

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

AT NEW DELHI

ORIGINAL APPLICATION NO. 694 OF 2022

IN THE MATTER OF: -

Bhupinder Singh

..... Applicant

Versus

Govt. of NCT of Delhi

..... Respondent

NDOH: -06.12.2023

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Filed by

Delhi Pollution Control Committee

New Delhi

Dated: 28.11.2023

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH , NEW DELHI**

ORIGINAL APPLICATION NO. 694 OF 2022

IN THE MATTER OF: -

Bhupinder Singh

..... Applicant

Versus

Govt. of NCT of Delhi & Ors.

..... Respondent

REPLY / ACTION TAKEN REPORT OF DELHI POLLUTION CONTROL COMMITTEE IN COMPLIANCE TO THE ORDER DATED 18.10.2023.

1. That this Hon'ble Tribunal in the above referred matter regarding complaint of Sh. Bhupinder Singh against the waste treatment facility set up in front of the Gurdwara and Temple regarding foul smell to residents of the locality had given following directions on 31.10.2022 :

(i).....Accordingly, we constitute a Joint Committee comprising of DPCC and District Magistrate (South West), Delhi and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and submit its report within one month.....

(ii) In case of violation of environmental norms the Joint Committee shall send copy of its report to the concerned Statutory Authority including DPCC and District Magistrate (South West), Delhi who shall take appropriate remedial action by giving opportunity of being heard to the project proponent and following due process of law and submit Action taken Report within one month from the date of receipt of report of the Joint Committee.....



2. That this Hon`ble Tribunal in the above referred matter has given following directions on 18.10.2023 :

“4. Notices be issued to the Commanding Officer, Delhi Cantonment Board, Delhi Cantonment, DPCC, District Magistrate (New Delhi) and M/s Xaper Waste Solutions Pvt. Ltd. requiring them to file their reply / response within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF / OCR Supported PDF and not in the form of Image PDF.

5. Notice be served on M/s Xaper Waste Solutions Pvt. Ltd. through the Commanding Officer, Delhi Cantonment Board, Delhi Cantonment and for this purpose notice issued to M/s Xaper Waste Solutions Pvt. Ltd. be sent to the Commanding Officer, Delhi Cantonment Board, Delhi Cantonment for serving the same on it and sending his report in this regard within 15 days from the date of this order.

6. List for further consideration on 06.12.2023 ”

3. That a meeting of the Joint Committee of District Magistrate (New Delhi) and DPCC was held in the Chamber of District Magistrate (New Delhi) on 11.11.2022 and Waste Processing Facility at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi was also visited on 11.11.2022.
4. That in compliance to the above mentioned order dated 31.10.2022 of Hon`ble National Green Tribunal, Action Taken Report was filed by Delhi Pollution Control Committee before the Hon`ble Tribunal on 01.12.2022.
5. That vide letter dated 14.11.2023 Delhi Cantonment Board has provided information including following to DPCC :
- a) It is intimated that the Sorting-Cum-Composting machine of capacity 20 TPD installed by this office at Tigris Road is non-functional since, March, 2023 due to some administrative reasons. It is again reiterated that the said plant will not be made functional till it is re-located to new suitable location. This office will give due intimation to DPCC after shifting the plant.
 - b) Further, the decision to install 03 additional Sorting-Cum-Composting machines of capacity 20 TPD each, has been put on hold due to administrative & operational reasons. The Board is further exploring other technologies / methods to achieve optimum level of processing of municipal solid waste of Delhi Cantonment.

- c) It is also intimated that 65 MT of MSW is generated daily within the Delhi Cantonment. All the generated waste is being collected through door-to-door collection vehicle and is finally transported to Waste to Energy Plant at Okhla for processing. It is relevant to mention here that 100% of waste of Delhi Cantonment is being processed and no waste is dumped on landfill site. It is also mentioned that 0.175 MT of food waste is being processed in Food Composter plant.

Copy of the letter dated 14.11.2023 of Delhi Cantonment Board is enclosed as **Annexure – I.**

6. That an inspection of the Waste Processing Facility at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi-110010 was conducted by DPCC officials on 17.11.2023.

Following are the brief of observations and information gathered from the DCB Officials during the inspection on 17.11.2023.

(i) The Waste Processing Facility is having Sorting cum Composting Machine of 20 TPD capacity & other related machinery [Control Panel (1 No.), Slow-Moving Feeding Conveyor (1 No.), Pre-Sorting Trommel (1 No.), Feeding Conveyor (5 No.), Forced Feeder (1 No.), AAD Bioreactor (1No.), Combustible Conveyor (2 No.), Hydraulic Compactor (2 No.), Compostable Conveyor (3 No.), Compost Sieving System (1No.) etc.] installed in covered shed of size about 40 meter X 16.5 meter X 7.6 meter. Shed area is about 660 square meter. The facility found closed. Earlier Facility was operated and maintained by M/s XAPER Waste Solutions Pvt. Ltd.

(ii) During inspection the plant was non-operational.

(iii) No Municipal Solid Waste found at the site.

(iv) As informed by DCB officials plant is closed since March, 2023 since DCB blacklisted M/s XAPER Waste Solutions Pvt. Ltd. New tender is in process for operation and maintenance of Facility at new site after shifting from the present site at Sadar Bazar. It was also informed that plant will not be made functional till it is relocated to new location.

(v) It was informed by DCB Officials that Relocation of the Facility to new proposed site at Kirby place is under process. Since the land of new proposed site at Kirby Place is owned by Defence Forces clearance from Defence Forces is required.

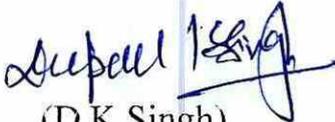
Copy of the Report on Inspection of Waste Processing Facility at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi-110010 on 17.11.2023 is enclosed as **Annexure – II.**

7. That following directions under section 5 of the Environment (Protection) Act, 1986 read along with the Solid Waste Management Rules, 2016 have been issued by DPCC to the Chief Executive Officer, Delhi Cantonment Board on 24.11.2023 :

- (i) That Delhi Cantonment Board should shift the Waste Processing Facility of 20 TPD Capacity at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi -110010 at its present location to a new suitable location.
- (ii) That Delhi Cantonment Board shall obtain prior Consent to Establish under the Air & Water Acts before Establishing the abovementioned facility at the new location and also obtain Consent to Operate under the Air & Water Acts and Authorisation under the Solid Waste Management Rules, 2016 from DPCC before starting the operation at new location.

Copy of the directions under section 5 of the Environment (Protection) Act, 1986 issued by DPCC to Delhi Cantonment Board on 24.11.2023 is enclosed as **Annexure – III.**

Above Reply / Action Taken Report of DPCC may please be taken on record for kind consideration please.


(D.K.Singh)

Senior Environmental Engineer,
Delhi Pollution Control Committee

Delhi

Dated: 24.11.2023

**Regarding Shifting of Sorting-cum-Composting Plant from Tigris Road, Delhi Cantt to some other suitable location**

2 messages

Chief Executive Officer Delhi Cantt <ceodelhicantt@gmail.com>
To: WMC-II DPCC <dpcc.wmc2.delhi@gmail.com>

Tue, Nov 14, 2023 at 6:01 PM

Sir,

Please find enclosed herewith an attachment.

Regards
O/o Chief Executive Officer
Delhi Cantonment Board
Sadar Bazar, Delhi Cantt.TEL: 011-25693837
EXT: 011-25695850**2 attachments** **Letter to DPCC_14.11.2023.pdf**
230K **Affidavit.pdf**
798K**WMC-II DPCC** <dpcc.wmc2.delhi@gmail.com>

Tue, Nov 14, 2023 at 6:08 PM

To: wmc2dpcc2023@gmail.com, Deepak Kumar Singh <dksinghdpcc@gmail.com>

[Quoted text hidden]

2 attachments **Letter to DPCC_14.11.2023.pdf**
230K **Affidavit.pdf**
798K



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दिल्ली छावनी परिषद

DELHI CANTONMENT BOARD

सदर बाजार, दिल्ली छावनी- 110010

Sadar Bazar, Delhi Cantt - 110010

हर काम देश के नाम



LIFE

Lifestyle for
Environment

Tel. No.: 011-25693837, 25695450 ✉: ceodelh-stats@nic.in 🌐: www.delhi.cantt.gov.in

No. DCB/32/SN-1/SWM/2023

Date: 14.11.2023

To,

The Sr. Environmental Engineer
Delhi Pollution Control Committee
Department of Environment
Govt. of NCT of Delhi
5th Floor, ISBT Building, Kashmere Gate
New Delhi -110006

Subject: Regarding Shifting of Sorting-cum-Composting Plant from Tigris Road, Delhi Cantt to some other suitable location

Sir,

Reference:

- (i) Hon'ble NGT order 31.10.2022.
- (ii) DPCC letter No. DPCC/WMC-II/OA No. 694 of 2022/2022/907-903 dated 25.11.2022.
- (iii) Hon'ble NGT order 20.02.2023.
- (iv) Hon'ble NGT order 18.10.2023.

2. Vide above referred Hon'ble Court order dated 31.10.2022, Hon'ble Court took cognizance of the complaint of Sh. Bhupinder Singh against the waste treatment facility set up by Delhi Cantonment Board at Tigris Road, Delhi Cantt and issued the following inter-alia directions:

".....Accordingly, we constitute a Joint Committee comprising of DPCC and District Magistrate (South West), Delhi and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and submit its report within one month....."

3. Vide above referred DPCC letter dated 25.11.2023, a report of the Joint Committee constituted as per the directions of the Hon'ble Court was forwarded to this office with the following recommendations:

".....there is problem of smell /odour from the said facility and therefore recommends shifting of the said facility from the present location at Sadar Bazar in Delhi Cantonment to some other location/site already identified by Delhi Cantonment Board at Kirby Place near Drain. Delhi Cantonment Board to shift the said facility at the earliest at the most within 4 months period. Till the said Waste Processing Facility is shifted, the Project Proponent should take necessary precaution and measures for controlling/ minimizing smell/odour (by spraying deodorizers / other control measures) from the said facility."

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4. Vide above referred Hon'ble Court order dated 20.02,2023, Hon'ble Court disposed off the petition with a direction to the Delhi Cantonment Board and the project proponent M/s Xaper Waste Solutions Pvt. Ltd. to comply with the recommendations made by the joint committee and directions issued by the DPCC vide notice dated 30.11.2022 and shift the facility as undertaken at the earliest but not latest by 30.09.2023 and to file an Action Taken Report within two weeks thereafter.

5. In compliance of the above direction, this office filed an affidavit before the Hon'ble Court on 11.09.2023, wherein Hon'ble Court was apprised about the progress/action taken in the said matter. Copy of the affidavit dated 11.09.2023 is enclosed for ready reference.

6. Vide above referred Hon'ble Court order dated 18.10,2023, this office was directed to file reply/response within one month in the said matter. In this regard, it is intimated that suitable reply would be filed by this office within the timeline.

7. Apart from the above, the following submissions are made for information and perusal:

- a) It is intimated that the Sorting-Cum-Composting machine of capacity 20 TPD installed by this office at Tigris Road is non-functional since, March, 2023 due to some administrative reasons. It is again reiterated that the said plant will not be made functional till it is re-located to new suitable location. This office will give due intimation to DPCC after shifting the plant.
- b) Further, the decision to install 03 additional Sorting-Cum-Composting machines of capacity 20 TPD each, has been put on hold due to administrative & operational reasons. The Board is further exploring other technologies/methods to achieve optimum level of processing of municipal solid waste of Delhi Cantonment.
- c) It is also intimated that 65 MT of MSW is generated daily within the Delhi Cantonment. All the generated waste is being collected through door-to-door collection vehicle and is finally transported to Waste to Energy Plant at Okhla for processing. It is relevant to mention here that 100% of waste of Delhi Cantonment is being processed and no waste is dumped on landfill site. It is also mentioned that 0.175 MT of food waste is being processed in Food Composter plant.

8. This is for kind information please.

Yours faithfully,

Sd/-
(Gyanendra Pal Singh)
OIC Sanitation
Delhi Cantonment Board

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. (C) No. 694 of 2022

IN THE MATTER OF:

Bhupinder Singh

...Applicant

Versus

Govt. of NCT of Delhi

...Respondent

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1.	Action Taken Report on behalf of Delhi Cantonment Board. Respondent	1-4

Dated: 11 .09.2023

Place: New Delhi

Through


Tarveen Singh Nanda & Ankur Mishra
Advocates
Legal Cell Delhi Cantonment Board
Delhi Cantt. 110 010



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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
O.A. No. (C) No. 694 of 2022

IN THE MATTER OF:

Bhupinder Singh ... Applicant

Versus

Govt. of NCT of Delhi ... Respondent

ACTION TAKEN REPORT ON BEHALF OF RESPONDENT,
DELHI CANTONMENT BOARD

MOST RESPECTFULLY SHOWETH:

I. Gyanendra Pal Singh, aged about 36 years, S/o Sh. V.P. Singh, presently holding charge of Sanitation Branch at Delhi Cantonment Board having its office at Sadar Bazar, Delhi Cantonment, New Delhi-110010 do hereby solemnly affirm and state as under:

1. That I am duly authorized to represent the Respondent Board in the captioned matter. I am well acquainted with the facts and circumstances of the present case. I am competent to swear this affidavit.
2. That the Respondent is hereby filing the Action Taken Report, in compliance of the order dated 20.02.2023, passed by this Hon'ble Court in the instant Petition.
3. That the embodied contents of present Action Taken Report





have been drafted under my specific instructions given to my counsel which has been repeatedly read over and also elaborately explained to me, which are true and correct as per my knowledge and belief and on the basis of records available. Those of the paras as to legal submissions have also been elucidated to me in detail of which I believe are true and correct.

4. This Hon'ble Court vide order dated 20.02.2023 in the above captioned matter was pleased to dispose of this petition with a direction to the Delhi Cantonment Board and the project proponent M/s Xaper Waste Solutions Pvt. Ltd. to comply with the recommendations made by the joint committee and to shift the 20 TPD capacity 'Sorting cum Composting' from Tigris Road, Delhi Cantt. This direction was interalia passed after considering the application filed by the Applicant wherein he has raised the issue of foul smell and air pollution being caused from 20 TPD capacity 'Sorting cum Composting' machine installed by Delhi Cantonment Board at Tigris Road, Delhi Cantt.
5. In compliance of the above direction, the Answering Respondent vide even letter No. DCB/IT/ScM/2022 dated 07.12.2022 and 03.03.2023 directed the project proponent M/s Xaper Waste Solutions Pvt. Ltd. to obtain necessary consent from DPCC under the Air and Waters Act to operate the said



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waste processing facility and to also seek prior consent for shifting of the said processing facility. It is pertinent to mention herein that as per the agreement dated 24.01.2022 executed between M/s Xaper Waste Solutions Pvt. Ltd. and the Answering Respondent, it was the duty of the project proponent as per the agreement dated 24.01.2022 to comply with the environmental norms and to seek relevant sanction from the Competent Authorities.

6. However, this direction issued by the Answering Respondent for seeking consent from DPCC was not complied by the project proponent. Thereafter, considering the various lapses, the Answering Respondent issued show cause notice to the Project Component and after considering its response blacklisted the firm. The said plant has not been shifted till date due to this unavoidable circumstance. Though, it is pertinent to mention herein that the plant is non-functional since March, 2023 and the Answering Respondent undertakes not to make the plant functional till it is shifted/relocated to some other suitable location in compliance of the directions passed by this Hon'ble Court.
7. The answering respondent is exploring various options to make the plant functional after shifting it to some other suitable location. It is accordingly prayed that the Answering Respondent may be allowed to file compliance report in this





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matter after shifting the plant to some other suitable location for processing of municipal solid waste.

Gyanendra
DEPONENT
Gyanendra Pat Singh,
OIC Sanitation
Delhi Cantonment Board
Delhi Cantt

VERIFICATION

I, the deponent herein, do hereby verify that the contents of the above affidavit are true and correct to my knowledge and based on official records. Verified at New Delhi on this the 11th day of September, 2023.

Gyanendra
DEPONENT
Gyanendra Pat Singh
OIC Sanitation
Delhi Cantonment Board
Delhi Cantt

ATTESTED
Mo
NOTARY PUBLIC
DELHI (INDIA)

11 SEP 2023



Report on Inspection of Waste Processing Facility of M/s Xaper Waste Solutions Private Limited at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi-110010 on 17.11.2023.

An inspection of Waste Processing Facility of M/s Xaper Waste Solutions Private Limited was carried out by DPCC Officials at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi -110010 on 17.11.2023. During inspection Sh. Gyanendra Pal Singh (OIC, Sanitation) and Sh. Sachin Gehlawat (ASI, Sanitation) from Delhi Cantonment Board were present at the facility. The Gate of the Facility was opened by DCB Officials for visit.

Following are the brief of observations and information gathered from the DCB Officials :

- (i) The Waste Processing Facility is having Sorting cum Composting Machine of 20 TPD capacity & other related machinery [Control Panel (1 No.), Slow-Moving Feeding Conveyor (1 No.), Pre-Sorting Trommel (1 No.), Feeding Conveyor (5 No.), Forced Feeder (1 No.), AAD Bioreactor (1No.), Combustible Conveyor (2 No.), Hydraulic Compactor (2 No.), Compostable Conveyor (3 No.), Compost Sieving System (1No.) etc.] installed in covered shed of size about 40 meter X 16.5 meter X 7.6 meter. Shed area is about 660 square meter. The facility found closed. Earlier Facility was operated and maintained by M/s XAPER Waste Solutions Pvt. Ltd.
- (ii) During inspection the plant was non-operational.
- (iii) No Municipal Solid Waste found at the site.
- (iv) As informed by DCB Officials plant is closed since March, 2023 since DCB blacklisted M/s XAPER Waste Solutions Pvt. Ltd. New tender is in process for operation and maintenance of Facility at new site after shifting from the present site at Sadar Bazar. It was also informed that plant will not be made functional till it is relocated to new location.
- (v) It was informed by DCB Officials that Relocation of the Facility to new proposed site at Kirby place is under process. Since the land of new proposed site at Kirby Place is owned by Defence Forces clearance from Defence Forces is required.
- (vi) Photographs taken during the inspection are enclosed.

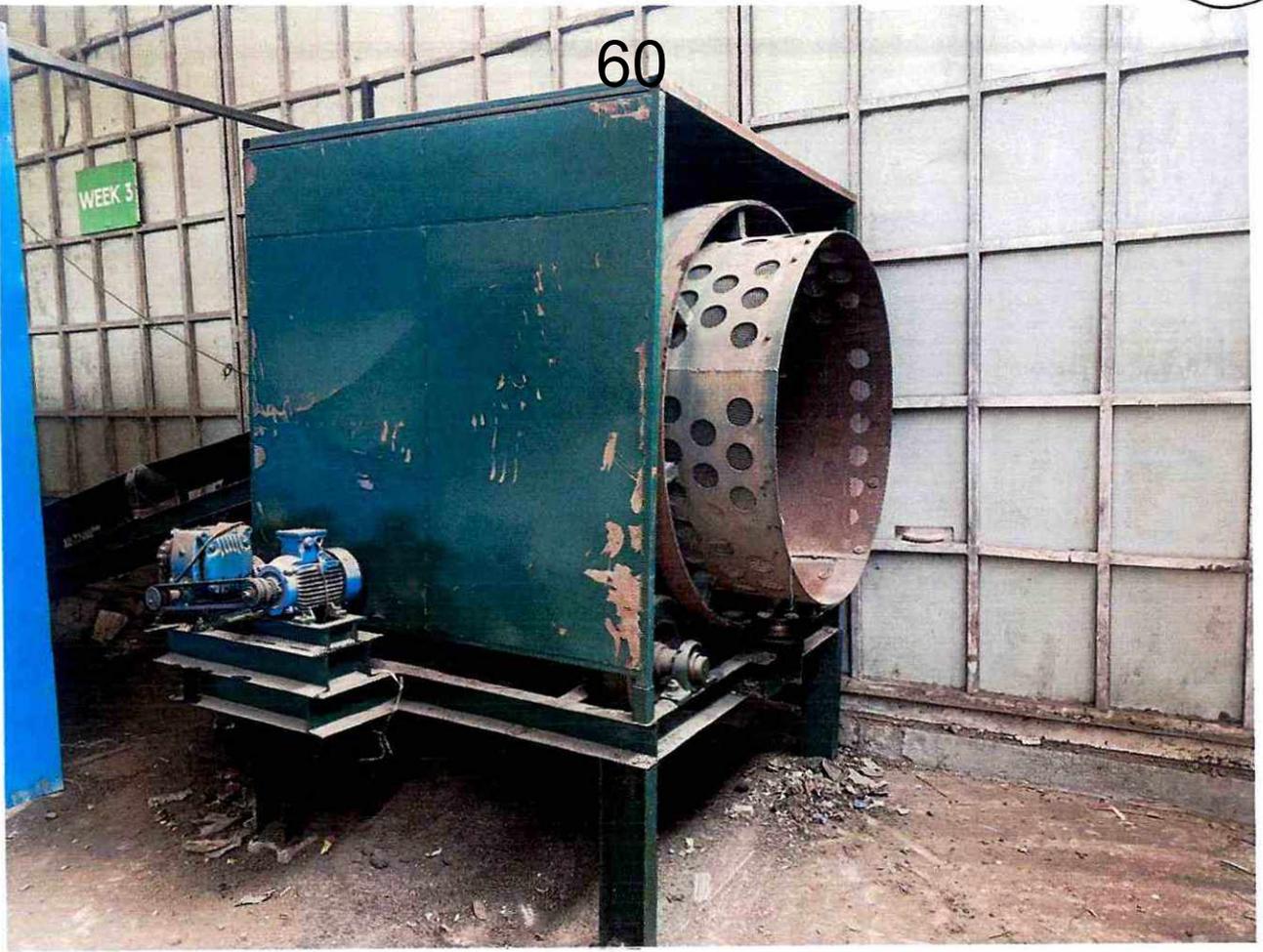

(M.I. Siddiqui)

Asst. Env. Engineer
WMC-II, DPCC


(Yogendra S. Tomar)

Trainee Engineer
WMC-II, DPCC

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Photographs taken during the Inspection on 17.11.2023 of waste processing facility at Sadar Bazar, Delhi Cantonment Delhi-110010



GPS Map Camera Lite
 House No 1/206, 3, Basantra Line, Sadar Bazaar, Delhi Cantonment, New Delhi, Delhi 110010, India
 Latitude 28.5926319° Longitude 77.1209891°
 Local 12:26:23 PM Altitude 228 meters
 GMT 06:56:23 AM Friday, 17.11.2023



GPS Map Camera Lite
 1/33, Sannaiyat Lines, Delhi Cantonment, New Delhi, Delhi 110010, India
 Latitude 28.5925067° Longitude 77.1209272°
 Local 12:28:45 PM Altitude 227 meters
 GMT 06:58:45 AM Friday, 17.11.2023

Photographs taken during the inspection on 17.11.2023 of waste Processing Facility at Sadar Bazaar, Delhi Cantonment, Delhi-110010



Photographs taken during the inspection on 17.11.2023 of waste Processing Facility at Sadar Bazar, Delhi Cantonment, Delhi-110010.



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-110006
 visit us at : <http://dpcc.delhigovt.nic.in>

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F. No. DPCC / WMC-II / OA No. 694 of 2022 / 2023 / 5701-5703

Dated: 24/11/2023

Subject: Directions Under Section 5 of the Environment (Protection) Act, 1986 read along with the Solid Waste Management Rules, 2016.

Whereas, Central Pollution Control Board is the State Board for all the Union Territories to exercise powers and perform functions under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 in respect of Union Territory of Delhi to Delhi Pollution Control Committee (DPCC) vide Notification No. S.O.198 (E) dated 15.03.1991.

And whereas, it is a mandatory provision under u/s 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 that no person without the previous consent of the DPCC shall Establish or take any steps to establish any industry, operation or process or any treatment and disposal system an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land.

And whereas, the whole Union Territory of Delhi has been declared as an Air Pollution Control area, under sub section (I) of section 19 of the Air (Prevention and Control of Pollution) Act, 1981 vide notification no. GSR 106 (E) dated 20.02.1987.

And whereas, it is mandatory provision u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981, that no person without the previous consent of the Delhi Pollution Control Committee i.e. State Board in case of Delhi, shall Establish or operate any industrial plant in air pollution control area.

And whereas, Ministry of Environment, Forest and Climate Change, Govt. of India has notified the Solid Waste Management Rules, 2016, vide Gazette Notification dated 08.04.2016.

And whereas, as per the provisions of Rule 15 of the Solid Waste Management Rules, 2016 (Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations). The local authorities and Panchayats shall :-

“Rule 15 (y) make an Application in Form I for grant of Authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tons per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be”

And whereas, as per the provisions of Rule 19 (3) of the Solid Waste Management Rules, 2016 (Criteria for Duties regarding setting-up solid waste processing and treatment facility) :

“The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee”.

And whereas, DPCC vide letter dated 16.08.2021 had informed the Local Authorities / Municipal Corporations in Delhi including Delhi Cantonment Board referring the above mentioned provisions under the Air & Water Acts and Solid Waste Management Rules, 2016 regarding requirement of

Consent to Establish, Consent to Operate under the Air & Water Acts and Authorization under the Solid Waste Management Rules, 2016.

And whereas, as per the provisions of the Solid Waste Management Rules, 2016, Delhi Cantonment Board (DCB) is responsible for arranging for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises and transportation to appropriate sites for processing and disposal either through own resources or by appointing private operators.

And whereas, as per the provisions of Solid Waste Management Rules, 2016 "Delhi Cantonment Board" is responsible for the implementation of the provisions of these Rules and for any infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

And whereas, the Chief Executive Officer, Delhi Cantonment Board, Delhi Cantt, Sadar Bazaar, Delhi-110010 is responsible for the compliance of the above mentioned provisions of the Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Section 25/ 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended to date and also provisions of the Solid Waste Management Rules, 2016 in the areas under the jurisdiction of the Delhi Cantonment Board including Waste Processing Facility of 20 TPD Capacity at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi -110010

And whereas Show Cause Notice (i) Under Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 & Under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and (ii) Under Section 5 of the Environment (Protection) Act,1986 read along with the Solid Waste Management Rules, 2016 was issued to Delhi Cantonment Board (DCB) and M/s Xaper Waste Solutions Private Limited on 30.11.2022 after the Inspection by Joint Committee comprising of DPCC and District Magistrate (New Delhi) in compliance of the order dated 31.10.2022 of Hon'ble National Green Tribunal in O.A. No. 694 of 2022 in the matter of "Bhupinder Singh Vs. Govt. of NCT of Delhi of the Waste Processing Facility at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi on 11.11.2022.

And whereas reply dated 10.12.2022 received from M/s Xaper Waste Solutions Private Limited and reply dated 08.12.2022 of Delhi Cantonment Board (DCB) with respect to the aforementioned Show Cause Notice dated 30.11.2022 have been considered.

And whereas vide letter dated 14.11.2023 Delhi Cantonment Board has informed following:

- a) It is intimated that the Sorting-Cum-Composting machine of capacity 20 TPD installed by this office at Tigris Road is non-functional since, March, 2023 due to some administrative reasons. It is again reiterated that the said plant will not be made functional till it is re-located to new suitable location. This office will give due intimation to DPCC after shifting the plant.
- b) Further, the decision to install 03 additional Sorting-Cum-Composting machines of capacity 20 TPD each, has been put on hold due to administrative & operational reasons. The Board is further exploring other technologies/methods to achieve optimum level of processing of municipal solid waste of Delhi Cantonment.
- c) It is also intimated that 65 MT of MSW is generated daily within the Delhi Cantonment. All the generated waste is being collected through door-to-door collection vehicle and is finally transported to Waste to Energy Plant at Okhla for processing. It is relevant to mention here that 100% of waste of Delhi Cantonment is being processed and no waste is dumped on landfill site. It is also mentioned that 0.175 MT of food waste is being processed in Food Composter plant.

And whereas an inspection was carried out by DPCC Officials on 17.11.2023 and following are the brief of observations and information gathered by the DCB officials during the visit.

- (i) The Waste Processing Facility is having Sorting cum Composting Machine of 20 TPD capacity & other related machinery [Control Panel (1 No.), Slow-Moving Feeding Conveyor (1 No.), Pre-Sorting Trummel (1 No.), Feeding Conveyor (5 No.), Forced Feeder (1 No.), AAD Bioreactor (1No.), Combustible Conveyor (2 No.), Hydraulic Compactor (2 No.), Compostable Conveyor (3 No.), Compost Sieving System (1No.) etc.] installed in covered shed of size about 40 meter X 16.5 meter X 7.6 meter. Shed area is about 660 square meter. The facility found closed. Earlier Facility was operated and maintained by M/s XAPER Waste Solutions Pvt. Ltd.
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- (v) It was informed by DCB Officials that Relocation of the Facility to new proposed site at Kirby place is under process. Since the land of new proposed site at Kirby Place is owned by Defence Forces clearance from Defence Forces is required.

Now therefore, in view of the above following directions under Section 5 of the Environment (Protection) Act, 1986 read along with the Solid Waste Management Rules, 2016 are issued to the Chief Executive Officer, Delhi Cantonment Board:

- (i) That Delhi Cantonment Board should shift the Waste Processing Facility of 20 TPD Capacity at Sadar Bazar, Opposite to Gurudwara and Temple, Delhi Cantonment, New Delhi -110010 at its present location to a new suitable location.
- (ii) That Delhi Cantonment Board shall obtain prior Consent to Establish under the Air & Water Acts before Establishing the abovementioned facility at the new location and also obtain Consent to Operate under the Air & Water Acts and Authorisation under the Solid Waste Management Rules, 2016 from DPCC before starting the operation at new location.

Non-compliance of the above mentioned Directions attracts action as per the provisions of the Environment (Protection) Act 1986, as amended to date.

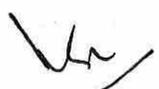

(Dr. K.S Jayachandran)
Member Secretary, DPCC

To,

The Chief Executive Officer,
Delhi Cantonment Board, Delhi Cantt, Sadar Bazaar, Delhi-110010.

Copy for information to:

1. The District Magistrate (New Delhi), Office of the District Magistrate, 12/1; Jam Nagar House, Shahjahan Road, New Delhi- 110011.
2. PS to Chairman, DPCC.


(Dr. K.S Jayachandran)
Member Secretary, DPCC