

## **EPCA Report 111**

### **Report on piling up of waste/garbage by the sides of railway tracks in Delhi submitted in compliance with the directions of the Hon'ble Court of 28.2.2020**

**9.7.2020**

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On 28.02.2020 the Hon'ble Supreme Court directed

"We take judicial notice of the fact that by the sides of the railway lines in outer Delhi region, heaps of plastic bags and garbage are lying on both sides and people living in the slums. The situation is pathetic. We request EPCA, Government of NCT of Delhi and various Municipal Corporations to make a concrete plan for removal of the plastic bags, garbage and other waste materials lying on both the sides of railway lines for several kilometres together. The same has to be taken care of on a war footing basis and steps have also to be taken so that in future, no such garbage is dumped/collected. What steps are to be taken in this regard be culled out within 15 days. Let a joint meeting be held by all the stakeholders and a comprehensive action plan and the time frame be submitted to this Court. It may also be considered whether any incentive can be provided for collection of plastic bags as done in Himachal Pradesh. They provide Rs. 75/- per kg for such collection."

In compliance with the directions of the Hon'ble Court, EPCA convened meetings on March 05, 2020 to discuss the issue of dumping of plastic bags, garbage and other waste materials on both sides of the railway lines in Delhi. The minutes of the meeting is attached as annexure-1. Subsequently, chairman EPCA wrote letters to the General Manager, Northern Railways requesting to submit the following information to EPCA: (Annexure -2)

1. Action taken to ensure daily collection and disposal of solid waste by the contractors under the two contracts.
2. Total quantity of waste so far collected and disposed at different landfills under the each contract along with details on quantity of waste generated, collected and disposed on monthly basis.
3. Measures taken to minimize or prevent illegal dumping of waste near the railway tracks and details of fines/penalty levied in this regard.
4. Plan for segregation of biodegradable and non-biodegradable waste and its decentralized processing.

According to the information received from the Indian Railways, the following has been done:

1. Action taken report has been submitted

2. Approx. 20000 cum of garbage has been disposed off in 2019-20 (Pre and Post photos have already been attached in Action taken report as mentioned in point no. 1 above)
3. Measures taken such as construction of boundary wall, sleeper fencing, rag picking etc. have already been mentioned in Action taken report. An amount of approx. 1 Lakh has been imposed as penalty (few examples have been attached)
4. Following steps have been taken by Delhi Division regarding waste management.
  - Dual dustbins provided at stations and marked as Wet & Dry waste in Hindi & English language
  - Dustbins have been cleared every two hours or as & when required
  - To meet the required criteria dustbins provided at every 100 meters
  - Instruction has been issued to all concerned that garbage and rags shall be cleaned from tracks after departure of every train
  - At 7 stations waste disposal is a part of Mechanized cleaning and Housekeeping work contracts.
  - Tender for 31 stations for mechanized cleaning and housekeeping work contracts along with waste disposal management includes, open on 03.02.2020 and under finalization with tender committee.
  - At 4 stations viz. NDLS, DLI, HNKM & ANVT nominated agency (M/s Chintan) have been given the responsibility to collect and segregate waste into biodegradable and non-biodegradable and proper disposal of all waste

Apart from this proposal for waste management for 30 stations over Delhi and NVR region is in pipeline under NINFRIS/unsolicited policy for generating Railway revenue under NFR.

However, the information received from the Indian Railways is highly inadequate and EPCA is unable to suggest ways to improve the situation.

## **2. EPCA's observations and recommendations for the consideration of the Hon'ble Court**

Under the Municipal Solid Waste (Management and Handling) Rules 2016 (SWM 2016), Indian Railways is termed as a "generator of waste" and categorized as a "bulk waste generator" as follows:

3 (56): Waste generator means and includes every person or group of persons, every residential premises and non-residential establishments, including Indian Railways, defense establishments, which generate solid waste.

3 (9): "Bulk Waste Generator" means and includes buildings occupied by the Central government, departments or undertaking; state government, local bodies, public sector or private companies, hospitals, nursing homes, schools...hotels, commercial establishments, markets, places of worship...having an average waste generation rate exceeding 100 kg per day.

Under these provisions, Indian Railways is required do the following:

As a bulk generator of waste, within one year from the date of notification of these rules and in partnership with the local body, ensure:

- a. Segregation of waste at source;
- b. Facilitate collection of segregated waste in separate streams
- c. Handover the recyclable material to either authorized waste pickers or authorized recyclers
- d. Process, treat and dispose of bio-degradable waste, through composting or bio-methanation, within the premises as far as possible.
- e. Hand over the residual waste to the waste collectors or agency as directed by the local body

In addition, under the Plastic Waste Management Rules 2016, all institutional generators of plastic waste – which would include the Indian Railways – shall do the following:

- a. Segregate and store the waste generated by them in accordance with SWM Rules 2016;
- b. Shall pay user fee or charge as may be prescribed in the bye-laws of the local body for plastic waste management such as waste collection or operation of the facility thereof;

EPCA is constrained to note, that in spite of its repeated efforts, the Indian Railways has not been able to show a proposal or plan for the management of its solid waste and plastic waste as a bulk generator, as per the provisions of these Rules.

Instead, what it has shown to EPCA is a set of disparate actions, which do not add up to any effective or long-term waste management plan.

It is clear that there are two separate and connected waste issues that require planning from the Indian Railways:

1. Plan for solid waste, which is generated internally through its operations – from trains and stations.
2. Plan for solid waste, disposed of/discarded on lands belonging to the Indian Railways, which are not secured or fenced off. This waste could be discarded by Indian Railways or by settlements/people encroaching on these lands or living in the vicinity.

The Hon'ble Court, in its observations of 28.2.2020 has in particular pointed out to the problem of plastic and other waste on the lands along the tracks, which belong to the Indian Railways.

In its reply to EPCA, the Indian Railways, has not provided any detailed plan for how it proposes to manage its solid waste or how it proposes to fence off its land/or secure it so

that it does not become a waste dumping ground. Instead, it has provided information about some of the fencing it has done; or limited waste management plans it has put into place at certain stations. It is not clear how the waste generated and even collected in the waste bins at the station, are segregated and processed as per the Rules. Only 4 stations have been given to an NGO for segregation and sorting of waste. However, even here it is not clear if the bio-degradable waste is composted on site or any arrangements have been made to compost the waste.

**In this situation, EPCA would submit for the consideration of the Hon'ble Supreme Court the following:**

**Indian Railways is not in compliance with the Municipal Solid Waste Management Rules 2016, which require the bulk waste generator to operationalize a plan for all waste generated. The Hon'ble Supreme Court, may direct Indian Railways to present a time-bound plan for the following:**

- 1. Inventory of all solid waste generated in the Northern Region, starting with Delhi and its vicinity. This inventory, must include the waste generated in trains and in the stations.**
- 2. Inventory of all lands belonging to it (along the tracks and other land pieces) where there are waste dumps/discard of plastic and other waste and its plans to handle this on a long-term basis.**
- 3. Plan for management of solid waste as a bulk generator, to ensure compliance with the MSW Rules 2016. These plans must be comprehensive so that all solid waste generated is segregated at source; bio-degradable waste is composted and the rest is given to authorized waste recyclers/pickers. The plan must be time-bound and with clear monitoring provisions.**

**ENVIRONMENT POLLUTION (PREVENTION & CONTROL) AUTHORITY**  
**For the National Capital Region**

EPCA-R/Minutes/2018/ 13304-13312

March 06, 2020

To:

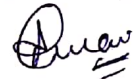
(The list enclosed)

Sub.: Minutes of meeting held on March 05, 2020 (Thursday) at 4:00 PM to discuss the issue of dumping of the plastic bags, garbage and other waste materials on both sides of railway lines in Delhi- reg.

Sir,

I'm directed to send herewith the minutes of meeting of the Environment Pollution (Prevention & Control) Authority for the National Capital Region (EPCA) held on March 05, 2020 (Thursday) at 4:00 PM for necessary action/ perusal.

Yours faithfully

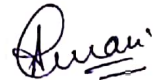


(Ankush Tewani)

For Chairman, EPCA

Copy to:

1. **Shri Bhure Lal, Chairman, EPCA**  
Core VI A, 3rd floor, India Habitat Centre,  
Lodhi Road, New Delhi, Delhi 11 0003
2. **Additional Secretary (CP Division)**  
Ministry of Environment, Forests & Climate Change, Gov. of India
3. **Member Secretary, CPCB**



(Ankush Tewani)

Core VI A, 3<sup>rd</sup> Floor, India Habitat Centre, New Delhi 110 003  
Tel: 43102414, Tel: 24645863 (O)Dr. Bhure Lal, Chairman

देशीय प्रदूषण नियंत्रण बोर्ड  
निर्गत... NSI/2020/...  
दिनांक... 06/03/2020

## List of Stakeholders

1. Chief Executive Officer  
Delhi Jal Board'  
Govt. of N.C.T. of Delhi  
Varunalaya PH-II,  
Karol Bagh, New Delhi-05
2. Joint Commissioner of Police (Traffic)  
9th Floor, Police Headquarters,  
ITO, Delhi – 110002
3. Commissioner,  
North Delhi Municipal Corporation  
Dr. S.P.M. Civic Centre, Minto Road,  
New Delhi 110002
4. Commissioner,  
South Delhi Municipal Corporation  
Dr. S.P.M. Civic Centre, Minto Road  
New Delhi – 110 002
5. Commissioner,  
Municipal Corporation of Delhi, East Zone (MCD)  
419, Udyog Sadan, Patparganj Industrial Area,  
Patparganj, New Delhi, Delhi 110096
6. Chairperson  
New Delhi Municipal Council  
Palika Kendra  
Parliament Street, New Delhi-110001
7. Managing Director  
Delhi State Industrial & Infrastructure Development Corporation Ltd. (DSIIDC)  
N-36, Bombay Life Building,  
Connaught Circus, New Delhi – 110001

**Minutes of the Meeting of the reconstituted EPCA for NCR region held under the  
Chairmanship of Shri Bhure Lal at 3:15 PM on 05.03.2020 in the office of  
Core 6A, 3rd Floor, India Habitat Centre**

**Agenda item: To make a plan for removal of the plastic bags, garbage and other waste materials lying on both sides of railway lines in Delhi**

**In attendance:**

1. Sh. Bhure Lal, Chairman EPCA
2. Ms. Sunita Narain, Member EPCA
3. Sh. C.L. Meena, EE, NDMC
4. Sh. G. Sudhakar, Deputy Commissioner, SDMC
5. Sh. A.K. Gupta, Senior Engineer, North DMC
6. Sh. Arun Kumar, Senior EDMC
7. Sh. Sudhir Mehta, Senior Engineer, SDMC
8. Sh. V.K. Sharma, Assistant Divisional Engineer, Delhi
9. Sh. Mahesh Gupta, CE, DSIIDC

A meeting was convened by EPCA on March 05, 2020 to discuss the matter of piling up of waste/ garbage by the sides of railway tracks in Delhi in compliance of the Hon'ble Supreme Court order dated 28.02.2020 in W.P. (C) 13029 of 1985: M.C. Mehta Vs UoI. The meeting was attended by representatives from Northern Railways, Delhi Govt. and Municipal Corporations.

The system implemented for waste collection and disposal was discussed and it was understood that two types of contracts for waste collection have been given by Northern Railways, one for waste collection within 3.5 meters of railway track and other for waste collection from the remaining railway land. The waste, thus collected, is disposed at landfills. However, it was informed by the Municipal Corporations that there is no record of waste receipt from Northern Railways at landfills.

Further, it was informed that Northern Railways is a bulk waste generator, generating more than average 100 kg solid waste per day and therefore, as per the Solid Waste Management Rules, 2016, it is required to collect and process the waste by itself.

EPCA directed Northern Railways to submit the following information on priority:

1. Action taken to ensure daily collection and disposal of solid waste by the contractors under the two contracts.
2. Total quantity of waste so far collected and disposed at different landfills under each contract along with details on quantity of waste generated, collected and disposed on monthly basis.
3. Measures taken to minimize or prevent illegal dumping of waste near the railway tracks and details of fines/ penalty levied in this regard.
4. Plan for segregation of biodegradable and non-biodegradable waste and its decentralized processing.



**ENVIRONMENT POLLUTION (PREVENTION & CONTROL) AUTHORITY**  
**for the National Capital Region**

**Dr. Bhure Lal**  
**Chairman**

**EPCA-R/2020/L-13**  
**March 06, 2020**

Dear Shri *Rajiv ji,*

EPCA convened a meeting on March 05, 2020 to discuss the matter of piling up of waste/garbage by the sides of railway tracks in Delhi in compliance of the Hon'ble Supreme Court order dated 28.02.2020 in W.P. (C) 13029 of 1985: M.C. Mehta Vs UoI. The meeting was attended by representatives from Northern Railways Delhi Govt. and Municipal Corporations.

EPCA discussed about the system implemented for waste collection and disposal and it was given to understand that two types of contracts for waste collection have been given by Northern Railways. One contract is for waste collection within 3.5 meters of railway track and other for waste collection from the remaining railway land and the waste collected is disposed at landfills. However, the Municipal Corporations have informed EPCA that there is no record of waste receipt from Northern Railways at landfills.

Further, Municipal Corporations informed EPCA that as per the Solid Waste Management Rules, 2016, Northern Railways is a bulk waste generator, generating more than average 100 kg solid waste per day and therefore required to collect and process the waste by itself.

CA has to submit a report to the Hon'ble Supreme Court and therefore following information shall be submitted by Northern Railways to EPCA on priority:

1. Action taken to ensure daily collection and disposal of solid waste by the contractors under the two contracts.
2. Total quantity of waste so far collected and disposed at different landfills under the each contract along with details on quantity of waste generated, collected and disposed on monthly basis.
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4. Plan for segregation of biodegradable and non-biodegradable waste and its decentralized processing.

*With Regards,*

Yours sincerely

*[Signature]*  
**Dr. Bhure Lal**  
**Chairman, EPCA**

**To:**  
**Shri Rajiv Chaudhry, IRSE**  
**General Manager,**  
**Northern Railways**  
**Baroda House New Delhi**

**Central Pollution Control Board**

Parivesh Bhawan, East Arjun Nagar, Near Karkardooma Courts, Shahdara, Delhi 110 032  
Tel/Fax: 22301955 (CPCB), Tel: 43102414 Dr. Bhure Lal, Chairman



### **Action taken by Railways for keeping cleanliness in the Railway premises.**

Ref :- Chairman EPCA letter no. EPCA-R/2020/L-13 dated 06.03.2020.

1. Action taken report has already been submitted (soft copy is attached).
2. Approx. 20000 cum of garbage has been disposed off in 2019-20 (Pre and Post photos have already been attached in Action taken report as mentioned in point no. 1 above).
3. Measures taken such as construction of boundary wall, sleeper fencing, Rag picking etc. have already been mentioned in Action taken report. An amount of approx. 1 Lakh has been imposed as penalty (few samples have been attached).
4. Following steps have been taken by Delhi Division regarding waste management:
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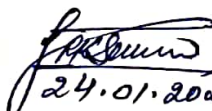
### JOINTE NOTE

Regarding action by Engineering, Commercial and RPF Department to eradicate the menace of garbage dumping in Railway line between Delhi to Delhi Shahdara between KM No. 2/14 to 3/13 on 24.01.2020.

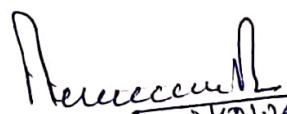
- Ref: - (i) Letter No. 72-RPF/CIB/Cleanliness/2019 dated 30.12.2019 by Pr.CSC/NR.  
 (ii) Letter No. 210/W/0/Sanitation/Cleanliness/W-III dated 13.01.2020 by Sr. DEN-III.  
 (iii) Letter No. W-1/NGT/Delhi dated 20.01.2020 by SSE/PW/DLI.


1. Team of PWI, CMI & RPF counsel the public against dumping of garbage in Railway premises near Railway Track.
2. Engineering department put notice at identified locations that dumping garbage in Railway premises is an offence.
3. Team of PWI, CMI and RPF collected an amount of Rs. 5600/- (Five Thousand and six hundred only) from the offenders and deposit in Railway account i.e. CTI/DSA office as cleanliness penalty under section 145-B of Railway Act 1989. The detail of collected amount is as under: -

S. No.	Name of Offender	EFT No.	Amount
1	Pappu	737693	500/-
2	Badrudin	737694	500/-
3	Yadul	737695	500/-
4	Tara Begum	737696	500/-
5	Zarina Begum	737697	500/-
6	Shamshadi	737698	200/-
7	Rasheed.	737582	500/-
8	Sunil Kumar	737583	500/-
9	Rubby	737584	500/-
10	Tahsina	737585	500/-
11	Sahanu	737586	500/-
12	Chandni Begum	737587	200/-
13	Lallan Khan	737588	200/-
	<b>Total</b>		<b>5600/-</b>

  
24.01.2020

(Sunil Kumar Sharma)  
PWI/DLI

  
24.01.2020  
(Prahlad Rai Panwar)  
CMI/DLI

  
(Ashok Kumar Meena)  
SI/RPF/DSA

उत्तर रेलवे  
NORTHERN RAILWAY

JOINT NOTE ON 23.01.2020

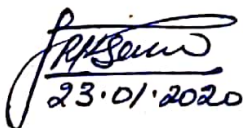
Regarding action by Engineering, Commercial and Security Departments to eradicate the menace of garbage dumping.

Ref. (i) L. No. 72-RPF/CIB/cleanliness/2019 dt. 30.12.2019  
by Pr. CSC/RPF/NR

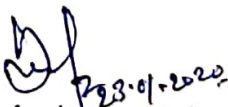
(ii) L. No. 210/W/O/sanitation/cleanliness/W-III dt. 13.01.2020  
by Sr. DEN-III

(iii) L. No. W-1/NGT/Delhi dt. 20.01.2020 by SSE/PW/DL1

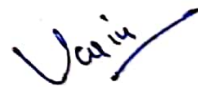
- 1) Team of 'PWI, RPF and CMI' counsel the public against dumping of garbage in Railway premises near Railway track.
- 2) Engg. Deptt. put 'NOTICE' of identified locations that dumping garbage in Railway premises is an offence.
- 3) Team of 'PWI, RPF and CMI' collected ₹ 3600/- (Three Thousand and Six Hundred only) from offenders and deposit in Railway Booking Office 'ANDI' as cleanliness penalty under head 652.

  
23.01.2020

Sh. Sunit/Kr. Sharma  
(PWI/DL1)

  
23.01.2020

Sh. Hoshwar Singh  
(Inspection Mekanage)  
(Adash Nagar)



Sh. Varun Mishra  
(CMI/SNP)