

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

Original Application No. 529/2024

In the matter of:

“News Item titled "MCD's First Engineered Landfill Opens" appearing in The Times of India dated 13.03.2024”

NDOH: 29.08.2024

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Filed by:

(Delhi Pollution Control Committee)
Respondent

New Delhi:
Dated:27.08.2024

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

In

ORIGINAL APPLICATION NO. 529/ 2024

News Item titled "MCD's First Engineered Landfill Opens" appearing in The Times of India dated 13.03.2024

**RESPONSE ON BEHALF OF DELHI POLLUTION CONTROL
COMMITTEE (DPCC) WITH RESPECT TO ORDER DATED 14.05.2024.**

1. That this Original Application is registered by this Hon'ble Tribunal suo-motu on the basis of the news item titled "MCD's First Engineered Landfill Opens" appearing in 'The Times of India' dated 13.03.2024 and impleaded DPCC to file its response in this matter.
2. That this Hon'ble Tribunal has taken up the above referred matter on 14.05.2024 and ordered as follows :
 - “.....
 9. *The Respondents are required to explain as to why this ash is being dumped at the site in question when ash can be used as landfill in low lying area, brick kilns as construction material for hollow bricks and interlocking tiles etc.*
 10. *List on 29.08.2024. ”*
3. That Ministry of Environment Forest & Climate Change vide letter dated 29.10.2018 issued Environmental Clearance for Sanitary Landfill at Tehkhand, Okhla.
4. That Consent to Establish under the Air & Water Acts was issued by DPCC on 10.09.2021 in respect of Engineered Sanitary Landfill of MCD at Tehkhand, Okhla, Delhi -20 with the Terms & Conditions including condition that only Ash/Inert material/ Rejects including Ash / Inert/ Rejects generated from Waste to Energy Plants at Okhla & Tehkhand shall be disposed in the Engineering Sanitary Landfill at Tehkhand.

5. That Consent to Operate under the Air and Water Acts and Authorisation under the Solid Waste Management Rules, 2016, were issued by DPCC on 18.01.2024 & further extended for six months vide letter dated 27.08.2024.

6. That an Inspection of Engineered Sanitary Landfill of Municipal Corporation of Delhi (MCD) at Tehkhand, Okhla, Delhi was carried out by DPCC Officials on 21.08.2024. The Facility was receiving Ash from the Waste to Energy Plants at Okhla & Tehkhand till 05.04.2024(date of validity of Consent to Operate).

The brief of the observations is tabulated below:

S. No.	Major Terms & Conditions of CTO & Authorisation issued by DPCC on 18.01.2024	Observation During Inspection
1.	Only Ash / Inert material / Rejects including Ash / Inert / Rejects generated from existing Waste to Energy Plants at Okhla & Tehkhand shall be disposed in the facility.	Facility was receiving Ash from the Waste to Energy Plants at Okhla & Tehkhand till 05.04.2024.
2.	Effluent Analysis Report of inlet and outlet of Leachate Treatment Plant shall be submitted from any of the NABL approved laboratory for the prescribed parameters within 02 months.	Effluent Analysis Report of inlet and outlet of Leachate Treatment Plant is yet to be submitted.
3.	Online Continuous Effluent Monitoring System (OCEMS) for the treated effluent as per the guidelines / norms of CPCB shall be installed and the real-time data shall be transferred to the servers of CPCB and DPCC. Calibration of OCEMS shall be carried out as per the Guidelines / Protocols of CPCB.	1. Yet to be complied. 2. OCEMS not found installed.
4.	Piezometer wells shall be installed in and around the facility to monitor the ground water quality in consultation with DPCC/CPCB.	Yet to be complied. Piezometer wells not installed.
5.	Adequate Buffer Zone / Green Belt along the periphery of the Facility in 3 Tiers shall be developed & maintained to comply with conditions stipulated in Environmental Clearance given by MoEF&CC. A buffer zone of no development shall be maintained around the facility. Bamboo plantation shall be done at the boundary of the facility to prevent dust from the facility surrounding area.	Only Partial Compliance. Some plantation observed near the Weigh Bridge.
6.	Parking, cleaning, washing of transport vehicles	Wheel washing area is not

	5 carrying solid waste. The wastewater so generated to be treated in the Leachate Treatment Plant (LTP/ETP) to meet the prescribed standards.	having arrangement for pumping / carrying the waste water to the Leachate Treatment Plant. (3)
7.	The landfill cell shall be covered at the end of each working day with minimum 10 cm of soil, inert debris or construction material.	Ash disposed in ESLF found uncovered
8.	Continuous Ambient Air Quality Monitoring Station (CAAQMS) for the prescribed parameters as mentioned in the Notification of MoEF&CC Dated 16.01.2009 shall be installed within the premises.	CAAQMS not found installed at the Facility.

Copy of Inspection Report dated 21.08.2024 is enclosed as **Annexure-1**.

7. DPCC has issued letter to MCD for rectification of deficiencies observed during Inspection on 21.08.2024. Copy of the letter dated ~~21.08.2024~~ ^{27.08.2024} is enclosed as **Annexure-2**.

8. That DPCC is in process of issuing Directions u/s 5 of the Environment (Protection) Act, 1986 read along with Solid Waste Management Rules, 2016 regarding utilization of Ash generated from Waste to Energy Plants in Delhi and Directions u/s 5 of the Environment (Protection) Act, 1986 read along with Solid Waste Management Rules, 2016 regarding utilization of Ash based products from Waste to Energy Plants in Delhi to Govt. Departments in NCT of Delhi involved in construction.

9. That the above action taken report of DPCC may please be taken on record.



(Dr. K. S. Jayachandran)

Member Secretary

Delhi Pollution Control Committee

Dated: 27.08.2024

Delhi

Report of Inspection of Engineered Sanitary Landfill of Municipal Corporation of Delhi at Tehkhand, Okhla on 21.08.2024.

(4)

An inspection of Engineered Sanitary Landfill of Municipal Corporation of Delhi (MCD) at Tehkhand, Okhla, Delhi was carried out by DPCC Officials on 21.08.2024. Representative of MCD, Sh. Puneet Kumar, Junior Engineer and other staff were present during the inspection.

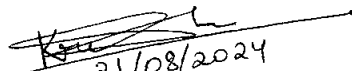
Following is the brief of observations made and information gathered during the Inspection :

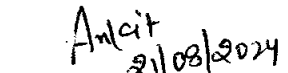
1. Engineered Sanitary Landfill (ESLF) at Tehkhand, Okhla, Delhi has been constructed by Municipal Corporation of Delhi (MCD) for disposal of Ash generated from the Waste to Energy Plants at Okhla and Tehkhand.
2. Total area of Engineered Sanitary Landfill is 22 Acres out of which 15.5 Acres is Landfill Area.
3. Environmental Clearance for said Facility was granted by MoEF&CC vide letter dated 29.10.2018.
4. Consent to Establish under the Air & Water Acts for the said facility was issued by DPCC on 10.09.2021
5. Consent to Operate under the Air and Water Acts and Authorisation under the Solid Waste Management Rules, 2016, were issued by DPCC on 18.01.2024 with validity upto 05.04.2024 with Terms & Conditions including following major Terms & Conditions along with observations during the inspection as mentioned in the following Table:

S. No.	Major Terms & Conditions of CTO & Authorisation issued by DPCC on 18.01.2024	Observation During Inspection
1.	Only Ash / Inert material / Rejects including Ash / Inert / Rejects generated from existing Waste to Energy Plants at Okhla & Tehkhand shall be disposed in the facility.	Facility was receiving Ash from the Waste to Energy Plants at Okhla & Tehkhand till 05.04.2024.
2.	Effluent Analysis Report of inlet and outlet of Leachate Treatment Plant shall be submitted from any of the NABL approved laboratory for the prescribed parameters within 02 months.	Effluent Analysis Report of inlet and outlet of Leachate Treatment Plant is yet to be submitted.
3.	Online Continuous Effluent Monitoring System (OCEMS) for the treated effluent as per the guidelines / norms of CPCB shall be installed and the real-time data shall be transferred to the servers of CPCB and DPCC. Calibration of OCEMS shall be carried out as per the Guidelines / Protocols of CPCB.	Yet to be complied. OCEMS not found installed.
4.	Piezometer wells shall be installed in and around the facility to monitor the ground water quality in consultation with DPCC/CPCB.	Yet to be complied. Piezometer wells not installed.
5.	Adequate Buffer Zone / Green Belt along the periphery of the Facility in 3 Tiers shall be developed & maintained to comply with conditions stipulated in Environmental Clearance given by MoEF&CC. A buffer zone of no development shall be maintained around the facility. Bamboo plantation shall be	Only Partial Compliance. Some plantation observed near the Weigh Bridge.

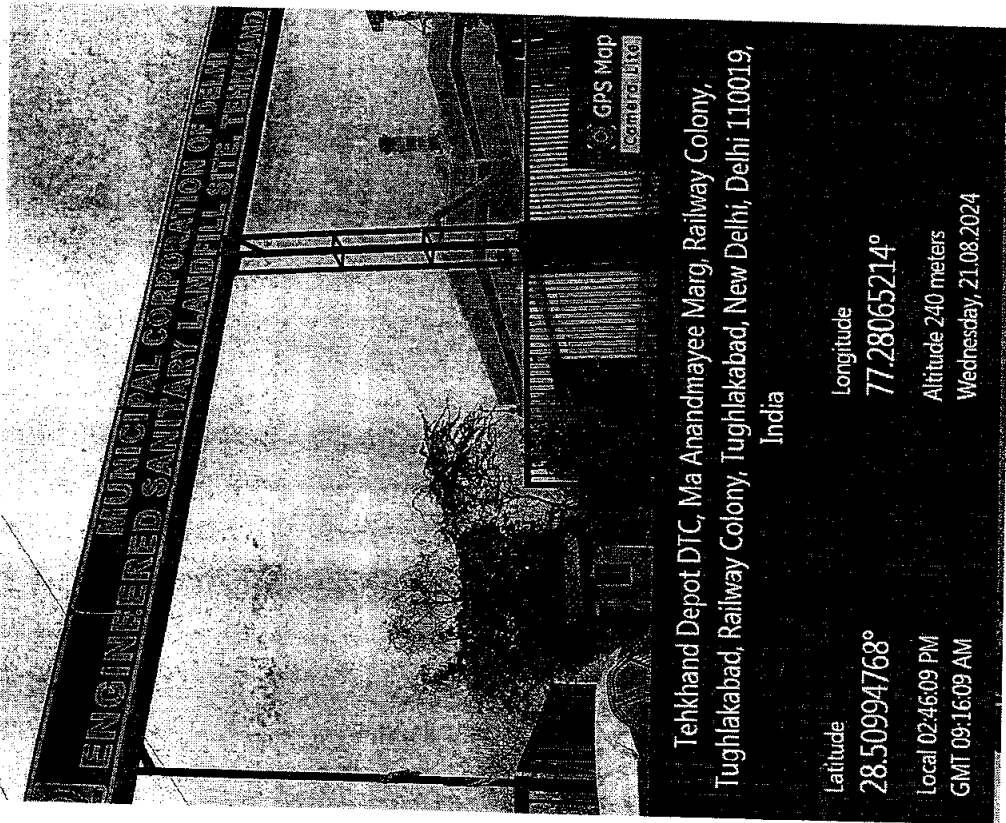
	done at the boundary of the facility to prevent dust from the facility surrounding area.	
6.	Parking, cleaning, washing of transport vehicles carrying solid waste. The wastewater so generated to be treated in the Leachate Treatment Plant (LTP/ETP) to meet the prescribed standards.	Wheel washing area is not having arrangement for pumping / carrying the waste water to the Leachate Treatment Plant.
7.	The landfill cell shall be covered at the end of each working day with minimum 10 cm of soil, inert debris or construction material.	Ash disposed in ESLF found uncovered
8.	Continuous Ambient Air Quality Monitoring Station (CAAQMS) for the prescribed parameters as mentioned in the Notification of MoEF&CC Dated 16.01.2009 shall be installed within the premises.	CAAQMS not found installed at the Facility.

6. As informed by MCD, the facility was inaugurated on 12.03.2024 and filling of Bottom Ash at E-SLF started, however stopped on 05.04.2024 after the expiry of Consent to Operate. MCD also informed that till 05.04.2024, no leachate was received at the Leachate Treatment Plant. MCD has requested for extension of Consent to Operate to comply with the Terms & Conditions of the Consent to Operate given by DPCC.
7. Three CCTV Cameras were found installed near the Weigh-Bridge.
8. Leachate Treatment Plant (LTP) of 100 KLD capacity has been installed, however found not in operation.
9. As informed 18289.64 Metric Tons (Mostly Ash generated from the Waste to Energy Plants at Okhla & Tehkhand) has been disposed at the Engineered Sanitary Landfill.
10. Photographs taken during the inspection are enclosed.


21/08/2024
(Krishan Kaushik)
Jr. Env. Engineer, WMC-II


21/08/2024
(Ankit kumar Gond)
Trainee, WMC-II

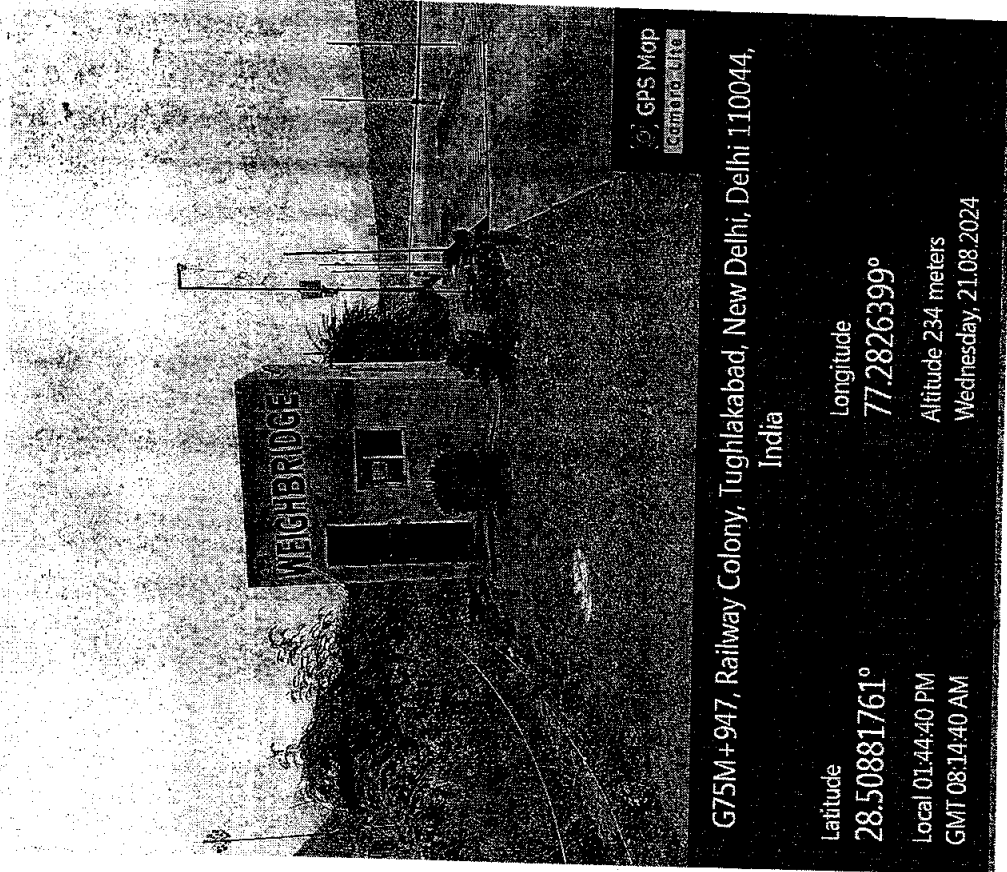
6



Tehkhand Depot DTC, Ma Anandmayee Marg, Railway Colony,
Tughlakabad, Railway Colony, Tughlakabad, New Delhi, Delhi 110019,
India

Latitude
28.50994768°
Local 02:46:09 PM
GMT 09:16:09 AM

Longitude
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Altitude 240 meters
Wednesday, 21.08.2024



G75M+947, Railway Colony, Tughlakabad, New Delhi, Delhi 110044,
India

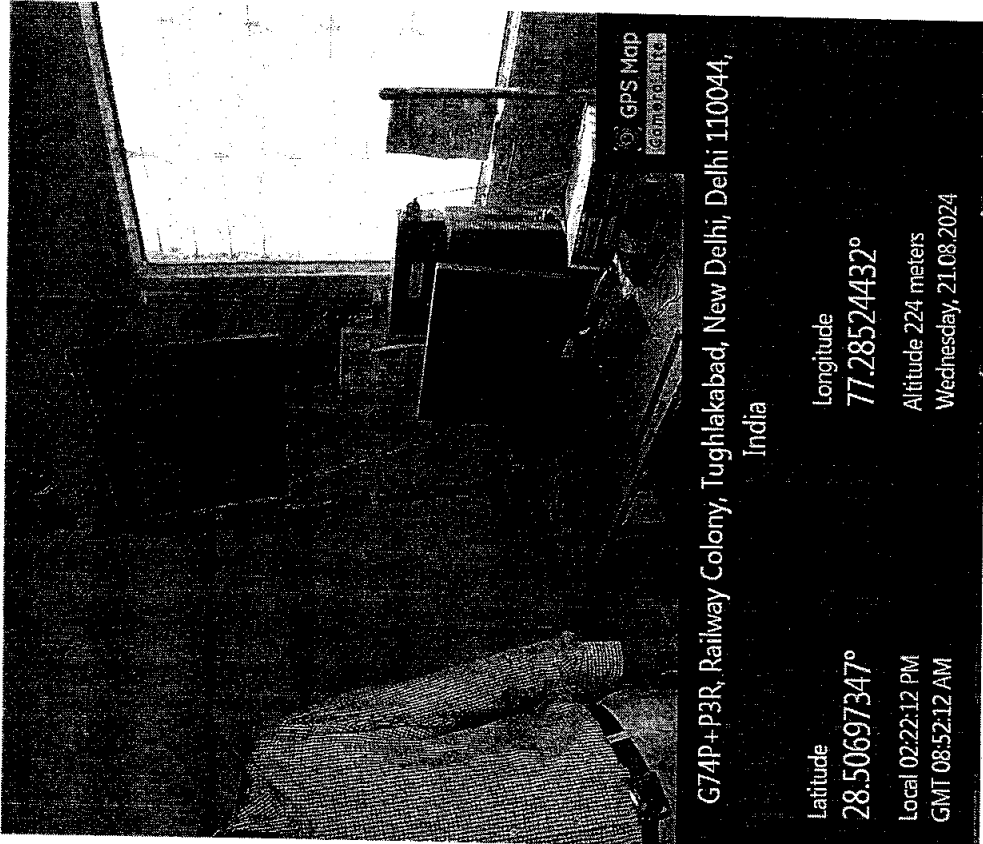
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Longitude
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Wednesday, 21.08.2024

Weigh Bridge

Photographs taken during Inspection of Engineered Sanitary Landfill at Tehkhand on 21.08.2024

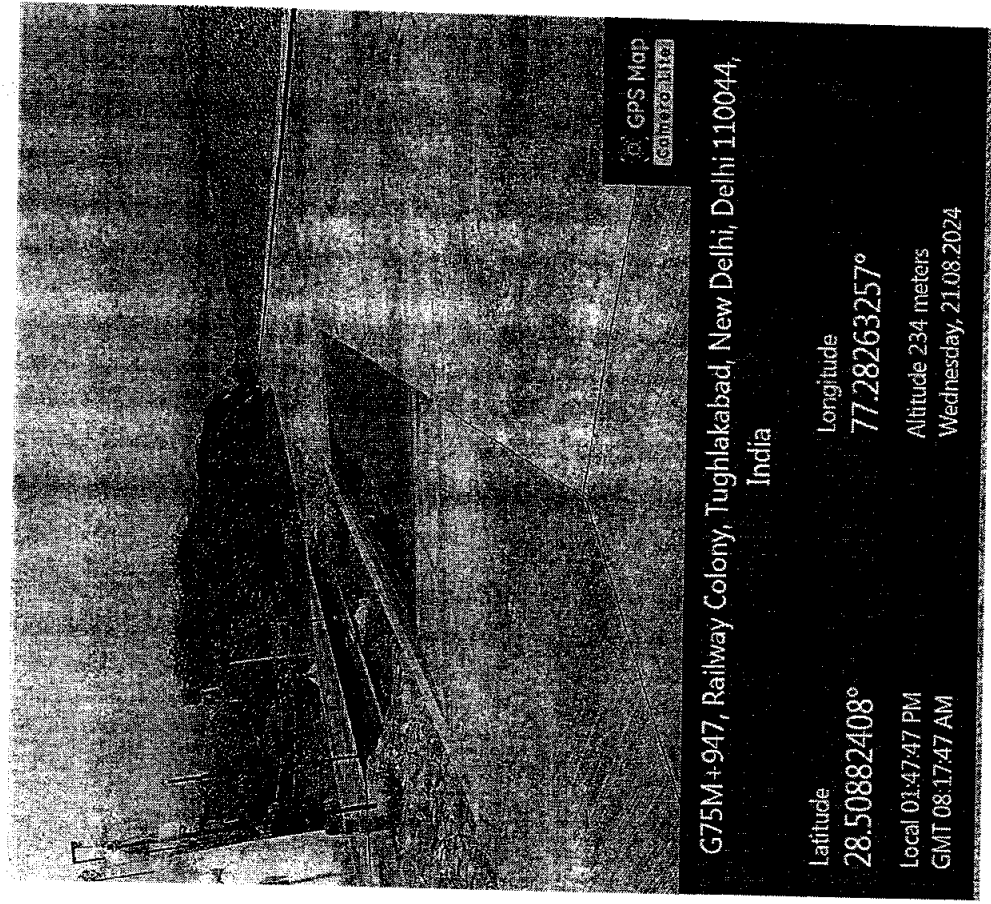
7



G74P+P3R, Railway Colony, Tughlakabad, New Delhi, Delhi 110044,
India

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Longitude 77.28524432°
Altitude 224 meters
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GMT 08:52:12 AM
Wednesday, 21.08.2024

Weigh Bridge Room



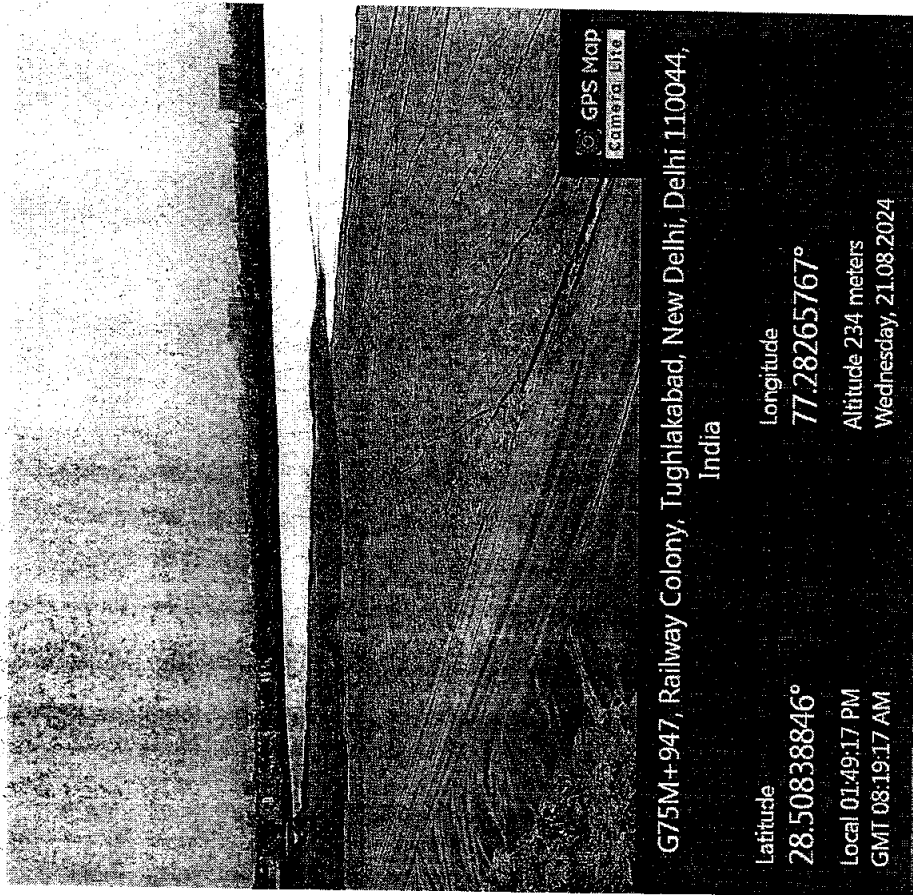
G75M+947, Railway Colony, Tughlakabad, New Delhi, Delhi 110044,
India

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Wednesday, 21.08.2024

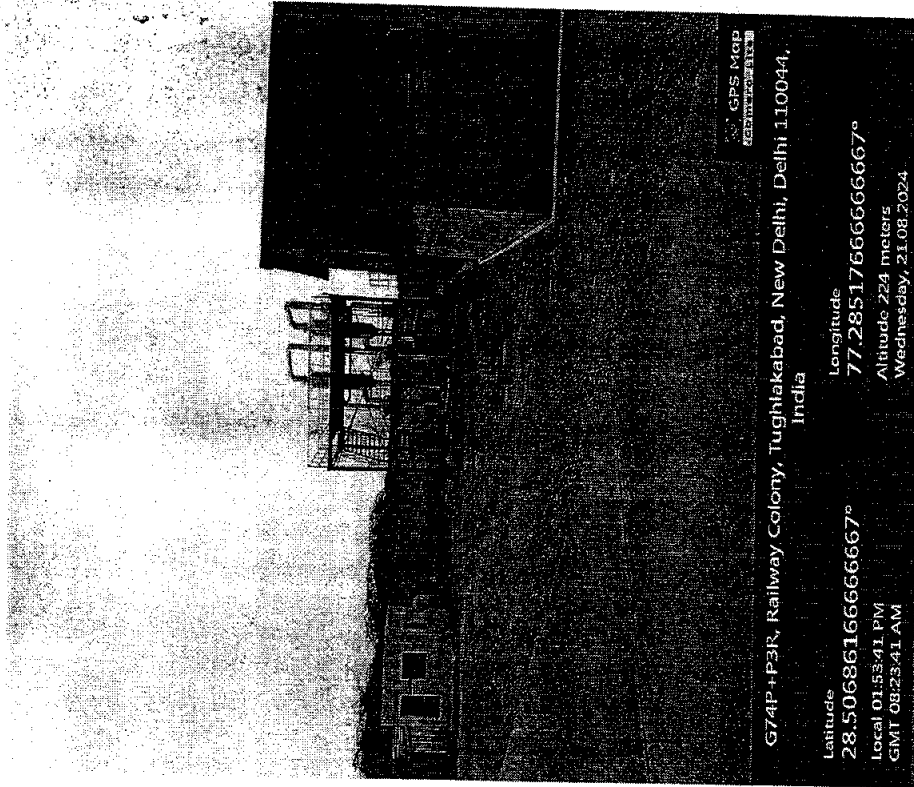
Wheel Washing Area

Photographs taken during Inspection of Engineered Sanitary Landfill at Tehkhand on 21.08.2024

8



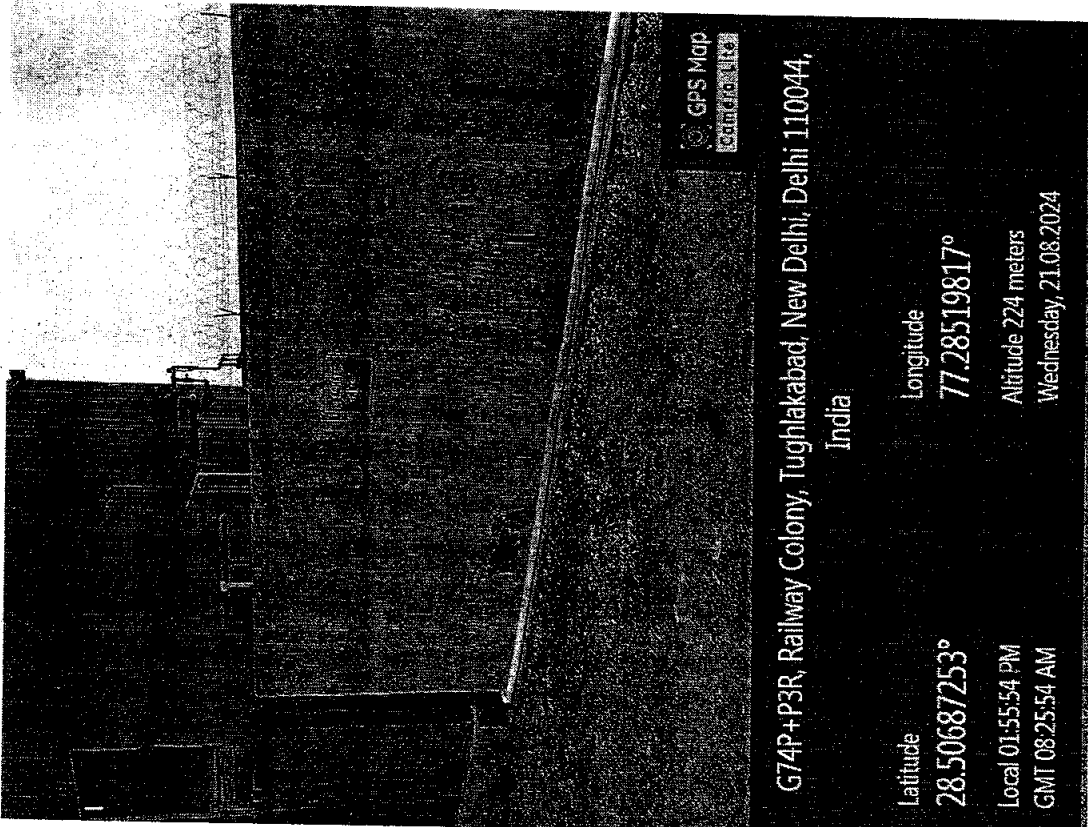
Landfill



Leachate treatment Plant: overview

Photographs taken during Inspection of Engineered Sanitary Landfill at Tehkhand on 21.08.2024

9

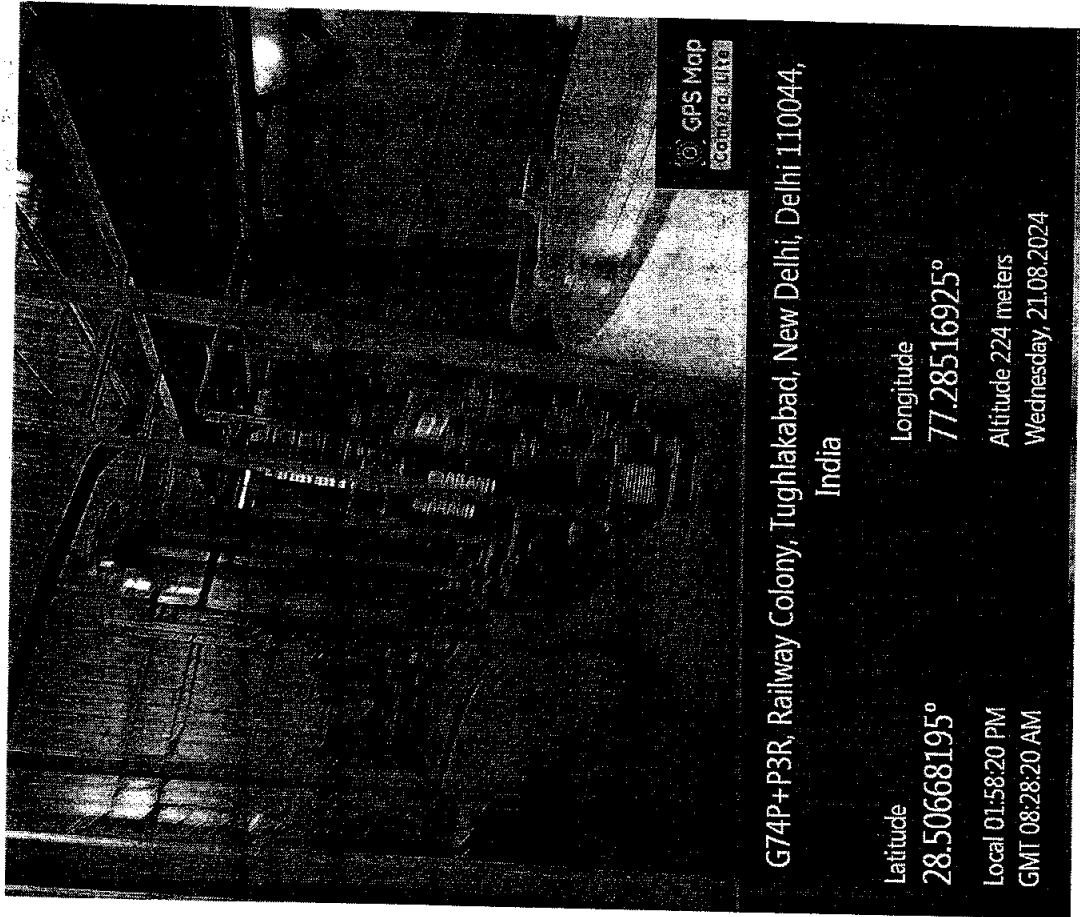


GPS Map
Coordinates

G74P+P3R, Railway Colony, Tughlakabad, New Delhi, Delhi 110044,
India

Latitude **28.50687253°**
 Longitude **77.28519817°**
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 Altitude 224 meters
 GMT 08:25:54 AM
 Wednesday, 21.08.2024

Leachate Tank



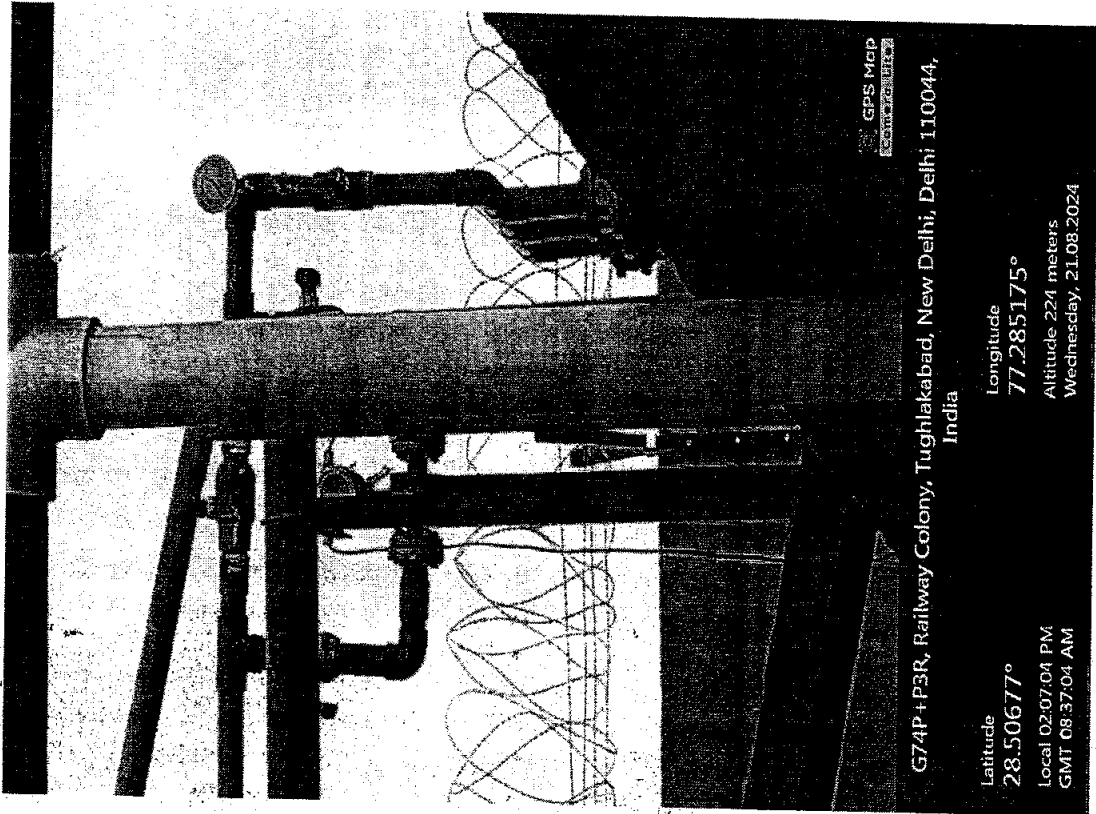
GPS Map
Coordinates

G74P+P3R, Railway Colony, Tughlakabad, New Delhi, Delhi 110044,
India

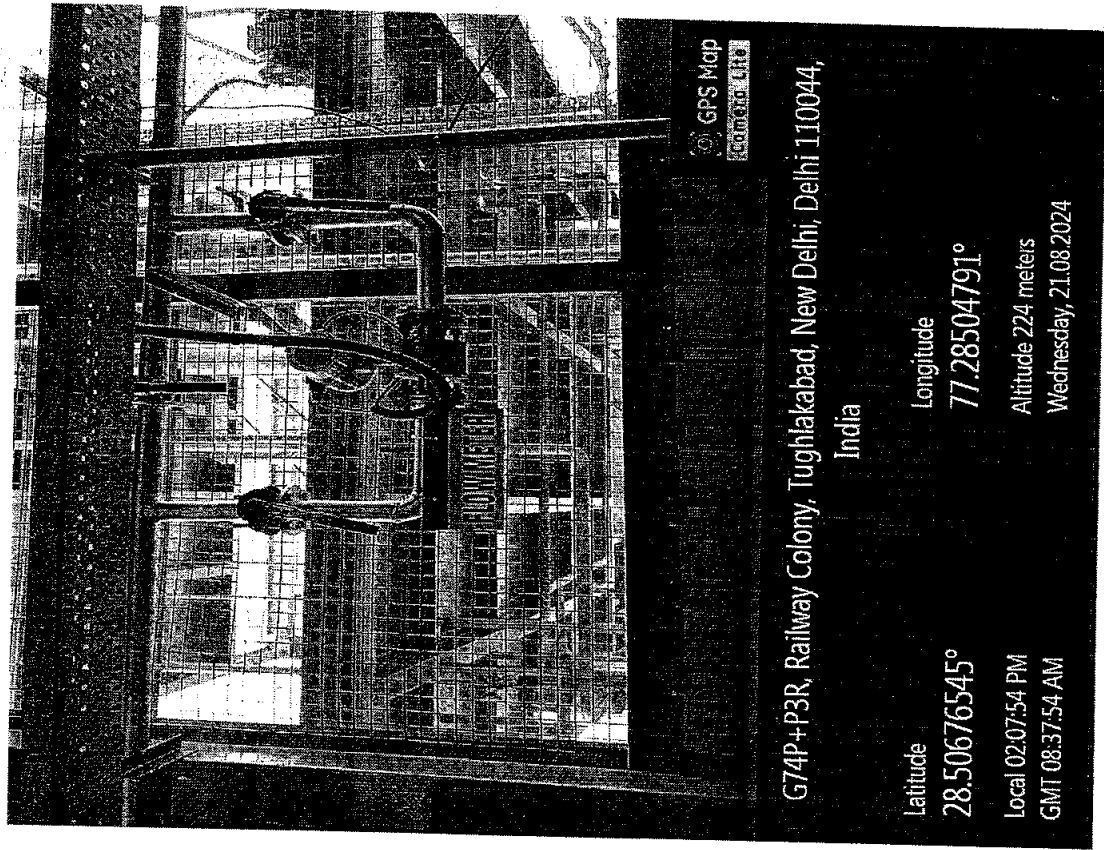
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 Wednesday, 21.08.2024

Leachate Treatment Plant

Photographs taken during Inspection of Engineered Sanitary Landfill at Tehkhand on 21.08.2024



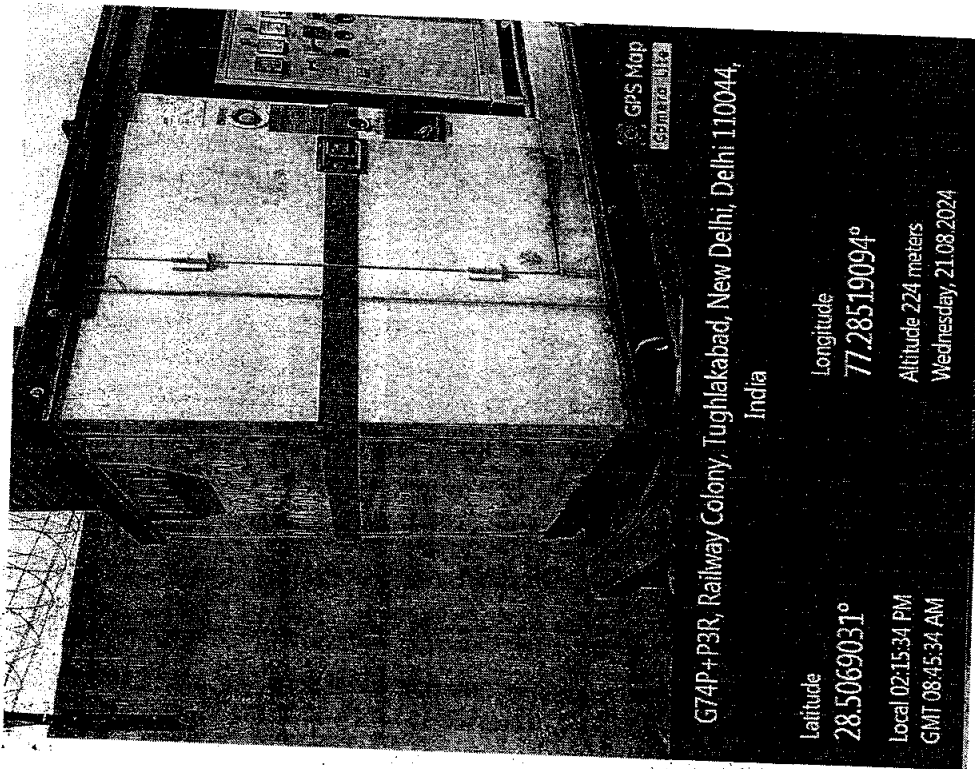
Flow Meter at Inlet of Leachate treatment Plant



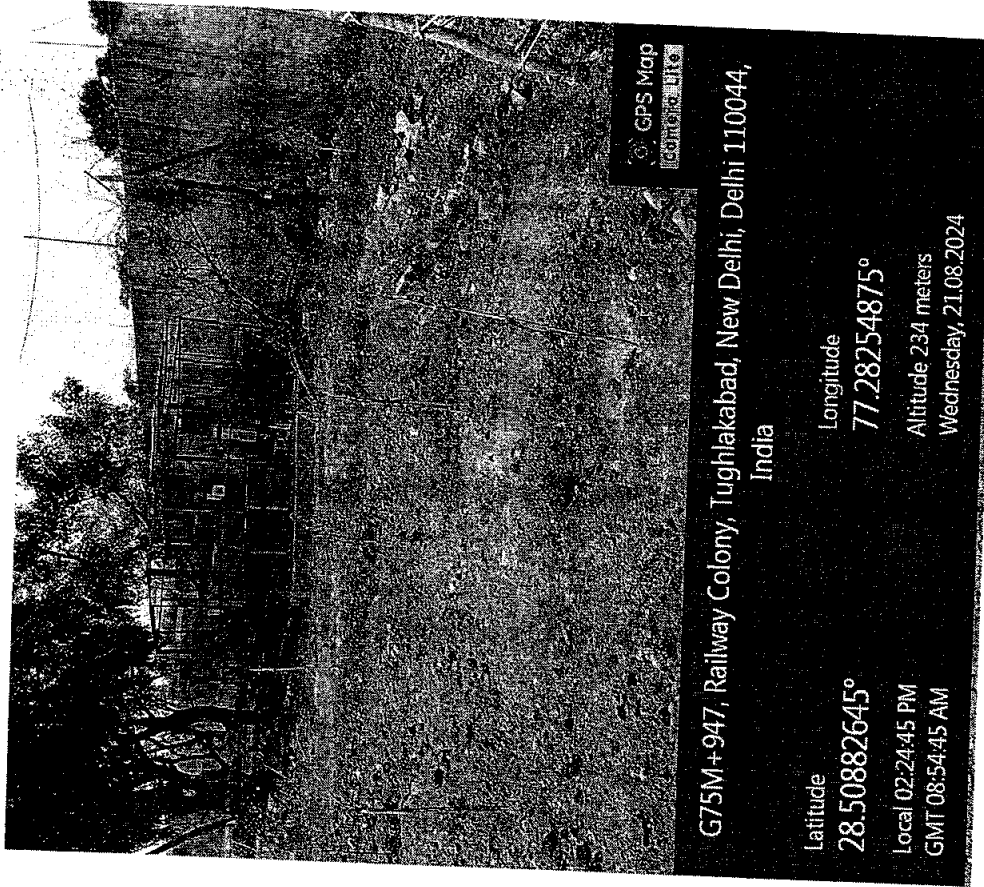
Flow Meter at Outlet of Leachate treatment Plant

• Photographs taken during Inspection of Engineered Sanitary Landfill at Tehkhand on 21.08.2024

(=)



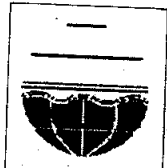
12.5 KVA DG Set



Plantation near Weigh bridge

Photographs taken during Inspection of Engineered Sanitary Landfill at Tehkhand on 21.08.2024

(12)

URGENT**By Email / Speed Post**

DELHI POLLUTION CONTROL COMMITTEE
 Department of Environment, Govt. of NCT of Delhi
 3rd Floor, Delhi IT Park, Shastri Park, Delhi - 110053
 visit us at : <https://dpcc.delhigovt.nic.in>



F.No.: DPCC/WMC-II/SLF/Tehkhand/Public Hearing/2018/1256-1257 Dated : 27.08.2024

To,

The Executive Engineer (WtE),
 Municipal Corporation of Delhi,
 Room No.22, Gate No.9, Dr. Ambedkar Stadium,
 Delhi Gate, Delhi-110002.

Subject: Deficiencies observed during Inspection on 21.08.2024 of Engineered Sanitary Landfill of Municipal Corporation of Delhi (MCD) at Tehkhand, Okhla, Delhi.

Sir,

Please find enclosed herewith copy of Inspection Report Dated 21.08.2024 of Engineered Sanitary Landfill of Municipal Corporation of Delhi (MCD) at Tehkhand, Okhla, Delhi (Inspection carried out by DPCC Officials on 21.08.2024) for taking urgent necessary action with respect to the deficiencies observed and mentioned in the said Inspection Report.

It is requested to submit Action Taken Report along with rectification measures taken within 15 days from the date of issuance of this letter.

Yours Sincerely,

Enclosure : As Above

(Signature)
 (D.K. Singh)

Addl. Director (WMC II)

Copy to:

1. The Commissioner, Municipal Corporation of Delhi, 9th Floor, Dr. S.P.M. Civic Center, JLN Marg, Delhi-110002.

(Signature)
 (D.K. Singh)

Addl. Director (WMC II)