

**CHANDIGARH ADMINISTRATION  
DEPARTMENT OF LOCAL GOVERNMENT**

**NOTIFICATION**

**The 11 Sept, 2018**

No. FII(9)-2018/ 14054 In exercise of the powers conferred by Sub-Section 399 and 401(1) of the Punjab Municipal Corporation (as extended to the Union Territory of Chandigarh) Act, 1976 and in accordance with the provisions under Rule 15 of Solid Waste Management Rules, 2016 issued by the Ministry of Environment, Forest and Climate Change, Govt. of India, in order to organize and regularize Solid Waste Management and Handling work in Municipal Corporation Chandigarh, the Administrator, Union Territory, Chandigarh is hereby pleased to publish the draft Chandigarh Solid Waste Management Bye-laws, 2018, as approved by the General House of Municipal Corporation Chandigarh, for information of the General Public and other stakeholders.

Notice is hereby given that the draft will taken into consideration by the Administrator, Union Territory Chandigarh, on or after the expiry of period of 30 days, from the date of publication of this notification, in the Chandigarh Administration Gazette together with any suggestions/comments, which may be received by the Commissioner Municipal Corporation Chandigarh from any person before the expiry of the period so specified with respect to the draft, namely :-

**Draft Bye-Laws**

**CHAPTER – I - GENERAL**

**1. Short Title and Commencement**

- (1) These Bye-laws may be called Municipal Corporation Chandigarh '**Solid waste Management Byelaws 2018**'.
- (2) They shall come into force on the date of publication in the Gazette.
- (3) They shall supersede the Chandigarh Municipal Corporation (Sanitation and Public Health) Bye laws 1999 and amendment made vide Notification No. 808-FII(8)2017/6135 dated 12.7.2017.

**2. Applicability and Scope**

Except where it is otherwise expressly or impliedly provided, these Bye-laws shall apply to all persons, including all generators of waste, within the whole geographical area vested in the Corporation from time to time by the Government including all public and private places irrespective of its use or ownership, i.e., dwelling, trading, commercial, professional, industrial, governmental, semi-governmental, administrative, educational, religious, recreational, social and all other usages which are not included herein.

**3. Right to Interpret**

If any question relating to the interpretation of these Bye-laws arises it shall be referred to the Municipal Commissioner who shall give his/her decision and which decision shall be final.

## CHAPTER II - DEFINITIONS

### 4. Definitions

Unless the context otherwise requires:-

- (1) **“Aangan”/premises/place** means the public place in front of, or adjacent on any side of any premises, extending to the road, kerb side including the footpath kerb, drain, nala, plot or premises ;
- (2) **“Administrative Charges”** means a charge collected from an offender for recovering the cost of execution or completion of any work, order or direction, the non execution or non compliance of which constituted the offence.
- (3) **“Aerobic composting”** means a controlled process involving microbial decomposition/breaking down of organic matter in the presence of oxygen;
- (4) **“Agency/Agent/Contractor/Service Provider”** means any entity/person appointed or authorized by the Municipal Commissioner to act on behalf of the Corporation, for discharge of duties or functions such as sweeping of streets or collection, segregation, transportation, storage, treatment, processing, disposal or any other handling of waste including the operation and maintenance of any facility undertaking such functions, collection of administrative or other charges etc.;
- (5) **“Anaerobic digestion”** means a controlled process involving microbial decomposition/ breaking down of organic matter in absence of oxygen;
- (6) **“Applicable Acts and Rules”** means unless otherwise specifically mentioned, Environmental Protection Act, the Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016, E-Waste management Rules, 2016 Construction and Demolition Waste Management Rules 2016, and Bio-Medical Waste Management Rules, 2016;
- (7) **“Authorization”** means permission granted by the prescribed authority for the generation, segregation, collection, reception, storage, transportation, treatment, processing, disposal and/or any other form of handling of waste and/or for such other related matters in accordance with these Bye-laws;
- (8) **“Authorized official”** means a person/ employee authorized by Municipal Corporation Chandigarh in terms of these Bye-laws to execute work, conduct inspection and monitor and enforce compliance with these Bye-

laws or any relevant Acts, Rules or guidelines prescribed by the Central or State Governments, Corporation or any other prescribed authority;

- (9) **“Bio-degradable waste”** means any organic material that can be degraded by micro-organisms into simpler stable compounds; for example the waste of plant and animal origin e.g. kitchen waste, food & flower waste, leaf litter, garden waste, animal dung, fish/meat waste and any other material that gets degraded/decomposed by the action of micro- organisms;
- (10) **“Bio-medical waste”** shall consist of any waste, which is generated during the diagnosis, treatment or immunization of human beings or animals or in research activities pertaining thereto or in the production or testing of biological materials or health camps, and as more particularly defined in the Bio-Medical Waste Management Rules, 2016 or any amendment thereto.
- (11) **“Biomethanation”** means a controlled process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas which is contained (not allowed to escape to the atmosphere) and used as a source of energy;
- (12) **“Brand owner”** means a person or company who sells any commodity under a registered brand label.
- (13) **“Buffer zone”** means zone of no-development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within the total area allotted for the solid waste processing and disposal facility.
- (14) **“Bulk Generator”** means the owner, occupier or any other person representing owners and occupiers of House(s)/Flat(s), Group of Houses/Flats, housing society(s) / complex(s), Restaurant(s); Hotel(s), Market(s), Industrial Estate(s) and Shopping Complex(s) / Mall(s) and includes buildings occupied by the Central Government Ministries, Departments or Undertakings, State Government Departments or Undertakings, Local Bodies, Public Sector Undertakings or Private Companies, Hospital(s), Nursing Home(s), School(s), College(s), University(s), Other Educational Institutions, Hostel(s), Hotel(s), Commercial Establishment(s), Places of Worship, Stadia and Sports complexes, clubs, gymkhanas, marriage halls, recreation/entertainment complexes having an average waste generation rate exceeding 100 kg per day; or other establishment sources / premises that are specifically identified and notified by the officials of Municipal Corporation, of Chandigarh.
- (15) **“Bulk garden and horticultural waste”** means bulk waste from parks, gardens, traffic islands, road medians etc. including grass & wood clippings, weeds, woody ‘brown’ carbon-rich material such as pruning,

branches, twigs, wood chipping, straw or dead leaves and tree trimmings, which cannot be accommodated in the daily collection system for biodegradable waste;

- (16) **"Rules/bye-laws"** means regulatory framework notified by State / urban local body, census town and notified area townships for facilitating the implementation of these rules/bye-laws in their jurisdiction.
- (17) **"Census town"** means an urban area as defined by the Registrar General and Census Commissioner of India;
- (18) **"Collection"** means lifting and removal of solid waste from designated collection point or any other location;
- (19) **"Collection at source"** means the collection of segregated solid waste by the Corporation directly from the doorstep/ gate/ ground floor/ point of entry from a public road to the premises of any Generator, or from any bin or Community Bin placed at such doorstep/ gate/ point of entry in accordance with these Bye-laws or as may be notified by the Municipal Commissioner or any competent officer appointed by him/her in this regards. The place from which waste is to be collected at source as per these bye-laws or as notified by the commissioner is referred to as "primary collection point" and the system of collection is also referred to as "Primary Collection";
- (20) **"Combustible waste"** means non-biodegradable, non-recyclable, non-reusable, non-hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;
- (21) **"Community"** means a group of interacting people, living in some proximity (i.e., in space, time or relationship). It refers to a social unit larger than a household that shares common values and has social cohesion;
- (22) **"Community Bin"** means an approved receptacle provided by the Generator for the storage of waste less than 1 cubic meters which is placed at the specified Collection Point on the sides of private roads, by-lanes etc. or on the premises of societies, apartments, bungalows etc., to ensure collection of solid waste in terms of these Bye-laws;
- (23) **"Competent Authority"** means any person/persons or authority/authorities; authorized by the prescribed authority as the case may be, to perform the functions as specified under these bye-laws;
- (24) **"Compost"** means the product obtained through Composting or Vermi-Composting;
- (25) **"Composting"** means a controlled process involving microbial decomposition of organic matter under predominantly aerobic conditions;
- (26) **"Community Container"** means an approved receptacle, provided by the Corporation, having a capacity greater than 1 cubic meters which is

placed in public spaces or on the sides of public roads or streets for the temporary storage of solid waste, in terms of these Bye-laws;

- (27) **“Contractor”** means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;
- (28) **“Construction and Demolition Waste (C&D Waste)”** means the waste resulting from construction, remodeling, repair, renovation or demolition of structures or from land clearing activities, trenching or de-silting activities. "Structures" for the purposes of this definition means buildings of all types (both residential and non-residential), utilities, infrastructure facilities and any other type of man-made structure. C&D Waste includes, but is not limited to bricks, concrete, rubble and other masonry materials, soil, trees, any type of vegetation, rock, wood (including painted, treated and coated wood and wood products), land clearing waste, wall coverings, plaster, drywall, plumbing fixtures, non-hazardous insulation, roofing, waterproofing material and other roof coverings, asphalt pavement, glass, plastics, paper, gypsum boards, electrical wiring and components containing no hazardous materials, pipes, steel, aluminium and other non-hazardous metals used in construction of structures. Provided however C&D Waste shall not include (even if they result from construction, remodelling, repair, renovation or demolition of structures or from land clearing activities) any hazardous waste as defined under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 or E-Waste as defined under the E-Waste Management Rules, 2016.
- (29) **“Co-processing”** means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500kcal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;
- (30) **“Decentralised”** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and diversion of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
- (31) **“Delivery”** means depositing any category of solid waste into any community bin, community container or handing it over to a waste-picker, Corporation employee or any agent authorized by the Corporation for taking delivery of such solid waste, in the manner and as may be determined by the Corporation;
- (32) **“Disposal”** means final and safe disposal of post-processed residual solid wastes and inert street sweepings and silt from surface drains on land as specified in Schedule I to the Solid Waste Management Rules to prevent contamination of ground water, surface water, ambient air quality and attraction of animals or birds;

- (33) **"Domestic hazardous waste"** means discarded paint drums, pesticide cans, CFL bulbs, tubelights, medicines including expired medicines, broken mercury thermometers, batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;
- (34) **"Door-to-Door collection system"** means the system of Collection at Source using any method including through waste-pickers, Corporation employees or by using bell-ringing or other vehicles (includes a carriage, cart, van, dray, truck, hand-cart, bicycle, cycle-rickshaw, auto-rickshaw, motor-vehicle and every wheeled conveyance which is used or is capable of being used on a street) as may be authorized by the Corporation;
- (35) **"Dry waste"** means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non-recyclable waste, combustible waste and sanitary napkin and diapers, etc;
- (36) **"Dry Waste Sorting Center"** means any designated land, shed, kiosk, or structure located on any municipal or Government land or in a public space which is authorized to receive and sort dry waste;
- (37) **"Dump"** means placing waste anywhere other than approved receptacle, or a place designated as a waste handling facility or a waste disposal facility in the manner prescribed by the Corporation or any Rules in this regards;
- (38) **"Extended Producer Responsibility"** means responsibility imposed upon "manufacturers", or "producers", or "brand owners", or similar stakeholder for segregation, collection, storage, recycling, transportation, treatment, processing or disposal or any other assigned activity beyond manufacturing until environmentally sound management of their post-consumer-use or end-of-life products, and in respect of the particular categories of waste, the definitions respectively prescribed in the:
- i. Solid Waste Management Rules, 2016;
  - ii. Plastic Waste Management Rules, 2016;
  - iii. E-Waste Management Rules, 2016;
  - iv. Any other rules that may be notified and/or amended from time to time.
- (39) **"Fine"** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these rules and/or bye-laws;
- (40) **"Generator of waste"** means any person generating municipal solid waste within the limits of Municipal Corporation of Chandigarh;

- (41) **“Handling”** includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;
- (42) **“Hazardous wastes”** shall consist of any waste which by reason of any of its physical, chemical, reactive, toxic, flammable, explosive or corrosive characteristics causes danger or likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and includes the hazardous waste defined in the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 or any amendment thereof;
- (43) **“Incineration”** means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
- (44) **“Inerts”** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;
- (45) **“Inert Solid Waste”** means any solid waste or remnant of processing whose physical, chemical and biological properties make it suitable for sanitary land filling;
- (46) **“Informal waste collector”** includes individuals, associations or waste traders who are involved in collection, sorting, sale and purchase of recyclable materials;
- (47) **“Landfilling” or “Sanitary Landfilling”** means the final and safe disposal of residual solid wastes and inert waste on land in a facility designed in accordance with various Central or State Rules and regulations with protective measures against pollution of ground water, surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants, slope instability, erosion etc.;
- (48) **“Leachate”** means the liquid that oozes and seeps through solid waste or other medium and has extracts of dissolved or suspended material from the media;
- (49) **“Litter”** means all refuse and other such waste material which, tends to create nuisance, dirt, insanitary conditions, ugliness and endangers cleanliness, public orderliness & movement, environment, public health, safety, life and welfare if dropped, thrown, scattered, deposited or left uncleaned or unpicked as against the prohibition under these Bye-laws; **“Littering”** means carelessly spreading litter so that falls, descends, blown, seeps, percolates or otherwise escapes or is likely to fall, descend, blown, seep, percolate or otherwise escape into or onto any public or private place; Or causing, permitting or allowing litter to fall,

descend, blow, seep, percolate or otherwise escape into or onto any public or private place;

- (50) "**Local body**" for the purpose of these rules means and includes Municipal Corporation, Chandigarh
- (51) "**Market**" means any place where persons assemble for the sale of, or for the purpose of exposing for sale, meat, fish, fruits, vegetables, animals intended for human food or any other articles of human food whatsoever, with or without the consent of the owner of such place notwithstanding that there may be no common regulation for the concourse of buyers and sellers and whether or not any control is exercised over the business of, or the person frequenting, the market by the owner of the place or by any other person;
- (52) "**Materials Recovery Facility**" or "**MRF**" or "**Sorting Shed**" means a facility, established by the Corporation, or an existing waste collection/ aggregation / trading facility authorized by the Commissioner as such, where segregated dry solid waste can be temporarily stored by the Corporation or any person authorized by the Corporation to facilitate segregation, sorting, baling, recovery and temporary storage of recyclables by waste-pickers or other informal waste recycling workers before the waste is delivered or taken up for its processing or disposal;
- (53) "**Municipal Commissioner**" / "**Commissioner**" means the Municipal Commissioner of Municipal Corporation Chandigarh;
- (54) "**Municipal Corporation**" means the Municipal Corporation of Chandigarh established under / **Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994 (Act No.45 of 1994)**.
- (55) "**Municipal Solid Waste**" includes commercial and residential wastes generated in a Municipal or Notified Local Body in either Solid or Semi - Solid form excluding industrial hazardous waste but including properly and fully treated bio-medical waste( as per applicable rules);
- (56) "**Non-Biodegradable Waste/ Dry Waste**" means the garbage or waste made up of non-biodegradable material and not capable of being degraded by micro-organisms or biological natural process into simpler stable compounds within a reasonable time period, which remain in the environment for long periods of time or as may be prescribed by any law in force, and includes recyclable waste, non-recyclable waste and combustible waste but excludes inert street sweepings.
- (57) "**Nuisance**" includes any act, omission, place or thing which causes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smell or hearing or which is or may be dangerous to life or injurious to public health, safety or welfare or to property or environment;
- (58) "**Nuisance Detectors**" means the employees or agents of the Corporation who are appointed and empowered by the Municipal

Commissioner to issue notices and/or collect compounding fee/ administrative charges from the offenders of the provisions of this bye-laws;

- (59) **"Notified Area"** means areas notified by the Corporation;
- (60) **"Occupier/Occupant"** includes any person, who for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever and includes:
- a. any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;
  - c. an owner in occupation of, or otherwise using his/her land or building; a rent- free tenant of any land or building;
  - d. a licensee in occupation of any land or building; and
  - e. any person who is liable to pay to the owner damages for the use and occupation of any land or building;
- (61) **"Operator of a facility"** means a person who owns or operates a facility for collection, segregation, storage, transportation, treatment, processing or disposal of solid wastes and also includes any other agency appointed as such by the Corporation for the management or handling of solid wastes or any part thereof in the respective areas;
- (62) **"Owner"** means
- a. Any person who exercises the rights of an owner of any building, or land or part thereof or with whom from time to time is vested the legal title to premises; and if owner is not present for the time being those lease holder and tenants are considered as owners for the purpose of the Bye-laws;
  - b. In the case where the person in whom the legal title is vested is insolvent or deceased, or is under any form of legal disability whatsoever, the person in whom the administration and control of such person's property is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
  - c. In any case where the Corporation is unable to determine the identity of such person, a person who is entitled to the benefit of the use of the premises or a building or buildings thereon;
- (63) **"Person"** means any person or persons and shall include any shop or establishment or firm or company or association or body of individuals whether incorporated or not and their agents, assignee etc.;

- (64) **“Point to Point Collection”** means the system of collection of solid waste from specific pick-up points as fixed by the Solid Waste Management Department of the Corporation or from Community Containers placed at specific points, up to which the generator must bring the segregated, collected and stored waste for delivery to collection person/ vehicle/ Community Container in the manner prescribed in these Bye-Laws;
- (65) **“Pollution”** means any change in the environment caused by:
- a. substances;
  - b. radioactive or other waves; or
  - c. noise, odours, dust or heat; emitted from any activity, including the storage or treatment of waste or substances, construction and the provision of services, whether engaged in by any person or an organ of state, and where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or could have that effect in the future;
- (66) **“Premises”** includes buildings, tenements in a building, house, outhouse, stable, shed, hut, and any other structure whether of masonry, brick, mud wood, metal or any other material whatsoever and lands of any tenure whether open or enclosed whether built upon or not being used for the time being for purposes of residence, trade, industry, service, business, government or any other public or private purpose including weddings, banquets, meetings, exhibitions, organized events etc. It also includes any portion of a public road that is permitted by the Municipal Commissioner to be used for the time being for parking of vehicles, street vending, storage of materials at a work site or for any public or private purpose whatsoever other than the movement of vehicles;
- (67) **“Private Street”** means any street which is not a public street and includes any passage securing access to two or more places belonging to the same or different owners
- (68) **“Primary collection”** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the local body;
- (69) **“Processing”** means any scientific process by which segregated waste is treated for the purpose of reuse, recovery, recycling or transformation into new products or making it suitable for land filling;
- (70) **“Public Nuisance”** means any act, omission, place or thing which causes or is likely to cause nuisance in any public place;
- (71) **“Public place”** includes any road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not over which the public have a right of passage, and

such places to which the public has access such parks, garden, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc.;

- (72) **“Public road” or “Public Street”** means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public has a right of access, and includes –
- i. the verge of any such road, street or thoroughfare
  - ii. any bridge, ferry or drift traversed by any such road, street or thoroughfare and
  - iii. any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;
- (73) **“Receptacle”** means container, including bins, bags or sacks of appropriate size and specification, used temporarily or permanently for the storage of any category of solid waste as may be notified by the Corporation;
- (74) **“Recycling”** means the process of transforming segregated non-biodegradable solid waste into new material products or into raw material for producing new material products, which may or may not be similar to the original products;
- (75) **“Refuse derived fuel”(RDF)** means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;
- (76) **“Refuse”** means any waste matter generated out of different activities, processes, either degradable/non-degradable/other in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form.
- (77) **“Residual solid waste”** means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing;
- (78) **“Rubbish”** includes ashes, broken bricks, broken glasses, dust, malba, mortar and refuse of any kind which is not filth;
- (79) **“Sanitation”** means the promotion of hygiene and the prevention of disease and other Causes of ill health related to environmental factors. However, the relevant provisions in respect of sanitation and health; in “Chandigarh Municipal Corporation Sanitation and Public Health Byelaws” and “Chandigarh Municipal Corporation/Chandigarh Administration Malaria and other Mosquito borne Diseases Byelaws etc ”; shall continue to prevail, as usual.

- (80) **"Sanitary Waste"** shall consist of used Sanitary Napkins, Towels, Tampons, Condoms, Diapers and incontinence pads/ sheets and any similar waste;
- (81) **"Schedule"** means a schedule appended to these Bye-laws;
- (82) **"Secondary storage"** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility;
- (83) **"Segregation"** means to separate Solid Waste into various components of waste such as Bio-Degradable, Non-Biodegradable, Domestic Hazardous, Sanitary, E-waste, Bio-Medical, Construction and Demolition, Bulk Garden and Horticultural Waste etc. as may be prescribed under these Bye-laws and any other law in force;
- (84) **"Solid waste"** means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio- medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities
- (85) **"Sorting"** means the categorization of segregated Non-Biodegradable Waste into various sub- categories of Recyclable Waste such as paper, plastic, metal, glass etc. including further separation into varying grades of such materials, as may be appropriate or necessary for recycling;
- (86) **"Stabilizing"** means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land ,soil erosion control and soil remediation;
- (87) **"State board or Committee"** means, as applicable, the State Pollution Control Board of a state or the Pollution Control Committee of a Union Territory.
- (88) **"Storage"** means the temporary containment of solid waste in, approved/ prescribed receptacles to prevent littering, nuisance, attraction to vectors, stray animals or excessive foul odour;
- (89) **"Storm Drain"** means a pipeline or channel system that carries surface water and/or runoff to public waters, but does not feed into sewer system;
- (90) **"Street"** includes any way, road, lane, by-lane, square, court, alley, gully, passage, whether a thoroughfare or not and whether built upon or not, over which the public (or the owner thereof) have a right of way and also the roadway or footway over any bridge or causeway;
- (91) **"Street Sweeping"** means the sweeping and collection of Street Sweeping Waste from streets, walkways, alleys, parks and vacant lots;
- (92) **"Street Vendor"** means a person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to

the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;

- (93) **“Stabilized biodegradable waste”** means the biologically stabilized (free of pathogens) waste resulting from the mechanical / biological treatment of biodegradable waste; only when stabilized such waste can be used with no further restrictions;
- (94) **“Source”** means the premises/place in which waste is generated;
- (95) **“Tipping fee”** means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill;
- (96) **“Transfer station”** means a facility created to receive solid waste from collection Local Body and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;
- (97) **“Transportation”** means conveyance of solid waste from place to place hygienically through specially designed covered, motorized/non-motorized transport system, so as to prevent mixing of segregated waste, foul odour, littering, nuisance, spillage, unsightly condition and accessibility to vectors;
- (98) **“Treatment”** means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm;
- (99) **“User Fees”** means charges, applicable to and payable by Generators, as notified by the Commissioner from time-to time to cover the part or full cost for collection, transport, storage, sorting, recycling, treatment, processing or disposal of solid waste
- (100) **“Vehicle”** means a carriage, cart, van, dray, truck, hand-cart, bicycle, tricycle, cycle-rickshaw, auto-rickshaw, motor vehicle and every wheeled conveyance which is used or is capable of being used on a street;
- (101) **“Vermi-composting”** means the process of Composting with the use of earthworms.
- (102) **“Waste generator”** means and includes every person or group of persons, every residential premises and non-residential establishments including Indian Railways, Defence establishments, which generate solid waste;
- (103) **“Waste Hierarchy”** means the priority order in which solid waste should be managed. It means prevention, reduction, reuse, recycling, other recovery and disposal, with prevention being the most preferred and the disposal being the least preferred option;

- (104) **“Waste-Picker”** means a person working independently or engaged, directly or through any agency, whether for wages or not, in collection of reusable and recyclable solid waste from source of generation, streets, bins, containers, processing/ material recovery/ disposal facilities for the purpose of segregation, sorting and sale to waste recyclers and who may be additionally engaged in activities such as handling, cleaning, composting and Biomethanization plant maintenance;
- (105) **“Waste traders”** includes small waste traders, scrap retailers, and itinerant buyers, who are involved in sorting, sale and purchase of recyclable materials.
- (106) **“Wrapper”** means a plastic or other suitable or approved material covering that totally encloses bales or slugs of compacted waste.

Note: Words and expressions used in these bye-laws and not defined but defined in the Environment (Protection) Act, 1986 or any rules notified under these Acts shall have the meanings respectively assigned to them in the Act or Rules, considering the context of their use herein.

### CHAPTER III

#### SEGREGATION AND PRIMARY STORAGE OF SOLID WASTE

##### 5. Segregation and storage of solid waste at source:-

- (i) It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely:-
- a. non-biodegradable or dry waste
  - b. biodegradable or wet waste
  - c. domestic hazardous waste and deposit it into covered waste bins, and handover segregated waste to designated waste collectors as per the direction of MCC from time to time.
- (ii) Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely:-
- a. non-biodegradable or dry waste
  - b. biodegradable or wet waste
  - c. hazardous waste in suitable bins and handover segregated waste to authorized waste processing or disposal facilities or deposition centres through the authorized waste collection agency with paying the carrying charges specified by MCC from time to time.
- (iii) The colour of bins for storage of segregated waste shall be: green- for biodegradable waste, blue - for non-biodegradable or dry waste, black- for domestic hazardous waste.
- (iv) All resident welfare and market associations shall, in partnership with MCC, ensure segregation of waste at source by the generators; facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The biodegradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by MCC.

- (v) All gated communities and institutions with more than 5,000 sqm area shall, in partnership with MCC, ensure segregation of waste at source by the generators; facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by MCC.
- (vi) All hotels and restaurants shall, in partnership with MCC, ensure segregation of waste at source; facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by MCC.
- (vii) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating MCC along with payment of user fee as prescribed in the schedule, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by MCC.
- (viii) Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a news paper or suitable biodegradable wrapping material and place the same in the bin meant for non- biodegradable waste or dry waste.
- (ix) Every street vendor shall keep suitable containers for storage of segregate waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by MCC.
- (x) Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per the directions of MCC from time to time.
- (xi) Domestic Hazardous Waste shall be stored and delivered by every waste generator to the agency/ centre designed for collection of such waste for disposal in a manner authorized by MCC.
- (xii) Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules, 2016.
- (xiii) No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed of in accordance with the respective rules framed under the Environment (Protection) Act, 1986.

(xiv) Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial activity, shall store the same separately in closed, hygienic condition and deliver it at a specified time, on a daily basis to the MCC's collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is prohibited.

(xv) Segregated bio-degradable solid waste if not composted by the generators, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.

## CHAPTER IV

### SOLID WASTE COLLECTION

#### 6. Collection of Solid Waste:-

- i. In compliance of SWM Rules, door to door collection of segregated solid waste shall be implemented in all areas or wards of MCC, to collect garbage from every house, including slums and informal settlements on a daily basis by integrating the informal door to door collection system with MCC collection system.
- ii. In order to collect garbage from every house, area-wise specific time slot shall be set and published at conspicuous parts of that area and on the website of MCC. Commonly, time for house to house garbage collection will be set from 6 am to 11 am. For collection of garbage from trading establishments, shops in commercial areas or any other institutional waste generators, commonly the time shall be from 7 am to 12 noon.
- iii. Arrangements shall be made for collection of residual solid waste from bulk waste generators, which are processing waste in-situ.
- iv. Residual solid waste from vegetable, fruit, flower, meat, poultry and fish market shall be collected on day to day basis.
- v. Horticulture and garden waste shall be separately collected and disposed of. One or two days in a week will be specified for this purpose.
- vi. To make optimum use of bio-degradable waste from fruits and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated.
- vii. Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.
- viii. Waste generators shall be responsible to deposit their segregated waste in the Auto-Tippers/Rickshaws etc deployed by MCC or by the notified authorized waste collector. Segregated waste from multi-storied buildings, apartments, housing complexes (other than those falling under sub-clauses

(iv) and (v) of clause 4 of these bye-laws) may be collected from the entry gate or any other designated location.

- ix. Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with-hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.
- x. Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.
- xi. Route plans for each primary collection and transportation vehicle shall be provided by MCC or by the notified authorized waste collector. These plans in tabular as well as GIS map form, duly approved by MCC shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified Route. MCC or the notified authorized waste collector shall provide a 'Board' at each street to display time-table of primary collection & transportation vehicles to allow residents avail the facility at prescribed time. Such information shall also be uploaded on the website of MCC.
- xii. In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3-Wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.
- xiii. In congested and narrower streets that cannot even be serviced by 3-Wheeler or smaller vehicle, cycle rickshaws or any other type of suitable equipment shall be deployed.
- xiv. Smaller, narrow and congested streets/lanes where even a 3-wheeler/ rickshaw etc. cannot operate, vantage point/s shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting solid waste. Time table for such collection system shall be displayed at the notice board and uploaded on the website of MCC.
- xv. Auto tippers, 3-wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households and not from any other source viz. SSK, open sites, ground, bins and drains etc.
- xvi. MCC or its notified authorized waste collectors shall be responsible to cover all the streets/lanes of each zone for the primary collection.

## **CHAPTER V**

### **SECONDARY STORAGE OF SOLID WASTE**

- 7. Storage of solid waste in the secondary storage points:-**
  - (i) Segregated solid waste collected from doorsteps shall be taken to waste storage depots, community storage bins or fixed or mobile transfer stations or the locations specified by MCC for secondary storage of waste.

- (ii) Such secondary storage points shall have covered containers (of specified colour) for separate storage of:
  - i. non-biodegradable or dry waste
  - ii. biodegradable or wet waste
  - iii. domestic hazardous waste
- (iii) Different containers shall be used in the areas demarcated by MCC to keep segregated waste in the following manner
  - o green- for biodegradable waste,
  - o blue for non-biodegradable,
  - o black - for domestic hazardous waste

MCC shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of solid waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.

- (iv) MCC on its own or through outsourcing agencies shall maintain the storage facilities for solid waste in a manner that does not create unhygienic and unsanitary conditions around it.
- (v) Containers of various sizes in the secondary storage depots shall be provided by MCC or any assigned agencies in different colours as mentioned in these bye-laws.
- (vi) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population;
- (vii) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere;
- (viii) All the housing cooperative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited.
- (ix) MCC or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis.
- (x) Recycling Centres for Dry Waste (Non-Biodegradable Waste)
  - MCC shall convert its existing SSK or identify specific location as per requirement, as 'Recycling Centres' which shall be used for segregation of dry waste received through street /door to door waste collection service.

Recycling centres may be increased depending on the quantity of dry waste received.

- Dry (non-biodegradable) waste from street /door- to-door collection system and from commercial establishments shall be transferred only to these designated 'recycling centres'. These designated centres shall receive only dry waste.
- There shall also be a provision for the households to directly deposit or sell their recyclable dry waste to the authorized agents and/or authorized waste dealers of MCC at these recycling centres at pre-notified rates. A weighing scale and a counter shall be provided at each recycling unit for this purpose. The authorized agents and/or authorized waste dealers shall be allowed to dispose of or sell the recyclable waste to the secondary market or recycling units only in consonance with the provisions of SWM Rules. The authorized agents and/or authorized waste dealers will be entitled to retain sales realization thereof.

(xi) Deposition Centre for specified Domestic Hazardous Waste

- a. For the collection of domestic hazardous waste, a deposition centre will be set up at a suitable location for receiving the specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed by the Government and notify the timing of receiving of such waste.
- b. MCC may also give the responsibility to its agency or concessionaire to collect domestic hazardous waste from all waste generators in segregated manner.
- c. Such waste shall be transported separately to the hazardous waste disposal facility set up by the Government.

## CHAPTER VI

### TRANSPORTATION OF SOLID WASTE

**8. Transportation of solid waste:-**

- (i) Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and mobile transfer stations depending upon choice of technology by MCC.
- (ii) The storage facilities set up by MCC shall be attended daily for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned.
- (iii) Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like RDF, compost plants, bio-methanation plants or any such other facilities in a covered manner.
- (iv) Wherever applicable, for bio-degradable waste, preference shall be given for on-site processing of such waste.

- (v) Collected non-bio-degradable waste shall be transported to the respective processing facilities or secondary storage facilities.
- (vi) Construction and Demolition Waste shall be transported as per the provisions of the Construction and Demolition Waste Management Rules, 2016.
- (vii) MCC shall make arrangements for transportation of inerts in a proper manner. The street sweeping waste and removable drain silt shall be removed immediately after the work is over.
- (viii) Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided.
- (ix) There should be no inter-mixing of waste from various sources during the transportation of waste.
- (x) The services of street level collection and transportation of waste shall be provided every day including holidays.
- (xviii) MCC or its specified agency shall install CCTV cameras at all secondary storage facilities.

## **CHAPTER VII**

### **PROCESSING OF SOLID WASTE**

#### **9. Processing of solid waste:**

- i. MCC shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board:-
  - (a) to minimise transportation cost and environmental impacts, preference shall be given to decentralised processing such as bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste;
  - (b) through medium/large composting/bio-methanation plants at centralised locations;
  - (c) through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants; and/or
  - (d) through construction and demolition waste management plants.
- (ii) MCC shall ensure that recyclables such as paper, plastic, metal, glass, textile etc. go to authorized recyclers.

#### **10. Other guidelines for processing of solid waste –**

- (i) MCC shall enforce processing of bio-degradable waste on site of generation of such waste through composting or bio-methanation, as far as possible, at RWAs, group housing societies, markets, gated communities and institutions with more than 5000 sqm. areas, all hotels and restaurants, banquet halls and places of such nature. Preference shall be given for on site processing of biodegradable waste generated by other waste generators as well.
- (ii) MCC shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio-degradable waste ensure hygienic conditions.
- (iii) MCC shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens as far as possible.
- (iv) MCC shall involve communities in waste management and promote home composting, bio gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility.

## **CHAPTER VIII**

### **DISPOSAL OF SOLID WASTE**

#### **11. Disposal of Solid waste:**

MCC shall undertake on its own or through any other agency, the construction, operation and maintenance of sanitary landfill and associated infrastructure for disposal of residual waste and inert street sweepings and silt from surface drains in a manner prescribed under SWM Rules and any other obligation imposed by any other law for the time being in force.

## **CHAPTER IX**

### **USER FEE AND LEVYING OF SPOT FINE AND ADMINISTRATIVE CHARGES**

#### **12. User fee for collection, transportation, disposal of solid waste:-**

- a. User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by MCC. The rates of user fee are specified in Schedule-I.
- b. The user fee so fixed shall be collected from waste generators by MCC or the authorised agency or person as may be authorized by Commissioner in this behalf and issue of valid receipt or slip to all the Waste Generators/households is mandatory.
- c. MCC shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/ recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly.
- d. MCC shall adopt different methods for collection of user fee including online payment.

- e. Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee.
- f. There shall also be a system of yearly or half yearly payment. If the user fee is paid in advance for the entire year, then amount for ten months will be charged instead of twelve months. Similarly, for six months advance payment, five and half months demand amount will be charged instead of six months.
- g. The user fee mentioned in Schedule -I shall stand automatically increased by 5% per year with effect from 1<sup>st</sup> January of each successive year.
- h. The user fee shall be collected only by the institution/person authorized by the competent authority by a general or special order in this behalf.
- i. In case of default of payment of user fee, the competent authority may recover the same from the defaulter by adding the amount due in the water bill/property tax or by the recovery in Land of Arrear Act.

**13. Fine and Administrative Charges for contravention of SWM Rules:-**

- a. Whosoever contravenes or fails to comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine and Administrative Charges as mentioned in Schedule-II appended to these bye-laws.
- b. In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount and administrative charges for every such default shall be levied per day or month, as the case may be.
- c. The Commissioner shall designate officers for levying fine and administrative charges by a general or special order in this behalf. The fine and administrative charges is specified in Schedule-II.
- d. The fine and administrative charges mentioned in Schedule -II shall stand automatically increased by 5% per year with effect from 1<sup>st</sup> January of each successive year.
- e. The fine and administrative charges shall be levied and collected on the spot by the designated officers. In case of non-payment of fine and administrative charges at the spot, the recovery procedure shall be followed by the MCC by adding the amount due in the water bill/property tax or by the recovery in Land of Arrear Act.

**CHAPTER X**

**RESPONSIBILITIES OF STAKEHOLDERS**

**14. Responsibilities of Waste Generators:**

- i. Prohibition of littering
  - a. Littering in any public place: No person shall litter in any public place except in authorized public or private litter receptacles. No person shall repair vehicles, wash/clean utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.
  - b. Littering on any property: No person shall litter on any open or vacant property except in authorized private or public receptacles.
  - c. Litter-throwing from vehicles: No person, whether a driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place.
  - d. Litter from goods vehicles: No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.
  - e. Litter by owned/pet animals: it shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/clean up any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste preferably by their own sewage system.
  - f. Disposal of waste in drain etc.: No person shall litter in any drain/river/open pond /water bodies.
- ii. Burning of waste: Disposal by burning of any type of solid waste at public places or at any private or public property is prohibited.
- iii. "Clean Area": Every person shall endeavour that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/gutter and kerb is free of any waste, either in solid or liquid form.
- iv. For Public Gatherings and Events organised in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police department and/or from the MCC is required, it will be the responsibility of the organiser of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas.
- v. Refundable Cleanliness Deposit, as may be notified by the MCC, will be taken from the organiser, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public place and does not cover any damage to property. In case the organisers of the event wish to avail of the services of the MCC for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the concerned Deputy Commissioner or equivalent of the MCC and pay the necessary charges as may be fixed by the Competent Authority for this purpose.

- vi. Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the MCC in the following manner:
  - a. The MCC may serve a notice on the owner/occupier of any premises, requiring such owner / occupier to clear any waste on such premises in a manner and within a time specified in such notice.
  - b. If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.
  - c. If the person on whom the notice is served fails to comply with any requirements imposed by such notice, the MCC may –
    - a. Enter on the premises and clear the waste; and
    - b. Recover from the occupier the expenditure incurred in having done so.
- vii. **Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers:**
  - (a) All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market within the jurisdiction of MCC shall provide necessary financial assistance to MCC for establishment of waste management system. MCC may also coordinate with the concerned departments of Central Govt. and/or State Govt for implementation of this provision.
  - (b) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place a system to collect back the packaging waste generated due to their production.
  - (c) Manufacturers or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclable materials in their products or they shall provide a pouch or wrapper for disposal of each napkin or diapers along with the packet of their sanitary products.
  - (d) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.
- viii. All industrial units using fuel and located within one hundred km from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced.

## **15. Responsibilities of MCC:**

- (i) MCC shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets / roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which MCC may engage private parties on contract or Public Private Partnership mechanism, apart from its own cleaning staff and vehicles. In addition, MCC shall identify all the commercial areas for carrying out sweeping twice a day.

- (ii) MCC or the authorized agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc.
- (iii) MCC for the purpose of managing solid waste activities in decentralized and regular manner shall designate one ward officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc.
- (iv) The competent authority shall designate sufficiently senior Officer/s, preferably not below the rank of Additional Deputy Commissioner or equivalent, as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste.
- (v) Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions.
- (vi) MCC shall employ latest road/street cleaning machines, mechanical sweepers or other equipments which improves the efficiency of sweeping and drainage cleaning.
- (vii) MCC shall create awareness and sensitization through Information, Education and Communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of SWM Rules and these bye laws with special emphasis on user fee and fines and administrative charges.
- (viii) MCC shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, composting etc. Incentives may be like awarding and recognizing the households, RWAs and institutions etc. by giving certificates, by publishing their names on respective websites or rebate in property tax etc.
- (ix) MCC shall phase out the use of chemical fertilizers and use compost in all parks, gardens maintained by it and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- (x) MCC shall make efforts to streamline and formalize solid waste management systems and endeavour that the informal sector workers in waste management (waste pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of solid waste management.
- (xi) MCC shall ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves,

raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce.

- (xii) MCC shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection, transport and handling of waste by providing appropriate and adequate personal protective equipments.
- (xiii) In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the officer- in- charge of the facility shall report to MCC immediately which shall review and issue instructions, if any, to the in- charge of the facility.
- (xiv) Regular checks: The Municipal Commissioner or any other officer authorised shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye laws.
- (xv) MCC shall develop a public grievance redressal system (PGRS) by setting up of call centre at its head quarter. The PGRS may include SMS based service, mobile application or web based services.
- (xvi) MCC shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at HQ/all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/ remuneration.
- (xvii) Transparency and Public Accessibility: To ensure greater transparency and public accessibility, MCC shall provide all necessary information through its website.
- (xviii) MCC shall perform all other duties mentioned in SWM Rules, which have not been specifically mentioned in these bye-laws.

## **CHAPTER-X**

### **MISCELLANEOUS**

**16.** If any doubt or difficulty arises in the interpretation or implementation of these bye- laws, the same shall be placed before the Municipal Commissioner, whose decision in the matter shall be final.

**17.** Co-ordination with Government Bodies: MCC shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies.

**18.** The competent authority may issue general or special orders from time to time for proper implementation of Solid Waste Management Rules, 2016 and these bye-Laws.

## **SCHEDULE- I**

### **USER FEE FOR SOLID WASTE MANAGEMENT**

1	2	3
S. No.	Categories	User Fee from each premises/ House/ Dwelling Unit/ Flat per month (in Rupees)
1.	Residential dwelling unit	
(i)	up to 50 sq. m.	50
(ii)	over 50 sq. m. up to 200 sq. m.	100
(iii)	over 200 sq. m.	250
2.	Street Vendor	100
3.	Commercial establishments, shops, eating places (Dhaba/sweet Shops /coffee house etc.)	500
4.	Guest House/ Dharmshalas /Bhawans	2,000
5.	Hostel	2,000
6.	Restaurants up to the sitting of 50 persons	2,000
7.	Restaurants with sitting of more than 50 persons	3,000
8.	Hotel (Unstarred)	2,000
9.	Hotel (Up to 3 star)	3,000
10.	Hotel (Over 3 star)	5,000
11.	Commercial offices, government offices, bank, insurance offices, coaching classes, educational institutes etc	2,000
12.	Clinic, dispensary, laboratories (upto 50 beds) only non-bio medical waste	2,000
13.	Clinic, dispensary, laboratories (more than 50 beds) only non- bio medical waste	4,000
14.	Small and cottage industry, workshops (only non-hazardous waste)	3,000
15.	Godowns, cold storages (only non-hazardous waste)	5,000
16.	Community Centres, Marriage/Party Halls, festivals halls, Party Lawns, exhibition and fairs	5,000
17.	Clubs, Cinema Halls, Pubs, Multiplexes and other such places	4,000
18.	Any other non-commercial, commercial, religious or charitable institutions not covered in any other category	2,000
19.	Other places/activity not marked as above	As decided by the Municipal Commissioner, by general or special order

***\*These user fees are subject to change as notified by the Municipal Corporation from time to time.***

***\*For Bulk generators of waste who are unable to process their waste on site, payment to MCC for collection, transport and processing will be Rs.20 per kg per day.***

Late Payment Surcharge (LPSC) shall be charged at the rate of 10% of the user fee/charges if the user fee/charges are not paid within 30 days of raising the demand.

## SCHEDULE –II

### FINE AND ADMINISTRATIVE CHARGES

S. No.	Rule/ Bye-Laws No.	Offences	Applicable to	Fine + Administrative Charges for every default (in Rupees)
1.	Rule 4 (1)(a) of SWM Rules	Failure to segregate and store waste and handover segregated waste	Residential	200
			Marriage/Party Halls, Festival Halls, Party Lawns, Exhibition and fairs with area	500+9500

		in accordance with the Rule	less than 5000 sqm.	
			Clubs, Cinema Halls, Pubs, Community Halls, Multiplexes and other such places with area less than 5000 sqm.	500+9500
			Other non-residential entities with area less than 5000 sq.m.	500+500
2.	Rule 4 (1) (b) and (d) of SWM Rules	Failure to deal with sanitary waste in accordance with the Rule Failure to deal with horticulture waste and garden waste in accordance with the Rule	Residential	200
			Non Residential	500
3.	Rule 4 (1) (c) of SWM Rules	Failure to deal with construction and demolition waste in accordance with the Rule	Residential	500 +500
			Non Residential	500+4500
4.	Rule 4 (2) of SWM Rules	Open burning of solid waste or bury the solid waste generated, on streets, open public spaces outside premises or in the drain or water bodies.	Violator	500+4500
5.	Rule 4 (4) of SWM Rules	Organizing an event or gathering of more than one hundred person at any unlicensed place without following the prescribed procedure	Person(s), who has/ve organised such event or gathering or, on whose behalf such event or gathering has been organized and the event manager(s), if any, who has/ve organized such event or gathering	500+19500
6.	Rule 4(5) of SWM Rules	Street vendor failing to deal with waste in accordance with the Rule	Violator	500
7.	Bye-Law 13 (i) read with Rule 15(g) of SWM Rules	Littering	Offender	500+9500
<b>Fine and administrative charges shall be levied only once in a month for the following violations</b>				
8.	Rule 4(6)	Failure to deal with	Resident Welfare	500+9500

	of SWM Rules	waste in accordance with the Rule	Association Market Association	500+19500
9.	Rule 4(7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community Institution	500+9500 500+19500
10.	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel Restaurant	500+49500 500+19500
11.	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufacturer and/or Brand Owner	500+99500
12.	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies	500+49500
13.	Rule 18 of SWM Rules	Failure to replace fuel requirement by refuse derived fuel	Industrial unit	500+99500

**\* Failure to collect segregated waste by waste collectors will attract a penalty (Fine and Administrative Charges) of Rs.(500+1500) for residential areas and (Rs 500+9500) for non residential areas.**

**\* Bulk Generators giving wrong self declaration will attract a penalty (Fine and Administrative Charges) of (Rs 500+99500).**

Arun Kumar Gupta, IAS,  
Secretary Local Government  
Chandigarh Administration.

Endst. No.-FII(9)-2018/

Dated, the

A copy is forwarded to the Controller, Printing and Stationery Department, U.T, Chandigarh with the request to publish this notification in the Chandigarh Administration Gazette (Extraordinary) and to supply 20 copies of this notification to this Department for official use and record.

Additional Secretary Local Government  
Chandigarh Administration

Endst. No.-FII(9)-2018/

Dated, the

A copy is forwarded to the Director Information Technology with the request to publish the notification in the official website of Chandigarh Administration.

Additional Secretary Local Government  
Chandigarh Administration

Endst. No.-FII(9)-2018/

Dated, the

A copy is forwarded to the Director Public Relations, U.T., Chandigarh for taking necessary action.

Additional Secretary Local Government  
Chandigarh Administration

Endst. No.-FII(9)-2018/

Dated, the

A copy is forwarded to the Commissioner, Municipal Corporation, Chandigarh to send his recommendation on the suggestions/comments received from the general Public.

Additional Secretary Local Government  
Chandigarh Administration

Endst. -FII(9)-2018/

Dated, the

A copy is forwarded to the following for kind information :-

1. Private Secretary/Adviser to the Administrator, U.T., Chandigarh.
2. PA/Secretary Local Govt. Chandigarh Administration.
3. PA/ Secretary Rural Development, Chandigarh Administration.

Additional Secretary Local Government,  
Chandigarh Administration.