



## Stakeholder Communication Form (Version 01.0)

*This form shall be used for any CDM-related communication with the UNFCCC secretariat or the CDM Executive Board. All the questions are mandatory unless otherwise indicated.*

*The completed form and any supplemental documents shall be submitted electronically to [cdm-info@unfccc.int](mailto:cdm-info@unfccc.int), or via fax to +49-228-815-1999 or via post to: Sustainable Development Mechanism (SDM) Programme, UNFCCC secretariat, P.O. Box 260124, D-53153 Bonn, Germany.*

### SECTION 1: COMMUNICATION HEADER

*Please provide your contact information.*

|   |                    |   |
|---|--------------------|---|
| <b>Title:</b> [Choose an item]                        | <b>First Name:</b> | <b>Last Name:</b>   |
| <b>Name of Organization:</b> Sukhdev Vihar Residents  |                    | <b>E-mail Address:</b> pollutingsukhdevvihar@gmail.com                              |
| <b>Postal Address:</b> Delhi<br><b>Country:</b> India |                    | <b>Phone Number:</b><br><small>Include country code (e.g. +49-228-815-1999)</small> |
| <b>Stakeholder Type:</b> General Public               |                    | If other:   |

*Please indicate from whom you would like to get an answer.*

**This communication is addressed to<sup>1</sup>:** Chair of CDM Executive Board (normal track)

### SECTION 2: PROJECT ACTIVITY OR PROGRAMME OF ACTIVITIES (PoA)

*If this communication refers to a specific CDM project activity/PoA, please answer questions in this section (otherwise proceed to Section 3).*

|                                |  |   |
|--------------------------------|--|---|
| <b>Project/PoA Ref. Number</b> | 1254<br><small>5-digit# format 01234</small> | If applicable, CPA Ref. Number:<br><small>8-digit# format 0123-4567</small> |
| <b>Project Cycle Stage</b>     | [Choose an item]                             | If other:   |

*If there is no specific CDM Reference Number, please answer the remaining questions in this section (otherwise proceed to Section 3).*

|                          |   |
|--------------------------|---|
| <b>Host Country(ies)</b> | India   |
| <b>Project/PoA Title</b> | The TIMARPUR-OKHLA Waste Management Company Pvt Ltd's (TOWMCL) intergrated waste to energy project in Delhi |
| <b>Technology Type</b>   | [Choose an item]      If other:   |

### SECTION 3: YOUR COMMUNICATION

|   |   |
|---|---|
| <b>Title/Subject</b><br><small>Maximum 250 characters</small>   | Petition from Delhi residents affected by CDM project |
| <b>Communication Text</b><br><small>Include background, details, and conclusion (unlimited length)</small>          | See attachment.                                       |
| <b>Supplemental Documents</b><br><small>If applicable, list the title(s) of any attached file(s) or link(s)</small> | N/A   |
| <b>This communication may be made public</b>  | Yes   |

<sup>1</sup> In accordance with the "Procedure: Direct communication with stakeholders" (version 02.0), stakeholders may address communications either (a) to the secretariat, in order to seek a fast-track technical or operational explanation regarding the implementation of existing CDM rules, or (b) to the CDM Executive Board, in order to communicate to the Board their views on CDM rules and their implementation, or to seek official clarifications of CDM rules.

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**Document information**

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| <i>Version</i> | <i>Date</i>   | <i>Description</i>  |
|----------------|---------------|---|
| 01.0           | 02 March 2015 | This form supersedes and replaces the following: <ul style="list-style-type: none"><li>• F-CDM-RtB: <i>Form for submission of Letters to the Board</i> (version 01.2)</li><li>• F-CDM-RtB-DOE: <i>Form for communication on policy issues initiated by AEs/DOEs</i> (version 01.1)</li><li>• CDM-RtB-DNA: <i>Form for communication on policy issues initiated by DNAs</i> (version 01.1)</li></ul> |

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Decision Class: Regulatory

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**Statement of Concern regarding CDM registered Timarpur-Okhla Waste Management Plant, Delhi, India (CDM Project #1254)**

Dear Mr. Buendia, Dear Mr. Wolke,

We bring to your urgent attention the alarming and potentially fraudulent project being implemented by the UNFCCC through a Clean Development Mechanism (CDM) for a waste to energy incineration technology at the The Timarpur Okhla Waste Management Company Pvt. Ltd in Delhi.

This project is being undertaken by M/s Jindal Urban Infrastructure Limited (JUIL), a company of M/s Jindal Saw Group Limited at SukhdevVihar, Okhla, Delhi located in the vicinity of several residential and sensitive institutional entities like leading hospitals besides Okhla Bird Sanctuary.

The Clean Development Mechanism's flagship waste management project in India, the Timarpur-Okhla Waste Management Co Pvt. Ltd., has turned into a multi-faceted disaster. Flaws in both the carbon credit mechanism as well as the corporate-driven, technology-focused approach to climate change mitigation has failed the people of India and trashed the reputation of the UNFCCC and its CDM.

This project was established not only to reduce carbon emissions as cost-effectively as possible, but also to promote sustainable development and technology transfer to developing countries. Sadly this promise has not been realized.

We point to the lived experience of the vulnerable host communities affected by this disastrous project. For several years now, the residents of Sukhdev Vihar, Delhi, living in the shadow of this waste to energy incinerator plant have been engaged in litigation over the feasibility, use of technology and pollution being caused by the plant. As far back as 2009, residents took the matter to the Delhi High Court[1] claiming that the plant was emitting dioxins and heavy metals; the matter was heard 28 times in the High Court. In February 2013, the case was shifted to the National Green Tribunal (NGT- India's fast track court for environmental related cases) where there have been 21 hearings since.

The public-private partnership based Jindal conglomerate owned Timarpur-Okhla Waste Management Co Pvt. Ltd claims it to be "one of the first and largest integrated waste management projects ever set up in the country, aiming for a sustainable waste management solution by taking MSW through an environmentally friendly process to generate clean and renewable energy. The project boasts a so called "state-of-the-art facility which offers a safe, technologically advanced means of waste disposal while also generating clean, renewable energy, reducing greenhouse gas and in particular methane gas emissions and supporting recycling through the recovery of metals and other recyclable materials." [2]

In addition the project claims to process 2050 TPD of Delhi's unsegregated municipal solid waste to produce 20MW of electricity while anticipating an offset of nearly 262,791 tons of CO<sub>2</sub> per annum. This would earn the project participants 2.6 million CERs (certified emission reductions) or approximately 23 million Euros.

But the reality is far different from what is being claimed. What was touted to be a clean and renewable energy project to manage increasing volumes of the city's waste, has become a disturbing legacy of toxic pollution, impacted communities and dishonest governance.

Through verified documentation of regulatory agencies, it has been found that the Okhla waste-to-energy incinerator plant has been making "false claims"[3] to the UNFCCC about the technology to earn carbon credits. Towards this, the incinerator plant has submitted a false monitoring report to UNFCCC.

The Ministry of Environment, Forest and Climate Change (MoEFCC) granted technology approval for the establishment of an integrated Municipal Solid Waste Plant (MSWP) with two Refuse Derived Fuel (RDF) plants, a bio-methanation plant and a power plant. However, the project was set up with no facilities for generation of RDF or Bio-methanation. Instead the proponent has used reciprocating stoker type boilers of Chinese origin, the use of which is being phased out in even in China following widespread public protest. The Guanzhou Boiler Group which manufactures the stoker-type boilers has installed the equipment at Okhla plant.[4]

Regulatory agencies of the state have also issued the project proponent a show cause notice[5] and denied it authorisation or consent to operate during the last monitoring period (2012 - 2015). Regulators have informed the relevant court via affidavit that the Bio-methanation Plant and the RDF units do not exist, even though these key items were in the validation and CDM monitoring report for claiming carbon credits.

Even as recent as the 6<sup>th</sup> July 2016 meeting[6] called under the Chairmanship of Chief Secretary, Government of National Capital Territory (NCT) of Delhi to implement the orders of the National Green Tribunal in the matter of Sukhdev Vihar Residents Welfare Association and Ors Versus State of NCT of Delhi & Ors, notifies that the plant **may operate on provisional basis** and was ordered to **improve its emission standards** as per the direction of Delhi Pollution Control Committee and National Green Tribunal.

**Despite such tainted record of the incinerator plant, UNFCCC has scandalously issued 12,478 CERs in the first monitoring period of 30/03/2011 to 31/08/2012 and 252,451 CERs in the second monitoring period from 01/01/2013 to 30/06/2015[7].**

The plant also blatantly violates other state regulations for polluting industries, being barely 150 meters from long-established residential areas, posing unacceptable health risks[8] to neighboring residents. In sum 2,000 tonnes of unsegregated municipal waste is being incinerated in this plant daily, causing a serious health hazard to tens of thousands of people living and working in this ecologically-sensitive area. Two major hospitals in the area have also complained to the prime minister's office about the hazards to patients[9].

**The CDM monitoring report (2012-2015)[10] is completely erroneous in stating that the plant is using RDF technology because these units do not physically exist.** This is an untenable position for the UNFCCC and must be urgently redressed.

Despite the projects proven negative social and environmental impacts, the TIMARPUR OKHLA Waste Management Pvt. Ltd's waste to energy project at Delhi continues to be registered under the CDM for reducing emissions of greenhouse gases.

A 2014 World Health Organisation's (WHO) report[11] marked Delhi as the most polluted city in the world with an annual PM2.5 level of 153 mgm3. While Delhi managed to chuck-off the tag of being the world's most polluted city in the latest (2016) WHO ranking on pollution levels, thirty plus Indian cities have made their way into the list of hundred most polluted ones. At a time when India is already struggling with its burgeoning pollution problems, we cannot afford to support such green-washed dirty energy industry that relies on burning recyclables for its calorific value displacing safer, non polluting renewable energy technologies while entrenching a globally destructive, unsustainable linear economic model.

Furthermore, the assumptions underlying greenhouse gas estimations made under the CDM, do not take into account the GHG reductions achieved by the current informal recycling sector. Bearing in mind that recycling and composting create greater GHG emission reductions, are most cost effective, and boosts local economy; ignoring present or future recycling capacity is deeply short-sighted.

For instance, Delhi's wastepickers are responsible for annual emissions reductions of approximately 962,133 tCO<sub>2</sub>e[12] through recycling. If the waste to energy project burns even one-quarter of Delhi's recyclables, it will effectively wipe out its own emissions savings, resulting in no net emissions reductions. But because the CDM has not calculated the project's impact on recycling, it will continue to award the company hundreds of thousands of spurious carbon credits – credits which do not represent real emissions reductions.

While incinerators have aroused serious concerns worldwide and their impacts on human health have been extensively documented, the CDM continues to support their expansion, with little regard for their impact on recycling rates and without requiring any pollution control. It is time for the UNFCCC to recognize that it cannot ensure the environmental integrity of incinerators and landfills, nor eliminate the social harm that they cause. Rather than continuing to support projects with negative social and environmental outcomes, the CDM should cease issuing CERs to solid waste disposal projects, including incinerators and landfills.

With this compelling evidence before you, we urge you to categorically exclude waste to energy incinerators and landfills from eligibility for carbon credits. These waste disposal methods, which destroy precious, finite resources and generate significant toxic and greenhouse gas emissions, have no place in the CDM. They compete with waste reduction, reuse, recycling, and composting -- all of which are, according to the waste hierarchy, to be preferred over land filling and incineration.

We urge you to reverse your decision to support the establishment of such thermal waste to energy technologies and lead us towards a Sustainable Zero Waste future, in the direction that supports the health, vitality and security of the India.

We demand that:

1. The CDM Board launches a separate investigation to ensure compliance of the Timarpur-Okhla Waste to Energy plant with the current CDM modalities and procedures—if it does not, withdraws the project's registration on this basis. Such investigation must include a full human health and environmental impact assessment, in cooperation with state and local authorities and with the full inclusion of all stakeholders to ascertain the harm this project has caused to the community and their environment. The CDM Board follows up with the national authorities, enquires about the project status and about whether the government considers withdrawing the letter of approval given the mentioned flaws.
2. The UNFCCC/ CDM recompenses the host community for the harm the project has caused them.
3. The UNFCCC/ CDM ensure that the climate finance is devoted to truly sustainable, low-carbon and toxic free projects in India.

In view of the above submissions, we are hopeful that your considered intervention will set the matters right and save the public health and ecosystem for the present and future generations.

Thanking You.

Sincerely,

(The undersigned)

Copy to Dr. A. Duraisamy ([a.duraisamy@gov.in](mailto:a.duraisamy@gov.in)), Director (CC) and Member Secretary (DNA), Ministry of Environment and Forest and Climate Change, India

Signatures: Dr. U C Bahri, 86-D; Krishan Gopal Kakkar, 44-A; Dr. Danish A Hashim 24-D; J.B. Sharma, A-205; Pawan K Bahl, 114-A; Kaun Raut, 99-A; B K Raut, 98-A; Dr. M.L. Gogiani, 52-A; Anju, 44-A; Rajendra K Agrawal, 46-B; Bina, 46-C; Madhuri, 45-A; Khalil UR Rehman, 43-A; Johnson O, 33-D; Prem Paruash, 33-C; Dr. Rubal Gupta, 35-A; Prof. T. Ramamurthy, 42-A; Gulshan K. Khurana, 34 A; S. Khan, 44-C; R S P Singh, 45-D; Vipin Kapoor, 41-B; Harsh Nayyar, 153-B; Prashant V. R., 61-D; R.K. Sardana, 34-C; Y.K. Khanna, 122-D; Juli Sardana, 34-C; Karnal Chand, 39-A; A.K. Roy, 119-C; Iti Aggrawal, 85-D; Sriraman R, 85-D; Sarita Aggrawal, 64-A; Navin Arora, 83-B; Rajesh Malhotra, 79-A; Rajkumar Goyal, 78-C; Rajiv Malhotra, 110-B; R.K. Godhuvaro, 132-C; S.K. Maheshwari, 68-A; R.K. Deewan, 75-C; L.D. Madan, 67-A; H.P. Godhwari, 132-A; Kailash Sood, 233; Manju, B-7; Swantanter Malhotra, 97-B; Usha Bhagat, 107-B; Balesh Verma, 34-B; Meenu Sharma, 32-C; Madhu Chowdhary, 78-B; Bimla Gupta, 131; Kusum Y, 92-A; Nandini Rege, 147; Pravin Rastogi, 73-C; Ajit Bala Sood, 139; Seema Rani, 81-B; Shashi Prabha, 47-C; Bimla Wadhawa, 60; Vinod Bala Bhardwaj, 164-B; N. T. Thadani, 65-A; Anand Malik, 83-A; Randhir K Sharma, 94-B; (68), 94-B; V. N. Mathew 75-B; Deepti Kar 111-B; Usha 97-A; Madhu Mehrotra, 125-B; Rekha Jain, 186; Pushpa Diwan, 75-C; Moti Bhatia, 52-B; H. P. Singh, 232; Sushil Chaudhrey, 73-C; Vishnu Dutt Sharma, 53; Nirmal Gupta, 41; S.S. Sood, 113-C; Shubhi Gupta, 48-D; Dr. Abhishek, 24-C; P.P. Sharma, Shop. No.5, DDA; Ruhulla Hussain, 120; Deis, Shop-1, DDA; Devashish Shukla, 3-D; Kapil Dodhi, 120-A; Sandeep Biswas, 4-C; V.K. Bakshi, 6-A; M.I. Khan, 11-A; Manoj Mathur, 9-B; Mohd. Salimmuddin, 103-B; Preeti Narang, 104-B; Sajimon PM, 103 C; M. Alexx, 104-D; Mrs. H.K. Chadha, 73-B; Mrs. Naushad Zafar, 104-C; Oindrila Ghosh, 133-B; Deepak, 119-A; Kamal K Sehgal, 124-B; Nelai Chand Addy, 124-C; Manju Maity, 124-D; Kunal Tandon, 123-D; Shivi Mehrotra, 125-B; Ashok Dutta, 126-C; B.P. Mathur, 125-C; Abhi Rani, 126-D; Dr. Pramod, 125-D; Rajkumar Goyal, 78-C; Rajiv Malhotra, 110-B; R.K. Godhuvaro

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[1][http://www.business-standard.com/article/specials/the-tangled-tale-of-jindal-s-waste-to-energy-project-113060300039\\_1.html](http://www.business-standard.com/article/specials/the-tangled-tale-of-jindal-s-waste-to-energy-project-113060300039_1.html)

[2]<http://towmcl.com/content.aspx?MKey=3>

[3]<http://www.dailypioneer.com/city/okhla-plants-carbon-credit-move-appalls-many.html>

[4]Central Pollution Control Board Report , 2012– “Technical Evaluation of MSW Based Waste to Energy Plant at Okhla STP Site, Delhi” B29016/ (SC)/1/11/HWMD/3762

[5]Delhi Pollution Control Committee Letter Dated: 10/01/2014, (F.No. DPCC/WMC-II/2013/W1/1598 To 1605), Subj: Show cause notice for refusal of consent under Air (Prevention and Control of Pollution) Act, 1981 and under Water (Prevention and Control of Pollution) Act, 1974 as amended to date

[6] Minutes of the meeting under the Chairmanship of Chief Secretary, Government of National Capital Territory (NCT) of Delhi to implement the orders of the National Green Tribunal in the matter of Sukhdev Vihar Residents Welfare Association and Ors Versus State of NCT of Delhi & Ors; F. No. 13/56/CC/MB/UD/2016/1327-1341; Dated 06/07/2016

[7]CDM Monitoring report form (Version 05.1), UNFCCC reference number of the project activity - 1254

[8]<http://www.downtoearth.org.in/news/green-tribunal-panel-finds-ash-from-okhla-plant-truly-hazardous-40937>

[9]<http://economictimes.indiatimes.com/jindal-groups-upcoming-waste-to-energy-plant-has-delhi-fuming/articleshow/10276555.cms>

[10]CDM Monitoring report form (Version 05.1), UNFCCC reference number of the project activity - 1254

[11][http://www.business-standard.com/article/news-cd/india-has-the-most-polluted-cities-across-the-world-4-out-of-10-116051601102\\_1.html](http://www.business-standard.com/article/news-cd/india-has-the-most-polluted-cities-across-the-world-4-out-of-10-116051601102_1.html)

[12]Cooling Agents: An Examination Of The Role Of The Informal Recycling Sector In Mitigating Climate Change,” Chintan 2009