any chemical fertilizer in its parks and gardens. Compost generated from the compost pits is used in parks & gardens.

22.	Facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology	BMC has engaged a private agency through the tendering process for the construction, operation, and maintenance of solid waste processing facilities and associated infrastructure. Currently, compost, RDF & MRF technology is adopted for the processing of municipal solid waste at Adampur Chawani integrated waste management facility.
23.	Undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure	BMC gave complete work to a private agency through the tendering process for the construction, operation, and maintenance of processing plants, including sanitary landfill and associated infrastructure at Adampur Chawani integrated waste management facility.
24.	Make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules	It was informed that BMC allocates an adequate budget every year for capital investments as well as the operation and maintenance of solid waste management services. BMC has a dedicated department for the “Swachh Bharat Mission,” which takes care of all solid waste management works as per SWM rules 2016.

25.	Prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;	It was informed that Every year BMC prepares and submits an annual report in Form IV to the designated officer.
26.	The annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;	Every year BMC submits an annual report to the Secretary-in-Charge of the State Urban Development Department to the respective State Pollution Control Board.
27.	Educate workers including contract workers and supervisors for door-to-door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility	It was informed that BMC provides training and capacity building of workers, including contract workers and supervisors, for door-to-door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to the processing or disposal facility. BMC also engaged NGOs for IEC campaigns.
28.	Ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and	The operator of the waste processing facility provides personal protection equipment, including fluorescent jackets, hand gloves, raincoats, appropriate footwear, and masks to all workers handling solid waste at the plant.

	masks to all workers handling solid waste and the same are used by the workforce	
29.	Frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed	It was informed that BMC has already framed byelaws and prescribed criteria for levying spot fines for persons who litter or fail to comply with the provisions of these rules and delegate powers to officers to levy spot fines
30.	<p>Create public awareness through information, education and communication campaign and educate the waste generators</p> <p>(i) not to litter;</p> <p>(ii) minimise generation of waste;</p> <p>(iii) reuse the waste to the extent possible;</p> <p>(iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;</p> <p>(v) Practice home composting, vermi-composting, bio-gas generation or community level composting;</p>	<p>It was informed that BMC also engaged NGOs to create public awareness through information, education, and communication campaigns and educate waste generators.</p> <p>(i) Educate people not to litter.</p> <p>(ii) Educate waste generators to minimize waste generation.</p> <p>(iii) NGOs educate and promote people to reuse materials.</p> <p>(iv) Through IEC activities, BMC &amp; NGO help waste generators segregate waste into bio-degradable, non-biodegradable, sanitary waste, and domestic hazardous categories at the source and hand it over to the door-to-door vehicle.</p>

	<p>(vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;</p> <p>(vii) storage of segregated waste at source in different bins;</p> <p>(viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and</p> <p>(ix) Pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.</p>	<p>(v) BMC &amp; NGO provide information and education to promote home composting at the household level.</p> <p>(vi) Through information, education, and communication campaigns, BMC &amp; NGO educate people to securely wrap used sanitary waste when generated, place it in pouches, and hand it over to the door-to-door vehicle, which is then collected in a sanitary waste bin.</p> <p>(vii) Door-to-door vehicles collect waste in five categories at the source.</p> <p>(viii) BMC hands over the segregated waste to the operator at the waste processing facility.</p> <p>(ix) BMC collects user fees from households along with property tax.</p>
31.	Stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalization of sanitary landfill is over	Only processing rejects and inert materials are disposed of in the sanitary landfill.
32.	Allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-	Only the non-usable, non-recyclable, non-biodegradable, non-combustible, and non-reactive inert waste, as well as

	reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications	pre-processing rejects and residues from waste processing facilities, go to the sanitary landfill.
33.	Investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of biomining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;	<p>Currently, one old open dumpsite is present in Bhopal at Adampur site only. Within next 6-8 months this site will be cleared by sending the waste to torrefication plant and biomethanation plant.</p> <p>Moreover, BMC has bio remediated and did scientific closure of old dump site at Bhanpura, Bhopal admeasuring about 36.9 acres and reclaimed valuable land having an area of about 21.03 acres, which is one of the best practices for closure of open dump sites in India which has been published by Centre for Science &amp; Environment, Govt. of India also.</p>
34.	In absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.	Currently no old dumpsites are present in Bhopal (except the said one at Adampur)

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**Following Exhibits are attached for revealing the facts discussed in the various parts of this report and existing at the BMC Waste Processing Site managed by BMC at Adampur, Near Bhopal :**

- Exhibit 1: Images showing Tipper vehicle collecting segregated waste from households by BMC, Bhopal
- Exhibit 2: Images showing 100 litre volume triple bin for different type of waste collection placed by BMC, Bhopal
- Exhibit 3: Images showing 350 TPD Material Recovery Facility (MRF) at Adampur Chawni Bhopal
- Exhibit 4: Image showing centres for deposition of domestic hazardous waste at different garbage transfer stations
- Exhibit 5: Image showing Hazardous waste collection by M/s Hazargo Industries
- Exhibit 6: Image showing compost pits installed by BMC
- Exhibit 7: Images of solid waste management training programs for waste collectors conducted by BMC
- Exhibit 8: Images showing 5 TPD bio-methanation plant at Bittan market, Bhopal
- Exhibit 9: Image showing sweeping machine of BMC, Bhopal
- Exhibit 10: Images showing dedicated vehicles for the collection of street sweepings and silt removed from surface drains
- Exhibit 11: Image showing 450 TPD capacity compost plant processing plant
- Exhibit 12: Image showing proposed 3-D model of 400 TPD Bio CNG plant by M/s Bhopal RNG Private Limited at Adampur Chawni, Bhopal
- Exhibit 13: Images showing ongoing construction of 400 TPD Charcoal Plant by NTPC at Adampur Chawni, Bhopal
- Exhibit 14: Image showing 100 TPD C&D waste processing plant at Thuakheda, near Kolar, Bhopal
- Exhibit 15: Image showing the legacy waste dumped in the Adampur site where the fore incidents happened
- Exhibit 16: Image showing waste characterization studies carried out by NEERI team
- Exhibit 17: Image showing NTPC proposed charcoal torrefaction plant site

- Exhibit 18: Image showing sanitary landfill at the site
- Exhibit 19: Image showing mechanical trommels at the processing sites
- Exhibit 20: Image showing the provision of fire tenders
- Exhibit 21: Image showing MSW transportation vehicles of BMC (specially designed capsules containers)
- Exhibit 22: Image showing the meeting of NEERI team with BMC officers



Exhibit 1: Images showing Tipper vehicle collecting segregated waste from households by BMC, Bhopal

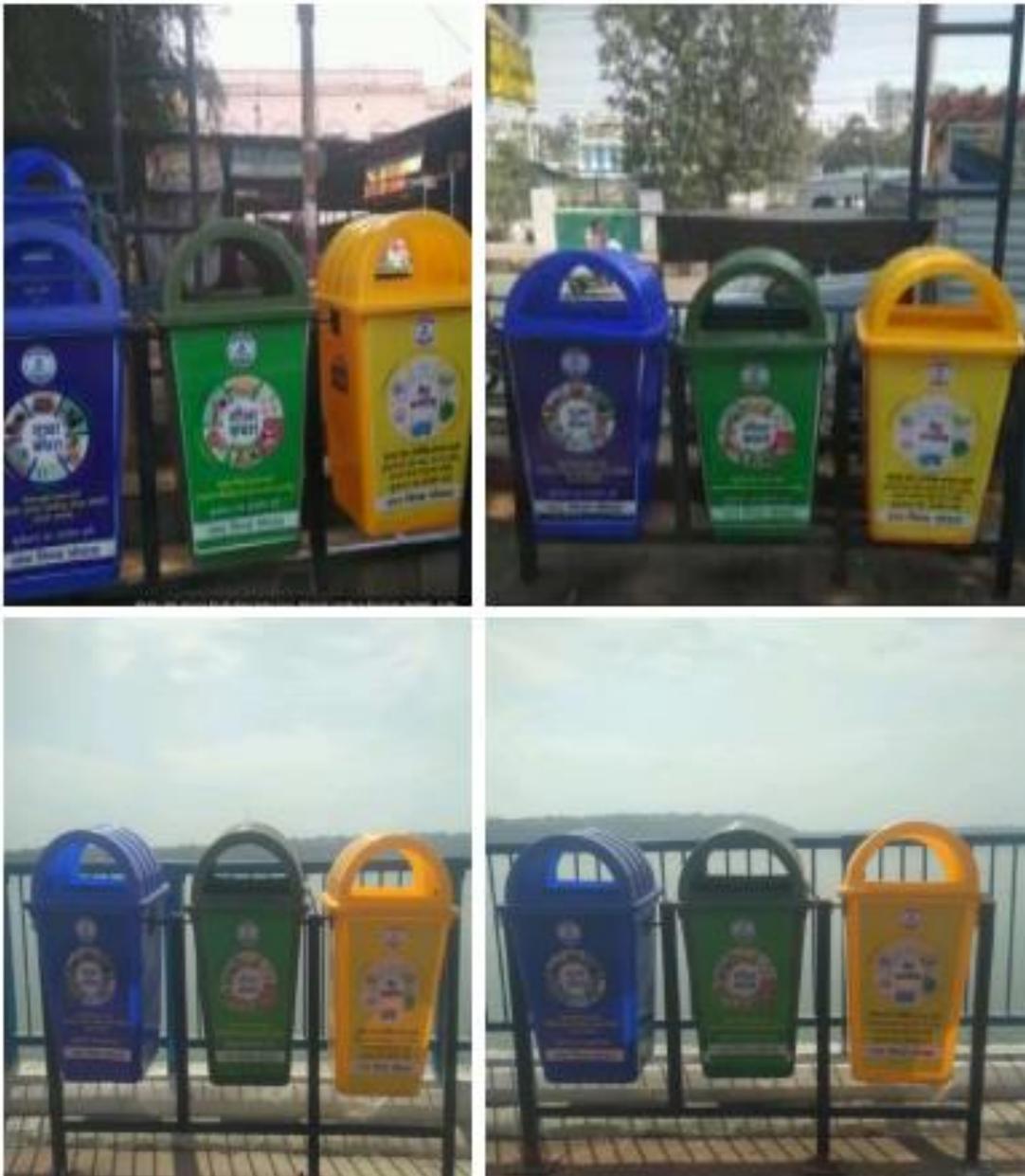


Exhibit 2: Images showing 100 litre volume triple bin for different type of waste collection placed by BMC, Bhopal



Exhibit 3: Images showing 350 TPD Material Recovery Facility (MRF) at AdampurChawniBhopal



Exhibit 4: Image showing centres for deposition of domestic hazardous waste at different garbage transfer stations



Exhibit 5: Image showing Hazardous waste collection by M/s Hazargo Industries



Exhibit 6: Image showing compost pits installed by BMC



Exhibit 7: Images of solid waste management training programs for waste collectors conducted by BMC



Exhibit 8: Images showing 5 TPD bio-methanation plant at Bittan market, Bhopal



Exhibit 9: Image showing sweeping machine of BMC, Bhopal



Exhibit 10: Images showing dedicated vehicles for the collection of street sweepings and silt removed from surface drains



Exhibit 11: Image showing 450 TPD capacity compost plant processing plant



Exhibit 12: Image showing proposed 3-D model of 400 TPD Bio CNG plant by M/s Bhopal RNG Private Limited at AdampurChawni, Bhopal



Exhibit 13: Images showing ongoing construction of 400 TPD Charcoal Plant by NTPC at AdampurChawni, Bhopal



Exhibit 14: Image showing 100 TPD C&D waste processing plant at Thuakheda, near Kolar, Bhopal



Exhibit 15: The Legacy Waste Dumpsite (Fire Accident)



Exhibit 15: Waste Characterization Studies at Adampur Site during NEERI's Inspection Visit



Exhibit 17: NTPC Proposed Charcoal Torrefaction Plant Site



Exhibit 18: Sanitary Landfill at the Site



Exhibit 19: Mechanical Trommels at the Processing Site



Exhibit 20: The Fire Tenders



Exhibit 21: Images Showing MSW Transportation Vehicle of BMC (specially designed capsule containers)



Exhibit 22: The Meeting of NEERI Team with BMC Officers



ITEM NO.20

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 6174/2023

BHOPAL MUNICIPAL CORPORATION

Appellant(s)

VERSUS

DR SUBHASH C. PANDEY &amp; ORS.

Respondent(s)

[ONLY IA NO. 113056/2025 IS LISTED UNDER THIS ITEM]  
(IA No. 113056/2025 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 16-05-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) :

Ms. Vanshaja Shukla, AOR  
Ms. Gunjan Chowksey, Adv.  
Ms. Ankeeta Appanna, Adv.  
Mr. Siddhant Yadav, Adv.

For Respondent(s) :

Mr. Harshvardhan Pandey, Adv.  
Mr. Raghavendra Pratap Singh, AOR  
  
Mr. Abhimanyu Singh, Adv.  
Mr. Pashupathi Nath Razdan, AOR  
Mr. Abhinav Srivastav, Adv.

Respondent-in-person

Mr. Raghav Sharma, Adv.  
Mr. Jaskirat Pal Singh, Adv.  
Mr. Pranjal Pandey, Adv.  
Ms. Kritika, Adv.  
Mr. Salvador Santosh Rebello, AOR

UPON hearing the counsel the Court made the following  
O R D E R

IA No. 113056/2025 - APPROPRIATE ORDERS/DIRECTIONS

Signature Not Verified

Digitally signed by  
ANITA MALHOTRA  
Date: 2025.05.20  
19:07:54 IST  
Reason:

The first respondent, who was the applicant before  
the National Green Tribunal, has filed this application

for bringing it to the notice of this Court that there was a huge fire at the dumping site of the appellant-Corporation where solid waste is being dumped without treating the same. Photographs have been annexed. It appears that at least for 4 to 5 days, the fire continued. It is pointed out that this is 9<sup>th</sup> incident of fire at the same place. All this is due to the failure of the appellant to follow and implement the Solid Waste Management Rules, 2016.

We direct the appellant-Corporation to implead the Central Pollution Control Board as party respondent No.5. Amended memo of appeal shall be filed within three days.

Issue notice to the added respondent.

We direct the added respondent to depute appropriate senior officers to the site of the fire and ascertain the causes of fire. The officers of the added respondent shall place on record a report containing immediate measures which are required to be taken to avoid repetition of such incidents.

We grant time of six weeks to the added respondent to file a report in this Court.

In the meanwhile, we direct the appellant to take all possible steps firstly to extinguish the fire, if it is already not extinguished and to ensure that such incidents are not repeated.

For considering the report of the Central Pollution Control Board, list on 25<sup>th</sup> July, 2025.

Issue notice on the application.

We direct the Secretary of the District Legal Services Authority, Bhopal, Madhya Pradesh to take help of para-legal volunteers with a view to ascertain whether the health of the citizens was affected due to this fire who were staying in the locality of the dumping site. If it is found that the health is affected, the Legal Services Authority shall coordinate with the Government hospitals in the city and ensure that appropriate treatment is extended to the residents.

A copy of this order along with a soft copy of the appeal and the application shall be forwarded by the Registry to the Secretary of the District Legal Services Authority, Bhopal as well as to the Central Pollution Control Board.

(ANITA MALHOTRA)  
AR-CUM-PS

(AVGV RAMU)  
COURT MASTER



क्षेत्रीय निदेशालय (मध्य), भोपाल  
**केन्द्रीय प्रदूषण नियंत्रण बोर्ड**  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)



Annexure-9

CM-11/23/2025-LAW-HO-CPCB/22300/ 249

दिनांक: 10 जून, 2025

प्रति,

आयुक्त, भोपाल नगर निगम ISBT, हबीबगंज, भोपाल-462023 (मध्य प्रदेश)	सदस्य सचिव मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड पर्यावरण परिसर, ई-5, अरेरा कॉलोनी भोपाल-462016 (मध्य प्रदेश)
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विषय: माननीय उच्चतम न्यायालय (C.A. 6174/2023 "भोपाल नगर निगम बनाम डॉ. सुभाष सी. पांडे एवं अन्य" में पारित आदेश दिनांक 16.05.2025 के अनुपालन में अधिकारी की स्थल निरीक्षण के लिए उपस्थिति।

महोदय,

उपरोक्त विषयांकित प्रकरण में माननीय उच्चतम न्यायालय द्वारा पारित आदेश (प्रति संलग्न) दिनांक 16.05.2025 के अनुसार, केन्द्रीय प्रदूषण नियंत्रण बोर्ड (CPCB) को भोपाल नगर निगम के डम्पिंग स्थल पर लगी आग की घटनाओं की जांच हेतु स्थल निरीक्षण कर रिपोर्ट प्रस्तुत करने के निर्देश प्रदान किए गए हैं।

उपरोक्त आदेश के अनुपालन में, केन्द्रीय प्रदूषण नियंत्रण बोर्ड से अधोहस्ताक्षरकर्ता एवं श्री सुनील कुमार मीणा, वैज्ञानिक 'ई' (मोबाइल नं.- 9617007250, ईमेल-sunil.cpcb@nic.in) दिनांक 12 जून 2025, प्रातः 08:00 बजे उक्त स्थल का निरीक्षण करेंगे।

अतः आपसे अनुरोध है कि आपके विभाग से इस मामले को देख रहे संबंधित अधिकारी उक्त तिथि को स्थल पर उपस्थित रहने हेतु निर्देशित करने का कष्ट करें, जिससे निरीक्षण के दौरान आवश्यक जानकारी व सहयोग प्राप्त किया जा सके।

कृपया निरीक्षण के दौरान साइट की फोटोग्राफी/वीडियोग्राफी की भी व्यवस्था कराने के साथ स्थल से संबंधित साइट प्लान/इंजीनियरिंग ड्राइंग की प्रति, यदि कोई हो, भी अध्ययन के लिए उपलब्ध कराई जाए।

यदि निरीक्षण से पूर्व कोई अद्यतन जानकारी या तथ्य उपलब्ध हों, तो कृपया अग्रिम रूप से साझा करने का कष्ट करें साथ ही, आपके विभाग से नामांकित अधिकारियों के विवरण पुष्टि पत्र के रूप में इस कार्यालय को उपलब्ध कराएं।

भवदीय,

(डॉ. अजीत कुमार विद्यार्थी)  
क्षेत्रीय निदेशक

संलग्नक- उपरोक्तानुसार।

“राजभाषा हिन्दी में पत्र व्यवहार का स्वागत है”

पता: “परिवेश भवन”  
पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल-462016  
ईपीएबीएक्स : 0755-2775385, 2775386  
क्षेत्रीय निदेशक डायरेक्ट : 0755-2775384  
ई-मेल: cpcb.bhopal@gmail.com, वेबसाइट: www.cpcb.nic.in

मुख्यालय:  
परिवेश भवन  
पूर्वी अर्जुन नगर, दिल्ली-110032  
दूरभाष क्र : 011-43102030

PH

“सिंगल यूज प्लास्टिक” का करें बहिष्कार

ITEM NO.20

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 6174/2023

BHOPAL MUNICIPAL CORPORATION

Appellant(s)

VERSUS

DR SUBHASH C. PANDEY & ORS.

Respondent(s)

[ONLY IA NO. 113056/2025 IS LISTED UNDER THIS ITEM]  
(IA No. 113056/2025 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 16-05-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) :

Ms. Vanshaja Shukla, AOR  
Ms. Gunjan Chowksey, Adv.  
Ms. Ankeeta Appanna, Adv.  
Mr. Siddhant Yadav, Adv.

For Respondent(s) :

Mr. Harshvardhan Pandey, Adv.  
Mr. Raghavendra Pratap Singh, AOR  
  
Mr. Abhimanyu Singh, Adv.  
Mr. Pashupathi Nath Razdan, AOR  
Mr. Abhinav Srivastav, Adv.

Respondent-in-person

Mr. Raghav Sharma, Adv.  
Mr. Jaskirat Pal Singh, Adv.  
Mr. Pranjal Pandey, Adv.  
Ms. Kritika, Adv.  
Mr. Salvador Santosh Rebello, AOR

UPON hearing the counsel the Court made the following  
O R D E R

IA No. 113056/2025 - APPROPRIATE ORDERS/DIRECTIONS

Signature valid

Digitally signed by  
ANITA MALHOTRA  
Date: 2025.05.20  
19:07:54 +05'30  
Reason:

The first respondent, who was the applicant before  
the National Green Tribunal, has filed this application

for bringing it to the notice of this Court that there was a huge fire at the dumping site of the appellant-Corporation where solid waste is being dumped without treating the same. Photographs have been annexed. It appears that at least for 4 to 5 days, the fire continued. It is pointed out that this is 9<sup>th</sup> incident of fire at the same place. All this is due to the failure of the appellant to follow and implement the Solid Waste Management Rules, 2016.

We direct the appellant-Corporation to implead the Central Pollution Control Board as party respondent No.5. Amended memo of appeal shall be filed within three days.

Issue notice to the added respondent.

We direct the added respondent to depute appropriate senior officers to the site of the fire and ascertain the causes of fire. The officers of the added respondent shall place on record a report containing immediate measures which are required to be taken to avoid repetition of such incidents.

We grant time of six weeks to the added respondent to file a report in this Court.

In the meanwhile, we direct the appellant to take all possible steps firstly to extinguish the fire, if it is already not extinguished and to ensure that such incidents are not repeated.

For considering the report of the Central Pollution Control Board, list on 25<sup>th</sup> July, 2025.

Issue notice on the application.

We direct the Secretary of the District Legal Services Authority, Bhopal, Madhya Pradesh to take help of para-legal volunteers with a view to ascertain whether the health of the citizens was affected due to this fire who were staying in the locality of the dumping site. If it is found that the health is affected, the Legal Services Authority shall coordinate with the Government hospitals in the city and ensure that appropriate treatment is extended to the residents.

A copy of this order along with a soft copy of the appeal and the application shall be forwarded by the Registry to the Secretary of the District Legal Services Authority, Bhopal as well as to the Central Pollution Control Board.

(ANITA MALHOTRA)  
AR-CUM-PS

(AVGV RAMU)  
COURT MASTER

**VAKALATNAMA**  
 [Rule 4(1) of the Rules framed under Advocates Act, 1961]  
**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**ORIGINAL APPLICATION 239/2024**  
**CENTRA ZONAL BENCH**

**IN THE MATTER OF:**

**NITIN SAXENA**

**.....APPLICANT**

**VERSUS**

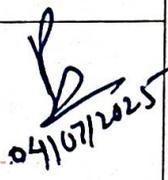
**STATE OF M.P. & ORS.**

**.....RESPONDENT**

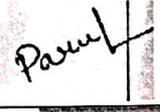
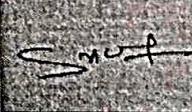
I **Brajesh Sharma , Regional Officer Bhopal , MPPCB** named below do hereby appoint, engage, and authorize advocate(s) named below to appear, act and plead as aforesaid case proceedings which shall include application for restoration, setting aside of ex- party orders, corrections, modifications, review and recall of orders passed in these proceedings, in this court or any other court in which the same may be tried/ heard/proceeded and also in appellate. Revisional and executing court in respect of proceedings arising from this case/ proceedings as per agreed terms and conditions and authorize him/them to sign and file pleadings, appeals, cross objections, applications, affidavit or other documents as may be deemed necessary for the proper prosecution/defence of the case in all its stages and also agree to ratify and confirm act done by him/them as if done by me.

In witness whereof i/we do hereunto set my/our hand to the presents, the contents of which have been duly understood by me /us this **04.07.2025** at **Bhopal**.

**PARTICULARS OF EACH PARTY EXECUTING VAKALATNAMA**

Name	Registered Address	E-Mail Add & Telephone (If any)	Status in case	Signature
<b>Brajesh Sharma , Regional Officer Bhopal , MPPCB</b>	E5, Arera Colony Paryawaran Parisar Regional Office MPPCB Bhopal - 462016	9893002888 romppcb_bpl@rediff.com	Officer-in-Charge	 04/07/2025

Accepted

Name & Enrollment. No.	Address (If any) E-Mail Add.	Telephone (If any)	Regional Officer M.P. Pollution Control Board Full Signature
PARUL BHADORIA 1587-2012	parul.bhadoria04@gmail.com	8085977111	
PRANJAL PANDEY MP 2881-2021	advocatepranjalpandey@gmail.com	9340657120	
SHIVAM DWIVEDI MP 3857-2023	advshivamdwivedi20@gmail.com	8878471359	

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**ATR of Madhya Pradesh Pollution Control Board in OA 239-2024 Nitin Saxena v/s state of Madhya Pradesh**

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**From :** Legal Cell <legalcell.pcb@mp.gov.in> Sat, Jul 05, 2025 03:37 PM  
**Subject :** ATR of Madhya Pradesh Pollution Control Board in OA 239-2024 Nitin Saxena v/s state of Madhya Pradesh 1 attachment  
**To :** nitinsaxena0578@gmail.com  
**Cc :** Collector Bhopal <dmbhopal@nic.in>, commoffice <commoffice@bmconline.gov.in>, Dy. Director General of Forest, RO Bhopal <rowz.bpl-mef@nic.in>, harnengt <harnengt@gmail.com>, parul bhadoria04 <parul.bhadoria04@gmail.com>, bs24465 <bs24465@gmail.com>

Madam/Sir

Please find enclosed herewith the copy of ATR of Madhya Pradesh Pollution Control Board submitted in compliance of order dated passed by Hon'ble Tribunal in OA no. **239/2024 (Nitin Saxena v/s state of Madhya Pradesh)**. This mail may be treated as proof of service.  
The case is listed on dated 07/07/2025.

Regards

LEGAL SECTION  
MP PCB

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 **ATR in OA 239-2024 dated 04.07.2025.pdf**  
11 MB

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