

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Physical Hearing)

Original Application No. 841/2022

Gagan Narang

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 22.11.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Abhishek Bissa, Advocate

ORDER

1. Grievance in this application is against proposed Waste to Energy (WTE) project at Narela-Bawana, Delhi. It is stated that the same violates environmental parameters as per Solid Waste Management Rules, 2016 and earlier orders of this Tribunal, particularly order dated 11.10.2022 in *O.A. No. 300/2012 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"*.

2. According to the applicant, MCD has not been able to take adequate action for compliance of SWM Rules, 2016 for scientific handling of the waste generated in Delhi. Resultantly, huge amount of waste is accumulated and has not been remediated within the laid down timelines. Vide order dated 11.10.2022 in *O.A. No. 300/2012* (supra), the Tribunal directed remedial action. Directions of this Tribunal require that current waste is not added to the said dumpsites to ensure uninterrupted

remediation of the dumpsites. However, fresh waste is still being dumped at Bhalswa dumpsite. No engineered Sanitary Landfill has been set up, as required. RFP document dated 15.07.2022 has been prepared to set up WTE plant at Narela-Bawana. Terms laid down therein are not compliant with SWM Rules, 2016. Another parcel of land has been identified at Sultanpur Dabas for landfill site and bidder for WTE has been allowed to dispose of inert at Bhalswa dumpsite in violation of para 38 of order of this Tribunal dated 11.10.2022.

3. While there is no doubt that the Rules have to be strictly followed in setting up WTE, the Tribunal has already issued appropriate directions on the subject vide order dated 11.10.2022 in *O.A. No. 300/2022*, supra. MCD has to ensure compliance of the Rules. They have to take necessary precautions to ensure that no leachate goes from the Bhalswa site to the adjacent drain and same is not blocked. All other statutory norms are to be followed. Directions in the order dated 11.10.2022 with regard to preventing current waste being dumped at Bhalswa are to be complied with. Segregated inert waste is to be utilized.

The application is accordingly disposed of.

A copy of this order be forwarded to the Chief Secretary and Commissioner, MCD, Delhi by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

November 22, 2022
Original Application No. 841/2022
SN